



1301 Shoreway

Final Environmental Impact Report

SCH # 2024060880
January 2026



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Final Environmental Impact Report for the **1301 Shoreway Project**

SCH #2024060880

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1 Introduction

This Final Environmental Impact Report (Final EIR) is an informational document prepared by the City of Belmont (City) to evaluate the potential environmental impacts of the proposed 1301 Shoreway Road Project. The primary objectives under the California Environmental Quality Act (CEQA) are to inform decision makers and the public about a project's potential significant environment effects, identify possible ways to minimize significant effects, and consider reasonable alternatives to the project. This Final EIR has been prepared with assistance from the EIR consultant team and reviewed by city staff for completeness and adequacy in accordance with Public Resources Code Sections 21000-21177 and the State CEQA Guidelines.

The 1301 Shoreway Draft Environmental Impact Report (Draft EIR) was circulated for a 45-day public review period from October 8, 2024, to November 22, 2024. The State of California Governor's Office of Planning and Research State Clearinghouse and CEQA regulations require a minimum of 45 days for review. Electronic copies of the document were accessible from the City's public facing website, and distributed to State, regional, and local agencies, as well as organizations and individuals, for review and comment. Hard copies of the Draft EIR and its appendices were also made available at the City of Belmont Planning Department and were available for review at the public library.

This Final EIR has been prepared in accordance with CEQA and State and local CEQA Guidelines and represents the independent judgment of the City, as CEQA Lead Agency. This Final EIR, together with the Draft EIR, technical appendices, and other written documentation prepared during the EIR process, as those documents may be modified by the City Council at the time of certification, will constitute the Final EIR, as defined in the State CEQA Guidelines, Section 15132, and the City of Belmont's environmental document reporting procedures.

The Final EIR must be certified as complete and adequate prior to any action on the proposed project. Once the EIR is certified and all information is considered, the City can take action to go forward with the proposal, make changes, or select an alternative to the proposed project. While the environmental information in the EIR is important, it is only one of several factors the City may consider in its decision-making process. The City is also required to make findings on each significant environmental effect when making that decision.

1.1 Document Organization and Framework

This document is organized as follows:

- Section 1 provides a brief introduction to this report.
- Section 2 provides a list of agencies and interested persons commenting on the Draft EIR. This section also contains master responses and individual responses to comments. To facilitate review of the responses, an index number (e.g., 1-1, 1-2, 2-1) has been assigned to each comment and to its corresponding responses.

- Section 3 contains minor changes, or errata, to the Draft EIR as a result of minor changes to the project, comments by agencies and interested persons, or minor corrections.
- Section 4 contains the Mitigation Monitoring and Reporting Program (MMRP). Lastly, this document contains a series of Attachments with information relevant to the comments received.

City staff has reviewed the comment letters, draft responses and information generated in the course of preparing the responses and determined that none of this material constitutes significant new information that requires a recirculation period for further public comment under CEQA Guideline Section 15088.5. None of this new material indicates that the project will result in a significant new environmental impact not previously disclosed in the Draft EIR. Additionally, none of this material indicates that there would be a substantial increase in the severity of a previously identified environmental impact that will not be mitigated, or that there would be any of the other circumstances requiring recirculation as described in Section 15088.5.

1.2 CEQA Requirements Regarding Comments and Responses

CEQA Guidelines Section 15204 (a) outlines parameters for submitting comments and reminds persons and public agencies that the focus of review and comment of Draft EIRs should be, “on the sufficiency of the document in identifying and analyzing possible impacts on the environment and ways in which significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, considering factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.”

2 Public Comments and Response to Comments on the Draft EIR

2.1 Summary of Agency, Organization, and Individual Comments on the Draft EIR

This section includes all written comments received on the Draft EIR, verbal comments received during the November 4, 2024, Planning Commission public comment meeting, and the City's responses to each comment. Comment letters and specific comments are given numbers for reference purposes. For example, Comment Letter 1 may be broken into Comment 1-1, Comment 1-2, Comment 1-3. This section of the Final EIR includes responses to each of the comments raised in every comment letter. Where sections of the Draft EIR are excerpted in this document, the sections are shown indented. Changes to the Draft EIR text, if any, are shown in underline for additions and ~~strikeout~~ for deletions. Additionally, add text changes to the Draft EIR are listed in Section 3 of this document.

All written public comments received on the Draft EIR, with comment numbering corresponding to this section of the Final EIR, are included as Appendix A to this Final EIR. The following is a list of agencies and persons that submitted comments on the Draft EIR during the public review period:

Table 2-1: List of Written Comments Received on the Draft EIR

Comment Letter No.	Commenting Agency / Organization / Individual	Date
<i>Agencies</i>		
1	San Francisco Bay Conservation and Development Commission, Alyssa Please, Coastal Program Analyst	November 22, 2024
2	California Department of Fish and Wildlife, Erin Chappell, Regional Manager	November 13, 2024
3	California Department of Transportation, Yunsheng Luo, Branch Chief, Local Development Review	November 22, 2024
<i>Organizations</i>		
4	Advocates for the Environment, Dean Wallraff, Executive Director	October 28, 2024
5	Adams Broadwell Joseph & Cardozo, Alaura McGuire and Christina Caro	November 4, 2024
<i>Individuals</i>		
6	Steven and Nina Goodale	November 22, 2024
<i>Letters Received After the Public Comment Period</i>		
7	San Mateo County Flood & Sea Level Rise Resiliency District (OneShoreline)	March 25, 2025

2.2 Master Responses

2.2.1 Master Response Related to Sea Level Rise

CEQA generally does not require the analysis of existing or future environmental conditions, such as Sea Level Rise (SLR), on a project. Rather, CEQA requires the analysis of a project's impact on the environment. As such, the comments received regarding the 1301 Shoreway Project's impacts associated with SLR are not CEQA concerns.

It is not definitive how severe SLR and its effects will be to the city of Belmont and the region, and it is beyond the scope of CEQA to analyze for that scenario. However, the Draft EIR proactively acknowledges local guidelines and SLR estimates in the Project's design. The Draft EIR document considers the Ocean Protection Council (OPC) guidelines for SLR resiliency and BCDC guidelines for addressing SLR adaptation through 2100. As described in Chapter 13 Hydrology Section 13.5.4, the project would raise the elevation of the project site by 2 feet to address the City's requirement to establish development sites 2 feet above the Federal Emergency Management Agency (FEMA) base flood elevation. By raising the base flood elevation from 10 feet by 2 feet to +12 feet NAVD88, the project would not be within the 100-year flood zone for the region. This, in turn with anticipated SLR adaptation measures along Belmont Slough for addressing the OPC (2024) Intermediate-High SLR Scenario projections, ensure the Project development would remain resilient to SLR through the end of the century.

Separately and outside of the CEQA process, compliance with BCDC policies and permitting ensures that SLR is fully addressed through a regulatory framework specifically designed for that purpose, including preparation of a Sea Level Rise Risk Assessment for review and approval by BCDC. Additionally, the City's future Climate Action and Adaptation Plan Update will establish key strategies for increasing resilience across Belmont and align with regional guidance regarding such. Given CEQA's statutory limitations and the specialized jurisdiction of BCDC, the EIR does not include a standalone analysis of SLR and the Project will comply with BCDC requirements, which ensure compliance with regional resiliency standards.

