Appendix A:
NOP and Scoping Comments

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A.1 - Notice of Preparation

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City of South San Francisco
Notice of Preparation of a Program Environmental Impact Report and Notice of Public Scoping Meeting
Proposed South San Francisco General Plan Update, Zoning Code Amendments, and Climate Action Plan

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Date: January 13, 2022

To: State Clearinghouse and Interested Public Agencies, Parties, and Organizations

From: Billy Gross, Principal Planner, City of South San Francisco

Subject: Notice of Preparation of a Program Environmental Impact Report for the Proposed South San Francisco General Plan Update, Zoning Code Amendments, and Climate Action Plan and Notice of Public Scoping Meeting on Monday, January 31, 2022 at 1:00 p.m.

NOTICE IS HEREBY GIVEN THAT the City of South San Francisco (Lead Agency and/or City) will prepare a Program Environmental Impact Report (Program EIR) for the proposed South San Francisco General Plan Update, Zoning Code Amendments, and Climate Action Plan (proposed project). The Program EIR will address the potential physical and environmental effects of the proposed project for each of the environmental topics outlined in the California Environmental Quality Act (CEQA). The City will use the Program EIR when considering approval of the proposed project. Pursuant to CEQA Guidelines Section 15082, the Project Description, location, and potential environmental effects of the proposed project are described in the attached materials.

The original Notice of Preparation (NOP) of a Program EIR for the General Plan Update was circulated from February 3, 2021 to March 22, 2021. This revised NOP is being circulated from January 14, 2022 to February 28, 2022 to provide the public with an opportunity to comment on changes that were made to the Project Description related to net new housing units and net new employment opportunities anticipated under the General Plan Update. Comments received on the NOP circulated from February 3, 2021 to March 22, 2021 as well as comments received on the revised NOP being circulated from January 14, 2022 to February 28, 2022 will be considered part of the administrative record.

45-DAY NOP COMMENT PERIOD: The City is soliciting comments from public agencies, organizations, and members of the public regarding the scope and content of the Program EIR, and the environmental issues and alternatives to be addressed in the Program EIR. In accordance with the time limits established by CEQA, the NOP public review period will begin on **January 14, 2022,** and end on **February 28, 2022**. Please provide your written/typed comments (including name, affiliation, telephone number, and contact information) to Billy Gross via email at billy.gross@ssf.net or to the address shown below by **5:00 p.m., Monday, February 28, 2022**. If you wish to be placed on the notification list for this proposed project, or need additional information, please contact:

Billy Gross, Principal Planner
City of South San Francisco
Planning Division
315 Maple Avenue
South San Francisco, CA 94080
Phone: 650.877.8535
Email: billy.gross@ssf.net

PUBLIC SCOPING MEETING: The City of South San Francisco will hold a Public Scoping Meeting to: (1) inform the public and interested agencies about the proposed project; and (2) solicit public comment on the scope of the environmental issues to be addressed in the Program EIR, as well as the range of alternatives to be evaluated. The meeting will be held on **Monday, January 31, 2022,** starting at **1:00 p.m.** via **a Zoom meeting.**

Join Zoom Meeting

https://ssf-net.zoom.us/j/83341579560?pwd=Vm5PU3RLeDBLZUdsajVaclpqeU9ZUT09

Meeting ID: 833 4157 9560
Passcode: 654247

One tap mobile
+16699006833,,83341579560#,,,,*654247# US (San Jose)
+12532158782,,83341579560#,,,,*654247# US (Tacoma)

Dial by your location
+1 669 900 6833 US (San Jose)
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)
+1 301 715 8592 US (Washington D.C)
+1 312 626 6799 US (Chicago)
+1 929 205 6099 US (New York)
833 548 0276 US Toll-free
833 548 0282 US Toll-free
877 853 5257 US Toll-free
888 475 4499 US Toll-free

Find your local number: https://ssf-net.zoom.us/u/kdu9wcLZrN

SOUTH SAN FRANCISCO GENERAL PLAN UPDATE, ZONING CODE AMENDMENTS, AND CLIMATE ACTION PLAN

Project Location

The project site is located in the City of South San Francisco, in San Mateo County, California (Exhibit 1). The City is located in a basin bounded by the San Bruno Mountains to the north, the Pacific Coast Ranges to the west, and the San Francisco Bay to the east. The City is bordered by the City of Brisbane to the north, Daly City, City of Pacifica, and the Town of Colma to the west, and the City of San Bruno to the south (Exhibit 2). San Francisco International Airport is located immediately to the south but falls within City and County of San Francisco's jurisdictional boundaries.

Existing Conditions

The City encompasses 31 square miles, approximately 5,000 acres, and is primarily built out with only about 3.4 percent of the land classified as vacant. Colma Creek flows in a west–east direction through the City from its origin in the San Bruno Mountains to its terminus in the San Francisco Bay. Regional access to the City is via highways and major roadways, including Interstate 280 (I-280), U.S. Highway 101 (US-101), and El Camino Real. In addition, the South San Francisco Bay Area Rapid Transit (BART) Station is also a gateway into the City, with approximately 842 passengers entering South San Francisco via this station on an average weekday.[1] Additionally, 452 passengers enter South San Francisco from Caltrain on an average week day.[2] SamTrans, a bus service that operates throughout San Mateo County and into parts of San Francisco and Palo Alto, has three bus lines that run through South San Francisco and serves approximately 24,077 passengers per day.[3,4] The San Francisco Bay Ferry also provides public transit service to and from the City and other locations around the San Francisco Bay to approximately 6,027 passengers per day.[5,6]

1.1.1 - Unincorporated Areas

The City has two unincorporated islands within its Sphere of Influence (SOI). One island is bound by I-280 on the west, Westborough Boulevard to the north, Orange Avenue roughly to the east, and Ponderosa Road to the south. Most of this area is owned by the City and County of San Francisco and is the site of the California Golf Club of San Francisco. Ponderosa Elementary School is also situated in this unincorporated island on land owned by the South San Francisco Unified School District (SSFUSD). The other island is roughly bound by Conmur Street to the west, Country Club Drive to the north, Alida Way to the east, and Northwood Drive to the south, and consists primarily

[1] Bay Area Rapid Transit (BART). 2021. Monthly Ridership Reports (October 1, November 1, December 1). Website: https://www.bart.gov/about/reports/ridership. Accessed January 3, 2022.
[2] Caltrain. 2019. Caltrain 2019 Annual Passenger Count Key Findings. Website: https://www.caltrain.com/Assets/Stats+and+Reports/2019+Annual+Key+Findings+Report.pdf. Accessed January 3, 2022.
[3] SamTrans. 2022. Ridership. Website: https://www.samtrans.com/about/Bus_Operations_Information/Ridership.html. Accessed January 3, 2022.
[4] 8,788,180 riders divided by 365 days per year.
[5] San Francisco Ferry Riders. 2022. Monthly Operating Statistics Report. Website: https://sanfranciscobayferry.com/sites/sfbf/files/opsreport/April2021.pdf. Accessed January 3, 2022.
[6] 2.2 million riders divided by 365 days per year.

of single-family residential uses and religious facilities on larger lots. Both islands are part of unincorporated San Mateo County and within the City's SOI.

1.1.2 - Existing Land Use

Existing land use refers to the way land is currently being used in the City, or in other words, land uses that are currently (as of 2022) "on the ground." Existing land uses are mapped in Exhibit 3 and Table 1 shows the approximate acreage of each type of land use in the City. As shown in Exhibit 3 and Table 1, the most prevalent land use in the City is Residential (occupying 39.8 percent of land area), followed by Industrial/ Research and Development (29.5 percent); Parks, Open Space, and Common Greens (9.9 percent); and Public/Institutional (6.6 percent). There are only about 150 acres of vacant land (3.4 percent of the City).

Table 1: Existing Land Use

Land Use Type	Acres	Area (%)
Within City of South San Francisco	4,226.1	94.8
Residential	**1,773.5**	**39.8**
Single-family Residential	1,506.5	33.8
Duplex/Triplex/Quadplex	66.5	1.5
Multi-family	183.4	4.1
Mobile Home Park	17.1	0.4
Commercial	**250.5**	**5.6**
Hotel	57.0	1.3
General Retail/Service	110.9	2.5
Auto Retail	43.2	1.0
Food Retail	32.9	0.7
Mixed Use (Commercial/Residential)	6.5	0.1
Industrial/Research and Development	**1,313.7**	**29.5**
Office	190.0	4.3
Biotech/Research and Development	322.1	7.2
Warehouse	639.5	14.4
Manufacturing/Processing	162.1	3.6
Parks, Open Space, and Common Greens	**442.4**	**9.9**
Public and Institutional	**292.9**	**6.6**
Vacant	**153.1**	**3.4**
Within Sphere of Influence	230.0	5.2
Single-family residential	41.4	0.9
Golf Course	183.4	4.1

Land Use Type	Acres	Area (%)
Public and Institutional	4.7	0.1
Vacant	0.5	0.0
Grand Total	**4,456.1**	**100.0**

Notes:
1. Totals do not include utilities and transportation infrastructure.
2. Totals may not add due to rounding

Project Description

1.1.3 - Proposed Project

The proposed project consists of the South San Francisco General Plan Update, Zoning Code Amendments, and Climate Action Plan. The General Plan Update is a forward-looking document that will serve as the blueprint for the City's vision through the year 2040. The goals, policies, and actions in the proposed General Plan Update will serve as a compass for decision-makers and will shape future plans and actions of the City. The City's comprehensive General Plan was initially prepared in 1999. The City's Housing Element was certified in 2015 and is valid until 2023. The process of updating the existing Housing Element is underway and is being conducted as part of this General Plan Update. The proposed General Plan Update would replace the 1999 General Plan.

The Proposed Land Use Map for the General Plan Update is attached as Exhibit 4. The Proposed Land Use Map depicting only the changes from the Existing Land Use Map is attached as Exhibit 5. The General Plan Update anticipates approximately 17,531 net new housing units and approximately 80,944 net new employment opportunities by 2040. The Climate Action Plan includes a community-wide inventory of greenhouse gas (GHG) emissions and identifies strategies and measures to reduce GHG emissions generated by existing and future uses in the City to achieve State-mandated targets.

The State of California requires that the General Plan contain eight mandatory elements: Land Use, Circulation, Housing, Conservation, Open Space, Noise, Safety, and Environmental Justice. The South San Francisco General Plan Update will include all of the State-mandated elements and three optional elements, as described below.

- **Land Use and Community Design Element**—This element provides a framework for the land use designations and the standards for density, intensity, and design, in order to maximize opportunities for residential infill development, encourage mixed-use residential, retail, and office uses near Caltrain and BART stations, and maintain the Downtown as the symbolic center of the City.
- **Mobility (Circulation) Element**—This element focuses on enhancing the City's existing circulation and transportation system and contains policies and actions to provide increased access to mobility services, including transit, bike and pedestrian networks, access between neighborhoods, and traffic safety.

- **Housing Element—** This element adopts a comprehensive, long-term plan to address the housing needs of the City and provide suitable, decent, and affordable housing for residents, as well as preserve and enhance existing residential areas. The 2015-2023 Housing Element was adopted in April 2015. The process to update the existing Housing Element for the 2023-2031 cycle is underway and will be completed as part of this General Plan Update and will reflect the updated Regional Housing Needs Allocation (RHNA) numbers that were finalized December 2021.[7]
- **Open Space and Conservation Element**—This element identifies policies and actions to address the conservation, development, and use of natural resources, protect sensitive cultural and historic resources, improve water quality and stormwater management, address air quality, and enhance open space areas including Colma Creek and the shoreline.
- **Noise Element**—This element includes policies and actions to preserve the quality of life and reduce potential noise exposure to persons living and working in the City. The noise element also includes goals, policies, and actions to protect sensitive land uses and historic structures from construction-related vibration.
- **Safety Element**—The element establishes a framework of proactive and coordinated programs to protect against foreseeable natural and human-caused hazards. This element also addresses potential hazards related to sea level rise and inland flooding, as well as considering how climate change could affect and potentially exacerbate the impacts associated with other hazards.
- **Health and Environmental Justice Element**—This element includes policies celebrating the cultural diversity of South San Francisco, access to health care and food, social equity and environmental justice concerns, and social services.
- **Social Equity Element**—This element addresses engaging all residents, analyzing, and improving policies and programs. It focuses on being a leader across jurisdictions and departments to incorporate equity considerations into policies and programs and engaging residents in decisions that impact their lives.
- **Sustainability and Climate Action Element**—This element includes an integrated policy framework for sustainability, greenhouse gas (GHG) mitigation, and carbon sequestration. This includes goals and policies for reducing GHG emissions, such as carbon-free energy, decarbonized buildings, zero waste, fossil-fuel free transportation, and carbon sequestration. Given the cross-cutting nature of these issues, there will points of integration with other policy frameworks, including Land Use, Safety, Conservation, and Social Equity, among others.
- **Public Facilities and Parks Element**—This element addresses the provision of public services and facilities, libraries, parks, and recreational facilities and includes future infrastructure planning.

[7] Association of Bay Area Governments (ABAG). 2021. Final Regional Housing Needs Allocation (RHNA) Plan: San Francisco Bay Area, 2023-2031. Website: Final_RHNA_Allocation_Report_2023-2031-approved_0.pdf. Accessed January 4, 2022.

- **Economic Development Element**—This element provides a framework to promote business diversification, create an innovation district, retain local businesses, promote early childhood development, and provide jobs training.

The Vision and Guiding Principles for the General Plan Update were identified through a collaborative effort between the City and its residents and are described below.

Revised Citywide Vision Statement

South San Francisco is a place where everyone can thrive. Its high quality of life, diverse and inclusive community, livable neighborhoods and excellent services, culture of innovation, and environmental leadership ensure all people have an equitable opportunity to reach their full potential.

Guiding Principles

- Affordable, safe, attractive, amenity-rich neighborhoods
- High-quality and accessible services, facilities, and amenities for residents at all stages of their lives
- A safe, convenient, and accessible transportation network that is well-connected to the region
- A resilient community
- A prosperous downtown + local economy

1.2 - Environmental Impact Report

The City, as the Lead Agency under CEQA, will prepare a Program EIR for the proposed South San Francisco General Plan Update, Zoning Code Amendments, and Climate Action Plan (proposed project) in accordance with CEQA, implementing the CEQA Guidelines, relevant case law, and City procedures. The General Plan Update is considered a "project" under CEQA and is therefore subject to CEQA review. As a policy document, the General Plan provides guidance and sets standards for several areas of mandatory environmental review for later "projects" that would be undertaken by local government and the private sector.

The Program EIR will evaluate potential environmental impacts associated with adoption and implementation of the proposed project. It will discuss how the proposed policies may affect the environment, disclose potential impacts of the proposed project, propose mitigation measures to avoid and/or reduce impacts deemed potentially significant, identify reasonable alternatives, and compare the environmental impacts of the alternatives to the proposed project's impacts. Pursuant to Section 15063(a) of the CEQA Guidelines, no Initial Study will be prepared. The Program EIR will evaluate the full range of environmental issues contemplated under CEQA and the CEQA Guidelines, as described below:

- **Aesthetics**—This section will analyze potential impacts to aesthetics, including scenic vistas, scenic resources, visual character and quality, and light and glare within the Planning Area.

- **Air Quality**—An air quality analysis will be prepared in accordance Bay Area Air Quality Management District (BAAQMD) requirements. A discussion of the proposed project's contribution to regional air quality impacts will be included.
- **Biological Resources**—This section will address direct and indirect impacts to regulated waterways and wetlands, sensitive habitats and mature native trees, sensitive plants and wildlife, and wildlife movement corridors.
- **Cultural Resources/Tribal Cultural Resources**—The Program EIR will examine potential adverse impacts the proposed project would have on historical resources (or eligible historical resources), archaeological, and tribal cultural resources.
- **Energy**—This section will include a discussion of the potential energy consumption and/or impacts from implementation of the proposed project, with an emphasis on avoiding or reducing inefficient, wasteful, or unnecessary consumption of energy.
- **Geology, Soils, and Seismicity**—This section will analyze potential impacts related to geology, soils, seismicity and paleontological resources from implementation of the proposed project.
- **Greenhouse Gas Emissions**—The Program EIR will analyze the proposed project's contribution to greenhouse gas emissions and potential impacts to climate change.
- **Hazards and Hazardous Materials**—This section will discuss potential exposure to hazardous substances resulting from activities within the Planning Area.
- **Hydrology and Water Quality**—The Program EIR will analyze impacts of the proposed project on drainage patterns and water quality within the Planning Area.
- **Land Use and Planning**—This section will summarize the City's land use characteristics, including the overall land use pattern, and determine the potential environmental effects of the proposed project related to Land Use and Planning.
- **Noise—**This section will analyze short-term impacts to noise-sensitive receptors and long-term noise exposure.
- **Population, Housing, and Employment**—This section will analyze potential impacts to population, housing, and employment that could result from implementation of the proposed project.
- **Public Services and Recreation**—The Program EIR will analyze impacts on public services, including police, fire, and schools, as well as potential impacts on recreational and open space resources, from implementation of the proposed project.
- **Transportation**—The Program EIR will analyze the proposed project's impacts on the circulation system, including Vehicle Miles Traveled (VMT) within the Planning Area, safe routes to schools, and all modes of transit.
- **Utilities and Service Systems**—This section will analyze the potential impacts associated with water supply, wastewater services, and other utilities and service systems.
- **Wildfire**—This section will analyze the potential impacts to wildfire risks, adopted emergency and evacuation plans, infrastructure, and land and drainage stability.

The Program EIR will evaluate potential growth-inducing impacts and cumulative impacts of the proposed project, including the effects of other past, present, and reasonably foreseeable projects in the vicinity (CEQA Guidelines §§ 15126.2, 15130).

As described above, the Program EIR will also identify and examine a range of reasonable alternatives to the proposed project, including, but not limited to, a No Project Alternative (CEQA Guidelines §15126.6)

1.3 - Purpose

In accordance with CEQA Guidelines (14 California Code of Regulations [CCR] § 15082), the City has prepared this NOP to inform agencies and interested parties that a Program EIR will be prepared for the proposed South San Francisco General Plan Update, Zoning Code Amendments, and Climate Action Plan. The purpose of an NOP is to provide sufficient information about the proposed project to allow agencies and interested parties the opportunity to provide a meaningful response related to the scope and content of the Program EIR, including mitigation measures that should be considered and alternatives that should be addressed (CEQA Guidelines 14 CCR § 15082(b)).

1.4 - Environmental Review Process

Following completion of the 45-day NOP public review period, the City will incorporate relevant information into the Program EIR, including results of public scoping and technical studies. Subsequently, the Program EIR will be circulated for public review and comment for a 45-day public review period.

The City requests that any potential Responsible or Trustee Agency responding to this notice do so in a manner consistent with CEQA Guidelines Section 15082(b). All parties that have submitted their names and email or mailing addresses will be notified throughout the CEQA review process.

A copy of the NOP (in full color) can be found on the project website at https://shapessf.com/ and on file at the City of South San Francisco, Economic and Community Development Department, 315 Maple Avenue, South San Francisco, CA 94080.

If you wish to be placed on the mailing list or need additional information, please contact Billy Gross, Senior Planner, Planning Division, City of South San Francisco, at 650.877.8535 or billy.gross@ssf.net.

1.4.1 - Effects Found not to be Significant

Agriculture and Forestry

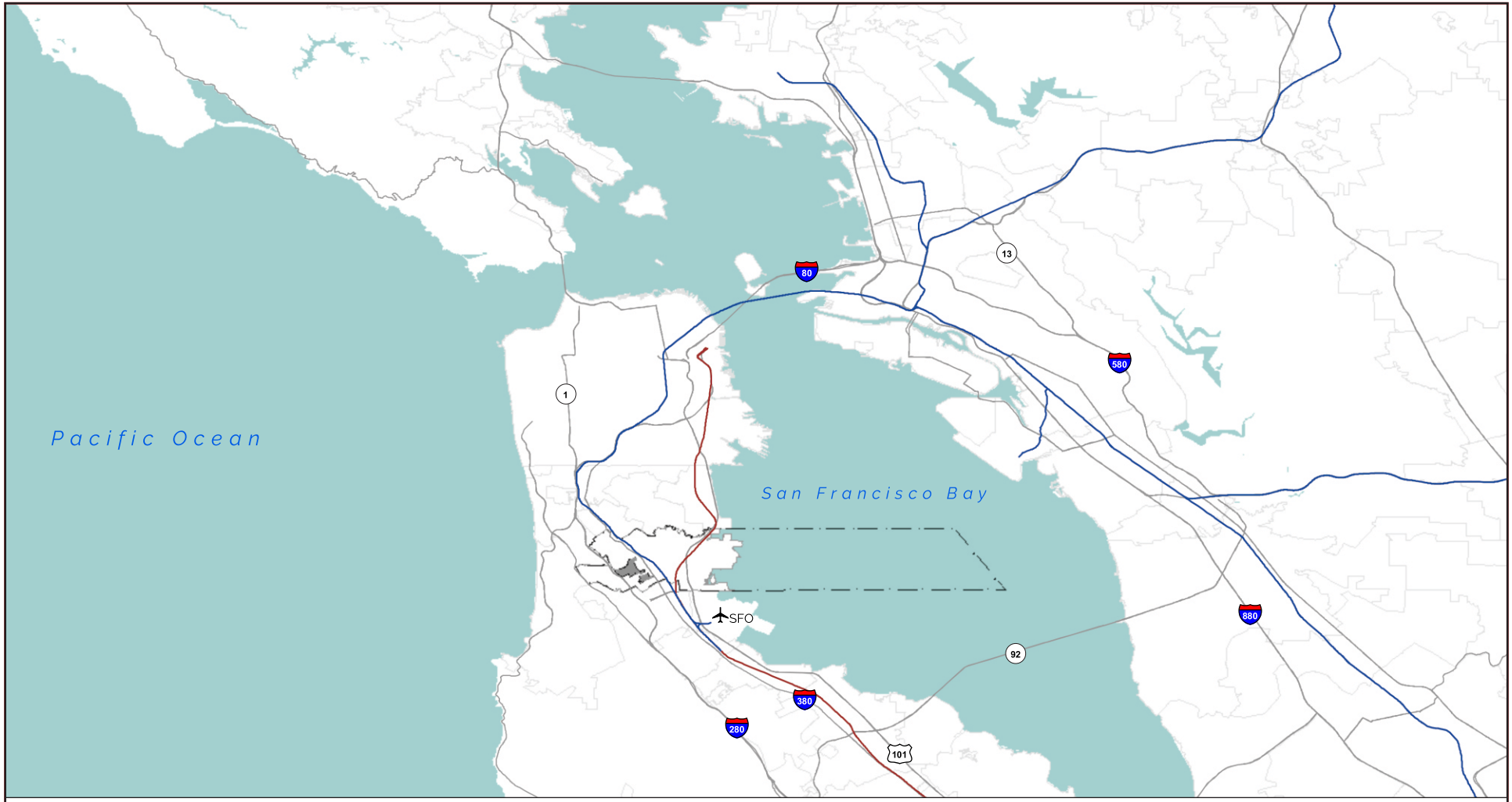
The Planning Area is located within an urban environment. No existing agriculture or forestry land use activities occur within the Planning Area boundaries, and none of the Planning Area is designated as relevant for agriculture or forestry resources by the City of South San Francisco or by the State of California.[8] These conditions preclude the possibility of loss of agricultural or forest resources; therefore, this issue will not be analyzed further by the Program EIR.

[8] California Important Farmland: 1984-2018. 2018. Website: https://maps.conservation.ca.gov/dlrp/ciftimeseries/. Accessed January 3, 2022.

Mineral Resources

No activities related to mineral resources occur within the Planning Area boundaries, and none of the Planning Area is designated as relevant for mineral resources by the City of South San Francisco Zoning Ordinance or by the State of California.[9] These conditions preclude the possibility of impacts on mineral resources; therefore, this issue will not be analyzed further by the Program EIR.

[9] California Department of Conservation, California Geological Survey Information Warehouse: Mineral Land Classification. 2015. Website: https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc. Accessed January 3, 2022.



