



**CITY/COUNTY ASSOCIATION OF GOVERNMENTS
OF SAN MATEO COUNTY**

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May 26, 2021

Carmelisa Morales, Associate Planner
Daly City Planning Division
333 90th Street
Daly City, CA 94015

RE: C/CAG Airport Land Use Committee Staff Comments - Notice of Prep. for Serramonte Del
Rey Campus Redevelopment

Dear Ms. Morales,

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

The Serramonte Del Rey Campus site 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 Amendment and the site design standards in the Planned Development and related permits will ensure Airport/Land Use Compatibility by addressing the noise, height/airspace protection and safety compatibility criteria and policies, as well as real estate disclosure requirements, 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 project 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
C/CAG ALUC Staff

From: [Sears, Laurel@DOT](mailto:Sears,Laurel@DOT)
To: [Carmelisa Morales; LDIGR-D4@DOT](mailto:Carmelisa.Morales@LDIGR-D4@DOT)
Subject: [EXTERNAL] Re: City of Daly City Outside Agency Development Review Request - 699 Serramonte Blvd
Date: Wednesday, June 2, 2021 9:11:49 AM
Attachments: [image002.png](#)

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Hello Carmelisa,

I'm sorry for the delay. I have the same comment for this project as I had with the JUHSD Serramonte del Rey project and the newish NOP (Serramonte del Rey Campus Redevelopment 699 Serramonte Blvd (APN 091-211-230)) sent to D4 by snail mail.

Caltrans requests, in this case, is a full traffic study including multi-modal users and impacts, a complete analysis of any impacts to our state transportation network and the mitigation of those impacts to the fullest extent possible.

I do have questions, however. Clearly all these projects are the same area and they all are likely tiering from the broader/ overarching project or plan. However, I sent this question to Shirley Chan, from whom I received the NOP notice and to whom I gave my comment on the JUHSD traffic study scope. The NOP is not on ceqanet, which is surprising. The first project, the JUHSD plan, seems to be the same as this project. Is that correct? Is one a plan and this a project? Fill me in as much as you can, so that I can understand the arc of these projects in terms of environmental documents. Thank you so much for following up- again, I've been chasing down details and lost track of the quick reply.

Thank you,

Laurel Sears

From: Carmelisa Morales <cmorales@dalycity.org>
Sent: Friday, May 28, 2021 4:11 PM
To: LDIGR-D4@DOT <LDIGR-D4@dot.ca.gov>
Cc: Sears, Laurel@DOT <Laurel.Sears@dot.ca.gov>
Subject: RE: City of Daly City Outside Agency Development Review Request - 699 Serramonte Blvd

EXTERNAL EMAIL. Links/attachments may not be safe.

Good afternoon,

I am following up on my email from April 28th (see below) to confirm if Caltrans has any comments on the subject project. Please let me know at your earliest convenience.

Thanks,

Carmelisa Morales
Associate Planner, Daly City Planning Division
333 90th Street, Daly City, CA 94015



650.991.8156 | www.dalycity.org

PLEASE NOTE: The City of Daly City Planning Division offices are closed to the public until further notice. However, applications for Planning permits are being accepted via email or mail. Staff is also available to assist with any inquiries or questions during our regular business hours (Monday through Friday, 8:00am to 5:00pm) via phone at 650-991-8033.

From: Carmelisa Morales

Sent: Wednesday, April 28, 2021 5:18 PM

To: LDIGR-D4@dot.ca.gov

Subject: City of Daly City Outside Agency Development Review Request - 699 Serramonte Blvd

To Whom It May Concern:

Please see the attached memo regarding an entitlement application for the redevelopment of the Serramonte Del Rey Campus located at 699 Serramonte Blvd in Daly City. The plans and reports submitted by the applicant are available for download through the following link:

<https://brookwoodgroup.box.com/s/1fsu8j3lx5dko2ikpg2i5qjmlxnua2m>

Comments are due by Wed, May 19, 2021. They can be emailed or mailed to my attention. Please let me know if you have any questions.

Kind regards,



Carmelisa Morales
Associate Planner, Daly City Planning Division
333 90th Street, Daly City, CA 94015
650.991.8156 | www.dalycity.org

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From: [Suzanne Avila](#)
To: [Carmelisa Morales](#)
Cc: [Michael Laughlin \(Colma Contractor\)](#)
Subject: [EXTERNAL] 699 Serramonte Boulevard
Date: Friday, May 7, 2021 3:21:47 PM
Attachments: [image001.png](#)
[image002.png](#)

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Carmelisa,

Thank you for providing the Town of Colma with the opportunity to review the proposal for the redevelopment of the 22-acre Serramonte Del Rey Campus. The Town's initial comments are as follows:

1. Traffic generation from the development may impact Colma intersections.
2. If some of the property is not reserved for school use, where are the 1,200+ households going to send school aged children for school?
3. The Town would like to review the Traffic Impact Analysis and Draft EIR when available for public review.

Sincerely,

Suzanne Avila, AICP

Deputy City Planner, CSG Consultants

Town of Colma

Planning Department

1198 El Camino Real, Colma, CA 94014

www.colma.ca.gov

suzanne.avila@colma.ca.gov

650.757.8888 *main*

650.757.8890 *fax*

Colma Green!

June 6, 2021

To The Mayor and City Council Members of Daly City

Debbie Santiago Community member and the Washoe Tribe of Nevada/California
Also Representative to the Ramaytush Ohlone Tribe and Indian Canyon Mutsum
Band of Costanoan Ohlone.

We are putting our concerns of the Garden at Campus Drive in
Daly. This due to the Serramonte Del Ray Housing Unite Project on Campus
Drive/Serramonte Blvd.

We feel that it worth the fight to save the Garden on Campus Drive. The Garden is
very unique and special. Before the Jefferson Union High School close and put a gate
and the lock on it and putting carmas up. They are letting the plants die and still
having the volunteers to get a FBI background check. They all have passed the other
background check. They say the janitors water the garden. But the garden looks
terrible.

We have asked many times to show 2 more blueprints from the architect other ways
that it high light and show the garden and putting the Apartments building around
the garden. Jefferson Union High School refuses to entertain that thought or ideal.

The Jefferson Union High School has only wants us to see the new of just grass land
of where they want to put generic plants. We have agreed to look at the area. But
lots of the plants, fruit and vegies plants will not survive the transferring and
replanting. Especially when their employees are not giving the love, the attention
and not lot water to keep surviving. We still need save the Bog (swamp area) Coffee
Tree, indigenous plants, herbs all the different fruits and vegetables. With all this
wonderful qualities, these plants and herbs bring in the dears, the butterflies, the
bumblebees and other Bees to make Honey and Hummingbirds that help cultivate
each plant to survive.