2.2.2 Master Response to Project Use for Consistency Purposes

The Draft EIR includes variation in the terminology used to describe the project's primary use. Terms such as "office and life science/research campus," "commercial office/life science laboratory buildings," and "life science/office" were used in various sections throughout the EIR. To provide clarity and ensure consistency throughout the EIR, this master response confirms that the intended and representative project use for environmental analysis and entitlement purposes is "office and/or life science." This use encompasses general office functions and/or laboratory and research activities typical of life science tenants and is consistent with the project applicant's development proposal and expected occupancy. The environmental analysis presented in the Draft EIR remains valid and conservative based on this clarified use.

2.3 Agency Responses to Comments

2.3.1 Response to Letter 1: San Francisco Bay Conservation and Development Commission, Alyssa Please, Coastal Program Analyst

- 1-1 Introductory Comments. Introductory comments stating that BCDC will rely on the Final EIR for project permit approvals and BCDC permitting authority as a responsible agency are noted for the record. The comments are informational and do not address the analysis of the Draft EIR. No further response is required.
- 1-2 BCDC Jurisdiction. The comments confirm that BCDC staff has worked with the applicant team to map the limits of BCDC jurisdictional boundaries and note that the project is partially located within the shoreline band of BCDC's permitting jurisdiction. With respect to mapping and Draft EIR Figure 3-4, the BCDC jurisdictional boundary shown is based on the engineering plans and information provided in the project application package. This boundary represents the line mapped by the project team in consultation with BCDC staff, showing the shoreline at MSL + 5 feet (8.35 feet NAVD88).

Please note that the engineering plans and application package are prepared to scale. The "Not to Scale" notation in Draft EIR Figure 3-4 simply acknowledges that the report graphic is of such a size as to render the scale unusable, as it has been edited to fit the formatting of the Draft EIR.

The project application includes a full civil engineering package. The Draft EIR does not contain every exhibit within the engineering plans. The notes within the engineering package indicate that the mapping is based on a topographic survey prepared by BKF Engineers dated November 11, 2021. Engineering notes regarding the benchmark also indicate that the applicant used NAVD88 and that elevations are based upon a field survey performed by BKF engineers.¹ The notes specify that "Prior to the acceptance of these elevations, multiple NGS benchmarks within the site vicinity were observed with redundant measurements and were checked to a tolerance of $\pm 0.05'$." The "Limit of BCDC Jurisdiction" noted on maps and Draft EIR Figure 3-4 are based on these benchmarks. Further, Figure 7-1 on page 7-7 in the Draft EIR and Figure 3 on page 20 of Appendix C of the Draft EIR depict the BCDC Bay Shoreline and 100-foot shoreline band to scale, based on the benchmarks described above.

Additionally, please see the exhibit below prepared by the applicant showing the limits of the 100-foot shoreline band. The exhibit was drawn to 1"=100' scale based on the topographic survey. This exhibit is provided here in the Final EIR for clarification

¹ The North American Vertical Datum of 1988 (NAVD 88) is a vertical datum used to measure and compare elevations across the United States and Canada. It's the official vertical datum for the United States and is used by surveyors, engineers, and mapping professionals. A vertical datum is a reference system that uses a fixed point as a baseline to measure elevations. NAVD 88 is a leveling network that's attached to a single origin point in Quebec, Canada.

purposes. It does not conflict with the Draft EIR figures mentioned and, as such, is not intended to replace the existing figures in the Draft EIR.



Figure 1. BCDC Jurisdiction within the Study Area

1301 Shoreway Road
Belmont, California

0 50 100
Feet



- 1-3 Assessment of Biological Resources. The commenter cites BCDC's comments on the Notice of Preparation (NOP) regarding defining the study area, areas that could be affected by construction or operations, and potential impacts along Belmont Creek. In response, the Draft EIR Chapter 7 and Draft EIR Appendix C (Biological Resources Report) provide a thorough analysis and disclosure of potential environmental impacts, with a primary focus upon biological resources that are or may be present within the riparian corridor of Belmont Creek. Page 7 of the Biological Resources Report, which is the basis of Chapter 7 of the Draft EIR, describes the "study area" as "the project boundary plus surrounding areas within 100 feet, which were studied to allow for assessment of indirect impacts of the project." Indirect impacts considered by the Draft EIR include potential effects related to light, sound, debris, and runoff from the Project site. Further, the Draft EIR clearly identifies the study area evaluated by the biologist, as shown in Draft EIR Figure 7-1. The study area does include a portion of Belmont Creek and land along the San Francisco Bay Shoreline adjacent to the project site to assess potential direct and indirect project-related impacts on biological resources. Potential construction-related and operational effects of the project on biological resources are addressed on pages 7-16 through 7-26 of the Draft EIR, including detailed analyses of project lighting (page 7-20 and 7-21), water quality protection (pages 7-19 and 7-20), construction debris (page 7-20), construction noise on special status species (page 7-18 and 15-20) and riparian and wetland areas (pages 7-22 and 7-23). Please note that Chapter 7 of the Draft EIR was also reviewed by the California Department of Fish and Wildlife (CDFW).
- 1-4 McAteer-Petris Act. The comment is correct that the information regarding the McAteer-Petris Act should be located under the "State" heading within Section 7.4 Applicable Regulations Plans and Standards. The clarifications to this text on page 7-15 of the Draft EIR are acknowledged, shown below, and incorporated into the record.

Draft EIR, page 7-15:

McAteer-Petris Act

The McAteer-Petris Act, enacted on September 17, 1965, serves as a legal provision under California State law to preserve San Francisco Bay from indiscriminate filling. The Act initially established the BCDC as a temporary State agency charged with preparing a plan for the long-term use of the San Francisco Bay. In August 1969, the McAteer-Petris Act was amended to make BCDC a permanent regulatory agency and to incorporate the policies of the Bay Plan. BCDC jurisdiction includes the San Francisco Bay and a 100-foot-wide band along the shoreline of the San Francisco Bay, as well as other areas not relevant to this particular project. The Bay shoreline is defined as all areas that are subject to tidal action from the south end of the San Francisco Bay to the Golden Gate (Point Bonita–Point Lobos), and to the Sacramento River line (a line between Stake Point and Simmons Point, extended northeasterly to the mouth of

~~Marshall Cut), including. The BCDC will claim all sloughs, and (specifically the marshlands lying between mean high tide and up to 5 feet above mean sea level where marsh vegetation is present); tidelands (lands lying between mean high tide and mean low tide); and submerged lands (land lying below mean low tide) in this region. The McAteer-Petris Act also provides that within the 100-foot shoreline band, the BCDC may deny an application for a permit on the grounds that the project fails to provide maximum feasible public access, consistent with the proposed project, to the Bay and its shoreline. requires that “maximum feasible public access, consistent with a project be included as part of each project to be approved by the BCDC.”~~

The edits to the Draft EIR as submitted provide clarifications about the McAteer-Petris Act but do not change the conclusions of the analysis within the Draft EIR.