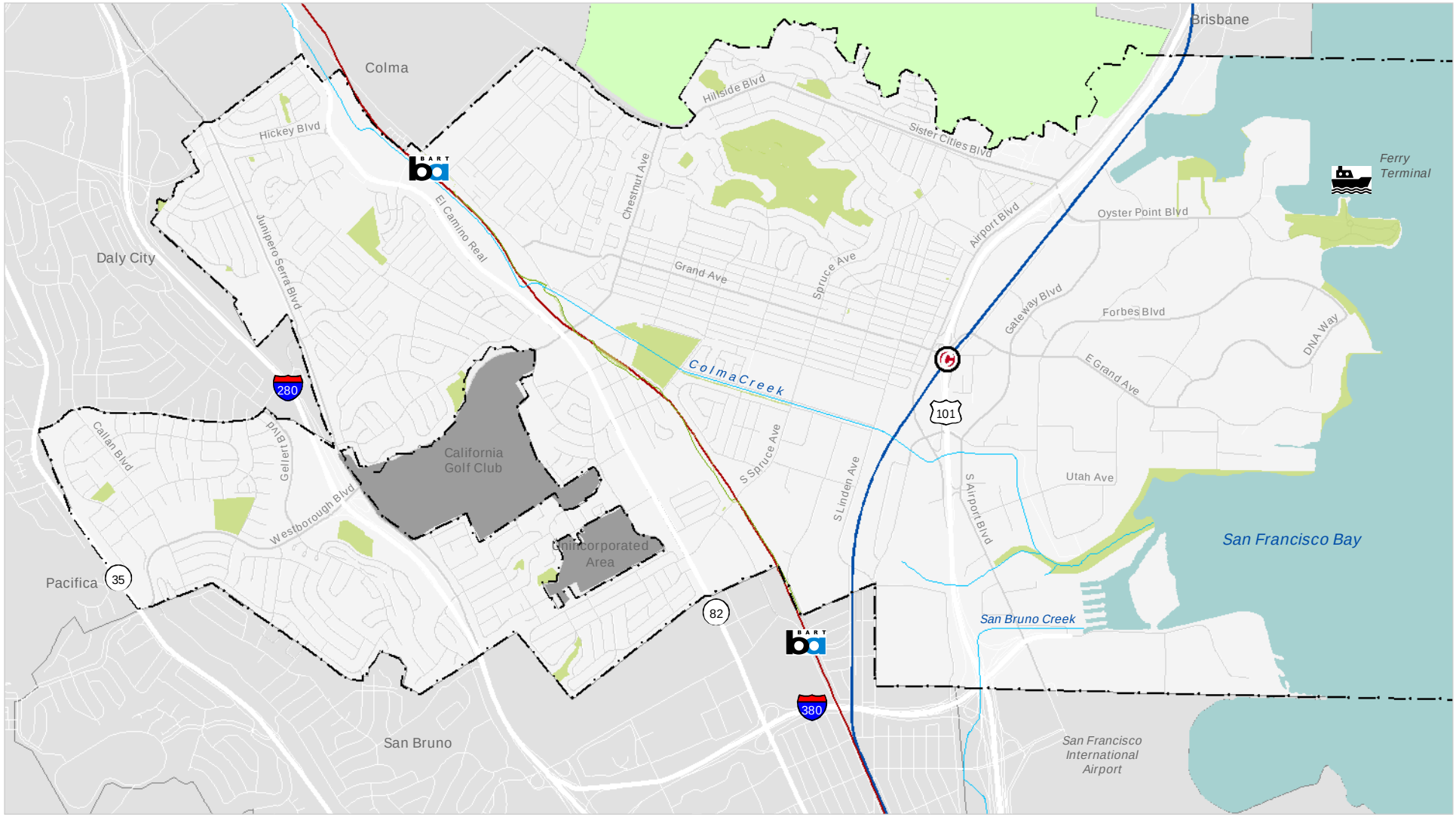
Source: Raimi + Associates, November 2019.

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Exhibit 1
Regional Context Map

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Jurisdictional Boundary

- City of South San Francisco
- Other City Boundaries
- Sphere of Influence

Transportation Features

- BART
- Caltrain
- Highway
- Arterial
- Local Street

Legend

- Streams
- Centennial Way Trail
- Parks/Open Space
- San Bruno Mountain State and County Park

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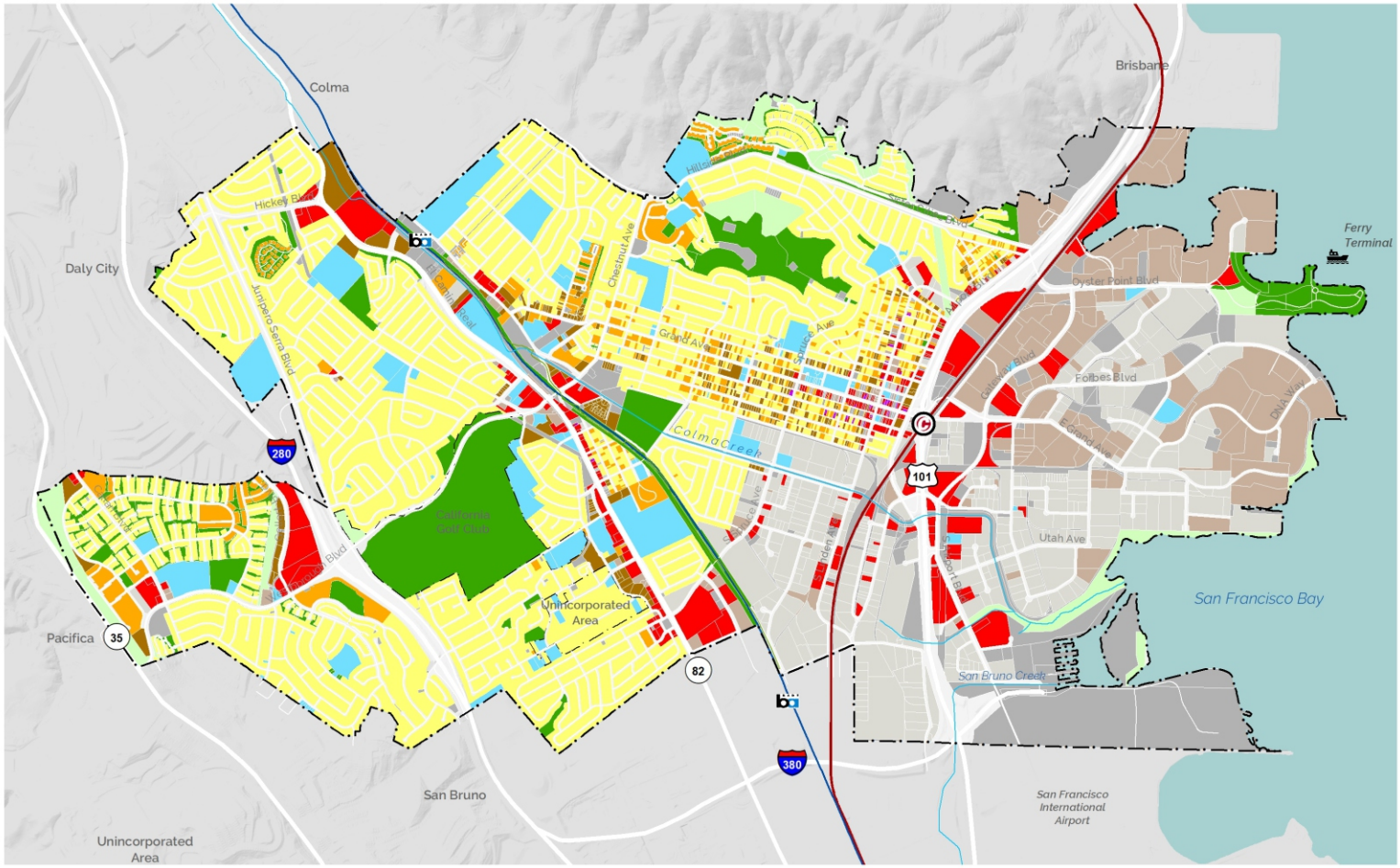
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Exhibit 2
Local Vicinity Map

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CITY OF SOUTH SAN FRANCISCO
GENERAL PLAN UPDATE, ZONING CODE AMENDMENTS, AND CLIMATE ACTION PLAN
NOTICE OF PREPARATION

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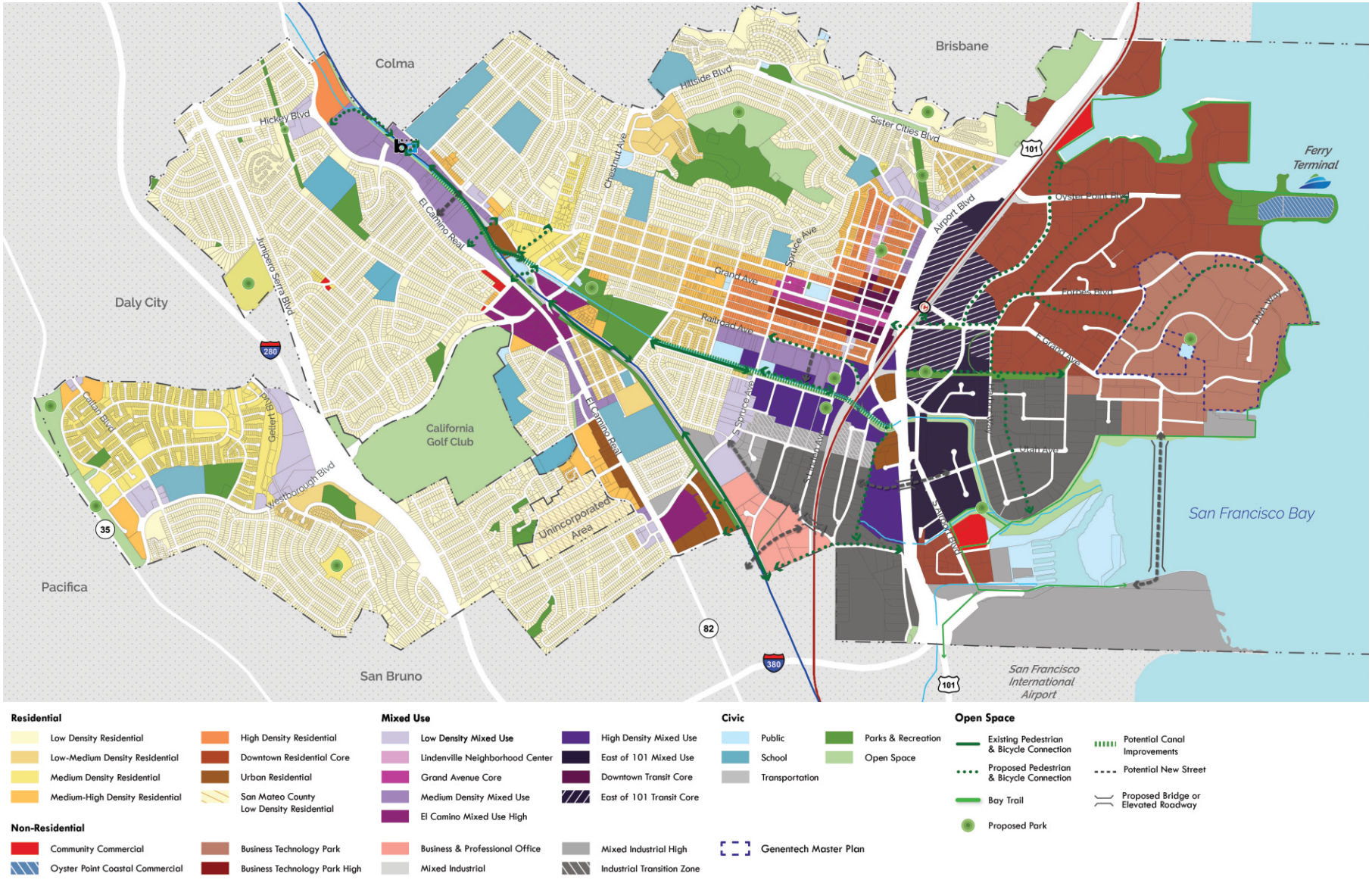


Source: Raimi + Associates, June 2020.

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Exhibit 3
Existing Land Use Map

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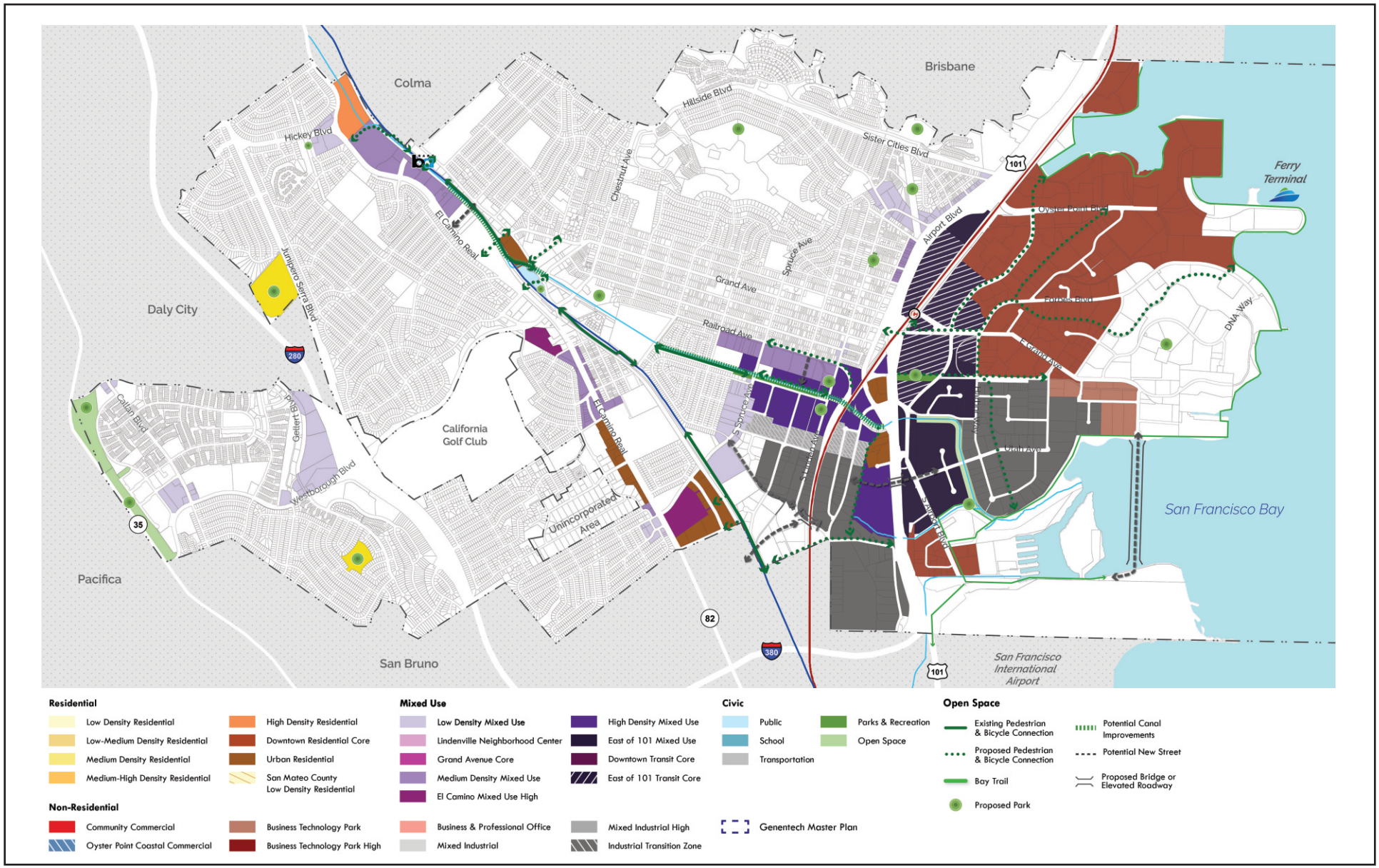


Source: Raimi + Associates, October 2020.

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Exhibit 4
Proposed Land Use Map

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Source: Raimi + Associates, October 2020.

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Exhibit 5
Proposed Land Use Map - Changes Only From Existing Land Use Map

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A.2 - Summary of EIR Scoping Comments

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Summary of Scoping Comments

Agency/Organization	Author	Date	Comment Summary	Coverage in Draft Program EIR
State Agency				
Native American Heritage Commission (NAHC)	Andrew Green, Cultural Resources Analyst	01/25/2022	• Recommends consultation with California Native American tribes traditionally and culturally affiliated with the geographic area of the proposed project. • Outlines Assembly Bill (AB) 52 and Senate Bill (SB) 18 tribal consultation provisions. • Provides recommendations for Cultural Resources Assessments.	• Section 3.4, Cultural and Tribal Cultural Resources
NAHC	Nancy Gonzalez-Lopez, Cultural Resources Analyst	02/08/2021	• Recommends consultation with California Native American tribes traditionally and culturally affiliated with the geographic area of the proposed project. • Outlines AB 52 and SB 18 tribal consultation provisions. • Provides recommendations for Cultural Resources Assessments.	• Section 3.4, Cultural and Tribal Cultural Resources
California Department of Fish and Wildlife (CDFW)	Erin Chappell, Regional Manager, Bay Delta Region	02/22/2022	• Recommends providing as much information related to anticipated future activities as possible in the project description. • Recommends creating a procedure or checklist for evaluating subsequent project impacts on biological resources. • Recommends that the Draft Program EIR provides baseline habitat assessments for special-status species plant, fish, and wildlife species located and potentially located within the project area and surrounding lands. • Recommends that surveys be conducted for special-status plant and wildlife species prior to project implementation. • Recommends that the Draft Program EIR describe aquatic habitats, such as wetlands and/or waters of the United States or State, and any sensitive natural communities or riparian habitat in the project area. • Recommends that the Draft Program EIR include the reasonably foreseeable direct and indirect changes (temporary and permanent) to biological resources, including cumulative impacts. • Recommends implementation of avoidance and minimization measures for special-status species. • Recommends that the proposed project avoid or minimize the use of artificial lighting to reduce nighttime light pollution.	• Chapter 2, Project Description • Section 3.1, Aesthetics, Light, and Glare • Section 3.3, Biological Resources • Section 3.9, Hydrology and Water Quality

draft

Agency/Organization	Author	Date	Comment Summary	Coverage in Draft Program EIR
			• Recommends that the proposed project incorporate visual signals or cues to exterior windows to prevent bird collisions. • Recommends that the proposed project avoid increases in stormwater runoff to streams that can cause hydromodification and erosion. • States that if fencing is built, the proposed project use wildlife friendly fencing. • Includes recommended mitigation measures to be included in the Draft Program EIR to protect nesting birds.	
California Department of Fish and Wildlife (CDFW)	Gregg Erickson, Regional Manager, Bay Delta Region	03/10/2021	• Recommends providing as much information related to anticipated future activities as possible in the project description. • Recommends creating a procedure or checklist for evaluating subsequent project impacts on biological resources. • Recommends that the Draft Program EIR provides baseline habitat assessments for special-status species plant, fish, and wildlife species located and potentially located within the project area and surrounding lands. • Recommends that surveys be conducted for special-status plant and wildlife species prior to project implementation. • Recommends that the Draft Program EIR describe aquatic habitats, such as wetlands and/or waters of the United States or State, and any sensitive natural communities or riparian habitat in the project area. • Recommends that the Draft Program EIR include the reasonably foreseeable direct and indirect changes (temporary and permanent) to biological resources, including cumulative impacts. • Recommends implementation of avoidance and minimization measures for special-status species. • Recommends that the proposed project avoid or minimize the use of artificial lighting to reduce nighttime light pollution. • Recommends that the proposed project incorporate visual signals or cues to exterior windows to prevent bird collisions. • Includes recommended mitigation measures to be included in the Draft Program EIR to protect State fully protected species, special-status species, nesting birds, and bat species.	• Chapter 2, Project Description • Section 3.1, Aesthetics, Light, and Glare • Section 3.3, Biological Resources

draft

Agency/Organization	Author	Date	Comment Summary	Coverage in Draft Program EIR
San Francisco International Airport (SFO)	Nupur Sinha, Director, Planning and Environmental Affairs	02/28/2022	• States that the Airport maintains the comments on the proposed project contained in the March 22, 2021, letter.	• Section 3.8, Hazards and Hazardous Materials • Section 3.10, Land Use and Planning • Section 3.11, Noise
San Francisco International Airport (SFO)	Nupur Sinha, Acting Planning Director, Planning and Environmental Affairs	03/22/2021	• Expresses concern that portions of the proposed mixed-use residential areas east of U.S. Highway 101 (US-101) are within the airport's runway safety zone boundaries and 65 decibel Community Noise Equivalent Level (CNEL) noise contour. • Requests that the Program EIR evaluate project consistency with all comprehensive Airport Land Use Compatibility Plan (ALUCP) for the environs of San Francisco International Airport (SFO) regulatory requirements and policies. • Expresses concern that any residential developments east of US-101 could reduce the efficacy of the Nighttime Preferential Runway Use program that protects residents of South San Francisco, Daly City, and Pacifica by maximizing flights over water and industrial areas between 1:00 a.m. and 6:00 a.m. • Recommends that noise impacts on sensitive receptors and any necessary mitigation measures should be fully evaluated in the Program EIR, and the EIR should describe the proposed project's consistency with noise policies described in ALUCP, including Noise Policies NP-1 through NP-4. • States that the southern portions of the General Plan area are within various runway end safety zones, including the Inner Approach/Departure Zone, Inner Turning Zone, and Outer Approach/Departure Zone and requests that the Program EIR describe and evaluate the proposed project's consistency with land use criteria within these runway end safety zones, as described in ALUCP SP-1 through SP-3. • Requests that the Program EIR evaluate impacts of the new vehicular bridge between Oyster Point and North Access Road on airport property.	• Section 3.8, Hazards and Hazardous Materials • Section 3.10, Land Use and Planning • Section 3.11, Noise

draft

Agency/Organization	Author	Date	Comment Summary	Coverage in Draft Program EIR
California Department of Transportation (Caltrans)	Mark Leong, District Branch Chief	02/25/2022	• States that current and future land use projects proposed near and adjacent to the State Transportation Network shall be assessed, in part, through Caltrans' Transportation Impact Study Guide. • Recommends a sufficient allocation of fair share contributions toward multimodal and regional transit improvements to fully mitigate cumulative impacts to regional transportation. • States that Lead Agency is responsible for all impact mitigation, including any needed improvements to the State Transportation Network. • States that if any Caltrans facilities are impacted by the proposed project, those facilities must meet Americans with Disabilities Act (ADA) Standards after project completion and maintain bicycle and pedestrian access during construction.	• Section 3.14, Transportation
California Department of Transportation (Caltrans)	Mark Leong, District Branch Chief	03/22/2021	• Recommends that a detailed Vehicle Miles Traveled (VMT) analysis be included in the Draft Program EIR for projects that do not meet the screening criteria. • Recommends that the Draft Program EIR include a robust Transportation Demand Management (TDM) Program and provides a list of measures to reduce VMT and greenhouse gas (GHG) emissions. • Recommends that TDM programs be documented with annual monitoring reports by a TDM coordinator. • States that Lead Agency is responsible for all impact mitigation, including any needed improvements to the State Transportation Network.	• Section 3.7, Greenhouse Gas Emissions • Section 3.14, Transportation
San Mateo County Local Agency Formation Commission (LAFCo)	Rob Bartoli, Interim Executive Director	02/28/2022	• Supports inclusion of unincorporated islands within the sphere of influence of South San Francisco within the General Plan study area. • Recommends that the Draft Program EIR evaluate land uses and infrastructure within the two unincorporated islands, including sewer and right-of-way improvements. • Recommends that the City explore how to allow for annexations of the unincorporated areas, through individual annexations, a phased approach, or annexation of the whole area.	• Section 3.10, Land Use and Planning • Section 3.9, Hydrology and Water Quality

draft

Agency/Organization	Author	Date	Comment Summary	Coverage in Draft Program EIR
California Geological Survey	Dr. Erik Frost, Senior Engineering Geologist, Seismic Hazards Program	03/15/2021	• Recommends that the Draft Program EIR address liquefaction, landslide, faulting, and ground shaking geologic hazards. • States that new Zones of Required Investigation for liquefaction and earthquake-induced landslides will be released for the planning area. • States that Holocene-active strands of the San Andreas fault zone traverse the planning area. • States that new Tsunami Hazard Area maps for San Mateo County and new Tsunami Regulatory Zones will be released. • States that Oyster Point Harbor and Oyster Cove Marina are susceptible to tsunami hazards. • Recommends that the Draft Program EIR discuss the geologic history and rock types in the planning area. • Recommends that the Draft Program EIR discuss soil types and particular soil characteristics pertinent to development.	• Section 3.6, Geology, Soils, and Seismicity • Section 3.9, Hydrology and Water Quality
Bay Area Air Quality Management District (BAAQMD)	Greg Nudd, Deputy Air Pollution Control Officer	03/18/2021	• Recommends that the Draft Program EIR estimate and evaluate potential health risks to existing and future sensitive populations within the planning area from Toxic Air Contaminants (TACs) and particulate matter, including dust, 2.5 micrometers or less in diameter ($PM_{2.5}$). • Recommends that the greenhouse gas (GHG) impact analysis include an evaluation of the General Plan's consistency with the most recent AB 32 Scoping Plan and the State's 2030 and 2050 climate goals. • Recommends that the Draft Program EIR evaluate all feasible measures, both on-site and offsite, to minimize air quality and GHG impacts. • Recommends that the Draft Program EIR evaluate the General Plan's consistency with the Air District's 2017 Clean Air Plan, the South San Francisco Climate Action Plan (2014), and the San Mateo County's Sea Level Rise Vulnerability Assessment (2018). • States that certain aspects of the General Plan may require a permit from the Air District (for example, back-up diesel generators).	• Section 3.2, Air Quality • Section 3.7, Greenhouse Gas Emissions • Section 3.9, Hydrology and Water Quality
San Francisco Public Utilities Commission (SFPUC)	Joanne Wilson, Senior Land and Resources Planner, Natural	03/18/2021	• Recommends that the Draft Program EIR identify the SFPUC as an agency that may provide approval for future projects or activities under the General Plan and include information about the SFPUC's project review process.	• Chapter 2, Project Description • Section 3.10, Land Use and Planning

draft

Agency/Organization	Author	Date	Comment Summary	Coverage in Draft Program EIR
	Resources and Lands Management Division		• Recommends that the Draft Program EIR analyze the General Plan's consistency with applicable SFPUC adopted plans, policies, and guidelines in the land use analysis. • Requests the Draft Program EIR to disclose and analyze potential land use conflicts from proposed housing sites, accessory housing land uses, or residential zoning included in the updated Housing Element that might conflict with established plans and policies of other agencies, including the SFPUC. • Cites SFPUC's policies regarding right-of-way.	• Section 2.15 Utilities and Service Systems
City/County Association of Governments of San Mateo County (C/CAG)	Katherine Kalkin, ALUC Staff	03/22/2021	• Recommends the Draft Program EIR discuss how the proposed policies in the General Plan Update will ensure Airport/Land Use Compatibility with noise, height/airspace protection, safety and overflight compatibility criteria and policies in the 2012 SFO ALUCP.	• Section 3.8, Hazards and Hazardous Materials • Section 3.10, Land Use and Planning • Section 3.11, Noise
Individuals				
N/A	Liliana Rivera	03/22/2021	• Highlights disparate pollution, health, and noise impacts on communities of color in South San Francisco resulting from industry on the east side and discriminatory housing policies. • Requests that the City prioritize health services and green space, particularly for non-English speakers and undocumented residents. • States that the General Plan should prioritize well-being of diverse community that already lives in the City. • Attach exhibits illustrating pollution and demographic data in the City as well as information on the causes of pollution in these areas.	• Section 3.2, Air Quality
N/A	Marcela Rivera		• Requests that the General Plan include more affordable housing, parks, and green space on the east side and neighborhoods like sunshine gardens. • Requests that the City create more routes for the free shuttle, especially to and from the Bay Area Rapid Transit (BART) station. • Requests that the City provide more services for Spanish speaking families and find a way to better communicate with all its residents. • Requests that City evaluate impacts of the biotechnology industry and water levels at Oyster Point.	• Chapter 2, Project Description • Section 3.9, Hydrology and Water Quality • Section 3.12, Population, Housing, and Employment • Section 3.13, Public Services and Recreation • Section 3.14, Transportation

draft

Agency/Organization	Author	Date	Comment Summary	Coverage in Draft Program EIR
N/A	Olga Perez	03/22/2021	• Suggests consideration of local residents in providing affordable housing should be a driving force in meeting citizen needs and Regional Housing Needs Assessment (RHNA) mandates (as opposed to serving the housing needs of growing biotech employees). • States that housing/mixed-use (retail) near BART would help mitigate climate change/improve air quality by discouraging vehicle use. • Suggests the City provide art and recreational programs in Old Town area where majority of Latinx population exists. • Suggests multi-language resources and outreach materials as well as interpreter services for agency meetings to provide equal access to participation. • States that Old Town, Downtown, Pecks Lots, and Cypress Park areas need more parks and park improvements for infants, young children, teens and seniors. • Suggests creation of volunteer-based community gardens throughout the City. • Suggests affordable and free internet for low-income communities. • Suggests mandate for inspection of Pacific and Gas Company (PG&E) underground natural gas lines throughout the City. • Expresses concern regarding health impacts of housing near US-101.	• Chapter 2, Project Description • Section 3.2, Air Quality • Section 3.7, Greenhouse Gas Emissions • Section 3.13, Public Services and Recreation • Section 3.14, Transportation • Section 3.15, Utilities and Service Systems
Individuals (Verbal Comments Received During EIR Scoping Meeting)				
San Francisco International Airport (SFO)	David Kim, Senior Environmental Planner	01/31/2022	• States that much of the land slated to be changed to residential uses is close to the airport runways. • Recommends that the City submit the General Plan Update to the ALUC for review and approval. • Recommends that residential uses be discouraged within the 65 decibel CNEL noise contour. • States that the southern portions of the General Plan area are within safety zones, and requests that the Program EIR describe and evaluate the proposed project's consistency within these safety zones. • Requests that the Program EIR evaluate impacts of the new vehicular bridge between Oyster Point and North Access Road on airport property.	• Section 3.8, Hazards and Hazardous Materials • Section 3.10, Land Use and Planning • Section 3.11, Noise
Source: Compiled by FirstCarbon Solutions (FCS) 2022.				

