SEPTEMBER
2021

1814 -1820 Ogden Drive Project

Initial Study

City of Burlingame

ICF

1814–1820 Ogden Drive Project Initial Study

Prepared for:

City of Burlingame
501 Primrose Road
Burlingame, CA 94010
Contact: Catherine Keylon

Prepared by:

ICF
201 Mission Street, Suite 1500
San Francisco, CA 94105
Contact: Leo Mena

September 2021

ICF. 2021. *1814–1820 Ogden Drive Project, Initial Study.* September. (ICF 00206.21) San Francisco, CA. Prepared for the City of Burlingame, Burlingame, CA.

Contents

APPENDICES

Tables

Page

Figures

Follows Page

Acronyms and Abbreviations

2040 General Plan	Envision Burlingame Draft General Plan
AB	Assembly Bill
ABAG	Association of Bay Area Governments
ALUC	Airport Land Use Commission
ALUCP	Airport Land Use Compatibility Plan
APN	Assessor's Parcel Number
AQAP	Air quality attainment plan
ASTM	American Society for Testing and Materials
BART	Bay Area Rapid Transit
Basin Plan	San Francisco Bay Basin Plan
BDPA	Bay-Delta Plan Amendment
BMP	best management practices
BMR	below-market-rate
BPD	Burlingame Police Department
BRR	Biological Resources Report
BSD	Burlingame School District
C/CAG	City/County Association of Governments
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CAL FIRE	California Department of Forestry and Fire Protection
Cal/OSHA	California Division of Occupational Safety and Health
CalEEMod	California Emissions Estimator Model
CALGreen	California Green Building Standards Code
CARB	California Air Resources Board
CCE	community-choice energy
CCFD	Central County Fire Department
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CH_4	methane
CHRIS	California Historical Resources Information System
CMP	Congestion Management Program
CNEL	community noise equivalent level
CO	carbon monoxide
CO_2	carbon dioxide
CO_2e	carbon dioxide equivalent
CREC	Controlled Recognized Environmental Condition
CRHR	California Register of Historical Resources
CUPA	Certified Unified Program Agency
dB	decibel
dBA	A-weighted decibel
DOT	U.S. Department of Transportation
DPF	Diesel Particulate Filters
DPR	Department of Parks and Recreation
DSS Model	Decision Support System Model
DTSC	Department of Toxic Substances Control

EIR	environmental impact report
EO	Executive Order
EPA	Environmental Protection Agency
ET	evapotranspiration
ETWU	Estimated Total Water Use
FEMA	Federal Emergency Management Agency
FHSZ	Fire Hazard Severity Zone
GIS	Geographic information system
gpd	gallons per day
gsf	gross square feet
GWP	global warming potential
HCPs	habitat conservation plans
HFCs	hydrofluorocarbons
HRA	health risk assessment
HREC	Historical Recognized Environmental Condition
HVAC	heating, ventilation, and air-conditioning
IPCC	Intergovernmental Panel on Climate Change
I-	Interstate
IS	initial study
ISG	Individual Supply Guarantee
JPA	Joint Powers Authority
LCFS	low-carbon fuel standard
L_{eq}	equivalent sound level
LID	low-impact development
LRA	Local Responsibility Area
MAWA	Maximum Applied Water Allowance
mgd	million gallons per day
MMTC	Millbrae Multimodal Transit Center
MND	Mitigated Negative Declaration
MRP	Municipal Regional Permit
MRZ	Mineral Resource Zone
MTC	Metropolitan Transportation Commission
MWELO	Model Water Efficient Landscape Ordinance
N_2O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NBMU	North Burlingame Mixed-Use
NCCPs	natural community conservation plans
NO_2	nitrogen dioxide
NOP	Notice of Preparation
NO_X	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
NWIC	Northwest Information Center
O_3	ozone
OSHA	Occupational Safety and Health Administration
PCE	Peninsula Clean Energy
PG&E	Pacific Gas & Electric

PM_{10}	particulate matter no more than 10 microns in diameter
$PM_{2.5}$	particulate matter no more than 2.5 microns in diameter
ppd	pounds person per day
PPV	peak particle velocity, or
Project	1814–1820 Ogden Drive Project
RCRA	Resource Conservation and Recovery Act of 1976
REC	Recognized Environmental Condition
ROGs	reactive organic gases
RTP	regional transportation plan
RWQCB	Regional Water Quality Control Board
RWS	Regional Water System
SB	Senate Bill
SCS	sustainable communities strategy
SFBAAB	San Francisco Bay Area Air Basin
SFO	San Francisco International Airport
SFPUC	San Francisco Public Utilities Commission
SIL	significant impact level
SIP	State Implementation Plan
SLCP Reduction Strategy	Short-Lived Climate Pollutants Reduction Strategy
SLF	Sacred Lands File
SMUHSD	San Mateo Union High School District
SO_2	sulfur dioxide
SRA	State Responsibility Area
State Water Board	California State Water Resources Control Board
TACs	toxic air contaminants
TDM	Transportation Demand Management
TIA	Transportation Impact Analysis
TPA	Transit Priority Area
TSCA	Toxic Substances Control Act
UWMP	Urban Water Management Plan
VMT	vehicle miles traveled
WWTP	wastewater treatment plant

This page intentionally left blank.

Chapter 1
Background

1. **Project Title:**

   1814–1820 Ogden Drive Project

2. **Lead Agency Name and Address:**

   City of Burlingame
   Community Development Department—Planning Division
   501 Primrose Road
   Burlingame, CA 94010

3. **Contact Person and Phone Number:**

   Catherine Keylon, Senior Planner
   Telephone: (650) 558-7252
   email: ckeylon@burlingame.org

4. **Project Location:**

   1814 and 1820 Ogden Drive, Burlingame, CA (see Figure 1-1)

5. **San Mateo County Assessor's Parcel Number:**

   025-121-110-10 and 025-121-110-20

6. **Project Sponsor's Name and Address:**

   Ogden Properties MGMT, LLC
   311 9th Avenue
   San Mateo, CA 94404
   Contact: Galen Ma

7. **General Plan Designation:**

   North Burlingame Mixed-Use (NBMU)

8. **Zoning:**

   North Burlingame Mixed-Use (NBMU)

9. **Description of Project:**

   Please refer to Chapter 2, *Project Description*.

10. **Surrounding Land Uses and Setting:**

    The approximately 0.77-acre site for the 1814–1820 Ogden Drive Project (Project) is within the North Burlingame Mixed-Use (NBMU) planning area of the city, a distinct and defining area at the city's north gateway on El Camino Real. The Project site is bounded by two- to four-story apartment buildings to the west (across Ogden Drive); a four-story residential condominium building to the north; a vacant field, associated with the Dharma Real Buddhist facility (1777 Murchison Drive), to the east; and the Sunrise Senior Living Facility to the south.

ICF Graphics ... 00206.21 (5-6-2021) JC

ICF

Figure 1-1
Project Location

11. **Other Public Agencies Whose Approval May Be Required (e.g., permits, financing approval, participation agreement), Potential Responsible Agencies, and Trustee Agencies:**

    The following approvals may be required for the Project:

    - Design review for construction of a six-story, 90-unit residential condominium development (City of Burlingame Municipal Code [Municipal Code] Section 25. 40.020).
    - Planning Commission approval of community benefit bonuses for Tier 3 projects (Municipal Code Section 25.40.030[B][3]).
    - Conditional use permit for tandem parking and use of parking stackers (Municipal Code Section 25.40.050[d]).
    - Condominium permit (Municipal Code Section 26.30.020).
    - Lot Merger and Tentative Map for Condominiums.

12. **Have California Native American tribes that are traditionally and culturally affiliated with the Project area requested consultation, pursuant to Public Resources Code Section 21080.3.1? If so, has consultation begun?**

    The Native American Heritage Commission (NAHC) was contacted on May 11, 2021, and asked to conduct a search of its Sacred Lands File and provided a list of California Native American tribes that have a cultural affiliation with the geographic area of the Project site. On May 26, 2021, the NAHC indicated that the search of its Sacred Lands File identified sacred lands in the vicinity of the Project site and provided a list of eight tribal representatives. On May 27, 2021, ICF, on behalf of the City of Burlingame, emailed letters to the eight individuals identified by the NAHC. The emails included a brief description of the Project, the results of a literature record search, Project location maps, and a request for comments, concerns, or knowledge regarding sacred lands or heritage sites in the Project area. The following individuals were contacted:

    - Irenne Zwierlein, Amah Mutsun – Tribal Bank of Mission San Juan Bautista
    - Ann Marie Sayers – Indian Canyon Mutsun Band of Costanoan
    - Kanyon Sayers-Roods – Indian Canyon Mutsun Band of Costanoan
    - Charlene Nijmeh – Muwekma Ohlone Indian Tribe of the SF Bay Area
    - Monica Arellano – Muwekma Ohlone Indian Tribe of the SF Bay Area
    - Andrew Galvan – Ohlone Indian Tribe
    - Tony Cerda – Costanoan Rumsen Carmel Tribe
    - Kenneth Woodrow – Wuksache Indian Tribe/Eshom Valley Band

    Follow-up calls were made on August 5, 2021. To date, no responses have been received from the Native American tribes.

Chapter 2
Project Description

Introduction

The approximately 0.77-acre Project site is currently developed with a one-story office building (1814 Ogden Drive) and a three-story office building (1820 Ogden Drive). The buildings were constructed in 1959 and 1962. Upon Project implementation, a six-story building, totaling approximately 140,823 gross square feet (gsf), would house 90 residential condominium units.[1] The Project would also provide 145 parking spaces and a publicly accessible plaza.

Project Location

As shown in Figure 1-1, *Project Location*, the Project site is in the City of Burlingame. The site is near major transportation routes, including U.S. 101, Interstate (I-) 280, the Caltrain corridor, and the Millbrae Multimodal Transit Center (MMTC), which provides Caltrain, Bay Area Rapid Transit (BART), San Mateo County Transit District (SamTrans), and additional transit and shuttle services. It is also within the NBMU planning area, a distinct and defining area at the City's north gateway on El Camino Real. The NBMU planning area is bounded by the City limits to the north, California Drive and the Caltrain corridor to the east, Trousdale Drive to the south, and Ogden Drive to the west.

Existing Setting

The Project consists of two parcels near the MMTC. The Project site is approximately 0.5 miles from the MMTC (estimated walking distance of approximately 0.8 mile, about a 15 minute walk). In addition, the Project is within 0.25 mile of El Camino Real and SamTrans Route ECR. El Camino Real is considered a high-quality transit corridor, as evidenced by the 15-minute headways during peak hours on SamTrans Route ECR.

The majority of the Project site is covered by impervious surfaces. There is minimal landscaping; bushes and some trees are located in the front of the buildings and alongside the driveways.

The Project site is bounded by two- to four-story apartment buildings to the west (across Ogden Drive); a four-story residential condominium building to the north; a vacant field, associated with the Dharma Real Buddhist facility (1777 Murchison Drive), to the east; and the Sunrise Senior Living Facility to the south. In addition, Mills High School is approximately 0.15 mile from the Project site. Figure 1-1 depicts the location of the Project site.

[1] The Project site allows a density of 140 units/acre. On a 0.77-acre site, a total of 107 units are allowed. The Project is proposing 90 units, which is within the allowed density.

Land Use and Zoning

On January 7, 2019, the City of Burlingame adopted the Envision Burlingame Draft General Plan (2040 General Plan). The Project site is within the NBMU land use designation. According to the 2040 General Plan, the NBMU land use designation creates a high-intensity development node within walking distance of the MMTC. High-density residential is a permitted use within the NBMU land use designation.[2]

Within the City's Municipal Code, NBMU zoning was created to implement the related NMBU designation in the 2040 General Plan (see Chapter 25.40). The Project site falls within the NBMU zoning designation. The NBMU zone is a transit-oriented development district that accommodates housing at progressively higher densities, based on the level of community benefit provided, with the goal of ensuring that new development adds value for all in the City.

Development projects within this zone must fulfill specific interim standards, which were recently adopted to be made permanent.[3] Development projects are categorized as any one of three tiers, ranging from Base Standard Intensity (Tier 1) to Maximum Intensity (Tier 3).

The Project is proposed as a Tier 3 project. Tier 3 projects may reach a maximum of seven stories or 75 feet with a maximum density of 140 dwelling units per acres, must fulfill specific open space and development standard thresholds, and must provide at least three community benefits.

Description of Project

All existing features associated with the Project site would be removed, including the two office buildings. The Project would include construction of a six-story, 72-foot-high[4] residential building with 90 residential units. The residential units would include 20 studio units (448–514 square feet), 15 one-bedroom units (624–789 square feet), and 55 two-bedroom units (900–1198 square feet). Five of the residential units would be below-market-rate (BMR) units.[5]

Based on the proposed number of residential units, the applicant would be required to provide a minimum of 118 parking spaces. Because the Project would include 145 parking spaces on two levels (one below grade and one at grade), the Project would fulfill the parking requirement. Of the 145 parking spaces, 66 would be provided in puzzle stackers; 44 would be provided as tandem parking spaces with the remaining as 28 uninstall spaces and 7 handicap accessible space (ADA compliant). The Project would include red curbs next to the Project driveway to avoid issues associated with on-street parking obstructing the vision of exiting drivers.

The basement of the proposed building would include vehicle and bicycle parking (20 bicycle parking spaces for residences); the ground floor would include vehicle and bicycle parking (30

[2] City of Burlingame. 2019. *Envision Burlingame Draft General Plan.* City Council Hearing Draft. Available: https://www.burlingame.org/departments/planning/general_plan_update.php. Accessed: May 2021.

[3] City of Burlingame. 2019. *North Burlingame Mixed-Use Zone – Interim Standards*. Available: https://www.burlingame.org/document_center/Planning/North%20Burlingame%20MU%20Zone_Adopted_01-07-19.pdf. Accessed: May 2021.

[4] Measured to the top of the parapet. The height to the top of the elevator penthouse is 76 feet.

[5] Below-market-rate units are for low-income households (i.e., income does not exceed 80 percent of the average median income).

bicycle parking spaces for residences and six bicycle parking spaces for guests), a lobby, a residential community room, a rear yard, and a public plaza; the second floor would include residential units and a courtyard with common open space; and the thirds to sixth floors would include residential units. Figure 2-1, *Site Plan – Basement*, Figure 2-2, *Site Plan – Ground Floor*, Figure 2-3, *Site Plan – Second Floor*, Figure 2-4, *Building Sections and Elevations*, and Figure 2-5, *Rendering*, show the proposed site plans, elevations, and a rendering.

The Project would consist of a six-story building that would front Ogden Drive. Given the height of the building, the Project would be visible from adjacent streets in the vicinity. The building exterior would be composed of cement plaster, metal panels, horizontal composite siding, composite board panels, and exposed concrete columns. Figure 2-5 includes a visual rendering of the Project. Exterior lighting would be included in the Project and would comply with the City Municipal Code (Section 18.16.030).

Landscaping, Open Space, and Amenities

The Project would require the removal of all existing landscaping, including shrubs and 10 trees (one Hollywood juniper and nine Italian cypress). None of the trees are considered protected trees under the Burlingame Municipal Code Section 11.06.

The Project proposes seven new trees (four crape myrtle trees [24-inch box] and three Indian hawthorne trees [24-inch box]) on the ground floor along Ogden Drive and 12 trees (eight crape myrtle trees [24-inch box] and four 15-gallon pygmy date palms) on the second floor courtyard. In addition, the Project proposes approximately 5,669 square feet of landscaped area (shrubs, grasses, and other plants).

Open space would be included as a part of the Project in the form of common and private open space. Common open space would be located in the front and rear yards of the ground floor, including the public plaza on the ground floor and a courtyard podium on the second floor. The common open space would total 9,849 square feet. The public plaza on the ground floor would include amenities such as benches, tables, chairs, and landscaping. The courtyard on the second floor would include amenities such as a fireplace with pergola, planters, outdoor sofas, and a grill. In addition, the Project would also include private open space in the form of balconies for the units, totaling 6,450 square feet. In total, the Project would include a combination of common and private open space totaling 16,299 square feet.

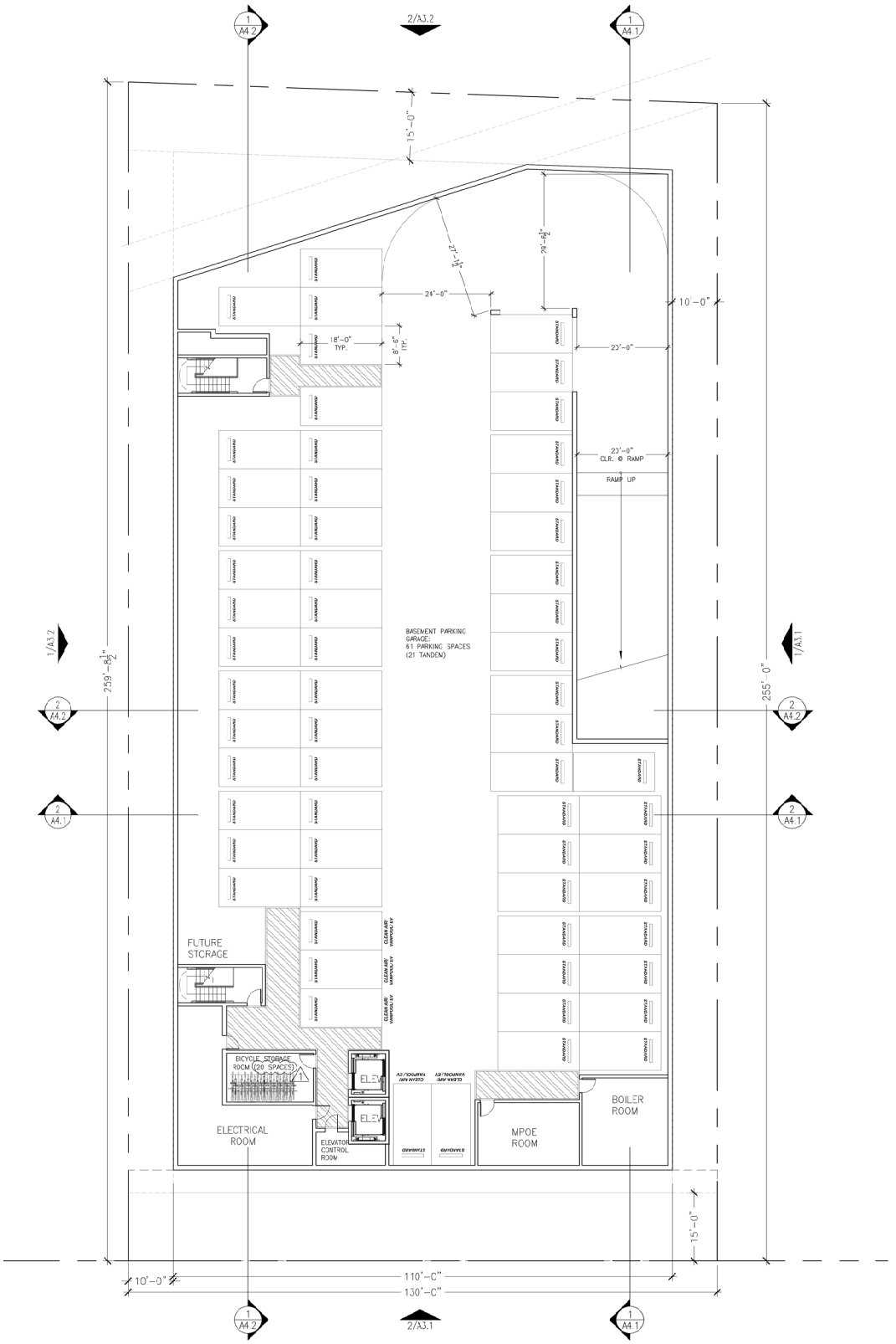
Utilities and Energy

The Project would include connections to existing electric, cable, telephone, sewer, and water utilities. The connections would be made underground from Ogden Drive. Stormwater would be treated on-site in a bio-retention area in the rear yard.

Sustainability Features

Renewable Energy

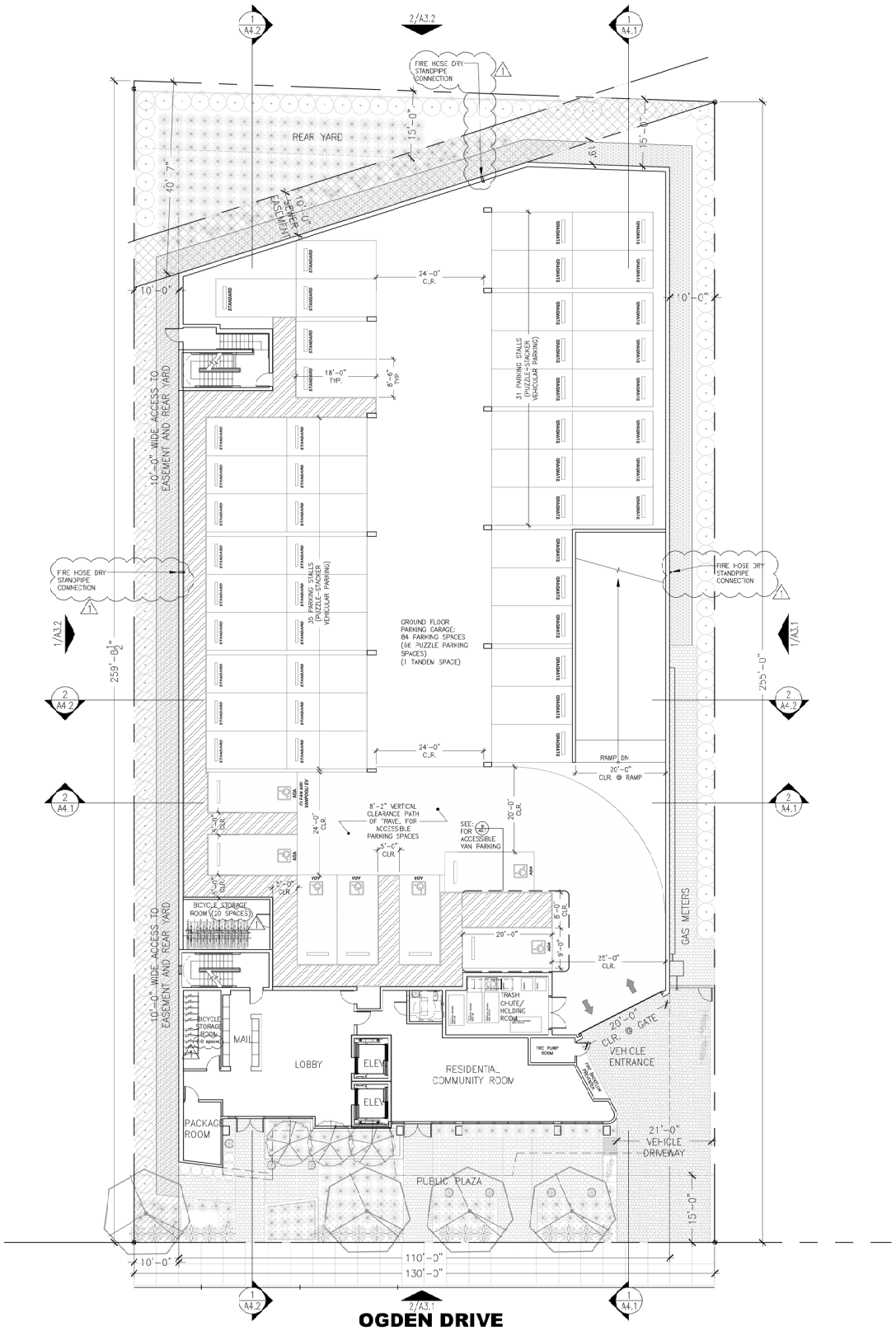
As one of the community benefits associated with fulfilling the Tier 3 development standard, the applicant will commit to providing 100 percent of the building's total energy demand from



Source: Levy Design Partners, 2021.

ICF Graphics ... 00206.21 (5-6-2021) JC

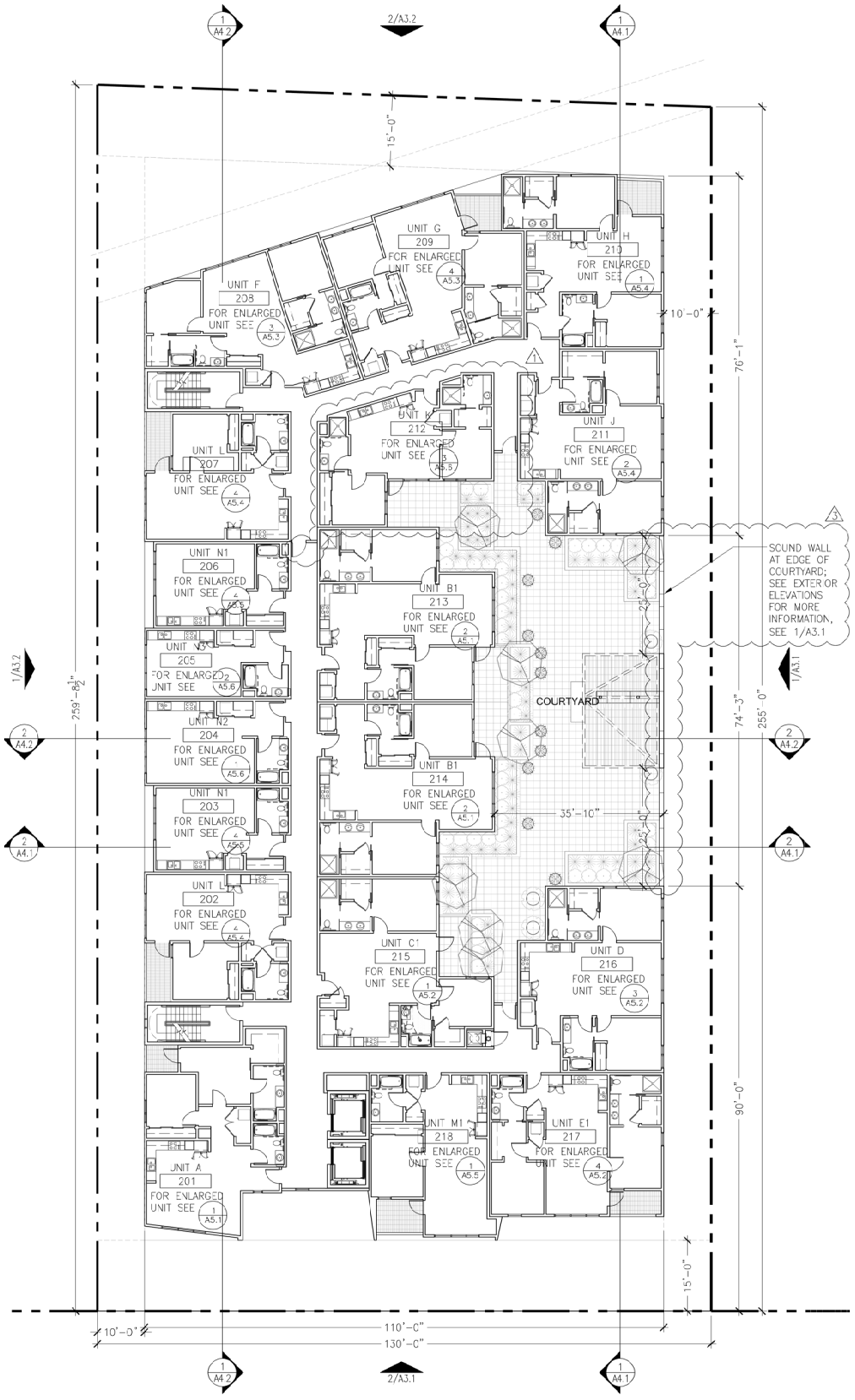
Figure 2-1
Site Plan—Basement



Source: Levy Design Partners, 2021.

ICF Graphics ... 00206.21 (5-6-2021) JC

Figure 2-2
Site Plan—Ground Floor



Source: Levy Design Partners, 2021.

ICF Graphics ... 00206.21 (9-1-2021) TG

Figure 2-3
Site Plan—Second Floor

Source: Levy Design Partners, 2021.

ICF Graphics ... 00206.21 (5-6-2021) JC

Figure 2-4
Building Sections and Elevations

Source: Levy Design Partners, 2021.

ICF Graphics ... 00206.21 (5-6-2021) JC

Figure 2-5
Rendering from Ogden Drive

renewable sources.[6] Specifically, the applicant will provide a memorandum to document the applicant's commitment to providing 100 percent of the building's total energy demand through an arrangement with Peninsula Clean Energy (PCE). PCE's ECO100 program, which is Green-e Energy certified and cuts fuel emissions to net zero, is an opt-up program that delivers 100 percent of its energy from renewable, carbon-free sources.

Transportation Demand Management Plan

Transportation Demand Management (TDM) measures would be implemented as a part of the Project to reduce the number of single-occupant vehicle trips generated by the Project. A TDM plan has been prepared for the Project that includes design features, programs, and services that promote sustainable modes of transportation. The TDM plan is included in Appendix A of this document.

Water Use

The Project would minimize indoor water use by using efficient plumbing fixtures. The Project would include plumbing fixtures that participate with the WaterSense Program, which is a voluntary partnership program sponsored by the U.S. Environmental Protection Agency (EPA).[7] The plumbing fixtures for the Project would include WaterSense labels, which are certified to use at least 20 percent less water, save energy, and perform as well as or better than regular models.[8]

The Project would also minimize outdoor water use by meeting the requirements of the Model Water Efficient Landscape Ordinance (MWELO). The Applicant would implement the following features in compliance with MWELO:

- A planting plan, irrigation plan, and hydrazone plan will be developed by a licensed landscape architect. These plans will list the water requirements of each plant.
- The Estimated Total Water Use (ETWU) will not exceed the Maximum Applied Water Allowance (MAWA).
- Mulch (3-inch later) will be applied on all planting areas.
- An evapotranspiration (ET)-based irrigation controller will be applied. ET controllers adjust irrigation based on weather factors and increase watering efficiency.[9]
- A rain sensor will be installed to override the irrigation program.
- No overhead irrigation will be installed within 24 inches of any non-permeable surface or area.

Project Construction

For the purposes of this environmental document, the analysis considers the construction plan described below.

[6] City of Burlingame Municipal Code Section 25.40.030(b)(4)(I).

[7] United States Environmental Protection Agency. 2021. About WaterSense. Available: https://www.epa.gov/watersense/about-watersense. Accessed: June 2021

[8] Ibid.

[9] Los Angeles Department of Water and Power. 2021. Weather Based and Smart Irrigation Controllers. Available: https://www.ladwp.cafriendlylandscaping.com/Garden-Resources/SmartControllers.php. Accessed: June 2021.

Construction Schedule and Phasing

Project construction is expected to begin in January 2022 and be completed in May 2023. Project construction would occur during the hours permitted by City Municipal Code Section 18.07.110. The stated construction hours are:

- Weekdays: 8:00 a.m.–7:00 p.m.
- Saturdays: 9:00 a.m.–6:00 p.m.
- Sunday and Holidays: No construction allowed.

The Project would be constructed in six phases, starting in January 2022 and ending in May 2023. Construction phases would occur sequentially and would not overlap. In total, it is anticipated that Project construction would have a duration of approximately 17 months, as follows:

- Demolition: 10 working days
- Site Preparation: 2 working days
- Grading: 5 working days
- Building Construction: 340 working days
- Paving: 5 working days
- Architectural Coating: 5 working days

Construction Spoils and Debris

The Project would require excavation, which would extend approximately 12 feet below the grade. It is expected that dewatering would be required. Demolition would result in the generation of debris from the 4,050-square-foot building at 1814 Ogden Drive and the 10,114-square-foot building at 1820 Ogden Drive. Demolition would require 64 trips by haul trucks. Site preparation, including land clearing and grading, would generate approximately 10,500 cubic yards of export material. Site preparation would require 1,312 trips by haul trucks.

Construction Equipment and Staging

Typical equipment would be used during Project construction, including concrete/industrial saws, dozers, tractors/loaders/backhoes, graders, cranes, forklifts, cement and mortar mixers, pacers, rollers, and air compressors. Potential construction laydown and staging areas would be located on the Project site. Although pile driving would not be required for Project construction, some pile drilling would be required at isolated areas.

Chapter 3
Evaluation of Environmental Effects

General Approach

The Project would be consistent with the Envision Burlingame General Plan. Therefore, this Project can tier from the 2040 General Plan environmental impact report (EIR)[10] under California Environmental Quality Act (CEQA) Guidelines Sections 15162 and 15168. In addition, the Project would comply with the NBMU zoning. Therefore, Section 15183 of the CEQA Guidelines would apply to the Project. Section 15183 of the CEQA Guidelines mandates that projects that are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects that are peculiar to a project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies.

In approving a project that meets the requirements of this section, a public agency shall limit its examination of environmental effects to those that the agency determines, in an initial study (IS) or other analysis:

- Are peculiar to a project or a parcel on which a project would be located
- Were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan with which a project is consistent
- Are potentially significant offsite impacts and cumulative impacts that were not discussed in the prior EIR prepared for the general plan, community plan, or zoning action
- Are previously identified significant effects that, as a result of substantial new information that was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR

An effect of a project on the environment shall not be considered peculiar to a project or a parcel if uniformly applied development policies or standards have been previously adopted by the lead agency, with a finding that the development policies or standards will substantially mitigate that environmental effect when applied to future projects, unless substantial new information shows that the policies or standards will not substantially mitigate the environmental effect.

[10] The General Plan EIR is incorporated by reference throughout this document and available for public review online (www.burlingame.org/generalplan). Because of current COVID-19 social distancing requirements, including the order from San Mateo County to adhere to the social distancing requirements, the General Plan EIR is available for public review at the City of Burlingame Planning Department by appointment only at 501 Primrose Road, Burlingame, CA 94010. To schedule an appointment, email Catherine Keylon at ckeylon@burlingame.org.

Previous CEQA Document

If an impact is not peculiar to a parcel or a project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, then an additional EIR need not be prepared for a project solely on the basis of that impact. The primary virtue of Section 15183 streamlining is the ability to limit the scope of any new CEQA document. In the case of this Project, the "prior EIR" to be used would include the EIR for the Envision Burlingame General Plan.

In January 2019, the City adopted the Envision Burlingame General Plan, which outlined the community's conservation and development goals until 2040. The EIR conducted for the 2040 General Plan the EIR is described in Section 15168 of the CEQA Guidelines as the appropriate analytical framework for assessing the cumulative environmental effects of the full plan in a first-tier level of analysis, identifying broad concerns and sets of impacts, and defining/developing regulatory standards and programmatic procedures that reduce impacts and help achieve environmental goals and objectives. Later activities proposed pursuant to the goals and policies of the 2040 General Plan (such as the Project) will be reviewed in light of 2040 General Plan EIR and may focus on those site-specific and localized environmental issues that could not be examined in sufficient detail as part of the EIR. As with all projects proposed in the city, projects contained in specific focus areas where land use changes are proposed will be subject to CEQA compliance at such time the City receives a permit application for a project.

Environmental Factors Potentially Affected

☐ Aesthetics	☐ Agricultural and Forestry	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Energy
☐ Geology/Soils	☐ Greenhouse Gas Emissions	☐ Hazards/Hazardous Materials
☐ Hydrology/Water Quality	☐ Land Use/Planning	☐ Mineral Resources
☐ Noise	☐ Population/Housing	☐ Public Services
☐ Recreation	☐ Transportation	☐ Tribal Cultural Resources
☐ Utilities/Service Systems	☐ Wildfire	☐ Mandatory Findings of Significance

Determination

On the basis of this initial evaluation:

☐ I find that the Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that, although the Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions to the Project have been made by or agreed to by the Project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the Project MAY have an impact on the environment that is "potentially significant" or "potentially significant unless mitigated," but at least one effect (1) has been adequately analyzed in an earlier document, pursuant to applicable legal standards, and (2) has been addressed by

mitigation measures, based on the earlier analysis, as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☒ I find that although the Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, pursuant to applicable standards, and (b) have been avoided or mitigated, pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the Project, nothing further is required.

Catherine Keylon — Signature

9/15/21 — Date

Catherine Keylon — Printed Name

City of Burlingame — For

Evaluation of Environmental Impacts

Introduction

This section identifies the environmental impacts of the Project by answering questions from Appendix G (Environmental Checklist Form) of the CEQA Guidelines. The environmental issues evaluated in this chapter include:

- Agricultural and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology/Soils
- Greenhouse Gas Emissions
- Hazards/Hazardous Materials
- Hydrology/Water Quality
- Land Use/Planning
- Mineral Resources
- Noise
- Population/Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities/Service Systems
- Wildfire
- Mandatory Findings of Significance

The analysis in this document considers all phases of Project planning, construction, implementation, and operation. The following is a modified environmental checklist, based on Appendix G of the CEQA Guidelines. The modified checklist/IS used to describe the impacts of the Project. A discussion follows each environmental issue identified in the checklist. Included in each discussion are project-specific mitigations measures, if required and recommended as appropriate for the Project.

For this checklist, the following designations are used:

- **Significant Impact Peculiar to the Project or Project Site**: An impact that could be significant because of something peculiar to the Project or the Project site that was not previously identified in the General Plan EIR. If any potentially significant impacts are identified, then an EIR must be prepared that analyzes those impacts.
- **Significant Impact Not Identified**: An impact would be considered significant if there were substantial changes to the Project.
- **Significant Impact Due to Substantial New Information**: An impact that would be considered significant because of new information that was not known at the time that the prior EIR and/or IS/Mitigated Negative Declaration (MND) was prepared. If any significant impacts are identified, then an EIR must be prepared that analyzes those impacts.
- **Impact Adequately Addressed in Previous Documents**: Impacts that were previously evaluated in the General Plan EIR that would not change, based on the previous evaluation. This designation applies when the Project would not result in a significant new impact, a substantially increased significant impact, or a peculiar impact that was not analyzed in the General Plan EIR.

I. Aesthetics and Vehicular Parking Analysis

In accordance with Public Resources Code Section 21099, Modernization of Transportation Analysis for Transit-Oriented Projects, aesthetics and parking shall not be considered in determining if a project has the potential to result in significant environmental effects, provided the project meets the following criteria:

- The project is on an infill site.
- The project is in a Transit Priority Area (TPA).[11]
- The project is a residential, mixed-use residential, or employment-center use.

Infill sites include lots within a previously disturbed urban area. The Project site is within a qualifying infill site that is currently developed with a one-story office building, a three-story office building, and associated surface parking. Project implementation would involve demolition of all existing features on the site and construction of six-story residential building with 90 residential units. Therefore, the Project fulfills the criteria regarding infill sites and residential uses. In addition, the Project site is within 0.5 mile of the Millbrae Caltrain station. The Millbrae Caltrain station is considered a major transit stop; therefore, the Project site is within a TPA.

The Project meets the three criteria above; therefore, this document does not consider aesthetics or parking in determining the significance of impacts under CEQA.

[11] A TPA is an area within 0.5 mile of a major transit stop.