- 1-5 Hazards and Hazardous Materials (Groundwater). The commenter notes BCDC’s comments on the NOP specific to groundwater rise relative to contaminants in soil or groundwater. The Draft EIR Chapter 12 (Hazards and Hazardous Materials), page 12-5, provides a summary of extensive investigations conducted at the site and surrounding properties. As documented on page 12-5 there are two open cases of known contamination of groundwater and/or soils from neighboring upgradient industrial businesses. Remediation and monitoring at these sites is ongoing, and no volatile organic compounds (VOCs) have been detected at the project’s on-site monitoring well since 2013. This indicates that changes in elevation of the groundwater table, if it were to occur, would not further mobilize contaminants because incidents of past contamination are already being addressed. The potential effects of soil and groundwater quality are discussed on page 12-18 of the Draft EIR.

It is also important to note that the comment is addressing an existing recognized environmental condition, and rising groundwater is not a consequence of the project. CEQA requires the evaluation of physical environmental effects of a project upon the environment. Implementation of the project will have no effect upon existing remediation efforts, nor will the project alter changes in groundwater levels.

- 1-6 Hydrology and Water Quality. The City of Belmont acknowledges BCDC’s NOP comments and reference to the OPC’s 2024 SLR Guidance document. Please see detailed responses to comments below.
- 1-7 Sea Level Rise and Flood Resilience. The comment notes the most current OPC SLR guidance document dated June 2024 and suggests that the analysis of SLR should reflect end of century (year 2100) projections.

As background, the prior OCP guidance (2018) projected approximately 2 feet of SLR by mid-century (year 2050). The recently updated OPC guidance (2024) revises projected SLR down to one foot by 2050 (based on the Intermediate-High SLR scenario). The most

current FEMA Flood Insurance Rate Map (FIRM) for the area (Panel No. 06081C0169G, 2019) identifies the project area as located in flood zone X. In flood zone X, the project site does not have a specific FEMA base flood elevation. The adjacent property and Belmont Creek are located in flood zone AE with a base flood elevation of 10 feet. Due to the proximity of zone AE, the City of Belmont has requested that the finished floor of future buildings be at least 12 feet above MSL to ensure the buildings are high enough due to their relationship to the nearby zone AE. The Draft EIR Section 13.3.2 simply provides setting information regarding the Mean Higher High Water (MHHW) sea level elevation, King Tides, and previously mapped 100-year and 500-year flood zones near the project site.

As noted in Section 2.2.1 Master Response above, CEQA generally does not require the analysis of existing or future environmental conditions, such as SLR, on the project. Because the content of the received comments pertains to SLR rather than project-related impacts to the environment, the comments from BCDC associated with SLR are not CEQA concerns. However, in direct response to BCDC's comments the following information is provided.

BCDC requires that permit applicants prepare a SLR Risk Assessment for review and approval by BCDC. This assessment involves evaluating the project site's vulnerability to SLR and storm surge based on BCDC's guidance, and documenting compliance with Bay Plan policies as it relates to the project and SLR. The SLR Risk Assessment will also identify and demonstrate how the project incorporates SLR adaptation measures along Belmont Slough to remain resilient through flood hazards expected by mid-century per the OPC (2024) Intermediate-High SLR Scenario, and through the end of the century.

A SLR Risk Assessment will be provided to BCDC as part of BCDC's review of the project and will address the specific SLR and flood resilience concerns in BCDC's comment letter but is not required or relevant to the CEQA environmental impact analysis in this EIR.

While none of the findings of less than significant impacts as identified in Chapter 13 of the Draft EIR would change as a result of the BCDC permitting process, existing project details already address resiliency in regards to SLR as follows:

- The proposed finished floor elevation at elevation +12 feet NAVD88 incorporates a SLR allowance of 1.6 feet over the 100-year extreme tide elevation, which makes the buildings resilient to around year 2061.
- With the proposed SLR adaptation measures along Belmont Slough, and assuming adjoining areas will have similar levels of protection in the future, the development would remain resilient to SLR through the end of the century.
- With the proposed site improvements, the Belmont Creek Trail will be located at approximately +12.5 feet NAVD88, which incorporates a SLR allowance of 2.1

feet over the 100-year extreme tide level (ETL). Based on this trail elevation, the trail would not have a potential to be impacted by a 1% annual chance (100-year) storm event until after 2068. Depending on the rate of SLR toward the end of the century, the trail could potentially be temporarily inundated on King Tides after 2090 but would not experience flooding during daily tides until 2110.

- With proposed SLR adaptation measures along Belmont Slough in place, the trail would not be projected to be impacted by SLR until after the end of the century.

1-8 OneShoreline's Planning Policy Guidance. The relationship and relevancy of the June 2023 OneShoreline Planning Policy Guidance document is noted for the record. As noted on page 2, the document is identified as voluntary guidance to local agencies but does not represent mandatory regulations. The document is considered an important local resource and its recommendations will be considered by the City of Belmont during project review. However, as a guidance document it is not necessary to include these recommendations and planning policies within the regulatory setting of the Draft EIR.

Regarding sea level rise resilience through the end of the project life and protection of public access, please see response to comment 1-7 above. Additionally, the project proposes on-site and off-site public access improvements, such as constructing a new sidewalk along Sem Lane and widening the Belmont Creek Trail. This proposed development would be designed to be resilient to projected SLR and flood hazards through mid-century and incorporate adaptive planning elements to accommodate SLR and potential flood hazards through end-of-century.

1-9 Stormwater System Design and Operation. The City and the project design team understand and are aware of the shallow underground water table. The applicant's design team has followed the recommendation of the Geotechnical report prepared by Cornerstone Earth Group (Draft EIR Appendix F, June 2022), as well as the guidelines in Appendix E of the San Mateo County C.3 Stormwater technical guidance.

To clarify the operation of the stormwater system, the design for the post-construction stormwater measures include an impermeable liner around the bioretention areas, which would prevent infiltration from ground water. The ground water was observed to be 4 feet below the current grade based on exploratory borings (not 3 feet, as suggested in the comment).

The project design includes the current guidelines of the County C.3 stormwater technical guidance and recommendation of the geotechnical report to ensure the successful long-term function of the storm drain system and stormwater measures given the site conditions.

With respect to groundwater rise, based on OPC (2024) guidance, proposed buildings and amenities related to the 1301 Shoreway Project would not be impacted by potential groundwater flooding until after the end of the century. Specifically, because the project site would be graded to a new elevation of +12 feet NAVD88, and the groundwater elevation is approximately +7 feet NAVD88, there would be approximately 5 feet between the new grade elevation and the groundwater levels. Per the OPC, the Intermediate-High SLR Scenario for the year 2100 has a projected SLR of 4.8 feet, which does not exceed the 5 foot allowance between the proposed site grade and groundwater level.