The Jefferson Union High is trying push and rushing through and destroy garden so
they don't have show transparency nor did they have to want for anyone in the
community who has not received any information about the project and destroy the
garden.

About 3 week ago the Jefferson Union High School held school board meeting with
community. There were only 3 of us community member on the Zoom Board
Meeting. The rest were all schoolteacher and staff members who are going along
with project. Those from Jefferson School and the Trusting of the School Board who
are leading the charge and promoting the Serramonte Del Ray Housing Project were
so disrespectful and laughing at one of there own teacher and Trusting of the School
Board when he was asking question in for favor of saving the Garden. It was just so
bad watching that whole scene.

We ask please do Not Voted in Favor of tearing down or destroying the Garden!

Thank you,

Debra Santiago Washoe Tribal member and representative Ohlone Tribe

Alberta Snyder Washoe Tribal and Elder Member

Edgar F. Santiago Washoe Tribal Member and Volunteer Gardener

Mariah Snyder Washoe Tribal Member student Volunteer Gardener

Erick Campbell Head Gardener/Volunteer

Maria Pham Volunteer Gardener

Valerie Tuller-Laiwa Community member

Clarence Laiwa Jr. Community member

All Community Members

From: [Jon Krupp](#)
To: [Carmelisa Morales](#)
Subject: [EXTERNAL] Letter of Support for Serramonte Del Ray Construction
Date: Saturday, June 5, 2021 3:47:08 PM

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Good Afternoon Ms. Morales,

My name is Jonathon Krupp and I am an employee with the Jefferson Union High School District. I wanted to write you a brief email in support of the planned redevelopment of the Serramonte Del Ray site. I am 100% in favor of this plan as it is vital to the financial health of our school district. I know there have been some mixed messages about the state of our district's finances but a cursory internet search will show you we are by far the most underpaid district in the Peninsula. I know that no project is perfect but every piece of information I have seen about it indicates that the pros far outweigh the cons. This project is the financial godsend we have been waiting for to hopefully close that gap (I for one would be making \$48,000 more a year working in San Mateo Unified) and allow the hardworking staff members of the JUHSD actually achieve the dream of a liveable wage in one of the most expensive areas of the state. Thank you for your time and consideration.

Respectfully,
Jonathon Krupp

From: [Melissa Ambrose](#)
To: [Carmelisa Morales](#)
Subject: [EXTERNAL] JUHSD Serramonte Del Rey Neighborhood
Date: Friday, May 28, 2021 1:28:45 PM

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Hello Ms. Morales ~

I am a long time employee of Jefferson Union High School District and am writing to strongly advocate for the Serramonte Del Rey renovations/redevelopment plan. As a district employee and the Coordinator of the mental health teams here, I can not emphasize enough how crucial it is for our District to create the Serramonte Del Rey Neighborhood so that we can help stabilize and increase our staff salaries. We lose amazing staff members each year and this deeply impacts our students' education and wellbeing. I am also in favor of the increase in green spaces and outdoor space to gather.

Thank you for seriously considering this critical project.

Melissa Ambrose, LCSW/PPS, License # 60254

Wellness Coordinator, JUHSD

Google Voice: (415) 498-0231 (text/cell)

Office: (650) 550-7863

Pronouns: she | her | hers

"To love all children, we must struggle together to create the schools we are taught to believe are impossible: Schools built on justice, love, joy, and anti-racism." Bettina Love

Please note my new email address: mambrose@jeffersonunion.net. The old one @juhsd.net longer exists.

Care Solace is a free, confidential service that connects any member of a JUHSD family to mental health services: [JUHSD Family Login](#)

[The JUHSD Wellness Page](#) has many additional support resources

If this is an emergency, please call 911 or one of the numbers below:

- National Teen Crisis Line: Text "LISTEN" to 741741
- StarVista Crisis Hotline: 650-579-0350
- National Suicide Line: 1-800-SUICIDE
- Community Overcoming Relationship Abuse: 1-800-300-1080
- National Parent Helpline: 1-855-427-2736
- National Runaway Safeline: 1-800-RUNAWAY
- San Francisco Parent Talkline: 1-415-441-5437
- Trevor Project (for LGBTQ youth): 1-866-488-7386

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From: [Monica Casey](#)
To: [Carmelisa Morales](#)
Subject: [EXTERNAL] Serramonte Del Rey Campus Redevelopment Project
Date: Tuesday, May 25, 2021 1:14:32 PM

CAUTION: EXTERNAL SENDER. Verify before you respond, click links or open attachments. Questions? Contact ISD.

Dear Carmelisa Morales, Associate Planner, City of Daly City,

My name is Monica Casey, and I am currently the president of AFT 1481 which is the union that represents most of the staff of the Jefferson Union High School District. I represent bus drivers, counselors, custodians, office staff, teachers, and many more.

We are so glad to be a part of this district and are in support of this Serramonte Del Rey Project and for you to complete the EIR process.

You may know that we are the lowest funded high school district in San Mateo County, and really, one of the lowest in the Bay Area. Many members of the union, who are hoping to live in our Faculty and Staff housing, are excited to see these plans because it will bring a much needed neighborhood feel to the area. We are excited to see the increased green spaces, increase in available housing, and retail opportunities within easy walking distance of the new staff housing.

One of the main reasons we are excited about this project is that it is a long term way for our low funded district to increase revenue in order to increase salaries so that our district can hire and retain quality staff. We lose about 20% of the staff each year to districts who pay more, and because people cannot afford to live here.

We, at AFT 1481, support this project.

Thank you for your time.

Monica Casey
AFT Local 1481 President 2018-2022
Jefferson Union High School District
(415)867-6519 Casey@aft1481.org



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Carmelisa Morales
Associate Planner, City of Daly City
Planning Division
333 90th Street
Daly City, CA 94015
cmorales@dalycity.org

June 7, 2021

Ms. Morales,

This letter is in reference to the Serramonte Del Rey Campus Redevelopment Project, which has been proposed as an expansion of the existing Serramonte Del Rey Faculty and Staff Housing Project previously approved by Jefferson Union High School District and the City of Daly City. The existing project is approximately one sixth of the entire parcel of land that is being proposed for development, the current site of the JUHSD District Office and several tenants, including educational, cultural, religious and recreational agencies and entities based here in the Daly City area. This Project arrives at this stage as a development of the initiative of two members of our JUHSD Board of Trustees on our Facilities Subcommittee, in consultation with a real estate firm, Brookwood Advisors. As a member of the JUHSD Board of Trustees, I am the only Trustee not in agreement with the proposed project, given the lack of transparency, community engagement and participation in the planning process thus far, compounded by the myriad concerns related to the adverse environmental and social impacts it would have on our community, as presented. It is in this spirit that, as the only member to have voted against the project and, at this stage of process, am compelled to share my concerns, as echoed by existing and projected directives in public policy upholding and promoting environmental protection at federal, state, regional and local levels. In step with the EIR process, I will focus this input to include recommendations of the community and stakeholders who have voiced similar concerns, including transparency, accountability and responsibility in ensuring best practices in sustainable land use planning in urban areas, particularly here in Daly City, North San Mateo County and the greater SF Bay Area.