II. Agricultural and Forestry Resources

	Significant Impact Peculiar to the Project or Project Site	Significant Impact Not Identified	Significant Impact Due to Substantial New Information	Impact Adequately Addressed in Previous Documents
In determining whether impacts on 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 Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts on 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 forestland, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project, and the forest carbon measurement methodology provided in the forest protocols adopted by the California Air Resources Board. Would the Project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract?	☐	☐	☐	☒
c. Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220[g]), timberland (as defined by Public Resources Code Section 4526), or timberland zoned for timberland production (as defined by Government Code Section 51104[g])?	☐	☐	☐	☒
d. Result in the loss of forestland or conversion of forestland to non-forest use?	☐	☐	☐	☒
e. Involve other changes in the existing environment that, because of their location or nature, could result in the conversion of Farmland to non-agricultural use or the conversion of forestland to non-forest use?	☐	☐	☐	☒

Setting

The Project site is currently developed with a one-story office building, three-story office building, and associated surface parking, and therefore, is fully developed. The California Department of Conservation 2018 map of important farmland identifies the city of Burlingame, including the Project site, as Urban and Built-Up Land, which is defined as land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel.[12]

[12] California Department of Conservation. 2019. San Mateo County Important Farmland 2018. Division of Land Resource Protection: Farmland Mapping and Monitoring Program. Available: https://www.conservation.ca.gov/dlrp/fmmp/Pages/SanMateo.aspx. Accessed: May 28, 2021.

General Plan EIR

The General Plan EIR found no impacts related to agricultural and forestry resources. No mitigation measures were warranted.

Discussion

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (No Impact)

The Project site and all surrounding lands are identified as Urban and Built-up Land by the California Department of Conservation. No important farmlands, including Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, exists within or adjacent to the Project site.[13] There is no potential for the Project to result in the conversion of important farmland to non-agricultural uses, and there would be ***no impact***.

b. Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract? (No Impact)

The Project site is in the NBMU District, which does not allow agricultural land uses. Accordingly, no agricultural land under a Williamson Act or Farmland Security Zone contract, currently exists at the Project site.[14] Therefore, the Project would not result in a conflict with existing zoning for agricultural use or a Williamson Act contract, and there would be ***no impact***.

c. Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220[g]), timberland (as defined by Public Resources Code Section 4526), or timberland zoned for timberland production (as defined by Government Code Section 51104[g])? (No Impact)

The Project site is not zoned for forestland, timberland, or timberland production.[15] Therefore, the Project would not conflict with zoning for such land, and accordingly, there would be ***no impact***.

d. Result in the loss of forestland or conversion of forestland to non-forest use? (No Impact)

As described above in Item II(c), there is no forestland within the Project site.[16] Therefore, the Project would not conflict with zoning for such land, and accordingly, there would be ***no impact***.

e. Involve other changes in the existing environment that, because of their location or nature, could result in the conversion of Farmland to non-agricultural use or the conversion of forestland to non-forest use? (No Impact)

Other changes in the existing environment that, because of their location or nature, could result in the conversion of Farmland to non-agricultural use or the conversion of forestland to non-forest use, could include actions that would affect livestock on Farmland of Local Importance or actions that

[13] California Department of Conservation. 2019. San Mateo County Import Farmland 2018. Division of Land Resource Protection: Farmland Mapping and Monitoring Program. Available: https://www.conservation.ca.gov/dlrp/fmmp/Pages/SanMateo.aspx. Accessed: May 28, 2021.

[14] City of Burlingame. 2016. Burlingame General Plan, Zoning. Draft 1. June. Available: ZoningMap-Burlingame-NE.pdf (revize.com). Accessed: May 28, 2021.

[15] Ibid.

[16] Ibid.

would affect forest health. Because there is no livestock at the Project site, there would be ***no impact*** related to the conversion of Farmland to non-agricultural use. In addition, because there is no forestland at the Project site, there would be ***no impact*** related to the conversion of Farmland to non-forestland uses.

Conclusion

The Project would not result in a significant impact peculiar to the Project, a significant impact not previously identified, or a significant impact due to substantial new information. The agricultural and forestry resources impacts of the Project were adequately addressed in the General Plan EIR, and no further analysis is required.

III. Air Quality

	Significant Impact Peculiar to the Project or Project Site	Significant Impact Not Identified	Significant Impact Due to Substantial New Information	Impact Adequately Addressed in Previous Documents
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the Project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b. Result in a cumulatively considerable net increase in any criteria pollutant for which the Project region is a nonattainment area for an applicable federal or state ambient air quality standard?	☐	☐	☐	☒
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
d. Result in other emissions (such as those leading to odors) that would adversely affect a substantial number of people?	☐	☐	☐	☒

Setting

An Air Quality, Greenhouse Gas, and Health Risk Assessment Technical Report was prepared for the Project and is included as Appendix B of this document. This Air Quality section uses the information from the technical report.

The Project site is in the city of Burlingame in San Mateo County, which is within the San Francisco Bay Area Air Basin (SFBAAB). Concentrations of ozone (O_3), carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), lead, and particulate matter (PM_{10} [particulate matter no more than 10 microns in diameter] and $PM_{2.5}$ [particulate matter no more than 2.5 microns in diameter]) are commonly used as indicators of ambient air quality conditions. These pollutants are known as criteria pollutants and regulated by EPA and the California Air Resources Board (CARB) through National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS), respectively. NAAQS and CAAQS limit criteria pollutant concentrations to protect human health and prevent environmental and property damage. Other pollutants of concern in the Project area are nitrogen oxides (NO_X) and reactive organic gases (ROGs), which are precursors to O_3, and toxic air contaminants (TACs), which can cause cancer and other human health concerns.

Ambient Criteria Pollutant Conditions and Regional Attainment Status

Criteria pollutant concentrations in San Mateo County and the SFBAAB are measured at several monitoring stations. The closest station to the Project site is the Redwood City station, which is approximately 12.5 miles southeast of the site. This station monitors, CO, O_3, NO_2, and $PM_{2.5}$. However, PM_{10} is not measured at the Redwood City station; therefore, data from the next-closest station that monitors PM_{10} (the San Francisco-Arkansas Street station) have been collected as well. This secondary station is located approximately 12 miles to the north. Monitoring data in Table 3-1

from the most recent three years of data (2017 through 2019) show that the state and national 8-hour O_3 standards were exceeded twice in 2017 and twice in 2019. The national 24-hour PM_{10} standard was exceeded twice in 2017 and 14 times in 2018 (due primarily to wildfires). The national 24-hour $PM_{2.5}$ standard was exceeded six times in 2017 and 13 times in 2018 (due primarily to wildfires).

Violations of the O_3 and particulate matter ambient air quality standards indicate that exposed individuals may experience certain health effects, including increased incidences of cardiovascular and respiratory ailments.

Table 3-1. Ambient Air Quality Monitoring Data at the Redwood City and San Francisco-Arkansas Street Monitoring Stations (2017–2019)

		Monitoring Data by Year		
Pollutant	**Standard**	**2017**	**2018**	**2019**
Ozone (O_3) at Redwood City Station				
Highest 1-Hour Average (ppm)	0.090	0.115	0.067	0.083
Days over State Standard	–	2	0	0
Highest 8-Hour Average (ppm)	0.070	0.086	0.049	0.077
Days over National Standard	–	2	0	2
Highest 8-Hour Average (ppm)	0.070	0.086	0.049	0.077
Days over State Standard	–	2	0	2
Nitrogen Dioxide (NO_2) From Redwood City Station				
Highest 1-Hour Average (ppm)	0.180/0.100	0.067	0.077	0.055
Days over State Standard	–	0	0	0
Annual Average (μg/m³)	0.030/0.053	0.011	0.011	0.009
Carbon Monoxide (CO) at Redwood City Station				
Highest 1-Hour Average (ppm)	20	2.8	2.5	2.0
Days over State Standard	–	0	0	0
Highest 8-Hour Average (ppm)	9	1.4	1.7	1.1
Days over State Standard	–	0	0	0
Particulate Matter (PM_{10}) at San Francisco-Arkansas Street Station				
Highest 24-Hour Average (μg/m³)	50	77.0	177	42.0
Days over State Standard	–	2	14	0
State Annual Average (μg/m³)	20	22.0	11.7	14.7
Particulate Matter ($PM_{2.5}$) at Redwood City station				
Highest 24-Hour Average (μg/m³)	35	60.8	121	29.5
Days over National Standard	–	6	13	0
State Annual Average (μg/m³)	12	9.1	10.3	7.0

Source: See Appendix B.
Notes:
Values in **bold** are in excess of at least one applicable standard.
Generally, state standards and national standards are not to be exceeded more than once per year.
An exceedance is not necessarily a violation.
State statistics are based on local conditions data; state statistics are based on California-approved samplers.
National statistics are based on standard conditions data. In addition, national statistics are based on samplers, using federal reference or equivalent methods.

State criteria for ensuring data are adequate for calculating valid annual averages are more stringent than national criteria.
PM_{10} is not measured every day of the year. Number of estimated days over the standard is based on 365 days per year.
ppm = parts per million; $\mu g/m^3$ = micrograms per cubic meter

Local monitoring data are used to designate areas as nonattainment, maintenance, attainment, or unclassified areas, according to the ambient air quality standards. San Mateo County is currently classified as a nonattainment area for the federal and state O_3 and $PM_{2.5}$ standards and a nonattainment area for the state PM_{10} standard (Appendix B).

Regulatory Setting

BAAQMD is responsible for ensuring that the NAAQS and CAAQS are met within the SFBAAB. BAAQMD manages air quality through a comprehensive program that includes long-term planning, regulations, incentives for technical innovation, education, and community outreach. The 2017 Clean Air Plan provides an integrated strategy to reduce O_3, particulate matter, TACs, and GHGs emissions in a manner that is consistent with federal and state air quality programs and regulations.

BAAQMD's CEQA Guidelines provide guidance for evaluating air quality impacts. The guidelines also contain thresholds of significance for O_3, CO, $PM_{2.5}$, PM_{10}, TACs, and odors. As stated in Appendix G of the CEQA Guidelines, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make checklist determinations. Accordingly, BAAQMD's thresholds, as outlined in its CEQA Guidelines and summarized in Table 3-2, are used to evaluate the significance of air quality impacts associated with the Project, as described below.

Criteria Air Pollutants

BAAQMD's significance thresholds for criteria pollutants (ROGs, NO_X, PM_{10}, and $PM_{2.5}$), as shown in Table 3-2, are based on the stationary-source emissions limits of the federal Clean Air Act (CAA) and BAAQMD Regulation 2, Rule 2. The federal New Source Review program, created by the federal CAA, set emissions limits to ensure that stationary sources of air pollution are constructed in a manner that is consistent with attainment of the NAAQS. Similarly, to ensure that new stationary sources do not cause or contribute to a violation of the NAAQS, BAAQMD Regulation 2, Rule 2, requires any new source that emits criteria air pollutants above specified emissions limits to offset those emissions. Although the emission limits are adopted in the regulation to control stationary-source emissions, the amount of the emission is the key determining factor, regardless of source, when addressing the public health impacts of regional criteria pollutants. Therefore, the emissions limits are appropriate for the evaluation of land use development and construction activities as well as stationary sources. Those projects that would result in emissions that would be below the thresholds would not be considered projects that would contribute to an existing or projected air quality violation or result in a considerable net increase in criteria pollutant emissions.

Table 3-2. Bay Area Air Quality Management District Thresholds of Significance

Pollutant	Construction	Operations
ROGs	54 pounds/day	54 pounds/day or 10 tons/year
NO_X	54 pounds/day	54 pounds/day or 10 tons/year
CO	–	Violation of CAAQS
PM_{10} (exhaust)	82 pounds/day	82 pounds/day or 15 tons/year

Pollutant	Construction	Operations
$PM_{2.5}$ (exhaust)	54 pounds/day	54 pounds/day or 10 tons/year
$PM_{10}/PM_{2.5}$ (dust)	Best management practices	–
TACs (project level)	Increased cancer risk of 10.0 in 1 million, increased non-cancer risk more than 1.0 (hazard index), $PM_{2.5}$ increase more than 0.3 microgram per cubic meter	Same as construction
TACs (cumulative)	Increased cancer risk of 100 in 1 million, increased non-cancer risk more than 10.0, $PM_{2.5}$ increase more than 0.8 microgram per cubic meter at receptors within 1,000 feet	Same as construction
Odors	–	Five complaints per year, averaged over 3 years

Source: Appendix B.
CAAQS = California ambient air quality standards; CO = carbon monoxide; NO_X = nitrogen oxide; PM 2.5 = particulate matter no more than 2.5 microns in diameter; PM_{10} = particulate matter no more than 10 microns in diameter; ROGs = reactive organic gases; TACs = toxic air contaminants

Note that the federal New Source Review emissions limits and BAAQMD's offset limits are identified in the regulation on an annual basis (in tons per year). For construction activities, the limits are converted to average daily emissions (in pounds per day), as shown in Table 3-2, because of the short-term and intermittent nature of construction activities. If emissions would not exceed average daily emissions limits, the Project would not exceed annual levels.

Localized CO Hot Spots

BAAQMD's screening guide for CO impacts requires projects to meet three criteria to result in a less-than-significant impact:

1. Be consistent with an applicable congestion management program established by the county congestion management agency for designated roads or highways, a regional transportation plan, or local congestion management agency plans
2. Not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour
3. 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., a tunnel, parking garage, bridge underpass, natural or urban street canyon, below-grade roadway)

If the Project does not meet all of the screening criteria, then CO emissions should be quantified using EMFAC and CALINE4 to determine CO concentrations near affected roadways or facilities. Project CO concentrations plus background concentrations would then be compared against the 1-hour and 8-hour CO NAAQS thresholds of significance to determine whether there would be a significant impact on air quality.

Toxic Air Contaminants

BAAQMD's TAC thresholds are based on the cancer and non-cancer risk limits for the new and modified sources adopted in BAAQMD Regulation 2, Rule 5, and EPA's significant impact level (SIL) for $PM_{2.5}$ concentrations. The EPA SIL is a measure of whether a source may cause or contribute to a violation of the NAAQS. Health risks due to TACs from construction, though temporary, can still result in substantial public health impacts because of increased cancer and non-cancer risks.

Applying quantitative thresholds allows a rigorous standardized method to be used to determine when a construction of a project will cause a significant increase in cancer and non-cancer risks. The cumulative health risk thresholds are based on EPA guidance for conducting TAC analyses and making risk management decisions at the facility and community levels. The cumulative health risk thresholds are also consistent with the ambient cancer risk in the most pristine portions of the Bay Area and based on BAAQMD's recent regional modeling analysis as well as the non-cancer mandatory risk reduction levels for hot spots with toxic air.[17]

For evaluation purposes, TACs are separated into carcinogens and non-carcinogens, based on the nature of the physiological effects associated with exposure to the pollutant. Carcinogens are assumed to have no safe threshold below which health impacts would not occur; cancer risk is expressed as excess cancer cases per 1 million exposed individuals, typically over a lifetime of exposure. Non-carcinogenic substances differ in that there is generally assumed to be a safe level of exposure, below which no negative health impact is believed to occur. These levels are determined on a pollutant-by-pollutant basis. Acute and chronic exposure to non-carcinogens is expressed as a hazard index, which is the ratio of expected exposure levels to an acceptable reference exposure level.[18] BAAQMD's TAC thresholds are presented in Table 3-2 and used to support the health risk assessment for the Project.

Odors

The odor threshold is consistent with BAAQMD Regulation 7 for odorous substances and reflects the most stringent standards derived from the air district rule.

General Plan EIR

The General Plan EIR found less-than-significant impacts related to air quality with implementation of General Plan goals and policies. The General Plan goals and policies establish an overall goal to protect residents from harmful construction and operational air emissions as a result of individual projects. The intent of these goals and policies, consistent with the 2017 Clean Air Plan control measures, is to reduce emissions and community risks, resulting in less-than-significant impacts. Per the General Plan EIR, the following goals and policies from the Healthy People and Healthy Places Element would apply to reduce impacts of future projects to less-than-significant levels: Policy HP-2.6 through HP-2.16, Goal HP-3, and Policy HP-3.1 through HP-3.12.

Discussion

a. Conflict with or obstruct implementation of the applicable air quality plan? (Less than Significant)

The CAA requires a State Implementation Plan (SIP) or an air quality control plan to be prepared for areas with air quality that violates the NAAQS. The SIP sets forth the strategies and pollution control measures that states use to attain the NAAQS. The California CAA requires attainment plans to

[17] Bay Area Air Quality Management District. 2009. *California Environmental Quality Act Guidelines Update: Proposed Thresholds of Significance*. December. Available: https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/proposed-thresholds-of-significance-dec-7-09.pdf?la=en. Accessed: August 3, 2021.

[18] Bay Area Air Quality Management District. 2017a. *California Environmental Quality Act Air Quality Guidelines*. May. Available: http://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en. Accessed: August 3, 2021.

demonstrate a 5 percent reduction per year in nonattainment air pollutants or their precursors, averaged every consecutive 3-year period, unless an approved alternative measure of progress is developed. Air quality attainment plans (AQAPs) outline emissions limits and control measures to achieve and maintain these standards by the earliest practical date. The current AQAP for the SFBAAB is the 2017 Clean Air Plan.

Projects that result in regional growth in population, employment, or vehicle miles traveled (VMT) and exceed the estimates used to develop the 2017 Clean Air Plan, which are based on growth projections from the Association of Bay Area Governments (ABAG) and local general plans, would be inconsistent with the 2017 Clean Air Plan. Accordingly, projects that propose development that is consistent with the growth anticipated by ABAG and local general plans would be consistent with the 2017 Clean Air Plan.

As described below in Section XI, *Land Use and Planning*, the Project would be generally consistent with the goals and policies of the 2040 General Plan. In addition, the Project would develop land uses that would be consistent with the land uses permitted for the area under the 2040 General Plan. Because the Project's land uses are accounted for in the 2040 General Plan, the Project would be consistent with the growth anticipated in the 2017 Clean Air Plan.

The Project would be within 0.5 mile of high-quality public transit, including the MMTC. The Project site is approximately 0.5 miles from the MMTC (but with an estimated walking distance of up to approximately 0.8 mile). In addition, the Project is within 0.25 mile of El Camino Real and SamTrans Route ECR. El Camino Real is considered a high-quality transit corridor, as evidenced by the 15-minute headways during peak hours on SamTrans Route ECR. Furthermore, to be consistent with the City of Burlingame 2030 Climate Action Plan (see Section VIII, *Greenhouse Gas Emissions*), the Project would incorporate TDM strategies to achieve a 20 percent reduction in trip generation rates (see Appendix A for the TDM Plan). Accordingly, the Project would not result in regional growth in population, employment, or VMT that exceeds the estimates used to develop the 2017 Clean Air Plan. Accordingly, the Project would not conflict with the 2017 Clean Air Plan; this impact, which was adequately addressed in the General Plan EIR, would be ***less than significant***.

b. Result in a cumulatively considerable net increase in any criteria pollutant for which the Project region is a nonattainment area for an applicable federal or state ambient air quality standard? (Less than Significant with Mitigation)

To assist lead agencies in determining whether a project would exceed the criteria air pollutant significance thresholds shown in Table 3-2, BAAQMD developed screening criteria as part of its CEQA Guidelines. In developing these thresholds, BAAQMD considered the levels at which a project's emissions become cumulatively considerable. As noted in its CEQA Guidelines:

> In developing thresholds of significance for air pollutants, BAAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts on the region's existing air quality conditions. Therefore, additional analysis to assess cumulative impacts is unnecessary.

Consequently, exceedances of project-level thresholds would be cumulatively considerable.

Construction

Construction criteria pollutant emissions would come from a variety of sources, including off-road construction equipment and on-road vehicles used by employees, vendors, and truck drivers.

Criteria pollutant emissions generated during demolition of the building on the site and construction of the Project were quantified using the California Emissions Estimator Model (CalEEMod), version 2016.3.2. CalEEMod was run with model default values for some construction parameters and supplemented with data provided by the applicant for other construction parameters. The six phases of construction, in sequential order, are demolition; site preparation; grading; building construction; paving; and architectural coating. Estimated unmitigated construction emissions would be short term, occurring over approximately 438 days. The average daily construction period emissions (i.e., total construction period emissions divided by the number of construction days of 438) were compared to the BAAQMD significance thresholds. Table 3-3 summarizes the results of the emissions modeling. Model outputs are provided in Appendix B.

Table 3-3. Estimated Unmitigated Criteria Pollutant Emissions from Construction (pounds per day)

Condition	ROG	NO_X	CO	PM_{10} Exhaust	$PM_{2.5}$ Exhaust
Average Daily	4	9	10	<1	<1
BAAQMD Threshold	*54*	*54*	*–*	*82*	*54*
Exceed Threshold?	*No*	*No*		*No*	*No*

Source: Appendix B.
BAAQMD = Bay Area Air Quality Management District; BMPs = best management practices; CO = carbon monoxide; NO_X = nitrogen oxide; PM 2.5 = particulate matter no more than 2.5 microns in diameter; PM10 = particulate matter no more than 10 microns in diameter; ROG= reactive organic gas

As shown in Table 3-3, construction of the Project would result in emissions that would not exceed the threshold for any pollutant and would therefore not contribute a significant level of air pollution, such that air quality within the SFBAAB would be degraded. This impact, which was adequately addressed by the General Plan EIR, would be ***less than significant.***

Demolition and earthmoving activities would generate fugitive dust. The amount of dust generated would be highly variable and dependent on the size of the area disturbed at any given time, the amount of activity, soil conditions, and meteorological conditions. BAAQMD considers fugitive dust emissions to be potentially significant without implementation of best management practices (BMPs) to control fugitive dust onsite. Consequently, dust emissions generated by Project construction activities would be potentially significant. As described in the General Plan EIR, General Plan Policy HP-3.12 requires construction projects to implement the BAAQMD's Best Practices for Construction to reduce pollution from dust and exhaust. With Mitigation Measure AQ-1, which requires the implementation of BAAQMD's recommended BMPs, dust emissions would be reduced, and the impact would be ***less than significant with mitigation***. This impact was adequately addressed by the General Plan EIR.

Mitigation Measure AQ-1: **Implement BAAQMD Basic Construction Mitigation Measures.**

The applicant shall require all construction contractors to implement the basic construction mitigation measures recommended by BAAQMD. The emissions reduction measures shall include, at a minimum, the following:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off site shall be covered.

- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- A publicly visible sign shall be posted with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action with 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Operation

The criteria pollutant emissions that are currently generated from the existing building and those that would be generated during Project operations were quantified using CalEEMod (see Appendix B for model outputs). CalEEMod provides emissions for transportation, areas sources, electricity consumption, natural gas combustion, electricity usage associated with water usage and wastewater discharge, solid waste landfilling, and transport. To be consistent with the City of Burlingame 2030 Climate Action Plan (see Section VIII, *Greenhouse Gas Emissions*), the Project residential units would be all-electric (no natural gas) with a commitment to the Peninsula Clean Energy's ECO100 program (see Appendix B). There would therefore be no emissions associated with natural gas. The Project's estimated net daily operational emissions are presented in Table 3-4 and compared to BAAQMD's operational criteria pollutant thresholds. Model outputs are provided in Appendix B.

Table 3-4. Net (Project Minus Existing) Operational Emissions (Pounds per Day)

Emission Source[1]	ROG	NO_X	CO	PM_{10} Total	$PM_{2.5}$ Total
Existing Land Uses	1	2	2	1	6
Project Conditions	3	2	2	1	14
Net	2	<1	<1	<1	8
BAAQMD Threshold	*54*	*54*	–	*82*	*54*
Exceed Threshold?	*No*	*No*	–	*No*	*No*

Source: Appendix B.
[1] Due to rounding, the net emissions may not correspond with the difference between the existing and project sources.
BAAQMD = Bay Area Air Quality Management District; CO = carbon monoxide; NO_X = nitrogen oxide; PM 2.5 = particulate matter no more than 2.5 microns in diameter; PM_{10} = particulate matter no more than 10 microns in diameter; ROG= reactive organic gas

As shown in Table 3-4, operation of the Project would not generate ROG, NO_X, or particulate matter that would be in excess of BAAQMD's numeric thresholds. The Project would have a less-than-significant impact on air quality during operation. It would not contribute a significant level of air pollution that would degrade regional air quality within the SFBAAB. The impact, which was adequately addressed by the General Plan EIR, would be ***less than significant***.

c. Expose sensitive receptors to substantial pollutant concentrations? (Less than Significant with Mitigation)

Sensitive land uses are defined as locations where human populations, especially children, seniors, and sick persons, are located and where there is reasonable expectation of continuous human exposure, according to the averaging period for the air quality standards (i.e., 24 hours, 8 hours). Per BAAQMD, typical sensitive receptors are residences, hospitals, and schools. Parks and playgrounds where sensitive receptors (e.g., children and seniors) are present would also be considered sensitive receptors.[19] BAAQMD considers the relevant zone of influence for an assessment of air quality health risks to be within 1,000 feet of a Project site. Senior living and apartment buildings are adjacent to the Project site to the south. Several apartment buildings are located opposite of Ogden Drive to the north and west of the Project site. Mills High School, Spring Valley Elementary School, and Learning Links Preschool are nearby the Project site.

The primary pollutants of concern with regard to health risks for sensitive receptors are criteria pollutants (including localized CO hot spots), asbestos, diesel particulate matter, and localized $PM_{2.5}$. Each of these pollutants, including the potential impact on nearby receptors, is analyzed in the paragraphs that follow.

Criteria Pollutants

As discussed above, BAAQMD has developed region-specific CEQA thresholds of significance in consideration of existing air quality concentrations and attainment designations under the NAAQS and CAAQS. The NAAQS and CAAQS are informed by a wide range of scientific evidence that demonstrates that there are safe concentrations for criteria pollutants. Although recognizing that air quality is a cumulative problem, BAAQMD considers the impacts of projects that generate criteria pollutant and ozone precursor emissions that are below the thresholds to be minor in nature. Such projects would not adversely affect air quality or cause the NAAQS or CAAQS to be exceeded.

As shown in Table 3-3, construction of the Project would not generate regional criteria pollutants that would be in excess of BAAQMD thresholds with implementation of Mitigation Measure AQ-1, which requires implementation of BAAQMD's BMPs regarding feasible dust control measures. As such, construction of the Project would not be expected to contribute a significant level of air pollution that would degrade air quality within the SFBAAB. The impact from construction-generated criteria pollutant emissions would be ***less than significant with mitigation.*** For criteria air pollutants during construction, the Project would not expose receptors to substantial pollutant concentrations or risks. This impact was adequately addressed in the General Plan EIR.

As shown in Table 3-4, operation of the Project would not generate regional criteria pollutants or precursors that would exceed BAAQMD's thresholds of significance. Consequently, the impact from

[19] Bay Area Air Quality Management District. 2017. *California Environmental Quality Act Air Quality Guidelines.* Available: http://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en. Accessed: August 2021.

operational criteria pollutant emissions would be ***less than significant***. For criteria air pollutants during operations, the Project would not expose receptors to substantial pollutant concentrations or risks. This impact was adequately addressed in the General Plan EIR.

Localized CO Hot Spots

Continuous engine exhaust may elevate localized CO concentrations, resulting in "hot spots." Receptors who are exposed to these CO hot spots may have a greater likelihood of developing adverse health effects. CO hot spots are typically observed at heavily congested intersections where a substantial number of gasoline-powered vehicles idle for prolonged durations throughout the day.

Peak-hour traffic volumes at seven intersections in the Project vicinity were analyzed to determine whether the Project would meet BAAQMD screening criteria. Maximum traffic volumes at the intersections under all scenarios would be well below the 44,000-vehicle-per-hour screening threshold. Also, intersection traffic volumes under all scenarios would be below the 24,000-vehicle-per-hour screening threshold for areas where vertical and/or horizontal mixing is substantially limited; [20] therefore, there would be no exceedance of either the non-limited mixing threshold (44,000 vehicles per hour) or the limited vertical/horizontal mixing threshold (24,000 vehicles per hour).

The City/County Association of Governments of San Mateo County is the presiding congestion management agency. The applicable congestion management plan screens out developments that generate fewer than 100 peak hour trips. The Project would actually generate fewer trips than the existing development that it would replace. Consequently, the Project would be consistent with the applicable congestion management plan and would not result in an exceedance of BAAQMD screening criteria. Furthermore, CO concentrations would not exceed the CAAQS. This impact, which was adequately addressed in the General Plan EIR, would be ***less than significant***.

Asbestos

Asbestos is a naturally occurring mineral that was once used in building construction because of its heat resistance and strong insulating properties. Exposure to asbestos, however, has been shown to cause many disabling or fatal diseases, including lung cancer, mesothelioma, and pleural plaques. Demolition of the buildings on the Project site may expose workers and nearby receptors to asbestos if the material was used during construction of the existing building. However, the Project would comply with BAAQMD Regulation 11, Rule 2, Asbestos, Demolition, Renovation, and Manufacturing. The purpose of this rule is to control emissions of asbestos to the atmosphere during demolition and building renovation. Because the applicant would be required to control asbestos emissions according to BAAQMD regulations, impacts associated with asbestos emissions would be ***less than significant***. This impact was adequately addressed in the General Plan EIR.

Construction-Generated Diesel Particulate Matter and Localized $PM_{2.5}$

Cancer health risks associated with exposure to diesel particulate matter are typically associated with chronic exposure (i.e., a 30-year exposure period). BAAQMD has determined that construction activities occurring more than 1,000 feet from a sensitive receptor most likely do not pose a significant health risk. As described above, there are sensitive land uses near the Project site.

[20] Hexagon Transportation Consultants, Inc. 2020. 1814–1820 Ogden Drive Residential Development Draft Transportation Impact Analysis. August.

Accordingly, a health risk assessment (HRA) was undertaken to assess inhalation cancer risks, non-cancer hazard impacts, and $PM_{2.5}$ concentrations, as recommended in BAAQMD's CEQA Guidelines.

During construction activities, diesel particulate matter and $PM_{2.5}$ exhaust emissions would be generated by heavy-duty off-road equipment as well as on-road vehicles. Fugitive dust emissions would be generated during grading and excavation. The HRA was prepared consistent with guidance from EPA, the California Environmental Protection Agency, the Office of Environmental Health Hazard Assessment, and BAAQMD. More specifically, the HRA relied on EPA's most recent dispersion model, AERMOD (version 19191). Calculations of acute and chronic cancer risks relied on the assessment values developed from the Office of Environmental Health Hazard Assessment's *Air Toxics Hot-spots Program, Risk Analysis Guidelines;*[21] BAAQMD's *Recommended Methods for Screening and Modeling Local Risks and Hazards*;[22] and BAAQMD's *Air Toxics NSR Program Health Risk Assessment Guidelines*.[23] Refer to Appendix B for more detailed modeling assumptions and AERMOD outputs.

The maximum concentrations would occur at apartments at 1823 Ogden Drive, located 100 feet west of the project site. Table 3-5 presents the health risks for the receptor that would receive the highest concentrations of construction-related diesel particulate matter and $PM_{2.5}$ and, therefore, have the greatest potential health risks from the Project. As shown in Table 3-5, unmitigated construction emissions would result in a significant increase in the cancer risk and $PM_{2.5}$ concentration at the identified receptor, although the chronic hazard index would not exceed the BAAQMD's significance thresholds. Consequently, the Project's emissions generated by construction activities would be potentially significant.

Table 3-5. Estimated Project-Level Cancer and Chronic Hazard Risks from Unmitigated Construction-Related Diesel Particulate Matter and $PM_{2.5}$ Exhaust Emissions

Receptor	Cancer Risk (cases per million)	Non-Cancer Hazard Index	Annual $PM_{2.5}$ Concentration ($\mu g/m^3$)
Maximally affected residence (1823 Ogden Drive)	40.9	< 0.1	0.4
Significance Threshold	*10.0*	*1.0*	*0.3*
Exceed Threshold?	*Yes*	*No*	*Yes*

Note:
Exceedances denoted with underline.
$\mu g/m^3$ = micrograms per cubic meter; PM 2.5 = particulate matter no more than 2.5 microns in diameter

The Project would be required to implement Mitigation Measure AQ-2, BAAQMD's enhanced exhaust emission reduction measures. With implementation of Mitigation Measure AQ-1 and AQ-2, diesel particulate matter and fugitive dust emissions would be reduced and so would the corresponding

[21] Office of Environmental Health Hazard Assessment. 2015. *Air Toxics Hot-spots Program, Risk Analysis Guidelines*. Guidance Manual for Preparation of Health Risk Assessments. Available: https://oehha.ca.gov/media/downloads/crnr/2015guidancemanual.pdf. Accessed: August 2, 2021.

[22] Bay Area Air Quality Management District. 2012. *Recommended Methods for Screening and Modeling Local Risks and Hazards.* Available: http://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/risk-modeling-approach-may-2012.pdf?la=en. Accessed: August 2, 2021.

[23] Bay Area Air Quality Management District. 2016. *Air Toxics NSR Program Health Risk Assessment Guidelines*. Available: http://www.baaqmd.gov/~/media/files/planning-and-research/permit-modeling/hra_guidelines_12_7_2016_clean-pdf.pdf. Accessed: August 2, 2021.

health risks and pollutant concentrations at sensitive receptors. Table 3-6 presents the cancer risk, hazard index, and $PM_{2.5}$ concentration for construction with implementation of Mitigation Measures AQ-1 and AQ-2.

Table 3-6. Estimated Project-Level Cancer and Chronic Hazard Risks from Mitigated Construction-Related Diesel Particulate Matter and $PM_{2.5}$ Exhaust Emissions

Receptor	Cancer Risk (cases per million)	Non-Cancer Hazard Index	Annual $PM_{2.5}$ Concentration ($\mu g/m^3$)
Maximally affected residence	8.2	< 0.1	0.2
Significance Threshold	*10.0*	*1.0*	*0.3*
Exceed Threshold?	*No*	*No*	*No*

As shown in Table 3-6, with implementation of Mitigation Measures AQ-1 and AQ-2, the cancer risk and $PM_{2.5}$ concentration at the nearest sensitive receptor would be below BAAQMD's significance thresholds. Therefore, impacts would be ***less than significant with mitigation***. This impact was adequately addressed in the General Plan EIR.

Mitigation Measure AQ-2: **BAAQMD Enhanced Exhaust Emissions Reduction Measures.**

The applicant shall implement the following measures during construction to further reduce construction-related exhaust emissions:

1. All diesel-powered off-road equipment larger than 50 horsepower and operating at the site for more than two days continuously shall meet USEPA particulate matter emissions standards for Tier 3 engines or equivalent;
2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited; and
3. All off-road equipment shall have engines that meet or exceed either USEPA or CARB Tier 3 (or better) off-road emission standards and Level 3 Diesel Particulate Filters (DPF). Other measures may be the use of added exhaust devices, or a combination of measures, provided that these measures are approved by the City and demonstrated to reduce community risk impacts to less than significant.

Operational Diesel Particulate Matter and Localized $PM_{2.5}$

Operation of the Project would not include diesel-fueled stationary sources (e.g., generators, boilers) or generate a substantial amount of diesel-fueled truck traffic such that an analysis of health risks from operations-related activities is needed. The impact from operations-related health risks would be ***less than significant***. This impact was adequately addressed in the General Plan EIR.

Cumulative Diesel Particulate Matter, $PM_{2.5}$ Exhaust, and Fugitive Dust

According to BAAQMD's CEQA Guidelines, combined risk levels should be determined for all TAC sources within 1,000 feet of a project site, and the combined risk levels should be compared to BAAQMD's cumulative health risk thresholds.[24]

Nearby TAC sources, as well as Project construction, could contribute to a cumulative health risk for sensitive receptors near the Project site. BAAQMD's inventory of stationary health risks and distance multiplier tool were used to estimate excess impacts from existing stationary sources and geographic information system (GIS) raster files provided by BAAQMD were used to estimate roadway and railway source emissions (see Appendix B). The results of the cumulative impact assessment are summarized in Table 3-7.

Table 3-7. Cumulative Toxic Air Contaminant Health Risks from Project and Background Sources at the Maximally Affected Receptor

Sources	Increased Cancer Risk (per million) (unmitigated/ mitigated)	Non-Cancer Hazard Index (unmitigated/ mitigated)	$PM_{2.5}$ Exposure ($\mu g/m^3$) (unmitigated/ mitigated)
Existing Pollutant Sources			
Stationary	5	< 0.1	< 0.1
Mobile	7	< 0.1	0.1
Project Construction	41/8	< 0.1/< 0.1	0.4/0.2
Total Cumulative	53/20	< 0.1/< 0.1	0.5/0.4
BAAQMD Thresholds	*100*	*10.0*	*0.8*
Exceeds Threshold?	*No/No*	*No/No*	*No/No*

$\mu g/m^3$ = micrograms per cubic meter

As shown in Table 3-7, the cumulative cancer risk, chronic hazard index, and annual $PM_{2.5}$ concentrations would not exceed the BAAQMD thresholds at the receptor with the highest impact. Accordingly, the contribution of the Project to a significant impact would not be considerable. This impact, which was adequately addressed in the General Plan EIR, would be ***less than significant***.

d. Result in other emissions (such as those leading to odors) that would adversely affect a substantial number of people? (Less than Significant)

Although offensive odors rarely cause physical harm, they can be unpleasant, leading to considerable distress among the public. In addition, they often generate citizen complaints to local governments and air districts. According to CARB's *Air Quality and Land Use Handbook*, land uses associated with odor complaints typically include sewage treatment plants, landfills, recycling facilities, and manufacturing plants.[25] Odor impacts on residential areas and other sensitive receptors, such as hospitals, day-care centers, and schools, warrant the closest scrutiny, but

[24] Bay Area Air Quality Management District. 2017a. *California Environmental Quality Act Air Quality Guidelines*. May. Available: http://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en. Accessed: August 2, 2021.

[25] California Air Resources Board. 2005. *Air Quality and Land Use Handbook: A Community Health Perspective*. April.

consideration should also be given to other land uses where people may congregate, such as recreational facilities, work sites, and commercial areas.

Odors during construction could be emitted from diesel exhaust, asphalt paving, and architectural coatings. However, construction activities near existing receptors would be temporary and would not result in nuisance odors that would violate BAAQMD Regulation 7. During operation, odors could emanate from vehicle exhaust and the reapplication of architectural coatings. However, odor impacts would be limited to circulation routes, parking areas, and areas immediately adjacent to recently painted structures. Although such brief exhaust- and paint-related odors may be considered adverse, they would not affect a substantial number of people. Because the Project is not anticipated to result in substantial or long-term odors, the impact would be ***less than significant***. This impact was adequately addressed in the General Plan EIR.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the General Plan EIR, implementation of the Project would not result in any new or more severe significant impacts related to air quality than those identified previously. Implementation of existing rules and regulations governing air quality, including the City's General Plan goals and policies, would ensure that potential impacts associated with construction emissions would be less than significant. In addition, implementation of Mitigation Measure AQ-1 and AQ-2, specific to the Project, which would require the use of BAAQMD's basic and advanced BMPs for controlling fugitive dust and equipment exhaust emissions, would reduce emissions to below the BAAQMD thresholds for fugitive dust, cancer risks, and $PM_{2.5}$ concentrations. The Project would not result in a significant impact peculiar to the Project, a significant impact not previously identified, or a significant impact due to substantial new information. The air quality impacts of the Project were adequately addressed in the General Plan EIR, and no further analysis is required.