- 1-10 Drainage Patterns. The comment requests a discussion that explains how raising the elevation of the site would not increase the rate and volume of drainage volumes off site into adjacent areas. In response, raising the site elevation is not the primary factor affecting runoff volume. As noted on page 13-16 of the Draft EIR, raising the base elevation of the project site would not change off-site stormwater flows or result in a significant impact to project site runoff volumes. Further, the reduction in runoff volume calculated for the project compared to existing conditions is a function of designing with greater areas of landscaping and pervious pavement materials. Pre- and post-project drainage volumes are described on page 13-14 of the Draft EIR.
- 1-11 Flood Hazards. The comment requests that the Draft EIR address the potential for flooding from groundwater rise in the context of inundation and release of pollutants. In response, please see Section 2.2.1 Master Response, as well as response to comments 1-7 and 1-9 above regarding SLR adaptation and the project design's responsiveness to groundwater rise. Considering the project's flood protection measures through mid-century and long-term adaptation through the end of the century, flood risk (and the potential for inundation and pollutant release from flood risk) is correspondingly minimized. It should also be noted that the project's buildings propose no subsurface/below grade spaces that would be subject to inundation.
- 1-12 Land Use and Planning. The comment regarding the McAteer-Petris Act and the Bay Plan, in the context of BCDC comments on the NOP, are acknowledged. While the McAteer-Petris Act is a State law that was amended to make BCDC a permanent regulatory agency, this law is referenced elsewhere in the Draft EIR (page 7-15, Biological Resources). For the purposes of the Draft EIR, State law is appropriately cited for regulatory context but does not require a detailed analysis relative to the project under review.

Similarly, and in response to BCDC comments on the NOP, the Bay Plan is referenced throughout the Draft EIR (for example, page 7-13, Biological Resources, page 16-5, Public Services, and page 17-8, Transportation). Consistency with the Plan is discussed in the context of CEQA significance criteria, and specific elements and policies of the Plan have been considered within the impact analysis and mitigation measures of the Draft EIR.

Draft EIR Chapter 14, Land Use, Population and Housing (and Table 14-1, General Plan Consistency Analysis), is focused on City of Belmont policies as the lead agency under CEQA. While it is understood that BCDC will review and consider the City's Final EIR with the project's permit application, the City anticipates that BCDC will conduct its own consistency determination during project review as a State responsible agency.

- 1-13 Public Services and Recreation. The comment reiterates comments received from BCDC on the NOP regarding the project's service area, service population and related effects upon recreation facilities within BCDC jurisdiction.

In response, the service area of the Belmont Creek Trail and associated amenities along the creek are identified on Draft EIR page 16-10, noting that the service area and population is limited in scope due to the project location and land use pattern of the immediate area. The potential effects of the project are described on pages 16-9 and 16-10, explaining that this employment use would be expected to increase use of the trail, but not to levels to cause physical deterioration to the point where CEQA thresholds would be exceeded.

Regarding public access and recreational facility resiliency to SLR, please see Section 2.2.1 Master Response, and response to comments 1-7 and 1-8 above.

- 1-14 Conclusion. Closing remarks and contact information are appreciated and noted. No further response is required.

2.3.2 Response to Letter 2: California Department of Fish and Wildlife, Erin Chappell, Regional Manager

- 2-1 Introductory Comments. Introductory comments confirming CDFW receipt of the Notice of Availability of the Draft EIR and opportunity to provide comments are noted for the record. No further response is required.
- 2-2 CDFW Role. Comments documenting CDFW's reviewing role as both a Trustee Agency and Responsible agency are appreciated and noted for the record. As the comments do not raise substantive issues specific to the EIR analysis, no further response is necessary.
- 2-3 Project Description Summary. Comments regarding the basic components of the project description are noted for the record. These factual comments do not raise substantive issues regarding the EIR analysis. No further response is necessary.
- 2-4 Comments and Recommendations – Potential Impacts to California Ridgway's Rail and California Black Rail. CDFW's comments focus on the potential presence of these species, potential impacts including direct mortality from project construction, and note the state and federal protected status of the species.

The Draft EIR Chapter 7 (Biological Resources, page 7-2) notes the potential presence of these species adjacent to the project site. According to the CNDDDB (2022) database and field surveys (H.T. Harvey, 2022), preliminary evidence indicates that CRRA and BLRA, if present, are more likely to be occasional foragers, migrants, or transients along Belmont Creek. Given the level of conservation risk, however, existing mitigation within the Draft EIR has been amplified to conservatively address CDFW's concerns and recommendations. See Response 2-5 below.

- 2-5 Recommended Mitigation Measures. CDFW comments recommend mitigation measures specific to CRRA and BLRA. While Draft EIR mitigation measure MM BIO-1.1 (Draft EIR page 7-19) includes provisions for surveys, buffers, and avoidance, the measure now includes language clarifications and amplifications to specifically address CRRA and BLRA. This measure is reflected in the project's mitigation monitoring and reporting program (MMRP).

MM BIO-1.1 Avoidance and Preconstruction Survey

Seasonal Avoidance. Tree removal, demolition, and the start of construction activities shall be scheduled to avoid the nesting season for breeding and special status bird species. If such activities take place outside the nesting season, all impacts on nesting birds protected under the MBTA and California Fish and Game Code will be avoided. The nesting season for most birds in San Mateo County extends from February 1 through August 31, and January 15 through August 31 for CRRA.

Preconstruction/Pre-disturbance Surveys. If it is not possible to schedule construction activities between September 1 and January ~~31~~¹⁴, then preconstruction surveys for nesting birds shall be conducted by a qualified biologist to ensure that no nests of migratory birds will be disturbed during project implementation. These surveys shall be conducted no more than 7 days prior to the initiation of tree removal, demolition, ground disturbance, or construction activities for each construction phase. During this survey, the biologist will inspect all trees and other potential nesting habitats (e.g., trees, shrubs, buildings, and the ground) in and immediately adjacent to the impact areas for migratory bird nests.

In addition to the general surveys above, a qualified biologist shall conduct protocol-level surveys of CRRA and BLRA in suitable habitats adjacent to the project using the 2017 California Clapper Rail Survey Protocol.

Buffers. If an active nest is found within areas that would be disturbed by project activities, the biologist will determine the extent of a construction-free buffer zone to be established around the nest (typically 300 ft for raptors and 100 ft for

other species), to ensure that no nests of species protected by the MBTA and California Fish and Game Code will be disturbed during project implementation.

If CRRA or BLRA are found in suitable habitat near the project site, a 700-foot no-work buffer shall be implemented between construction activity and any current-year breeding CRRA and BLRA detections if construction cannot be avoided during the rail breeding season. If a 700-foot buffer is not feasible, noise reduction through modification to equipment and/or implementation of acoustic barriers/blankets may be employed to attenuate noise and reduce visual impacts to breeding rails. Buffers and/or physical barriers shall be established in consultation with CDFW.

Inhibition of Nesting. If construction activities will not be initiated until after the start of the nesting season, all potential nesting substrates (e.g., bushes, trees, grasses, and other vegetation) that are scheduled to be removed by the project may be removed prior to the start of the nesting season (e.g., prior to February 1 January 15). This will preclude the initiation of nests in this vegetation and prevent the potential delay of the project due to the presence of active nests in these substrates.

2-6 Environmental Data. The comment requests that any special-status species and natural communities identified during project surveys be reported to the CNDDb. The qualified project biologist will be asked by the applicant and/or City of Belmont to submit any required survey forms to inform the database.

2-7 Environmental Document Filing Fees. Comments regarding filing fees are noted and will be paid by the project sponsor upon filing of the Notice of Determination.