The proposed project has been reviewed with limited access to information at all levels of input and oversight thus far. I can say that for myself, I have been limited access to the full context and details of conversations and correspondence carried out by the facilities subcommittee of our school district. Despite repeated requests for information, I've only been provided limited access to this information, as evidenced by multiple school board meetings, which should be referenced in reviewing environmental considerations for this report. These meetings include all discussions involving items on the [JUHSD Board of Trustees meetings](#) involving both the Serramonte Del Rey Faculty and Staff Housing Project and the current Serramonte Del Rey Campus Redevelopment Project currently at question (2018-2021). In preface to these recommendations, I will ask that these items and videos be reviewed in their entirety, with reference to my comments and concerns on this project at every step of the way.

The current project is controversial for many reasons. Firstly, School District land is public land. This land has been entrusted to School District and with the authority of the Board of Trustees, should be used for educational purposes. The Serramonte Del Rey Faculty and Staff Housing Project was approved through an election, which ultimately voters approved through a bond measure that would fund housing specifically designated for educators in the interest of outreach and retention of professionals in the educational field, given the disparities in housing in our community. These disparities include housing discrimination, a history of redlining in San Mateo County, gentrification and its impacts throughout the San Francisco Bay area and Nationwide, a lack of sound and timely rent control or stabilization policies to mitigate the effects of eviction, displacement and housing opportunities for a community largely comprised of people who have immigrated to the local area and regionally for generations.

The proposed project, on the other hand, does very little to abate or mitigate this reality. In fact, it plainly proposes for 4 of the projected 5 new housing developments to be full market rate luxury apartments, which not only does nothing to serve the low-income community in need of shelter and housing here in Daly City in North San Mateo County, it only further impacts and reduces the limited space and opportunity for affordable housing in a community that desperately needs it. The remaining, other Housing Development would be affordable housing, which if completed as projected, would only raise the percentage of portable housing on this parcel of see remind already to 20%, Which is not only low, it is far below what is necessary to keep up with the affordable housing goals projected by city, county and state housing agencies. While it is not the burden of a school district to provide housing for the community, it should become so if the school district is in fact engaging in private enterprise, which I have recently learned that it has in the past, with the Serramonte Ridge Apartments and Physicians Medical Center, located on the southwestern part of the Serramonte Del Rey campus, behind the recently completed Summit Shasta High School charter school in our district. If completed as projected, the former Serramonte High School site will no longer house the District Office or any fully public high school in our district. In fact, the proposed new site of the District Office would be relocated to Westmoor Park, a former site utilized by the city of Daly City and its Recreation and Library Department. This will create further impact to Green spaces, given that the current layout of the new District office is not necessarily protect the existing trees and public park area available to the community currently, as it has for generations.

It should be noted here that the current Serramonte Del Rey Faculty and Staff Housing Project has already removed approximately 90 trees - including those which were in good health - given the limits of the design provided by the agencies working in consultation with the JUHSD, as noted in the [Tree Report prepared by David J. Powers & Associates](#). To the best of my knowledge, these 90 trees not only reduce the urban canopy here in Daly City which is extremely low at 5%, [according to DC's own Project Green Space](#), There should be a review of our city and regional Urban Forest Inventory that documents this and should be referenced for this project, especially as we are in the top 10 most densely populated cities in the entire nation. as a city that borders San Francisco, which provides strong protections for sustaining and expanding urban development, as evidenced by Golden Gate Park and the [Golden Gate](#)

[National Recreation Area](#). Daly City's rank as one of the densest populations in the region, State and Country compel our local government to address the need for more green space with urgency. Given the various impacts of climate change that all point to a need for increasing Green Space and urban forestry, we should be looking to expand, not reduce cultivated green spaces of plants and trees in our community. The current project looks to do the exact opposite, including explicitly removing an existing cultivated Green Space and community garden that has been recognized by San Mateo County as such for years. Though this was not ultimately presented approved at the board level by local volunteers cultivating the garden (though I would approve of it, if re-presented), the fact remains that the garden is an asset to our community and stands as an ideal project in line with the vision that Daly City has stated and worked towards through [grant funding and AmeriCorps Vista](#), [Project Green Space](#), [Daly City's Green Vision](#), and [related ordinances and initiatives](#).

As stated in my input at the EIR meeting hosted by the City of Daly City on May 19th, 2021, I will recommend a full review and reference of national policy by the Secretary of Interior Deb Haaland, as provided in the [America the Beautiful Initiative](#) and fuller vision of the policy directive guiding state and local public policy implementation around environmental and social justice stated by the Biden-Harris administration and ensuring aspects of the [Green New Deal](#) integrated in the current proposed [American Jobs Plan Act](#). In addition to concerns raised by local Indigenous leaders and the Sierra Club regarding Cultural Resources and related health, environmental and larger sustainable land use development initiatives and policy, I would encourage an extensive application of this EIR to this and any alternative versions of the project, which currently do not exist. Thanks as always for your work on this, it is much appreciated.

Best,

Nick Occhipinti
JUHSD Board of Trustees
650.290.0004



Scenic Pacifica
Incorporated Nov. 22, 1957

CITY OF PACIFICA
Planning, Building, and Code Enforcement
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(650) 738-7341 • www.cityofpacifica.org

MAYOR
Sue Beckmeyer

MAYOR PRO TEM
Mary Bier

COUNCIL
Mike O'Neill
Sue Vaterlaus
Tygarjas Bigstyk

May 20, 2021

Carmelisa Morales, Associate Planner
City of Daly City, Planning Division
333 90th Street
Daly City, CA 94015
(650) 991-8156 | cmorales@dalycity.org

Subj: Comments on Serramonte Del Rey Campus Redevelopment Precise Plan, 699 Serramonte Boulevard (APN 091-211-230)

Dear Ms. Morales:

The City of Pacifica ("City") is in receipt of a Development Review Interagency Coordination Notice for the subject project dated April 28, 2021. The approximately 22-acre project site is located 660 feet from the Pacifica City Limits near the freeway interchange of SR-1 (Coast Highway) and SR-35 (Skyline Boulevard). The following outline summarizes initial comments from the City on the project:

- 1) The project site is adjacent to on- and off-ramps to SR-1, and also has local street connections where Hickey Boulevard and SR-35 enter or transit through the City, respectively. Due to this proximity, the project has the potential to cause transportation impacts on the City road network. These impacts could include, but are not necessarily limited to, construction phase impacts such as transporting soil or other materials into the City, and operational phase impacts after project completion. The operational phase impacts may be minimized based on the transportation demand management (TDM) measures incorporated into the project. However, the City is unable to comment on potential transportation impacts from the project because a transportation impact analysis ("TIA") has not been provided. The City may have additional comments once a TIA has been provided.
- 2) The City recommends a third-party geotechnical review of the soils report.
- 3) Electric vehicle chargers are not shown on the parking layout plans.
- 4) The plans should show accessible parking stalls needed for separate parking areas (e.g., residential, retail and guest).
- 5) The project should consider inclusion of a "full loop" pedestrian path around the perimeter of the project to create an inviting inconvenient recreational opportunity. Currently, this loop appears to be broken in at least one instance, for example between Parcels A and F where the pathway along the

south and west of Parcel F does not seem to provide a natural continuation northward to the west portion of Parcel A. There may be other examples as well. A long, continuous pedestrian path would provide jogging, stroller, and other longer distance exercise opportunities for the families occupying the project. Furthermore, recognizing human nature that people may take the shortcut to continue their journey, it may be advisable to design a crosswalk and path continuation at this location to enhance pedestrian safety.

Please contact me should you have any questions: cmurdock@pacificagov.

Sincerely,

A handwritten signature in black ink, reading "Chris Murdock". The signature is written in a cursive, flowing style.

Christian W. Murdock, AICP
Deputy Director of Planning

cc:



SAN MATEO, SANTA CLARA & SAN BENITO COUNTIES

June 7th, 2021

Carmelisa Morales, Associate Planner,
City of Daly City, Planning Division,
333 90th Street,
Daly City, CA 94015
Via email to: cmorales@dalycity.org

Re: Serramonte Del Rey Campus Redevelopment, 699 Serramonte Boulevard APN 091-211-230

Dear Ms. Morales,

The Equity Committee of the Loma Prieta Chapter of the Sierra Club has reviewed the Serramonte Del Rey Campus Redevelopment and appreciates this opportunity to comment on the Notice of Preparation regarding this 22-acre site slated for redevelopment by the Jefferson Union High School District (JUHSD) by dividing it into six parcels to accommodate 1,235 housing units and 14,000 sq ft of residential retail commercial space including a 1400 sq ft Head Start childcare facility. The equity group looks for local development to be consistent with state priorities to promote equity, health, environmental protection, access to fresh food, and public safety. We are concerned with air and noise pollution, nature deficits disorder, disease, jobs, and urban disorders like congestion within Daly City as the city looks to address climate-related crises such as extreme heat, power shutdowns, and sea level rise.

Our comments are organized into five sections that look for remedies to

- 1 - Keep public uses public.
- 2 - Preserve public uses such as community gardens and parks.
- 3 - Fund public uses, like gardens and parks, fairly across the city.
- 4 - Prevent gentrification and displacement.
- 5 - Preserve access to Indigenous cultural resources.

Public uses including access to public land are better served at the current site and the proposed development should occur within a Planned Development Area to prevent harms that Environmental Impact Statements typically say cannot be mitigated.

Keeping public uses public.

1. No project is the best alternative to preserve public uses and reduce harm since the city cannot meet its Vehicle Miles Travelled (VMT) goals under SB743 and ozone and PM targets under the Clean Air Act. The public uses of the site include the almost 2-acre community garden and the school. According to California air quality standards, the site slated for redevelopment is in an area that is failing to reduce pollutant levels for ozone, PM 10, and PM 2.5 to protect public health and the climate. Daly City and this project area suffer from elevated diesel particulate and other

traffic emissions relative to other census tracts in California according to CalEnviroScreen. People in impacted neighborhoods endure unhealthy community conditions and face barriers in access to health care that result in poor health outcomes and shorter life spans. Scarce transit service and route eliminations or reductions by SamTrans means low-income people have less access to goods and services, employment, and other opportunities. The lack of adequate public transit that this site will experience can often exacerbate those inequities. Families and individuals living in extended Daly City, especially low-income and environmental justice communities who face disproportionate amounts of pollution from industry and transportation also face the worst health outcomes when compared with the affluent sections of Daly City. This area is also difficult to traverse on foot or by bicycle. As the devastating and unjust health and social impacts of COVID-19 have demonstrated, maintaining the status quo is no longer an option. An outcome of the pandemic was the need for adequate outdoor access overwhelming parks, etc. Keeping public uses public is essential to public health by preventing harms like pollution.

1a. The city should have a Growth Management Policy that would prohibit new development to occur unless adequate public facilities like transit, and improvements to environmental quality of life standards are raised in the rest of the city. Projects like this tend to claim that the significant air quality impacts, VMT increases, and poor transit options cannot be mitigated. However, they could be mitigated if the project occurred in a transit-oriented development location such as Daly City's Planned Development Area.

1b. Use transfer of development rights to move the project to a transit-oriented development site. Transfer Of Development Rights are used to move development to less problematic locations where additional public goals can be realized. Belmont, Pacifica, San Francisco have used transfer of development rights in various contexts. Other jurisdictions have moved development through more conventional means such as the theater in Redwood City, and FEMA projects related to removing developments from harm's way such as flooding and wildfire.

1c. A no-project option would be better all-around given the problems with this location meeting public goals for displacing public uses, air quality, public health, safety, and displacement of lower income groups.

Preserving public uses such as community gardens and parks.

2. The school district currently represents a public use. It includes a well-used almost two acre community garden and orchard that improves air quality, increases access to fresh food, improves food security, improves dietary habits through education, increases fruit and vegetable intake, increases physical activity through garden maintenance activities, reduces the risk of obesity and obesity-related diseases, improves mental health, promotes relaxation, provides needed biodiversity, includes hundreds of plant species including native plants, provides wildlife habitat, includes trees and shrubs of different densities and heights giving birds a places of retreat and safety, includes a number of redwood trees and fruit trees, the garden includes a seasonal wetland, reduces erosion from runoff, provides natural flood control, improves water quality and serves as a vital component of effective adaptation and resilience to climate change. Children's toys within the garden point to widespread community use and the functioning of the garden like a park. For photos of the garden please see the garden's Instagram account @themysticalgarden and additional photos are published here: <https://spaces.hightail.com/space/C09Srz5BR>

We support keeping public resource uses public because it more equitably addresses nature-deficit disorder which contributes to a diminished use of the senses, attention difficulties, conditions of obesity, and higher rates of emotional and physical illnesses. Research also suggests that the nature-deficit weakens ecological literacy and stewardship of the natural world, resulting in apathy in the face of climate change disasters such as wildfires, sea level rise, and extreme heat which Daly City needs to counter. Accordingly, we support increasing community gardening opportunities on public lands in Daly City. Preserving public uses such as community gardens and parks serves public needs, safety, and recreation.