IV. Biological Resources

	Significant Impact Peculiar to the Project or Project Site	Significant Impact Not Identified	Significant Impact Due to Substantial New Information	Impact Adequately Addressed in Previous Documents
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 Wildlife 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, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marshes, vernal pools, coastal wetlands, 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 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?	☐	☐	☐	☒

Setting

The Project site and surrounding area are characterized by dense urban development, with minimal amounts of landscape vegetation. The Project site includes 0.77-acre of land that is currently occupied by two office buildings (1814 and 1820 Ogden) and a surface parking lot. The existing structures are surrounded by ruderal vegetation and there are 10 trees of the Hollywood juniper and Italian cypress species located on the Project site. None of these trees are considered "protected trees" by Municipal Code Section 11.06.020. Because the Project site is developed, it does not

contain natural land cover or communities, protected wetlands and waters,[26] riparian habitat, or other sensitive natural communities.[27] The onsite ornamental vegetation is not considered a sensitive natural community. No water features or waterways are on or within the vicinity of the Project site. The nearest public parks are Village Park and Ray Park, which are located approximately 0.65 mile and 0.50 mile from the Project site, respectively. The nearest water bodies, a concrete channel (El Portal Canal) and riparian area (Mills Creek), are approximately 0.4 mile and 0.5 mile from the Project site, respectively.

This biological resource impact analysis is based on a desktop review and evaluation of the following sources:

- 1814–1820 Ogden Drive Redevelopment Project Biological Resources Report (BRR) dated July 9, 2020, and prepared by H.T. Harvey & Associates (see Appendix C)
- The 2018 General Plan Draft EIR[28]
- The USFWS National Wetland Inventory for the identification of waters and wetlands[29]
- Google Earth for aerial imagery[30]

General Plan EIR

- The General Plan EIR found less-than-significant impacts related to biological resources with implementation of General Plan goals and policies. The General Plan EIR noted that the planning areas are largely built out and that there are no areas of new development that could significantly affect sensitive biological resources.
- The General Plan EIR found less-than-significant impacts related to biological resources. The following goals and policies from the Healthy People and Healthy Places Element were identified to reduce impacts on biological resources: Goal HP-5, Policy HP-5.1, Policy HP-5.2, Policy HP-5.3, Policy HP-5.4, Policy HP-5.5, Policy HP-5.6, Policy HP-5.7, Policy HP-5.8, Policy HP-5.9, Policy HP-5.10, Policy HP-5.11, Policy HP-5.12, Policy HP-5.13, Policy HP-5.14, and Policy HP-5.15. No one established regulation, goal, policy, or implementation measure would be expected to completely reduce or avoid an identified potential biological resources impact. However, the combined mitigating benefits of required regulations and policies listed in the General Plan EIR would result in a less-than-significant biological resources impact. No mitigation measures were warranted.

[26] U.S. Fish and Wildlife Service. 2021. *National Wetland Inventory Wetland Mapper*. Available: https://www.fws.gov/wetlands/. Accessed: July 8, 2021.

[27] H.T. Harvey & Associates. 2020. 1814–1820 Ogden Drive Redevelopment Project Biological Resources Report. July 9, 2020. Prepared for: Ogden Properties MGMT, LLC, 311 9th Avenue, San Mateo, CA 94401 (included as Appendix C of this document).

[28] City of Burlingame. 2018. Draft Environmental Impact Report Burlingame 2040 General Plan. Available: https://cms6.revize.com/revize/burlingamecity/document_center/Planning/BurlingameGP_DEIR_FullDocument_06-28-2018.pdf. Accessed: July 8, 2021.

[29] U.S. Fish and Wildlife Service. 2021. *National Wetland Inventory Wetland Mapper*. Available: https://www.fws.gov/wetlands/. Accessed: July 8, 2021.

[30] Google Earth Pro. 2021. Aerial imagery: 1814 Ogden Drive, 37°35'33.54"N and 122°23'9.85"W. Accessed: July 8, 2021.

Discussion

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 Wildlife or U.S. Fish and Wildlife Service? (Less than Significant with Mitigation)

Special-Status Species

The Project site and surrounding area are completely developed, and no sensitive natural community is present on site or in the immediate vicinity. A list of special-status plant species with potential to occur within a 5-mile radius of the Project vicinity was compiled using the databases listed in the BRR. The location of the special-status plant species within 5-miles of the Project site are provided in Figure 3 of the BRR (Appendix C). Based on an analysis of the documented habitat requirements, occurrence records associated with these species, and the developed nature of the site, all special-status species were determined to be absent from the Project site.

- The Project site provides habitat (i.e., the resources and conditions present in an area that result in occupancy by a given organism) for common wildlife species that have successfully adapted to high disturbance levels, ornamental vegetation, and abundant food sources (e.g., food waste in trash cans, seeds and flowers produced by ornamental plants), which are characteristic of urban landscapes. Based on a review of the resources and databases listed in the BRR, a number of special-status wildlife species have been documented in the vicinity of the Project site. The locations of the special-status wildlife species within 5 miles of the Project site are provided in Figure 4 of the BRR (Appendix C). However, the dense urban surroundings and absence of specific habitat features favored by the various special-status species make the site unsuitable for any of these species.
- The burrowing owl (*Athene cunicularia*), a California Species of Special Concern, has been observed infrequently at the San Mateo Shoreline Park, approximately 4.75-miles east of the Project site. However, due to the lack of burrows from California ground squirrels (*Spermophilus beecheyi*) present on the Project site to provide suitable nesting habitat for burrowing owls, and the developed nature of the site and its surroundings, precludes the potential for this species to occur on the site.

As described above, no special-status species are considered to have potential to occur on the Project site, and the presence of special-status animals is precluded by the combination of a lack of suitable habitat and the presence of extensive development in surrounding areas. Therefore, the Project would have a ***less than significant*** on special-status plants or animals.

Migratory Birds

The structures and landscaping (e.g., shrubs and trees) on or near the Project site offer suitable nesting habitat for migratory birds and raptors, which are protected under the Migratory Bird Treaty Act and California Fish and Game Code Section 3503. The Project would remove all nesting and roosting habitat (i.e., vegetation, trees, structures) within the Project site. A potentially significant impact could occur if migratory bird individuals were injured or killed during tree removal and/or building demolition, substantially affected by construction noise, or affected by light during Project operations at night.

General Plan Policy HP-5.2 is identified in the General Plan EIR as one of the policies that would reduce impacts on biological resources. General Plan Policy HP-5.2 states the following:

> Identify and protect habitats that contribute to the healthy propagation of migratory birds, including trees and natural corridors that serve as stopovers and nesting places. Avoid construction activities that involve tree removal between March and June unless a bird survey has been conducted to determine that the tree is unused during breeding season by avian species protected under California Fish and Game Codes 3503, 3503.5 and 3511.

To comply with this General Plan policy, the applicant would implement Mitigation Measure BIO-1, which would ensure Project construction activities do not result in the take of a nesting bird or an active nest, by requiring pre-construction surveys for nesting birds, avoidance during the nesting period to the extent feasible, and avoidance of nesting birds found during pre-construction surveys. Mitigation Measure BIO-1 would reduce this potentially significant impact on nesting birds covered under the Migratory Bird Treaty Act and California Fish and Game Code. In addition, Mitigation Measure NOI-1 (discussed in Section XIII, *Noise*) would require implementation of noise reduction measures to minimize noise generated during construction, which would also serve to reduce potential impacts. Existing regulations, including the California Building Standards Code (Title 24, *Building Energy Efficiency Standards*) and Municipal Code Section 18.16.030, require lighting designs to minimize impacts from light and glare. Implementation of Mitigation Measures BIO-1 and NOI-1 and compliance with existing lighting regulations would ensure that migratory bird individuals would be protected. Impacts on migratory birds would be ***less than significant with mitigation***. This impact was adequately addressed in the General Plan EIR.

Mitigation Measure BIO-1: **Pre-construction Nesting Bird Surveys and Protection Measures**

The applicant shall implement the measures that follow prior to structure demolition and tree removal or trimming. Construction shall avoid the avian nesting period (March 15 through August 31) to the extent feasible. If it is not feasible to avoid the nesting period, a survey for nesting birds shall be conducted by a qualified wildlife biologist no earlier than 7 days prior to construction. The area surveyed shall include all clearing/construction areas as well as areas within 250 feet of the boundaries of these areas or as otherwise determined by the biologist. In the event that an active nest is discovered, clearing/construction shall be postponed within 50 feet of a passerine nest and 250 feet of a raptor nest until the young have fledged (left the nest), the nest is vacated, and there is no evidence of second nesting attempts.

If construction activities will not be initiated until after the start of the nesting season, all potential nesting substrates (e.g., bushes, trees, grasses, and other vegetation) that are scheduled to be removed by the project may be removed prior to the start of the nesting season (e.g., prior to March 15). This will preclude the initiation of nests in this vegetation, and prevent the potential delay of the project due to the presence of active nests in these substrates.

b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? (No Impact)

The Project site and surrounding area are completely developed with a mix of uses including residential and commercial uses. No riparian habitat or other sensitive natural community is present on the Project site or in the immediate vicinity. The nearest riparian habitats are a concrete channel (El Portal Canal) and Mills Creek, approximately 0.4 mile and 0.5 mile from the Project site,

respectively.[31] In addition, the San Francisco Bay is located approximately 1 mile from the Project site. Due to the Project's distance from riparian habitat and other sensitive natural communities, the Project would have ***no impact*** on these resources, which were adequately addressed in the General Plan EIR.

c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marshes, vernal pools, coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means? (No Impact)

No federally protected wetlands or other jurisdictional waters are present on the Project site or in the immediate vicinity. The nearest potentially federally protected wetlands in proximity to the Project site is the riverine habitat (Mills Creek) approximately 0.5 mile from the Project site and an area associated with a concrete channel (El Portal Canal) that carries water to the San Francisco Bay, approximately 0.4 mile away.[32] The Project site is separated from this habitat by dense urban development, including multiple paved roads. Therefore, the Project would have ***no impact*** on state or federally protected wetlands, which were adequately addressed in the General Plan EIR.

d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species, or established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Less than Significant with Mitigation)

There are no wetlands or running waters present on or in the vicinity of the Project site. Thus, the Project would not affect fish movement. All Project activities would occur within an already-developed footprint surrounded by development. Therefore, the Project would not result in fragmentation within natural habitats that would interfere with the movement of wildlife. Any common urban-adapted species that currently move through the Project site would continue to be able to do so following construction.

Wildlife corridors are described as pathways or habitat linkages that connect discrete areas of natural open space that would otherwise be separated or fragmented by topography, changes in vegetation, or other natural or manmade obstacles, such as urbanization. Because the Project site, as well as the surrounded area is developed, it does not connect directly to areas of natural open space.

As described in Impact BIO-1, impacts on nesting birds, including migratory birds, would be minimized through implementation of Mitigation Measures BIO-1, Mitigation Measure NOI-1, and compliance with existing lighting regulations. The impact on migratory birds due to construction would be ***less than significant with mitigation***.

Operation of the Project would include new lighting and a new vertical structure with potentially reflective surfaces. The new lighting and the new surfaces of the building could misdirect or confuse migratory birds, resulting in disruption of natural behavioral patterns and possible injury or death from exhaustion or collisions with buildings. The potential for these types of impacts could be heightened because of the Project's location within the Pacific Flyway, a bird migration route, and the site's proximity to the San Francisco Bay. Impacts on migratory birds from proposed buildings and increased lighting levels would be potentially significant. Mitigation Measure BIO-2 would require implementation of design standards that would reduce hazards for birds. The impact on

[31] U.S Fish and Wildlife Service. 2021. National Wetland Inventory Wetland Mapper. Available: https://www.fws.gov/wetlands/. Accessed: July 8, 2021.

[32] U.S. Fish and Wildlife Service. 2021. *National Wetland Inventory Wetland Mapper*. Available: https://www.fws.gov/wetlands/. Accessed: July 8, 2021.

migratory birds due to operation of the Project would be ***less than significant with mitigation***. This impact was adequately addressed in the General Plan EIR.

Mitigation Measure BIO-2: **Implement Bird-safe Design Standards into Project Building and the Lighting Design.**

The applicant, or contractor, shall implement the following measures to minimize hazards for birds:

- Reduce large areas of transparent or reflective glass.
- Locate water features, trees, and bird habitat away from building exteriors to reduce reflection.
- Reduce or eliminate the visibility of landscaped areas behind glass.
- Turn non-emergency lighting off at night, especially during bird migration season (February–May and August–November).
- Include window coverings that adequately block light transmission from rooms where interior lighting is used at night and install motion sensors or controls to extinguish lights in unoccupied spaces.
- Design and/or install lighting fixtures that minimize light pollution, including light trespass, over-illumination, glare, light clutter, and skyglow, and use bird-friendly colors for lighting when possible. The City of San Francisco's *Standards for Bird-safe Buildings*[33] provides an overview of building design and lighting guidelines to minimize bird/building collisions that could be used to guide the applicant.

e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (No Impact)

Municipal Code Section 11.06.020 defines a *protected tree* as any tree with a circumference of 48 inches or more when measured 54 inches above natural grade. A total of 10 trees of two distinct species (one Hollywood juniper and nine Italian cypress) would be removed from the Project site, none of which are identified as protected heritage-sized trees.[34] The Project would not conflict with any local policies or ordinances that protect biological resources, and ***no impact*** would occur. In addition, the Project would plant 22 new trees throughout the site, which would replace the trees that would be removed by the Project. This impact was adequately addressed in the General Plan EIR.

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? (No Impact)

The Project site is not part of or near an adopted or proposed habitat conservation plan (HCP) or natural community conservation plan (NCCP) or any other local, regional, or state HCP. The nearest area covered by an HCP is the San Bruno Mountain HCP, which is more than 5 miles from the Project

[33] City and County of San Francisco. 2011. *Standards for Bird-safe Buildings*. San Francisco Planning Department. July 14. Available: http://www.sf-planning.org/ftp/files/publications_reports/bird_safe_bldgs/Standards_for_Bird_Safe_Buildings_7-5-11.pdf. Accessed: August 5, 2021.

[34] City of Burlingame Parks and Recreation. 2021. *Private Protected Tree FAQ*. Available: https://www.burlingame.org/parksandrec/trees/private_protected_tree_faq.php. Accessed: July 8, 2021.

site. The Project would, therefore, not conflict with the provisions of an adopted HCP, NCCP, or other approved local, regional, or state HCP, and ***no impact*** would occur. This impact was adequately addressed in the General Plan EIR.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the General Plan EIR, implementation of the Project would not result in any new or more severe significant impacts related to biological resources than those identified previously. Implementation of existing rules and regulations governing biological resources, including the City's General Plan goals and policies, would ensure that potential impacts associated with biological resources would be less than significant. In addition, implementation of Mitigation Measures BIO-1 and BIO-2, specific to the Project, would reduce impacts on migratory birds from potential building hazards to less than significant. The Project would not result in a significant impact peculiar to the Project, a significant impact not previously identified, or a significant impact due to substantial new information. The biological resource impacts of the Project were adequately addressed in the General Plan EIR, and no further analysis is required.

V. Cultural Resources

	Significant Impact Peculiar to the Project or Project Site	Significant Impact Not Identified	Significant Impact Due to Substantial New Information	Impact Adequately Addressed in Previous Documents
Would the Project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	☐	☐	☐	☒
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☐	☐	☒
c. Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☐	☒

Setting

Built Environment Resources

The Project site encompasses two adjacent parcels, addressed at 1814 Ogden Drive (Assessor's Parcel Number [APN] 025-121-110) and 1820 Ogden Drive (APN 025-121-120), located northwest of the intersection of Ogden Drive and Trousdale Drive in northwest Burlingame, California.

Historically, the Project site was within the Mexican-era Buri Rancho. Once the Mexican-American War concluded in 1848, the Treaty of Guadalupe Hidalgo resulted in Mexico ceding California to the United States. Mexicans who lived on existing ranchos were guaranteed property rights and allowed to remain on the land. However, the start of the California Gold Rush led to a dramatic increase in Northern California's population, which pushed Mexican landowners off their land with the influx of gold seekers.[35]

The City of Burlingame traces its origins to William C. Ralston, an established banker who obtained land on the San Francisco Peninsula. Ralston's friend Anson Burlingame, a Massachusetts congressman bought approximately 1,000 acres of land from Ralston to build a private villa. Following Burlingame's premature death in 1870, Ralston bought back his land and began planning for the establishment of a new town, Burlingame. After Ralston's death, the land changed hands several times; development increased throughout the late 1800s. The 1906 San Francisco earthquake and fire propelled hundreds of new residents to Burlingame in search of a safer home. In 1908, Burlingame incorporated.[36]

In 1954, Burlingame annexed a portion of the Darius Ogden Mills estate at the city's northernmost border, spanning from Millbrae Avenue on the north to Mills Creek on the south.[37] This area encompassed the Project site and nearby parcels, which remained completely undeveloped at that time

[35] Carey & Co. 2008, *Inventory of Historic Resources, Burlingame Downtown Specific Plan*. Available: https://www.burlingame.org/document_center/Planning/General%20and%20Specific%20Plans/Historic%20Resources%20Inventory.pdf. Accessed: March 11, 2020.

[36] Ibid.

[37] Peninsula Royalty, 2018, *Darius Ogden Mills*. Available: https://burlingamefoundingfamilies.wordpress.com/mills-introduction/darius-ogden-mills/. Accessed: March 15, 2018.

even though surrounding areas of Burlingame and Millbrae were enveloped by suburban growth. In the late 1950s and 1960s, however, the area surrounding the Project site developed rapidly with new commercial and office buildings.[38]

Two buildings occupy the Project site. The one-story commercial building at 1814 Ogden Drive dates to 1959, based on data from the San Mateo County Assessor; the three-story commercial building at 1820 Ogden Drive was built in 1962. The buildings are located within a mixed-use neighborhood with one- to three-story residential and commercial office buildings that was developed beginning in the mid-twentieth century. The Project site is adjacent to parcels containing 1838-1840 Ogden Drive, a four- to five-story residential complex, and 1818 Trousdale Drive, a four-story residential building. These adjacent buildings were constructed after 2000.[39] The buildings at 1814 Ogden Drive and 1820 Ogden Drive exceed the age threshold above which a built environment resource (e.g., building, structure, object, district) typically has the potential to meet the eligibility requirements of the California Register of Historical Resources (CRHR) and could thus qualify as a significant historical resource for the purposes of CEQA review. Neither building has been previously evaluated for listing in the CRHR or National Register of Historic Places (NRHP) or otherwise considered for CEQA historical resource status.

In support of the current analysis, the buildings at 1814 Ogden Drive and 1820 Ogden Drive were evaluated for listing in the CRHR and NRHP. Archaeological Resource Management completed an intensive-level historical resources survey of 1814 Ogden Drive and 1820 Ogden Drive. The buildings' physical characteristics, historic context, site history, and NRHP/CRHR evaluations were documented on Department of Parks and Recreation (DPR) 523A (Primary Record) and 523B (Building, Structure, Object) forms, completed in June 2021. These forms are included in Appendix D. A summary of the evaluations for 1814 Ogden Drive and 1820 Ogden Drive under NRHP/CRHR Criteria A/1 through D/4 is provided below.[40]

- **Criteria A/1 (significant events)**: The buildings are common examples of commercial properties built in Burlingame during the post-World War II era and do not appear to have contributed substantially to the local, regional, or national economy or other significant patterns of events.
- **Criteria B/2 (significant persons)**: No individuals associated with either building appear to have made significant contributions to local, state, or national history.
- **Criteria C/3 (significant architecture or construction)**: The buildings at 1814 Ogden Drive and 1820 Ogden Drive display general characteristics of Midcentury Modern commercial design and construction, which was commonly used during the mid-twentieth century in suburban

[38] National Environmental Title Research, 1946–1956, *Historic Aerials, 1814 Ogden Drive*. Available: https://www.historicaerials.com/viewer. Accessed: June 23, 2021.

[39] Robert Cartier, 2021a, *1814 Ogden Drive*, Department of Parks and Recreation form, DPR 523A, 523B, 523L, June, Archaeological Resource Management, San Jose, CA; Robert Cartier, 2021b, *1820 Ogden Drive*, Department of Parks and Recreation form, DPR 523A, 523B, 523L, June, Archaeological Resource Management, San Jose, CA; National Environmental Title Research, 2002–2010, *Historic Aerials, 1814 Ogden Drive*. Available: https://www.historicaerials.com/viewer. Accessed: June 24, 2021.

[40] In order to be eligible for listing in the NRHP and CRHR, a property must meet at least one of the following criteria: The property (1) is associated with events that have made a significant contribution to the broad patterns for California's history and cultural heritage; (2) is associated with the lives of persons important in history; (3) embodies the distinctive characteristics of a type, period, region, or method of construction or represents the work of an important creative individual or possesses high artistic values; (4) has yielded, or may be likely to yield, information important in prehistory or history.

communities such as Burlingame. Neither building has a distinguished or innovative design that embodies the distinctive characteristics of a type, period, region, or method of construction. The buildings' architects remain unidentified, but neither building appears to represent the body of work of a master design professional, and neither possesses high artistic values.

- **Criteria D/4 (information potential)**: The building appears unlikely to yield important information about historic construction methods, materials, or technologies.[41]

As such, neither building located within the Project site is eligible for listing in the NRHP or CRHR because of a lack of significance under the NRHP/CRHR evaluative criteria.[42] Furthermore, the buildings adjacent to the Project site were built after 2000 and are of too recent construction to qualify for inclusion in the NRHP or CRHR. Therefore, the Project site neither contains nor is adjacent to any built environment resource that qualifies as a historical resource for the purposes of CEQA.

Archaeological Resources

A Cultural Resource Evaluation and Archaeological Testing Program was prepared for the Project. This Cultural Resources section uses the information from the technical report.

The Project site elevation is approximately 40 feet mean sea level. The nearest source of fresh water is Mills Creek, which runs approximately 0.5 mile south of the Project site. Surface deposits in the western part of the site is underlain by Pleistocene-age Colma Formation and the eastern part is underlain by Holocene-aged alluvial deposits.[43] Over the last century, academic researchers have refined their understanding of the Bay Area prehistoric cultural chronology, although these constructs may not reflect current tribal views. The cultural sequence San Francisco Bay Area consists of the Early Holocene (Lower Archaic, calibrated [cal] 8000–3500 B.C.), Early Period (Middle Archaic, cal 3500–500 B.C.), Lower Middle Period (Initial Upper Archaic, cal 500 B.C.–cal A.D. 430), Upper Middle Period (Late Upper Archaic, A.D. cal 430–1050), Initial Late Period (Lower Emergent, A.D. cal 1050–1550), and Terminal Late Period (Protohistoric Ambiguities).[44,45,46,47]

[41] Cartier, 2021a, *1814 Ogden Drive*; Cartier, 2021b, *1820 Ogden Drive*.

[42] The DPR forms also determined that neither building meets the eligibility requirements of the City of Burlingame Historic Architectural Resources Inventory. However, an evaluation of eligibility to a local inventory does not qualify a resource as a CEQA historical resource. Rather, pursuant to section 15064.5(a) of the CEQA guidelines, a resource must be included in the local inventory (that is, formally listed) to qualify as a CEQA historical resource, rather than simply found eligible for listing.

[43] Romig Engineers. Geotechnical Investigation, 1814–1820 Ogden Drive. May 2020.

[44] Fredrickson 1994. Spatial and Cultural Units in Central California Archaeology. In *Toward a New Taxonomic Framework for Central California: Essays by James A. Bennyhoff and David A. Fredrickson*. Ed. Richard Hughes. Contributions of the University of California Archaeological Research Facility 15. Berkeley, CA.

[45] Hylkema 2002. Tidal Marsh, Oak Woodlands, and Cultural Florescence in the Southern San Francisco Bay Region. Pages 205–231 in Jon M. Erlandson and Terry L. Jones (eds.), Catalysts to Complexity: Late Holocene Societies of the California Coast. Perspectives in California Archaeology 6, series editor J. E. Arnold. Institute of Archaeology, University of California, Los Angeles.

[46] Milliken et al. 2007. Punctuated Culture Change in the San Francisco Bay Area. In T. L. Jones and K. Klar (eds.), California Prehistory: Colonization, Culture, and Complexity. Walnut Creek, CA: Altamira Press.

[47] Vellanoweth 2001. AMS Radiocarbon Dating and Shell Bead Chronologies: Middle Holocene Trade and Interaction in Western North America. Journal of Archaeological Science 28:941–950.

Northwest Information Center Records Search

A review of previously recorded cultural resources and studies on file at the Northwest Information Center (NWIC) of the California Historical Resources Information System (CHRIS) was completed. The record search consulted NWIC files of cultural resource studies and sites within 0.25 mile of the project site. This review identified one archaeological site (CA-SMA-74) within or adjacent to the project site (Table 3-8).

One precontact Native American archaeological site (CA-SMA-74) was recorded within or immediately adjacent to the Project area. This site, known as the Mills Estate Site, is recorded on the eastern side, or to the rear of the parcels at 1814 and 1820 Ogden Drive; however, its exact boundaries are only partly understood. The site is a large prehistoric habitation site, originally recorded by L.L. Valdivia in 1950 and revisited by Heizer and Meighan in 1952. In 1990, B. Boceck rerecorded the site, significantly expanding its site. The site contained chipped lithic artifacts, mortars, charmstones, habitation debris, and multiple Native American burials. Four prehistoric sites are located within a one-quarter mile radius: CA-SMA-76, CA-SMA-90, CA-SMA-91, and CA-SMA-300. CA-SMA-300, the closest of these sites, is located approximately 1,100 feet east of the Project area.

Table 3-8. Previously Recorded Archaeological Resources within the Study Area

Trinomial	Description
CA-SMA-74	The Mills Estate Site is a large prehistoric habitation site originally recorded by Valdivia in 1950 and revisited in 1952 and 1990. The exact boundaries of the site are only partially understood. The site contained chipped lithic artifacts, mortars, charmstones, habitation debris, and multiple Native American burials.

Sources: Heizer and Meighan. 1952. Updated site record for CA-SMA-74 on file at the Northwest Information Center, Department of Anthropology, Sonoma State University, Rohnert Park.
Valdivia. 1950. Site record for CA-SMA-74 on file at the Northwest Information Center, Department of Anthropology, Sonoma State University, Rohnert Park.

Pedestrian Survey

Archeologists with Archaeological Resource Management carried out a pedestrian survey of 1814–1820 Ogden Drive in 2020. The archeologists examined visible open land surfaces, as well as areas that may have revealed subsurface stratigraphy and soil contents, such as animal burrows, exposed banks, and inclines. Much of the property was covered by existing buildings and hardtop surfaces. No significant prehistoric or historic cultural materials were observed during this survey. Based on the known location of CA-SMA-74, the archaeologist recommended archaeological testing, focused on the east portion of the property in advance of any ground disturbing activities.

Archaeological Testing

Archeologists with Archaeological Resource Management conducted limited archaeological testing at 1814–1820 Ogden Drive in 2021. The archeologists conducted 12 borings in landscaped areas around the edges of the project area using a 4-inch diameter hand auger. Four augurs were bored to a depth of 200 cm and the other eight were bored to 100 cm. Hardtop coverage of the site prevented more extensive archaeological investigations. Small amounts of highly fragmentary marine shell were found at the east end of the Project area (Augur #5) between 10 and 100 centimeters below ground surface and in a highly disturbed context at the west end of the Project Area (Augur #8) between 100 and 120 centimeters below ground surface. The archeologists concluded that the

Project area has the potential to contain archaeological elements related to CA-SMA-74 within the untested areas and recommended archaeological monitoring during ground disturbing activities.

Tribal Consultation (AB 52)

For information about tribal consultation of this Project, please refer to Section XVIII, *Tribal Cultural Resources*. Appendix E contains the letter that was sent from the NAHC and a record of ICF's communication with Native American Tribes.

General Plan EIR

The Burlingame General Plan EIR concluded that no one goal, policy, or implementation measure would be expected to completely avoid or reduce an identified potential impact on cultural resources. However, compliance with existing regulations and policies, including those outlined in the Burlingame General Plan, would reduce impacts to less than significant. The following goals and policies from the Community Character Element would reduce impacts on cultural resources: Goal CC-3, Policy CC-3.1, Policy CC-3.3, Policy CC-3.4, Policy CC-3.5, Policy CC-3.6, Policy CC-3.7, Policy CC-3.8, Policy CC-3.9, Policy CC-3.10, and Policy CC-3.11.

Discussion

a. Cause a substantial adverse change in the significance of a historical resource, pursuant to Section 15064.5? (No Impact)

The Project site neither contains nor is adjacent to any built environment resource that qualifies as a historical resource for the purposes of CEQA. Therefore, new development on the Project site would not have the potential to cause a substantial adverse change to the significance of any built environment historical resource, as defined in Section 15064.5 of the CEQA Guidelines. The Project would not demolish a significant historical resource or alter its physical characteristics, would it change elements within the historic setting of such a resource. Therefore, the Project would have ***no impact*** on built environment historical resources.

b. Cause a substantial adverse change in the significance of an archaeological resource, pursuant to Section 15064.5? (Less than Significant with Mitigation)

The Project will involve the necessary grading, trenching, and other earthmoving activities with subsurface excavations to a depth of at least 12 feet below ground surface. Mass excavation of the site for the proposed parking level would destroy any structural remains within at least the top 12 feet of the ground surface and could uncover redeposited remains. The impact of such activities would be considered significant if they were to cause a substantial adverse change to the archaeological resources, as defined by CEQA Guidelines Section 15064.5.

A records search conducted at the NWIC showed that the Project area contains or is adjacent to known prehistoric archaeological resources and several other known sites are nearby. CA-SMA-74 is a large Native American habitation site that lies adjacent to or just within the Project site's eastern boundary, and three other precontact sites are within 0.25-mile of the Project site. Limited archaeological testing in 2021 did not show the site continuing into the Project site; but based on the proximity of the site, it is possible that additional cultural materials could be uncovered when the site is prepared for construction. No further testing was recommended, but the testing report recommended archaeological monitoring during ground disturbance. Based on these factors, the

Project has the potential for encountering deposits associated with known resources or as-yet undocumented resources.

Mitigation Measures CULT-1, CULT-2, and CULT-3 would require construction personnel to receive cultural resource awareness training, for an archaeological monitor to be present during ground disturbing activities, and for work to be stopped if archaeological deposits are encountered during Project construction. Implementation of Mitigation Measures CULT-1, CULT-2, and CULT-3 would ensure that impacts on as-yet unknown cultural resources would be avoided or minimized, resulting in an impact that would be ***less than significant with mitigation***. This impact was adequately addressed in the General Plan EIR.

Mitigation Measure CULT-1: **Pre-construction Archaeological Sensitivity Training**

A qualified archaeologist shall conduct a pre-construction archaeological sensitivity training session for the excavation crew. This training shall include an overview of what cultural resources are and provide information regarding why such resources are important, archaeological terms (such as site, feature, deposit), Project site history, the types of cultural resources that are likely to be uncovered during excavation, the laws that protect cultural resources, and the protocol for unanticipated discoveries (see Mitigation Measure CULT-2). All crew members conducting ground disturbance shall attend archaeological sensitivity training. A sign-in sheet shall be provided to track who has attended the training. An "Alert Sheet" shall also be posted in conspicuous locations on the Project site to alert personnel to the procedures and protocols to follow any discovery of potentially significant prehistoric archaeological resources.

Mitigation Measure CULT-2: **Develop and Implement a Tribal Cultural and Archaeological Monitoring Plan**

Given the reasonable potential for tribal cultural and archaeological resources to be present within the proposed work area, the following measures shall be undertaken to avoid any significant impacts on these potential resources. A Tribal Cultural and Archaeological Monitoring Plan shall be developed by a qualified archaeologist prior to any Project-related ground disturbance to determine specific areas of archaeological sensitivity within proposed work areas. The Tribal Cultural and Archaeological Monitoring Plan will determine whether an onsite Native American and qualified archaeological monitor are required during Project-related ground disturbance. The plan shall include protocol that outlines tribal cultural and archaeological monitoring best practices, anticipated resource types, and an Unanticipated Discovery Protocol. The Unanticipated Discovery Protocol shall describe steps to follow if unanticipated archaeological discoveries are made during project work and a chain of contact.

Mitigation Measure CULT-3: **Unanticipated Discovery Protocol**

Should an archaeological resource be encountered during Project construction activities, the construction contractor shall halt construction within 100 feet of the find and immediately notify the City of Burlingame. Construction activities shall be redirected, and a qualified archaeologist shall 1) evaluate the archaeological resource to determine if it meets the CEQA definition of a historical or unique archaeological resource and 2) make recommendations about the treatment of the resource, as warranted. If the resource does meet the CEQA definition of a historical or unique archaeological resource, then it shall be avoided to the extent feasible by Project construction activities. If avoidance is not feasible, then adverse effects to the deposit

shall be mitigated through an archaeological treatment plan. This mitigation may include, but is not limited to, a thorough recording of the resource on Department of Parks and Recreation Form 523 records, archaeological data recovery excavation, curation of artifacts found, the preparation of an archaeological monitoring report, and public interpretation.

c. Disturb any human remains, including those interred outside of dedicated cemeteries? (Less than Significant with Mitigation)

The Project includes mass excavation to at least 12 feet below ground surface. The precontact archaeological site (CA-SMA-74) identified during a records search conducted at the NWIC contained several Native American burials. Because the extent of that site is not well established, it is possible that additional Native American burials are present within the Project Area. As such, the potential exists for human remains, particularly those interred outside of formal cemeteries, to be disturbed during grading, excavation, or other ground-disturbing activities associated with the Project. Any human remains and related items discovered during the implementation of this Project shall be treated in accordance with the requirements of Section 7050.5(b) of the California Health and Safety Code. If, pursuant to Section 7050.5(c) of the California Health and Safety Code, the county coroner/medical examiner determines that the human remains are or may be of Native American origin, then the discovery shall be treated in accordance with the provisions of Section 5097.98(a)-(d) of the PRC. The Project shall ensure that the remains are not damaged or disturbed further until all stipulations in Section 7050.5 and Section 5097.98 have been met.

In addition to protocols laid out in Mitigation Measures CULT-1, CULT-2, and CULT-3, Mitigation Measure CULT-4 would also be required in the event that human remains are encountered during construction. The implementation of existing State regulations as well as mitigation measures would ensure that impacts related to human remains would be ***less than significant with mitigation***. This impact was adequately addressed in the General Plan EIR.

Mitigation Measure CULT-4: **Handling of Human Remains**

If any human remains are discovered during ground-disturbing activities, an evaluation shall be performed to assess likely age and provenance in a manner that is respectful of the disturbed remains. If determined to be, or likely to be, Native American, the District shall comply with state laws regarding the disposition of Native American burials, which fall within the jurisdiction of NAHC (PRC Section 5097). If human remains are discovered or recognized in any location other than a dedicated cemetery, there shall be no further excavation or disturbance within 50 feet of the until:

1. The county coroner has been informed by the District and has determined whether investigation of the cause of death is required
2. If the remains are of Native American origin:
    a. The descendants of the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98; or
    b. NAHC was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the commission.

c. NAHC recommends a Most Likely Descendant to make a recommendation to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98.

According to California Health and Safety Code, disturbance of Native American cemeteries is a felony (Section 7052). Section 7050.5 requires that excavation be stopped in the vicinity of the discovered human remains until the coroner can determine whether the remains are those of a Native American.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the General Plan EIR, implementation of the Project would not result in any new or more severe significant impacts related to cultural resources than those identified previously. Implementation of existing rules and regulations governing cultural resources, along with implementation of the City's General Plan goals and policies, would ensure that potential impacts would be less than significant. In addition, implementation of Mitigation Measure CULT-1, CULT-2, CULT-3, and CULT-4, specific to the Project, which would require measures to protect archaeological resources and human remains, would reduce impacts on cultural resources as understood currently. The Project would not result in a significant impact peculiar to the Project, a significant impact not previously identified, or a significant impact due to substantial new information. The impacts on cultural resources were adequately addressed in the General Plan EIR, and no further analysis is required.

VI. Energy

	Significant Impact Peculiar to the Project or Project Site	Significant Impact Not Identified	Significant Impact Due to Substantial New Information	Impact Adequately Addressed in Previous Documents
Would the Project:				
a. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during Project construction or operation?	☐	☐	☐	☒
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

Setting

Grid electricity service in Burlingame is provided by Pacific Gas & Electric (PG&E) and PCE. PG&E is a publicly traded utility company that generates, purchases, and transmits energy under contract with the California Public Utilities Commission. PG&E's service territory is 70,000 square miles in area, roughly extending north to south from Eureka to Bakersfield and east to west from the Sierra Nevada to the Pacific Ocean. PG&E's electricity distribution system consists of 106,681 circuit miles of electric distribution lines and 18,466 circuit miles of interconnected transmission lines.[48] PG&E electricity is generated by a combination of sources, such as hydropower, gas-fired steam, and nuclear energy, as well as newer sources of energy, such as wind turbines and photovoltaic plants, or *solar farms*. *The Grid*, or bulk electric grid, is a network of high-voltage transmission lines that link power plants to substations. The distribution system, composed of lower-voltage secondary lines, is at the street and neighborhood level. It consists of overhead or underground distribution lines, transformers, switching equipment, and service "drops" that connect to the individual customer.[49]

The City of Burlingame is part of PCE, which distributes additional renewable power to the region. Through PCE's community-choice energy (CCE) program, enables residents and businesses are able to choose where their energy comes from. CCE programs allow local governments to pool the electricity demands of their communities, purchase power with higher renewable content, and reinvest in local infrastructure. Currently, PG&E delivers the power, maintains the lines, and bills customers, but the power is purchased by the CCE program from renewable energy sources such as solar, wind, hydroelectric, geothermal, and biomass.[50]

PG&E also provides natural gas service; however, since this Project would not use natural gas, the topic of natural gas is not discussed any further.

[48] Pacific Gas & Electric. 2021. *Company Profile*. Available: https://www.pge.com/en_US/about-pge/company-information/profile/profile.page. Accessed: August 2, 2021.

[49] Pacific Gas & Electric. 2021. *PG&E's Electric System*. Available: https://www.pge.com/includes/docs/pdfs/shared/edusafety/systemworks/electric/pge_electric_system.pdf. Accessed: August 2, 2021.

[50] Peninsula Clean Energy. 2015. *Community Guide*. Available: https://www.peninsulacleanenergy.com/wp-content/uploads/2015/10/PCE_community_guide_v2_web.pdf. Accessed: August 2, 2021.