2-8 Conclusion. Conclusionary comments and contact information are appreciated and noted for the record.

2.3.3 Response to Letter 3: California Department of Transportation, Yunsheng Luo, Branch Chief, Local Development Review

3-1 Introductory Comments and Project Understanding. Introductory comments regarding Caltrans' Local Development Review program and understanding of the project under review are noted for the record. No further response is required.

3-2 Travel Demand Analysis. Comments note and concur that the project VMT analysis and significance determination are consistent with City of Belmont VMT policy. The project's employee trip reduction strategies within Draft EIR Chapter 17 and the final Transportation Demand Management (TDM) plan will be documented with annual monitoring reports, as required by the project's mitigation monitoring and reporting program (MMRP).

- 3-3 C/CAG VMT/Greenhouse Gas (GHG) Model Mitigation Program. The City of Belmont acknowledges the origins of the C/CAG Model Mitigation Program. The City welcomes collaboration with Caltrans and C/CAG to explore additional program options. As this comment reflects citywide and regional policy, no further response is required.
- 3-4 Hydrology. The City of Belmont notes Caltrans' conclusion that no significant adverse drainage condition is expected on US 101 as a result of the project. No further response is required.
- 3-5 Water Quality Regulations. Comment recommending that the most current (2022) National Pollutant Discharge Elimination System (NPDES) Construction Stormwater General Permit should be referenced is acknowledged and noted for the record. The comment is correct that the most current information should be referenced in Section 13.4 of the Draft EIR where the NPDES Construction Stormwater General Permit is discussed. The clarifications to this text are acknowledged, shown below, and incorporated into the record.

Draft EIR, page 13-5:

Increased compliance tasks under the most recently adopted 2009 2022 Construction General Permit include project risk evaluation, effluent monitoring, receiving water monitoring, training, inspections, electronic data submission of the SWPPP and all other permit registration documents, and a Rain Event Action Plan (REAP), which must be designed to protect all exposed portions of a project site within 48 hours prior to any likely precipitation event.

Draft EIR, page 13-8:

Pursuant to the CWA, in 2009, the SWRCB issued a statewide general NPDES Permit for stormwater discharges from construction sites (NPDES No. CAS000002). The NPDES permit was reissued in 2022 (Order WQ 2022-0057-DWQ). Under this reissued permit, discharges of stormwater from construction sites with a disturbed area of one or more acres must obtain individual NPDES permits or be covered by the General Permit—i.e., by filing a Notice of Intent with the SWRCB and developing and implementing a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP must contain a site map that shows the construction site perimeter, existing and proposed buildings, lots, roadways, stormwater collection and discharge points, general topography both before and after construction, and drainage patterns across the project site. The SWPPP must also list best management practices (BMPs) implemented on the construction site to protect/retain stormwater runoff, and must contain a visual monitoring program, a sampling, analysis, and monitoring requirement for "non-visible" pollutants, and a monitoring plan if the site discharges directly to a water body listed on the state's 303(d) list of impaired waters.

Additionally, as noted on page 13-13 in Section 13.5.4 of the Draft EIR, the project would comply with the NPDES permit requirements. As such, the edits to the Draft EIR as submitted provide clarifications about the most current version of the NPDES Construction Stormwater General Permit, but do not change the conclusions of the analysis within the Draft EIR. Therefore, document recirculation would not be necessary, and no further response is required.

- 3-6 Construction-Related Impacts. Reminders regarding other Caltrans projects in the project vicinity and Caltrans contact information for future coordination is noted for the record and appreciated. No further response is required.

2.4 Organization Responses to Comments

2.4.1 Response to Letter 4: Advocates for the Environment, Dean Wallraff, Executive Director

- 4-1 Introductory Comments. Comments regarding representation and the basic components of the project description are noted for the record. These comments do not raise substantive issues regarding the EIR analysis. No further response is necessary.
- 4-2 Net-Zero Greenhouse Gas Emissions Threshold. The commenter suggests that the City should use a net-zero GHG significance threshold, with unsubstantiated statements that it is more affordable to construct new buildings to be net-zero now than to retrofit an old building in the future to meet the same standard. The commenter also references California's policy to achieve net-zero GHG emissions no later than 2045 (presumably AB 1279). In response, the State has not adopted a net-zero GHG threshold (or any GHG threshold) for individual development projects. The State's policy to achieve net-zero GHG emissions by 2045 requires CARB to ensure that their Scoping Plan updates identify and recommend measures to achieve carbon neutrality, and to identify and implement policies and strategies that enable carbon dioxide (CO₂) removal solutions and carbon capture, utilization, and storage (CCUS) technologies. As discussed in Draft EIR page 11-23, the project would not conflict with the 2022 CARB Scoping Plan following compliance with all applicable regulations.

The commenter states that two of the largest mixed-use developments in the history of California have moved forward as net-zero communities after losing CEQA lawsuits. However, the 2022 CARB Scoping Plan notes that projects that have agreed to net zero GHG emissions such as "...the Newhall and Tejon Ranch projects do not necessarily represent the type of development that California most needs to simultaneously tackle the housing and climate crises..." Each of those projects represent large new mixed-use communities. The 2022 CARB Scoping Plan notes that several key State actions should be accounted for in local target-setting, including zero-emission light-duty vehicles (relevant to transportation electrification); smart growth/VMT reduction (relevant to vehicle miles traveled reduction); and new and existing residential and commercial buildings (relevant to building decarbonization).

The 2022 CARB Scoping Plan does not recommend a net-zero GHG threshold for individual development projects, noting that such thresholds may make it more difficult to achieve statewide goals by prohibiting or complicating projects that are needed to support the State's climate goals, like infill development or solar arrays. The 2022 CARB Scoping Plan also cautions using net-zero targets and specifically notes that jurisdictions considering a net-zero target should carefully consider the implications it may have on emissions in neighboring communities and beyond. Appendix D page 18 of the 2022 CARB Scoping Plan states the following:

"Jurisdictions should also avoid creating targets that are impossible to meet as a basis to determine significance. For example, a net-zero target may imply that the GHG emissions of any project that are not reduced or offset to zero would be considered potentially significant. This may lead to undue burdens and frustrate project approval processes, which may be particularly problematic for residential development in climate-smart, infill areas. In addition, some jurisdictions have more land capacity to remove and store carbon, while others host GHG-emitting facilities that serve necessary functions and will take time to transition to new technology (e.g., municipal wastewater treatment plants, landfills, energy generation facilities)."

Local governments have the discretion to adopt targets that apply to their jurisdictions as long as those targets are supported by substantial evidence. The Draft EIR uses a GHG threshold developed by the BAAQMD, which is based on substantial evidence as explained in the Draft EIR Section 11.5, Greenhouse Gas Emissions pages 11-14 and as discussed under Response 4-3 below. Based on this threshold, which is supported by substantial evidence, the project's GHG impacts were found to be less than significant.