2a. The city should provide the park-to-resident ratio for Daly City and how it compares to surrounding cities and the national averages of the typical park and recreation agency offering one park for every 2,277 residents served, with 9.9 acres of parkland per 1,000 residents. Proximity to existing parklands operated by the county or state, including San Bruno Mountain, should not be considered part of the city's own obligation to provide an adequate park-to-resident ratio, particularly since San Mateo County parks underperform with regard to minority access relative to the county's demographic makeup.

2b. Consider an option to restore the site to parkland under N-EO-82-20 to offset the negative effect on the aesthetic, natural, scenic, and historical environmental qualities to the proposed projects vicinity which would be a significant environmental impact under CEQA. There are many options here, for example the site could be a Planned Conservation Area under the One Bay Area Plan.

2c. Preserve the community garden or offer a larger garden to the community proportional to the addition of residents as part of the project. There is a shortage of community gardens in Daly City unlike surrounding cities including Pacifica and San Francisco. Community gardens function as ecological green space, a gathering place for neighbors, as well as a place for solitude, reflection, and study. They also make a positive contribution to the community by reducing food insecurity, providing access to culturally relevant foods, promoting healthier eating through education programs, and providing access to gardening for those who otherwise could not have a garden, such as families with young children, the elderly, recent immigrants, multifamily dwellers, and or the homeless.

2d. Study in the EIR the bird habitats within the garden which community gardeners say include raptors and the role of water at the site during bird migration.

The garden was started decades ago as part of a therapeutic school garden project and it continues today as a source of great public benefit and community pride. The garden provides opportunities for active and passive recreation as well as healthy nutrition. This is critically important given concerns about malnutrition and obesity and a disproportionate lack of community gardens in Daly City. Further, given the low proportion of counselors to students in JUHSD, the garden's benefit to student mental health is significant. A shortage of community gardens in Daly City negatively impacts citizens; this hardship became particularly difficult during the COVID-19 pandemic when team sports, gyms and group exercise classes were prohibited by state and local health orders. The need for increased community garden access is particularly relevant in Daly City, given its high percentage of minority families with backgrounds in active tending of gardens, orchards and farms for reasons related to food security and cultural practice.

Community gardens are examples of green infrastructure that are resilient adaptations to climate change. Community gardens can reduce urban heat islands, provide various ecosystem services, and increase storm water retention. From a socioeconomic perspective, these gardens also build trust, facilitate participation, improve responses to natural disasters and food security – all vital components of effective adaptation and resilience to climate change. Unlike rain gardens, bioswales, and green roofs, community gardens respond to stressors like economic, social, and political instability. Therefore, the EIR should explain if policies that address climate change explicitly incorporate mitigation strategies like community gardens.

2e. Decades of tree removal, often to make way for both front yard and backyard paving, has increased impervious surfaces citywide. Now the highly urbanized population faces a new climate reality dominated by drought, rising temperatures, and limited but more intense storm events. The EIR should discuss Daly City expanding its 2016 Project Green Space by taking a fee from projects like this which threaten public resources.

2f. Gardeners at the project site report foraging for plants of significance to the medicine and diet of the Ramaytush Ohlone. The biological section should include a complete list of all plants and trees and explain if these resources should be preserved.

2g. Gardeners also report a high-water table at the garden site and a seasonal wetland. The hydrologic section should explain the significance of any dewatering expected from the project.

Funding public uses like gardens and parks fairly across the city.

3. New developments require substantial public services such as sewer, water, security, and especially stormwater. The infrastructure is paid for by the development, but the upkeep is a public cost at a time when the cost of operations for existing service is rising across the city despite a decrease in use, due to drought, costs, maintenance, and other factors. Hardscape, increasing the cost of stormwater downstream, is a consequence of development. This affects the city's ability to deliver other public services like parks, recreation, safety, libraries, childcare, reliable public transit, etc especially in low-income areas – all of which affect the equity and quality of services that residents can access. These shortfalls occur at a time when increasing climate issues like extreme heat and Public Safety Power Shutdowns have resulted in blackouts creating safety concerns for medically and financially impacted residents. Funding public uses like gardens and parks fairly across the city requires not increasing the disparity with projects like currently proposed at this site.

3a. The EIR should enumerate the cost of providing services to the project and how the city will make operation and maintenance break even.

3b. Provide affordable housing developers the opportunity to develop on half the lots. Affordable housing would be a real community benefit given the median income of residents surrounding the project. Further, with consideration to the Daly City RHNA 5 (2014-2022) planning period, preference should be given to producing housing affordable to very low & low income Daly City residents. It would have been required for most other surplus properties but AB2135 doesn't cover school districts.

3c. Provide a copy of the decision required under Education Code section 17388 which states that the board needs to appoint a committee to advise on the disposal of surplus lands.

3d. The project should include community benefits such as battery powered ventilators and cooling rooms and shelters for community use during extreme events.

3e. The Jefferson Union High School Faculty and Staff Housing Project provided 122 parking spots, in the form of problem hardscape. The 58 surface level spots cost is \$2.3M, based on the cost of paving land in Daly City which could have more beneficial uses as community gardens, housing, etc. The 64-unit car barn cost was just under \$5M. \$7M can build a lot of affordable housing if the project was located in a transit friendly location and not add to the disease burden in the area. At the rate of in-lieu fees in the area you could build 70 more units as a community benefit. The city should look at alternatives to driving to increase public benefits and reduce harms from the project. Housing people instead of cars is a public benefit realized through reduced VMT and air pollution.

3f. Require shuttles as part of the project design.

3g. Study the impacts of increased traffic from the proposed development on out of attainment air quality and road congestion level of service including an analysis of the bicycle pedestrian access to school, transit, and neighborhood services.

Preventing gentrification and displacement.

4. The project will increase gentrification and displacement. Poverty in the project area is the 52nd percentile of the CA census tracts. Adding high-end housing will not address the chronic need for affordable housing at all income levels while increasing harms such as bad air quality and VMT mentioned above. Further, according to CA HCD, housing is unaffordable when more than 30% of a household's income. Therefore, market rate development rental prices would be considered unaffordable to the majority of Daly City Residents, based on median income data. The addition of 1,235 housing units, the majority being market rate, would increase median rental prices in Daly City. Building housing that is unaffordable to the majority of Daly City will accelerate gentrification that is already a serious issue for Daly City households. Other problems that arise include income-based segregation as low-income projects are developed in standalone buildings. Preventing gentrification and displacement addresses public goals related to VMT, greenhouse gas emissions, affordable housing, and preventing homelessness.