General Plan EIR

The General Plan EIR, prepared energy conservation analyses pursuant to Public Resources Code Section 2100(b)(3) and Appendix F of the CEQA Guidelines. Implementation of the General Plan could increase vehicle miles traveled and energy usage. However, increased density, as proposed under these plans, would provide for more efficient use of resources in the city, ensuring that development would not result in the wasteful or inefficient use of energy resources. Impacts would be less than significant, and no mitigation measures are warranted.

The Healthy People and Healthy Places Element, the Community Character Element, and the Infrastructure Element includes the following goals and policies that encourage energy efficiency: Policy HP-2.4, Policy HP-2.5, Policy HP-2.6, Policy HP-2.7, Policy HP-2.8, Policy HP-2.9, Policy HP-2.10, Policy HP-2.13, Policy HP-2.14, Policy HP-2.15, Policy HP-6.2, Policy HP-6.4, Policy HP-6.8, Goal CC-1, Policy CC1.2, Policy CC-1.3, Policy CC-1.4, Policy CC-1.5, Policy CC-1.6, Policy CC-1.7, CC-1.9, Policy CC-1.12, Policy CC-1.13, Policy IF-2.1, Policy IF-2.12, Policy IF-5.3, Policy IF-5.5, Policy IF-5.7, Policy IF-5.12, Policy IF5.15, Policy IF-5.16, Goal IF-6, and Policy IF-6.7.

Discussion

a. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during Project construction or operation? (Less than Significant)

Construction

Project construction activities would require the use of trucks and other types of heavy equipment that operate on fossil fuels. As discussed in Section VIII, *Greenhouse Gas Emissions*, it is estimated that construction of the Project would generate approximately 485 metric tons of carbon dioxide equivalent. Emissions generated during construction of the Project would be associated primarily with diesel-powered construction equipment (e.g., excavators) and on-road vehicle trips. The Project would be required to implement relevant policies from the City's Climate Action Plan geared toward reducing construction-related GHG emissions, which would consequently result in energy reductions as well. This is discussed further in Section VIII, *Greenhouse Gas Emissions*. Construction emissions would cease once construction of the Project is complete; therefore, they are considered short term. Construction would not result in wasteful, inefficient, or unnecessary consumption of energy resources. The impact would be ***less than significant*** and was adequately addressed in the General Plan EIR.

Operation

The Project would consume energy to support normal day-to-day operations associated with the proposed residential uses. Vehicles and mass transit used by residents, and visitors/guests when traveling to and from the Project site would require energy in the form of gasoline, diesel, and/or electricity. The specific fuel required for transport would depend on the mode of transportation and type of engine used to propel the vehicle. The Project would implement TDM measures to reduce the number of trips generated from the Project (see Appendix A). In addition, the Project would be located near the MMTC, as well as El Camino Real, which is considered a high quality transit corridor. Users of the site would be able to use transit instead of a vehicle.

Energy would also be required to heat and cool the proposed building, provide indoor and outdoor lighting, and transport water/wastewater. As part of its Tier 3 development standards, the applicant has committed to providing 100 percent of the building's total energy demand from renewable sources through PCE's ECO100 program, which cuts fuel emissions to net zero. As such, the use of electricity would not be considered wasteful, inefficient, or unnecessary. Furthermore, because of the Project's size and location within an urban setting, buildout of the Project would not significantly increase energy demand within the service territory and would not require new energy facilities. Energy projections from energy providers within the state anticipate growth from development, such as the Project.

The Project would be required by law to adhere to California Code of Regulations (CCR) Title 24, the California Green Building Standards Code (CALGreen), and adopted City energy conservation ordinances and regulations. Unless otherwise noted in the regulation, all newly constructed buildings in California, such as the building constructed as part of the Project, are subject to the requirements of CALGreen, which contains both mandatory and voluntary measures. For residential land uses, there are several mandatory measures, including, but not limited to, energy efficiency, water-conserving plumbing fixtures and fittings, electric vehicle requirements, and specifications for efficient heating, ventilation, and air-conditioning (HVAC) systems. In addition, the Project would be required to implement relevant policies from the City's Climate Action Plan geared toward reducing operation-related GHG emissions, which would indirectly reduce energy consumption as well. This is discussed further in Section VIII, *Greenhouse Gas Emissions*. Accordingly, with implementation of adopted state and City energy conservation measures, the Project would result in a ***less-than-significant impact*** with respect to the wasteful, inefficient, or unnecessary consumption of energy resources. This impact was adequately addressed in the General Plan EIR.

b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (Less than Significant)

The Project would be required to use energy-efficient building materials and construction practices, in accordance with CALGreen and Chapter 18.30 of the Municipal Code, which contains the Green Building Standards Code. The Project would also use modern appliances and equipment, in accordance with the 2006 Appliance Efficiency Regulations (CCR Title 20, Sections 1601 through 1608). Per these requirements, the Project would use recycled construction materials; environmentally sustainable building materials; designs that reduce the amount of energy used in building heating and cooling systems, compared to conventionally built structures; and landscaping that incorporates water-efficient irrigation systems, all of which would conserve energy. In addition, the City's 2040 General Plan contains goals, policies, and programs that require local planning and development decisions to consider impacts on energy resources. The Project would adhere to 2040 General Plan goals, policies, and programs, which would serve to increase energy conservation and minimize potential impacts associated with energy use. As part of the City's approval process, the Project, would be required to comply with existing regulations, including 2040 General Plan policies and zoning regulations that promote energy conservation and efficiency by requiring sustainable building practices and reducing automobile dependency. Furthermore, implementation of the City's Climate Action Plan and compliance with CALGreen, as well as other applicable state and local energy efficiency measures, would result in energy conservation and savings. In addition, the applicant has committed to providing 100 percent of the building's total energy demand from renewable sources through PCE's ECO100 program, which cuts fuel emissions to net zero. Please refer to Section VIII, *Greenhouse Gas Emissions,* for additional discussion on the Project's consistency

with regulations related to sustainability. The Project would result in a ***less-than-significant impact*** related to conflicting with a state or local plan for renewable energy and energy efficiency.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the General Plan EIR, implementation of the Project would not result in any new or more severe significant impacts related to energy than those identified previously. Implementation of existing rules and regulations governing energy use and efficiency, along with implementation of the City's General Plan goals and policies, would ensure that potential impacts would be less than significant. The Project would not result in a significant impact peculiar to the Project, a significant impact not previously identified, or a significant impact due to substantial new information. The energy impacts of the Project were adequately addressed in the General Plan EIR, and no further analysis is required.

VII. Geology, Soils, and Paleontological Resources

	Significant Impact Peculiar to the Project or Project Site	Significant Impact Not Identified	Significant Impact Due to Substantial New Information	Impact Adequately Addressed in Previous Documents
Would the Project:				
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1. 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.	n/a	n/a	n/a	n/a
2. Strong seismic ground shaking?	n/a	n/a	n/a	n/a
3. Seismically related ground failure, including liquefaction?	☐	☐	☐	☒
4. 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 would become unstable as a result of the Project and potentially result in an onsite or offsite 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 direct or indirect risks to life or property?	☐	☐	☐	☒
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒

Setting

Geologic Hazards and Soils

The City of Burlingame is in the Coast Ranges geomorphic province, in eastern San Mateo County, and adjacent to San Francisco Bay.[51] The Bay Area is considered one of the most seismically active areas in the country and therefore subject to the effects of earthquakes. The City of Burlingame, as well as the Project site, is situated in the central portion of the San Francisco Peninsula, at the eastern edge of a system of ridges, valleys, and hills that lie east of the northwesterly-trending rift valley of the active San Andreas fault. The San Andreas fault is a major fault that traverses the Bay Area, extending from the Gulf of California in Mexico to Cape Mendocino in California. The great 1906 earthquake in San Francisco occurred along the San Andreas fault.

The topography of the Project site is relatively flat, sloping gently toward the east. The Project site is underlain by Colma Formation, which is described to be weakly consolidated, moderately well bedded yellowish-gray to tan sandy clay and silty sand and friable light to reddish brown poorly sorted to well sorted sand and gravel; coarse-grained alluvial deposits, which are expected to consist of unconsolidated, moderately sorted sand and gravel forming stream levees, fans, and flood plains and locally contains interbeds of well-sorted silt, sand and gravel; and artificial fill consisting of poorly consolidated to well-consolidated gravel, sand, silt, and rock fragments in various combinations used in a variety of applications.[52] During the geotechnical investigation, groundwater was encountered at 14 feet, 16 feet, and 23 feet for three of the four test borings (no groundwater was encountered for the fourth boring). The geotechnical report also identifies that based on nearby experience, groundwater at the Project site may periodically rise up to as high as approximately 8 feet below ground surface.[53]

As previously stated, the Project site is in an area that is subject to earthquakes. The Alquist-Priolo Earthquake Fault Zoning Act (1972) and the Seismic Hazards Mapping Act (1990) direct the State Geologist to delineate regulatory zones to help cities and counties prevent the construction of buildings for human occupancy on the surface trace of active faults. The Project site is not in a currently established California Earthquake Fault Zone.[54,55] Furthermore, no active or potentially active faults are known to pass directly beneath the site.[56] However, the Project site is near several active faults that are capable of generating large earthquakes. USGS estimates there is a 72 percent probability of a 6.7-magnitude earthquake in the Bay Area before 2043. The Hayward fault has the highest likelihood of an earthquake greater than or equal to magnitude of 6.7 in the Bay Area, estimated at 33 percent.[57] Table 3-9 shows the regional faults, the distance from the Project site, and the probability of an earthquake with a magnitude greater than 6.7 within 30 years.

[51] California Geological Survey. 2002. *California Geomorphic Provinces*. (Note 36). Available: https://www.conservation.ca.gov/cgs/Documents/Publications/CGS-Notes/CGS-Note-36.pdf. Accessed: August 10, 2021.

[52] Romig Engineers. Geotechnical Investigation, 1814–1820 Ogden Drive. May 2020.

[53] Ibid

[54] Ibid

[55] California Geological Survey. 2021. *Earthquake Zones of Required Investigation*. Available: https://maps.conservation.ca.gov/cgs/eqzapp/app/. Accessed: August 10, 2021.

[56] Romig Engineers. Geotechnical Investigation, 1814–1820 Ogden Drive. May 2020.

[57] Ibid

Table 3-9. Regional Faults

Fault Name	Approximate Distance to Project Site (miles)	Maximum Magnitude
San Andreas (Peninsula, Subsection 9)	1.5	7.9
San Gregorio (North, Subsection 7)	7.6	7.3
Hayward (So, Subsection 6)	17	7.1
Calaveras (No, Subsection 2)	26	6.8

Source: Romig Engineers. Geotechnical Investigation, 1814–1820 Ogden Drive. May 2020.

Liquefaction occurs when saturated soils lose strength and stiffness with applied stress, such as during an earthquake. The lack of cohesion causes solid soil to behave like a liquid, resulting in ground deformation. Ground deformation can take on many forms, including, but not limited to, flow failure, lateral spreading, lowering of the ground surface, ground settlement, loss of bearing strength, ground fissures, and sand boils. Liquefaction within subsurface layers, which can occur during ground shaking associated with an earthquake, could result in ground settlement. The soil types most susceptible to liquefaction are loose to moderately dense, saturated non-cohesive soils with poor drainage, such as sands and silts with interbedded or capping layers of relatively low permeability. Lateral spreading typically occurs on gentle slopes with a rapid fluid-like flow. It can also occur when the potential exists for liquefaction in underlying saturated soils. The Project site is not mapped as having the potential for liquefaction.[58] The Project site is near an area that has been mapped as having the potential for liquefaction. The Geotechnical Investigation found that the soils below 8 feet may be subject to liquefaction due to the presence of groundwater.[59]

Burlingame has not experienced subsidence, either historically or recently; therefore, the potential for subsidence at the Project site is low. According to USGS, subsidence is the gradual settling or sinking of the surface due to the movement of subsurface materials. The main cause of subsidence in California is excessive groundwater pumping; however, subsidence can also be caused by peat loss and oil extraction. The Project site is not subject to landslides and is not located near areas that may be subject to landslides.[60]

Expansive soils are characterized by their ability to undergo significant volume changes (i.e., shrink and swell) with variations in moisture content. Expansive soils are typically very fine grained and have a high to very high percentage of clay. They can damage structures and buried utilities and increase maintenance requirements. Portions of the near-surface soils at the Project site have a moderate to high expansion potential.[61]

Paleontological Resources

Paleontological resources are fossilized remains, traces, or imprints of once-living organisms that have been preserved in rocks and sediments, providing evidence of past life on Earth. The Society of

[58] California Geological Survey. 2019. *Earthquake Zones of Required Investigation Montara Mountain Quadrangle*. Available: https://gmw.conservation.ca.gov/SHP/EZRIM/Maps/MONTARA_MOUNTAIN_EZRIM.pdf. Accessed: August 10, 2021.

[59] Romig Engineers. Geotechnical Investigation, 1814–1820 Ogden Drive. May 2020.

[60] California Geological Survey. 2019. *Earthquake Zones of Required Investigation Montara Mountain Quadrangle*. Available: https://gmw.conservation.ca.gov/SHP/EZRIM/Maps/MONTARA_MOUNTAIN_EZRIM.pdf. Accessed: August 10, 2021.

[61] Romig Engineers. Geotechnical Investigation, 1814–1820 Ogden Drive. May 2020.

Vertebrate Paleontology[62] states that significant paleontological resources include fossils of identifiable vertebrate fossils, large or small, and uncommon invertebrate, plant, and trace fossils. The potential for an area to yield significant paleontological resources depends on the geologic age and origin of the underlying rock.

No known paleontological resources have been recorded at the Project site. However, paleontological resources have been recovered from multiple locations in the San Francisco Bay Area, including inland San Mateo County. In addition, as mentioned above, the Project site is underlain by Colma Formation deposits of Pleistocene age.[63]

General Plan EIR

The General Plan EIR determined that, in most cases, no one goal, policy, or implementation measure is expected to completely avoid or reduce an identified potential environmental impact. However, the cumulative mitigating benefits of governing regulations and policies would result in a less-than-significant impact. In addition, the following goals and policies from the Community Safety Element would apply to further reduce impacts on geological and paleontological resources: Goal CS-7, Policy CS-7.1, Policy CS-7.2, and Policy CS-7.3. General Plan Mitigation Measure 12-1 would reduce impacts on paleontological resources to less than significant with mitigation.

Discussion

a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

1. 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. (Less than Significant)

The Project site is not within an earthquake fault zone, as defined by the Alquist-Priolo Earthquake Fault Zoning Act (1972) or the Seismic Hazards Mapping Act (1990), and no known fault or potentially active fault exists within the Project site. In seismically active areas, such as the San Francisco Bay Area, the remote possibility exists for future faulting in areas where faults were not previously mapped; however, the likelihood of surface fault rupture as a result of seismic activity at the Project site is low and the impact would be ***less than significant***. This impact was adequately addressed in the General Plan EIR.

2. Strong seismic ground shaking? (Less than Significant)

The city of Burlingame lies close to historically active faults that can generate strong earthquakes. Development within the City is likely to be subject to strong seismic ground shaking. This includes development at the Project site. The intensity of earthquake ground motions would depend on the characteristics of the generating fault, distance to the fault and rupture zone, earthquake magnitude, earthquake duration, and site-specific geologic conditions. The San Andreas fault is the closest active fault to the Project site, approximately 1.5 miles from the Project site. This fault is estimated to have

[62] Society of Vertebrate Paleontology. 2010. *Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources.* Available: https://vertpaleo.org/wp-content/uploads/2021/01/SVP_Impact_Mitigation_Guidelines.pdf. Accessed: August 10, 2021.

[63] Romig Engineers. Geotechnical Investigation, 1814–1820 Ogden Drive. May 2020.

a 22 percent chance of producing an earthquake with a magnitude greater than 6.7.[64] Accordingly, implementation of the Project would expose people and structures to strong seismic ground shaking in case of earthquake. However, according to Municipal Code Title 18, Chapter 8.010, Burlingame has adopted the 2019 California Building Standards Code, (including appendices H, J, K, O, Q, S, V, and X). The code requires a design-level geotechnical study to be performed for structures that would be built in areas with known geological hazards, including seismic hazards. Implementation of the recommendations provided in the design-level Project geotechnical study would minimize risks to public safety and ensure a ***less-than-significant*** impact. This impact was adequately addressed in the General Plan EIR.

3. Seismically related ground failure, including liquefaction? (Less than Significant)

The city of Burlingame lies close to historically active faults that can generate strong earthquakes. Although the Project site is not mapping in an area having the potential for liquefaction, the Geotechnical Investigation found that soils below 8 feet may be subject to liquefaction due to the presence of groundwater. According to Burlingame Municipal Code Title 18, Chapters 8.010, Burlingame has adopted the 2019 California Building Standards Code, (including appendices H, J, K, O, Q, S, V, and X). The code requires a design-level geotechnical study to be performed for structures that would be built in areas with known geological hazards. A design-level geotechnical study has already been prepared and improvements, which would be implemented for the Project, have been identified to reduce the potential impacts related to ground failure, including liquefaction.[65] With implementation of the recommendations provided in the design-level Project geotechnical study, impacts related to expansive soils would be ***less than significant***. This impact was adequately addressed in the General Plan EIR.

4. Landslides? (No Impact)

The Project site is not within a mapped landslide zone or a designated earthquake-induced landslide zone, as shown on the California Geological Survey seismic hazard zone map for the area. The Project site is relatively flat, with minor grade variations. Therefore, the Project would not exacerbate landslide risks. There would be ***no impact*** related to landslide hazards. This impact was adequately addressed in the General Plan EIR.

b. Result in substantial soil erosion or the loss of topsoil? (Less than Significant)

The Project site is fully developed and occupied with a one-story office building (1814 Ogden Drive) and a three-story office building (1820 Ogden Drive), which would be demolished and removed as part of the Project. Construction activities would be required to comply with the provisions in Appendix J of the 2007 California Building Code with respect to grading, excavating, and earthwork. In addition, because more than 10,000 square feet but less than 1 acre of soil would be affected by the Project, the Project would be subject to a Stormwater Construction Pollution Prevention Permit that stipulates erosion control requirements. The Project specific Stormwater Construction Pollution Prevention Permit would identify potential sources of sediment and other pollutants and prescribe BMPs to ensure that potential adverse erosion, siltation, and contamination impacts do not occur during construction activities. Implementation of the Stormwater Construction Pollution Prevention Permit with BMPs would control stormwater runoff emanating from the construction site. BMPs may include damp street

[64] Romig Engineers. Geotechnical Investigation, 1814–1820 Ogden Drive. May 2020.
[65] Ibid.

sweeping; appropriate covers, drains, and storage precautions for outdoor material storage areas; and temporary cover for disturbed surfaces, which would help to minimize erosion. Furthermore, Project conformance to City of Burlingame grading standards and the San Mateo County Stormwater Management Plan would prevent substantial erosion from construction and implementation. Therefore, the impact would be ***less than significant***. This impact was adequately addressed in the General Plan EIR.

c. Be located on a geologic unit or soil that is unstable or would become unstable as a result of the Project and potentially result in an onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse? (Less than Significant)

Burlingame has not experienced subsidence, either historically or recently; therefore, the potential for subsidence at the Project site is low. The analysis conducted in the geotechnical report suggests that Project site soils have high strength parameters, which would result in a low potential for lateral spreading, subsidence, and collapse. As identified by the California Geological Survey, the Project site is not within a landslide hazard zone; therefore, it would not result in onsite or offsite landslides. Furthermore, there are no open faces or slopes near the Project site. As described in Item VII (a)(1)(3), the Project site may be subject to liquefaction due to the presence of groundwater. In addition, the Geotechnical Investigation found the presence of loose and medium dense sands that are susceptible to dynamic settlement during ground shaking and the presence of sands that may be prone to caving.

The Project would also be required to conform to the California Building Standards Code to withstand earthquakes and other soil hazards and to implement all building design recommendations made by the Geotechnical Engineer. According to Municipal Code Title 18, Chapter 8.010, the City has adopted the 2019 California Building Standards Code, (including appendices H, J, K, O, Q, S, V, and X). The code requires a design-level geotechnical study to be performed for structures that would be built in areas with known geological hazards. With implementation of the Geotechnical Engineer's recommendations provided in the design-level Project geotechnical study, the Project would be designed to withstand soil hazards at the site. The Project impact would be ***less than significant***. This impact was adequately addressed in the General Plan EIR.

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? (Less than Significant)

As described in the Geotechnical Investigation, portions of the near-surface soils at the Project site have a moderate to high expansion potential. According to Municipal Code Title 18, Chapter 8.010, the City has adopted the 2019 California Building Standards Code, including appendices H, J, K, O, Q, S, V, and X. The code requires a design-level geotechnical study to be performed for structures that would be built in areas with known geological hazards. Although the Project would involve excavation for the construction of the below grade parking, recommendations made in the field by the Geotechnical Engineer and outlined in the preliminary geotechnical investigation would be followed. If required, fill soil would be approved by the Geotechnical Engineer before import to the site. With implementation of the recommendations provided in the design-level Project geotechnical study, impacts related to expansive soils would be ***less than significant***. This impact was adequately addressed in the General Plan EIR.

e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater? (No Impact)

The Project site would dispose of wastewater by using the existing wastewater infrastructure operated by the City. No aspect of the Project would entail any new use of septic tanks or alternative wastewater disposal systems. Therefore, there would be ***no impact*** related to the use of septic tanks or alternative wastewater disposal systems. This impact was adequately addressed in the General Plan EIR.

f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Less than Significant with Mitigation)

The Project site is underlain by the Colma Formation (Qc), which dates to the Pleistocene age. Therefore, the potential exists for paleontological resources to be present in the soil. The Project would require excavation to a depth of at least 12 feet. Accordingly, excavation at the Project site has the potential to disturb significant paleontological resources. Such disturbance would constitute a significant impact. General Plan EIR Mitigation Measure 12-1 requires an assessment to determine if unknown paleontological resources are present; paleontological monitoring; stopping work if any paleontological resources are discovered; and implementation of measures for unanticipated discoveries. With implementation of this mitigation, the impact would be ***less than significant with mitigation***. This impact was adequately addressed in the General Plan EIR.

General Plan Mitigation Measure 12-1. Paleontological Assessment.

In areas containing middle to late Pleistocene-era sediments where it is unknown if paleontological resources exist, prior to grading an assessment shall be made by a qualified paleontological professional to establish the need for paleontological monitoring. Should paleontological monitoring be required after recommendation by the professional paleontologist and approval by the Community Development Director, paleontological monitoring shall be implemented.

- *Paleontological Monitoring.* A project that requires grading plans and is located in an area of known fossil occurrence or that has been demonstrated to have fossils present in a paleontological field survey or other appropriate assessment shall have all grading monitored by trained paleontological crews working under the direction of a qualified professional, so that fossils exposed during grading can be recovered and preserved. Should any potentially unique fossils be encountered during development activities, work shall be halted immediately within 50 feet of the discovery, the City of Burlingame Planning Department shall be immediately notified, and a qualified paleontologist shall be retained to determine the significance of the discovery.
- *Paleontological Recovery, Identification, and Curation.* The City and a project applicant shall consider the mitigation recommendations of the qualified paleontologist for any unanticipated discoveries. The City and the project applicant shall consult and agree upon implementation of measures that the City and project applicant deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. The project applicant shall be required to implement any mitigation necessary for the protection of paleontological resources.

- *Paleontological Findings.* Qualified paleontological personnel shall prepare a report of findings (with an itemized appendix of specimens) subsequent to implementation of paleontological recovery, identification, and curation. A preliminary report shall be submitted, subject to approval by the Community Development Director before granting of building permits, and a final report shall be submitted, subject to approval by the Community Development Director before granting of occupancy permits.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the General Plan EIR, implementation of the Project would not result in any new or more severe significant impacts related to geology, soils and paleontological resources than those identified previously. Implementation of existing rules and regulations governing recreation, along with the City's General Plan goals and policies, would ensure that potential impacts to geology, soils and paleontological resources would be less than significant. In addition, implementation of General Plan Mitigation Measure 12-1 would reduce potential impacts on paleontological resources to less than significant. The Project would not result in a significant impact peculiar to the Project, a significant impact not previously identified, or a significant impact due to substantial new information. The geology, soils and paleontological resources impact of the Project were adequately addressed in the General Plan EIR, and no further analysis is required.

VIII. Greenhouse Gas Emissions

	Significant Impact Peculiar to the Project or Project Site	Significant Impact Not Identified	Significant Impact Due to Substantial New Information	Impact Adequately Addressed in Previous Documents
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?	☐	☐	☐	☒

An Air Quality, Greenhouse Gas, and Health Risk Assessment Technical Report was prepared for the Project and is included as Appendix B of this document. The majority of the Greenhouse Gas Emissions section is based on the information from the technical report.

Setting

Global Climate Change

The process known as the *greenhouse effect* keeps the atmosphere near Earth's surface warm enough for the successful habitation of humans and other life forms. The greenhouse effect is created by sunlight that passes through the atmosphere. Some of the sunlight striking Earth is absorbed and converted to heat, which warms the surface. The surface emits a portion of this heat as infrared radiation, some of which is re-emitted toward the surface by greenhouse gases (GHGs). Human activities that generate GHGs increase the amount of infrared radiation absorbed by the atmosphere, thereby enhancing the greenhouse effect and amplifying the warming of Earth.

Increases in fossil fuel combustion and deforestation have exponentially increased concentrations of GHGs in the atmosphere since the Industrial Revolution.[66] Rising atmospheric concentrations of GHGs in excess of natural levels result in increasing global surface temperatures—a process commonly referred to as *global warming*. Higher global surface temperatures, in turn, result in changes to Earth's climate system, including increased ocean temperatures and acidity, reduced areas of sea ice, variable precipitation, and increased frequencies and intensities during extreme weather events.[67] Large-scale changes to Earth's system are collectively referred to as *climate change.*

The Intergovernmental Panel on Climate Change (IPCC) was established by the World Meteorological Organization and United Nations Environment Programme to assess scientific, technical, and socioeconomic information relevant to understanding climate change, its potential

[66] Intergovernmental Panel on Climate Change. 2007. *Climate Change 2007: The Physical Science Basis.* Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change. Available: https://www.ipcc.ch/site/assets/uploads/2018/05/ar4_wg1_full_report-1.pdf. Accessed: August 2, 2021.

[67] Intergovernmental Panel on Climate Change. 2018. *Global Warming of 1.5°C.* Contribution of Working Groups I, II, and III. Available: https://www.ipcc.ch/sr15/. Accessed: August 2, 2021.

impacts, and options for adaptation and mitigation. The IPCC estimates that human-induced warming reached a level approximately 1°C above pre-industrial levels in 2017 and is increasing at a rate of 0.2°C per decade. Under current nationally determined contributions of mitigation from each country through 2030, global warming is expected to increase the temperature 3°C by 2100, with warming to continue afterwards.[68] Large increases in global temperatures could have substantial adverse effects on natural and human environments worldwide.

Greenhouse Gases

The principal anthropogenic (human-made) GHGs contributing to global warming are carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and fluorinated compounds, including sulfur hexafluoride, hydrofluorocarbons (HFCs), and perfluorocarbons. Water vapor, the most abundant GHG, is not included in this list because its natural concentrations and fluctuations far outweigh its anthropogenic sources.

The primary GHGs of concern associated with the Project are CO_2, CH_4, and N_2O. The principal characteristics of these pollutants are discussed below.

- **CO_2** enters the atmosphere through fossil fuel (i.e., oil, natural gas, coal) combustion, solid waste decomposition, plant and animal respiration, and chemical reactions (e.g., from cement manufacturing). CO_2 is also removed from the atmosphere (or *sequestered*) when it is absorbed by plants as part of the biological carbon cycle.
- **CH_4** is emitted during the production and transport of coal, natural gas, and oil. CH_4 emissions also result from livestock and agricultural practices as well as the decay of organic waste in municipal solid waste landfills.
- **N_2O** is emitted during agricultural and industrial activities as well as the combustion of fossil fuels and solid waste.

Methods have been set forth to describe emissions of GHGs in terms of a single gas to simplify reporting and analysis. The most commonly accepted method for comparing GHG emissions is the global warming potential (GWP) methodology defined in IPCC reference documents. IPCC defines the GWP of various GHG emissions on a normalized scale that recasts all GHG emissions in terms of carbon dioxide equivalent (CO_2e) emissions, which compares the gas in question to that of the same mass of CO_2 (CO_2 has a global warming potential of 1 by definition).

Table 3-10 lists the global warming potential of CO_2, CH_4, and N_2O and their lifetimes in the atmosphere.

[68] Ibid.

Table 3-10. Lifetimes and Global Warming Potentials of Key Greenhouse Gases[69]

Greenhouse Gas	Global Warming Potential (100 years)	Lifetime (years)
CO_2	1	50–200
CH_4	25	9–15
N_2O	298	121

CO_2 = carbon dioxide; CH_4 = methane; N_2O = nitrous oxide

All GWPs used for CARB's GHG inventory, as well as assessing attainment of the state's 2020 and 2030 reduction targets, are considered over a 100-year timeframe (as shown in Table 3-10). However, CARB recognizes the importance of short-lived climate pollutants as well as the importance of reducing emissions to achieve the state's overall climate change goals. Short-lived climate pollutants have atmospheric lifetimes on the order of a few days to a few decades. Their relative climate-forcing impacts, when measured in terms of how they heat the atmosphere, can be tens, hundreds, or even thousands of times greater than that of CO_2.[70] Recognizing their short-term lifespan and warming impact, short-lived climate pollutants are measured in terms of CO_2e, using a 20-year time period. The use of GWPs with a time horizon of 20 years captures the importance of the short-lived climate pollutants and gives a better perspective on the speed at which emission controls affect the atmosphere relative to CO_2 emission controls. The Short-Lived Climate Pollutant Reduction Strategy addresses CH_4, HFC gases, and anthropogenic black carbon. CH_4 has lifetime of 12 years and a 20-year GWP of 72. HFC gases have lifetimes of 1.4 to 52 years and a 20-year GWP of 437 to 6,350. Anthropogenic black carbon has a lifetime of a few days to weeks and a 20-year GWP of 3,200.[71]

Greenhouse Gas Reporting

A GHG inventory is a quantification of all GHG emissions and sinks[72] within a selected physical and/or economic boundary. GHG inventories can be performed on a large scale (e.g., for global and national entities) or on a small scale (e.g., for a building or person). Although many processes are difficult to evaluate, several agencies have developed tools to quantify emissions from certain sources. Table 3-11 outlines the most recent global, national, statewide, and local GHG inventories to help contextualize the magnitude of potential Project-related emissions.

Table 3-11. Global, National, State, and Regional Greenhouse Gas Emission Inventories

Emissions Inventory	CO_2e (metric tons)
2017 WRI Global GHG Emissions Inventory	48,400,000,000
2019 EPA National GHG Emissions Inventory	6,558,000,000
2018 CARB State GHG Emissions Inventory	425,000,000
2011 BAAQMD GHG Emissions Inventory	86,600,000

[69] California Air Resources Board. 2018c. *Global Warming Potentials.* Last reviewed: June 22. Available: https://www.arb.ca.gov/cc/inventory/background/gwp.htm#transition. Accessed: August 2, 2021.

[70] California Air Resources Board. 2017b. *Short-Lived Climate Pollutant Reduction Strategy*. Available: https://ww2.arb.ca.gov/ sites/default/files/2018-12/final_slcp_report%20Final%202017.pdf. Accessed: August 2, 2021.

[71] Ibid.

[72] A GHG sink is a process, activity, or mechanism that removes GHG from the atmosphere.

Emissions Inventory	CO_2e (metric tons)
2015 City of Burlingame GHG Emissions Inventory	274,000

Source: Appendix B.
WRI = World Resources Institute; EPA = U.S. Environmental Protection Agency; CARB = California Air Resources Board; BAAQMD = Bay Area Air Quality Management District

Regulatory Setting

State

California has established various regulations to address GHG emissions. The most relevant of these regulations are described below.

State Legislative Reduction Targets

Assembly Bill (AB) 32 (Chapter 488, Statutes of 2006), the Global Warming Solutions Act of 2006, requires the state to reduce GHG emissions to 1990 levels by 2020. Senate Bill (SB) 32 (2016) requires the state to reduce emissions to 40 percent below the 1990 level by 2030. The state's plan to reach these targets is presented in periodic scoping plans. CARB adopted the 2017 climate change scoping plan in November 2017 to meet the GHG reduction requirement set forth in SB 32 and proposed continuing the major programs of the previous scoping plan (e.g., programs involving cap-and-trade regulation, low-carbon fuel standards, more efficient cars and trucks, more efficient freight movement, the Renewables Portfolio Standard, methane emissions from agricultural and other wastes). The current scoping plan articulates a key role for local governments, recommending that they establish GHG reduction goals for both their municipal operations and the community consistent with those of the state.

Executive Order Reduction Targets

In 2005, Executive Order (EO) S-3-05 established goals to reduce California's GHG emissions to (1) 2000 levels by 2010 (achieved); (2) 1990 levels by 2020; and (3) a level 80 percent below the 1990 levels by 2050. In 2018, EO B-55-18 established a new state goal to achieve carbon neutrality as soon as possible (no later than 2045) and achieve and maintain net negative emissions thereafter. EOs are binding on state government agencies but are not legally binding on cities and counties or on private development.

Renewables Portfolio Standard

SBs 1078 (2002), 107 (2006), 2 (2011), and 100 (2015) govern California's Renewables Portfolio Standard, under which investor-owned utilities, energy service providers, and Community Choice Aggregators must procure additional retail sales each year from eligible renewable sources. The current goals for renewable sources are 60 percent by 2030 and 100 percent by 2045.

Energy Efficiency Standards

The California Green Building Standards Code (Title 24, proposed Part 11) was adopted as part of the California Building Standards Code (CCR Title 24). Part 11 established voluntary standards (known as the *CALGreen standards*) that became mandatory under the 2010 edition of the code. The standards concerned sustainable site development, energy efficiency (in excess of California Energy Code requirements), water conservation, material conservation, and internal air contaminants. The current energy efficiency standards were adopted in 2019 and took effect on January 1, 2020.

Vehicle Efficiency Standards

AB 1493 requires CARB to develop and implement regulations to reduce automobile and light-truck GHG emissions. Stricter emissions standards for automobiles and light trucks went into effect beginning with the 2009 model year. Although litigation challenged these regulations and EPA initially denied California's related request for a waiver, the waiver request was granted.[73] In 2012, additional strengthening of the Pavley standards (referred to previously as *Pavley II* and now referred to as the *Advanced Clean Cars* measure) was adopted for vehicle model years 2017 through 2025. Together, the two standards are expected to increase average fuel economy to roughly 54.5 miles per gallon by 2025.

Low Carbon Fuel Standard

With EO S-01-07, Governor Schwarzenegger set forth the low-carbon fuel standard (LCFS) for California. Under this 2007 EO, the carbon intensity of California's transportation fuels would be reduced by at least 10 percent by 2020. In September 2018, to help achieve the SB 32 emissions reduction target, the LCFS regulation was amended; the statewide goal became a 20 percent reduction in the carbon intensity of California's transportation fuels by at least 2030. Note that the majority of the emissions benefits related to the LCFS come from the fuel production cycle (upstream emissions) rather than the combustion cycle (tailpipe emissions).

Regional Land Use and Transportation Planning to Reduce Vehicle Miles Traveled

SB 375, signed into law by Governor Schwarzenegger on September 30, 2008, became effective January 1, 2009. This law requires the state's 18 metropolitan planning organizations to develop sustainable communities strategies (SCSs) as part of their regional transportation plans (RTPs) through integrated land use and transportation planning and demonstrate the ability to attain the 2020 and 2035 GHG emissions reduction targets that CARB established for the region. This would be accomplished through either the financially constrained SCS as part of the RTP or an unconstrained alternative planning strategy. If regions develop integrated land use, housing, and transportation plans that meet the SB 375 targets, new projects in these regions can be relieved of certain CEQA review requirements.

Short-Lived Climate Pollutants Reduction Strategy

SB 605 directed CARB, in coordination with other state agencies and local air districts, to develop the comprehensive Short-Lived Climate Pollutants Reduction Strategy (SLCP Reduction Strategy). SB 1383 directed CARB to approve and implement the SLCP Reduction Strategy to achieve the following reductions:

- 40 percent reduction in methane, below 2013 levels, by 2030
- 40 percent reduction in hydrofluorocarbon gases, below 2013 levels, by 2030
- 50 percent reduction in anthropogenic black carbon, below 2013 levels, by 2030

CARB adopted the SLCP Reduction Strategy in March 2017 as a framework for achieving the methane, hydrofluorocarbon, and anthropogenic black carbon reduction targets set by SB 1383. The SLCP Reduction Strategy includes 10 measures that fit within a wide range of ongoing planning

[73] However, California's waiver to set state-specific standards is currently uncertain because of the SAFE Vehicles Rule.

efforts throughout the state. CARB and the California Department of Resources Recycling and Recovery are currently developing regulations to achieve these goals.

Local

Metropolitan Transportation Commission

The Metropolitan Transportation Commission (MTC) is the metropolitan planning organization for the nine counties that make up the San Francisco Bay Area and the SFBAAB, which includes the city of Burlingame. As described above, SB 375 requires the metropolitan planning organizations to prepare RTP/SCSs that present integrated regional land use and transportation approaches for reducing VMT and their associated GHG emissions. CARB identified an initial goal for the SFBAAB, which is to reduce VMT per capita by 7 percent by 2020 and 15 percent by 2035 compared to 2005 levels. The MTC adopted an RTP/SCS in 2013 known as *Plan Bay Area,* which was updated in 2017 and named *Plan Bay Area 2040,* to meet the initial goal. In 2018, CARB updated the per capita GHG emissions reduction targets, which called for a 10 percent per capita GHG reduction by 2020 and 19 percent per capita reduction by 2035 compared to 2005 levels.[74] MTC will be addressing the revised goals in the next RTP/SCS. Plan Bay Area 2040 and the next RTP/SCS are relevant to the Project because the CEQA Guidelines require an assessment of a project's consistency with plans to reduce GHG emissions.

Bay Area Air Quality Management District

As discussed in Section III, *Air Quality*, BAAQMD is responsible for air quality planning within the SFBAAB, including projects in the city of Burlingame. BAAQMD has adopted advisory emissions thresholds to assist CEQA lead agencies in determining the level of significance of a project's GHG emissions; the thresholds are outlined in the agency's *California Environmental Quality Act: Air Quality Guidelines*.[75] The emissions thresholds apply only to projects with buildout years prior to 2020. The BAAQMD CEQA Guidelines also outline methods for quantifying GHG emissions as well as potential mitigation measures.