- 4-3 Threshold Is Not Supported by Substantial Evidence: The City of Belmont has not yet adopted a numeric significance threshold for determining significant impacts associated with GHG emissions. Air districts typically act in an advisory capacity to local governments in establishing the framework for environmental review of air pollution impacts under CEQA. This may include recommendations regarding significance thresholds, analytical tools to estimate emissions and assess impacts, and mitigations for potentially significant impacts. Although air districts will also address some of these issues on a project-specific basis as responsible agencies, they may provide general guidance to local governments on these issues.²

The City utilized BAAQMD's recommended thresholds in the Draft EIR because BAAQMD's thresholds are supported with substantial evidence (BAAQMD Appendix B, 2023). In Draft EIR Section 11.5.1 the analysis explains the BAAQMD thresholds that a project must meet in order to result in a less than cumulatively considerable

² Bay Area Air Quality Management District, *2017 CEQA Air Quality Guidelines*, 2017.

contribution to cumulative climate change impacts. A project must meet criteria A or B below:

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

1. Buildings

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

2. Transportation

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

B. Be consistent with a local greenhouse gas reduction strategy (GHGRS) that meets the criteria under the CEQA Guidelines section 15183.5(b).

Because the Climate Action Plan (CAP) is consistent with SB 32 and is a qualified GHGRS under the CEQA Guidelines section 15183.5(b) the proposed project can use the CAP to evaluate the impact significance of full-build out emissions. The CAP spotlights 23 recommended GHG emissions reductions, and of these 23 only 10 apply to the project. The other 13 measures do not apply to the project as they are directed toward public project development. See Table 11-4 on page 11-19 for consistency evaluation.

The City thus relies on use of consistency with the qualified CAP, Plan Bay Area, AB 32, and SB 32, as the threshold. The City of Belmont's CAP is a guide that outlines a path for the City to achieve its community GHG reduction goal of 50 percent reduction below 2005 levels by 2035.

- 4-4 Insufficient Evidence for 15% VMT Reduction for TDM Program. The comment summarizes the project's transportation mitigation measure (MM TRA-1) as identified in the Draft EIR to reduce vehicle miles traveled (VMT) impacts to a less than significant impact. The commenter argues that the mitigation lacks evidence of effectiveness and performance standards, and claims the Draft EIR improperly defers the formulation of MM TRA-1 to a later date. In response, it is important to consider how TDM programs can be effectively implemented, monitored, and adjusted over time to meet the trip reduction performance standards established by the lead agency.

The specific trip reduction strategies are stated within the draft TDM Plan (Hexagon, 2024, Draft EIR Appendix I, beginning page 39). The draft TDM plan identifies specific measures related to active transportation, transit, and on-site amenities that would be appropriate for an employment generating use such as the proposed project. The draft plan demonstrates that there are effective measures available to the project to meet the City's TDM policy. In addition, the project is required to meet the C/CAG TDM requirements, which are a 35 percent trip reduction for this type of project and size. Following C/CAG methodology, Table 12 in the Hexagon report shows how the measures sum up to a 35 percent trip reduction. Following review and consideration by the City, a final TDM plan will be prepared that the project must implement. The specific measures identified in the TDM plan will be evaluated for effectiveness and enforced by the City over time (annually) per the mitigation monitoring and reporting program (MMRP) to be adopted at the time the Final EIR is certified. For the purposes of CEQA, this is a sufficient mitigation measure because it specifies a clear performance standard, timing, and enforcement requirements tied directly to the City's TDM policy and trip reduction thresholds, which are stated in MM TRA-1. If the project is not meeting its trip reduction goals, the City can require adjustments to the program to increase effectiveness. This approach to TDM Plan implementation is common practice.

Draft EIR page 17-16 states that the "effectiveness of the TDM plan shall be reviewed annually and adjusted as necessary to maintain these trips and VMT reductions." Therefore, there is no improper deferral of mitigation, nor is there a failure to demonstrate that the TDM program would effectively mitigate the project's potentially significant employment VMT impact. MM TRA-1 is not needed to reduce a GHG impact.

Comments and critique regarding the structure of the City of Belmont VMT policy, with respect to the size of the project, is noted. The TDM Program Report and guidebook, reduction criteria and points system represent established and adopted policy are based on professional transportation planning principles. The Draft EIR appropriately identifies

City policy as the threshold of review. The Draft EIR does not establish the City's thresholds.

- 4-5 Inadequate Commitment to BAAQMD Best Management Practices. The comment suggests a lack of enforceability for the BAAQMD's construction Best Management Practices (BMPs). These are standard construction practices included in the BAAQMD's 2022 CEQA Guidelines in Tables 5-2 and 5-3 and recommended for all projects within the air basin (see Appendix D: *Using CalEEMod for Bay Area Projects*). The BAAQMD strongly encourages projects to include the *Enhanced Best Management Practices*. The commenter incorrectly assumes the *Enhanced Best Management Practices* are also required for all projects. However, project construction modeling conservatively did not include a majority of the BMPs to show emissions remained below the BAAQMD criteria pollutant thresholds.

The BAAQMD acknowledges that "construction emissions are temporary and variable, the Air District has not developed a quantitative threshold of significance for construction-related GHG emissions. However, the Lead Agency should quantify and disclose GHG emissions that would occur during construction" (2022 CEQA Guidelines Chapter 6). The Project specific construction GHG impacts were disclosed on page 11-16 of the DEIR. This methodology is also included on page 11-17 of the DEIR. The 2022 CEQA guidelines go on to state that while significance of construction-related GHG emissions are not determined, in order to minimize air quality pollutants, projects should incorporate BMPs included as Table 6-1 in the guidelines. The Project has included some of these practices such as Tier 4 Final equipment (MM AQ-1).

In addition, the comment and DEIR are citing BAAQMD's 2017 CEQA Guidelines. These specific measures listed were removed in the new BAAQMD 2022 CEQA Guidelines. Other measures and practices are included as *Basic Best* and *Enhanced Management Practices for Construction-Related Fugitive Dust Emissions* and the *Best Management Practices for Construction-Related GHG Emissions*. The Project modeling did not assume the measures besides Tier 4 Final per MM AQ 1. Therefore, the construction values shown in Tables 6-7, 9-3, and 11-2 are conservative and inclusion of these BMPs would further reduce emissions. Impacts would remain less than significant. Therefore, the additional measures are not necessary nor required for the project.

- 4-6 Consistency with Identified Applicable Plans: The comment incorrectly asserts that the Draft EIR did not evaluate consistency with all applicable GHG reduction plans. The Draft EIR evaluated the project's consistency with the CARB 2022 Scoping Plan (Draft EIR pages 11-23), City of Belmont Climate Action Plan (Draft EIR pages 11-19 through 11-22), and Plan Bay Area/ California Senate Bill 375 (Draft EIR page 11-22). These are the governing GHG reduction plans applicable to the project. Additionally, the broader air quality and GHG regulatory framework is outlined in Section 11.4 of the Draft EIR.

The comment incorrectly implies that AB 32 is used as a project level GHG threshold. AB 32 is discussed in the Draft EIR in reference to BAAQMD methodology recommendations (page 11-16), in conjunction with various State reduction targets for context (page 11-17), and discussed for disclosure and background to the Scoping Plan (page 11-23) and the overall regulatory environment. The AB 32 discussion in the analysis is provided for disclosure and background to the Scoping Plan consistency analysis since AB 32 required the State's initial Scoping Plan and requires Scoping Plan updates every five years. The Draft EIR's GHG impact conclusions do not rely on consistency with AB 32 and the analysis is not based on AB 32 related thresholds or reduction targets.