4a. The project should consider anti gentrification measures such as an additional in-lieu fee for additional affordable and workforce housing. See point 3B above that suggests affordable housing developments.

Preserving access to Indigenous cultural resource

5. This project is on Ramaytush Ohlone and Muwekma lands. Assembly Bill 52 requires that a project that may cause a substantial adverse change in the significance of an Indigenous cultural resource is a project that may have a significant effect on the environment. The bill requires Daly City to begin consultation with the two Tribes that are traditionally and culturally affiliated with the

geographic area of the proposed project prior to determining whether an environmental impact report is required. We ask that the City of Daly City prepare a document outlining their compliance with California procedures for proper consultation with indigenous groups. Preserving access to Indigenous cultural resources prevents a historical genocidal indifference to native landscapes.

5a. Religious, cultural, and spiritual significance of the area to Tribes be ascertained prior to the EIR for the purpose of protecting, or mitigating impacts to, cultural places by contacting the relevant groups.

5b. As mentioned earlier Indigenous people within the garden community farm native plants for herbal and spiritual needs, a use that should be preserved.

Public uses including access to public land are better served at the current site and the proposed development should occur within a Planned Development Area to prevent harms that Environmental Impact Statements typically say cannot be mitigated. The analysis should consider these five significant issues presented in this letter within the EIR to inform council how to mitigate impacts before granting entitlement. Thank you for the opportunity to review and comment.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Sabrina'.

Sabrina Brennan,
Chair, Equity Committee, Loma Prieta Chapter, Sierra Club

A handwritten signature in cursive script, appearing to read 'Gladwyn d'Souza'.

Gladwyn d'Souza
Chair, Conservation Committee, Loma Prieta Chapter, Sierra Club

Cc: James Eggers, Director
Loma Prieta Chapter, Sierra Club

From: Olson, Brian@DOC <Brian.Olson@conservation.ca.gov>
Sent: Wednesday, July 5, 2023 3:19 PM
To: Michael Van Lonkhuysen <mvanlonkhuysen@dalycity.org>
Cc: OLRA@DOC <OLRA@conservation.ca.gov>; OPR State Clearinghouse <state.clearinghouse@opr.ca.gov>; Schmidt, Anna@DOC <Anna.Schmidt@conservation.ca.gov>
Subject: [EXTERNAL] Serramonte Del Rey Campus Redevelopment Project

CAUTION: EXTERNAL SENDER. Verify before you respond, click links or open attachments. Questions? Contact ISD.

SCH Number

2023060571

Lead Agency

City of Daly City

Document Title

Serramonte Del Rey Campus Redevelopment Project

Document Type

NOP - Notice of Preparation of a Draft EIR

Received

6/21/2023

Hello Michael,

Thank you for providing the City's Notice of Preparation (NOP) of an EIR for our review. This email conveys the following recommendations from CGS concerning geologic and seismic hazard issues within the planned project:

1. Liquefaction and Landside Hazards

The EIR should discuss liquefaction as a potential seismic hazard. The City should include a discussion of Earthquake Zones of Required Investigation (EZRI) for liquefaction and consider providing a map of these zones. The City also should discuss slope stability with respect to the project, including a discussion of earthquake-induced landslides, and consider providing a map of EZRI for landslides as well.

CGS maps and data are available here:

<https://link.edgepilot.com/s/37375e09/IJEpHLNXzkiDH7DeA4T02w?u=https://maps-cnra->

cadoc.opendata.arcgis.com/datasets/cadoc::cgs-seismic-hazards-program-liquefaction-zones-1/about
<https://link.edgepilot.com/s/d6bb39b9/viiV3lu8FEW-7ZMqf69wVA?u=https://maps-cnra-cadoc.opendata.arcgis.com/datasets/cadoc::cgs-seismic-hazards-program-landslide-zones-doc-hosted/about>
<https://link.edgepilot.com/s/1ab2e22e/ersrm48dJUOJRjFlq1OMWg?u=https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps>
<https://link.edgepilot.com/s/5c31ae43/TfaLBvUB90OmyIMHZURwqw?u=https://maps.conservation.ca.gov/cgs/EQZApp/app/>

Cities and counties affected by EZRIs must regulate certain development projects within them. The Seismic Hazards Mapping Act (1990) also requires sellers of real property (and their agents) within a mapped hazard zone to disclose at the time of sale that the property lies within such a zone.

2. Earthquake Ground Motion Hazards

The EIR should provide a discussion of the probability of large earthquakes in the region. This discussion may include earthquake probabilities from the third Uniform California Earthquake Rupture Forecast (UCERF3). A non-technical discussion of this model is available here:

<https://link.edgepilot.com/s/162c9629/AsVwt37nx0CAVqPRB8uycA?u=https://pubs.usgs.gov/fs/2015/3009/pdf/fs2015-3009.pdf>

3. Fault Hazards

The EIR should consider providing maps depicting the locations of Alquist-Priolo Earthquake Fault Zones in the region. The City might also consider referring readers to the CGS website for a map that is continually updated:

<https://link.edgepilot.com/s/5c31ae43/TfaLBvUB90OmyIMHZURwqw?u=https://maps.conservation.ca.gov/cgs/EQZApp/app/>

CGS maps and data are available here:

https://link.edgepilot.com/s/819eede3/_Xz_3mRfSk63QI78IJv24g?u=https://maps-cnra-cadoc.opendata.arcgis.com/datasets/cadoc::cgs-seismic-hazards-program-fault-traces/about
<https://link.edgepilot.com/s/d72df760/V38oiLQHH0O2gxLN7ccJOg?u=https://maps-cnra-cadoc.opendata.arcgis.com/datasets/cadoc::cgs-seismic-hazards-program-alquist-priolo-fault-hazard-zones-1/about>
<https://link.edgepilot.com/s/1ab2e22e/ersrm48dJUOJRjFlq1OMWg?u=https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps>

Please let me know if you have any questions.



@CAgeosurvey

FOLLOW US!

Brian Olson, CEG
Senior Engineering Geologist
Seismic Hazards Program

13 Years of Public Service

California Geological Survey

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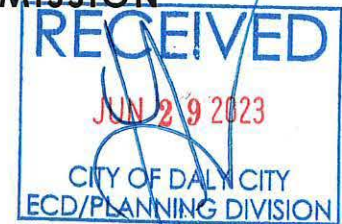
"A team is not a group of people who work together.