City of Burlingame Climate Action Plan

The Climate Action Plan, adopted in 2019, is a comprehensive GHG emissions reduction strategy for achieving the city's fair share of statewide emissions reductions within the 2020 and 2030 timeframe, consistent with AB 32 and SB 32. The Climate Action Plan also forecasts annual GHG emissions and provides reduction targets for 2040 and 2050. However, the Climate Action Plan notes that: "It is speculative to demonstrate achievement with longer-term goals for 2040 and 2050, based on the information known today. Furthermore, the BAAQMD does not currently recommend demonstrating compliance with these future years."[76]

[74] California Air Resources Board. 2018b. *Regional Plan Targets*. March. Available: https://ww2.arb.ca.gov/our-work/programs/sustainable-communities-program/regional-plan-targets. Accessed: August 2, 2021.

[75] Bay Area Air Quality Management District. 2017a. *California Environmental Quality Act: Air Quality Guidelines*. May. Available: http://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en. Accessed: August 2, 2021.

[76] City of Burlingame. 2019. *City of Burlingame 2030 Climate Action Plan.* Available: https://www.burlingame.org/document_center/Sustainability/CAP/Climate%20Action%20Plan_FINAL.pdf#page=50. Accessed: August 2, 2021.

The City's Climate Action Plan specifies General Plan policies as well as Climate Action Plan actions, including feasible GHG emissions reduction measures, which are implemented on a project-by-project basis, to achieve the City's reduction targets through 2030. CEQA clearance for discretionary development proposals is required to address the consistency of individual projects with the reduction measures in a jurisdiction's qualified Climate Action Plan as well as the goals and policies in the General Plan to reduce GHG emissions. Compliance with appropriate measures in the Climate Action Plan would ensure an individual project's consistency with an adopted GHG reduction plan. Projects that are consistent with the qualified Climate Action Plan would have a less-than-significant impact related to GHG emissions generated through the 2030 planning horizon of the Climate Action Plan. The City's 2019 Climate Action Plan was prepared consistent with CEQA Guidelines Section 15183.5 and is therefore a qualified strategy, and the Project is eligible to tier from it.

The Climate Action Plan provides a consistency checklist application to ensure that development projects in the city are consistent with the plan and provide a streamlined review process for projects while undergoing CEQA review. The Climate Action Plan states that "projects that are consistent with the Climate Action Plan (as demonstrated using the checklist) may rely on the Climate Action Plan for the impact analysis of GHG emissions, as required under CEQA." The project-specific checklist is included in Appendix B.

General Plan EIR

General Plan goals and policies establish an overall goal to protect residents from GHG emissions as a result of individual projects. Numerous goals and policies from the Healthy People and Healthy Places Element, Community Character Element, Mobility Element, and Infrastructure Element would reduce emissions. In addition, a mitigation measure was identified to help reduce GHG emissions. This mitigation measure required the addition of policies to the General Plan, including policies M-3.10 (Bicycle Sharing Program), M-4.7 (Increase use of Shuttles), and IF-6.9 (Increase ECO100 enrollment). Nonetheless, it was determined that the General Plan would increase GHG emissions and could conflict with or obstruct implementation of a plan, policy, or regulation adopted with the intent of reducing GHG emissions, resulting in significant and unavoidable impacts.

Impacts

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Less than Significant)

Construction

Construction is anticipated to span approximately 17 months, beginning in 2022. Construction activities would generate direct emissions of CO_2, CH_4, and N_2O from the use of mobile and stationary construction equipment as well as vehicles (e.g., employee and vendor vehicles, trucks for hauling materials). GHG emissions generated during demolition of the building on the site and construction of the Project were quantified using CalEEMod. It is estimated that construction of the Project would generate approximately 485 MT of CO_2e in total (see Appendix B). Emissions generated during construction of the Project would be associated primarily with diesel-powered construction equipment (e.g., excavators) and on-road vehicle trips. Construction emissions would cease once construction of the Project is complete; therefore, they are considered short term.

The BAAQMD CEQA Guidelines do not identify a GHG emissions threshold for construction-related emissions; however, they do recommend that GHG emissions from construction be quantified and

disclosed and a determination regarding the significance of the GHG emissions be made with respect to whether the project in question is consistent with state goals regarding reductions in GHG emissions. As discussed below, the Project would be consistent with the City's Climate Action Plan, an adopted and qualified GHG reduction strategy. The Climate Action Plan's consistency checklist would require the Project to comply with BAAQMD's BMPs for reducing GHG emissions from construction (see Appendix B). The Project would ensure that GHG emissions during construction would be minimized through implementation of BAAQMD's BMPs. Therefore, this impact would be ***less than significant.***

Operation

During Project operations, GHG emissions would be associated with on-road vehicles, landscaping equipment, and landfill waste. Specifically, the operational activities that would generate the GHG emissions would include vehicle trips made by building occupants and visitors and the generation of waste, which is sent to landfills, by building occupants. The Project residential units would be all-electric (no natural gas) with a commitment to the Peninsula Clean Energy's ECO100 program. There would therefore be no emissions associated with building electricity or natural gas.

The GHG emissions that are currently generated from the existing building and those that would be generated during Project operations were quantified using CalEEMod. The Project's estimated net annual operational emissions (i.e., existing development minus Project) would be 101 MT of CO_2e per year, with a one-time sequestration benefit from tree planting of 6 MT of CO_2e (see Appendix B).

Quantification of GHG emissions is only provided for informational purposes, as the significance determination for the Project is based on consistency with the City's Climate Action Plan. BAAQMD's CEQA Guidelines state that "if a project, including stationary sources, is located in a community with an adopted qualified GHG reduction strategy, the project may be considered less than significant if it is consistent with the GHG reduction strategy." To be consistent with the City's 2019 Climate Action Plan, the Project would be subject to the measures in the Climate Action Plan consistency checklist. The City's local GHG reduction targets are consistent with the long-term GHG reduction goals of SB 32. Because the Project would be consistent with the City's GHG reduction strategy, it would also be consistent with the GHG reduction goals of SB 32 and would not conflict with this plan. Pursuant to the CEQA Guidelines, the Project's incremental contribution to cumulative GHG emissions would not be cumulatively considerable if the Project complies with the requirements of the Climate Action Plan. Therefore, GHG impacts from operation of the Project would be ***less than significant*** and mitigation is not required. This impact was adequately addressed in the General Plan EIR.

b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Less than Significant)

As discussed above in Item VIII(a), the Project would be consistent with the City's Climate Action Plan and, therefore, with the goals of SB 32. The features that the Project would implement to reduce emissions, discussed above, would also be generally consistent with the goals of other plans and policies adopted to reduce GHG emissions, such as the BAAQMD 2017 Clean Air Plan and Plan Bay Area. Given consistency with the Climate Action Plan and the statewide goal, which is the preeminent regulation pertaining to the science of climate change in California, the Project would not conflict with applicable plans, policies, or regulations adopted to reduce GHG emissions. This impact, which was adequately addressed in the General Plan EIR, would be ***less than significant***, and no mitigation is required.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the General Plan EIR, implementation of the Project would not result in any new or more severe significant impacts related to GHG emissions than those identified previously. Implementation of existing rules and regulations governing GHG emissions, including the City's Climate Action Plan and General Plan goals and policies, would ensure that potential impacts would be less than significant. The Project would not result in a significant impact peculiar to the Project, a significant impact not previously identified, or a significant impact due to substantial new information. The GHG impacts of the Project were adequately addressed in the General Plan EIR, and no further analysis is required.

IX. Hazards and Hazardous Materials

	Significant Impact Peculiar to the Project or Project Site	Significant Impact Not Identified	Significant Impact Due to Substantial New Information	Impact Adequately Addressed in Previous Documents
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 involve handling hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?	☐	☐	☐	☒
d. Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?	☐	☐	☐	☒
e. Be located within an airport land use plan area or, where such a plan has not been adopted, be within 2 miles of a public airport or public use airport and result in a safety hazard or excessive noise for people residing or working in the Project area?	☐	☐	☐	☒
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☐	☒

Setting

Hazardous Materials

The environmental setting for hazards and hazardous materials is based on the Phase I Environmental Site Assessment (Phase I ESA) that was prepared for the Project site in 2020 by Odic Environmental.[77]

[77] Odic Environmental 2020. Phase I Environmental Site Assessment 1814 Ogden Drive, Burlingame, California, Prepared March 4,2020.

- The purpose of the Phase I ESA prepared for the Project site was to identify potential environmental concerns associated with the past or present use, generation, storage or disposal of hazardous materials and/or wastes at the Project site and at nearby properties that may have impacted the Project site. In addition, the Phase I ESA was used to identify Recognized Environmental Conditions (RECs) at the Project site related to the previous ownership as well as uses at the Project site and on adjoining properties. The Phase I ESA was conducted in accordance with 40 Code of Federal Regulations Part 312, Innocent Landowners, Standards for Conducting All Appropriate Inquiries, and American Society for Testing and Materials (ASTM) Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process E1527-13.
- The Phase I ESA found that no offsite properties near the Project site that posed a significant environmental concern. In addition, the Phase I ESA concluded that there are no RECs[78], Controlled Recognized Environmental Condition (CREC)[79], or Historical Recognized Environmental Conditions (HRECs)[80] in connection with the Project site. Due to the age of the buildings, there is the potential for asbestos-containing material and lead-based paint to be found in the buildings that would be demolished.

Schools, Airports, and Wildfire

Learning Links Preschool is located approximately 0.07 mile from the Project site, Mills High School is located approximately 0.15 mile from the Project site, Spring Valley School is located approximately 0.25 mile from the Project site, and Franklin Elementary School is located approximately 0.25 mile from the Project site. The Project site is approximately 0.9 mile from the San Francisco International Airport (SFO). An Airport Land Use Compatibility Plan (ALUCP) has been adopted for SFO.[81] The Project is not within 2 miles of a private airstrip. The city of Burlingame falls within a California Department of Forestry and Fire Protection (CAL FIRE) LRA.[82] The city is zoned as a Non-Very High Fire Hazard Severity Zone (FHSZ).

[78] A *REC* is defined as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a Property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment.

[79] An *HREC* is a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls).

[80] A *CREC* is a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, Property use restrictions, activity and use limitations, institutional controls, or engineering controls).

[81] Ricondo & Associates, Jacobs Consultancy, and Clarion Associates. 2012. *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport.* November. Available: http://ccag.ca.gov/wp-content/uploads/2014/10/Consolidated_CCAG_ALUCP_November-20121.pdf. Accessed: July 23, 2021.

[82] California Department of Forestry and Fire Protection. 2008. *San Mateo County FHSZ Map: Local Responsibility Area*. Available: https://osfm.fire.ca.gov/media/6800/fhszl_map41.pdf. Accessed: July 23, 2021.

Regulatory Setting

Many federal, state, and local regulations regarding the transport, use, or disposal of hazardous materials would apply to the Project. The Federal Toxic Substances Control Act (1976) and the Resource Conservation and Recovery Act of 1976 (RCRA) established an EPA-administered program to regulate the generation, transport, treatment, storage, and disposal of hazardous waste. The RCRA was amended in 1984 by the Hazardous and Solid Waste Act, which affirmed and extended the "cradle to grave" system of regulating hazardous waste.

U.S. Department of Transportation (DOT) Hazardous Materials Regulations cover all aspects of hazardous materials packaging, handling, and transportation. Parts 107 (Hazard Materials Program), 130 (Oil Spill Prevention and Response), 172 (Emergency Response), and 177 (Highway Transportation) are applicable examples.

The Department of Toxic Substances Control (DTSC), a department of the California Environmental Protection Agency, is the primary agency in California for regulating hazardous waste, cleaning up existing contamination, and finding ways to reduce the amount of hazardous waste produced in California. Division 20, Chapter 6.5, of the California Health and Safety Code deals with hazardous waste control through regulations pertaining to the transport, treatment, recycling, disposal, enforcement, and permitting of hazardous waste. Division 20, Chapter 6.10, contains regulations applicable to the cleanup of hazardous materials releases. Title 22, Division 4.5, contains environmental health standards for the management of hazardous waste. This includes standards for the identification of hazardous waste (Chapter 11) and standards that apply to transporters of hazardous waste (Chapter 13).

The Unified Hazardous Waste and Hazardous Materials Management Regulatory Program (Unified Program) (California Health and Safety Code, Chapter 6.11, §§ 25404–25404.9) consolidates, coordinates, and makes consistent the administrative requirements, permits, inspections, and enforcement activities of environmental and emergency response programs and provides authority to the Certified Unified Program Agency (CUPA). CUPA is designed to protect public health and the environment from accidental releases and improper handling, storage, transportation, and disposal of hazardous materials and wastes. This is accomplished through inspections, emergency response, enforcement, and site mitigation oversight. The CUPA for Burlingame is San Mateo County Health.[83]

The California Division of Occupational Safety and Health (Cal/OSHA) and the federal Occupational Safety and Health Administration (OSHA) enforce occupational safety standards to minimize worker safety risks from both physical and chemical hazards in the workplace. Cal/OSHA assumes primary responsibility for developing and enforcing standards for safe workplaces and work practices, all of which would be applicable to construction of the Project. The standards included in Cal/OSHA's Title 8 include regulations pertaining to hazard control, including administrative and engineering controls; hazardous chemical labeling and training requirements; hazardous exposure prevention; hazardous material management; and hazardous waste operations.

The California Labor Code is a collection of regulations that include regulation of the workplace to ensure appropriate training on the use and handling of hazardous materials and the operation of equipment and machines that use, store, transport, or dispose of hazardous materials. Division 5, Part 1, Chapter 2.5, ensures that employees who handle hazardous materials are appropriately

[83] San Mateo County Health. 2020. *Certified Unified Program Agency*. Available: https://www.smchealth.org/hazardous-materials-cupa. Accessed: August 18, 2020.

trained. Division 5, Part 7, ensures that employees who work with volatile flammable liquids are outfitted with appropriate safety gear and clothing.

General Plan EIR

The General Plan EIR concluded that the city would ensure that existing regulations and land use policies are used to avoid or reduce an identified potential environmental impact associated with hazardous materials. While no one goal or policy is expected to completely avoid or reduce an impact, the collective, cumulative mitigating benefits of the policies would result in a less-than-significant impact related to hazards and hazardous materials. Per the General Plan EIR, the following goals and policies from the Community Safety Element would help reduce impacts to less than significant: Goal CS-6, Policy CS-6.1, Policy CS-6.2, Policy CS-6.3, Policy CS-6.4, Policy CS-6.5, Goal CS-8, Policy CS-8.1, Policy CS-8.2, Policy CS-8.3, Goal CS-2, Policy CS-2.2, Policy CS-2.3, Policy CS-2.4, and Policy CS-2.6.

Discussion

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Less than Significant)

There is the potential for groundwater to be encountered during construction. Below-grade parking to be constructed as part of the Project would require excavations to a depth of at least 12 feet. Because of the depth of excavation, the site is expected to require dewatering prior to excavation. The California State Water Resources Control Board (State Water Board)'s National Pollutant Discharge Elimination System (NPDES) permit requires discharges of groundwater associated with dewatering not to cause, have reasonable potential to cause, or contribute to an in-stream incursion that would exceed applicable state or federal water quality objectives/criteria or cause acute or chronic toxicity in the receiving water.

Project construction would involve the routine transport, use, and disposal of hazardous materials such as fuel, solvents, paints, oils, grease, and caulking. During Project operation, hazardous materials that are commonly found in residential spaces (e.g., paints, solvents, cleaning agents) would be stored and used onsite. Hazardous materials used during operations would be used in small quantities, and spills would be cleaned as they occur. The transport, use, and disposal of hazardous materials during construction would be required to comply with applicable regulations, as discussed under *Regulatory Framework*. These include the RCRA, DOT Hazardous Materials Regulations, and the local CUPA regulations. Although these materials would be transported, used, and disposed of during construction and operation, they are commonly used in construction projects and would not represent the transport, use, or disposal of acutely hazardous materials. The impact would be ***less than significant*** and was adequately addressed in the General Plan EIR.

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? (Less than Significant)

Hazardous materials, including fuel, solvents, paints, oils, grease, etc., would be transported, stored, used, and disposed of onsite during both Project construction and operation. It is possible that any of these substances could be released to the environment during transport, storage, use, or disposal. However, compliance with federal, state, and local regulations, in combination with temporary construction BMPs (as part of the Burlingame Stormwater Management and Discharge Control

Ordinance) would ensure that all hazardous materials would be used, stored, and disposed of properly, which would minimize potential impacts related to a hazardous materials release during construction and operation of the Project.

As discussed in the Phase I ESA, offsite properties are unlikely to affect implementation of the Project. This was determined by considering the site's location, environmental history and status, and affected media. Based on the findings and because of the date the onsite structures were built, asbestos-containing materials and lead-based paint are very potentially present. Demolition activities could release these hazardous materials into the environment and create exposure risks for construction personnel and the surrounding environment. The federal Toxic Substances Control Act (TSCA) of 1976 provides EPA with the authority to require reporting, record-keeping, testing, and restrictions related to chemical substances and/or mixtures. The TSCA addresses issues regarding the production, importation, use, and disposal of specific chemicals, including polychlorinated biphenyls, asbestos, radon, and lead-based paint. The DTSC considers asbestos a hazardous substance and requires removal. Asbestos-containing materials must be removed in accordance with local and state regulations as well as local air district, Cal/OSHA, and California Department of Health Services requirements. This includes materials that could be disturbed by demolition and construction activities. Local and state regulations require that asbestos-containing material and lead-based paint surveys be conducted prior to construction, to determine if these materials are present. If detected on the site, appropriate safety measures would be implemented for their removal, transport, and disposal. Further, the Phase I ESA concluded that there are no RECs, CRECs, or HRECs in connection with the Project site, and therefore no further assessment or investigations are required.

Adherence to existing regulations (as mentioned above), as well as asbestos-containing material and lead-based paint surveys, would reduce the impact to ***less than significant*** by identifying and abating materials that contain asbestos or lead. This impact was adequately addressed in the General Plan EIR.

c. Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school? (Less than Significant)

The Project site is within 0.25 mile of Learning Links Preschool, Mills High School, Spring Valley Elementary School, and Franklin Elementary School. As discussed in Impact HAZ-1, the routine transport, use, storage, and disposal of hazardous materials such as fuel, solvents, paints, oils, grease, and caulking would occur during both construction and operation of the Project. Such transport, use, and disposal would comply with applicable regulations, such as the RCRA, DOT Hazardous Materials Regulations, and the local CUPA regulations. Although small amounts of hazardous materials would be transported, used, and disposed of during construction, these materials are commonly used in construction projects and would not represent the transport, use, and disposal of acutely hazardous materials.

Asbestos-containing materials and lead-based paint are likely to occur at the Project site. Demolition could release these contaminants near a school. However, asbestos-containing material and lead-based paint surveys would be conducted, in compliance with existing regulations. If these materials are detected on the site, appropriate safety measures would be implemented for their removal, transport, and disposal. Therefore, compliance with existing regulations would ensure that the impact on schools within 0.25 mile of the Project site would be ***less than significant***. This impact was adequately addressed in the General Plan EIR.

d. Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment? (No Impact)

U.S.C. Section 65962.5 (commonly referred to as the Cortese List) includes DTSC-listed hazardous waste facilities and sites, California Department of Health Services-listed contaminated wells for drinking water, State Water Board-listed sites with LUSTs or discharges of hazardous wastes or materials into the water or groundwater and lists from local regulatory agencies of sites with a known migration of hazardous waste/material. The Project would not be located on a site that is included on a list of hazardous materials sites compiled pursuant to U.S.C. Section 65962.5. Therefore, the Project would not create a significant hazard to the public or the environment, and there would be ***no impact***. This impact was adequately addressed in the General Plan EIR.

e. Be located within an airport land use plan area or, where such a plan has not been adopted, be within 2 miles of a public airport or public use airport and result in a safety hazard or excessive noise for people residing or working in the Project area? (Less than Significant)

The Project site is within the Federal Aviation Regulation Part 77 sphere of influence and the boundary of the SFO ALUCP. Development on the Project site is limited to a height of 100 feet above mean sea level, according to the SFO ALUCP, but may be further restricted after notification of and consultation with the FAA under CFR Part 77.9. The proposed structure would be below the established height limits and would not pose a safety hazard. Impacts would be ***less than significant.*** This impact was adequately addressed in the General Plan EIR.

f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Less than Significant)

The Project would construct a new structure on previously developed land. Access points to the site would be provided to ensure proper access for emergency vehicles. Although the City does not have an established evacuation plan, the Project would adhere to the guidelines established by the Community Safety Element of the 2040 General Plan. Therefore, the Project would not conflict with an adopted emergency response or evacuation plan, and the impact would be ***less than significant.*** This impact was adequately addressed in the General Plan EIR.

g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires? (Less than Significant)

The Project site, which is in an urbanized setting, does not lie within a Very High FHSZ of either a State Responsibility Area (SRA) or Local Responsibility Area (LRA). Wildfire is unlikely to occur at the Project site. However, there have been occurrences in which wildfire has spread from non-urban to urban areas (e.g., the Tubbs Fire of 2017, a wildfire that spread to urbanized areas in Napa, Sonoma, and Lake Counties). Accordingly, although it is unlikely that the Project would expose people or structures, either directly or indirectly, to significant risks involving wildland fires, there is a slight risk. The impact would be ***less than significant*** and was adequately addressed in the General Plan EIR.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the General Plan EIR, implementation of the Project would not result in any new or more severe significant impacts related to hazards and hazardous materials than those identified previously. Implementation of

existing rules and regulations governing recreation, along with the City's General Plan goals and policies, would ensure that potential impacts to hazards and hazardous materials would be less than significant. The Project would not result in a significant impact peculiar to the Project, a significant impact not previously identified, or a significant impact due to substantial new information. The hazards and hazardous materials impact of the Project were adequately addressed in the General Plan EIR, and no further analysis is required.

X. Hydrology and Water Quality

	Significant Impact Peculiar to the Project or Project Site	Significant Impact Not Identified	Significant Impact Due to Substantial New Information	Impact Adequately Addressed in Previous Documents
Would the Project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☐	☒
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project would impede sustainable groundwater management of the basin?	☐	☐	☐	☒
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or the addition of impervious surfaces, in a manner that would:	☐	☐	☐	☒
1. Result in substantial erosion or siltation onsite or offsite;	☐	☐	☐	☒
2. Substantially increase the rate or amount of surface runoff in a manner that would result in flooding onsite or offsite;	☐	☐	☐	☒
3. Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☐	☒
4. Impede or redirect floodflows?	☐	☐	☐	☒
d. In flood hazard, tsunami, or seiche zones, risk a release of pollutants due to Project inundation?	☐	☐	☐	☒
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

Setting

The Project site is within the Millbrae Creek watershed.[84] The Millbrae Creek watershed includes Millbrae Creek as well as underground storm drains and El Portal Canal, an engineered channel, which drains into San Francisco Bay. There are no surface waters at the Project site. The nearest

[84] Oakland Museum of California. n.d. *Guide to San Francisco Bay Area Creeks, Millbrae Creek Watershed*. Available: http://explore.museumca.org/creeks/1570-RescMilbrae.html. Accessed: August 2, 2021.

water bodies, a concrete channel (El Portal Canal) and riparian area (Mills Creek), are approximately 0.4 mile and 0.5 mile from the Project site, respectively.

During the geotechnical investigation, groundwater was encountered at 14 feet, 16 feet, and 23 feet for three of the four test borings (no groundwater was encountered for the fourth boring). The geotechnical report also identifies that based on nearby experience, groundwater at the Project site may periodically rise up to as high as approximately 8 feet below ground surface.[85]

The City of Burlingame is within the Westside Groundwater Basin, which is designated as a Very Low Priority Area, per the Sustainable Groundwater Management Act.[86, 87] The South Westside Basin Groundwater Management Plan[88] established a goal for the area that would ensure a sustainable, high-quality, reliable water supply at a fair price through local groundwater management for beneficial uses.[89] The City is part of the South Westside Basin Groundwater Management Plan, which is a voluntary groundwater management plan.

The State Water Board and the Regional Water Board monitor water quality in the Bay Area. These agencies oversee implementation of NPDES stormwater discharge permits. The City of Burlingame participates in the San Mateo Countywide Pollution Prevention Program and is required to implement low-impact development (LID) BMPs under NPDES Permit No. CAS612008, Order No. Order R2-2009-0074, adopted October 14, 2009.[90] This NPDES permit is also known as the Municipal Regional Permit (MRP). Provision C.3, *New Development and Redevelopment* of the MRP is directly applicable to the Project. This provision allows permittees to include appropriate source control, site design, and stormwater treatment measures in new development as well as redevelopment projects to address both soluble and insoluble stormwater runoff pollutant discharges and prevent increases in runoff flows from both new development and redevelopment projects. This goal is to be accomplished primarily through implementation of LID techniques. LID practices include source-control BMPs, site design BMPs, and stormwater treatment BMPs onsite or at a joint stormwater treatment facility.

The City of Burlingame borders the San Francisco Bay, with a coastline susceptible to flooding. The Project site is categorized by the Federal Emergency Management Agency (FEMA) as an area with minimal flood hazard (Zone X).[91]

[85] Romig Engineers. Geotechnical Investigation, 1814–1820 Ogden Drive. May 2020.

[86] California Department of Water Resources. 2021. *SGMA Data Viewer*. Available: https://sgma.water.ca.gov/webgis/?appid=SGMADataViewer#boundaries. Accessed: August 2, 2021.

[87] California Department of Water Resources. 2021. *Sustainable Groundwater Management Act Basin Prioritization Dashboard.* Published May. Available: https://water.ca.gov/Programs/Groundwater-Management/Basin-Prioritization. Accessed: August 2, 2021.

[88] WRIME. 2012. South Westside Basin Groundwater Management Plan. July.

[89] Ibid.

[90] California Regional Water Quality Control Board. 2009 San Francisco Bay Region Municipal Regional Stormwater NPDES Permit Order R2-2009-0074 NPDES Permit No. CAS612008. October 14.

[91] FEMA. 2019. *National Flood Insurance Program. Flood Insurance Rate Map. San Mateo County, California. Panel 134 of 510*. Available: https://cms6.revize.com/revize/burlingamecity/document_center/Stormwater/FEMA%20Brochures/06081C0134F.pdf. Accessed: August 2, 2021.

General Plan EIR

The General Plan EIR concluded that violations of water quality standards due to urban runoff can be prevented through continued implementation of existing regional water quality regulations and successful implementation of the City's local water quality control standards, which are imposed on new development over the long term. The proposed General Plan would not interfere with implementation of water quality regulations and standards. Per the General Plan EIR, the following goals and policies from the Healthy People and Healthy Places Element and the Infrastructure Element would apply to reduce impacts of future projects to less-than-significant levels: Goal HP-6, Policy HP-6.1, Policy HP-6.3, Policy HP-6.5, Policy HP-6.6, Policy HP-6.7, Goal IF-4, Policy IF-4.1, Policy IF-4.2, Policy IF-4.4, Policy IF-4.5, Policy IF-4.6, and Policy IF-7.

Discussion

a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? (Less than Significant)

Construction

Construction of the Project would involve ground-disturbing activities, such as excavation, that could require dewatering. Construction activities have the potential to result in runoff that contains sediment and other pollutants, which could degrade water quality if not properly controlled. Sources of pollution associated with construction include chemical substances from construction materials as well as hazardous or toxic materials, such as fuels. As described in Impact (a) in Section IX, *Hazards and Hazardous Materials*, the Project would be subject to state and federal hazardous materials laws and regulations, which would minimize the risk of affecting the quality of surface water and groundwater.

Under the Burlingame Stormwater Management and Discharge Control Ordinance (No. 1503 and No. 1896) construction activity for projects greater than 10,000 square feet is subject to the Stormwater Construction Pollution Prevention Permit overseen by the City of Burlingame Public Works Department. The purpose of the Stormwater Construction Pollution Prevention Permit is to identify potential sources of sediment and other pollutants and prescribe BMPs to ensure that potential adverse erosion, siltation, and contamination impacts do not occur during construction activities. Implementation of the permit with BMPs would control erosion and protect water quality from potential contaminants in stormwater runoff emanating from the construction site. BMPs may include damp street sweeping; appropriate covers, drains, and storage precautions for outdoor material storage areas; temporary cover for disturbed surfaces; and sediment basins or traps, earthen dikes or berms, silt fences, check dams, soil blankets or mats, covers for stockpiles, or other BMPs to trap sediments. Such BMPs would help to protect surface water and groundwater quality.

Groundwater dewatering during construction of the below-grade levels is anticipated. However, dewatering would be temporary, and the required water quality permit(s) would be obtained prior to dewatering. The San Francisco Bay Regional Water Quality Control Board (RWQCB) has regulations specific to dewatering, which typically involve reporting and monitoring. All requirements for dewatering would be met, ensuring that water quality would not be affected. Dewatering discharge methods include options for discharges to surface waters via storm drains, in compliance with waste discharge requirements. If it is found that the groundwater does not meet the water quality standards, it must either be treated as necessary prior to discharge so that all

applicable water quality objectives, as designated in the *San Francisco Bay Basin Plan* (Basin Plan), are met or hauled offsite for treatment and disposal at an appropriate waste treatment facility that is permitted to receive such water. For water to be discharged to San Francisco Bay, the San Francisco Bay RWQCB would need to be notified. Discharges would comply with RWQCB requirements related to water quality.

Implementation of BMPs associated with the Stormwater Construction Pollution Prevention Permit and adherence to San Francisco Bay RWQCB water quality requirements would ensure that construction impacts on water quality would be ***less than significant.*** This impact was adequately addressed in the General Plan EIR.

Operation

During operation, pollutants in stormwater runoff from urban development have the potential to violate water quality standards if the type and amount of pollutants are not adequately reduced. Stormwater runoff from the Project would be regulated under the MRP. The applicant would be required to submit to the City the San Mateo Countywide Pollution Prevention checklist to show compliance with NPDES regional permit requirements. BMPs included in site designs and plans for the Project would be reviewed by the City's engineering staff to ensure appropriateness and adequate design capacity prior to permit issuance. The San Francisco Bay RWQCB has incorporated requirements in the MRP to protect water quality and approved the San Mateo Countywide Pollution Prevention and complies with the NPDES Municipal Stormwater Permit. The City review and permitting process would ensure that the permit's waste discharge requirements would not be violated by the Project. For these reasons, the Project would not violate water quality standards or waste discharge requirements during operation, including standards and requirements regarding surface water and groundwater quality. Operational impacts on water quality would be ***less than significant***. This impact was adequately addressed in the General Plan EIR.

b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project would impede sustainable groundwater management of the basin? (Less than Significant)

Per the Sustainable Groundwater Management Act, all of California's 515 groundwater basins are classified into one of four categories: High, Medium, Low, or Very Low Priority. The Project site is within the Westside Groundwater Basin, which is classified as Very Low Priority. Groundwater is not a supply or recharge source. As documented in the 2020 Urban Water Management Plan (UWMP), the City has not utilized groundwater as a drinking water source and there are no plans to use groundwater as a supplemental potable water supply source in the future because the source is unreliable and works intermittently.[92]

Excavation is expected to extend to at least 12 feet below ground surface for the basement level parking garage and groundwater is expected to be found 8 feet below ground surface; therefore, it is assumed groundwater could be encountered, requiring dewatering at the site. Although dewatering could be required, it would represent a short-term, less-than-significant impact because groundwater is not a supply or recharge source. Dewatering would not have a substantial adverse effect on surface water/groundwater interactions. In addition, the Project would overall decrease the area of impervious surfaces on the site; therefore, there would be no change in groundwater

[92] City of Burlingame. 2021. *2020 Urban Water Management Plan*. July 2021. Available: https://www.burlingame.org/departments/public_works/water.php. Accessed: August 2, 2021.

recharge. The Project would, therefore, not substantially decrease groundwater supplies and would not impede sustainable groundwater management of this "Very Low Priority" groundwater basin. Therefore, the Project's impact would be ***less than significant***. This impact was adequately addressed in the General Plan EIR.

c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:

1. Result in substantial erosion or siltation onsite or offsite? (Less than Significant)

The nearest surface water to the Project site, a concrete channel (El Portal Canal) and riparian area (Mills Creek), are approximately 0.4 mile and 0.5 mile from the Project site, respectively. Due to the canal's and riparian area's distance from the site, construction of the Project would not directly alter drainage patterns of surface waters.

The Project site is currently comprised of impervious surfaces with small areas of pervious surfaces associated with landscaping. The Project would decrease the area of impervious surfaces and would include an on-site bio-treatment area. Thus, the Project is expected to generate a reduced amount of stormwater discharged from the site than is currently discharged. Under existing conditions, stormwater from the Project site is conveyed to existing stormwater drains and inlets. Stormwater gravity mains and stormwater inlets are located north and south of the Project site along Murchison Drive and Trousdale Drive, respectively.[93] Implementation of the Project would alter existing drainage patterns on the site with construction of a new building. Future stormwater would be treated onsite, through the implementation of an on-site bio-treatment area, which would be located at the back of the building on the ground floor. The treated stormwater would then be directed through new storm drain lines to new storm drain inlets, which would connect to the City of Burlingame's storm drain system. In addition to Project features, the Project would implement BMPs to treat stormwater runoff during construction. Therefore, changes to drainage patterns due to the Project would not result in substantial erosion or siltation onsite or offsite. This impact would be ***less than significant*** and was adequately addressed in the General Plan EIR.

2. Substantially increase the rate or amount of surface runoff in a manner that would result in flooding onsite or offsite? (Less than Significant)

As described above in Item X(c)(1) above, the Project would not directly alter the drainage patterns of surface waters. While the Project would remove an existing building and landscaped areas and replace them with a new building and new landscaped areas, the Project would overall reduce the area of impervious surfaces. In addition, the Project would include an on-site bio-treatment area and comply with BMPs to treat stormwater runoff. Overall, the amount of stormwater that would be discharged with implementation of the Project would be less than what is currently discharged. Therefore, changes to drainage patterns due to the Project would not substantially increase the rate or amount of surface runoff in a manner that would result in flooding onsite or offsite. This impact would be ***less than significant*** and was adequately addressed in the General Plan EIR.

[93] City of Burlingame. 2021. *Municipal Separate Storm Sewer System*. Available: https://www.arcgis.com/apps/webappviewer/index.html?id=8f4f7accd3054ba5a4fde951fc45b601. Accessed: August 2, 2021.

3. Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Less than Significant)

As described above in Item X(c)(1) above, the amount of stormwater that would be discharged with implementation of the Project would be less than what is currently discharged. Furthermore, as stated previously in Item X(a) above, the Project would be required to adhere to the City's Stormwater Construction Pollution Prevention Permit, which requires implementation of BMPs during construction to protect water quality from contaminants in stormwater runoff from the Project site. The Project would also be subject to the requirements of Provision C.3 of the MRP and would thus not generate a new significant source of polluted runoff. Through compliance with state and local regulations, as well as implementation of BMPs, impacts related to surface runoff, including possible additional sources of polluted runoff, would be ***less than significant*** and was adequately addressed in the General Plan EIR.

4. Impede or redirect floodflows? (No Impact)

During construction, the drainage pattern of the site or area may be temporarily altered. However, construction equipment would be placed around the site so that construction impacts associated with impeding or redirecting floodflows would be minimized. In addition, the Project would include an on-site bio-treatment area. Overall, the amount of stormwater that would be discharged with implementation of the Project would be similar to what is currently discharged. The Project would include stormwater treatment controls, in compliance with the requirements of Provision C.3 of the MRP. The Project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems, provide substantial additional sources of polluted runoff, or impede or redirect floodflows. Therefore, there would be ***no impact*** and was adequately addressed in the General Plan EIR.

d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to Project inundation? (Less than Significant)

The Project site is not subject to flooding from tsunami or seiche or risks from mudflows or landslides. The Project site is not within a FEMA flood zone.[94] The Project site is not within a tsunami inundation zone.[95] Conditions with the Project would be similar to existing conditions and would not increase the potential for site inundation. Seiche can occur in an enclosed or partially enclosed body of water, such as a lake or reservoir. There are no large bodies of fresh water, such as reservoirs or lakes, in the Project vicinity. Although San Francisco Bay is a large and open body of water, there is no immediate risk of seiche. Large waves, both sea and swell, generated in the Pacific Ocean undergo considerable refraction and diffraction upon passing through the Golden Gate, resulting in greatly reduced heights by the time they reach the Project site. Therefore, there is no risk of seiche that would affect the Project site. To reduce the risk of a pollutant release associated with a flood hazard, the Project would comply with the requirements of local water quality

[94] FEMA. 2019. *National Flood Insurance Program. Flood Insurance Rate Map. San Mateo County, California. Panel 134 of 510*. Available: https://cms6.revize.com/revize/burlingamecity/document_center/Stormwater/FEMA%20Brochures/06081C0134F.pdf. Accessed: August 2, 2021.

[95] State of California. 2021. *Tsunami Hazard Area Map, San Mateo County.* Produced by the California Geological Survey, the California Governor's Office of Emergency Services, and AECOM. Mapped at multiple scales. Available: https://www.conservation.ca.gov/cgs/tsunami/maps. Accessed: August 2, 2021.

programs and associated municipal stormwater NPDES permits, as well as municipal storm sewer system and MRP permits to manage flood risks and water quality. Conformance to these requirements would ensure that any risk of a release of pollutants due to inundation in a flood hazard, tsunami, or seiche zone would be minimized. The Project site would not release pollutants due to inundation by flood hazard, tsunami, or seiche. The impact would be ***less than significant***. This impact was adequately addressed in the General Plan EIR.

e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (Less than Significant)

Project implementation would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. The applicant would comply with the appropriate water quality objectives for the region, including the MRP. The City's review and permitting process would ensure that the permit's waste discharge requirements would not be violated by the Project. As part of compliance with permit requirements during ground-disturbing activities or construction, water quality control measures and BMPs would be implemented to ensure that water quality standards would be achieved, including water quality objectives that protect designated beneficial uses of surface water and groundwater, as defined in San Francisco Bay Basin (Region 2) Water Quality Control Plan.

The City of Burlingame is part of the South Westside Basin Groundwater Management Plan, which is a voluntary groundwater management plan. The Project would not conflict with implementation of this plan because the Project would not conflict with the plan's goal of ensuring a sustainable, high-quality, reliable water supply. Therefore, the Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan, and the impact would be ***less than significant***. This impact was adequately addressed in the General Plan EIR.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the General Plan EIR, implementation of the Project would not result in any new or more severe significant impacts related to hydrology and water quality than those identified previously. Implementation of existing rules and regulations governing hydrology and water quality, including the City's General Plan goals and policies, would ensure that potential impacts would be less than significant. The Project would not result in a significant impact peculiar to the Project, a significant impact not previously identified, or a significant impact due to substantial new information. The hydrology and water quality impacts of the Project were adequately addressed in the General Plan EIR, and no further analysis is required.

XI. Land Use and Planning

	Significant Impact Peculiar to the Project or Project Site	Significant Impact Not Identified	Significant Impact Due to Substantial New Information	Impact Adequately Addressed in Previous Documents
Would the Project:				
a. Physically divide an established community?	☐	☐	☐	☒
b. Result in a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

Setting

The Project site is within the Burlingame city limits and governed by the 2040 General Plan, as well as the Municipal Code. Burlingame is divided into a series of planning areas with a variety of land uses, including commercial, office, cultural, civic, and quasi-civic uses. Existing land uses in the vicinity of the Project site include commercial/office, institutional, and residential uses.