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A.3 - EIR Scoping Comment Letters

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NATIVE AMERICAN HERITAGE COMMISSION

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Jan 27 2022
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January 25, 2022

Billy Gross
City of South San Francisco
315 Maple Avenue
South San Francisco, CA 94080

Re: 2021020064, South San Francisco General Plan Update, Zoning Code Amendments, and Climate Action Plan Project, San Mateo County

Dear Mr. Gross:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements**. If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- **a.** A brief description of the project.
- **b.** The lead agency contact information.
- **c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- **d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

- **a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- **a.** Alternatives to the project.
- **b.** Recommended mitigation measures.
- **c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

- **a.** Type of environmental review necessary.
- **b.** Significance of the tribal cultural resources.
- **c.** Significance of the project's impacts on tribal cultural resources.
- **d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- **a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
- **b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:

a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or

b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

a. Avoidance and preservation of the resources in place, including, but not limited to:

i. Planning and construction to avoid the resources and protect the cultural and natural context.

ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:

i. Protecting the cultural character and integrity of the resource.

ii. Protecting the traditional use of the resource.

iii. Protecting the confidentiality of the resource.

c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.

d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).

e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).

f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.

b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.
3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:
    a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
    b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
    a. If part or all of the APE has been previously surveyed for cultural resources.
    b. If any known cultural resources have already been recorded on or adjacent to the APE.
    c. If the probability is low, moderate, or high that cultural resources are located in the APE.
    d. If a survey is required to determine whether previously unrecorded cultural resources are present.

2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
    a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.

b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:

a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.

b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.

b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.

c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Andrew.Green@nahc.ca.gov.

Sincerely,



Andrew Green
Cultural Resources Analyst

cc: State Clearinghouse

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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
(707) 428-2002
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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

February 22, 2022

Mr. Billy Gross
City of South San Francisco
315 Maple Avenue
South San Francisco, CA 94080
Billy.Gross@ssf.net

Subject: South San Francisco General Plan Update, Zoning Code Amendments, and Climate Action Plan, Notice of Preparation of a Draft Environmental Impact Report, SCH No. 2021020064, City of South San Francisco, San Mateo County

Dear Mr. Gross:

The California Department of Fish and Wildlife (CDFW) reviewed the Notice of Preparation (NOP) of a draft Environmental Impact Report (EIR) prepared by the City of South San Francisco for the South San Francisco General Plan Update, Zoning Code Amendments, and Climate Action Plan (Project). CDFW is submitting comments on the NOP regarding potentially significant impacts to biological resources associated with the Project.

CDFW ROLE

CDFW is a Trustee Agency with responsibility under the California Environmental Quality Act (CEQA) for commenting on projects that could impact fish, plant, and wildlife resources (Pub. Resources Code, § 21000 et seq.; Cal. Code Regs., tit. 14, § 15386). CDFW is also considered a Responsible Agency if a project would require discretionary approval, such as a California Endangered Species Act (CESA) Incidental Take Permit (ITP), a Native Plant Protection Act (NPPA) Permit, a Lake and Streambed Alteration (LSA) Agreement, or approval under other provisions of the Fish and Game Code that afford protection to the state's fish and wildlife trust resources. Pursuant to our authority, CDFW has the following concerns, comments, and recommendations regarding the Project.

California Endangered Species Act

Please be advised that a CESA ITP must be obtained if the Project has the potential to result in take[1] of plants or animals listed under CESA, either during construction or over the life of the Project. Issuance of a CESA Permit is subject to CEQA documentation;

[1] Take is defined in Fish and Game Code section 86 as hunt, pursue, catch, capture, or kill, or attempt any of those activities.

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the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the Project will impact CESA listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required to obtain a CESA ITP.

CEQA requires a Mandatory Finding of Significance if a project is likely to substantially restrict the range or reduce the population of a threatened or endangered species (Pub. Resources Code, §§ 21001, subd. (c), 21083; CEQA Guidelines, §§ 15380, 15064, and 15065). Impacts must be avoided or mitigated to less-than-significant levels unless the CEQA Lead Agency makes and supports Findings of Overriding Consideration (FOC). The Lead Agency's FOC does not eliminate the project proponent's obligation to comply with CESA.

Lake and Streambed Alteration Agreement

CDFW requires an LSA Notification, pursuant to Fish and Game Code section 1600 et seq., for Project activities affecting lakes or streams and associated riparian habitat. Notification is required for any activity that may substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank including associated riparian or wetland resources; or deposit or dispose of material where it may pass into a river, lake, or stream. Work within ephemeral streams, washes, watercourses with a subsurface flow, and floodplains are subject to notification requirements. CDFW, as a Responsible Agency, will consider the CEQA document for the Project and may issue an LSA Agreement. CDFW may not execute the final LSA Agreement until it has complied with CEQA as a Responsible Agency.

Migratory Birds and Raptors

CDFW has authority over actions that may disturb or destroy active nest sites or take birds. Fish and Game Code sections 3503, 3503.5, and 3513 protect birds, their eggs, and nests. Fully protected species may not be taken or possessed at any time (Fish and Game Code, § 3511). Migratory birds are also protected under the federal Migratory Bird Treaty Act.

PROJECT LOCATION

The Project is located in the City of South San Francisco, in San Mateo County, California. The City is located in a basin bounded by the San Bruno Mountains to the north, the Pacific Coast Ranges to the west, and the San Francisco Bay to the east. The City is bordered by the City of Brisbane to the north, Daly City, City of Pacifica, and the Town of Colma to the west, and the City of San Bruno to the south. San Francisco International Airport is located immediately to the south but falls within City and County of San Francisco's jurisdictional boundaries.

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PROJECT DESCRIPTION

The proposed Project consists of the South San Francisco General Plan Update, Zoning Code Amendments, and Climate Action Plan. The General Plan Update is a forward-looking document that will serve as the blueprint for the City's vision through the year 2040. The goals, policies, and actions in the proposed General Plan Update will serve as a compass for decision-makers and will shape future plans and actions of the City. The City's comprehensive General Plan was initially prepared in 1999. The City's Housing Element was certified in 2015 and is valid until 2023. The process of updating the existing Housing Element is underway and is being conducted as part of this General Plan Update. The proposed General Plan Update would replace the 1999 General Plan.

The General Plan Update anticipates approximately 17,531 net new housing units and approximately 80,944 net new employment opportunities by 2040. The Climate Action Plan includes a community-wide inventory of greenhouse gas (GHG) emissions and identifies strategies and measures to reduce GHG emissions generated by existing and future uses in the City to achieve State-mandated targets.

The CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) require that the draft EIR incorporate a full project description, including reasonably foreseeable future phases of the Project, that contains sufficient information to evaluate and review the Project's environmental impact (CEQA Guidelines, §§ 15124 and 15378). Please include a complete description of the following Project components in the project description:

- Footprints of permanent Project features and temporarily impacted areas, such as staging areas and access routes.
- Plans and dimensions for any proposed buildings/structures, ground disturbing activities, fencing, paving, stationary machinery, landscaping, and stormwater systems.
- Operational features of the Project, including level of anticipated human presence (describe seasonal or daily peaks in activity, if relevant), artificial lighting/light reflection, noise, traffic generation, and other features.
- Construction schedule, activities, equipment, and crew sizes.

ENVIRONMENTAL SETTING

The draft EIR should provide sufficient information regarding the environmental setting ("baseline") to understand the project's, and its alternative's (if applicable), potentially significant impacts on the environment (CEQA Guidelines, §§ 15125 and 15360). CDFW recommends that the draft EIR provide baseline habitat assessments for

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special-status plant, fish, and wildlife species located and potentially located within the Project area and surrounding lands, including but not limited to all rare, threatened, or endangered species (CEQA Guidelines, § 15380). The draft EIR should describe aquatic habitats, such as wetlands and/or waters of the U.S. or State, and any sensitive natural communities or riparian habitat occurring on or adjacent to the Project site.

The special-status species that have the potential to occur in or near the Project site, include, but are not limited to:

Common Name	**Scientific Name**	**Status**
San Francisco gartersnake	*Thamnophis sirtalis tetrataenia*	FE, SE, SP
California Ridgway's rail	*Rallus obsoletus obsoletus*	FE, SE
San Francisco common yellowthroat	*Geothlypic trichas*	SSC
American peregrine falcon	*Falco peregrines anatum*	SP
Point Reyes horkelia	*Horkelia marinensis*	SR
California red-legged frog	*Rana draytonii*	FT
Mission blue butterfly	*Icaricia icarioides missionensis*	FE
Callippe silverspot butterfly	*Speyeria callippe callippe*	FE
Longfin smelt	*Spirinchus thaleichtys*	FC, ST
Nesting birds		
Bats		
Plants		
Aquatic species		
Terrestrial species		

Notes:

FT= federally threatened under ESA; FE = federally endangered under ESA; FC = federal candidate for federal listing under ESA; SE = state endangered under CESA; ST = state threatened under CESA; SSC = state species of special concern; SP = state listed as fully protected; SR = state rare under the Native Plant Protection Act

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Habitat descriptions, and the potential for species occurrence, should include information from multiple sources: aerial imagery; historical and recent survey data; field reconnaissance; scientific literature and reports; the U.S. Fish and Wildlife Service's (USFWS) Information, Planning, and Consultation System; and findings from positive occurrence databases such as California Natural Diversity Database (CNDDB). Based on the data and information from the habitat assessment, the draft EIR should adequately assess which special-status species are likely to occur on or near the Project site, and whether they could be impacted by the Project.

CDFW recommends that prior to Project implementation, surveys be conducted for special-status species with potential to occur, following recommended survey protocols if available. Survey and monitoring protocols and guidelines are available at: https://wildlife.ca.gov/Conservation/Survey-Protocols.

Botanical surveys for special-status plant species, including those listed by the California Native Plant Society (http://www.cnps.org/cnps/rareplants/inventory/), must be conducted during the blooming period for all species potentially impacted by the Project within the Project area and adjacent habitats that may be indirectly impacted by, for example, changes to hydrology, and require the identification of reference populations. Please refer to CDFW protocols for surveying and evaluating impacts to rare plants, and survey report requirements, available at: https://wildlife.ca.gov/Conservation/Plants.

IMPACT ANALYSIS AND MITIGATION MEASURES

The draft EIR should include the reasonably foreseeable direct and indirect changes (temporary and permanent) that may occur with implementation of the Project (CEQA Guidelines, §§ 15126, 15126.2, and 15358). This includes evaluating and describing impacts such as:

- Encroachments into riparian habitats, wetlands, or other sensitive areas;
- Potential for impacts to special-status species;
- Loss or modification of breeding, nesting, dispersal and foraging habitat, including vegetation removal, alteration of soils and hydrology, and removal of habitat structural features (e.g., snags, rock outcrops, overhanging banks);
- Permanent and temporary habitat disturbances associated with ground disturbance, noise, lighting, reflection, air pollution, traffic, or human presence; and
- Obstruction of movement corridors, fish passage, or access to water sources and other core habitat features.

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The draft EIR should also identify reasonably foreseeable future projects in the Project vicinity, disclose any cumulative impacts associated with these projects, determine the significance of each cumulative impact, and assess the significance of the Project's contribution to the impact (CEQA Guidelines, § 15355). Although a project's impacts may be less-than-significant individually, its contributions to a cumulative impact may be considerable; a contribution to a significant cumulative impact, e.g., reduction of habitat for a special-status species should be considered cumulatively considerable.

Based on the comprehensive analysis of the direct, indirect, and cumulative impacts of the Project, the CEQA Guidelines direct the Lead Agency to consider and describe all feasible mitigation measures to avoid potentially significant impacts in the draft EIR and mitigate potentially significant impacts of the Project on the environment (CEQA Guidelines, §§ 15021, 15063, 15071, 15126.4, and 15370). This includes a discussion of impact avoidance and minimization measures for special-status species, which are recommended to be developed in early consultation with CDFW, the USFWS, and the National Marine Fisheries Service. These measures should be incorporated as enforceable Project conditions to reduce impacts to biological resources to less-than-significant levels.

Fully protected species such as San Francisco garter snake and American peregrine falcon may not be taken or possessed at any time (Fish and Game Code, § 3511, 4700, 5050, and 5515). Therefore, the draft EIR should include measures to ensure complete avoidance of these species.

CDFW COMMENTS AND RECOMMENDATIONS

COMMENT 1: Artificial Lighting

Issue: The Project could increase artificial lighting. Artificial lighting often results in light pollution, which has the potential to significantly and adversely affect biological resources.

Evidence the impact would be significant: Night lighting can disrupt the circadian rhythms of many wildlife species. Many species use photoperiod cues for communication (e.g., bird song; Miller 2006), determining when to begin foraging (Stone et al. 2009), behavior thermoregulation (Beiswenger 1977), and migration (Longcore and Rich 2004). Aquatic species can also be affected, for example, salmonids migration can be slowed or stopped by the presence of artificial lighting (Tabor et al. 2004, Nightingale et al. 2006).

Recommendations to minimize significant impacts: CDFW recommends eliminating all non-essential artificial lighting. If artificial lighting is necessary, CDFW recommends avoiding or limiting the use of artificial lights during the hours of dawn and dusk, when many wildlife species are most active. CDFW also recommends that outdoor lighting be

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shielded, cast downward, and does not spill over onto other properties or upwards into the night sky (see the International Dark-Sky Association standards at http://darksky.org/).

COMMENT 2: Exterior Windows

Issue: The glass used for exterior building windows could result in bird collisions, which can cause bird injury and mortality.

Evidence the impact would be significant: Birds, typically, do not see clear or reflective glass, and can collide with glass (e.g., windows) that reflect surrounding landscape and/or habitat features (Klem and Saenger 2013, Sheppard 2019). When birds collide with glass, they can be injured or killed. In the United States, the estimated annual bird mortality is between 365-988 million birds (Loss et al. 2014).

Recommendations to minimize significant impacts: CDFW recommends incorporating visual signals or cues to exterior windows to prevent bird collisions. Visual signals or cues include, but are not limited to, patterns to break up reflective areas, external window films and coverings, ultraviolet patterned glass, and screens. For best practices on how to reduce bird collisions with windows, please go to USFWS's website for Buildings and Glass (https://www.fws.gov/birds/bird-enthusiasts/threats-tobirds/collisions/buildings-and-glass.php).

COMMENT 3: Stream Hydromodification

Issue: The Project could increase impervious surfaces within the Project area. Impervious surfaces, stormwater systems, and storm drain outfalls have the potential to significantly affect fish and wildlife resources by altering runoff hydrograph and natural streamflow patterns and causing erosion.

Evidence the impact would be significant: Urbanization (e.g., impervious surfaces, stormwater systems, storm drain outfalls) can modify natural streamflow patterns by increasing the magnitude and frequency of high flow events and storm flows (Hollis 1975, Konrad and Booth 2005).

Recommendations to minimize significant impacts: CDFW recommends the Project avoid increases in stormwater runoff to streams that can cause hydromodification and erosion. Low impact designs should be incorporated into the Project such as permeable surfaces throughout the Project area to allow stormwater to percolate in the ground and other methods that can disperse rather than concentrate stormwater to drainage outfalls.

COMMENT 4: Fencing

Issue: The Project has the potential to build temporary and/or permanent fences.

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Evidence the impact would be significant: Fencing can be a hazard to wildlife causing entanglement and mortality (van der Ree 1999, Stuart et al. 2001, Harrington and Conover 2006). Recommendation to minimize significant impacts: CDFW recommends that if fencing is built, the Project use wildlife friendly fencing.

COMMENT 5: Nesting Birds

Issue: Project construction could result in disturbance of nesting birds.

Evidence the impact would be significant: Noise can impact bird behavior by masking signals used for bird communication, mating, and hunting (Bottalico et al. 2015). Birds hearing can also be damaged from noise and impair the ability of birds to find or attract a mate and prevent parents from hearing calling young (Ortega 2012).

Recommendations to minimize significant impacts: If ground-disturbing or vegetation-disturbing activities occur during the bird breeding season (February through early-September), the Project applicant is responsible for ensuring that implementation of the Project does not result in violation of Fish and Game Code.

To evaluate and avoid for potential impacts to nesting bird species, CDFW recommends incorporating the following mitigation measures into the Project's draft EIR, and that these measures be made conditions of approval for the Project.

Recommended Mitigation Measure 1: Nesting Bird Surveys

If ground-disturbing or vegetation-disturbing activities occur during the bird breeding season, CDFW recommends that a qualified avian biologist conduct pre-Project activity nesting bird surveys no more than seven (7) days prior to the start of ground or vegetation disturbance and if there is a four day or more lapse in ground or vegetation disturbance. CDFW recommends that nesting bird surveys cover a sufficient area around the Project area to identify nests and determine their status. A sufficient area means any area potentially affected by the Project.

During nesting bird surveys, CDFW recommends that a qualified avian biologist establish behavioral baseline of all identified nests. During Project activities, CDFW recommends having the qualified avian biologist continuously monitor nests to detect behavioral changes resulting from Project activities. If behavioral changes occur, CDFW recommends stopping the activity, that is causing the behavioral change, and consulting with a qualified avian biologist on additional avoidance and minimization measures.

Recommended Mitigation Measure 2: Nesting Bird Buffers

During Project activities, if continuous monitoring of nests by a qualified avian biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet

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around active nests of non-listed bird species and a 1,000-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified avian biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the Project area would be concealed from a nest site by topography. CDFW recommends that a qualified avian biologist advise and support any variance from these buffers.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. [Pub. Resources Code, § 21003, subd. (e)]. Accordingly, please report any special-status species and natural communities detected during Project surveys to CNDDB. The CNNDB online field survey form and other methods for submitting data can be found at the following link: https://wildlife.ca.gov/Data/CNDDB/Submitting-Data. The types of information reported to CNDDB can be found at the following link: https://wildlife.ca.gov/Data/CNDDB/Plants-and-Animals.

FILING FEES

CDFW anticipates that the Project will have an impact on fish and/or wildlife, and assessment of filing fees is necessary (Fish and Game Code, § 711.4; Pub. Resources Code, § 21089). Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW.

If you have any questions, please contact Mr. Will Kanz, Environmental Scientist, at Will.Kanz@wildlife.ca.gov; or Mr. Wesley Stokes, Senior Environmental Scientist (Supervisor), at Wesley.Stokes@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Erin Chappell
B77E9A6211EF486...

Erin Chappell
Regional Manager
Bay Delta Region

cc: State Clearinghouse, SCH No. 2021020064

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California Department of Transportation

DISTRICT 4
OFFICE OF TRANSIT AND COMMUNITY PLANNING
P.O. BOX 23660, MS–10D | OAKLAND, CA 94623-0660
www.dot.ca.gov

February 25, 2022

SCH #: 2021020064
GTS #: 04-SM-2021-00415
GTS ID: 21933
Co/Rt/Pm: SM/101/22

Billy Gross, Principal Planner
City of South San Francisco
315 Maple Avenue
South San Francisco, CA 94080

Re: South San Francisco General Plan Update, Zoning Code Amendments, and Climate Action Plan Notice of Preparation (NOP)

Dear Billy Gross:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the South San Francisco General Plan Update, Zoning Code Amendments, and Climate Action Plan (project). We are committed to ensuring that impacts to the State's multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system. The following comments are based on our review of the revised January 2022 NOP.

Project Understanding
The project includes the update of the South San Francisco General Plan; amendments to the Zoning Code; and the update of the Climate Action Plan. In addition, the City of South San Francisco (City) will prepare a Draft Program Environmental Impact Report (DEIR) for the project. The DEIR will evaluate potential environmental impacts associated with adoption and implementation of the project. The project encompasses the entire City and is located along segments of State Route (SR)-82 (El Camino Real), Interstate (I)-280, and United States Route (US)-101.

Travel Demand Analysis
With the enactment of Senate Bill (SB) 743, Caltrans is focused on maximizing efficient development patterns, innovative travel demand reduction strategies, and multimodal improvements. For more information on how Caltrans assesses Transportation Impact Studies, please review Caltrans' Transportation Impact Study Guide (*link*). Please note that current and future land use projects proposed near and

adjacent to the State Transportation Network (STN) shall be assessed, in part, through the TISG.

Transportation Impact Fees
We encourage a sufficient allocation of fair share contributions toward multimodal and regional transit improvements to fully mitigate cumulative impacts to regional transportation. We also strongly support measures to increase sustainable mode shares, thereby reducing VMT. Caltrans welcomes the opportunity to work with the City and local partners to secure the funding for needed mitigation. Traffic mitigation- or cooperative agreements are examples of such measures.

Lead Agency
As the Lead Agency, the City of South San Francisco is responsible for all project mitigation, including any needed improvements to the State Transportation Network (STN). The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

Equitable Access
If any Caltrans facilities are impacted by the project, those facilities must meet American Disabilities Act (ADA) Standards after project completion. As well, the project must maintain bicycle and pedestrian access during construction. These access considerations support Caltrans' equity mission to provide a safe, sustainable, and equitable transportation network for all users.

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, or for future notifications and requests for review of new projects, please email LDR-D4@dot.ca.gov.

Sincerely,

Mark Leong

MARK LEONG
District Branch Chief
Local Development Review

c: State Clearinghouse

SAN MATEO
LAFCo
LOCAL AGENCY FORMATION COMMISSION
455 COUNTY CENTER, 2ND FLOOR • REDWOOD CITY, CA 94063-1663 • PHONE (650) 363-4224 • FAX (650) 363-4849

February 28, 2022

Sent Via Email
Mr. Billy Gross
City of South San Francisco
315 Maple Avenue
South San Francisco, CA 94080

Subject: Notice of Preparation of a Program Environmental Impact Report for the Proposed South San Francisco General Plan Update, Zoning Code Amendments, and Climate Action Plan

Mr. Billy Gross,

Thank you for the opportunity to comment on the Notice of Preparation for a Program Environmental Impact Report for the Proposed South San Francisco General Plan Update, Zoning Code Amendments, and Climate Action Plan.

The Local Agency Formation Commission (LAFCo) is a state mandated local agency established in every county to oversee and regulate the boundaries of cities and special districts. San Mateo LAFCo has jurisdiction over the boundaries of the 20 cities, 22 independent special districts, and many of the 33 active county and city governed special districts serving San Mateo County.

The Existing Conditions section of the NOP identifies two unincorporated islands within the Sphere of Influence of South San Francisco. The first is the California Golf Club area which consists of the golf course, Ponderosa Elementary School, portions of Westborough Boulevard, and a several parcels to the north of Westborough Boulevard. The second is the largely residential area known as Country Club Park roughly bound by Conmur Street to the west, Country Club Drive to the north, Alida Way to the east, and Northwood Drive to the south. LAFCo supports the inclusion of these unincorporated areas within the General Plan study area.