A team is a group of people who trust each other." – Simon Sinek

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NATIVE AMERICAN HERITAGE COMMISSION



June 23, 2023

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Re: 2023060571, Serramonte Del Rey Campus Redevelopment Project, San Mateo County

Dear Mr. Van Lonkhuysen:

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 (https://ohp.parks.ca.gov/?page_id=30331) 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:

Cody.Campagne@nahc.ca.gov

Sincerely,

Cody Campagne

Cody Campagne
Cultural Resources Analyst

cc: State Clearinghouse

California Department of Transportation

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



July 19, 2023

SCH #: 2023060571
GTS #: 04-SM-2023-00528
GTS ID: 30144
Co/Rt/Pm: SM/1/R47.1

Michael Von Lonkhuysen, Planning Manager
City of Daly City
333 90th Street
Daly City, CA 94015

Re: Serramonte Del Rey Campus Redevelopment Project – Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR)

Dear Michael Von Lonkhuysen:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Serramonte Del Rey Campus Redevelopment 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 Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities. The following comments are based on our review of the June 2023 NOP.

Project Understanding

This project proposes to redevelop the site of the Jefferson Union High School District office buildings into a mix use development. It would have up to 1,235 units of affordable housing and market-rate rental housing with 14,000 square feet of retail and commercial use space. The project site is located across the on- and off-ramps at Serramonte Blvd.

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](#)).

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 alignment with the City's VMT policy. Projects that do not meet the screening criteria should include a detailed VMT analysis in the Draft EIR "Draft EIR", which should include the following:

- VMT analysis pursuant to the City's 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 traffic safety issues to the State Transportation Network (STN) may be assessed by Caltrans via the Interim Safety Guidance ([link](#)).
- 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.

Construction-Related Impacts

Potential impacts to the State Right-of-Way (ROW) from project-related temporary access points should be analyzed. Mitigation for significant impacts due to construction and noise should be identified. Project work that requires movement of oversized or excessive load vehicles on State roadways requires a transportation permit that is issued by Caltrans. To apply, please visit Caltrans Transportation Permits ([link](#)).

Prior to construction, coordination may be required with Caltrans to develop a Transportation Management Plan (TMP) to reduce construction traffic impacts to the STN.

Lead Agency

As the Lead Agency, the City of Daly City is responsible for all project mitigation, including any needed improvements to the 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.

Encroachment Permit

Please be advised that any permanent work or temporary traffic control that encroaches onto Caltrans' ROW requires a Caltrans-issued encroachment permit. As part of the encroachment permit submittal process, you may be asked by the Office of Encroachment Permits to submit a completed encroachment permit application package, digital set of plans clearly delineating Caltrans' ROW, digital copy of signed, dated and stamped (include stamp expiration date) traffic control plans, this comment letter, your response to the comment letter, and where applicable, the following items: new or amended Maintenance Agreement (MA), approved Design Standard Decision Document (DSDD), approved encroachment exception request, and/or airspace lease agreement. Your application package may be emailed to D4Permits@dot.ca.gov.

To obtain information about the most current encroachment permit process and to download the permit application, please visit Caltrans Encroachment Permits ([link](#)).

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Marley Mathews, Transportation Planner, via LDR-D4@dot.ca.gov. For future early coordination opportunities or project referrals, please also contact LDR-D4@dot.ca.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Yunsheng Luo', with a stylized, cursive script.

YUNSHENG LUO
Acting District Branch Chief
Local Development Review

c: State Clearinghouse

Daly City Community Garden Alliance

Michael Von Lonkhuysen, Planning Manager
City of Daly City, Planning Division,
333 90th Street,
Daly City, CA 94015
Via email to: mvanlonkhuysen@dalycity.org

Friday, July 21, 2023

Re: Serramonte Del Rey Campus Redevelopment: 699 Serramonte Boulevard APN 091-211-230

Dear Mr. Van Lonkhuysen,

The Community Garden Alliance has reviewed the Serramonte Del Rey Campus Redevelopment proposal and appreciates this opportunity to comment on the Notice of Preparation. The 22-acre site slated for redevelopment by the Jefferson Union High School District (JUHSD) is divided into six parcels to accommodate 1,235 housing units and 14,000 sq ft of residential retail commercial space including a 1400 sq ft Head Start childcare facility.

We look for local development to be consistent with state priorities to promote equity, health, environmental protection, access to fresh food, and public safety. We are concerned with air and noise pollution, nature deficits disorder, disease, jobs, and urban disorders like congestion within Daly City as the city looks to address climate-related crises such as extreme heat, power shutdowns, and sea level rise.

Our comments are organized into ten sections that look for remedy to

1. Keeping public uses public.
2. Preserve public uses such as community gardens and parks.
3. Preserve c3 on - site storm mitigation.
4. Prevent gentrification and displacement.
5. Preserve access to Indigenous cultural resource.
6. Address the proposed segregated housing by income and that leads racial segregation.
7. Add affordable housing missed in the RHNA cycle.
8. Use vegetative highway barriers to reduce the impact of air pollution.
9. Maintain biodiversity.
10. Reduce Vehicle Miles Travelled and prevent the continued bankruptcy of transit.

Public uses including access to public land are better served at the current site and the proposed development should occur within a Planned Development Area to prevent harms that Environmental Impact Statements typically say cannot be mitigated.

Keep public uses public.

1. The EIR should study the shortage of public greenspace for residents of Daly City. Keeping public uses public is essential to public health by preventing harms like pollution that will result from new development and which the Environmental Impact Report will claim to be significant but unavoidable.

In the no build alternative please study keeping public resource uses public to equitably address nature-deficit disorder and its' associated symptoms of diminished use of the senses, attention difficulties, conditions of obesity, and higher rates of emotional and physical illnesses. Research also suggests that the nature-deficit weakens ecological literacy and stewardship of the natural world, resulting in apathy in the face of climate change disasters such as wildfires, sea level rise, and extreme heat which is plaguing the region currently.

The EIR should study the park-to-resident ratio for Daly City and how it compares to surrounding cities and the national averages of the typical park and recreation agency offering one park for every 2,277 residents served, with 9.9 acres of parkland per 1,000 residents. Proximity to existing parklands operated by the county or state, including San Bruno Mountain, should not be considered part of the city's own obligation to provide an adequate park-to-resident ratio, particularly since San Mateo County parks underperform regarding minority access relative to the county's demographic makeup.

The no build alternative should also study restoring the site to parkland under N-EO-82-20 to offset the negative effect on the aesthetic, natural, scenic, and historical environmental qualities to the proposed projects vicinity which would be a significant environmental impact under CEQA. There are many options here, for example the site could be a Planned Conservation Area under the One Bay Area Plan.

Preserve public uses such as community gardens and trees.