Currently, the Project site consists of two parcels developed with a one-story office building (1814 Ogden Drive) and a three-story office building (1820 Ogden Drive), which were constructed in 1959 and 1962, respectively. The majority of the Project site is covered by impervious surfaces, including associated surface parking lots with each existing building. There is minimal landscaping; bushes and some trees are located in the front of the buildings and alongside the driveways. Access to the Project site is currently provided from driveways on Ogden Drive.

The City adopted the 2040 General Plan in 2019 to accommodate planned housing and employment growth through 2040. The Project site is within the NBMU land use designation. According to the 2040 General Plan, the NBMU land use designation creates a high-intensity development node within walking distance of the MMTC. High-density residential is a permitted use within the NBMU land use designation.[96]

The City Municipal Code was updated to include a new zoning designation, NBMU, which implements the 2040 General Plan NBMU designation (see Chapter 25.40). The Project site is within the NBMU zoning designation. The NBMU zone is a transit-oriented development district that accommodates housing at progressively higher densities based on the level of community benefits provided, with the goal of ensuring that new development adds value for all in the city. Development projects within this zone must fulfill specific development standards (see Municipal Code Chapter 25.40.030). Development projects may be categorized as any one of three tiers, ranging from Base Standard Intensity (Tier 1) to Maximum Intensity (Tier 3).

The Project is proposed as a Tier 3 project. Tier 3 projects within this zone may reach a maximum of seven stories, or 75 feet, and fulfill specific open space and development standard thresholds as well

[96] City of Burlingame. 2019. *Envision Burlingame Draft General Plan.* City Council Hearing Draft. Available: https://www.burlingame.org/departments/planning/general_plan_update.php. Accessed: June 29, 2021.

as community benefit objectives. Within this area, developments must be set back a minimum of 10 feet from the curb along the front (Ogden Drive), 15 feet from the sides, and 15 feet from the rear. In addition, developments are subject to streetscape frontage standards, which requires that at least 40 percent of the structure be located at the streetscape frontage line.

General Plan EIR

The General Plan EIR found less-than-significant impacts related to land use and planning with implementation of General Plan goals and policies. The General Plan EIR concluded that development would not result in significant impacts related to the division of established communities or conflicts with applicable plans, policies, and regulations. The following principles, goals, and policies contained in the Community Character Element of the General Plan provide guidance on how land use designations should be developed to contribute to the overall character of Burlingame: Principle 1.a, Principle 1.b, Principle 1.c, Principle 1.d, Goal CC-4, Policy CC-4.1, CC-4.3, and CC-4.4.

Discussion

a. Physically divide an established community? (Less than Significant)

The Project would redevelop the Project site to provide a six-story, residential building with 90 residential units, and two levels of parking (one below grade and one at grade). This would be consistent with the planned land uses established under the NBMU District designation in the General Plan, which is applicable to the Project site. The Project would not limit access to existing streets or bicycle/pedestrian pathways within the Project site or the surrounding community, including the residential uses. Furthermore, the Project would not create new streets; rather, it would create new pedestrian pathways within, and around, the Project site that would ultimately improve pedestrian circulation throughout the site and in surrounding areas. Therefore, implementation of the Project would not result in physical division of an established community. The impact was adequately addressed in the General Plan EIR; consistent with the prior conclusions, the impact under the Project would be ***less than significant***.

b. Result in a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (Less than Significant)

The Project site is within the incorporated limits of the city of Burlingame. The site is comprised of two parcels (1814 and 1820 Ogden Drive) totaling 0.77 acre. The parcels are entirely surrounded by developed properties with urban land uses, with a residential condominium building to the north, apartment buildings to the west, a vacant field associated with the Dharma Real Buddhist facility to the east, and a senior living facility to the south.

According to the 2040 General Plan, the Project site has an NBMU land use designation, which is intended to promote high intensity development within walking distance of the MMTC. Under this designation, development may occur as mixed-use projects or single-purpose buildings, provided the area, as a whole, includes a mix of uses. The Project site is also within the NBMU Zone. The purpose of the NBMU Zone is to implement the 2040 General Plan NBMU land use designation. NBMU standards encourages progressively higher density housing based on the level of community benefits provided, and within close proximity to the multimodal transit center. Because the Project is a residential development, it is consistent with the designated land use and zoning. In addition,

the NBMU zone has additional development standards, ranging from Tier 1 (Base Standard intensity) to Tier 3 (Maximum Intensity). The Project is proposed as a Tier 3 (Maximum Intensity) project.

NBMU Zoning includes the following standards:

- Maximum intensity of 140 dwelling units per acre
- Maximum height of seven stories (75 feet)
- Setback requirements
- Maximum lot coverage of 80 percent
- Minimum open space of 100 square feet per housing unit (9,000 square feet for 90 units)
- Minimum of 10 percent landscape coverage

The Project would have a density of 117 density units per acre, a maximum height of six stories (72 feet),[97] adequate setbacks, lot coverage of 70.7 percent, approximately 16,299 square feet of common and private open space, and approximately 17.0 percent landscape coverage. The Project also proposes 145 parking spaces, meeting the required 118 spaces based on the unit-size breakdown. Thus, the Project would fulfill these NBMU zoning standards. Given these facts, the Project is consistent with the 2040 General Plan and applicable zoning regulations for the site.

In general, the Project would be consistent with 2040 General Plan goals and policies identified above. However, it should be noted that the ultimate determination regarding 2040 General Plan consistency will be made by the Planning Commission. In addition, the ultimate findings regarding 2040 General Plan consistency do not require the Project to be entirely consistent with each individual goal and policy. A project can be generally consistent with a general plan, even though the project may not promote every applicable goal and policy. The Project would be generally consistent with the 2040 General Plan goals and policies, resulting in an impact that would be ***less than significant***.

The ALUCP identified policies for projects within the airport influence area. Because of the Project's location in an airport influence area, this Project would require review and approval from the Airport Land Use Commission (ALUC) which is managed by City/County Association of Governments (C/CAG) in San Mateo County. The NBMU zoning regulation was reviewed by the ALUC on September 24, 2020, and recommended for approval to C/CAG, who adopted and approved the NBMU zoning regulation on October 15, 2020. This zoning approval included specific conditions for a project located in the SFO sphere of influence, which will be incorporated as conditions of approval for the Project entitlements. Since the Project is consistent with the NBMU zoning, which has been approved by the ALUC and C/CAG, the Project would be consistent with the ALUCP, resulting in an impact that would be ***less than significant***.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the General Plan EIR, implementation of the Project would not result in any new or more severe significant impacts related to land use and planning than those identified previously. Implementation of existing rules and regulations regarding land use, including the goals and policies in the General Plan, would

[97] Measured to the top of the parapet. The height of the top of the elevator penthouse is 76 feet.

ensure that potential impacts would be less than significant. The Project would not result in a significant impact peculiar to the Project, a significant impact not previously identified, or a significant impact due to substantial new information. The land use and planning impacts of the Project were adequately addressed in the General Plan EIR, and no further analysis is required.

XII. Mineral Resources

	Significant Impact Peculiar to the Project or Project Site	Significant Impact Not Identified	Significant Impact Due to Substantial New Information	Impact Adequately Addressed in Previous Documents
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?	☐	☐	☐	☒

Setting

Under the Surface Mining Control and Reclamation Act, the California Geological Survey is responsible for classifying land as a Mineral Resource Zone (MRZ), based on the known or inferred mineral resource potential of that land. According to available data, the Project site and the area surrounding the Project site have been classified as MRZ-1.[98] The California Department of Conservation, Division of Mines and Geology, defines MRZ-1 as follows:

> **MRZ-1**: Areas where adequate geologic information indicates that no significant mineral deposits are present or where it is judged that little likelihood exists for their presence. This zone is applied where well-developed lines of reasoning, based on economic-geologic principles and adequate data, indicate that the likelihood for occurrence of significant mineral deposits is nil or slight.[99]

General Plan EIR

The General Plan EIR found no impacts related to mineral resources. No mitigation measures were warranted.

Discussion

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? (No Impact)

Because the Project site is identified as MRZ-1, it is not underlain by any known significant mineral deposits. In addition, the area surrounding the Project site is not known to support significant mineral resources of any type, and no mineral resources are currently being extracted in the city. The list of mines from the Office of Reclamation (the AB 3098 List), which lists mines that are regulated under the Surface Mining and Reclamation Act, does not include any mines that are within

[98] California Department of Conservation. 1996. *Generalized Mineral Land Classification Map of the South San Francisco Bay Production—Consumption Region*. Map prepared by Susan Kohler-Antablin. California Department of Conservation, Division of Mines and Geology, Sacramento, CA. Available: ftp://ftp.consrv.ca.gov/pub/dmg/pubs/ofr/OFR_96-03/ Accessed: May 28, 2021.

[99] California Department of Conservation. 2000. *Guidelines for Classification and Designation of Mineral Lands*. Available: https://www.conservation.ca.gov/smgb/Guidelines/Documents/ClassDesig.pdf. Accessed: May 28, 2021.

the city.[100] Therefore, the Project would not result in the loss of availability of such resources, and there would be ***no impact***.

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? (No Impact)

The Project site is developed and not used for mineral recovery. Moreover, no known mineral resources, including locally important mineral resources, are known to exist within the Project site or the surrounding area. The Project would, therefore, not result in the loss of availability of such resources, and there would be ***no impact***.

Conclusion

The Project would not result in a significant impact peculiar to the Project, a significant impact not previously identified, or a significant impact due to substantial new information. The mineral resources impacts of the Project were adequately addressed in the General Plan EIR, and no further analysis is required.

[100] California Department of Conservation. 2021. AB 3098 List. Available: https://www.conservation.ca.gov/dmr. Accessed: May 28, 2021.

XIII. Noise

	Significant Impact Peculiar to the Project or Project Site	Significant Impact Not Identified	Significant Impact Due to Substantial New Information	Impact Adequately Addressed in Previous Documents
Would the Project:				
a. Generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies?	☐	☐	☐	☒
b. Generate excessive ground-borne vibration or ground-borne noise levels?	☐	☐	☐	☒
c. Be located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport and expose people residing or working in the Project area to excessive noise levels?	☐	☐	☐	☒

Setting

A Noise Technical Report was prepared for the Project and is included as Appendix F of this document. This Noise section uses the information from this Technical Report.

Overview of Noise and Sound

Noise is commonly defined as unwanted sound that annoys or disturbs people and potentially causes an adverse psychological or physiological effect on human health. Because noise is an environmental pollutant that can interfere with human activities, an evaluation of noise is necessary when considering the environmental impacts of a proposed project.

Sound is characterized by various parameters, including the rate of oscillation of sound waves (frequency), the speed of propagation, and the pressure level or energy content (amplitude). In particular, the sound pressure level is the most common descriptor used to characterize the loudness of an ambient (existing) sound level. Although the decibel scale, a logarithmic scale, is used to quantify sound intensity, it does not accurately describe how sound intensity is perceived by human hearing. The human ear is not equally sensitive to all frequencies in the entire spectrum; therefore, noise measurements are weighted more heavily toward frequencies to which humans are sensitive through a process referred to as A-weighting.

Human sound perception, in general, is such that a change in sound level of 1 decibel (dB) cannot typically be perceived by the human ear, a change in sound level of 3 dB is just noticeable, a change of 5 dB is clearly noticeable, and a change of 10 dB is perceived as doubling or halving the sound level. A doubling of actual sound energy is required to result in a 3 dB (i.e., barely noticeable)

increase in noise; in practice, this means that the volume of traffic on a roadway typically needs to double to result in a noticeable increase in noise.[101]

The decibel level of a sound decreases (or attenuates) exponentially as the distance from the source of that sound increases. For a point source, such as a stationary compressor or construction equipment, sound attenuates at a rate of 6 dB per doubling of distance. For a line source, such as free-flowing traffic on a freeway, sound attenuates at a rate of 3 dB per doubling of distance. Atmospheric conditions, including wind, temperature gradients, and humidity, can change how sound propagates over distance and affect the level of sound received at a given location. The degree to which the ground surface absorbs acoustical energy also affects sound propagation. Sound that travels over an acoustically absorptive surface, such as grass, attenuates at a greater rate than sound that travels over a hard surface, such as pavement. The increased attenuation is typically in the range of 1 to 2 dB per doubling of distance. Barriers, such as buildings and topographic features that block the line of sight between a source and receiver, also increase the attenuation of sound over distance.

In urban environments, simultaneous noise from multiple sources may occur. Because sound pressure levels, expressed in decibels, are based on a logarithmic scale, they cannot be added or subtracted in the usual arithmetical way. Adding a new noise source to an existing noise source, with both producing noise at the same level, will not double the noise level. If the difference between two noise sources is 10 A-weighted decibels (dBA) or more, the higher noise source will dominate, and the resultant noise level will be equal to the noise level of the higher noise source. In general, if the difference between two noise sources is 0 to 1 dBA, the resultant noise level will be 3 dBA higher than the higher noise source, or both sources if both are equal. If the difference between two noise sources is 2 to 3 dBA, the resultant noise level will be 2 dBA above the higher noise source. If the difference between two noise sources is 4 to 10 dBA, the resultant noise level will be 1 dBA higher than the higher noise source.

Community noise environments are generally perceived as quiet when the 24-hour average noise level is below 45 dBA, moderate in the 45 to 60 dBA range, and loud above 60 dBA. Very noisy urban residential areas are usually around 70 dBA, community noise equivalent level (CNEL). Along major thoroughfares, roadside noise levels are typically between 65 and 75 dBA CNEL. Incremental increases of 3 to 5 dB to the existing 1-hour equivalent sound level (L_{eq}), or the CNEL, are common thresholds for an adverse community reaction to a noise increase. However, there is evidence that incremental thresholds in this range may not be adequately protective in areas where noise-sensitive uses are located and the CNEL is already high (i.e., above 60 dBA). In these areas, limiting noise increases to 3 dB or less is recommended. Noise intrusions that cause short-term interior noise levels to rise above 45 dBA at night can disrupt sleep. Exposure to noise levels greater than 85 dBA for 8 hours or longer can cause permanent hearing damage.

Overview of Ground-borne Vibration

Ground-borne vibration is an oscillatory motion of the soil with respect to the equilibrium position. It can be quantified in terms of velocity or acceleration. Variations in geology and distance result in different vibration levels, including different frequencies and displacements. In all cases, vibration amplitudes decrease with increased distance.

[101] California Department of Transportation. 2013. Technical Noise Supplement to the Traffic Noise Analysis Protocol. September.

The operation of heavy construction equipment creates seismic waves that radiate along the surface of and downward into the ground. These surface waves can be felt as ground vibration. Vibration from the operation of construction equipment can result in effects that range from annoyance for people to damage for structures. Perceptible ground-borne vibration is generally limited to areas within a few hundred feet of construction activities. As seismic waves travel outward from a vibration source, they cause rock and soil particles to oscillate. The actual distance that these particles move is usually only a few ten thousandths to a few thousandths of an inch. The rate or velocity, expressed in inches per second, at which these particles move is the commonly accepted descriptor of vibration amplitude, peak particle velocity (PPV).

Vibration amplitude attenuates (or decreases) over distance. Attenuation is a complex function of how energy is imparted into the ground as well as the soil or rock conditions through which the vibration is traveling (variations in geology can result in different vibration levels). Table 3-12 summarizes the typical vibration levels generated by construction equipment at a reference distance of 25 feet, as well as greater and lesser distances.

Table 3-12. Vibration Source Levels for Construction Equipment

Equipment	PPV at 5 Feet	PPV at 25 Feet	PPV at 50 Feet	PPV at 75 Feet	PPV at 100 Feet	PPV at 175 Feet
Pile Driver (Sonic)	1.900	0.170	0.0601	0.0327	0.0213	0.0092
Large Bulldozer	0.995	0.089	0.0315	0.0171	0.0111	0.0048
Hoe Ram	0.995	0.089	0.0315	0.0171	0.0111	0.0048
Caisson Drill	0.995	0.089	0.0315	0.0171	0.0111	0.0048
Loaded Trucks	0.849	0.076	0.0269	0.0146	0.0095	0.0041
Jackhammer	0.391	0.035	0.0124	0.0067	0.0044	0.0019
Small Bulldozer	0.033	0.003	0.0011	0.0006	0.0004	0.0002

Source: Federal Transit Administration. 2018. *Transit Noise and Vibration Impact Assessment Manual*. Office of Planning and Environment. Available: https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf. Accessed: July 29, 2021.

Existing Noise Environment

The primary existing source of noise in the Project area is traffic on nearby roadways, mainly Ogden Drive and Murchison Drive. The noise from wheels rolling on the pavement and, to a lesser extent, engine noise from vehicles traveling on these roadways is audible at the Project site throughout the day.

Caltrain and freight tracks are approximately 1,600 feet to the east of the Project site. At that distance, railroad-related noise is composed primarily of train horn noise, which occurs many times throughout the day at the Millbrae Caltrain station. The Project would not affect the level of locomotive or other railroad noise since it would not directly cause an increase in frequency of track use. Other typical urban noise sources, such as voices, landscaping equipment, sirens, commercial vehicle loading/unloading, and parking lots, are also present. Aircraft overflights from SFO occasionally create noise at the Project site.

To quantify existing ambient noise levels in the Project area, measurements were conducted at locations in proximity to the Project site. Long-term (24-hour) measurements were conducted between June 17 and June 19, 2020; short-term measurements were conducted on June 16, 2020.

Short- and long-term measurement locations were selected based on the locations of noise-sensitive land uses near the Project site. The locations for the noise measurement sites are described in Table 3-13 and Table 3-14. These tables also summarize the results of the noise measurement survey.

Table 3-13. Long-term Noise Level Measurements in and around the Project Site

Site	Site Description	Date and Time	Measured CNEL (dBA)
LT-1	Northern perimeter of 1820 Ogden Drive, south of adjacent field.	June 17–June 19, 2020	58
LT-2	South of 1814 Ogden Drive, on a tree 40 feet north of the centerline of Ogden Drive.	June 17–June 19, 2020	56–58

LT = long-term (24-hour/multi-day) ambient noise measurement; CNEL = community noise equivalent level; dBA = A-weighted decibels

Table 3-14. Short-term Noise Level Measurements near the Project Site

Site	Site Description	Date and Time	Primary Noise Sources	Measured Noise Level (dBA) L_{eq}
ST-1	Northern perimeter of Ogden Drive, south of adjacent field.	06/16/2020 at 9:54 a.m.	Bird noises	55
ST-2	South of 1814 Ogden Drive, on a tree 40 feet north of the centerline of Ogden Drive.	06/16/2020 at 10:10 a.m.	Traffic on Ogden Drive	54–55
ST-3	Intersection of Ogden Drive and Trousdale Drive, 50 feet west of the centerline of Trousdale Drive.	06/16/2020 at 10:24 a.m.	Traffic on Trousdale Drive	63
ST-4	Intersection of Ogden Drive and Garden Drive, 40 feet south of the centerline of Ogden Drive.	06/16/2020 at 10:38 a.m.	Traffic on Ogden Drive	54–55
ST-5	Intersection of Ogden Drive and Murchison Drive, 40 feet east of the centerline of Murchison Drive.	06/16/2020 at 10:51 a.m.	Traffic on Murchison Drive	54–55

ST = short-term (~15-minute) ambient noise measurement; L_{eq} = equivalent sound level (1 hour)

Noise-Sensitive Land Uses

Noise-sensitive land uses are generally defined as locations where people reside or the presence of unwanted sound could adversely affect the use of the land. Noise-sensitive land uses typically include single- and multi-family residential areas, health care facilities, lodging facilities, and schools. Recreational areas where quiet is an important part of the environment can also be considered sensitive to noise. Some commercial areas may be considered noise sensitive as well, such as the outdoor restaurant seating areas.

The nearest noise-sensitive land use is the Sunrise of Burlingame assisted living facility located adjacent to the Project site. Additionally, there are other residential apartment buildings located to the north, west, and south east of the Project site. Much of Ogden Drive between Murchison Drive and Trousdale Drive is lined with noise-sensitive multi-family apartment buildings. Other residences located further away from the Project site and not specifically mentioned in this discussion may be affected by Project noise, but the residences specified above would be the most affected.

With respect to non-residential noise-sensitive land uses, Learning Links Preschool is located about 375 feet (approximately 0.07 mile) from the Project site. Mills High School, in the City of Millbrae, is located about 775 feet (approximately 0.15 mile) from the Project site but over 1,000 feet (approximately 0.19 mile) at the farther point on the campus. Learning Links Preschool and Mills High School are considered noise-sensitive, because excessive noise could disrupt classroom or learning activities. There is also a religious facility, a Buddhist temple, that is located approximately 500 feet from the Project site, and excessive noise could potentially disrupt religious facilities.

Regulatory Setting

There are no federal noise standards that are directly applicable to the Project. With regard to state regulations, CCR Title 24, Part 2, establishes minimum noise insulation standards to protect persons within hotels, motels, dormitories, long-term care facilities, apartments, and dwellings other than single-family residences. Under this regulation, interior noise levels that are attributable to exterior noise sources cannot exceed 45 dBA CNEL, day-night level, in any habitable room. When such land uses are in an environment where exterior noise is 60 dBA CNEL or greater, an acoustical analysis is required to ensure that interior levels do not exceed the 45 dBA CNEL interior standard.

With respect to local noise standards, two regulatory sources are applicable to the Project: the 2040 General Plan and the City Municipal Code. The applicable noise standards from these two sources are described below.

2040 General Plan

Chapter 8, Community Safety Element, of the 2040 General Plan establishes noise and land use compatibility standards to guide new development. It provides goals and policies to reduce the harmful and annoying effects of excessive noise in the city. The policies relevant to the Project include:

- Locating noise-sensitive uses away from major sources of noise (Policy CS-4.1)
- Requiring the design of both new residential development and office development to comply with protective noise standards (Policies CS-4.2 and CS-4.3, respectively)
- Monitoring noise impacts from aircraft operations at SFO as well as noise at Mills-Peninsula Medical Center (Policy CS-4.7)
- Requiring the evaluation and, if necessary, mitigation of airport noise impacts if a project is within the 60 dBA CNEL contour line of SFO (Policy CS-4.8)
- Complying with real estate disclosure requirements pertaining to existing and planned airports within 2 miles of any sale or lease of a property (Policy CS-4.9)

- Requiring development projects that are subject to discretionary approval to assess potential construction noise impacts on nearby sensitive uses and minimize impacts consistent with the City Municipal Code (Policy CS-4.10)
- Requiring a vibration impact assessment for projects that would use heavy-duty equipment and be within 200 feet of an existing structure or sensitive receptor (Policy CS-4.13)

Also in the Community Safety Element of the 2040 General Plan are noise compatibility criteria for each category of land use in the city. Multi-family residential land uses are considered conditionally acceptable at noise levels between 60 dBA and 70 dBA CNEL, which means that new development should be undertaken only after a detailed analysis of noise reduction requirements is conducted and noise insulation features have been included in the design. Less noise-sensitive land uses, such as commercial and industrial uses, are considered compatible with higher levels of outdoor noise.

City of Burlingame Municipal Code

The *Building Construction* section of the City Municipal Code establishes daily hours for construction in the city. Section 18.07.110 states that no person shall erect, demolish, alter, or repair any building or structure outside the hours of 8:00 a.m. to 7:00 p.m. on weekdays or 9:00 a.m. to 6:00 p.m. on Saturdays; no construction shall take place on Sundays or holidays, except under circumstances of urgent necessity in the interest of public health and safety. An exception, which must be approved in writing by a building official, shall be granted for a period of no more than 3 days for structures with a gross floor area of less than 40,000 gsf when reasonable to accomplish erection, demolition, alteration, or repair work; the exception shall not exceed 20 days for structures with a gross floor area of 40,000 gsf or greater.

The City Municipal Code also contains standards that limit noise levels from mechanical equipment such as air-conditioners and generators at the property line of an associated land use. These limits are 60 dBA during the daytime hours of 7:00 a.m. to 10:00 p.m. and 50 dBA during the nighttime hours of 10:00 p.m. to 7:00 a.m. (Section 25.58.050).

General Plan EIR

General Plan goals and policies establish an overall goal that is intended to protect residents from excessive construction noise and vibration, as well as increases in permanent ambient noise and vibration as a result of individual projects. Numerous goals and policies from the Community Safety Element would reduce impacts related to noise and vibration, including the following: Goal CS-4, Policy CS-4.1, Policy CS4.2, Policy CS-4.3, Policy CS-4.4, Policy CS-4.5, Policy CS-4.6, Policy CS-4.7, Policy CS-4.8, Policy CS-4.9, Policy CS-4.10, Policy CS-4.11, Policy CS-4.12, and Policy CS-4.13. In addition, the General Plan EIR identifies Mitigation Measure 15-1, which required revisions to Policy CS-4.10. Policy CS-4.10, as revised by Mitigation Measure 15-1, requires construction noise studies for development projects and identifies feasible construction noise control measures that reduce construction noise levels at sensitive receptor locations. With implementation of these General Plan goals, policies, and mitigation measures, the General Plan EIR found that most noise and vibration impacts could be reduced to a less than significant impact, with the exception of operational traffic noise. The General Plan EIR found that future noise levels in the City due to increases in traffic could increase by 3 dB or more, resulting in a significant and unavoidable impact.

Discussion

a. Generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies? (Less than Significant with Mitigation)

Construction Noise

The Project would demolish the onsite structures and construct a new building with parking and other amenities. Demolition and construction activities would generate noise, resulting in a temporary increase in noise levels at adjacent land uses. Construction activities would generally comply with the time-of-day restrictions specified in the Municipal Code.

The significance of potential noise impacts resulting from demolition and construction would depend on the noise generated by the various pieces of construction equipment, the timing and duration of noise-generating activities, and the distance between construction noise sources and noise-sensitive receptors. To assess the potential for significant construction noise impacts, the Federal Highway Administration's source noise levels for construction equipment were used to approximate the level of noise that would occur during construction. Table 3-15 shows maximum noise levels at 50 feet, based on Federal Highway Administration data for the equipment that is expected to be used for Project construction.

To provide a reasonable worst-case analysis of potential noise impacts from concurrent use of construction equipment during Project construction, construction noise modeling was conducted that assumed that the three loudest pieces of equipment proposed for use during each construction phase would operate simultaneously in the same location on the Project site. Table 3-16 identifies the combined noise level, in terms of L_{max} and L_{eq}, from operation of the three loudest pieces of construction equipment for each phase at increasing distances from the Project site.

Table 3-15. Commonly Used Construction Equipment Noise Emission Levels

Equipment	L_{max} Noise Level (dBA) 50 Feet from Source
Dump Truck	76
Air Compressor	78
Backhoe	78
Caisson Drilling	82
Dozer	82
Compactor (ground)	83
Concrete Saw	90
Crane	81
Excavator	81
Flat Bed Truck	74
Paver	77
Grader	85
Generator	81
Roller	80

Equipment	L_{max} Noise Level (dBA) 50 Feet from Source
Tractor	84
Vibratory Concrete Mixer	80
Concrete Mixer Truck	79
Jackhammer	89
Front End Loader	79

Source: Federal Highway Administration 2006.
dBA = A-weighted decibel.

Table 3-16. Construction Noise Levels by Distance

Distance from Construction Equipment	Calculated Lmax Sound Level (dBA)[a]	Calculated Leq Sound Level (dBA)[b]
40	95	89
50	93	87
100	87	81
200	81	75
300	78	71
400	75	69
500	73	67
600	72	65
700	70	64
800	69	63
900	68	62
1,000	67	61

Note: Distance calculation does not include the effects, if any, of local shielding from walls, topography, or other barriers, which may further reduce sound levels. The calculation assumes geometric attenuation of 3 dB per doubling of distance.
[a.] The two loudest pieces of equipment that may operate in one location simultaneously.
[b.] Based on usage factors of 20 percent (for the concrete saw and jackhammer) and 40 percent (for the grader).

As shown in Table 3-16, combined construction noise levels would be generally consistent with the noise levels referenced in Chapter 15, *Noise and Vibration,* of the 2040 General Plan EIR (i.e., 85 to 88 dBA L_{eq} at 50 feet). Without incorporation of noise reduction measures, some construction equipment would have the potential to increase noise levels above ambient levels, which could be considered a substantial increase. Chapter 15 of the 2040 General Plan EIR notes that sustained L_{eq} levels of 85 dBA would result in noise that would be 18 to 39 dBA above ambient conditions in low- to medium-density residential areas of the city and 11 to 28 dBA above ambient conditions in higher-density residential, commercial, and industrial areas of the city. Consequently, the 2040 General Plan EIR revised Policy CS.4-10 in the Community Safety Element to require all development projects that are subject to discretionary review and located near noise-sensitive land uses to minimize adverse noise impacts through noise control measures. Noise control measures include construction management techniques, construction equipment controls, sound barriers, and construction noise monitoring.

As noted above, there are multiple noise-sensitive land uses in the immediate vicinity of the Project site, the closest of which are adjacent to the Project site. A reasonable worst-case distance assumption where the three loudest pieces of equipment would operate simultaneously is 40 feet. At that distance, combined L_{eq} construction noise levels would be between 95 dBA L_{max} and 89 dBA L_{eq}. Noise levels could be above 70 dBA L_{eq} at distances of 300 feet, as shown in the table above.

Noise in the 70 to 90 dBA range would most likely be considered a substantial increase over ambient noise levels for people at the adjacent assisted living facility and nearby multi-family buildings; therefore, construction noise would result in a potentially significant impact. In addition, because noise-sensitive land uses are found near the Project site, noise control measures would be required, per Policy CS.4-10 of the 2040 General Plan. Consistent with the requirements of the 2040 General Plan, Mitigation Measure NOI-1 would require a noise control plan to be implemented, including noise reduction measures to minimize the Project's construction noise to the extent possible. Because construction noise would be reduced to a level that would not be considered a substantial increase above ambient levels, construction noise impacts would be ***less than significant with mitigation***. This impact was adequately addressed in the General Plan EIR.

Mitigation Measure NOI-1: **Construction Noise Control Plan.**

The applicant shall develop a set of site-specific noise attenuation measures. Prior to commencement of construction activities, the applicant shall submit the construction noise control plan to the City for review and approval. Noise attenuation measures shall be identified in the plan and implemented to reduce noise levels to the greatest extent feasible. Noise measures may include, but are not limited to, the following:

- All construction equipment shall be properly maintained and in good working order.
- Prior to construction activities, designate a "Construction Noise Coordinator" who would be responsible for responding to any local complaints about construction noise. The Construction Noise Coordinator shall determine the cause of the complaint and shall require that reasonable measures warranted to correct the problem be implemented The telephone number for the Construction Noise Coordinator shall be conspicuously posted at the construction site.
- Prior to construction activities, notify adjacent residents of the construction schedule in writing and provide them with the contact information of the Construction Noise Coordinator.
- Using smaller equipment with lower horsepower or reducing the hourly utilization rate of equipment on the site to reduce noise levels at 50 feet to the allowable level.
- Locating construction equipment as far as feasible from noise-sensitive uses.
- Requiring that all construction equipment powered by gasoline or diesel engines have sound control devices that are at least as effective as those originally provided by the manufacturer and that all equipment be operated and maintained to minimize noise generation.
- Prohibiting gasoline or diesel engines from having unmuffled exhaust systems.
- Not idling inactive construction equipment for prolonged periods (i.e., more than 5 minutes).

- Constructing a solid plywood barrier around the construction site and adjacent to operational businesses, residences, or other noise-sensitive land uses.
- Using temporary noise control blanket barriers around equipment that is more stationary (e.g., generator, drill, concrete saw, air compressor, etc.) during equipment operation when operating in close proximity to adjacent land uses where there are no other intervening barriers or buildings to attenuate the noise.
- Monitoring the effectiveness of noise attenuation measures by taking noise measurements.
- Using "quiet" gasoline-powered compressors or electrically powered compressors and electric rather than gasoline- or diesel-powered forklifts for small lifting.

Operational Noise

Traffic Noise

Project implementation would result in a change in the number of vehicle trips that are taken in the Project area. In general, traffic noise increases with increasing traffic volumes; however, a doubling in traffic volumes (a 100 percent increase) equates to a 3 dB increase in noise. As discussed above, an increase of 3 dB is considered to be barely noticeable by the human ear and not a substantial increase. Roadway segments with less than a 100 percent increase in traffic are therefore considered to be segments that would not experience significant traffic noise impacts as a result of the Project.

With respect to existing conditions, the Project would result in fewer vehicle trips than the existing conditions. There are currently 545 vehicle trips per day at the existing uses at the Project site, while implementation of the Project would result in 490 vehicle trips per day. Consequently, the Project would result in 55 fewer vehicle trips per day, and traffic noise would generally become quieter with respect to existing conditions. However, as indicated above, traffic volumes typically require large changes before the corresponding noise is noticeable. Due to the relatively small change in vehicle trips (i.e., 55), the decrease in traffic noise is not expected to be noticeable. Thus, the Project's impacts of traffic noise would be ***less than significant***. This impact was adequately addressed in the General Plan EIR, which identified a potentially significant and unavoidable impact related to noise generated by traffic. The Project would result in a lower impact than what was identified in the General Plan EIR.

HVAC Equipment

The Project would include rooftop mounted mechanical equipment including HVAC. Noise generated by HVAC varies significantly depending on the equipment type, capacity, location and enclosure design. Typical HVAC equipment can produce sound levels in the range of 70 to 75 dBA at 50 feet, depending on the size of the equipment.[102] Detailed HVAC equipment information is not currently known, so it can be assumed that the typical HVAC sound level noted above would be apply to the Project. HVAC equipment is expected to be placed near the middle of the roof.

As discussed previously, the nearest noise-sensitive land use is adjacent to the Project site, in an area where individual residences may be as close as 40 feet horizontally from the site. However,

[102] Hoover and Keith. 2000. Noise Control for Buildings, Manufacturing Plants, Equipment, and Products. Houston, TX.

HVAC equipment at the Project site would be located on top of the sixth floor, which would increase attenuation with the vertical distance between the equipment and the nearest residences. The HVAC units would have no direct line of sight to adjacent structures or the street below. Chapter 15 of the 2040 General Plan EIR concludes that stationary-source noise impacts from HVAC equipment and other non-transportation noise sources would be less than significant because the equipment and sources would be required to comply with the provisions of the Municipal Code that pertain to such sources.[103] Final design of the HVAC equipment would need to meet the most conservative threshold, which is the maximum nighttime (10:00 p.m.–7:00 a.m.) outdoor noise level of 50 dBA as measured at the adjacent receiving property. Noise impacts from rooftop HVAC equipment and other operational noise sources at the Project site would, therefore, be ***less than significant***. This impact was adequately addressed in the General Plan EIR.

b. Generate excessive ground-borne vibration or ground-borne noise levels? (Less than Significant with Mitigation)

Construction

General Plan Policy CS-4.12 requires a vibration impact assessment for proposed projects in which heavy-duty construction equipment would be used (e.g., pile driving, bulldozing) within 200 feet of an existing structure or sensitive receptor and if applicable, requires all feasible mitigation measures to be implemented to ensure that no damage or disturbance to structures or sensitive receptors would occur. Consistent with General Plan Policy CS-4.12, a vibration impact assessment was prepared and is summarized below.

As shown in Table 3-16, the Project would require several different types of construction equipment. Although pile driving would not be required, construction would require the use of other equipment that may generate vibration. The equipment that would be used for Project construction and generate the most vibration during construction would be a bulldozer and caisson drill (see Table 3-12). The bulldozer and drill could operate throughout the Project site and be as close as 25 feet from the adjacent buildings; however, it is possible that the equipment could be even closer to adjacent buildings temporarily. At 25 feet, vibration levels from the bulldozer and drill would be 0.089 inch per second. As shown in Table 3-12, at distances of five feet, the vibration would be 0.995 inch per second. Using the vibration levels noted above, the effects of vibration from a bulldozer and drill during construction with respect to the potential for building damage and human annoyance are discussed below.

Building Damage

The existing buildings in the vicinity of the Project site are of various ages and conditions and thus would have varying susceptibility to damage from ground-borne vibration during construction. Table 3-17 summarizes the guidelines developed by Caltrans for damage potential for buildings from transient and continuous vibration associated with construction activity. Activities that can cause continuous vibration include the use of excavation equipment, static compaction equipment, tracked vehicles, vehicles on a highway, vibratory pile drivers, pile extraction equipment, and vibratory compaction equipment.

[103] City of Burlingame. 2018. *Envision Burlingame Draft Environmental Impact Report.* June 28. Available: https://www.envisionburlingame.org/files/managed/Document/378/BurlingameGP_DEIR_FullDocument_06-28-2018.pdf. Accessed: July 1, 2019.

As shown in Table 3-17, the potential for vibration-induced damage depends on the condition and type of structure. Although there are no definitive criteria for classifying buildings using the Caltrans guidelines in Table 3-17, it is reasonable to conclude, as a worst-case scenario, that the adjacent buildings in the project area would be classified as "historic and some old buildings" or "older residential structures". The damage thresholds for these categories of buildings are 0.25 and 0.3 inches per second (for continuous/frequent intermittent sources of vibration), respectively.

The equipment with the greatest potential to cause ground-borne vibration are a bulldozer or caisson drill. At a reference distance of 25 feet, both of these equipment types would result in a PPV of 0.089, which is below the damage threshold for buildings noted above. At a distance of 5 feet, the equipment would result in PPV of 0.995, which would exceed the damage potential at historic buildings and older residential structures. This is a potentially significant impact, because damage to existing buildings could occur if equipment operates within 5 feet of the buildings. Mitigation Measure NOI-2 would be required, which would ensure that the equipment with the greatest potential to cause vibration impacts would maintain a buffer distance of 25 feet from existing buildings. As noted above, at 25 feet, vibration levels would be below the building damage thresholds. The impact of construction vibration related damage to buildings would be ***less than significant with mitigation***. This impact was adequately addressed in the General Plan EIR.

Table 3-17. Vibration Damage Potential Threshold Criteria Guidelines

	Maximum PPV (in/sec)	
Structure and Condition	**Transient Sources[a]**	**Continuous/Frequent Intermittent Sources[b]**
Extremely fragile historic buildings, ruins, ancient monuments	0.12	0.08
Fragile buildings	0.2	0.1
Historic and some old buildings	0.5	0.25
Older residential structures	0.5	0.3
New residential structures	1.0	0.5
Modern industrial/commercial buildings	2.0	0.5

Source: California Department of Transportation. 2020. *Transportation and Construction Vibration Guidance Manual*. April. Available: https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/tcvgm-apr2020-a11y.pdf. Accessed: May 4, 2020.

[a] Transient sources create a single isolated vibration event (e.g., blasting or use of drop balls).

[b] Continuous/frequent intermittent sources include impact pile drivers, pogo-stick compactors, crack-and-seat equipment, vibratory pile drivers, and vibratory compaction equipment.