The Draft EIR instead evaluates consistency with the 2022 Scoping Plan, which accounts for the State's latest GHG reduction targets established by SB 32 and AB 1279 (among others). The key elements of the 2022 CARB Scoping Plan focus on transportation. Specifically, the 2022 CARB Scoping Plan aims to rapidly move towards zero-emission (ZE) transportation (i.e., electrifying cars, buses, trains, and trucks), which constitutes California's single largest source of GHGs. The project would benefit from the State targets set forth within the 2022 CARB Scoping Plan. Approximately 92 percent of the project's emissions (and approximately 130 percent of the project's net emissions) are from energy and mobile sources which would be further reduced by implementation of current State programs. It should be noted that the project and the City have no control over vehicle emissions (approximately 80 percent of the project's total emissions and 115 percent of the project's net emissions). However, these emissions would decline in the future due to statewide measures including the reduction in the carbon content of fuels, CARB's advanced clean car program, CARB's mobile source strategy, fuel efficiency standards, cleaner technology, and fleet turnover. Accordingly, the project does not interfere with the State's efforts to reduce GHG emissions under the 2022 CARB Scoping Plan, the 2017 Scoping Plan, Executive Order B-55-18 (statewide carbon neutrality by 2045), or the Belmont City Code (all electric buildings [prescriptive compliance pathway only] or all-electric ready).

As noted on Draft EIR page 11-18, project operations would also benefit from the implementation of current and potential future energy regulations including the SB 100 renewable electricity portfolio target of 60 percent renewable energy by 2030. SB 100 also established a further goal to have an electric grid that is entirely powered by clean energy by 2045.

Further, as noted in the Draft EIR the proposed project is required to comply with all building codes in effect at the time of construction which include energy conservation measures mandated by Title 24 of the California Building Standards Code – Energy Efficiency Standards (see Draft EIR page 11-18). Title 24 is part of the State's plans and regulations for reducing emissions of GHGs to meet and exceed State energy reduction goals. Because Title 24 standards require energy conservation features in new construction, they help reduce GHG emissions. Building Energy Efficiency Standards are updated on an approximately three-year cycle and the most recent 2022 standards

went into effect January 1, 2023. The project would be required to comply with the latest applicable version of the Building Energy Efficiency Standards.

AB 1279 codified the requirements of Executive Order B-55-18 and requires the State both to achieve net zero GHG emissions as soon as possible, but no later than 2045, and achieve and maintain net negative GHG emissions thereafter. As noted above, these GHG reduction targets do not require individual development projects to achieve net zero GHG emissions or use a net zero threshold (see response to Comment 4-2). Additionally, as noted above, the Draft EIR does not rely on consistency with AB 32 and the analysis is not based on AB 32 related thresholds or reduction targets. Therefore, the GHG analysis does not base any conclusions or its significance finding on outdated policy.

The comment asserts that the Draft EIR did not evaluate consistency with all applicable GHG reduction plans and lists Executive Order B-55-18, the 2022 CARB Scoping Plan, the 2017 Scoping Plan, and the Belmont City Code. However, the comment is general and does not refer to any specific plans that should be addressed, beyond consistency with the applicable plans listed above. As noted above, AB 1279 codified the requirements of Executive Order B-55-18 and the 2022 CARB Scoping Plan incorporates these reduction goals. As the 2022 CARB Scoping Plan includes EO B-55-18 goals of net zero GHG emissions by 2045, evaluating the project against the 2022 CARB Scoping Plan ensures consistency with the State's net zero goal.

The comment states that the project is inconsistent with Executive Order B-55-18 because it does not prohibit the use of gasoline, diesel, and natural gas. However, Executive Order B-55-18 includes no such requirement. The Executive Order sets a goal to achieve carbon neutrality by 2045 but does not establish a project level threshold or require the State to prohibit any fuels. The purpose of the Executive Order is to direct State policies and programs.

The comment also cites a 2022 CARB Scoping Plan for 50 percent of all industrial energy demand to be electrified by 2045. It should be noted that the 2022 CARB Scoping Plan does not identify this as a project level requirement. The 2022 CARB Scoping Plan cites AB 197 to achieve this goal. AB 197 provides additional guidance on how to achieve the reduction targets established in EO B-30-15 and SB 32. Additionally, the 2022 CARB Scoping Plan's goal is intended to reduce GHG emissions from industrial processes. The comment also notes that the 2022 CARB Scoping Plan emphasizes decarbonizing "industrial facilities." As the project is office and/or life science space, it is not an industrial facility and would not include industrial processes as part of project operations. Further, the displacement of fossil fuel use referenced in the comment cites a section of the Scoping Plan that addresses energy demand in industrial manufacturing, oil and gas extraction, and petroleum refining. As noted above, the project proposes an office and/or life science space and does not involve any industrial manufacturing, oil

and gas extraction, and petroleum refining. Therefore, the goal cited in the comment is not applicable to the project.

The Draft EIR also evaluated the project's consistency with the City of Belmont Climate Action Plan, Plan Bay Area/ California Senate Bill 375, AB 32, and SB 32. As noted above, AB 32 established the foundation of the State's GHG reduction goals and Scoping Plan requirements and has been built upon with more recent legislation as discussed in the Draft EIR (page 11-23). The Draft EIR analysis discusses AB 32 in conjunction with various State reduction targets for context but does not use the regulation as the CEQA threshold for GHG emissions.

The project would be required to comply with all applicable City Code requirements. Chapter 7 Article IV, Division 10 of the Belmont City Code requiring all-electric buildings is applicable. However, exceptions are provided if an all-electric prescriptive compliance pathway is not achievable for the project. The applicant must apply for a modification to the code requirement for the laboratory component of the project, if the ultimate end user requires natural gas for any aspect of operation. The remaining office uses would be all-electric and would not include natural gas infrastructure. While the use of natural gas within the project is not known at this time, the Draft EIR analysis is conservative as it was modeled with the *possibility* of natural gas for the laboratory portion. The project must also meet any existing standards for electrical vehicle charging per City of Belmont General Plan Consistency Table on page 14-11.

- 4-7 Conclusion. Closing remarks summarizing prior comments are noted for the record and require no further response.

2.4.2 Response to Letter 5: Adams Broadwell Joseph & Cardozo, Alaura McGuire and Christina Caro

- 5-1 Introductory Comments. Comments regarding representation and the basic components of the project description are noted for the record. These factual comments do not raise substantive issues regarding the EIR analysis. No further response is necessary.
- 5-2 CEQA Compliance Required. The comment recommends that the City of Belmont comply with CEQA and engage with the public as part of a Development Agreement. These suggestions are comments noted for the record but do not raise substantive issues regarding the EIR analysis. No further response is necessary.
- 5-3 Statement of Interest. The commentator identify the parties and labor unions represented and the interests of those parties. General editorial comments are also included regarding the potential effects of some projects. These suggestions are comments are noted for the record but are not specific to the 1301 Shoreway Project and do not raise substantive issues regarding the EIR analysis. No further response is necessary.