LAFCo has the following comments regarding the NOP:

As part of the CEQA review and General Plan Update, the City should evaluate land uses and infrastructure within the two unincorporated islands. While some properties are served by the City's public wastewater system, the majority of properties within the unincorporated area are still served by on-site septic systems. In recent years, requests for properties to connect to the City's wastewater system have increased due to either failing septic systems or limitations of

COMMISSIONERS: MIKE O'NEILL, CHAIR, CITY ▪ ANN DRAPER, VICE CHAIR, PUBLIC ▪ HARVEY RARBACK, CITY ▪ DON HORSLEY, COUNTY ▪ WARREN SLOCUM, COUNTY ▪ JOSHUA COSGROVE, SPECIAL DISTRICT ▪ RIC LOHMAN, SPECIAL DISTRICT
ALTERNATES: KATI MARTIN, SPECIAL DISTRICT ▪ DIANA REDDY, CITY ▪ JAMES O'NEILL, PUBLIC ▪ DAVE PINE, COUNTY
STAFF: ROB BARTOLI, INTERIM EXECUTIVE OFFICER ▪ TIM FOX, LEGAL COUNSEL▪ ANGELA MONTES, CLERK

septic systems to support construction of additions to existing structures or the redevelopment of these properties. The City's current General Plan does not permit the City to annex individual parcels in the Country Club Park area. The Plan states that no portion of the area should be annexed unless the entire area is annexed.

LAFCo encourages the City to explore how to allow for annexations of the unincorporated areas, through individual annexations, a phased approach, or annexation of the whole area. The General Plan and CEQA documents should evaluate infrastructure needs, including sewer and right-of-way improvements, of the unincorporated areas as well. The General Plan should include the development of policies that support the creation of master plan for the unincorporated areas that address infrastructure improvements, identifies funding for these improvements, and assesses different approaches to annexation of the areas. LAFCo staff is available for discussions with the City about the annexation process and the infrastructure needs in the unincorporated areas of South San Francisco.

San Mateo LAFCo looks forward to reviewing all future environmental and planning documents related to the General Plan Update.

Sincerely,

Rob Bartoli

Rob Bartoli
Interim Executive Officer

San Francisco International Airport

February 28, 2022

Billy Gross, Principal Planner
City of South San Francisco
Planning Division
315 Maple Ave.
South San Francisco, CA 94080

TRANSMITTED VIA E-MAIL and U.S. MAIL
billy.gross@ssf.net

Subject: ***Notice of Preparation of a Program Environmental Impact Report for Proposed South San Francisco General Plan Update, Zoning Code Amendments, and Climate Action Plan***

Thank you for notifying San Francisco International Airport (SFO or the Airport) regarding the preparation of a Program Environmental Impact Report (Program EIR) for the proposed South San Francisco General Plan Update (the Proposed Project). We appreciate this opportunity to coordinate with the City of South San Francisco (the City) in considering potential land use compatibility issues that the Proposed Project may pose and should address.

As described in the Notice of Preparation (NOP), the original NOP of a Program EIR for the General Plan Update was circulated from February 3, 2021 to March 22, 2021. The Airport provided comments on the original NOP in a letter dated March 22, 2021. Those original comments are included as an attachment to this letter. This revised NOP is being circulated to provide the public with an opportunity to comment on changes that were made to the Project Description related to net new housing units (from 14,324 to 17,531) and net new employment opportunities (from 13,352 to 80,944) to be incorporated into the General Plan Update. The proposed land use map (Exhibit 5 of the revised NOP) does not appear to be changed from the original NOP. The revised NOP states that comments received on the original NOP as well as comments received on the revised NOP will be considered part of the administrative record. As such, the Airport maintains that the comments on the Proposed Project contained in the March 22, 2021 letter (attached) remain valid. The main points from that letter include: 1) concerns that portions of proposed mixed-use residential zones are within the Airport's runway safety zone boundaries and the 65 decibel Community Noise Equivalent Level noise contour, 2) concerns that proposed mixed-use residential zones East of Highway 101 could reduce the efficacy of nighttime Airport departure procedures protecting residents, and 3) keeping the Airport apprised of any developments regarding the proposal for a new vehicular bridge between Oyster Point and North Access Road.

The Airport appreciates your consideration of these comments. We look forward to reviewing the Draft Environmental Impact Report when made public. If I can be of assistance as the City considers airport land use compatibility as they relate to the General Plan update, Program EIR, or any future projects, please do not hesitate to contact me at (650) 821-6678 or at nupur.sinha@flysfo.com.

Sincerely,

DocuSigned by:
Nupur Sinha
7D552AE6A4CE495...

Nupur Sinha
Director of Planning and Environmental Affairs
San Francisco International Airport
P.O. Box 8097
San Francisco, California 94128

Attachment

cc: Susy Kalkin, ALUC
Sean Charpentier, C/CAG
Audrey Park, SFO

AIRPORT COMMISSION CITY AND COUNTY OF SAN FRANCISCO

LONDON N. BREED *MAYOR* | ELEANOR JOHNS *PRESIDENT* | MALCOLM YEUNG | EVERETT A. HEWLETT, JR. | JANE NATOLI | IVAR C. SATERO *AIRPORT DIRECTOR*

ATTACHMENT

Comment Letter from SFO to City of South San Francisco re: Notice of Preparation of a Program Environmental Impact Report for Proposed South San Francisco General Plan Update (March 22, 2021)

DocuSign Envelope ID: 2778D457-6C61-4F1A-BDA3-F82CA0FE411D

San Francisco International Airport

March 22, 2021

Billy Gross
Senior Planner
City of South San Francisco
Planning Division
315 Maple Ave.
South San Francisco, CA 94080

TRANSMITTED VIA EMAIL
billy.gross@ssf.net

Subject: ***Notice of Preparation of a Program Environmental Impact Report for Proposed South San Francisco General Plan Update***

Dear Mr. Gross,

Thank you for notifying San Francisco International Airport (SFO or the Airport) regarding the preparation of a Program Environmental Impact Report (Program EIR) for the proposed South San Francisco General Plan Update (the project). We appreciate this opportunity to coordinate with the City of South San Francisco (the City) in considering and evaluating potential land use compatibility issues that the project may pose and should address.

As described in the Notice of Preparation (NOP), the project site is the geographic limits of the City, in San Mateo County. The southeastern portion of the project borders, and in certain areas overlaps with, City and County of San Francisco/SFO property boundaries. The City is primarily residential, with this use occupying approximately 40% of its land area, followed by industrial/research and development (RD) at approximately 30%, and parks/open space/common greens at approximately 10%. The NOP notes that presently there are about 150 acres of vacant land remaining in the City, which amounts to 3.4% of the City. This project will serve as a blueprint for the City's vision through the year 2040 and will replace the 1999 General Plan and inform updates to the City's Zoning Ordinance.

The City's proposed changes are highlighted in Proposed Land Use Maps and, specifically, the Land Use Map depicting the changes from the existing map (see Figure 1). This map highlights the concentration in change along the U.S. Highway 101 (U.S. 101) corridor, the "East of 101" precinct including Oyster Point, and transit nodes such as the San Bruno Bay Area Rapid Transit (BART) and South San Francisco BART and Caltrain stations, which have been targeted for zoning intensification. The NOP notes that the project permits approximately 14,324 net new housing units and approximately 13,352 net new employment opportunities by 2040. This map highlights that much of this change will come from intensifying land uses which were previously exclusively office/RD or industrial under the 1999 General Plan to include mixed use or high-density mixed use, which would allow for residential uses.

The Airport is concerned that much of the land slated for this change is closer to the Airport than the previous General Plan's housing element, and portions of the proposed mixed-use residential zones are within the Airport's runway safety zone boundaries and 65 decibel (dB) Community Noise Equivalent Level (CNEL) noise contour. In the 1999 General Plan, the City acknowledged the significance of and retained areas east of U.S. 101 for cargo handling and freight forwarder uses that support the cargo operations at SFO. The Airport appreciates that in the intervening years, the City has successfully maintained these land uses east of U.S. 101, which enhance and support the relationship among the City, its residents, and the Airport. These existing compatible land uses east of U.S. 101 include industrial, warehousing, hotels, and office/RD. The Airport cautions against the project's proposed departure from this successful practice.

AIRPORT COMMISSION CITY AND COUNTY OF SAN FRANCISCO

LONDON N. BREED *MAYOR* | LARRY MAZZOLA *PRESIDENT* | ELEANOR JOHNS *VICE PRESIDENT* | RICHARD J. GUGGENHIME | EVERETT A. HEWLETT, JR. | MALCOLM YEUNG | IVAR C. SATERO *AIRPORT DIRECTOR*

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The close proximity of these areas to SFO would require developments to undergo federal, state, and local regulatory review processes specific to airport noise, airspace safety, and other land use compatibility standards, including 14 Code of Federal Regulations Part 77 regulations for the safety, efficient use, and preservation of navigable airspaces. Airport staff encourages the City to work closely with the Airport Land Use Commission (ALUC)[1] to determine project consistency with the Comprehensive Airport Land Use Compatibility Plan for the Environs of SFO (ALUCP)[2] and other regulatory review procedures. The Program EIR should evaluate the project for consistency with all ALUCP regulatory requirements and policies.

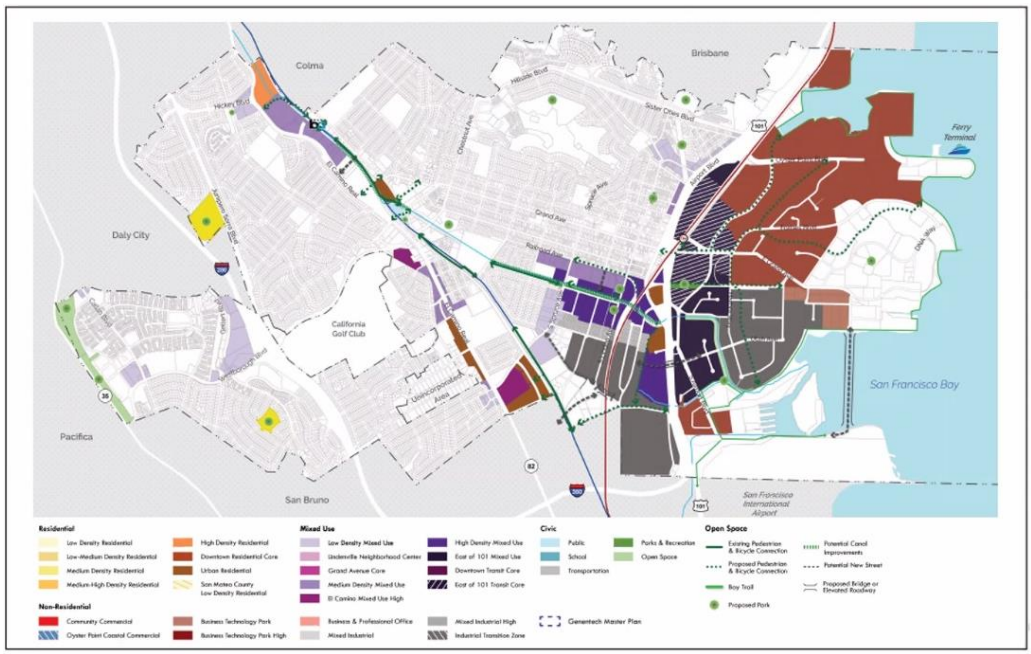


Figure 1: Proposed Changes from Existing Land Use Map (NOP of Program EIR Exhibit 5)

The ALUCP establishes policies, to ensure compatibility between the Airport and surrounding land uses and to protect local residents and workers from adverse effects of airport operations. All three topics are based on research into actual effects of airport operations on human health and safety.[3]

- **Noise:** Reduce the potential number of future residents who could be exposed to noise effects from airport and aircraft operations.
- **Safety:** Minimize the potential number of future residents and land use occupants exposed to hazards related to aircraft operations and/or catastrophic incidents.
- **Elevation/Height:** Protect the navigable airspace around the Airport for the safe and efficient operation of aircraft in flight.

[1] State law requires an ALUC for every county with an airport in its jurisdiction. *See* Cal. Pub. Util. Code §§ 21670-21679.5. In San Mateo County, the City/County Association of Governments of San Mateo County (C/CAG) board serves as the ALUC.
[2] State law requires the preparation of an ALUCP. *See id.* In 2012, C/CAG, in consultation with the Airport and surrounding communities, adopted the current ALUCP, which addresses issues related to compatibility between airport operations and surrounding proposed land use development, considering noise impacts, safety of persons on the ground and in flight, height restrictions/airspace protection, and overflight notification.
[3] California Department of Transportation (Caltrans) Division of Aeronautics, California Airport Land Use Planning Handbook, October 2011.

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Most of the City, and all of the areas of proposed land use intensification around and to the east of U.S. 101, are located within the ALUCP Airport Influence Areas A and B (see Figure 2). The ALUCP requires all residential development within Area A, which is the entirety of San Mateo County, to provide real estate disclosures, a copy of which can be found at ALUCP Appendix G-7. Additionally, within the more restrictive Area B, "the ALUC [the C/CAG Board] shall exercise its statutory duties to review proposed land use policy actions, including new general plans, specific plans, zoning ordinances, plan amendments and rezoning, and land development proposals."[4] The City must accordingly submit the proposed general plan update to the ALUC for review.

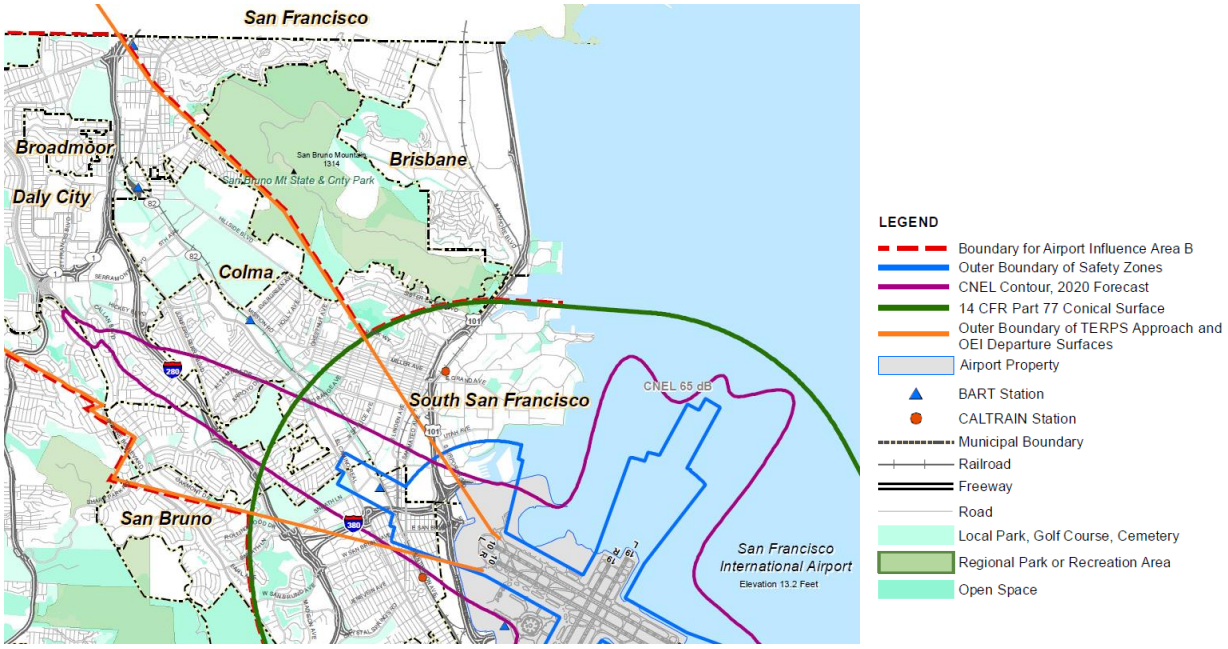


Figure 2: ALUCP-defined boundaries affecting South San Francisco (ALUCP Exhibit IV-3)

With respect to noise compatibility, portions of the project are situated within the Airport's 65 dB CNEL noise contour, and some even within the 70 dB contour. The ALUCP policies for noise are to protect the comfort and quality of life of the City's residents, and SFO discourages residential uses within the Airport's 65 dB or higher contours. To the extent that the project would allow such uses, the Program EIR must disclose and evaluate any inconsistency with the ALUCP. The ALUCP requires the grant of an avigation easement to the City and County of San Francisco, as the proprietor of SFO, as a condition of allowing residential development within the 65 dB contour.[5] While avigation easements are an important mitigation tool, they do not replace the imperative to avoid introducing incompatible uses into a noise-affected area in the first place. As shown in ALUCP Table IV-1, residential uses are not compatible within the 70 dB contour and higher, and the Program EIR should evaluate them as such.

Further, many Airport departure procedures are designed to ascend over either the San Bruno Gap or Oyster Point, including one procedure, the Shoreline Departure visual procedure, which is a noise abatement procedure designed specifically to keep aircraft over the industrial areas of the City east of U.S. 101 and away from its traditional residential areas. Any residential developments east of U.S. 101 could reduce the efficacy of the Nighttime Preferential Runway Use program developed in 1988 and put in place specifically to protect residents of South San Francisco, Daly City, and Pacifica by maximizing flights over water and industrial areas between

[4] ALUCP IP-2 (Airport Influence Area B – Policy/Project Referral Area), p. IV-11.
[5] ALUCP NP-3.

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1:00 a.m. and 6:00 a.m. Any residential uses allowed in areas east of U.S. 101 would experience noise disturbances from aircraft departures. The Program EIR should evaluate these potential environmental impacts of the project. The Airport also urges the City to engage the SFO Airport/Community Roundtable as soon as possible to notify the public and stakeholders about the project as it relates to the existing and long-established aircraft noise abatement procedures to the City and adjacent cities.

Any proposed residential uses outside of the 65 dB contour should still meet the interior noise requirements of the California Building Code. Noise impacts on sensitive receptors and any necessary mitigation measures should be fully evaluated in the Program EIR, and the EIR should describe the project's consistency with noise policies described in ALUCP, including noise policies NP-1 through NP-4.

The Airport understands and supports the City's efforts to address the region's housing supply shortage with its General Plan update. SFO has felt the effects of the housing crisis firsthand, with many people who work at the Airport forced to finding housing 60 miles away, or farther. This places a considerable hardship on the employees, Airport, neighboring communities, and the regional surface transportation system, and we would welcome affordable, transit-oriented housing closer to the Airport. However, subjecting new residents to excessive aircraft noise is not an equitable solution. SFO requests that the City revise its proposals for residential and mixed uses away from the 65 dB CNEL contour, including the southern portions of Highway 101 and San Bruno BART station. Any upzoning proposed along the City's commercial core along Grand Avenue or higher density around South San Francisco BART station would be outside of the critical 65 dB CNEL contour and would not pose these concerns.

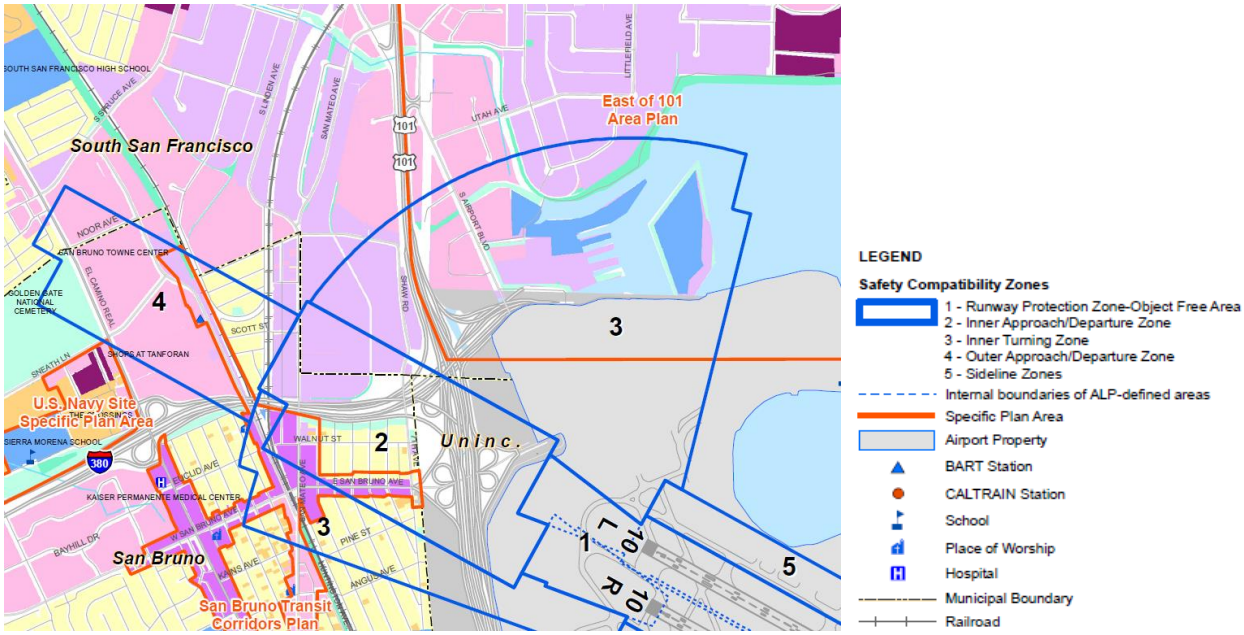


Figure 3: SFO runway safety compatibility zones around South San Francisco (ALUCP Exhibit IV-8)

With respect to safety, the southern portions of the General Plan area are within various runway end safety zones, including the Inner Approach/Departure Zone, Inner Turning Zone, and Outer Approach/Departure Zone (see Figure 3). Each of these zones carry restrictions on what may be located there, based on the safety compatibility criteria and guidelines from the California Airport Land Use Planning Handbook. The Handbook's risk-based guidance is informed by a rigorous analysis of historical aircraft incident data. The ALUCP already recognizes the intense level of existing development in the vicinity of SFO, and the Airport recommends against overriding these

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restrictions. The Program EIR should also describe and evaluate the project's consistency with land use criteria within these runway end safety zones, as described in ALUCP SP-1 through SP-3.

With respect to elevation, the Airport appreciates the City's commitment to protecting the critical airspace surfaces defined in the ALUCP, as these surfaces protect the safety and economic vitality of the Airport and the City. The Airport has observed several points of confusion regarding airspace surfaces and requests that the City work with SFO staff to ensure the accuracy of the guidance provided in the General Plan Update.

For example, all critical airspace surfaces are based on elevation above mean sea level (AMSL) – not height above ground level (AGL). Therefore, if the General Plan Update establishes height restrictions, it should note them in AMSL rather than AGL and incorporate by reference the most recently adopted version of the ALUCP. It should also note that the finished height of any proposed development must be maintained below these clearance limits, including architectural parapets, machine rooms, antennas, etc. The Airport suggests that any exhibits included in the General Plan Update should include prominent notes which address these common concerns.

Finally, the General Plan Update also proposes a new vehicular bridge between Oyster Point, likely around the southern end of Haskins Way, and North Access Road on Airport property. While we understand this may be highly notional, if the City does intend to pursue the concept, the Program EIR should fully evaluate it. We also request that the City keep the Airport apprised of any developments regarding this proposal, which would require close coordination with the Airport. For example, the Airport would need to understand vehicular movements and how the bridge could increase or redistribute traffic on the Airport's roadways and intersection with Interstate 380 in deciding whether to support the project.

The Airport appreciates your consideration of these comments. If I can be of assistance as the City considers airport land use compatibility as they relate to the General Plan update, Program EIR, or any future projects, please do not hesitate to contact me at (650) 821-9464 or at nupur.sinha@flysfo.com.

Sincerely,

DocuSigned by:
Nupur Sinha
7D552AE6A4CE495...

Nupur Sinha
Acting Planning Director
Planning and Environmental Affairs

cc: Susy Kalkin, Airport Land Use Committee
Sandy Wong, C/CAG
Audrey Park, SFO, Acting Environmental Affairs Manager

STATE OF CALIFORNIA — Gavin Newsom, Governor

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RECEIVED
FEB 16 2021
PLANNING DEPARTMENT

February 8, 2021

Billy Gross, Senior Planner
City of South San Francisco
315 Maple Avenue
South San Francisco, CA 94080

Re: 2021020064, South San Francisco General Plan Update Project, San Mateo County

Dear Mr. Gross:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- **a.** A brief description of the project.
- **b.** The lead agency contact information.
- **c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- **d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

- **a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- **a.** Alternatives to the project.
- **b.** Recommended mitigation measures.
- **c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

- **a.** Type of environmental review necessary.
- **b.** Significance of the tribal cultural resources.
- **c.** Significance of the project's impacts on tribal cultural resources.
- **d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- **a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
- **b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:

a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or

b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

a. Avoidance and preservation of the resources in place, including, but not limited to:

i. Planning and construction to avoid the resources and protect the cultural and natural context.

ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:

i. Protecting the cultural character and integrity of the resource.

ii. Protecting the traditional use of the resource.

iii. Protecting the confidentiality of the resource.

c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.

d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).

e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).

f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.

b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.
3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:
    a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
    b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
    a. If part or all of the APE has been previously surveyed for cultural resources.
    b. If any known cultural resources have already been recorded on or adjacent to the APE.
    c. If the probability is low, moderate, or high that cultural resources are located in the APE.
    d. If a survey is required to determine whether previously unrecorded cultural resources are present.

2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
    a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
    b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
   a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
   b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
   a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
   b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
   c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Nancy.Gonzalez-Lopez@nahc.ca.gov.