Annoyance during Equipment Use

Table 3-18 summarizes the guidelines developed by Caltrans for annoyance potential from transient and continuous vibration associated with construction activity. As shown in Table 3-18, the limit of perceptibility for ground-borne vibration is a PPV of 0.04 and 0.01 inch per second for transient and continuous sources, respectively. Note that people are generally more sensitive to vibration during nighttime hours (when sleeping) than during daytime hours.

As discussed above, the estimated vibration level generated by a bulldozer or drill at 25 feet is a PPV of 0.089 inch per second. Thus, at 25 feet the equipment would cause vibration that would be more than distinctly perceptible but less than strongly perceptible, based on the thresholds for transient sources in Table 3-18. At distances less than 25 feet, the vibration would be strongly perceptible.

Consequently, the Project would generate perceptible ground-borne vibration. The vibration levels of 0.089 inch per second would likely be temporary, because, for the majority of construction, equipment is likely to be at distances greater than 25 feet. Most of the Project site is located at greater distances to the nearest buildings than 25 feet, and, while the equipment is operating throughout the project site, vibration levels would be substantially lower than 0.089 inch per second. Furthermore, vibration-generating activities would be limited to daytime hours and would not occur during nighttime hours. People are generally more sensitive to vibration during evening and nighttime hours when they may be sleeping. Nevertheless, such vibration could occasionally be considered substantial because it would be greater than distinctly perceptible, and this impact is potentially significant.

With mitigation measure NOI-2, vibration impacts would be minimized through the efforts of a designated coordinator who will be responsible for responding to and addressing any complaints received during construction. A reporting program that documents the complaints and actions taken to address the complaints will also be established, and this will ensure vibration that is strongly perceptible and causes an annoyance will be minimized for people residing in adjacent existing buildings. For the reasons discussed above, the impact of construction vibration related to annoyance at adjacent buildings is considered ***less than significant with mitigation***. This impact was adequately addressed in the General Plan EIR.

Table 3-18. Vibration Annoyance Potential Criteria Guidelines

	Maximum PPV (in/sec)	
Human Response	**Transient Sources[a]**	**Continuous/ Frequent Intermittent Sources[b]**
Barely perceptible	0.04	0.01
Distinctly perceptible	0.25	0.04
Strongly perceptible	0.9	0.10
Severe	2.0	0.4

Source: California Department of Transportation. 2020. *Transportation and Construction Vibration Guidance Manual*. April. Available: https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/tcvgm-apr2020-a11y.pdf. Accessed: May 4, 2020.
[a.] Transient sources create a single isolated vibration event (e.g., blasting or use of drop balls).
[b] Continuous/frequent intermittent sources include impact pile drivers, pogo-stick compactors, crack-and-seat equipment, vibratory pile drivers, and vibratory compaction equipment.

Operation

During Project operation, no impact equipment or other equipment associated with substantial ground-borne vibration would be used. ***No impacts*** related to vibration would occur during Project operations. This impact was adequately addressed in the General Plan EIR.

Mitigation Measure NOI-2: Employ Vibration-Reducing Practices and Complaint Reporting during Construction

As construction conditions permit, heavy vibration-producing equipment such as vibratory rollers, large bulldozers, auger drill rigs, loaded trucks, and rock breakers will be located at least 25 feet away from adjacent buildings. During construction, if this type of equipment is required inside 25 feet, alternative techniques that rely on smaller equipment types shall be used. If the use of heavy equipment is required within 25 feet of buildings and no equipment alternatives

are feasible, a designated coordinator shall be responsible for handling and responding to any complaints received during such periods of construction. A reporting program shall be required that documents complaints received, actions taken, and the effectiveness of these actions in resolving disputes. The designated coordinator shall also address and resolve complaints from vibration-related impacts, even if the heavy-vibration equipment is greater than 25 feet from adjacent buildings.

c. Be located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport and expose people residing or working in the Project area to excessive noise levels? (Less than significant)

The Project site is located approximately 0.9 miles from the nearest runway at SFO. The Project would not result in any changes to noise levels at SFO; however, new occupants at the Project site would be exposed to aircraft noise. Although the impact of aircraft noise on new occupants at a Project site does not require evaluation under CEQA,[104] this type of impact is analyzed in the 2040 General Plan EIR. The Project site is not inside the 60 or 65 CNEL contour for SFO, as shown in the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport*.[105] As stated in the 2040 General Plan EIR, impacts related to the exposure of new sensitive land uses to airport noise are considered less than significant because Policies CS-4.7, CS-4.8, and CS-4.9 ensure that new development within the these CNEL contours is adequately protected from aircraft noise at SFO. Because the Project site would not be within the CNEL contours, implementation of 2040 General Plan Policies CS-4.7 to CS-4.9 would not be required. Consistent with the 2040 General Plan EIR, the impact pertaining to aircraft noise would be ***less than significant***. This impact was adequately addressed in the General Plan EIR.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the General Plan EIR, implementation of the Project would not result in any new or more severe significant impacts related to noise and vibration than those identified previously. Implementation of the City's General Plan goals and policies would ensure that potential impacts associated with noise and vibration would be less than significant. The Project would not result in a significant impact peculiar to the Project, a significant impact not previously identified, or a significant impact due to substantial new information. The noise impacts of the Project were adequately addressed in the General Plan EIR, and no further analysis is required.

[104] Pursuant to the recent Supreme Court case decision in the *California Building Industry Association* (*CBIA) vs. Bay Area Air Quality Management District (BAAQMD)* case, CEQA does not require an analysis of how the existing environmental conditions would affect a Project's residents or users unless the project would exacerbate those conditions.

[105] City/County Association of Governments of San Mateo County. 2012. *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport*. p. D-15. November. Available: http://ccag.ca.gov/wp-content/uploads/2014/10/Consolidated_CCAG_ALUCP_November-20121.pdf. Accessed: July 29, 2019.

XIV. Population and Housing

	Significant Impact Peculiar to the Project or Project Site	Significant Impact Not Identified	Significant Impact Due to Substantial New Information	Impact Adequately Addressed in Previous Documents
Would the Project:				
a. Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through the extension of roads or other infrastructure)?	☐	☐	☐	☒
b. Displace a substantial number of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Setting

The Project site is currently developed with a one-story office building (1814 Ogden Drive) and a three-story office building (1820 Ogden Drive). No individuals currently reside at the Project site and for purposes of this analysis, the existing buildings are assumed to be vacant with no employees.

Population

According to the California Department of Finance, the city had a population of approximately 29,746 as of January 1, 2021.[106] Table 3-19 shows ABAG population projections for the city, county, and Bay Area as a whole. As shown, the city population will increase by approximately 1,075 (3.6 percent) by 2025. Projections also indicate that population growth in Burlingame will exceed population growth in the county between 2020 and 2025 (2.5 percent) but be less than that of the Bay Area as a whole (4.6 percent).[107]

Table 3-19. Population Projections (2020 to 2025)

Area	2020	2025	Growth (2020–2025)
City	29,975	31,050	1,075 (3.6%)
County	796,925	816,460	19,535 (2.5%)
Bay Area	7,920,230	8,284,200	395,970 (4.6%)

Source: Association of Bay Area Governments. 2018. *Projections 2040.*

[106] California Department of Finance. 2021. *E-1 Population Estimates for Cities, Counties, and the State with Annual Percent Change—January 1, 2020 and 2021.* Sacramento, CA. May. Available: http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-1/. Accessed: June 29, 2021.

[107] Association of Bay Area Governments. 2018. *Plan Bay Area Projections 2040: A Comparison to Plan Bay Area 2040.* November. Available: https://abag.ca.gov/planning/research/forecasts.html. Accessed: June 29, 2021.

Housing

In 2019, the estimated number of housing units in the city was 12,697,[108] with an average size of 2.47 persons per household.[109] That same year, the city had a housing vacancy rate of approximately 4.3 percent (547 units).[110] In addition, the city had approximately 1.42 workers per worker household.[111]

Table 3-20 presents ABAG projections for households in the city, county, and Bay Area for 2020 to 2025. The number of households in the city is projected to grow from approximately 12,755 in 2020 to 13,190 units in 2025, an increase of approximately 3.4 percent. According to ABAG, the number of households in the county is projected to grow by approximately 2.1 percent, while the Bay Area is expected to grow by approximately 4.4 percent in 5 years.[112]

Table 3-20. Household Projections (2020 to 2025)

Area	2020	2025	Growth (2020–2025)
City	12,755	13,190	435 (3.4%)
County	284,260	290,330	6,070 (2.1%)
Bay Area	2,881,965	3,009,055	127,090 (4.4%)

Source: Association of Bay Area Governments. 2018. *Projections 2040.*

Employment

Table 3-21 presents ABAG projections for the number of jobs in the city, county, and Bay Area for 2020 to 2025. The number of jobs in the city is projected to increase by approximately 0.4 percent because of employment increases in the retail, government, construction, education, and financial sectors; decreases are projected in the manufacturing, wholesale, and transportation sectors. Overall, job growth in the city (0.4 percent) is expected to be lower than job growth in the county (4.0 percent) and the Bay Area (3.2 percent).[113] In Burlingame, the categories with the highest employment levels are transportation, warehousing, and utilities, representing nearly one-third of

[108] U.S. Census Bureau. 2019. *Selected Housing Characteristics, Burlingame, California*. The 2015–2019 American Community Survey, 5-year Estimates, Data Profiles. ID DP04. Available: https://www.census.gov/acs/ https://data.census.gov/cedsci/all?d=ACS%205-Year%20Estimates%20Data%20Profiles. Accessed: June 29, 2021.

[109] U.S. Census Bureau. 2019. *Selected Social Characteristics in the United States, Burlingame, California*. The 2015–2019 American Community Survey, 5-year Estimates, Data Profiles. ID DP02. Available: https://data.census.gov/cedsci/all?d=ACS%205-Year%20Estimates%20Data%20Profiles. Accessed: June 29,2021.

[110] U.S. Census Bureau. 2019. *Selected Housing Characteristics, Burlingame, California*. The 2015–2019 American Community Survey, 5-year Estimates, Data Profiles. ID DP04. Available: https://data.census.gov/cedsci/all?d=ACS%205-Year%20Estimates%20Data%20Profiles. Accessed: June 29, 2021.

[111] U.S. Census Bureau. 2019. *Selected Economic Characteristics, Burlingame, California*. The 2015–2019 American Community Survey, 5-year Estimates, Data Profiles. ID DP03. Available: https://data.census.gov/cedsci/all?d=ACS%205-Year%20Estimates%20Data%20Profiles. Accessed: June 29, 2021.

[112] Association of Bay Area Governments. 2018. *Plan Bay Area Projections 2040: A Comparison to Plan Bay Area 2040.* November. Available: https://abag.ca.gov/planning/research/forecasts.html. Accessed: June 29, 2021.

[113] Ibid.

the jobs in the city. More than 11 percent of the jobs are in the arts, entertainment, recreation, and accommodation and food services. [114]

Table 3-21. Job Projections (2020 to 2025)

Area	2020	2025	Growth (2020–2025)
City	32,335	32,465	130 (0.4%)
County	399,275	415,305	16,030 (4.0%)
Bay Area	4,136,190	4,267,760	131,570 (3.2%)

Source: Association of Bay Area Governments. 2018. *Projections 2040.*

In 2019, approximately 17,271 city residents were employed.[115] Approximately 12 percent of employees work and live in Burlingame, while 22 percent work in other cities around San Mateo County, 18 percent work in San Francisco, 10 percent work in Santa Clara County, and 7 percent work in the East Bay.[116]

General Plan EIR

The General Plan EIR found less-than-significant impacts related to population and housing as well as employment. No mitigation measures were warranted. Although development under the General Plan would create new housing and employment opportunities that could lead to population growth, population increases were assumed to be distributed over an extended period of time. In addition, the General Plan would not result in the displacement of housing or people.

Per the General Plan EIR, the following goals and policies from the 2015–2023 Housing Element and the Community Character Element are applicable to reduce the impacts of future projects to less-than-significant levels: Program H (A-5), Program H (F-1), Program H (F-2), Program H (F-4), Program H (F- 11), Policy CC-1.2, Goal CC-4, Policy CC-4.1, Policy CC-4.3, Policy CC-4.4, Policy CC-4.9, Policy CC-8.4, Policy CC-9.2, Policy CC-10.1, Policy CC-11.3, and Policy CC-12.3.

The 2015–2023 Housing Element quantifies the city's projected increase in housing, consistent with the ABAG fair share quantity of 863 units (broken down further into four income categories) by 2023, is achievable by new construction alone, and that with rehabilitation, and conservation, the City could provide 1,066 housing units by 2023.[117] The newly adopted 2040 General Plan includes an updated projected growth scenario for the city through 2040, estimating a 23 percent increase in

[114] City of Burlingame. 2015. *City of Burlingame: 2015–2023 Housing Element*. Adopted: January 5, 2015. Available: https://www.burlingame.org/document_center/Planning/General%20and%20Specific%20Plans/Housing%20Element%20-%20updated%202015.pdf. Accessed: June 29, 2021.

[115] U.S. Census Bureau. 2019. *Selected Economic Characteristics, Burlingame, California*. The 2015–2019 American Community Survey, 5-year Estimates, Data Profiles. ID DP03. Available: https://data.census.gov/cedsci/all?d=ACS%205-Year%20Estimates%20Data%20Profiles. Accessed: June 29, 2021.

[116] City of Burlingame. 2015. *City of Burlingame: 2015–2023 Housing Element*. Adopted: January 5, 2015. Available: https://www.burlingame.org/document_center/Planning/General%20and%20Specific%20Plans/Housing%20Element%20-%20updated%202015.pdf. Accessed: June 29, 2021.

[117] City of Burlingame. 2015. *City of Burlingame: 2015–2023 Housing Element*. Adopted: January 5, 2015. Available: https://www.burlingame.org/document_center/Planning/General%20and%20Specific%20Plans/Housing%20Element%20-%20updated%202015.pdf. Accessed: June 29, 2021.

the city's population over 2016 conditions, to a build-out population of 36,600 residents. This includes 2,951 new housing units and 9,731 new jobs. [118]

Discussion

a. Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)? (Less than Significant)

Construction

Construction of the Project would increase construction employment directly; however, this would be temporary, occurring only during the 17-month construction period. The size of the construction workforce would vary during the different phases of construction. Given the relatively common nature of the anticipated construction, the demand for construction employment would most likely be met with the existing and future labor market in the city as well as San Mateo County. A substantial number of workers from outside the city or county would not be expected to relocate temporarily or commute long distances. Therefore, impacts associated with inducing substantial population growth during construction would be ***less than significant***.

Operation

Operation of the Project would result in a direct population increase due to the proposed onsite residential units. The Project would include the construction of a new residential building with 90 residential units, including five BMR units. Of the 90 residential units, 20 of these units would be studios, 15 would be one-bedroom units, and 55 would be two-bedroom units.[119] Given the average household size in the city, the Project could generate approximately 222 residents.[120]

Upon buildout occupancy in 2023, the 222 new residents would represent approximately 0.7 percent of the city's projected total population[121] and approximately 20.7 percent of the city's population growth from 2020 to 2025. Therefore, the increase in population associated with the Project would be within the city's anticipated growth projections and would not result in substantial unplanned population growth. In addition, the Project would ultimately help to accommodate population growth projections for Burlingame by creating more residential housing. Therefore, the Project would not result in substantial population growth beyond that expected for the city.

The Project is an infill development within an already-developed area of the city. The Project site is well served by urban infrastructure, services, and transit. As described in Section XIX, *Utilities and Service Systems*, the utilities that currently serve the Project site are adequate under existing conditions and would be able to continue serving the site during Project operations. No infrastructure is proposed as part of the Project that would serve offsite areas. Therefore, the utility connections that would be required for the Project would not contribute to unplanned indirect population growth in offsite areas. The Project would not induce a substantial level of unplanned

[118] City of Burlingame. 2019. *Burlingame General Plan*. Adopted: November.

[119] Below-market-rate units are for low-income households (i.e., income does not exceed 80 percent of the average median income).

[120] Calculation: 90 units x 2.47 residents per unit = ~222 Project generated residents.

[121] The ABAG City of Burlingame population projections for year 2025 are used as a proxy for the projected population during Project occupancy.

population growth in the city, either directly or indirectly. Impacts, which were adequately addressed in the General Plan EIR, would be ***less than significant***.

b. Displace a substantial number of existing people or housing, necessitating the construction of replacement housing elsewhere? (No Impact)

The Project would include demolition of the one-story office building at 1814 Ogden Drive and three-story office building at 1820 Ogden Drive. However, because the Project site is currently unoccupied, the Project would not displace people or housing and would not necessitate the construction of replacement housing elsewhere. The Project would result in ***no impact***; this was adequately addressed in the General Plan EIR.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the General Plan EIR, implementation of the Project would not result in any new or more severe significant impacts related to population and housing than those identified previously. Implementation of the City's General Plan goals and policies would ensure that potential impacts associated with population and housing would be less than significant. The Project would not result in a significant impact peculiar to the Project, a significant impact not previously identified, or a significant impact due to substantial new information. The population and housing impacts of the Project were adequately addressed in the General Plan EIR, and no further analysis is required.

XV. Public Services

	Significant Impact Peculiar to the Project or Project Site	Significant Impact Not Identified	Significant Impact Due to Substantial New Information	Impact Adequately Addressed in Previous Documents
Would the Project:				
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or a need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:				
Fire protection?	☐	☐	☐	☒
Police protection?	☐	☐	☐	☒
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒

Setting

Fire Protection

The Central County Fire Department (CCFD) provides fire protection services within Burlingame, Millbrae, and Hillsborough. In total, the CCFD service area covers almost 15 square miles, with a residential population of approximately 61,344. CCFD has 88 full-time employees and six engine companies and one truck company to serve the communities.[122] There are six fire stations in the CCFD's jurisdiction, two of which are in Burlingame. The closest CCFD station to the Project site is Fire Station No. 37, at 511 Magnolia Avenue in Millbrae, approximately 0.80 mile from the Project site.[123] The CCFD's goal is to keep response times under 6 minutes. The CCFD responded to 86 percent of emergency calls within 6 minutes, with a current response time of approximately 5 minutes and 43 seconds.[124]

Police Protection

The Burlingame Police Department (BPD) provides emergency police services within a 5-square-mile area with approximately 30,000 residents.[125] BPD has one police station at 1111 Trousdale Drive. BPD employs 69 men and women, including 40 full-time sworn officers, resulting in a ratio of 1.30 officers per 1,000 residents.[126] The 2040 General Plan Community Safety Element does not designate a standard ratio for police officers to residents or a standard emergency response time.

[122] Central County Fire Department. 2021. *Fiscal Year 2021–2022 Adopted Budget*. Available: https://ccfd.org/wp-content/uploads/2021/05/Adopted-Budget-Book-Web.pdf. Accessed: July 1, 2021.

[123] Ibid.

[124] Ibid.

[125] City of Burlingame Police Department. 2020. *2019-20 Comprehensive Annual Financial Report*. Available: https://cms6.revize.com/revize/burlingamecity/Burlingame%20CAFR%20FY20.pdf. Accessed: July 1, 2021.

[126] City of Burlingame Police Department. 2018. *About Us*. Available: https://www.burlingame.org/departments/police_department/about_us.php. Accessed: July 1, 2021.

However, the 2040 General Plan does require continued maintenance of optimal police staffing levels to meet community safety needs. The current emergency response time is 4 minutes, 37 seconds.[127]

Schools

The Burlingame School District (BSD) is responsible for six elementary schools and one intermediate school.[128] Total student enrollment was 3,534 in the 2019–2020 school year.[129] In addition, Burlingame High School, part of the San Mateo Union High School District (SMUHSD), is located in Burlingame.[130] In total, the SMUHSD serves approximately 9,000 students, and enrollment grows every year.[131]

The Project site is within the service area for Franklin Elementary School. It is also within the service area for Burlingame Intermediate School and Burlingame High School. Table 3-22 provides enrollment information for the three schools from the 2019–2020 school year, the most recent data available.

Table 3-22. Public Schools Serving the Project Area

School	2019–2020 School Year Enrollment
Franklin Elementary School	456[a]
Burlingame Intermediate School	1,113[b]
Burlingame High School	1,528[c]

Source: California Department of Education. 2021.
[a] California Department of Education. 2020. *Franklin Elementary*. Available: http://www.ed-data.org/school/San-Mateo/Burlingame-Elementary/Franklin-Elementary. Accessed: July 29, 2021.
[b] California Department of Education. 2020. *Burlingame Intermediate*. Available: http://www.ed-data.org/school/San-Mateo/Burlingame-Elementary/Burlingame-Intermediate. Accessed: July 1, 2021.
[c] California Department of Education. 2020. *Burlingame High*. Available: http://www.ed-data.org/school/San-Mateo/San-Mateo-Union-High/Burlingame-High. Accessed: July 1, 2021.

Parks

Please see Section XVI, *Recreation*, for a discussion about parks and recreational facilities in Burlingame.

Other Public Facilities

The Millbrae Public Library, at 1 Library Avenue, is the closest public library to the Project site. The Millbrae Public Library is part of the Peninsula Library System, which serves the eastern portions of

[127] Boll, Robert. Captain, Burlingame Police Department. May 21, 2020—voicemail left for Caroline Vurlumis, ICF, San Francisco, CA.
[128] Burlingame School District. 2018. *Burlingame School District, District Boundaries*. Available: https://www.bsd.k12.ca.us/districtboundaries1617. Accessed: July 1, 2021.
[129] Education Data Partnership. 2021. *Burlingame Elementary*. Available: http://www.ed-data.org/district/San-Mateo/Burlingame-Elementary. Accessed: July 1, 2021.
[130] Burlingame High School. 2021. *Burlingame High School: Vision, Mission, and Values*. Available: https://www.smuhsd.org/Page/1431. Accessed: July 1, 2021.
[131] San Mateo Union High School District. 2021. *Welcome to the San Mateo Union High School District!* Available: https://www.smuhsd.org/domain/46. Accessed: August 3, 2020.

San Mateo County, from South San Francisco to Menlo Park. The Millbrae Public Library serves Burlingame and Hillsborough residents as well as any resident within the library system.

General Plan EIR

The General Plan EIR, found less-than-significant impacts related to public services. No mitigation measures or Standard Conditions of Approval (SCAs) were warranted. The following General Plan goals and policies from the Community Safety Element, the Education and Enrichment Element, and the Healthy People and Healthy Places Element would help to reduce the less-than-significant impacts: Goal CS-1, Policy CS-1.1, Policy CS-1.2, Policy CS-1.3, Goal CS-2, Policy CS-2.1, Policy CS-2.3, Policy EE-1.3, Policy EE-1.4, Policy EE-1.10, Policy EE-1.13, Goal HP-4, Policy HP-4.1, Policy HP-4.4, Policy HP-4.6, and Policy HP-4.8.

Discussion

a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or a need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:

Fire Protection (Less than Significant)

The Project would construct a new building with residential uses on the Project site, which is already developed and currently served by the CCFD. The Project would add approximately 222 new residents to the city. The Project would be required to comply with all applicable CCFD codes and regulations and meet CCFD standards related to fire hydrants (e.g., fire-flow requirements, hydrant spacing), the design of driveway turnaround areas, and access points, among other standards.

Under CEQA, the need for additional equipment and/or personnel to support fire services is not considered a significant impact, unless new facilities would need to be constructed, thereby resulting in physical impacts. The approximately 222 new residents at the Project site would be considered a small addition of residents to the city and would represent an approximately less than one percent increase in the city's population. Therefore, the Project would not increase the need for fire services, staffing, and/or equipment to the extent that new fire facilities would need to be constructed, resulting in a ***less-than-significant*** impact. This impact was adequately addressed in the General Plan EIR.

Police Protection (Less than Significant)

The Project site is currently served by the BPD. The 2040 General Plan Community Safety Element does not designate a standard ratio for police officers to residents or a standard emergency response time. However, it does require continued maintenance of optimal police staffing levels, which are necessary to meet community safety needs.[132] The 2040 General Plan EIR referenced the

[132] City of Burlingame. 2019. *Envision Burlingame General Plan*. Available: https://cms6.revize.com/revize/burlingamecity/document_center/Planning/General%20and%20Specific%20Plans/BurlingameGP_Final_Nov2019_COMPLETE%20DOCUMENT.pdf. Accessed: July 2, 2021.

"238 Bypass Fiscal Impact Analysis" metric, which establishes an optimum ratio of 1.5 sworn police officers per 1,000 residents.[133]

The Project would add approximately 222 residents at the site compared with existing conditions. The 2040 General Plan EIR, adopted in 2018, found that the BPD has not identified the need for any new or expanded facilities to meet service needs.[134] In addition, the estimated service ratio of sworn officers to residents is currently 1.3 sworn officers to 1,000 residents.[135, 136] The addition of 222 residents to the population would not substantially decrease this optimum service ratio.[137]

Under CEQA, the need for additional equipment and/or personnel to support police services is not considered a significant impact, unless new facilities would need to be constructed, thereby resulting in physical impacts. The increase in the number of residents at the Project site would be considered minimal compared with the population in the rest of the city. Therefore, the Project would not increase the need for police services or staffing to the extent that new police facilities would need to be constructed, resulting in a ***less-than-significant*** impact. This impact was adequately addressed in the General Plan EIR.

Schools (Less than Significant)

As discussed in more detail in Section XIV*, Population and Housing*, the Project would induce up to 222 individuals to move to the city of Burlingame. The BSD uses a student generation rate of 0.2067 student per housing unit for elementary schools and a generation rate of 0.0525 for middle schools.[138] For high schools, the state high school student generation rate is 0.2 student per housing unit.[139] Using these student generation rates, 222 additional residences in the city could result in up to 46 elementary school students, 12 middle school students, and 45 high school students, which is not anticipated to result in a significant impact on the BSD or the SMUHSD.

The Project is subject to SB 50 school impact fees, as established by the Leroy F. Greene School Facilities Act of 1998. These fees support facility maintenance to offset potential impacts from additional use.[140] Section 65996 of the State Government Code notes that payment of the school impact fees established by SB 50, which may be required by any state or local agency, is deemed to constitute full and complete mitigation for school impacts from development. Therefore, the impacts, which were adequately addressed in the General Plan EIR related to schools, would be ***less than significant***.

---

[133] City of Burlingame. 2018. *Burlingame 2014 General Plan: Draft Environmental Impact Report.* https://www.burlingame.org/document_center/Planning/BurlingameGP_DEIR_FullDocument_06-28-2018.pdf. Accessed: July 2, 2021.

[134] Ibid.

[135] The population of Burlingame in 2021 was estimated to be approximately 29,746 (see Section XIV*, Population and Housing*). The number of sworn officers is 40.

[136] 1.3 sworn officers per 1,000 residents = (40 sworn officers/29,746 [population]) × 1,000 residents.

[137] 1.3 sworn officers per 1,000 residents = [40 sworn officers/29,746 [population] + 222 [Project population]) × 1,000 residents.

[138] SchoolWorks, Inc. 2016. *Level 1 – Developer Fee Justification Study for Burlingame School District*. Available: http://bsd-ca.schoolloop.com/file/1236520987086/1403330967436/5172072493375788958.pdf. Accessed: July 2, 2021.

[139] State Allocation Board, Office of Public School Instruction. 2008. *Enrollment Certification/Projection*. Available: https://www.dgsapps.dgs.ca.gov/OPSC/ab1014/sab50-01instructions.pdf. Accessed: July 2, 2021.

[140] State of California. 1998. *School Facilities Bond Act*. Available: http://www.leginfo.ca.gov/pub/97-98/bill/sen/sb_0001-0050/sb_50_bill_19980827_chaptered.html. Accessed: July 2, 2021.

Parks (Less than Significant)

The closest public parks to the Project site are Village Park and Ray Park, which are 0.65 mile and 0.50 mile from the Project site, respectively. As explained in more detail in Section XVI, *Recreation*, a significant increase in the use of public parks, recreational facilities, or other public facilities is not anticipated after Project buildout. Furthermore, substantial adverse physical impacts that would require the provision of new or physically altered park facilities after Project buildout would not occur. Because the Project would not trigger the need for new park facilities, the impacts would be ***less than significant***. This impact was adequately addressed in the General Plan EIR.

Other Public Facilities? (Less than Significant)

The Project would add approximately 222 individuals to the Project site and the city. The Millbrae Main Public Library is closest to the Project site; however, it is expected that Project-induced Burlingame residents would also use the Burlingame Public Library's Easton Branch Library and the Burlingame Public Library's Main Library, in addition to other libraries within the Peninsula Library System. The library system is expected to be able to accommodate the increase in the number of library users. Because the Project would not trigger the need for new library facilities, the impacts would be ***less than significant***. This impact was adequately addressed in the General Plan EIR.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the General Plan EIR, implementation of the Project would not result in any new or more severe significant impacts related to public services than those identified previously. Implementation of existing rules and regulations governing public services, along with the City's General Plan goals and policies, would ensure that potential impacts would be less than significant. The Project would not result in a significant impact peculiar to the Project, a significant impact not previously identified, or a significant impact due to substantial new information. The public services impacts of the Project were adequately addressed in the General Plan EIR, and no further analysis is required.

XVI. Recreation

	Significant Impact Peculiar to the Project or Project Site	Significant Impact Not Identified	Significant Impact Due to Substantial New Information	Impact Adequately Addressed in Previous Documents
Would the Project:				
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	☐	☐	☐	☒
b. Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☐	☒

Setting

The City of Burlingame Parks and Recreation Department manages 18 recreational facilities citywide, including playgrounds, picnic areas, gardens, athletic facilities, walking trails, and more. Two of these parks are near the Project site. Village Park and Ray Park are the parks nearest to the Project site, and are 0.65 mile and 0.50 mile from the Project site, respectively. In addition, the City of Millbrae Recreation Department manages other nearby recreational facilities, including Spur Trail Phase I, which is 0.35 mile from the Project site. It contains a walking trail and a skate park.

The 2040 General Plan identifies the northern portion of the city as an area that needs additional park facilities to support future planned development and associated population growth. In consideration of this need, the city requires new residential development in the northern portion of the city to include green spaces and/or gathering areas that are publicly accessible.[141] Per Chapter 25.40.030 of the Municipal Code, NBMU zoning standards require the Project to provide a minimum of 100 square feet of private, common, or combined open space for each dwelling unit, with at least 10 percent of the development site consisting of landscaping features.

General Plan EIR

The General Plan EIR found less-than-significant impacts related to recreation. No mitigation measures were warranted. The following General Plan goals and policies from the Healthy People and Healthy Places Element would help reduce the less-than-significant impacts: Goal HP-4, Policy HP-4.1, Policy HP-4.4, Policy HP-4.6, and Policy HP-4.8.

[141] City of Burlingame. 2019. *Envision Burlingame General Plan*. Chapter 9: Healthy People and Healthy Places. Available: https://www.burlingame.org/document_center/Planning/General%20and%20Specific%20Plans/BurlingameGP_Adopted_Jan2019_Chapter9%20(Health).pdf. Accessed: July 2, 2021.

Discussion

a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated? (Less than Significant)

As described in Section XIV, *Population and Housing,* the Project is expected to generate approximately 222 new residents in the city. It is expected that some of these residents would use the park and recreational facilities near the Project site. However, the Project would include a combination of common and private open space, totaling 16,299 square feet. The proposed open space would include landscaped areas, a public plaza on the ground floor, a public courtyard podium on the second floor, and private balconies for the residential units. The Project would exceed the open space requirements for the NBMU zone. It is expected that many residents would use the onsite open areas for recreational purposes, which would minimize potential Project-related effects on park facility service ratios. Through compliance with NBMU zoning requirements pertaining to the development of open space, the potential for park facility deterioration resulting from the increased population at the Project site would be reduced. Therefore, impacts would be ***less than significant***. This impact was adequately addressed in the General Plan EIR.

b. Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment? (Less than Significant)

As mentioned above, the Project would provide onsite open space (e.g., landscaped areas, a public plaza and courtyard with seating areas, and private balconies). The open space areas would serve as recreational areas for many current and future residents at the Project site. Construction of these new open spaces would not have an adverse physical impact on the environment. Furthermore, although the Project would add residents to the area, the Project would not trigger the need for construction or expansion of parks or other recreational facilities. Therefore, the Project would have a ***less-than-significant*** impact related to an adverse physical effect on the environment due to the construction or expansion of recreational facilities. This impact was adequately addressed in the General Plan EIR.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the General Plan EIR, implementation of the Project would not result in any new or more severe significant impacts related to recreation than those identified previously. Implementation of existing rules and regulations governing recreation, along with the City's General Plan goals and policies, would ensure that potential impacts to recreational facilities would be less than significant. The Project would not result in a significant impact peculiar to the Project, a significant impact not previously identified, or a significant impact due to substantial new information. The recreation impacts of the Project were adequately addressed in the General Plan EIR, and no further analysis is required.

XVII. Transportation

	Significant Impact Peculiar to the Project or Project Site	Significant Impact Not Identified	Significant Impact Due to Substantial New Information	Impact Adequately Addressed in Previous Documents
Would the Project:				
a. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☐	☐	☒
b. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	☐	☐	☐	☒
c. Substantially increase hazards because of a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
d. Result in inadequate emergency access?	☐	☐	☐	☒

Setting

A Transportation Impact Analysis (TIA) was prepared by Hexagon Transportation Consultants in August 2020 (see Appendix G). The TIA describes existing and future conditions for transportation with and without the Project. In addition, the TIA includes information on the regional and local roadway networks, pedestrian and transit conditions, and transportation facilities associated with the Project.

The Project is expected to 56 fewer daily trips, with 41 fewer trips (-38 in and -3 out) occurring during the AM peak hour and 40 fewer trips (-7 in and -33 out) occurring during the PM peak hour. The trip estimates account for the trip credits for the existing uses onsite.

Bicycle facilities in the vicinity of the project site include bike/pedestrian paths, bike lanes, and bike routes. Bike/pedestrian paths (Class I facilities) are off-street paths with exclusive right-of-way for non-motorized transportation used for commuting as well as recreation. Bike lanes (Class II facilities) are lanes on roadways designated for use by bicycles with special lane markings, pavement legends, and signage. Bike routes (Class III) are existing rights-of-way that accommodate bicycles but are not separate from the existing travel lanes.

Existing public transit services in the study area are provided by the SamTrans, San Mateo County's Transportation Demand Management Agency (commute.org), Caltrain, and BART. The nearest bus stop is located on Trousdale Drive at Magnolia Avenue, approximately 1,050 feet from the Project site, and is served by SamTrans Route 46 on school days, during school start and end hours. The next closest bus stops are located on El Camino Real at the Trousdale Drive intersection, approximately 1,560 feet from the Project site, which is served by SamTrans Routes ECR and 397. The Project site is also approximately 0.5 miles from the MMTC (estimated walking distance of approximately 0.8 mile, about a 15 minute walk). The station is served by Caltrain baby bullet, limited, and local lines, BART Richmond–Millbrae line (Red) and Millbrae-SFO-Antioch line

(Purple/Yellow), three SamTrans bus routes (ECR, 38, 397, SFO), three shuttle routes (NB, BAY, NFC) operated by commute.org, and one shuttle route (MB) operated by Caltrain.

General Plan EIR

The General Plan EIR found that General Plan goals, policies, and implementation programs would limit most of transportation and circulation impacts to a less-than-significant level or result in no impact. The following goals and policies from the Mobility Element would reduce impacts related to transportation: Goal M-1, Policy M-1.1, Policy M-3.1, Goal M-4, Policy M-4.1, Goal M-5, Policy M-5.1, and Policy M-9.2. In most cases, no one goal, policy, or implementation measure is expected to completely avoid or reduce an identified potential environmental impact. However, the cumulative mitigating benefits of the policies listed above would result in a less-than-significant impact.[142]

Discussion

a. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities? (Less than Significant with Mitigation)

Construction

Heavy equipment would be transported on and off the site throughout demolition and construction of the Project. The transport of heavy equipment to and from the Project site could cause traffic impacts in the vicinity of the site during construction, which would be a potentially significant impact. In accordance with Mitigation Measure TRA-1, prior to issuance of grading and building permits, the applicant would be required to submit a Traffic Control Plan. With implementation of Mitigation Measure TRA-1, demolition and construction activities associated with the Project would not lead to noticeable congestion in the vicinity of the site or the perception of decreased traffic safety. The impact regarding conflicts with applicable plans during construction would be ***less than significant with mitigation.***

Mitigation Measure TRA-1: **Traffic Control Plan**

Prior to issuance of grading and building permits, the applicant shall submit a Traffic Control Plan to the City. The requirements of the Traffic Control Plan include, but are not limited to, the following: Truck drivers shall be notified of and required to use the most direct route between the site and U.S. 101, as determined by the City Engineering Department; all site ingress and egress shall occur only at the main driveways to the Project site; specifically designated travel routes for large vehicles shall be monitored and controlled by flaggers; warning signs, indicating frequent truck entry and exit points, shall be posted on adjacent roadways, if requested; and any debris or mud on nearby streets caused by trucks shall be monitored daily, which may require instituting a street cleaning program.

Operation

- **C/CAG Congestion Management Program (CMP)**: The CMP includes requirements for a level-of-service analysis for a freeway segment when the number of trips added by a project is

[142] The General Plan EIR also included conclusions about level of service. However, since impacts to LOS are not considered an impact under CEQA, LOS is not considered in this document.

expected to be greater than 1 percent of the segment's capacity. It is estimated that the Project would generate 56 fewer daily trips, with 41 fewer trips occurring during the AM peak hour and 40 fewer trips occurring during the PM peak hour. The number of new trips generated by the Project is expected to be considerably less than the 1 percent threshold for all freeway segments in the area. Therefore, a detailed freeway segment analysis was not performed. In addition, the CMP requires developments that are estimated to generate 100 or more new peak-hour trips to implement TDM measures (e.g., provide trip credits equal to or greater than a project's net peak-hour trip generation). Implementation of a TDM Plan would not be required; however, the Project has identified that it would include a TDM Plan (see Appendix A)***.*** Because of the limited peak trips generated, the Project would be consistent with the CMP, and the impact associated with conflicts with the CMP would be ***less than significant***. This impact was adequately addressed in the General Plan EIR.