2. Please study the benefits of increasing community gardening opportunities on public lands in Daly City. The school district currently represents a public use. It includes a well-used almost two acre community garden and orchard that improves air quality, increases

access to fresh food, improves food security, improves dietary habits through education, increases fruit and vegetable intake, increases physical activity through garden maintenance activities, reduces the risk of obesity and obesity-related diseases, improves mental health, promotes relaxation, provides needed biodiversity, includes hundreds of plant species including native plants, provides wildlife habitat, includes trees and shrubs of different densities and heights giving birds a places of retreat and safety, includes a number of redwood trees and fruit trees, the garden includes a seasonal wetland, reduces erosion from runoff, provides natural flood control, improves water quality and serves as a vital component of effective adaptation and resilience to climate change. Children's toys within the garden point to widespread community use and the functioning of the garden like a park. For photos of the garden please see the garden's website [communitygardenalliance.org](https://www.communitygardenalliance.org) and wetland video and photos are published here: <https://www.communitygardenalliance.org/wetland>

Please include County Public Health assessments and recommendations regarding the benefits to area residents of preserving community gardening opportunities on public lands in Daly City. Is ecological green space like a community garden a resilient benefit to residents during dangerous events like the recent pandemic and the increasing effects of climate change? The EIR should explain if policies that address climate change explicitly incorporate mitigation strategies like community gardens.

- Is the greenspace including the community garden, all located on public lands, open to the public?

Preserve c3 on-site stormwater mitigation.

3. The EIR should study how new development will require substantial public services, including sewer, water, security, and especially stormwater. The infrastructure is paid for by the development, but the upkeep is a public cost at a time when the cost of operations for existing service is rising across the City despite a decrease in use, due to drought, costs, maintenance, and other factors. Please study the effect of hardscape downstream impacts, considering increasing atmospheric rivers due to climate change. How will stormwater impacts increase the cost of the city's ability to deliver other public services like parks, recreation, safety, libraries, childcare, reliable public transit, etc. especially in low-income areas. Shortfalls occur at a time when increasing climate issues like extreme heat and Public Safety power shutdowns have resulted in blackouts creating emergency response delays, safety concerns for medically and financially impacted residents.

The EIR should study and enumerate the cost of providing services to the project and how the City will make operation and maintenance break even.

Prevent gentrification and displacement.

4. Historically new California housing development in urban areas has increased gentrification and displacement. Poverty in the project area is the 52nd percentile of the CA census tracts.

The EIR should study how adding new market rate housing and high-income housing will address or worsen the chronic need for affordable housing at all income levels.

- How will the housing cost stay below 30% of an area median household's income?
- Will market rate development rental prices be affordable to the majority of Daly City Residents, based on median income data?
- How will the addition of 1,235 housing units, the majority being market rate, increase median rental prices in Daly City?
- How will income-based segregation increase as projects are developed in standalone "poor door" buildings?
- What anti gentrification measures do other cities utilize to protect their income diversity and deliver workforce housing?

Preserve access to Indigenous cultural resources

5. **This project is on Ramaytush Ohlone lands**. Assembly Bill 52 requires that a project that may cause a substantial adverse change in the significance of an Indigenous cultural resource is a project that may have a significant effect on the environment. The bill requires Daly City to begin consultation with the Tribe that is traditionally and culturally affiliated with the geographic area of the proposed project prior to determining whether an environmental impact report is required.

- The EIR should study, in the project alternative section, if creating a community park that includes the treed in area and the community garden, comanaged by the The Association of Ramaytush Ohlone, will improve the health of area residents in the City of Daly City?
- How will preserving Indigenous access to the garden for native plants for herbal and spiritual needs meet federal requirements?

- How could the development be improved by being taller to accommodate spiritual and cultural areas and plants as well as more greenspace and community garden space to address community needs?

Address segregated housing by income and race

6. The project as conceived includes a separate building that will house the low-income residents that qualify for affordable housing. Daly City Councilmember Glenn Sylvester pointed out that the city's own regulation requires affordable housing to be distributed throughout the project to meet inclusionary zoning requirements.

Every residential building in each phase of development should include an equal proportion of low-income and very low-income housing.

- **The EIR should study how the project buildout will reduce segregation and not violate the civil rights of low-income residents.**
- Please note that, "When developers segregate tenants by income, they do so not because desegregation is financially impossible, but from deference to the race and class prejudices of potential affluent residents, reflected in the reluctance—and, frequently, the refusal—of lenders to finance desegregated units. It is easier to rent or sell market-rate apartments that are physically separated, and easier to charge more for them, because realtors can appeal to customers' elitism." Rothstein, Leah; Rothstein, Richard. *Just Action: How to Challenge Segregation Enacted Under the Color of Law* (pp. 88-89).

Add affordable housing missed in the RHNA cycle

7. The EIR should study the Daly City RHNA 5 (2014-2022) and the RHNA 6 cycle to say how preference should be given to production of very-low and low-income housing for Daly City residents.

- Should affordable housing and RHNA categories be required of surplus public-school properties?
- Has the education code been complied with in the percent of affordability that this property could provide?
- The EIR should study how 60% of required housing units in the RHNA 5 (2014-2022) cycle was missed.
- The EIR should study how this project could meet the RHNA 5 missed requirement.

Use vegetative highway barriers to reduce the impact of air pollution

8. The EIR should study how placing the project within the air basin of three freeways, 280, 35, 1 will impact area air quality.

- The EIR should also study how the removal of the existing trees, that form a Vegetative Highway Barrier against air pollution, will increase unhealthy air in the final project.
- Will the project comply with all California Air Resource Board (CARB) requirements for placing housing near highways and major roads.

Maintain biodiversity

9.

- The EIR should study how the project will change the wetlands and habitat for species like lupine that would endanger the Mission Blue Butterfly.
- The EIR should also study how adding roads for the project will impact the safety of wildlife corridors for species like Coyote.
- Because of the existing wetlands, the EIR should study impacts on the California Garter Snakes and Red Legged Frogs because this is their historic habitat.

Reduce VMT and prevent the continued bankruptcy of transit.

10. The EIR should study how the project will comply with the California Air Resource Board's 2022 Scoping Plan to reduce Vehicle Miles Travelled. In addition, the EIR should study if the project will deliver passengers to the available regional transit which is facing what the media calls a fiscal cliff? Will enough of the incoming residents occupy the income demographic that uses area transit? Or are they more likely to fail the scoping plan's target of reducing vehicle miles? The EIR should study if the project can be redesigned to achieve an increase transit use? For example, could building the project without parking result in a public benefit realized through reduced VMT, reduced air pollution, and increased transit use? Would shuttles and micro mobility hubs help like downtown Los Angeles? Will a similar benefit be realized if area residents do not need to drive for alternative public greenspace access instead of what is the current available with the community garden? The EIR should study how the parking in Parcel B will impact transit use and alternate mobility uses.

Thank you for considering these issues in the EIR.

Nancy Lacsamana
Daly City Community Garden Alliance
230 Humboldt Road
Brisbane, CA 94005
communitygardenalliance.org

Cc:
American Indian Heritage Commission