Sincerely,



Nancy Gonzalez-Lopez
Cultural Resources Analyst

cc: State Clearinghouse

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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
(707) 428-2002
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

March 10, 2021

Mr. Billy Gross
City of South San Francisco
315 Maple Avenue
South San Francisco, CA 94080
Billy.Gross@ssf.net

Subject: South San Francisco General Plan Update, Notice of Preparation of a Program Environmental Impact Report, SCH No. 2021020064, City of South San Francisco, San Mateo County

Dear Mr. Gross:

The California Department of Fish and Wildlife (CDFW) reviewed the Notice of Preparation (NOP) of a draft Program Environmental Impact Report (EIR) for the City of South San Francisco General Plan Update (Project).

CDFW is a Trustee Agency with responsibility under the California Environmental Quality Act (CEQA) for commenting on projects that could impact fish, plant, and wildlife resources (Pub. Resources Code, § 21000 et seq.; Cal. Code Regs., tit. 14, § 15386). CDFW is also considered a Responsible Agency if a project would require discretionary approval, such as a California Endangered Species Act (CESA) Incidental Take Permit (ITP), a Native Plant Protection Act (NPPA) Permit, a Lake and Streambed Alteration (LSA) Agreement, or approval under other provisions of the Fish and Game Code that afford protection to the state's fish and wildlife trust resources. Pursuant to our authority, CDFW has the following concerns, comments, and recommendations regarding the Project.

PROJECT LOCATION AND DESCRIPTION

The Project is located in the City of South San Francisco (City), San Mateo County, California. The City is located in a basin bounded by the San Bruno Mountains to the north, the Pacific Coast Ranges to the west, and the San Francisco Bay to the east. The City is bordered by the City of Brisbane to the north, Daly City, City of Pacifica, and the Town of Coloma to the west, and the City of San Bruno to the south. The City encompasses 31 square miles, approximately 5,000 acres, and is primarily built out with only about 3.4 percent of the land classified as vacant.

The Project includes an update to the City's General Plan. The General Plan Update will serve as the blueprint for the City's vision throughout the year 2040. The goals, priorities, and actions in the proposed General Plan Update will serve as a compass for decision-

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makers and will shape future plans and actions for the City. This revised document will replace the 1999 General Plan and will inform updates to the City's Zoning Ordinance. The General Plan Update anticipates approximately 14,324 new housing units.

COMMENTS AND RECOMMENDATIONS

COMMENT 1: Project Description

The CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) require that the draft EIR incorporate a full Project description, including reasonably foreseeable future phases of the Project, that contains sufficient information to evaluate and review the Project's environmental impact (CEQA Guidelines, §§ 15124 and 15378). Please include a complete description of the following Project components in the project description:

- Footprints of permanent Project features and temporarily impacted areas, such as staging areas and access routes.

- Plans and dimensions for any proposed buildings/structures, ground disturbing activities, fencing, paving, stationary machinery, landscaping, and stormwater systems.

- Operational features of the Project, including level of anticipated human presence (describe seasonal or daily peaks in activity, if relevant), artificial lighting/light reflection, noise, traffic generation, and other features.

- Construction schedule, activities, equipment, and crew sizes.

The draft EIR is identified as a program EIR. While program EIRs have a necessarily broad scope, CDFW recommends providing as much information related to anticipated future activities as possible. CDFW recognizes that, pursuant to CEQA Guidelines section 15152, subdivision (c), if a Lead Agency is using the tiering process in connection with an EIR or large-scale planning approval, the development of detailed, site-specific information may not be feasible and can be deferred, in many instances, until such time as the Lead Agency prepares a future environmental document. This future environmental document would cover a project of a more limited geographical scale and is appropriate if the deferred information does not prevent adequate identification of significant effects of the planning approval at hand. Based on CEQA Guidelines section 15183.3 and associated *Appendix N Checklist*, and consistent with other program EIRs, CDFW recommends creating a procedure or checklist for evaluating subsequent project impacts on biological resources to determine if they are within the scope of the program EIR or if an additional environmental document is warranted. This checklist should be included as an attachment to the draft EIR. Future analysis should include all special-status species including but not limited to species

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considered rare, threatened, or endangered species pursuant to CEQA Guidelines, section 15380. The checklist should cite the specific portions of the draft EIR, including page and section references, include an analysis of the subsequent project activities' potentially significant effects, and incorporate all applicable mitigation measures from the draft EIR.

COMMENT 2: Environmental Setting

The draft EIR should provide sufficient information regarding the environmental setting ("baseline") to understand the project's, and its alternative's (if applicable), potentially significant impacts on the environment (CEQA Guidelines, §§ 15125 and 15360).

CDFW recommends that the draft EIR provide baseline habitat assessments for special-status plant, fish, and wildlife species located and potentially located within the Project area and surrounding lands, including but not limited to all rare, threatened, or endangered species (CEQA Guidelines, § 15380). The draft EIR should describe aquatic habitats, such as wetlands and/or waters of the U.S. or State, and any sensitive natural communities or riparian habitat occurring on or adjacent to the Project sites. Fully protected, threatened or endangered, and other special-status species that are known to occur, or have the potential to occur in or near the Project sites, include, but are not limited to:

- American peregrine falcon (*Falco peregrinus anatum*), SFP
- Alameda song sparrow (*Melospiza melodia pusillula*), SSC
- California Ridgeway's rail (*Rallus obsoletus obsoletus*), FE, SE, SFP
- San Francisco garter snake (*Thamnophis sirtalis tetrataenia*), FE, SE
- Longfin smelt (*Spirinchus thaleichthys*), FC, ST
- San Francisco owl's clover (*Triphysaria floribunda*), 1B.2
- Congested-headed hayfield tarplant (*Hemizonia congesta* ssp. *congesta*), 1B.2
- Robust spineflower (*Chorizanthe robusta* var. *robusta*), FE, 1B.1
- Point Reyes horkelia (*Horkelia marinensis*), 1B.2
- Kellogg's horkelia (*Horkelia cuneata* var. *sericea*), 1B.1
- Two-fork clover (*Trifolium amoenum*), FE, 1B.1
- Western bumble bee (*Bombus occidentalis*), ICP
- Mission blue butterfly (*Plebejus icarioides missionensis*), FE
- Callippe silverspot butterfly (*Speyeria callippe callippe*), FE

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- Nesting and migratory birds
- Bat species

FE = Federally Endangered; FT = Federally Threatened; FC= Federal Candidate; SE = State Endangered; SFP = State Fully Protected; SSC = State Species of Special Concern; ICP= California Terrestrial and Vernal Pool Invertebrate of Conservation Priority

CNPS Plant Ranks

- 1B = Rare, Threatened, or Endangered in California and Elsewhere
- 2A = Presumed Extirpated in California, But Common Elsewhere
- 2B = Rare, Threatened, or Endangered in California, But More Common Elsewhere

CNPS Threat Ranks

- 0.1-Seriously threatened in California (over 80% of occurrences threatened/high degree and immediacy of threat)
- 0.2-Moderately threatened in California (20-80% occurrences threatened/moderate degree and immediacy of threat)
- 0.3 Not very threatened in California (less than 20% of occurrences threatened/low degree and immediacy of threat or no current threats known)

Habitat descriptions, and the potential for species occurrence, should include information from multiple sources: aerial imagery; historical and recent survey data; field reconnaissance; scientific literature and reports; the U.S. Fish and Wildlife Service's (USFWS) Information, Planning, and Consultation System; and findings from positive occurrence databases such as California Natural Diversity Database (CNDDB). Based on the data and information from the habitat assessment, the draft EIR should adequately assess which special-status species are likely to occur on or near the Project site, and whether they could be impacted by the Project.

CDFW recommends that prior to Project implementation, surveys be conducted for special-status species with potential to occur, following recommended survey protocols if available. Survey and monitoring protocols and guidelines are available at: https://wildlife.ca.gov/Conservation/Survey-Protocols.

Botanical surveys for special-status plant species, including those with a California Rare Plant Rank (http://www.cnps.org/cnps/rareplants/inventory/), must be conducted during the blooming period for all species potentially impacted by the Project within the Project area and adjacent habitats that may be indirectly impacted by, for example, changes to hydrology, and require the identification of reference populations. Please refer to CDFW

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protocols for surveying and evaluating impacts to rare plants, and survey report requirements, available at: https://wildlife.ca.gov/Conservation/Plants.

COMMENT 3: Impact Analysis and Mitigation Measures

The draft EIR should include the reasonably foreseeable direct and indirect changes (temporary and permanent) that may occur with implementation of the Project (CEQA Guidelines, §§ 15126, 15126.2, and 15358). This includes evaluating and describing impacts such as:

- Encroachments into riparian habitats, wetlands, or other sensitive areas;
- Potential for impacts to special-status species;
- Loss or modification of breeding, nesting, dispersal and foraging habitat, including vegetation removal, alteration of soils and hydrology, and removal of habitat structural features (e.g., snags, rock outcrops, overhanging banks);
- Permanent and temporary habitat disturbances associated with ground disturbance, noise, lighting, reflection, air pollution, traffic, or human presence; and
- Obstruction of movement corridors, fish passage, or access to water sources and other core habitat features.

The draft EIR should also identify reasonably foreseeable future projects in the Project vicinity, disclose any cumulative impacts associated with these projects, determine the significance of each cumulative impact, and assess the significance of the Project's contribution to the impact (CEQA Guidelines, § 15355). Although a project's impacts may be less-than-significant individually, its contributions to a cumulative impact may be considerable; a contribution to a significant cumulative impact, e.g., reduction of habitat for a special-status species should be considered cumulatively considerable.

Based on the comprehensive analysis of the direct, indirect, and cumulative impacts of the Project, the CEQA Guidelines direct the Lead Agency to consider and describe all feasible mitigation measures to avoid potentially significant impacts in the draft EIR and mitigate potentially significant impacts of the Project on the environment (CEQA Guidelines, §§ 15021, 15063, 15071, 15126.4, and 15370). This includes a discussion of impact avoidance and minimization measures for special-status species, which are recommended to be developed in early consultation with CDFW, the USFWS, and the National Marine Fisheries Service. These measures should be incorporated as enforceable Project conditions to reduce impacts to biological resources to less-than-significant levels.

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Fully protected species, such as American peregrine falcon and California Ridgeway's rail, may not be taken or possessed at any time (Fish and Game Code, § 3511, 4700, 5050, and 5515). Therefore, the draft EIR should include measures to ensure complete avoidance of these species.

COMMENT 4: Artificial Lighting

Issue: The Project may increase artificial lighting. Artificial lighting often results in light pollution, which has the potential to significantly and adversely affect biological resources. Night lighting can disrupt the circadian rhythms of many wildlife species. Many species use photoperiod cues for communication (e.g., bird song), determining when to begin foraging (Stone et al. 2009), behavior thermoregulation (Beiswenger 1977), and migration (Longcore and Rich 2004).

Recommendations to minimize significant impacts: CDFW recommends eliminating all non-essential artificial lighting. If artificial lighting is necessary, CDFW recommends avoiding or limiting the use of artificial lights during the hours of dawn and dusk, when many wildlife species are most active. CDFW also recommends that outdoor lighting be shielded, cast downward, and does not spill over onto other properties or upwards into the night sky. In addition, lights can be motion-activated, or turned off or dimmed during critical times of the year (e.g., migration) or during times of night that have the most significant impact on wildlife (i.e., dawn and dusk) (Gaston et al., 2012, 2013). Lights with wildlife-friendly spectral composition (i.e., minimize light avoidance/attraction) can also be used (Gaston et al. 2012, 2013). LED lights are well suited for operating at variable brightness and being switched off or dimmed during certain times of the year or during times of low demand, as they operate at full efficiency and have no "warm-up" time (Gaston et al., 2012, 2013). Vegetation may also be used to shield sensitive areas against light, and light-absorbent surfaces can be used in in place of reflective surfaces (Gaston et al., 2012, 2013). See the International Dark-Sky Association standards at http://darksky.org/.

COMMENT 5: Exterior Windows

Issue: The glass used for exterior building windows could result in bird collisions, which can cause bird injury and mortality. Birds typically do not see clear or reflective glass, and can collide with glass (e.g., windows) that reflect surrounding landscape and/or habitat features (Klem and Saenger 2013, Sheppard 2019). When birds collide with glass, they can be injured or killed. In the United States, the estimated annual bird mortality is between 365-988 million birds (Loss et al. 2014).

Recommendations to minimize significant impacts: CDFW recommends incorporating visual signals or cues to exterior windows to prevent bird collisions. Visual signals or cues include, but are not limited to, patterns to break up reflective areas,

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external window films and coverings, ultraviolet patterned glass, and screens. For best practices on how to reduce bird collisions with windows, please go to the USFWS' website for Buildings and Glass (https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds/collisions/buildings-and-glass.php).

COMMENT 6: State Fully Protected Species

State fully protected species may occur within the Project area. CDFW has jurisdiction over fully protected species of birds, mammals, amphibians, reptiles, and fish pursuant to Fish and Game Code §§ 3511, 4700, 5050, and 5515. Take, as defined by Fish and Game Code § 86 is to "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill", take of any fully protected species is prohibited and CDFW cannot authorize their incidental take.

Without appropriate avoidance and minimization measures, Project activities may cause potentially significant impacts to fully protected species including, but not limited to the following: inadvertent entrapment, reduced reproductive success, reduced health and vigor, nest abandonment, loss of nest trees, and/or loss of foraging habitat that would reduce nesting success (loss or reduced health or vigor of eggs or young), and direct mortality.

To evaluate and avoid potential impacts to fully protected species, CDFW recommends incorporating the following mitigation measures into the Project's draft EIR, and that these measures be made conditions of approval for the Project.

Recommended Mitigation Measures:

Fully Protected Species Surveys

To avoid impacts to fully protected species, CDFW recommends that a qualified biologist conduct species-specific surveys (using standard protocol or methodology, if available) of the Project site before Project implementation. If Project activities will take place when fully protected species are active or are breeding, CDFW recommends that additional pre-activity surveys for active nests or individuals be conducted by a qualified biologist no more than seven (7) days prior to the start or restart of Project construction and every 14 days during Project construction.

Fully Protected Species Avoidance

In the event a fully protected species is found within or adjacent to the Project site, CDFW recommends that a qualified wildlife biologist develops an appropriate no-disturbance buffer to be implemented. The qualified biologist should also be on-site during all Project activities to ensure that the fully protect species is not being disturbed by Project activities.

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COMMENT 7: Special-Status Species Surveys

Special-status species may occur in the Project area. Without appropriate mitigation measures, the Project could potentially have a significant impact on these species. CDFW recommends that before future project implementation, special-status species surveys be conducted for species that have the potential to occur or will be impacted by the project implementation. CDFW recommends, if available, using established species survey protocols. Survey and monitoring protocols and guidelines are available at: https://wildlife.ca.gov/Conservation/Survey-Protocols.

COMMENT 8: Nesting Birds

Issue: CDFW encourages that Project implementation occur during the bird non-nesting season; however, if ground-disturbing or vegetation-disturbing activities must occur during the breeding season (February through early-September), the Project applicant is responsible for ensuring that implementation of the Project does not result in violation of the Migratory Bird Treaty Act or Fish and Game Codes.

To evaluate and avoid for potential impacts to nesting bird species, CDFW recommends incorporating the following mitigation measures into the Project's draft EIR, and that these measures be made conditions of approval for the Project.

Recommended Mitigation Measures:

Nesting Bird Surveys

CDFW recommends that a qualified avian biologist conduct pre-Project activity nesting bird surveys no more than seven (7) days prior to the start of ground or vegetation disturbance, and every fourteen (14) days during Project activities to maximize the probability that nests are detected. CDFW recommends that nesting bird surveys cover a sufficient area around the Project area to identify nests and determine their status. A sufficient area means any area potentially affected by the Project.

During nesting bird surveys, CDFW recommends that a qualified avian biologist establish behavioral baseline of all identified nests. During Project activities, CDFW recommends having the qualified avian biologist continuously monitor nests to detect behavioral changes resulting from Project activities. If behavioral changes occur, CDFW recommends stopping the activity, that is causing the behavioral change, and consulting with a qualified avian biologist on additional avoidance and minimization measures.

Nesting Bird Buffers

During Project activities, if continuous monitoring of nests by a qualified avian biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 1,000-foot no-disturbance buffer

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around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified avian biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the Project area would be concealed from a nest site by topography. CDFW recommends that a qualified avian biologist advise and support any variance from these buffers.

COMMENT 9: Bats

Bat species may occur within and surrounding the project site, including in buildings. To evaluate and avoid potential impacts to bat species, CDFW recommends incorporating the following mitigation measures into the Project's draft EIR, and that these measures be made conditions of approval for the Project.

Bat Habitat Assessment

To evaluate Project impacts to bats, a qualified bat biologist should conduct a habitat assessment for bats at work sites seven (7) days prior to the start of Project activities and every fourteen (14) days during Project activities. The habitat assessment shall include a visual inspection of features within 50 feet of the work area for potential roosting features (bats need not be present). Habitat features found during the survey shall be flagged or marked.

Bat Habitat Monitoring

If any habitat features identified in the habitat assessment will be altered or disturbed by Project construction, the qualified bat biologist should monitor the feature daily to ensure bats are not disturbed, impacted, or fatalities are caused by the Project.

Bat Project Avoidance

If bat colonies are observed at the Project site, at any time, all Project activities should stop until the qualified bat biologist develops a bat avoidance plan to be implement at the Project site. Once the plan is implemented, Project activities may recommence.

REGULATORY REQUIREMENTS

California Endangered Species Act

Please be advised that a CESA ITP must be obtained if the Project has the potential to result in take[1] of plants or animals listed under CESA, either during construction or over the life of the Project. Issuance of a CESA Permit is subject to CEQA documentation;

[1] Take is defined in Fish and Game Code section 86 as hunt, pursue, catch, capture, or kill, or attempt any of those activities.

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the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the Project will impact CESA listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required to obtain a CESA ITP.

CEQA requires a Mandatory Finding of Significance if a project is likely to substantially restrict the range or reduce the population of a threatened or endangered species (Pub. Resources Code, §§ 21001, subd. (c), 21083; CEQA Guidelines, §§ 15380, 15064, and 15065). Impacts must be avoided or mitigated to less-than-significant levels unless the CEQA Lead Agency makes and supports Findings of Overriding Consideration (FOC). The Lead Agency's FOC does not eliminate the project proponent's obligation to comply with CESA.

Lake and Streambed Alteration Agreement

CDFW requires an LSA Notification, pursuant to Fish and Game Code section 1600 et seq., for Project activities affecting lakes or streams and associated riparian habitat. Notification is required for any activity that may substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank including associated riparian or wetland resources; or deposit or dispose of material where it may pass into a river, lake, or stream. Work within ephemeral streams, washes, watercourses with a subsurface flow, and floodplains are subject to notification requirements. CDFW, as a Responsible Agency, will consider the CEQA document for the Project and may issue an LSA Agreement. CDFW may not execute the final LSA Agreement until it has complied with CEQA as a Responsible Agency.

Migratory Birds and Raptors

CDFW also has authority over actions that may disturb or destroy active nest sites or take birds. Fish and Game Code sections 3503, 3503.5, and 3513 protect birds, their eggs, and nests. Fully protected species may not be taken or possessed at any time (Fish and Game Code, § 3511). Migratory birds are also protected under the federal Migratory Bird Treaty Act.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. [Pub. Resources Code, § 21003, subd. (e)]. Accordingly, please report any special-status species and natural communities detected during Project surveys to CNDDB. The CNNDB online field survey form and other methods for submitting data can be found at the following link: https://wildlife.ca.gov/Data/CNDDB/Submitting-Data. The types of information reported

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to CNDDB can be found at the following link: https://wildlife.ca.gov/Data/CNDDB/Plants-and-Animals.

FILING FEES

CDFW anticipates that the Project will have an impact on fish and/or wildlife, and assessment of filing fees is necessary (Fish and Game Code, § 711.4; Pub. Resources Code, § 21089). Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW.

If you have any questions, please contact Ms. Stephanie Holstege, Environmental Scientist, at Stephanie.Holstege@wildlife.ca.gov; or Mr. Wes Stokes, Senior Environmental Scientist (Supervisory), at Wesley.Stokes@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Gregg Erickson
BE74D4C93C604EA...

Gregg Erickson
Regional Manager
Bay Delta Region

cc: State Clearinghouse (SCH No. 2021020064)

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From: Frost, Erik@DOC <Erik.Frost@conservation.ca.gov>
Sent: Monday, March 15, 2021 10:04 AM
To: Gross, Billy <Billy.Gross@ssf.net>
Cc: state.clearinghouse@opr.ca.gov; OLRA@DOC <OLRA@conservation.ca.gov>
Subject: Comments - NOP for South San Francisco General Plan update (SCH 2021020064)

Dear Mr. Gross,

The California Geological Survey (CGS) has received the Notice of Preparation of a Program Environmental Impact Report (EIR) for the City of South San Francisco General Plan Update. This letter conveys the following suggestions and recommendations from CGS concerning geologic and soils issues related to the planning area:

1. Geologic Hazards
   Several potential geologic hazards exist within the planning area. Each of the hazards listed below should be addressed in the General Plan update.
   a. *Liquefaction and Landslide Hazards*
      The California Geological Survey is releasing new Zones of Required Investigation (ZORIs) under the Seismic Hazard Mapping Act (SHMA) for both liquefaction and earthquake-induced landslides for the San Francisco South 7.5-minute quadrangle, in which the City of South San Francisco is located. The mapping indicates that these hazards potentially exist within the planning area as your previous general plan indicates. CGS released the preliminary map for review and comment by the impacted lead agencies on February 18, 2021.

      The soon-to-be published map and report also include updated landslide mapping, a new geologic map compilation of both Quaternary and Bedrock geology, and the latest ground motion estimates. CGS used geotechnical reports collected from the cities and San Mateo County within the San Francisco South 7.5-minute quadrangle to determine geotechnical characteristics of surficial geologic units. CGS used groundwater data from the California State GAMA database and geotechnical borings to determine depth to historical high shallow ground water. This information was used to define the ZORIs. The preliminary maps are subject to a 3-month public review period and a 3-month revision period based on any comments received, after which the maps will be finalized and become official.

      The SHMA of 1990 (Public Resources Code, Chapter 7.8, Section 2690-2699.6) directs the Department of Conservation, California Geological Survey to identify and map areas prone to earthquake hazards of liquefaction, earthquake-induced landslides and amplified ground shaking. The purpose of the SHMA is to reduce the threat to public safety and to minimize the loss of life and property by identifying and mitigating these seismic hazards. The SHMA was passed by the legislature following the 1989 Loma Prieta earthquake.

      The SHMA requires the State Geologist to establish regulatory zones (Earthquake Zones of Required Investigation) and to issue appropriate maps (Seismic Hazard Zone maps). These maps are distributed to all affected cities, counties, and state agencies for their use in planning and controlling construction and development. Single family frame dwellings up to two stories not part of a development of four or more units are exempt from the state requirements. However, local agencies can be more restrictive than state law requires. Additional information can be found at the following website: https://www.conservation.ca.gov/cgs/shma.

   b. *Faulting Hazards*
      CGS has established Earthquake Fault Zones within and nearby the planning area. Specifically, Holocene-active strands of the San Andreas fault zone traverse the planning area. Digital versions of these maps (PDF and Shapefiles) and associated reports can be downloaded from the CGS

Information Warehouse, here: https://maps.conservation.ca.gov/cgs/informationwarehouse/regulatorymaps/.

c. *Ground Shaking Hazards*
The planning area is located near a number of active faults capable of producing severe ground shaking during an earthquake. The EIR should include a discussion of nearby active faults and the relative likelihood of the planning area to experience strong ground shaking. The earthquake shaking potential for various regions of California can be viewed at the following website: https://www.conservation.ca.gov/cgs/psha.

d. *New Tsunami Hazard Area maps, future Tsunami Regulatory Zones, and Maritime Tsunami Hazards*
CGS is planning to release new Tsunami Hazard Area maps for San Mateo County on 23 March 2021. These maps will replace the 2009 Tsunami Inundation Maps for Emergency Planning and are for evacuation planning purposes only.

In addition, in the next 4-6 months, CGS is planning to release new Tsunami Regulatory Zones under SHMA. These maps will require investigations in planned Tsunami Regulatory Engineering Subzones and evacuation planning measures in both the larger Tsunami Regulatory Zone and the Engineering Subzone. Guidance and supporting products will be provided on the SHMA website for community and project-level officials.

Harbors and marinas are the most prone to tsunami hazards because they are on the water. Oyster Point Harbor and Oyster Cove Marina are both susceptible to tsunami hazards. Harbor structures, infrastructure, and vessels are all vulnerable to damage and people in and around the harbors could be injured. The following website has been developed to provide guidance and products for maritime communities with regard to tsunami hazards: https://sites.google.com/view/tsunami-maritime-guidance/home.

2. Regional and Site-Specific Geology
The Program EIR should include a brief discussion of the geologic history of the area and a description of the rock types in the planning area.

3. Soils
The Program EIR should consider including a summary of the types of soils present in the planning area, as well as a discussion of the soils characteristics pertinent to development, such as source material, geographic setting, drainage characteristics, permeability, and the risk of erosion and soil expansion. The National Resources Conservation Service has an interactive soil map available at the following website: https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx

Please let me know if you have any questions or concerns with the comments in this letter.

Sincerely,

Erik Frost

Dr. Erik Frost
Senior Engineering Geologist | Seismic Hazards Program
California Geological Survey
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Connect with the
Bay Area Air District:

March 18, 2021

Mr. Billy Gross
City of South San Francisco
315 Maple Avenue
South San Francisco, CA 94080

RE: City of South San Francisco General Plan Update – Notice of Preparation

Dear Mr. Gross,

Bay Area Air Quality Management District (Air District) staff has reviewed the Notice of Preparation (NOP) for the City of South San Francisco General Plan Update (General Plan) Draft Program Environmental Impact Report (Program DEIR). The General Plan will serve as the blueprint for the City through the year 2040. The goals, policies, and actions in the proposed General Plan will serve as a compass for decision-makers and will shape the City's future plans and actions. This revised document will replace the 1999 General Plan and will inform updates to the City's Zoning Ordinance.