- **Transit**: The 2040 General Plan has a goal to improve transit access, frequency, connectivity, and amenities to increase transit ridership and convenience. The Project site is well-served by transit. The Project is located within a quarter of a mile of El Camino Real and SamTrans Route ECR. El Camino Real is considered a high-quality transit corridor, as evidenced by the 15-minute headways during peak hours on SamTrans Route ECR. In addition, the Project site is approximately 0.5 miles from the MMTC (an estimated walking distance of approximately 0.8 mile, about a 15 minute walk). Both cycling and walking are feasible to reach the MMTC. It is assumed that the bus and transit services at the MMTC would have adequate capacity and would be able to accommodate this minor increase in ridership. The Project would not interfere with any existing bus route and would not remove or relocate any existing bus stops. The Project would not remove any transit facilities, nor would it conflict with any adopted plans or policies associated with new transit facilities. The Project's proximity to the MMTC makes it consistent with the City of Burlingame's General Plan Goal M-6, which encourages development that is supportive of transit use. Therefore, the Project's impact on transit services would be ***less than significant***, and the Project would be consistent with goals identified by the City. This impact was adequately addressed in the General Plan EIR.
- **Bicycle Facilities**: The 2040 General Plan has a goal to develop a network of high-quality, convenient, safe, and easy-to-use bicycle facilities to increase the number of people who use bicycles for everyday transportation. The City Bicycle Transportation Plan has goals to improve existing bicycle routes, promote safe bicycle travel, and establish new connections.[143] Currently, there are bicycle facilities in the immediate vicinity of the Project site. Specifically, there is a bike route on Trousdale Drive, which can connect to the bike lane on California Drive and lead to the MMTC. There are some planned additional bicycle facilities in the study area, including a bike route along Millbrae Avenue between Old Bayshore Highway and California Drive. Although the Project could add additional bicycle trips, bicyclists would be able to use existing or planned facilities. The Project would include bicycle parking on at the basement and ground level of the building. The Project would not remove any bicycle facilities, nor would it conflict with any adopted plans or policies for new bicycle facilities. Therefore, the Project's impact on bicycle facilities would be ***less than significant***, and the Project would be consistent with goals identified by the City. This impact was adequately addressed in the General Plan EIR.

[143] City of Burlingame. 2004. *Bicycle Transportation Plan.* October 18. Available: https://www.burlingame.org/document_center/Planning/General%20and%20Specific%20Plans/Bicycle%20Transportation%20Plan.pdf. Accessed: June 1, 2020.

- **Pedestrian Facilities**: The 2040 General Plan has a goal to ensure that Burlingame's streets are comfortable, safe, and attractive for people of all ages and abilities to walk. Pedestrian facilities in the study area consist of sidewalks, crosswalks, and signals at signalized intersections. Within a typical walking distance (a half mile or 10 minutes), continuous pedestrian facilities are present between the site and the surrounding land uses, including bus stops in the area and the nearby MMTC. The Project frontage would be set back with a pedestrian plaza between the building and the sidewalk. Overall, the Project would improve pedestrian facilities at the Project site. Therefore, the Project's impact on pedestrian facilities would be ***less than significant***, and the Project would be consistent with goals identified by the City. This impact was adequately addressed in the General Plan EIR.

b. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)? (Less than Significant)

SB 743, which was codified in Public Resources Code Section 21099, resulted in changes to the CEQA Guidelines. Public Resources Code Section 21099 identifies that VMT as the appropriate metric to measure transportation impacts. Public Resources Code Section 21099 also identifies that LOS or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment. Thus, this analysis focuses on the potential impacts on VMT.

The Project's transportation impact on VMT was evaluated based on the CEQA Guidelines published by Governor's Office of Planning and Research. According to CEQA Guidelines, projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact. The Project is located within a quarter of a mile of El Camino Real and SamTrans Route ECR. El Camino Real is considered a high-quality transit corridor, as evidenced by the 15-minute headways during peak hours on SamTrans Route ECR. In addition, the Project site is approximately 0.5 miles from the MMTC (estimated walking distance of approximately 0.8 mile, about a 15 minute walk). The Project is, therefore, expected to have ***a less-than-significant impact*** on vehicles miles travelled. In addition, the Project would include a TDM Plan (see Appendix A), which is expected to reduce VMT from the Project by promoting use of alternative transportation methods, which would reduce the number of peak hour trips. This impact was adequately addressed in the General Plan EIR.

c. Substantially increase hazards because of a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Less than Significant)

Chapter 7 of the TIA (Appendix G) provides a review of the Project design, including a review of traffic volume, geometric design, sight distance, and operations. The TIA found that the proposed driveway met the necessary width requirements for a parking area with more than 30 vehicle spaces, by providing a 21-foot driveway, with a 20-foot entrance to the garage, and the necessary inbound stacking space into the driveway. With respect to sight distance, the TIA found that the sight distance (180 feet) for traffic north of Trousdale Drive is adequate. However, because on-street parking is present on Ogden Drive along the Project frontage and adjacent to the new proposed driveway, it could obstruct the vision of exiting drivers from the driveway. The Project would include red curbs next to the Project driveway to avoid issues associated with on-street parking obstructing the vision of exiting drivers. With respect to operations, the TIA found that the maximum queue would not be expected to affect the onsite circulation. The project is estimated to generate 23 fewer southbound left-turn trips in the AM peak hour and 12 new southbound left-turn

trips in the PM peak hour compared to the existing buildings. The vehicle delay would be 9 seconds per vehicle in the AM and PM peak hours for the left-turn movement. The short delay is not expected to affect traffic flow on southbound Ogden Drive. In addition, although vehicles turning into the project site from Ogden Drive may block the travel lane momentarily due to vehicles slowing down to turn into the driveway, this would not have a significant effect on traffic operations. Impacts would be ***less than significant***. This impact was adequately addressed in the General Plan EIR.

d. Result in inadequate emergency access? (Less than Significant)

The Project would not change the existing roadway system. The Project site would be easily accessible should emergency vehicles be called to the site. Emergency vehicle access would be provided via El Camino Real, Millbrae Avenue, Trousdale Drive, and Murchison Drive, and the proposed driveway on Ogden Drive. Adequate emergency access would be provided from the proposed driveways. Vehicle access to the parking garage would be provided via a new full-access driveway on Ogden Drive. The Project would close the existing outbound only driveway and convert the existing inbound only driveway into a new full access driveway. No internal site circulation or access issues have been identified that would result in a traffic safety problem or unusual traffic congestion or delay. Therefore, the Project would have a ***less-than-significant impact*** on emergency vehicle access, which was adequately addressed in the General Plan EIR.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the General Plan EIR, implementation of the Project would not result in any new or more severe significant impacts related to transportation than those identified previously. Implementation of existing rules and regulations governing recreation, along with the City's General Plan goals and policies, would ensure that potential impacts to transportation impacts would be less than significant. . In addition, implementation of Mitigation Measure TRA-1, specific to the Project, which would require implementation of a traffic control plan, would reduce any impacts from traffic during construction. The Project would not result in a significant impact peculiar to the Project, a significant impact not previously identified, or a significant impact due to substantial new information. The transportation impacts of the Project were adequately addressed in the General Plan EIR, and no further analysis is required.

XVIII. Tribal Cultural Resources

	Significant Impact Peculiar to the Project or Project Site	Significant Impact Not Identified	Significant Impact Due to Substantial New Information	Impact Adequately Addressed in Previous Documents
Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as 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:				
a. Listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources, as defined in Public Resources Code Section 5020.1(k), or	☐	☐	☐	☒
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒

Setting

Tribal cultural resources were originally identified as a distinct CEQA environmental category with the adoption of AB 52 in September 2014. For all projects that are subject to CEQA and received a Notice of Preparation (NOP), notice of negative declaration, or MND on or after July 1, 2015, AB 52 requires the lead agency on a proposed project to consult with the geographically affiliated California Native American tribes. The legislation creates a broad new category of environmental resources, tribal cultural resources, that must be considered under CEQA. AB 52 requires a lead agency to consider the not only resource's scientific and historical value, but also whether it is culturally important to a California Native American tribe.

AB 52 defines tribal cultural resources as sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are included in or determined to be eligible for inclusion in the CRHR, included in a local register of historical resources, as defined in PRC Section 5020.1(k), or determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to the criteria of PRC Section 5024.1(c) (CEQA Section 21074).

The Project site is in the homeland of the Ohlone Native American tribe. The NAHC was contacted on May 11, 2021, and asked to conduct a search of its Sacred Lands File (SLF) and to provide a list of California Native American tribes that have a cultural affiliation with the geographic area of the Project site. On May 26, 2021, the NAHC indicated that the search of its Sacred Lands File identified sacred lands in the vicinity of the Project site and provided a list of eight tribal representatives. On

May 27, 2021, ICF, on behalf of the City of Burlingame, emailed letters to the eight individuals identified by the NAHC. The emails included a brief description of the Project, the results of a literature record search, Project location maps, and a request for comments, concerns, or knowledge regarding sacred lands or heritage sites in the Project area. The following individuals were contacted:

- Irenne Zwierlein, Amah Mutsun – Tribal Bank of Mission San Juan Bautista
- Ann Marie Sayers – Indian Canyon Mutsun Band of Costanoan
- Kanyon Sayers-Roods – Indian Canyon Mutsun Band of Costanoan
- Charlene Nijmeh – Muwekma Ohlone Indian Tribe of the SF Bay Area
- Monica Arellano – Muwekma Ohlone Indian Tribe of the SF Bay Area
- Andrew Galvan – Ohlone Indian Tribe
- Tony Cerda – Costanoan Rumsen Carmel Tribe
- Kenneth Woodrow – Wuksache Indian Tribe/Eshom Valley Band

Follow-up calls were made on August 5, 2021. To date, no responses have been received from the Native American tribes. Appendix E contains the letter that was sent from the NAHC and a record of ICF's communication with Native American Tribes.

General Plan EIR

The General Plan EIR found less-than-significant impacts related to tribal resources with implementation of governing rules and regulations. Tribal consultation was conducted for the General Plan EIR during the NOP process; no tribes responded to the NOP. The General Plan EIR concluded that no one goal, policy, or implementation measure would be expected to completely avoid or reduce an identified potential impact on tribal resources. However, implementation of existing regulations and policies were found to reduce impacts to less than significant.

Discussion

Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as 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:

a. Listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources, as defined in Public Resources Code Section 5020.1(k)? (Less than Significant)

or

b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? (Less than Significant with Mitigation)

The Project would include mass excavation to at least 12 feet below ground surface. The potential exists for previously undiscovered tribal cultural resources to be encountered during grading, excavation, or other ground-disturbing activities associated with the Project. To determine

sensitivity for Native American resources within the Project site, consultation with the NAHC and local Native American groups was conducted. A tribal cultural resource was identified by the NAHC in the vicinity of the Project area, but no Native American tribes offered any additional information about tribal cultural resources within the Project area during outreach. A records search conducted at the NWIC showed that the Project area identified one Native American archaeological site (see Table 3-8 in Section V. *Cultural Resources*) within or adjacent to the Project area and three Native American archaeological sites are known within 0.25 mile of the Project area.

Exposure or destruction of tribal cultural resources would be considered a significant impact. With implementation of Mitigation Measure CULT-1, CULT-2, and CULT-3, construction personnel would receive cultural resource awareness training, work would be stopped if archaeological deposits are encountered during construction, and an archaeological monitor would be present during ground disturbing activities. These mitigation measures would minimize potential impacts on tribal cultural resources. With implementation of these mitigation measures as well as Mitigation Measure TCR-1, work would be stopped if precontact or historic-period cultural materials are encountered during construction. The implementation of these measures would reduce impacts on tribal cultural resources to ***less than significant with mitigation***. This impact was adequately addressed in the General Plan EIR.

Mitigation Measure TCR-1: **Stop Work if Precontact or Historic-period Tribal Cultural Materials are Encountered During Ground-disturbing Activities.**

If precontact or historic-period cultural materials are unearthed during ground-disturbing activities, all work within 50 feet of the find will halt until a qualified archaeologist and Native American representative can assess the significance of the find. If the find is determined to be a potentially significant TCR, the Project contractor will cause the archaeologist, in consultation with the Native American representative, to develop a treatment plan, which could include site avoidance, capping, or data recovery. The Project contractor or the appropriate agency will be responsible for ensuring that recommendations regarding treatment and reporting are implemented.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the General Plan EIR, implementation of the Project would not result in any new or more severe significant impacts related to tribal resources than those identified previously. Implementation of existing rules and regulations governing tribal resources would ensure that potential impacts would be less than significant. The Project would not result in a significant impact peculiar to the Project, a significant impact not previously identified, or a significant impact due to substantial new information. The impacts on tribal resources were adequately addressed in the General Plan EIR, and no further analysis is required.

XIX. Utilities and Service Systems

	Significant Impact Peculiar to the Project or Project Site	Significant Impact Not Identified	Significant Impact Due to Substantial New Information	Impact Adequately Addressed in Previous Documents
Would the Project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒
b. Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☐	☒
c. Result in a determination by the wastewater treatment provider that 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?	☐	☐	☐	☒
d. Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☐	☒
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

Setting

Water

The City purchases all of its potable water from the San Francisco Public Utilities Commission (SFPUC) Regional Water System (RWS). Approximately 85 percent of the SFPUC RWS water supply originates in the Hetch Hetchy watershed in Yosemite National Park, then flows down the Tuolumne River to Hetch Hetchy Reservoir. The remaining 15 percent of the SFPUC RWS water supply originates locally in the Alameda and Peninsula watershed. This water is stored in six different reservoirs in Alameda and San Mateo Counties.[144] The City of Burlingame has an Individual Supply Guarantee (ISG) from the SFPUC, which totals 5.23 million gallons per day (mgd).[145] Burlingame's average water demand between 2016 and 2020 totaled 1,221 million gallons per year, which is

[144] City of Burlingame. 2021. *City of Burlingame 2020 Urban Water Management Plan*. Available: https://www.burlingame.org/departments/public_works/water.php. Accessed: August 4, 2021. Page 83.
[145] Ibid. Page 5.

equivalent to 3.35 mgd,[146] or 64 percent of the city's allotted 5.23 mgd. Water use in the City of Burlingame has decreased due to mandatory water restrictions that were implemented between 2012 and 2016.[147] Generally, 40 percent of water consumption is from single-family residential uses, 18 percent from multi-family residential uses, 14 percent from commercial uses, 13 percent from industrial uses, 5 percent from irrigation uses, and 3 percent from institutional uses.[148]

Because the City obtains its water from the SFPUC, the City is, in turn, dependent on SFPUC's overall water supply to its wholesale customers. SFPUC adopted its 2020 UWMP in June 2021. SFPUC's UWMP identified several potential future water supply scenarios with different potential outcomes its SFPUC's ability to meet the supply needs of its wholesale customers. Specifically, SFPUC's 2020 UWMP contemplates scenarios reflecting full implementation of the 2018 Bay-Delta Plan Amendment (BDPA). The BDPA would require an increase in the amount of water flowing into the San Francisco Bay Delta, which would require substantial contributions from SFPUC's water sources (including the Tuolumne River). With implementation of the BDPA, SFPUC projects that its available water supply in the years 2030 and 2040 would be unchanged in a normal year. However, its supply would drop substantially in single and multiple dry-year scenarios, imperiling SFPUC's ability to meet its projected wholesale demand.

However, SFPUC's UWMP further notes that full implementation of the BPDA remains far from certain in the face of several legal challenges. Moreover, there is considerable uncertainty that other needed actions to implement the BDPA will occur on the California State Water Resource Control Board's expected timeline or ever. Moreover, SFPUC is actively pursuing a voluntary agreement among stakeholder agencies that would limit implementation of the BDPA, and thus reduce the impact of the BDPA on SFPUC's water supply. Because the implementation of the BDPA is so uncertain, a conclusion of insufficient water supply would be speculative.

On September 7, 2021, the Burlingame City Council adopted the 2020 UWMP. The City's 2020 UWMP reflects these uncertainties from SFPUC. [149] Accordingly, the City's UWMP includes a Water Shortage Contingency Plan in the case of a water shortage event. The Water Shortage Contingency Plan includes specific policies and actions that will be implemented, including demand reduction methods, supply augmentation, operational changes, and additional mandatory restrictions.[150]

Wastewater

The City's Public Works Department services Burlingame's wastewater system. Wastewater flows are carried to a wastewater treatment plant (WWTP) at 1103 Airport Boulevard, which serves the entire city of Burlingame as well as approximately one-third of Hillsborough. The average dry-weather flow of wastewater to the WWTP has remained fairly constant, at approximately 3.0 to 3.5 mgd, which is approximately 55 to 64 percent of the facility's 5.5 mgd capacity.[151] In 2020, the volume of wastewater collected in the year was 939 million gallons, which is equivalent to 2.6

[146] Ibid. Page 5
[147] Ibid. Pages 25–26.
[148] Ibid. Page 28.
[149] Ibid. Page 5
[150] Ibid. See Chapter 6 in the Water Shortage Contingency Plan, Appendix I to the City of Burlingame 2020 UWMP.
[151] Ibid. Page 62.

mgd.[152] The 2020 volume of wastewater collected is lower than the average dry-weather flow, primarily due to the COVID-19 pandemic.[153]

Stormwater

Under existing conditions, stormwater from the Project site would be conveyed via surface drainage along the gutter line of Ogden Drive to stormwater drains and inlets on Murchison Drive or Trousdale Drive.[154] Stormwater from Burlingame's stormwater system drains into San Francisco Bay. Therefore, it is subject to the requirements of the Clean Water Act of 1972, which prohibits the discharge of stormwater into waters of the United States, unless the discharge is in compliance with an NPDES permit, as described in detail in Section X, *Hydrology and Water Quality*.

Solid Waste

The city is within the service area of RethinkWaste, also known as the South Bayside Waste Management Authority. The City of Burlingame, as well as the Cities of Atherton, Belmont, East Palo Alto, Foster City, Hillsborough, Menlo Park, Redwood City, San Carlos, and San Mateo; the County of San Mateo; and the West Bay Sanitary District form the Joint Powers Authority (JPA) for Rethink Waste. Recology San Mateo County provides recycling, composting, and garbage collection services for residents and businesses in the RethinkWaste service area. Recyclables and organic solid waste are taken by Recology trucks to the Shoreway Environmental Center in San Carlos for sorting. The Shoreway Environmental Center is owned by RethinkWaste and operated by South Bay Recycling on behalf of RethinkWaste. Solid waste and recyclables received at the Shoreway Environmental Center are processed and sent to the appropriate facility, including the Corinda Los Trancos Landfill (also known as Ox Mountain Landfill), which is in Half Moon Bay. This landfill had a maximum permitted capacity of 60,500,000 cubic yards and, as of December 31, 2015, a remaining capacity of 22,180,000 cubic yards. The Corinda Los Trancos Landfill has an estimated closure date of 2034 and has a permitted throughput capacity of 3,598 tons per day.[155]

Electric Power and Telecommunications Facilities

For information the electric power system that provides service to the City of Burlingame, please refer to Section VI, *Energy.* Natural gas would not be used for this Project; as such, there is no further discussion of this utility in this section.

Numerous telecommunications providers serve Burlingame and provide access to infrastructure for broadband, fiber optic, wireless, and emerging technologies. AT&T, Xfinity from Comcast, Wave Broadband, Sonic, and others provide telecommunication and cable television services to residents and businesses in the city. The Project site receives services from mainly AT&T and Xfinity from Comcast.[156]

---

[152] Ibid. Page 62.

[153] Ibid. Page 62.

[154] City of Burlingame. 2021. *Municipal Separate Storm Sewer System*. Available: https://www.arcgis.com/apps/webappviewer/index.html?id=8f4f7accd3054ba5a4fde951fc45b601. Accessed: August 2, 2021.

[155] California Department of Resources Recycling and Recovery. 2021. Corinda Los Trancos Landfill (Ox Mtn) (41-AA-0002). Available: https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1561?siteID=3223. Accessed: July 30, 2021.

[156] BroadbandNow. 2021. *Internet Service Providers in Burlingame, California.* Available: https://broadbandnow.com/California/Burlingame?zip=94010. Accessed: August 4, 2021.

General Plan EIR

The General Plan EIR found less-than-significant impacts related to utilities and service systems. The following goals and policies from the Infrastructure Element were identified to reduce impacts on utilities: Goal IF-2, Policy IF-2.1, Policy IF-2.3, Policy IF-2.4, Policy IF-2.7, Policy IF-2.10, Goal IF-3, Policy IF-3.1, Policy IF-3.2, Policy IF-3.6, Goal IF-5, Policy IF-5.2, and Policy IF-5.8. No one established regulation, goal, policy, or implementation measure from the General Plan would be expected to completely reduce or avoid an identified potential utilities impact. However, the combined mitigating benefits of the required regulations and policies listed in the General Plan EIR would result in less than-significant impacts on utilities and service system. No mitigation measures are warranted.

Discussion

a. Require or result in the relocation or construction of new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? (Less than Significant)

Water and Wastewater Facilities

As described in more detail in Items XIX(b) and XIX(c), the increased water and wastewater treatment demand, could be served by the existing water supply and remaining capacity of the WWTP. The Project would not require relocation or construction of new or expanded water or wastewater treatment facilities because there is adequate water and wastewater treatment capacity available to serve the Project. Therefore, the impacts, which were adequately addressed in the General Plan EIR, would be ***less than significant***.

Please refer to Item XIX(b) for a discussion of water supply, considering the Bay-Delta Plan Amendment.

Stormwater

As described in Section X, *Hydrology and Water Quality*, the overall amount of stormwater that would be discharged with implementation of the Project would be less than what is currently discharged. The Project would include an on-site bio-treatment area and pervious areas to collect stormwater runoff. In addition, the Project would be required to adhere to the MRP. No new stormwater drainage facilities, other than those included in the Project design, would be required. Because new stormwater drainage facilities would be incorporated into the design of the Project, any impacts associated with new stormwater drainage facilities for the Project would be covered in this document. Therefore, impacts associated with new stormwater drainage facilities would be ***less than significant***. This impact was adequately addressed in the General Plan EIR.

Electric Power and Telecommunications Facilities

Operation of the Project is not anticipated to result in the construction or expansion of electric power or telecommunications facilities. Existing electric and telecommunications lines in the vicinity of the Project site would serve the Project. However, they may be upgraded, if necessary, to meet the needs of the Project.

The installation of new or expanded telecommunications lines on the Project site would require excavation, trenching, soil movement, and other activities that are typical during the construction of development projects. These construction impacts are discussed in detail in the appropriate topical sections of this document as part of the assessment of overall Project impacts. However, no offsite telecommunication lines would need to be constructed or expanded as a result of the Project. In addition, the Project would connect to existing electric lines located around the Project site. No new electric power would need to be installed. As such, the environmental impacts related to electric power and telecommunications facilities would be ***less than significant.*** This impact was adequately addressed in the General Plan EIR.

b. Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years? (Less than Significant)

The City uses an average of 3.35 mgd of its 5.23 mgd water supply. Burlingame's existing use represents 64 percent of its allotted supply; therefore, 36 percent of the city's water supply is unused. According to the 2020 UWMP, daily residential per capita water use in the city totaled 98 gallons per day (gpd) in 2016; 103 gpd in 2017; 109 gpd in 2018; 106 gpd in 2019; and 107 gpd in 2020.[157] Using 109 gpd as a conservative figure, and assuming a conservative onsite population of 222 persons, daily water demand would total approximately 24,200 gpd, or approximately 0.024 mgd.[158,159] The additional water demand due to the Project represents an increase in daily water use in the city of approximately 0.7 percent.

Furthermore, the 2020 UWMP identifies the projected water demand for the City of Burlingame up to the year 2045. The projected water demand was estimated using the Demand Management Decision Support System Model (DSS Model). The DSS Model used the population and employment projections from the Burlingame General Plan to estimate the projected water demand. Because the Project is consistent with the General Plan and would overall help implement the NBMU land use identified in the General Plan, the Project would be in conformance with the level of growth envisioned in the General Plan. Because the DSS Model used the growth projections from the General Plan, it is reasonable that the growth projected in the DSS Model accounts for the growth from the Project. In 2045, water demand for the City is expected to be 1,721 million gallons per year, which is equivalent to 4.72 mgd. The projected water demand in 2045 would be less than its available 5.23 mgd supply. Based on the results of the DSS model, the City would have sufficient water to serve the growth associated with the General Plan, including the growth from the Project.

The City's water supply can accommodate the minimal increase in water demand due to the Project during normal years. The City's 2020 UWMP identifies that during dry and multiple dry years (without implementation of the BDPA), the City would be able to meet its projected water demand.[160] As such, the City's water supply would be able to accommodate the minimal increase in water demand due to the Project during dry and multiple dry years (without implementation of the Bay-Delta Plan Amendment). Therefore, adequate water supplies would be available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years

[157] City of Burlingame. 2021. *City of Burlingame 2020 Urban Water Management Plan*. Available: https://www.burlingame.org/departments/public_works/water.php. Accessed: August 4, 2021. Page 26.

[158] The 24,200 gpd number was calculated using a daily per capita usage rate of 109 gpd for residents (222 new residents × 109 gpd per resident = 24,200 gpd).

[159] 24,200 gpd/1,000,000 gallons = 0.024 mgd.

[160] City of Burlingame. 2021. *City of Burlingame 2020 Urban Water Management Plan*. Available: https://www.burlingame.org/departments/public_works/water.php. Accessed: August 4, 2021. Page 96.

(without implementation of the Bay-Delta Plan Amendment) and the impact would be ***less than significant***. This impact was adequately addressed in the General Plan EIR.

In addition, the City's 2020 UWMP identifies that the City is potentially expected to experience significant shortfalls of its SFPUC RWS supplies during single dry and multiple dry year conditions as a result of Bay-Delta Plan Amendment implementation. Numerous uncertainties remain in the implementation of the Bay-Delta Plan Amendment and the resultant allocation of the available supply to the City, including ongoing litigation for the Bay-Delta Plan Amendment and that implementation of the Bay-Delta Plan Amendment is still under negotiations between the SFPUC and the California State Water Resource Control Board.[161] Because the implementation of the BDPA is so uncertain, a conclusion of insufficient water supply would be speculative and cannot be made at this time.

c. Result in a determination by the wastewater treatment provider that 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? (Less than Significant)

The WWTP treats approximately 3.0 to 3.5 mgd of wastewater, which represents approximately 55 to 64 percent of the facility's 5.5 mgd capacity. Therefore, 36 to 45 percent of the WWTP's capacity remains available to treat wastewater. As discussed above, the Project would demand approximately 24,200 gpd of water; therefore, the Project is expected to generate approximately 24,200 gpd of wastewater, or 0.024 mgd of wastewater. This additional wastewater demand due to the Project represents approximately 1.2 percent of the remaining wastewater treatment capacity (2.0 mgd) at the WWTP.[162] Currently, the remaining wastewater treatment capacity can accommodate the minimal increase in wastewater demand due to the Project. Therefore, the Project's impact would be ***less than significant***. This impact was adequately addressed in the General Plan EIR.

d. Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? (Less than Significant)

The California Integrated Waste Management Act of 1989 (AB 939) requires municipalities to adopt an integrated waste management plan to establish objectives, policies, and programs related to waste disposal, management, source reduction, and recycling. In addition, SB 1383, passed in 2016, established a target that calls for a 50 percent reduction in organic waste by 2020 and a 75 percent reduction by 2025. As discussed above, the City is part of a regional JPA that manages solid waste collection and recycling services for several cities. The JPA is required to divert waste from landfills to achieve state reduction goals. In 2018, San Mateo County as a whole had a total diversion rate of 50.8 percent because of recycling and composting. The city of Burlingame had a slightly lower diversion rate than the county, with 40.3 percent of waste diverted from landfills.

Construction of the Project would result in demolition waste from parking lot pavement and the building. The Project would be required to comply with the City of Burlingame Construction and Demolition Recycling Ordinance (Chapter 8.17 of the Municipal Code), which requires salvaging or recycling of at least 60 percent of construction-related solid waste. In addition, operation of the Project would most likely increase overall solid waste generation because of the additional residents

[161] For a full list of uncertainties, please refer to Section 7.1.4.1 of the 2020 City of Burlingame UWMP.

[162] 1.2 percent = (0.024 mgd Project wastewater/2.0 mgd remaining capacity) × 100 percent.

compared with existing conditions on site (i.e., no existing residents). However, operation of the proposed residential building would be required to meet state and local standards regarding solid waste and recycling. The increase in the amount of solid waste generated would be considered negligible because the landfills that would be used would continue to have ample capacity and would be able to handle the minimal increase.

In 2019, the per capita waste disposal in the City of Burlingame was approximately 7.3 pounds per person per day (ppd) of solid waste.[163] Therefore, with a conservative anticipated population of up to 222 residents, the Project could generate approximately 1,620 ppd (0.8 tons per day) of solid waste in the form of garbage as well as recycling and composting material. The Shoreway Environmental Center is permitted to receive 3,000 tons of refuse per day.[164] Once collected and sorted at Shoreway, solid waste is transported to Corinda Los Trancos Landfill, which is permitted to receive 3,598 tons per day.[165] Solid waste generated by operation of the Project would represent less than 0.1 percent of the permitted capacity of Shoreway and Corinda Los Trancos Landfill. As such, Shoreway and the Corinda Los Trancos Landfill would have adequate capacity to serve the Project.

The Project would not generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair attainment of solid waste reduction goals. Therefore, impacts from solid waste disposal would be ***less than significant***. This impact was adequately addressed in the General Plan EIR.

e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (Less than Significant)

The Project would develop residential uses, which would not result in the generation of unique types of solid waste that would conflict with existing regulations regarding waste disposal. The Project would be required to comply with the City's solid waste disposal requirements, including recycling programs established under AB 939. As a result, the Project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste, and the impact would be ***less than significant***. This impact was adequately addressed in the General Plan EIR.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the General Plan EIR, implementation of the Project would not result in any new or more severe significant impacts related to utilities and service systems than those identified previously. Implementation of existing rules and regulations governing utilities, including the City's General Plan goals and policies, would ensure that potential impacts would be less than significant. The Project would not result in a significant impact peculiar to the Project, a significant impact not previously identified, or a significant impact due to substantial new information. The impacts on utilities and service systems

[163] California Department of Resources Recycling and Recovery. 2021. *Jurisdiction Per Capita Disposal Trends*. Jurisdiction: Burlingame. Available: https://www2.calrecycle.ca.gov/LGCentral/AnnualReporting/ReviewReports. Accessed: July 30, 2021.

[164] RethinkWaste. 2020. *About Shoreway.* Available: https://rethinkwaste.org/shoreway-environmental-center/about/. Accessed: July 30, 2021.

[165] California Department of Resources Recycling and Recovery. 2021. Corinda Los Trancos Landfill (Ox Mtn) (41-AA-0002). Available: https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1561?siteID=3223. Accessed: July 30, 2021.

as a result of the Project were adequately addressed in the General Plan EIR, and no further analysis is required.

XX. Wildfire

	Significant Impact Peculiar to the Project or Project Site	Significant Impact Not Identified	Significant Impact Due to Substantial New Information	Impact Adequately Addressed in Previous Documents
If located in or near State Responsibility Areas or lands classified as Very High Fire Hazard Severity Zones, would the Project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b. Because of slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risks or result in temporary or ongoing impacts on the environment?	☐	☐	☐	☒
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

Setting

According to CAL FIRE, the City of Burlingame, including the Project site, is in a Non-Very High FHSZ)[166] The nearest FHSZ is approximately 1.25 miles west of the Project site near I-280. In addition, the entire city, including the Project site, is in an LRA, not an SRA.[167] The nearest SRA, also adjacent to I-280, is approximately 1.25 miles west of the Project site.

General Plan EIR

The General Plan EIR found that impacts related to wildfire would be less than significant. No mitigation measures were warranted.

Discussion

The Project site is not located in a Moderate, High, or Very High FHSZ within an SRA. The nearest SRA to the Project site is a Moderate FHSZ approximately 1.25 miles west of the Project site,

[166] California Department of Forestry and Fire Protection. 2007. San Mateo County Fire Hazard Severity Zones in SRA. Available: Welcome to Fire Hazard Severity Zones Maps (ca.gov). Accessed: May 28, 2021.

[167] California Department of Forestry and Fire Protection. 2008. San Mateo County Very High Fire Hazard Severity Zones in LRA as Recommended by CAL FIRE. Available: Welcome to Fire Hazard Severity Zones Maps (ca.gov). Accessed: May 28, 2021.

adjacent to I-280.[168] The Project site and all surrounding areas are within an LRA, which is not identified as a Moderate, High, or Very High FHSZ.[169] The area surrounding the Project site is generally developed and lacking features that normally elevate wildland fire risks (i.e., dry vegetation, steeply sloped hills, etc.). Because the Project site is no within or near an SRA or Very High FHSZ, there would be ***no impact***, and further analysis is not required.

Conclusion

The Project would not result in a significant impact peculiar to the Project, a significant impact not previously identified, or a significant impact due to substantial new information. The wildfire impacts of the Project were adequately addressed in the General Plan EIR, and no further analysis is required.

[168] California Department of Forestry and Fire Protection. 2007. San Mateo County Fire Hazard Severity Zones in SRA. Available: Welcome to Fire Hazard Severity Zones Maps (ca.gov). Accessed: May 28, 2021.

[169] California Department of Forestry and Fire Protection. 2008. San Mateo County Very High Fire Hazard Severity Zones in LRA as Recommended by CAL FIRE. Available: Welcome to Fire Hazard Severity Zones Maps (ca.gov). Accessed: May 28, 2021.

XXI. Mandatory Findings of Significance

	Significant Impact Peculiar to the Project or Project Site	Significant Impact Not Identified	Significant Impact Due to Substantial New Information	Impact Adequately Addressed in Previous Documents
a. Does the Project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒
b. Does the Project have impacts that are individually limited but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	☐	☒
c. Does the Project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

General Plan EIR

The General Plan EIR considered degradation of the quality of the environment, adverse effects on human beings, and cumulative impacts through the respective documents. Any impacts were mitigated in the EIR under their respective topics.

Discussion

a. Does the Project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? (Less than Significant with Mitigation)

As described in Section IV, *Biological Resources*, the Project site is in an urban area and surrounded by development. Other than the trees located on the Project site, there are no natural features that support habitat. The removal of trees would not degrade the quality of the environment because these trees are not naturally occurring; they were planted for landscaping purposes. Although nesting birds could use the trees as well as the building that would be removed from the Project site, there are trees elsewhere in the city. Therefore, the Project would not reduce the habitat of a fish or

wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal.

As described in Section V, *Cultural Resources*, and Section XVIII, *Tribal Cultural Resources*, construction of the Project would not eliminate important examples of major periods of California history or prehistory. Implementation of existing rules and regulations governing cultural resources, implementation of the City's General Plan goals and policies, and implementation of mitigation measures would ensure that potential impacts would be ***less than significant with mitigation***.

The Project would not substantially degrade the quality of the environment, substantially reduce wildlife habitat, or eliminate important examples of the major periods of California history or prehistory. These impacts, which were adequately addressed in the General Plan EIR, would be ***less than significant***.

b. Does the Project have impacts that are individually limited but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) (Less than Significant with Mitigation)

The cumulative impact analyses determined whether the Project in combination with other approved or foreseeable projects would result in a significant cumulative impact and, if so, whether the Project's contribution to the significant cumulative impact would be cumulatively considerable.

The General Plan EIR evaluated future development, as identified in the 2040 General Plan. Chapter 22 of the General Plan EIR concluded that implementation of the 2040 General Plan would result in a less-than-significant impact with respect to cumulative impacts on the following resources: aesthetics; agricultural resources; air quality; biological resources; geology, soils, and minerals; hazards and hazardous materials, including wildfire; historic and cultural resources; hydrology and water quality; land use and planning; noise (except for operational traffic noise); population and housing; public services, including recreation; and utilities. Given the conclusions in the General Plan EIR; given that the Project, with mitigation, would have a less-than-significant impact on the aforementioned resources; and given that future projects would be required to adhere to federal and state regulations, as well as local regulations identified in the 2040 General Plan, the Project's contribution to impacts on the aforementioned resources would not be singularly or cumulatively considerable.

Chapter 22 of the General Plan EIR did identify a significant and unavoidable cumulative impact due to an increase in traffic noise on Broadway (between El Camino Real and Bernal Avenue). As described in Section XIII, *Noise*, the Project would result in less than significant Project-specific traffic noise impacts. In addition, the Project is located near transit (both the Millbrae Transit Station and El Camino Real, which is a high quality transit corridor) and would implement a TDM Plan (see Appendix A), which would help reduce the number of vehicle trips and thereby would help reduce any associated noise impacts. However, it is reasonable that some vehicles from the Project would travel on Broadway (between El Camino Real and Bernal Avenue) and thereby contribute to the cumulative noise impact. Because the Project would result in 55 fewer trips per day than the existing uses on-site, would be consistent with the General Plan and the planned uses at the NBMU land use designation, the conclusions for cumulative traffic noise in the General Plan EIR would not change as a result of the Project. The Project would not result in a significant impact peculiar to the

Project, a significant impact not previously identified, or a significant impact due to substantial new information.

Chapter 10 of the General Plan EIR includes the cumulative impact analysis of GHG emissions. The General Plan EIR concluded that implementation of the 2040 General Plan could result in a significant cumulative GHG impact because the City cannot conclusively demonstrate that implementation of the 2040 General Plan would not generate GHG emissions that would exceed the City's existing and future GHG reduction goals. The Project's contribution to global climate change due to GHG emissions is discussed in Section VIII, *Greenhouse Gas Emissions*. Development of the Project would incorporate applicable policies of the BAAQMD and comply with the City's Climate Action Plan. As discussed in Section VIII, *Greenhouse Gas Emissions*, the Project would be consistent with the state's GHG emissions reduction trajectory and the City's Climate Action Plan. Therefore, the Project's contribution to this cumulative impact would not be cumulatively considerable.

Chapter 18 of the General Plan EIR includes the cumulative transportation impact analysis. The General Plan EIR concluded that implementation of local regulations and 2040 General Plan policies would ensure that cumulative transportation impacts would be less than significant.[170] As discussed in Section XVII, *Transportation,* the Project would result in 55 fewer trips per day than the existing uses on-site and a less-than-significant impact with respect to VMT, design hazards, and emergency access. In addition, operation of the Project would result in a less-than-significant impact regarding conflicts with applicable plans. Given the Project's less-than-significant impacts with mitigation and given that future projects would be required to adhere to local regulations and 2040 General Plan policies, the Project's contribution to cumulative transportation impacts would not be singularly or cumulatively considerable. Therefore, cumulative impacts would be ***less than significant with mitigation.*** This impact was adequately addressed in the General Plan EIR.

c. Does the Project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? (Less than Significant with Mitigation)

As described in this document, implementation of the Project could result in temporary air quality, GHG, hazardous materials, and noise and vibration impacts during the construction period. Implementation of the mitigation measures recommended in this document would ensure that the Project would not result in environmental effects that would have substantial adverse effects on human beings. Impacts would be ***less than significant with mitigation***. This impact was adequately addressed in the General Plan EIR.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the General Plan EIR, implementation of the Project would not result in any new or more severe significant impacts related to degradation of the quality of the environment, adverse effects on human beings, or cumulative impacts than those identified previously. Implementation of existing rules and regulations governing biological resources, cultural resources, and other environmental topics, including the City's General Plan goals and policies, would ensure that potential impacts would be less than significant. In addition, implementation of Project-specific mitigation measures, as included throughout this document, would further reduce impacts. The Project would not result in a significant impact peculiar to the Project, a significant impact not previously identified, or a

[170] The General Plan EIR included a conclusion for level-of-service impacts. The level-of-service conclusion is not considered here because CEQA does not consider impacts on level of service to be an environmental effect.

significant impact due to substantial new information. The cumulative impacts of the Project were adequately addressed in the General Plan EIR, and no further analysis is required.