Air District staff commends the City for its work to increase density, housing, and new employment opportunities by 2040 through the General Plan. Air District staff also applaud the City for its inclusion of affordable neighborhoods and a convenient, accessible transportation network in the General Plan's guiding principles. Having transportation options, such as bicycle and pedestrian support, as well as public transit, supports the Air District's climate and air quality goals by reducing vehicle miles traveled.

Air District staff recommends the Program DEIR include the following information and analyses:

- **The DEIR should estimate and evaluate the potential health risk to existing and future sensitive populations within the Plan area from Toxic Air Contaminants (TACs) and fine particulate matter ($PM_{2.5}$) because of construction and operations anticipated under the Plan.** The General Plan includes new land uses in areas previously zoned for industrial use. Changing Industrial Zones to High Density Mixed Use Zones, which includes housing and other uses for sensitive receptors, may result in new exposures of sensitive receptors to TACs and $PM_{2.5}$. Thus, Air District staff recommends that the DEIR evaluate potential cumulative health risk impacts of TACs and $PM_{2.5}$ emissions on sensitive receptors within the Plan area.

- **The greenhouse gas (GHG) impact analysis should include an evaluation of the Plan's consistency with the most recent AB 32 Scoping Plan by the California Air Resources Board (CARB) and with the State's 2030 and 2050 climate goals.** The Air District's current recommended GHG thresholds in our CEQA Guidelines are based on the State's 2020 GHG targets which are now superseded by the 2030 GHG targets established in SB 32. The EIR should demonstrate how the Project will be consistent with the Scoping Plan.

- **The DEIR should evaluate all feasible measures, both onsite and offsite, to minimize air quality and GHG impacts.** The DEIR should prioritize onsite mitigation measures, followed by offsite mitigation measures, within the Plan area. Examples of potential emission and exposure reduction measures that should be evaluated and considered include, but are not limited to:
    - Prohibiting or minimizing the use of diesel fuel, consistent with the Air District's Diesel Free By '33 initiative (http://dieselfree33.baaqmd.gov/);
    - Implementing green infrastructure and fossil fuel alternatives in the Plan, such as solar photovoltaic (PV) panels, renewable diesel, electric heat pump water heaters, and solar PV back-up generators with battery storage capacity;
    - Implementing a building decarbonization goal or policy in the Plan (https://www.buildingdecarb.org/compass.html);
    - Requiring construction vehicles to operate with the highest tier engines commercially available;
    - Providing funding for zero- and low-emission transportation projects, including a neighborhood electric vehicle program, community shuttle/van services and car sharing, and enhancement of active transportation initiatives, among others;
    - Providing funding for expanding and improving bicycle and pedestrian infrastructure and projects that improve bicycle and pedestrian access to transit, employment, and major activity centers;
    - Implementing a zero-waste program consistent with SB 1383 organic waste disposal reduction targets including the recovery of edible food for human consumption; and
    - Include air filtration for new and existing buildings that may be exposed to air pollution, such as MERV 13 filters, as well as vegetative buffers between new and existing buildings, and sources of pollution. For more emissions and exposure reduction best practices, see the Air District's Planning Healthy Places guidance, Appendices A and B, here: https://www.baaqmd.gov/~/media/files/planning-and-research/planning-healthy-places/php_may20_2016-pdf.pdf

- **The DEIR should evaluate the Plan's consistency with the Air District's 2017 Clean Air Plan (2017 CAP).** The DEIR should discuss 2017 CAP measures relevant to the Plan and show the Plan's consistency with the measures. The 2017 CAP can be found on the Air District's website: http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans.

- **The DEIR should evaluate the Plan's consistency with the City of South San Francisco's Climate Action Plan (2014), as well as San Mateo County's Sea Level Rise Vulnerability Assessment (2018.)** The DEIR should analyze the Plan's consistency with the City of South San Francisco's most recently adopted Climate Action Plan and consider any updates from San Mateo County's more recent work on Sea Level Rise Vulnerability Assessments.

- **The Air District's CEQA website contains several tools and resources to assist lead agencies in analyzing air quality and GHG impacts.** These tools include guidance on quantifying local emissions and exposure impacts. The tools can be found on the Air District's website: http://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/ceqa-tools. If the Plan requires a site-specific analysis, please contact Air District staff to obtain more recent data.

- **Certain aspects of the Plan may require a permit from the Air District (for example, back-up diesel generators).** Please contact Barry Young, Senior Advanced Projects Advisor, at (415) 749-4721 or byoung@baaqmd.gov to discuss permit requirements. Any applicable permit requirements should be discussed in the EIR.

We encourage the City to contact Air District staff with any questions and/or to request assistance during the environmental review process. If you have any questions regarding these comments, please contact Kelly Malinowski, Senior Environmental Planner, (415) 749-8673, kmalinowski@baaqmd.gov.

Sincerely,



Greg Nudd
Deputy Air Pollution Control Officer

cc: BAAQMD Director David J. Canepa
BAAQMD Director Carole Groom
BAAQMD Director Davina Hurt

From: Wilson, Joanne <jwilson@sfwater.org>
Sent: Thursday, March 18, 2021 6:38 PM
To: Gross, Billy <Billy.Gross@ssf.net>
Cc: Natesan, Ellen <ENatesan@sfwater.org>; Rando, Casey <crando@sfwater.org>; Read, Emily <ERead@sfwater.org>; Wong, Christopher J <CJWong@sfwater.org>; Rodgers, Heather <HeRodgers@sfwater.org>; Feng, Stacie <SFeng@sfwater.org>
Subject: NOP for Proposed South San Francisco General Plan Update DEIR

Dear Mr. Gross:

Thank you for providing the SFPUC with the **Notice of Preparation of a Draft Environmental Impact Report (DEIR)** for the **proposed South San Francisco General Plan Update (Plan)**. The City and County of San Francisco, through its San Francisco Public Utilities Commission (SFPUC), is submitting the following comments to the City of South San Francisco related to the SFPUC's right-of-way (ROW) property interests and infrastructure located within the proposed project site.

The SFPUC operates and manages land and water system infrastructure that is part of the Hetch Hetchy Regional Water System that provides drinking water to 2.7 million people in the San Francisco Bay Area, including to the City of South San Francisco. The SFPUC has several water transmission pipelines that traverse the City of South San Francisco, generally in a north-south direction within right-of-way lands (ROW) that are typically 80-feet wide (see attached map). In some cases, the ROW is owned in fee by the City and County of San Francisco (CCSF) and operated and managed by the SFPUC (SFPUC Fee). In other cases, the CCSF and SFPUC have acquired a ROW easement or the pipelines are within a public ROW. These pipelines include the SFPUC's San Andreas Pipeline Nos. 1, 2 and 3; the Sunset Supply Line; the Baden-Merced Pipeline; and the Crystal Springs Pipeline Nos. 1 and 2. In addition, the SFPUC Fee includes undeveloped ROW land, valve lots, and groundwater facilities (including five well sites).

Land Use Element Analysis

Land use and planning analyses under the California Environmental Quality Act (CEQA) generally consider the compatibility of a project with neighboring areas, change to or displacement of existing uses, and consistency of a project with relevant local land use policies. The magnitude of land use conflicts or compatibility issues depends on the extent to which a project physically divides an established community or conflicts with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect such that an adverse impact on the environmental occurs. The SFPUC has adopted guidelines to help inform how and in which instances its ROW lands can serve the needs of public agencies, private parties, nonprofit organizations, and developers, while maintaining the safety and security of the SFPUC pipelines. SFPUC guidelines pertain to land use and structures, recreational use, utilities, vegetation, and water efficiency. The easements also are subject to terms and restrictions regarding use of land contained in the original deeds granting the easements to the SFPUC.

Please include a discussion of the SFPUC's adopted policies in the DEIR land use analysis. For example, in the discussion of agency approvals required for the implementation of the Plan, the DEIR could state: Development under the updated South San Francisco General Plan may require the following approvals from other agencies, as determined on a project-by-project basis:

- San Francisco Public Utilities Commission

- Determination of consistency with applicable SFPUC adopted plans, polices, and guidelines.

Housing Element Analysis

The SFPUC previously provided comments on the update to the City of South San Francisco's Housing Element (attached). As stated in the letter, some potential housing sites identified in the updated Housing Element are not compatible with SFPUC land use policies which do not allow structures to be built on top of its water transmission pipelines or within its ROW lands in order to protect SFPUC infrastructure and the SFPUC's ability to operate, maintain, repair its pipelines, and construct water utility improvements. The DEIR should disclose and analyze potential land use conflicts that any proposed housing site, accessory housing land use, or residential zoning included in the updated Housing Element might create with established plans and policies of other agencies, including the SFPUC.

Project Review Process

The DEIR should include information about the SFPUC's Project Review Process. All proposed projects and activities on SFPUC lands must be reviewed by the SFPUC's Project Review Committee (committee) to determine whether a proposal is compatible with SFPUC adopted plans and policies ***prior*** to obtaining written authorization from the SFPUC. During Project Review, the committee may require modifications to the proposal and/or require implementation of avoidance and minimization measures to reduce negative impacts and to ensure that the proposal conforms to applicable plans and policies. Therefore, it is important to schedule projects for review at the earliest opportunity to address any potential project issues. To initiate the Project Review process, **please visit www.sfwater.org/projectreview** to download the Project Review application. Once the application is completed, please email your application and supporting attachments (project description, maps, drawings and/or plans) to **projectreview@sfwater.org**. Completed applications with required attachments are scheduled for the next available Project Review Committee meeting date.

Right of Way Policies

For your reference, attached are the following two SFPUC ROW policies:

- **Interim Water Pipeline ROW Use Policy** – specifies uses allowed or prohibited within the SFPUC ROW (ex. land use, structures, utilities, etc.). Note: An applicant may not use SFPUC property to fulfill an open space, setback, emergency access, parking or other permitting/entitlement requirement; and
- **Integrated Vegetation Management Policy** – see section 12.005 for vegetation height specifications allowed within the SFPUC ROW.

The main design guideline (restriction) comes from the **Interim Water Pipeline ROW Use Policy** (no structures within 20-feet of the edges of the water transmission pipelines; and no pads/footings deeper than 6-inches). Projects on SFPUC property or near SFPUC infrastructure must be consistent with SFPUC-adopted policies and the SFPUC's primary mission as a water utility. This includes planning for SFPUC scheduled or emergency engineering, operations, or maintenance requirements/needs. ***The proposed DEIR must analyze the plan for consistency with SFPUC adopted plans and policies.***

Please mail any hard copies of notices to the following address:

San Francisco Public Utilities Commission
Real Estate Services
525 Golden Gate Avenue, 10th Floor

San Francisco, CA 94102

Thanks for your time and attention. If you have any questions or need further information, please contact me.

Regards,

Joanne Wilson

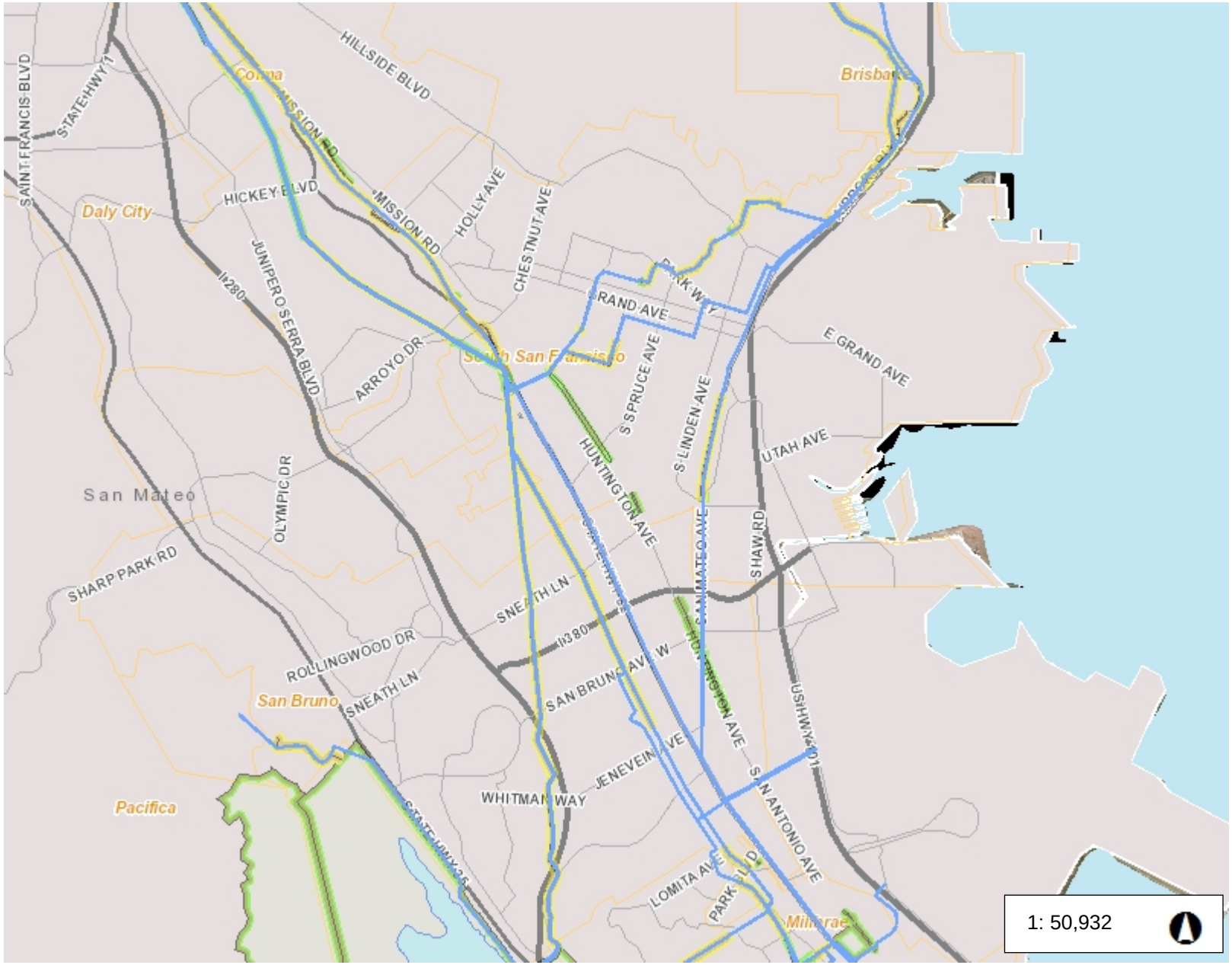
Joanne Wilson
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Hetch Hetchy Regional Water System
Operated by San Francisco Water, Power and Sewer | Services of the San Francisco Public Utilities Commission



SFPUC Water Transmission Pipeline Right-of-Way in South San Francisco





Legend

- Treatment Plants
- Transmission Lines
  - Penstock
  - Pipeline
  - Siphon
  - Tunnel
- SFPUC Parcels / Right of Way
  - Other / Uncertain
  - Easement
  - Fee-owned
  - Raker Act
- Major Roads
  - <all other values>
  - Interstate
  - US Highway
  - State Highway
  - Major Road
- SFPUC Reservoirs
- Cities

Notes

1.6 0 0.80 1.6 Miles

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Date Created 03/17/2021

The City does not guarantee that the information on this site is accurate or complete. The City is not responsible for any damages arising from the use of information on this site. Users should verify the information before making project commitments.

Hetch Hetchy
Regional Water System
Services of the San Francisco Public Utilities Commission

SFPUC Interim Water Pipeline Right of Way Use Policy for San Mateo, Santa Clara, and Alameda Counties

Approved January 13, 2015

by

SFPUC Resolution No. 15-0014

as an amendment to the SFPUC Real Estate Guidelines

SFPUC Water Pipeline Right of Way Use Policy for San Mateo, Santa Clara, and Alameda Counties

As part of its utility system, the San Francisco Public Utilities Commission (SFPUC) operates and maintains hundreds of miles of water pipelines. The SFPUC provides for public use on its water pipeline property or right of way (ROW) throughout Alameda, Santa Clara, and San Mateo counties consistent with our existing plans and policies. The following controls will help inform how and in which instances the ROW can serve the needs of third parties—including public agencies, private parties, nonprofit organizations, and developers—seeking to provide recreational and other use opportunities to local communities.

Primarily, SFPUC land is used to deliver high quality, efficient and reliable water, power, and sewer services in a manner that is inclusive of environmental and community interests, and that sustains the resources entrusted to our care. The SFPUC's utmost priority is maintaining the safety and security of the pipelines that run underneath the ROW.

Through our formal Project Review and Land Use Application and Project Review process, we may permit a secondary use on the ROW if it benefits the SFPUC, is consistent with our mission and policies, and does not in any way interfere with, endanger, or damage the SFPUC's current or future operations, security or facilities.[1] No secondary use of SFPUC land is permitted without the SFPUC's consent.

These controls rely on and reference several existing SFPUC policies, which should be read when noted in the document. Being mindful of these policies while planning a proposed use and submitting an application will ease the process for both the applicant and the SFPUC. These controls are subject to change over time and additional requirements and restrictions may apply depending on the project.

The SFPUC typically issues five-year revocable licenses for use of our property, with a form of rent and insurance required upon signing.[2]

Note: The project proponent is referred to as the "Applicant" until the license agreement is signed, at which point the project proponent is referred to as the "Licensee."

[1] SFPUC Guidelines for the Real Estate Services Division, Section 2.0.
[2] SFPUC Guidelines for the Real Estate Services Division, Section 3.3.

I. *Land Use, Structures, and Compliance with Law*

The following tenets govern the specifics of land use, structures, and accessibility for a project. Each proposal will still be subject to SFPUC approval on a case-by-case basis.

A. SFPUC Policies. The Applicant's proposed use must conform to policies approved by the SFPUC's Commission, such as the SFPUC's Land Use Framework (http://sfwater.org/index.aspx?page=586).

B. Americans with Disabilities Act Compliance. The Applicant must demonstrate that a Certified Access Specialist (CASp) has reviewed and approved its design and plans to confirm that they meet all applicable accessibility requirements.

C. Environmental Regulations. The SFPUC's issuance of a revocable license for use of the ROW is subject to compliance with the California Environmental Quality Act (CEQA). The Applicant is responsible for assessing the potential environmental impacts under CEQA of its proposed use of the ROW. The SFPUC must be named as a Responsible Agency on any CEQA document prepared for the License Area. In addition, the Applicant shall provide to SFPUC a copy of the approved CEQA document prepared by the Applicant, the certification date, and documentation of the formal approval and adoption of CEQA findings by the CEQA lead agency. The SFPUC will not issue a license for the use of the ROW until CEQA review and approval is complete.

D. Crossover and Other Reserved Rights. For a ROW parcel that bisects a third party's land, the Applicant's proposed use must not inhibit that party's ability to cross the ROW. The Applicant must demonstrate any adjoining owner with crossover or other reserved rights approves of the proposed recreational use and that the use does not impinge on any reserved rights.

E. Width. The License Area must span the entire width of the ROW.
   - *For example, the SFPUC will not allow a 10-foot wide trail license on a ROW parcel that is 60 feet wide.*

F. Structures. Structures on the ROW are generally prohibited. The Licensee shall not construct or place any structure or improvement in, on, under or about the entire License Area that requires excavation, bored footings or concrete pads that are greater than six inches deep.

   i. Structures such as benches and picnic tables that require shallow (four to six inches deep) cement pads or footings are generally permitted on the ROW. No such structure may be placed directly on top of a pipeline or within 20 feet of the edge of a pipeline.

   ii. The SFPUC will determine the permitted weight of structures on a case-by-case basis.

- *When the SFPUC performs maintenance on its pipelines, structures of significant weight and/or those that require footings deeper than six inches are very difficult and time-consuming to move and can pose a safety hazard to the pipelines. The longer it takes the SFPUC to reach the pipeline in an emergency, the more damage that can occur.*

G. Paving Materials. Permitted trails or walkways should be paved with materials that both reduce erosion and stormwater runoff (e.g., permeable pavers).

H. License Area Boundary Marking. The License Area's boundaries should be clearly marked by landscaping or fencing, with the aim to prevent encroachments.

I. Fences and Gates. Any fence along the ROW boundary must be of chain-link or wooden construction with viewing access to the ROW. The fence must include a gate that allows SFPUC access to the ROW.[3] Any gate must be of chain-link construction and at least 12 feet wide with a minimum 6-foot vertical clearance.

II. *Types of Recreational Use*

Based on our past experience and research, the SFPUC will allow simple parks without play structures, community gardens and limited trails.

A. Fulfilling an Open Space Requirement. An applicant may not use the ROW to fulfill a development's open space, setback, emergency access or other requirements.[4] In cases where a public agency has received consideration for use of SFPUC land from a third party, such as a developer, the SFPUC may allow such recreational use if the public agency applicant pays full Fair Market Rent.

B. Trail Segments. At this time, the SFPUC will consider trail proposals when a multi-jurisdictional entity presents a plan to incorporate specific ROW parcels into a fully connected trail. Licensed trail segments next to unlicensed parcels may create a trail corridor that poses liability to the SFPUC. The SFPUC will only consider trail proposals where the trail would not continue onto, or encourage entry onto, another ROW parcel without a trail and the trail otherwise meet all SFPUC license requirements.

III. *Utilities*

A. Costs. The Licensee is responsible for all costs associated with use of utilities on the License Area.

[3] SFPUC Right of Way Requirements.
[4] SFPUC Guidelines for the Real Estate Services Division, Section 2.0.

B. Placement. No utilities may be installed on the ROW running parallel to the SFPUC's pipelines, above or below grade.[5] With SFPUC approval, utilities may run perpendicular to the pipelines.

C. Lights. The Licensee shall not install any light fixtures on the ROW that require electrical conduits running parallel to the pipelines. With SFPUC approval, conduits may run perpendicular to and/or across the pipelines.

- Any lighting shall have shielding to prevent spill over onto adjacent properties.

D. Electricity. Licensees shall purchase all electricity from the SFPUC at the SFPUC's prevailing rates for comparable types of electrical load, so long as such electricity is reasonably available for the Licensee's needs.

IV. *Vegetation*

A. The Applicant shall refer to the SFPUC Integrated Vegetation Management Policy for the *minimum* requirements concerning types of vegetation and planting. (http://www.sfwater.org/index.aspx?page=431.) The Licensee is responsible for all vegetation maintenance and removal.

B. The Applicant shall submit a Planting Plan as part of its application.

(Community garden applicants should refer to Section VII.C for separate instructions.)

i. The Planting Plan should include a layout of vegetation placement (grouped by hydrozone) and sources of irrigation, as well as a list of intended types of vegetation. The SFPUC will provide an area drawing including pipelines and facilities upon request.

ii. The Applicant shall also identify the nursery(ies) supplying plant stock and provide evidence that each nursery supplier uses techniques to reduce the risk of plant pathogens, such as Phytophthora ramorum.

V. *Measures to Promote Water Efficiency*[6]

A. The Licensee shall maintain landscaping to ensure water use efficiency.

B. The Licensee shall choose and arrange plants in a manner best suited to the site's climate, soil, sun exposure, wildfire susceptibility and other factors. Plants with similar water needs must be grouped within an area controlled by a single irrigation valve

[5] SFPUC Land Engineering Requirements.
[6] SFPUC Rules and Regulations Governing Water Service to Customers, Section F.

C. Turf is not allowed on slopes greater than 25 percent.

D. The SFPUC encourages the use of local native plant species in order to reduce water use and promote wildlife habitat.

E. Recycled Water. Irrigation systems shall use recycled water if recycled water meeting all public health codes and standards is available and will be available for the foreseeable future.

F. Irrigation Water Runoff Prevention. For landscaped areas of any size, water runoff leaving the landscaped area due to low head drainage, overspray, broken irrigation hardware, or other similar conditions where water flows onto adjacent property, walks, roadways, parking lots, structures, or non-irrigated areas, is prohibited.

VI. *Other Requirements*

A. Financial Stability. The SFPUC requires municipalities or other established organizations with a stable fiscal history as Licensees.

   i. Applicants must also demonstrate sufficient financial backing to pay rent, maintain the License Area, and fulfill other license obligations over the license term.

B. Smaller, community-based organizations without 501(c)(3) classifications must partner with a 501(c)(3) classified organization or any other entity through which it can secure funding for the License Area over the license term. Maintenance. The Licensee must maintain the License Area in a clean and sightly condition at its sole cost.[7] Maintenance includes, but is not limited to, regular weed abatement, mowing, and removing graffiti, dumping, and trash.

C. Mitigation and Restoration. The Licensee will be responsible, at its sole cost, for removing and replacing any recreational improvements in order to accommodate planned or emergency maintenance, repairs, replacements, or projects done by or on behalf of the SFPUC. If the Licensee refuses to remove its improvements, SFPUC will remove the improvements I at the Licensee's sole expense without any obligation to replace them.

D. Encroachments. The Licensee will be solely responsible for removing any encroachments on the License Area. An encroachment is any improvement on SFPUC property not approved by the SFPUC. Please read the SFPUC ROW Encroachment Policy for specific requirements. If the Licensee fails to remove encroachments, the SFPUC will remove them at Licensee's sole expense. The Licensee must regularly patrol the License Area to spot encroachments and remove them at an early stage.

[7] SFPUC Framework for Land Management and Use.

E. Point of Contact. The Licensee will identify a point of contact (name, position title, phone number, and address) to serve as the liaison between the Licensee, the local community, and the SFPUC regarding the License Agreement and the License Area. In the event that the point of contact changes, the Licensee shall immediately provide the SFPUC with the new contact information. Once the License Term commences, the point of contact shall inform local community members to direct any maintenance requests to him or her. In the event that local community members contact the SFPUC with such requests, the SFPUC will redirect any requests or complaints to the point of contact.

F. Community Outreach.

i. Following an initial intake conversation with the SFPUC, the Applicant shall provide a Community Outreach Plan for SFPUC approval. This Plan shall include the following information:

1. Identification of key stakeholders to whom the Applicant will contact and/or ask for input, along with their contact information;

2. A description of the Applicant's outreach strategy, tactics, and materials

3. A timeline of outreach (emails/letters mailing date, meetings, etc.); and

4. A description of how the Applicant will incorporate feedback into its proposal.

ii. The Applicant shall conduct outreach for the project at its sole cost and shall keep the SFPUC apprised of any issues arising during outreach.

iii. During outreach, the Applicant shall indicate that it in no way represents the SFPUC.

G. Signage. The SFPUC will provide, at Licensee's cost, a small sign featuring the SFPUC logo and text indicating SFPUC ownership of the License Area at each entrance. In addition, the Licensee will install, at its sole cost, an accompanying sign at each entrance to the License Area notifying visitors to contact the organization's point of contact and provide a current telephone number in case the visitors have any issues. The SFPUC must approve the design and placement of the Licensee's sign.

VII. *Community Gardens*

The following requirements also apply to community garden sites. As with all projects, the details of the operation of a particular community garden are approved on a case-by-case basis.

A. The Applicant must demonstrate stable funding. The Applicant must provide information about grants received, pending grants, and any ongoing foundational support.

B. The Applicant must have an established history and experience in managing urban agriculture or community gardening projects. Alternatively, the Applicant may demonstrate a formal partnership with an organization or agency with an established history and experience in managing urban agriculture or community gardening projects

C. During the Project Review process, the Applicant shall submit a Community Garden Planting Plan that depicts the proposed License Area with individual plot and planter box placements, landscaping, and a general list of crops that may be grown in the garden.

D. The Applicant shall designate a Garden Manager to oversee day-to-day needs and serve as a liaison between the SFPUC and garden plot holders. The Garden Manager may be distinct from the point of contact, see Section VI.E.

E. The Licensee must ensure that the Garden Manager informs plot holders about the potential for and responsibilities related to SFPUC repairs or emergency maintenance on the License Area. In such circumstances, the SFPUC is not liable for the removal and replacement of any features on the License Area or the costs associated with such removal and replacement.

F. The Licensee must conduct all gardening within planter boxes with attached bottoms that allow for easy removal without damaging the crops.

Hetch Hetchy
Regional Water System
Services of the San Francisco Public Utilities Commission

AMENDMENT TO THE

RIGHT OF WAY INTEGRATED VEGETATION MANAGEMENT POLICY

Approved January 13, 2015

by

SFPUC Resolution No. 15-0014

12.000 RIGHT OF WAY INTEGRATED VEGETATION MANAGEMENT POLICY

12.001 General

The San Francisco Public Utilities Commission ("SFPUC") is responsible for the delivery of potable water and the collection and treatment of wastewater for some 800,000 customers within the City of San Francisco; it is also responsible for the delivery of potable water to 26 other water retailers with a customer base of 1.8 million. **The following policy is established to manage vegetation on the transmission, distribution and collection systems within the SFPUC Right of Way ("ROW") so that it does not pose a threat or hazard to the system's integrity and infrastructure or impede utility maintenance and operations.**

The existence of large woody vegetation[1], hereinafter referred to as vegetation, and water transmission lines within the ROW are not compatible and, in fact, are mutually exclusive uses of the same space. Roots can impact transmission pipelines by causing corrosion. The existence of trees and other vegetation directly adjacent to pipelines makes emergency and annual maintenance very difficult, hazardous, and expensive, and increases concerns for public safety. The risk of fire within the ROW is always a concern and the reduction of fire ladder fuels within these corridors is another reason to modify the vegetation mosaic. In addition to managing vegetation in a timely manner to prevent any disruption in utility service, the SFPUC also manages vegetation on its ROW to comply with local fire ordinances enacted to protect public safety.

One of the other objectives of this policy is to reduce and eliminate as much as practicable the use of herbicides on vegetation within the ROW and to implement integrated pest management (IPM).

12.002 Woody Vegetation Management

1.0 Vegetation of any size or species will not be allowed to grow within certain critical portions of the ROW, pumping stations or other facilities as determined by a SFPUC qualified professional, and generally in accordance with the following guidelines.

1.1 Emergency Removal

SFPUC Management reserves the right to remove any vegetation without prior public notification that has been assessed by a SFPUC qualified professional as an immediate threat to transmission lines or other utility infrastructure, human life and property due to acts of God, insects, disease, or natural mortality.

1.2 Priority Removal

Vegetation that is within 15 feet of the edge of any pipe will be removed and the vegetative debris will be cut into short lengths and chipped whenever possible. Chips will be spread upon the site where the vegetation was removed. Material that cannot be chipped will be hauled away to a proper disposal site.

[1] Woody vegetation is defined as all brush, tree and ornamental shrub species planted in (or naturally occurring in) the native soil having a woody stem that at maturity exceeds 3 inches in diameter.

If vegetation along the ROW is grouped in contiguous stands[2], or populations, a systematic and staggered removal of that vegetation will be undertaken to replicate a natural appearance. Initial removal[3] will be vegetation immediately above or within 15 feet of the pipeline edges; secondary vegetation[4] within 15 to 25 feet from pipelines will then be removed.

1.3 Standard Removal

Vegetation that is more than 25 feet from the edge of a pipeline and up to the boundary of the ROW will be assessed by a SFPUC qualified professional for its age and condition, fire risk, and potential impact to the pipelines. Based on this assessment, the vegetation will be removed or retained.

1.4 Removal Standards

Each Operating Division will develop its own set of guidelines or follow established requirements in accordance with local needs.

2.0 All stems of vegetation will be cut flush with the ground and where deemed necessary or appropriate, roots will be removed. All trees identified for removal will be clearly marked with paint and/or a numbered aluminum tag.

3.0 Sprouting species of vegetation will be treated with herbicides where practicable, adhering to provisions of Chapter 3 of the San Francisco Environment Code.

4.0 Erosion control measures, where needed, will be completed before the work crew or contractors leave the work site or before October 15 of the calendar year.

5.0 Department personnel will remove in a timely manner any and all material that has been cut for maintenance purposes within any stream channel.

6.0 All vegetation removal work and consultation on vegetation retention will be reviewed and supervised by a SFPUC qualified professional. All vegetation removal work and/or treatment will be made on a case-by-case basis by a SFPUC qualified professional.

7.0 Notification process for areas of significant resource impact that are beyond regular and ongoing maintenance:

7.1 County/City Notification – The individual Operating Division will have sent to the affected county/city a map showing the sections of the ROW which will be worked, a written description of the work to be done, the appropriate removal time for the work crews, and a contact person for more information. This should be done approximately 10 days prior to start of work. Each Operating Division will develop its own set of guidelines in accordance with local need.

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[2] A stand is defined as a community of trees possessing sufficient uniformity in composition, structure, age, arrangement, or condition to be distinguishable from adjacent forest communities to form a management unit.
[3] Initial removal is defined as the vegetation removed during the base year or first year of cutting.
[4] Secondary vegetation is defined as the vegetative growth during the second year following the base year for cutting.

7.2 Public Notification – The Operating Division will have notices posted at areas where the vegetation is to be removed with the same information as above also approximately 10 days prior to removal. Notices will also be sent to all property owners within 300 feet of the removal site. Posted notices will be 11- by 17-inches in size on colored paper and will be put up at each end of the project area and at crossover points through the ROW. Questions and complaints from the public will be handled through a designated contact person. Each Operating Division will develop its own set of guidelines in accordance with local needs.

12.003 Annual Grass and Weed Management

Annual grasses and weeds will be mowed, disked, sprayed or mulched along the ROW as appropriate to reduce vegetation and potential fire danger annually. This treatment should be completed before July 30 of each year. This date is targeted to allow the grasses, forbs and weeds to reach maturity and facilitate control for the season.

12.004 Segments of ROW that are covered by Agricultural deed rights

The only vegetation that may be planted within the ROW on those segments where an adjacent owner has Deeded Agricultural Rights will be: non-woody herbaceous plants such as grasses, flowers, bulbs, or vegetables.

12.005 Segments of ROW that are managed and maintained under a Lease or License

Special allowance may be made for these types of areas, as the vegetation will be maintained by the licensed user as per agreement with the City, and not allowed to grow unchecked. Only shallow rooted plants may be planted directly above the pipelines.

Within the above segments, the cost of vegetation maintenance and removal will be borne by the tenant or licensee exclusively. In a like fashion, when new vegetative encroachments are discovered they will be assessed by a SFPUC qualified professional on a case-by-case basis and either be permitted or proposed for removal.

The following is a guideline for the size at maturity of plants (small trees, shrubs, and groundcover) that may be permitted to be used as landscape materials. Note: All distance measurements are for mature trees and plants measured from the edge of the drip-line to the edge of the pipeline.

- Plants that may be permitted to be planted directly above existing and future pipelines: shallow rooted plants such as ground cover, grasses, flowers, and very low growing plants that grow to a maximum of one foot in height at maturity.
- Plants that may be permitted to be planted 15–25 feet from the edge of existing and future pipelines: shrubs and plants that grow to a maximum of five feet in height at maturity.
- Plants that may be permitted to be planted 25 feet or more from the edge of existing and future pipelines: small trees or shrubs that grow to a maximum of twenty feet in height and fifteen feet in canopy width.

Trees and plants that exceed the maximum height and size limit (described above) may be permitted within a leased or licensed area provided they are in containers and are above ground. Container load and placement location(s) are subject to review and approval by the SFPUC.

Low water use plant species are encouraged and invasive plant species are not allowed.

All appurtenances, vaults, and facility infrastructure must remain visible and accessible at all times. All determinations of species acceptability will be made by a SFPUC qualified professional.

The above policy is for general application and for internal administration purposes only and may not be relied upon by any third party for any reason whatsoever. The SFPUC reserves the right at its sole discretion, to establish stricter policies in any particular situation and to revise and update the above policy at any time.

San Francisco
Water Power Sewer
Operator of the Hetch Hetchy Regional Water System

Natural Resources and Lands Management Division
525 Golden Gate Avenue, 10th Floor
San Francisco, CA 94102
T 415.554.3265
F 415.934.5770

March 19, 2015

Tony Rozzi, AICP, Senior Planner
City of South San Francisco
Economic and Community Development Department
315 Maple Avenue
South San Francisco, CA 94080

RE: City of South San Francisco 2015-2023 Housing Element Update Initial Study/Negative Declaration

Dear Mr. Tony Rozzi:

Thank you for the opportunity to review and comment on the Initial Study/Negative Declaration for the South San Francisco 2015-2023 Housing Element Update.

The City and County of San Francisco, through its San Francisco Public Utilities Commission (SFPUC), owns land in-fee and holds land easements in the City of South San Francisco to operate its water system infrastructure as part of the Hetch Hetchy Regional Water System. The Hetch Hetchy Regional Water System has multiple pipelines crossing the City of South San Francisco which provides drinking water to 2.6 million people in the San Francisco Bay Area.

Below are our comments relating to the Initial Study/Negative Declaration.

Section 3.10 Land Use and Planning

The City of South San Francisco, in its 2015-2023 Housing Element Update (Chapter 5 – Housing Resources – Transit Village Sites), identified parcels between El Camino Real and the BART Right of Way (ROW) as potential residential sites. These sites are currently zoned as "El Camino Real/Chestnut Mixed Use High Density." There are SFPUC pipelines located on four of these parcels along El Camino Real. The SFPUC holds an easement for its Sunset Supply water transmission pipelines on the parcels identified in the Housing Element Update. These potential housing sites are not compatible with SFPUC land use policies (see attached SFPUC ROW Use Policy). There is no discussion in the draft Initial Study/Negative Declaration of the SFPUC easements, infrastructure or policies relating to the identified sites.

Edwin M. Lee
Mayor

Ann Moller Caen
President

Francesca Vietor
Vice President

Vince Courtney
Commissioner

Anson Moran
Commissioner

Ike Kwon
Commissioner

Harlan L. Kelly, Jr.
General Manager

The SFPUC understands that the purpose of the housing element update is to identify potential housing sites as part of state requirements. Currently, the discussion for Section 3.10 states that "future housing projects will continue to be reviewed through the City's entitlement process and CEQA to ensure consistency with local, state, and federal regulations and all General Plan goals, objectives and policies intended to protect established communities and land uses." The City of South San Francisco should consider and discuss the SFPUC infrastructure located on these parcels and the potential land use conflict that the proposed housing sites on El Camino Real may create with SFPUC easement land rights and the established SFPUC plans and policies for managing its water utility ROW. This land use conflict could potentially limit the suitability of using these sites for future residential projects.

To assist you in your planning efforts, below you will find the Assessor Parcel Numbers (APNs) for the areas identified as potential housing sites that may have a land use conflict with SFPUC land easements.

Housing Element Update Site	APN	SFPUC Parcel
2	010-292-130	49-D
2	010-292-280	49-C
2	010-292-270	49-B
5	011-326-030	49-E

As specified in the attached ROW Policy, the SFPUC must retain the ability to access its property to maintain, repair, replace, or install water transmission pipelines. The SFPUC does not allow any structures on its ROW and limits vegetation on its property because repair or maintenance of our water utility infrastructure may result in damage or demolition of built improvements and/or landscaping. Project sponsors of any proposed project over or near SFPUC easements should be made aware of the SFPUC's ROW requirements.

If a residential development project is proposed to the City of South San Francisco adjacent to SFPUC fee-owned property or easement areas, the SFPUC requests notification and sufficient time to comment on the proposed project. If a residential development project is proposed on SFPUC fee-owned property or easement areas, the SFPUC requires that the project proponent participate in the SFPUC's Project Review process to comply with all applicable SFPUC plans and policies. For more information about our Project Review process and for instructions of how to participate, please visit our website at http://www.sfwater.org/index.aspx?page=450.

As noted in the Initial Study, the water department serving the City of South San Francisco purchases much of its drinking water from the SFPUC. The ongoing operation and maintenance of the Hetch Hetchy Regional Water System in a safe and reliable manner is a shared priority for both your community and the SFPUC. If you have any questions or require further

information, please contact Jonathan Mendoza, Planner, at jsmendoza@sfwater.org or (650) 652-3215.

For your reference, I am enclosing the SFPUC Right of Way Use Policy and the Right of Way Integrated Vegetation Management Policy.

Sincerely,

Tim Ramirez
Division Manager
Natural Resources and Lands Management Division (NRLMD)

Enclosures: SFPUC Right of Way Use Policy
Right of Way Integrated Vegetation Management Policy

CC: Rosanna Russell, Director, SFPUC Real Estate Services
Ellen Natesan, Planning and Compliance Manager, SFPUC-NRLMD
Joanne Wilson, Senior Planner, SFPUC-NRLMD
Craig Freeman, Utility Specialist, SFPUC-BEM
Jonathan Mendoza, Planner, SFPUC-NRLMD

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San Francisco International Airport

March 22, 2021

Billy Gross
Senior Planner
City of South San Francisco
Planning Division
315 Maple Ave.
South San Francisco, CA 94080

TRANSMITTED VIA EMAIL
billy.gross@ssf.net

Subject: ***Notice of Preparation of a Program Environmental Impact Report for Proposed South San Francisco General Plan Update***

Dear Mr. Gross,

Thank you for notifying San Francisco International Airport (SFO or the Airport) regarding the preparation of a Program Environmental Impact Report (Program EIR) for the proposed South San Francisco General Plan Update (the project). We appreciate this opportunity to coordinate with the City of South San Francisco (the City) in considering and evaluating potential land use compatibility issues that the project may pose and should address.

As described in the Notice of Preparation (NOP), the project site is the geographic limits of the City, in San Mateo County. The southeastern portion of the project borders, and in certain areas overlaps with, City and County of San Francisco/SFO property boundaries. The City is primarily residential, with this use occupying approximately 40% of its land area, followed by industrial/research and development (RD) at approximately 30%, and parks/open space/common greens at approximately 10%. The NOP notes that presently there are about 150 acres of vacant land remaining in the City, which amounts to 3.4% of the City. This project will serve as a blueprint for the City's vision through the year 2040 and will replace the 1999 General Plan and inform updates to the City's Zoning Ordinance.

The City's proposed changes are highlighted in Proposed Land Use Maps and, specifically, the Land Use Map depicting the changes from the existing map (see Figure 1). This map highlights the concentration in change along the U.S. Highway 101 (U.S. 101) corridor, the "East of 101" precinct including Oyster Point, and transit nodes such as the San Bruno Bay Area Rapid Transit (BART) and South San Francisco BART and Caltrain stations, which have been targeted for zoning intensification. The NOP notes that the project permits approximately 14,324 net new housing units and approximately 13,352 net new employment opportunities by 2040. This map highlights that much of this change will come from intensifying land uses which were previously exclusively office/RD or industrial under the 1999 General Plan to include mixed use or high-density mixed use, which would allow for residential uses.

The Airport is concerned that much of the land slated for this change is closer to the Airport than the previous General Plan's housing element, and portions of the proposed mixed-use residential zones are within the Airport's runway safety zone boundaries and 65 decibel (dB) Community Noise Equivalent Level (CNEL) noise contour. In the 1999 General Plan, the City acknowledged the significance of and retained areas east of U.S. 101 for cargo handling and freight forwarder uses that support the cargo operations at SFO. The Airport appreciates that in the intervening years, the City has successfully maintained these land uses east of U.S. 101, which enhance and support the relationship among the City, its residents, and the Airport. These existing compatible land uses east of U.S. 101 include industrial, warehousing, hotels, and office/RD. The Airport cautions against the project's proposed departure from this successful practice.

AIRPORT COMMISSION CITY AND COUNTY OF SAN FRANCISCO

LONDON N. BREED *MAYOR* | LARRY MAZZOLA *PRESIDENT* | ELEANOR JOHNS *VICE PRESIDENT* | RICHARD J. GUGGENHIME | EVERETT A. HEWLETT, JR. | MALCOLM YEUNG | IVAR C. SATERO *AIRPORT DIRECTOR*

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The close proximity of these areas to SFO would require developments to undergo federal, state, and local regulatory review processes specific to airport noise, airspace safety, and other land use compatibility standards, including 14 Code of Federal Regulations Part 77 regulations for the safety, efficient use, and preservation of navigable airspaces. Airport staff encourages the City to work closely with the Airport Land Use Commission (ALUC)[1] to determine project consistency with the Comprehensive Airport Land Use Compatibility Plan for the Environs of SFO (ALUCP)[2] and other regulatory review procedures. The Program EIR should evaluate the project for consistency with all ALUCP regulatory requirements and policies.

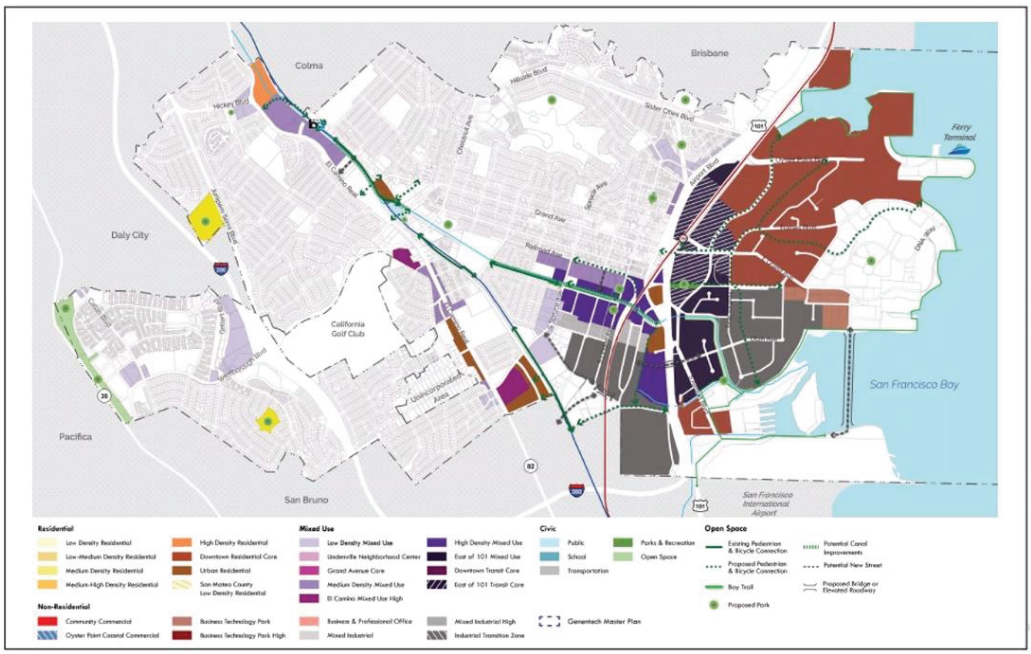


Figure 1: Proposed Changes from Existing Land Use Map (NOP of Program EIR Exhibit 5)

The ALUCP establishes policies, to ensure compatibility between the Airport and surrounding land uses and to protect local residents and workers from adverse effects of airport operations. All three topics are based on research into actual effects of airport operations on human health and safety.[3]

- **Noise:** Reduce the potential number of future residents who could be exposed to noise effects from airport and aircraft operations.
- **Safety:** Minimize the potential number of future residents and land use occupants exposed to hazards related to aircraft operations and/or catastrophic incidents.
- **Elevation/Height:** Protect the navigable airspace around the Airport for the safe and efficient operation of aircraft in flight.

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[1] State law requires an ALUC for every county with an airport in its jurisdiction. *See* Cal. Pub. Util. Code §§ 21670-21679.5. In San Mateo County, the City/County Association of Governments of San Mateo County (C/CAG) board serves as the ALUC.

[2] State law requires the preparation of an ALUCP. *See id.* In 2012, C/CAG, in consultation with the Airport and surrounding communities, adopted the current ALUCP, which addresses issues related to compatibility between airport operations and surrounding proposed land use development, considering noise impacts, safety of persons on the ground and in flight, height restrictions/airspace protection, and overflight notification.

[3] California Department of Transportation (Caltrans) Division of Aeronautics, California Airport Land Use Planning Handbook, October 2011.

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Most of the City, and all of the areas of proposed land use intensification around and to the east of U.S. 101, are located within the ALUCP Airport Influence Areas A and B (see Figure 2). The ALUCP requires all residential development within Area A, which is the entirety of San Mateo County, to provide real estate disclosures, a copy of which can be found at ALUCP Appendix G-7. Additionally, within the more restrictive Area B, "the ALUC [the C/CAG Board] shall exercise its statutory duties to review proposed land use policy actions, including new general plans, specific plans, zoning ordinances, plan amendments and rezoning, and land development proposals."[4] The City must accordingly submit the proposed general plan update to the ALUC for review.

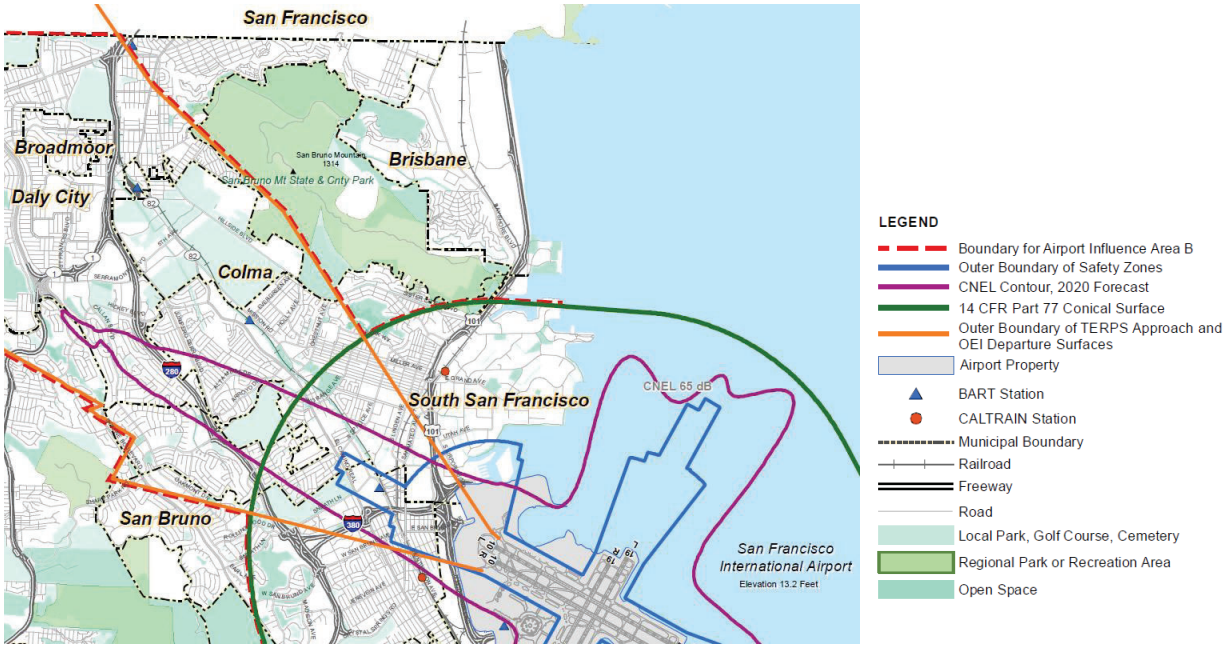


Figure 2: ALUCP-defined boundaries affecting South San Francisco (ALUCP Exhibit IV-3)

With respect to noise compatibility, portions of the project are situated within the Airport's 65 dB CNEL noise contour, and some even within the 70 dB contour. The ALUCP policies for noise are to protect the comfort and quality of life of the City's residents, and SFO discourages residential uses within the Airport's 65 dB or higher contours. To the extent that the project would allow such uses, the Program EIR must disclose and evaluate any inconsistency with the ALUCP. The ALUCP requires the grant of an avigation easement to the City and County of San Francisco, as the proprietor of SFO, as a condition of allowing residential development within the 65 dB contour.[5] While avigation easements are an important mitigation tool, they do not replace the imperative to avoid introducing incompatible uses into a noise-affected area in the first place. As shown in ALUCP Table IV-1, residential uses are not compatible within the 70 dB contour and higher, and the Program EIR should evaluate them as such.

Further, many Airport departure procedures are designed to ascend over either the San Bruno Gap or Oyster Point, including one procedure, the Shoreline Departure visual procedure, which is a noise abatement procedure designed specifically to keep aircraft over the industrial areas of the City east of U.S. 101 and away from its traditional residential areas. Any residential developments east of U.S. 101 could reduce the efficacy of the Nighttime Preferential Runway Use program developed in 1988 and put in place specifically to protect residents of South San Francisco, Daly City, and Pacifica by maximizing flights over water and industrial areas between

[4] ALUCP IP-2 (Airport Influence Area B – Policy/Project Referral Area), p. IV-11.
[5] ALUCP NP-3.

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1:00 a.m. and 6:00 a.m. Any residential uses allowed in areas east of U.S. 101 would experience noise disturbances from aircraft departures. The Program EIR should evaluate these potential environmental impacts of the project. The Airport also urges the City to engage the SFO Airport/Community Roundtable as soon as possible to notify the public and stakeholders about the project as it relates to the existing and long-established aircraft noise abatement procedures to the City and adjacent cities.

Any proposed residential uses outside of the 65 dB contour should still meet the interior noise requirements of the California Building Code. Noise impacts on sensitive receptors and any necessary mitigation measures should be fully evaluated in the Program EIR, and the EIR should describe the project's consistency with noise policies described in ALUCP, including noise policies NP-1 through NP-4.

The Airport understands and supports the City's efforts to address the region's housing supply shortage with its General Plan update. SFO has felt the effects of the housing crisis firsthand, with many people who work at the Airport forced to finding housing 60 miles away, or farther. This places a considerable hardship on the employees, Airport, neighboring communities, and the regional surface transportation system, and we would welcome affordable, transit-oriented housing closer to the Airport. However, subjecting new residents to excessive aircraft noise is not an equitable solution. SFO requests that the City revise its proposals for residential and mixed uses away from the 65 dB CNEL contour, including the southern portions of Highway 101 and San Bruno BART station. Any upzoning proposed along the City's commercial core along Grand Avenue or higher density around South San Francisco BART station would be outside of the critical 65 dB CNEL contour and would not pose these concerns.

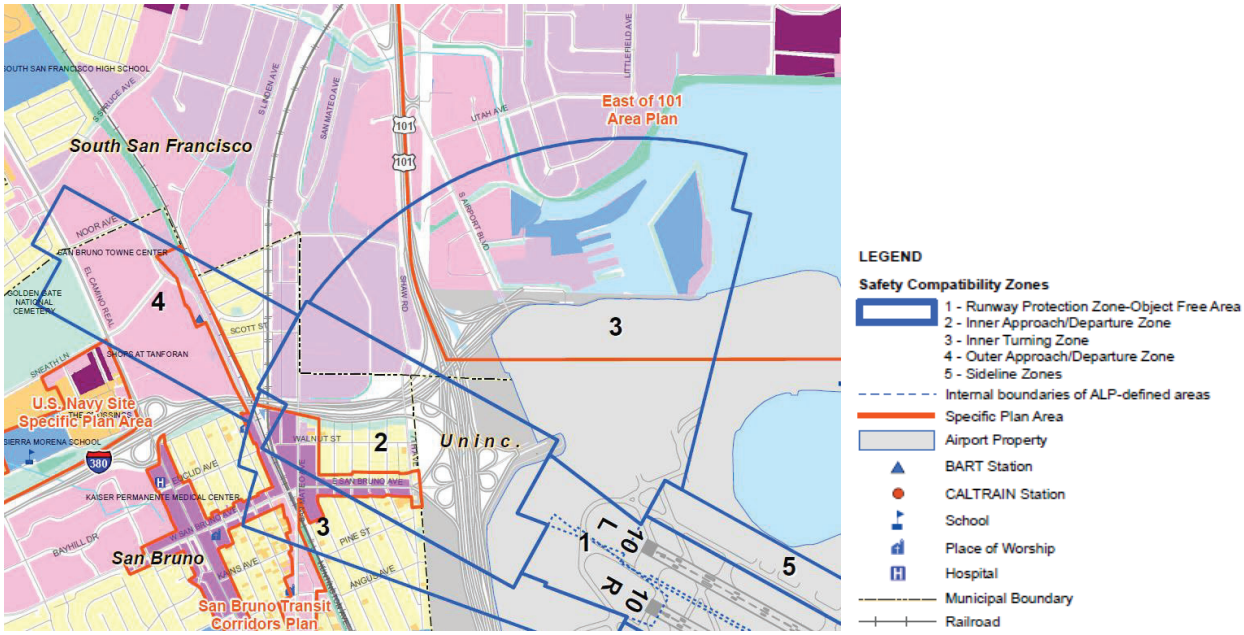


Figure 3: SFO runway safety compatibility zones around South San Francisco (ALUCP Exhibit IV-8)

With respect to safety, the southern portions of the General Plan area are within various runway end safety zones, including the Inner Approach/Departure Zone, Inner Turning Zone, and Outer Approach/Departure Zone (see Figure 3). Each of these zones carry restrictions on what may be located there, based on the safety compatibility criteria and guidelines from the California Airport Land Use Planning Handbook. The Handbook's risk-based guidance is informed by a rigorous analysis of historical aircraft incident data. The ALUCP already recognizes the intense level of existing development in the vicinity of SFO, and the Airport recommends against overriding these

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restrictions. The Program EIR should also describe and evaluate the project's consistency with land use criteria within these runway end safety zones, as described in ALUCP SP-1 through SP-3.

With respect to elevation, the Airport appreciates the City's commitment to protecting the critical airspace surfaces defined in the ALUCP, as these surfaces protect the safety and economic vitality of the Airport and the City. The Airport has observed several points of confusion regarding airspace surfaces and requests that the City work with SFO staff to ensure the accuracy of the guidance provided in the General Plan Update.

For example, all critical airspace surfaces are based on elevation above mean sea level (AMSL) – not height above ground level (AGL). Therefore, if the General Plan Update establishes height restrictions, it should note them in AMSL rather than AGL and incorporate by reference the most recently adopted version of the ALUCP. It should also note that the finished height of any proposed development must be maintained below these clearance limits, including architectural parapets, machine rooms, antennas, etc. The Airport suggests that any exhibits included in the General Plan Update should include prominent notes which address these common concerns.

Finally, the General Plan Update also proposes a new vehicular bridge between Oyster Point, likely around the southern end of Haskins Way, and North Access Road on Airport property. While we understand this may be highly notional, if the City does intend to pursue the concept, the Program EIR should fully evaluate it. We also request that the City keep the Airport apprised of any developments regarding this proposal, which would require close coordination with the Airport. For example, the Airport would need to understand vehicular movements and how the bridge could increase or redistribute traffic on the Airport's roadways and intersection with Interstate 380 in deciding whether to support the project.

The Airport appreciates your consideration of these comments. If I can be of assistance as the City considers airport land use compatibility as they relate to the General Plan update, Program EIR, or any future projects, please do not hesitate to contact me at (650) 821-9464 or at nupur.sinha@flysfo.com.

Sincerely,

DocuSigned by:
Nupur Sinha
7D552AE6A4CE495...

Nupur Sinha
Acting Planning Director
Planning and Environmental Affairs

cc: Susy Kalkin, Airport Land Use Committee
Sandy Wong, C/CAG
Audrey Park, SFO, Acting Environmental Affairs Manager

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS
OF SAN MATEO COUNTY

Atherton • Belmont • Brisbane • Burlingame • Colma • Daly City • East Palo Alto • Foster City • Half Moon Bay • Hillsborough • Menlo Park • Millbrae • Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County •South San Francisco • Woodside

March 22, 2021

Billy Gross, Senior Planner
City of South San Francisco Planning Division
315 Maple Avenue
South San Francisco, CA 94080

RE: C/CAG Airport Land Use Committee Staff Comments - Notice of Prep. for South San Francisco General Plan Update

Dear Mr. Gross,

In response to your notice on the above matter, C/CAG Airport Land Use Committee staff offers the following input for your consideration:

The City of South San Francisco lies within both Airport Influence Area (AIA) A (the Real Estate Disclosure Area) and B (the Policy/Project Referral Area) for San Francisco International Airport. Accordingly, the DEIR should discuss how the proposed policies in the General Plan Update will ensure Airport/Land Use Compatibility by addressing the noise, height/airspace protection, safety and overflight compatibility criteria and policies contained in the 2012 Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (SFO ALUCP), available on the C/CAG website at https://ccag.ca.gov/programs/airport-land-use/

Further, please note that this General Plan update will require formal review by the C/CAG Airport Land Use Committee and C/CAG, acting as the Airport Land Use Commission, for a determination of consistency with the SFO ALUCP prior to local agency action on the project.

Thank you for the opportunity to review and comment on this NOP. If you have any questions, please contact me at kkalkin@smcgov.org.

Sincerely,

_____

Susy Kalkin
ALUC Staff

DEPARTMENT OF TRANSPORTATION
DISTRICT 4
OFFICE OF TRANSIT AND COMMUNITY PLANNING
P.O. BOX 23660, MS-10D
OAKLAND, CA 94623-0660
PHONE (510) 286-5528
TTY 711
www.dot.ca.gov

Making Conservation a California Way of Life.

March 22, 2021

SCH #: 2021010203
GTS #: 04-SM-2021-00349
GTS ID: 21933
Co/Rt/Pm: SM/101/22.022

Billy Gross, Senior Planner
City of South San Francisco
315 Maple Avenue
South San Francisco, CA 94083

Re: South San Francisco General Plan Update + Notice of Preparation (NOP) of an Environmental Impact Report

Dear Billy Gross:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the South San Francisco General Plan Update Project. We are committed to ensuring that impacts to the State's multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system. The following comments are based on our review of the January 2021 NOP.

Project Understanding
The proposed project will update the goals, policies, and actions in the proposed General Plan Update and will serve as a compass for decision-makers and will shape future plans and actions of the City. This revised document will replace the 1999 General Plan and will inform updates to the City's Zoning Ordinance. The proposed South San Francisco General Plan Update has a temporal horizon of 2040. The proposed plan update includes new housing and employment opportunities by the year 2040.

Travel Demand Analysis
With the enactment of Senate Bill (SB) 743, Caltrans is focused on maximizing efficient development patterns, innovative travel demand reduction strategies, and multimodal improvements. For more information on how Caltrans assesses

Transportation Impact Studies, please review Caltrans' Transportation Impact Study Guide.
If the project meets the screening criteria established in the City's adopted Vehicle Miles Traveled (VMT) policy to be presumed to have a less-than-significant VMT impact and exempt from detailed VMT analysis, please provide justification to support the exempt status in align with the City's VMT policy. Projects that do not meet the screening criteria should include a detailed VMT analysis in the DEIR, which should include the following:

- VMT analysis pursuant to the City's guidelines; if the City has not adopted guidelines at this point, please use the Office of Planning and Research's (OPR) guidelines. Projects that result in automobile VMT per capita above the threshold of significance for existing (i.e. baseline) city-wide or regional values for similar land use types may indicate a significant impact. If necessary, mitigation for increasing VMT should be identified. Mitigation should support the use of transit and active transportation modes. Potential mitigation measures that include the requirements of other agencies such as Caltrans are fully enforceable through permit conditions, agreements, or other legally-binding instruments under the control of the City.

- A schematic illustration of walking, biking and auto conditions at the project site and study area roadways. Potential safety issues for all road users should be identified and fully mitigated.

- The project's primary and secondary effects on pedestrians, bicycles, travelers with disabilities and transit performance should be evaluated, including countermeasures and trade-offs resulting from mitigating VMT increases. Access to pedestrians, bicycle, and transit facilities must be maintained.

- Clarification of the intensity of events/receptions to be held at the location and how the associated travel demand and VMT will be mitigated.

Mitigation Strategies
Location efficiency factors, including community design and regional accessibility, influence a project's impact on the environment. Using Caltrans' *Smart Mobility 2010: A Call to Action for the New Decade*, the proposed project site is identified as a Close-In Compact Community where community design is moderate and regional accessibility is strong.

Given the place, type and size of the project, the DEIR should include a robust Transportation Demand Management (TDM) Program to reduce VMT and greenhouse gas emissions from future development in this area. The measures listed below have been quantified by California Air Pollution Control Officers Association (CAPCOA) and shown to have different efficiencies reducing regional VMT:

- Increase in number of affordable housing units in project;
- Orientation of project towards non-auto corridor;
- Pedestrian network improvements;
- Transit access supporting infrastructure (including bus shelter improvements and sidewalk/ crosswalk safety facilities);
- Bicycle network improvements or Fair Share contribution to such measures;
- Traffic calming measures;
- Implementation of a neighborhood electric vehicle (EV) network, including designated parking spaces for EVs;
- Limiting parking supply;
- Unbundled parking from property costs;
- Transit and trip planning resources such as a commute information kiosk;
- Real-time transit information system;
- Transit access supporting infrastructure (including bus shelter improvements and sidewalk/ crosswalk safety facilities);
- VMT Banking and/or Exchange program;

Using a combination of strategies appropriate to the project and the site can reduce VMT, along with related impacts on the environment and State facilities. TDM programs should be documented with annual monitoring reports by a TDM coordinator to demonstrate effectiveness. If the project does not achieve the VMT reduction goals, the reports should also include next steps to take in order to achieve those targets.

Please reach out to Caltrans for further information about TDM measures and a toolbox for implementing these measures in land use projects. Additionally, Federal Highway Administration's Integrating Demand Management into the Transportation Planning Process: A Desk Reference (Chapter 8). The reference is available online at: http://www.ops.fhwa.dot.gov/publications/fhwahop12035/fhwahop12035.pdf.

Lead Agency
As the Lead Agency, South San Francisco is responsible for all impact mitigation, including any needed improvements to the State Transportation Network (STN). The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Laurel Sears at laurel.sears@dot.ca.gov. Additionally, for future notifications and requests for review of new projects, please contact LDIGR-D4@dot.ca.gov.

Sincerely,

Mark Leong

MARK LEONG
District Branch Chief
Local Development - Intergovernmental Review

c: State Clearinghouse

From: Liliana Rivera <lirivera608@gmail.com>
Sent: Monday, March 22, 2021 4:26 PM
To: Gross, Billy <Billy.Gross@ssf.net>
Subject: General Plan Project EIR

Hello,

I am writing with my concerns regarding the General Plan environmental impact. First and foremost, I believe that the plans for the future must center and attempt to remedy the harm that has been done in the past.

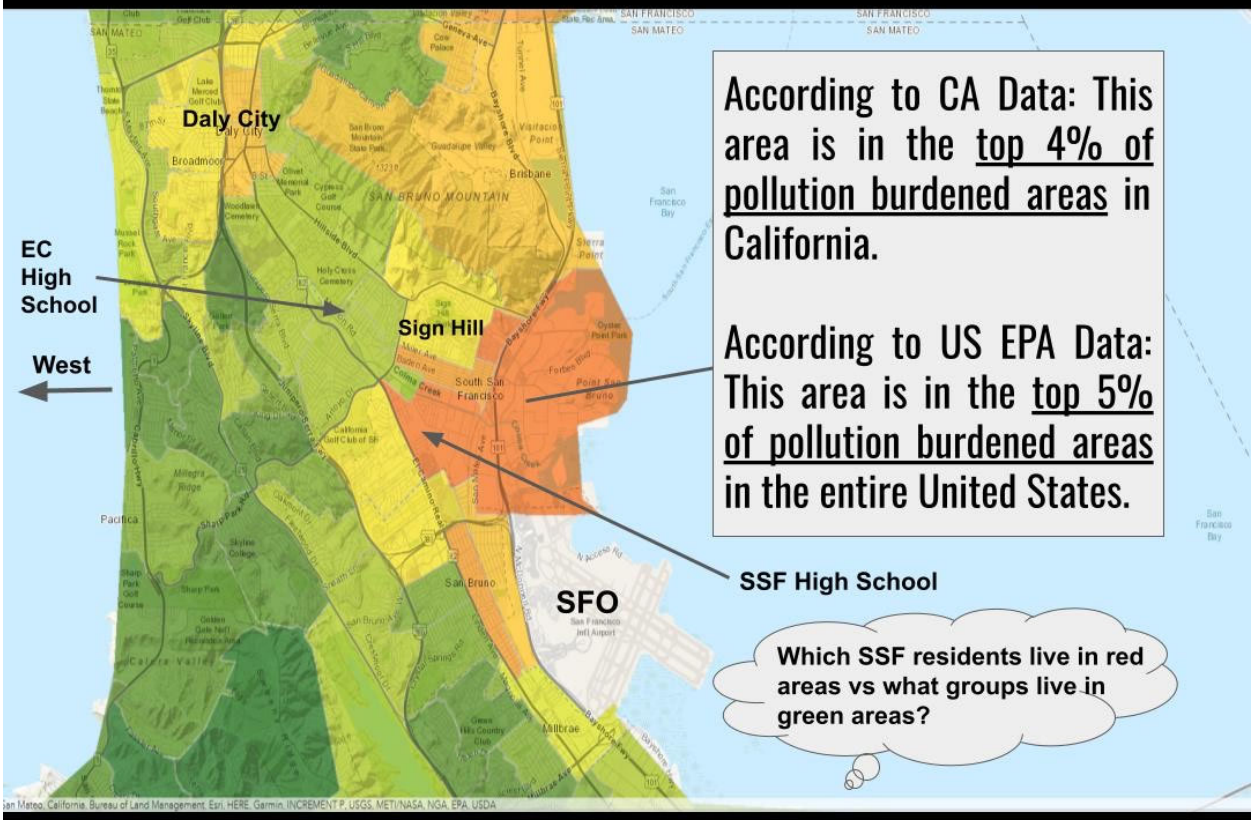
The air quality and pollution on the east side is placing harm disproportionately on communities of color. This census tract is one of the most pollution burdened areas in the entire state. The history of industry combined with racist housing policies have led to the present situation where kids have higher rates of asthma, low birth weight, etc.

There should be an environmental racism tax on the industries that polluted our city, and on the freeway that adds both particulate matter and noise pollution into the area as well. There needs to be a focus on health services and investing in green space on the east side to try to mitigate some of the health impacts that people have suffered. These services should also be accessible to those who don't speak English and those who are undocumented, as these groups are already facing the least amount of protection in our city.

I implore you to prioritize human health and well being over private profit. The city needs to stop trying to attract a younger, wealthier, whiter demographic and realize that our diverse community is what makes us stronger. Please focus on creating a better environment for those families that already live here, and center this racial equity during all of these conversations. Thank you.

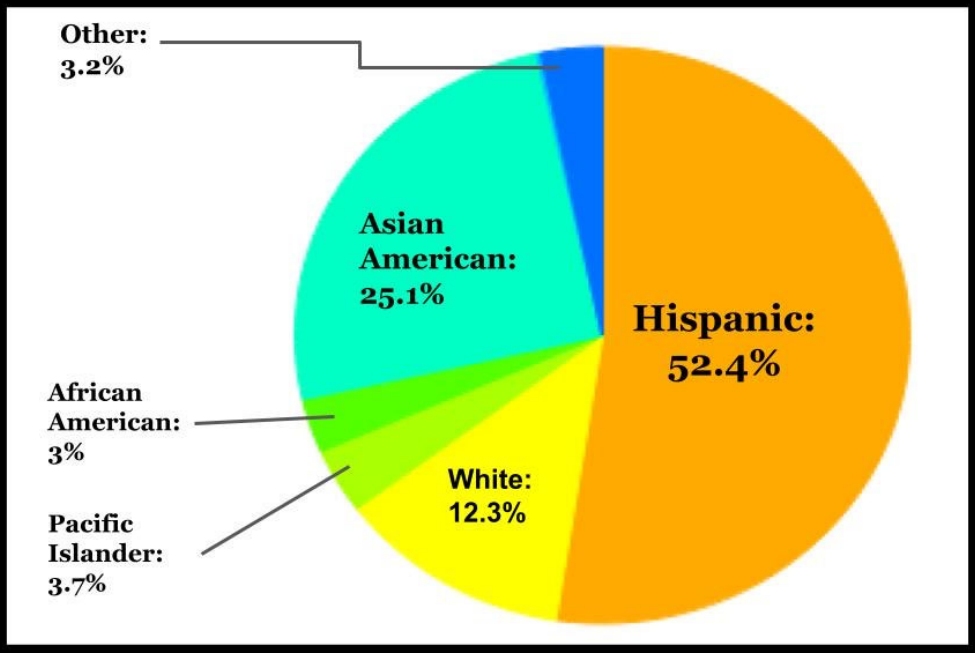
Liliana Rivera

Environmental Racism in South San Francisco



The east side is heavily polluted from a long history of heavy industry. These capitalist pursuits assign value to private profit, not health or well-being. Notice how the map color moves from red (pollution) to green (healthy) in an East to West pattern.

Which South San Franciscans live in this heavily polluted area?



Sources:

CalEnviro Screen 4.0

EPA EJ Screen

The East Side of South San Francisco, which is in the top 4% of worst pollution burdened areas of California, is predominantly populated by people of color.

This is also linked to the history of racist housing policies - housing covenants in single-family neighborhoods PROHIBITED anyone non-white from purchasing a home in the neighborhoods further away from sources of pollution.

Why is this area so polluted?

Overall Percentiles	
CalEnviroScreen 4.0 Percentile	83
Pollution Burden Percentile	96
Population Characteristics Percentile	58

Exposures	
Ozone	4
Particulate Matter 2.5	33
Diesel Particulate Matter	95
Toxic Releases	40
Traffic	81
Pesticides	0
Drinking Water	51
Lead from Housing	78

Source: CalEnviroScreen 4.0 OEHHA CA

Environmental Effects	
Cleanup Sites	99
Groundwater Threats	100
Hazardous Waste	99
Impaired Waters	88
Solid Waste	97

Exposure

Exposures are caused by planes, cars, trucks, trains, chemicals in the ground, & materials for construction.

Highway 101, SFO, and factories are major source of local hazardous exposure.

Environmental Effects

These are abnormally high because of SSF's long industrial history.

Heavy industry degrades our natural environment; our air, water, and soil are all poisoned for private profit.

-
From: Marcela Rivera <marivera126@gmail.com>
Sent: Monday, March 22, 2021 4:10 PM
To: Gross, Billy <Billy.Gross@ssf.net>
Subject: General Plan EIR

To whom it may concern:

I am writing today to discuss what I would like to see from the General Plan. Looking at land use and planning, I would like to see more affordable housing. I think the amount of affordable housing currently is no where near enough. I want to see more parks and green spaces not only in the east side but also in neighborhoods like sunshine gardens. I think the city needs to create more routes for the free shuttle especially to and from the BART station so that residents can be less dependent on cars for transportation. I want to see more services for Spanish speaking families and the city to find a way to better communicate with all its residents. I would also like the city to look more into the environmental impact of the biotechnology industry and the water levels at oyster point.

Thank you.

-----Original Message-----
From: O Perez <perez94080@yahoo.com>
Sent: Monday, March 22, 2021 4:58 PM
To: Gross, Billy <Billy.Gross@ssf.net>
Subject: General Plan EIR

Mr. Gross,

Hope this email finds you well. Please excuse any grammatical errors, as this was hurriedly prepared last minute.

Below are comments for consideration and inclusion in General Plan EIR review.

SSF General Plan Project

Affordable Housing/Transportation
High rise buildings along Airport Boulevard have been designated to serve the housing needs of ever growing biotech employees. Consideration for local residents in providing affordable housing should also be a driving force in both meeting citizen needs and RHNA mandates.

Housing/mixed use (retail) near BART would help mitigate climate change/improve air quality by discouraging vehicle use.

Cultural Resources/Language Barriers/Public Services Cultural awareness through acceptability and appreciation would be beneficial through art and recreational programs, in particular Old Town area, where there exists a majority of Latinx population.

Accessible resources and outreach materials in languages other than English would be very beneficial for non-English speakers. Accessibility, interpreter services and ease in participation of agency meetings is another factor for consideration, to be able to provide equal access to residents to voice concerns.

Parks/Education
Equitable accessibility and outreach in Old Town/Downtown/Pecks Lots areas of recreational and educational programs for youth. Residents have received several pamphlets and communication about proven benefits of recreation programs and parks; however, some neighborhoods lack playgrounds for infants, youth children and teens. Cypress Park has been very beneficial to families; however in need of infant swings and full-size basketball court, as well as trees (shade/climate change).

Seniors, in particular Old Town area, have been equally underserved of services and recreational opportunities. Seniors face need of an art garden with benches to combat loneliness and provide recreational opportunities. A cultural benefit would be a kiosk on Pine/Linden to serve seniors as well as memorial garden for community healing.

Sustainability
Sustainable food sources through free community gardens (volunteer based) would be beneficial to different neighborhoods throughout SSF. It would also promote pride and unity in community, as well as help in mitigating climate change.

Utilities/Service Systems/Hazards
Affordable and/or free internet services for low income communities is a necessity in 2021 for educational/school purposes for youth and for those working from home throughout SSF.

Regular inspection of PG&E underground natural gas lines throughout SSF should be mandated and be available for public view, in particular older areas of SSF.

Housing near Highway 101 is very concerning due to human health issues due to proximity to freeway.

Thank you.

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