- 5-4 City Must Comply with CEQA. The comment requests that the City of Belmont comply with CEQA and summarizes some of the EIR's findings regarding potentially significant effects. Comments are noted for the record. The EIR has been prepared to identify the project's potentially significant effects as required by CEQA.
- 5-5 Development Agreement. The Draft EIR notes that the applicant intends to enter into a Development Agreement with the City of Belmont as one of the project's potential actions and approvals. Comments further describe the purpose of a Development Agreement and possible provisions of such an agreement.

The comment is correct that a Development Agreement is not included in the description beyond noting the applicant's intent to pursue such an agreement. The Draft EIR analyzes the project's potential environmental effects as the project has been presented in the project application. A Development Agreement is not a requirement of discretionary projects and often addresses financial obligations or benefits. For example, the commentor notes "workforce benefits" and "workforce training" as possible provisions of a Development Agreement. Such provisions would have no physical environmental effect.

It is not uncommon for the terms of an agreement to be negotiated outside of the CEQA review process. Should any future agreement alter the project description or include physical improvements beyond or significantly different from what has been analyzed in the Draft EIR, the City of Belmont would be required to consider the environmental implications of such improvements, if any.

- 5-6 Conclusion. Closing remarks summarizing prior comments are noted for the record and require no further response.

2.5 Individual Responses to Comments

2.5.1 Response to Letter 6: Steven and Nina Goodale

- 6-1 Introductory Comments. General statement regarding concern for the project's potential effects are noted for the record. Please see specific responses to the issues raised below.
- 6-2 Site Vulnerability and Current Conditions. The comment provides general information about the project location relative to Belmont Creek and the Belmont Slough and estuary. Similar setting information is provided on pages 13-2 and 13-3 of the Draft EIR. Comments also suggest that the existing private sump pump at the site is located in an area subject to tidal inundation, and reports nearby stage gauge levels. These observations and information appear to provide background for other specific comments. The existing sump pump would remain on the project site, as shown in Figure 3-13 of the Draft EIR. As identified in Draft EIR Chapter 13, Hydrology and Water Quality, the project would result in a reduction of impervious surface of approximately

58,000 square feet, thereby reducing the amount of stormwater flowing into the creek compared to existing conditions. No information in the comments is specific to the analysis provided in the Draft EIR, and therefore no further response to this comment is necessary.

- 6-3 Watershed Capacity and Flood Risks. The comment provides hydrological data and statistics for Belmont Creek, citing the 2019 Belmont Creek Watershed Management Plan. This plan, prepared for San Mateo County and the cities of Belmont and San Carlos, identify a series of flow conveyance and stormwater detention measures to manage creek flows into the future. The Draft EIR text has been updated, as shown below, to reference the plan for informational purposes and incorporated into the record.

Draft EIR, Page 13-10:

Belmont Creek Watershed Management Plan

The Belmont Creek Watershed Management Plan was prepared for San Mateo County, and the cities of Belmont and San Carlos, and adopted in 2019. The plan proposes flood risk reduction measures, green infrastructure, and water quality improvements to address flooding along Belmont Creek. Specifically, the plan targets improvements between Old County Road and Industrial Road in the City of Belmont, the City of San Carlos, unincorporated areas of the County, and the Caltrain tracks.

It is important to note that the measures proposed in the Belmont Creek Watershed Management Plan are located upstream from the project site and are not located within or immediately adjacent to the project site. Implementation of these measures, detention basins, and other improvements identified in the plan would serve to reduce peak flow volumes within the creek as it approaches the Bay. As such, the less than significant impacts related to flood risk in the project area analyzed on pages 13-15 through 13-18 of the Draft EIR could be decreased as a result of reduced peak flow volumes upstream. Moreover, no information in the comment is specific to the analysis provided in the Draft EIR. Therefore, the edits to the Draft EIR are provided for reference to potential improvements along Belmont Creek, but do not change the conclusions of the analysis within the Draft EIR. No further response is required.

- 6-4 Projected Sea Level Rise and its Implications. The comment notes projected sea level rise data for Belmont Creek, citing NOAA but with no specific document reference. Please refer to Section 2.2.1 Master Response and response to Comment 1-7 and 1-8 regarding SLR and resiliency relative to the OPC's 2024 guidance document and the Bay Plan.

- 6-5 Ocean Protection Council Report (2024). The comment cites information and SLR projections contained within the OPC's most current SLR guidance document. Additional comments regarding predicted changes in future storm and tide events are acknowledged but do not directly relate to the effects of the project on the environment. Please refer to Section 2.2.1 Master Response and response to Comments 1-7 and 1-8 regarding SLR and resiliency relative to the OPC's 2024 guidance document and the Bay Plan.
- 6-6 Critical Concerns. The comment notes and summarizes several of the commenter's concerns regarding site drainage performance, watershed drainage relative to tidal waters, and flooding potential.

With respect to high tides and site drainage, the project's preliminary storm drainage analysis (BKF, 2023) documents that, with the on-site stormwater drainage controls, pervious surface materials and a reduction in impervious surface area, the post-project water volumes leaving the site during storm events will be reduced compared to existing (pre-development) conditions. As the commenter notes, the project would raise the site elevation by approximately 2 feet, such that groundwater would be approximately 5 feet below the new site grade. According to the OPC, the projected SLR in 2100 is 4.8 feet, which is within the 5-foot allowance. The sump pump rim would be raised to be at, or above, the new site grade, to prevent groundwater from flowing into the sump.

With the proposed drainage improvements, rise in base flood elevation by 2 feet, and incorporation of mid-century flood protection and end of century adaptation measures, the potential for site flooding will be reduced with the project. Over time, it is also assumed that specific upstream projects as identified in the Belmont Creek Watershed Management Plan would be implemented to further reduce flood risk and peak flows downstream.

With respect to the interface between Bay waters and waters of the Belmont Creek watershed, these water bodies are hydrologically connected under existing conditions. As noted in the above response, post-project drainage conditions will reduce the amount of peak runoff created at the project site compared to existing conditions.

With respect to flood mitigation for existing and future scenarios, the project will raise the base flood elevation from 10 feet by 2 feet to +12 feet NAVD88, which will provide flood protection consistent with FEMA flood mapping. Extreme tides in the San Francisco Bay were assessed by BCDC in 2016, and a comprehensive study of tidal datums was published in 2021³. The study identified a 100-year extreme tide level of

³ BCDC (2022). SF Bay Tidal Datums Web Application. San Francisco Bay Conservation & Development Commission. Published: November 9, 2021. Updated: June 8, 2022. SF Bay Conservation and Develop Commission Open Data Portal: <https://databcdc.opendata.arcgis.com/apps/BCDC::sf-bay-tidal-datums-web-application/explore>

elevation +10.45 feet NAVD88. Flooding associated with a 100-year extreme tide event could occur around 2061. The proposed strategy to adapt to SLR would be to raise the elevation of the Belmont Creek Trail to elevation+18.0 feet NAVD88. With these improvements, the proposed development would not be impacted by SLR until after the end of the century.

Please see Section 2.2.1 Master Response, as well as response to comments 1-7 through 1-9 regarding long term planning and resiliency to sea level rise, groundwater, and flooding.

Regarding the combination of extreme high tides and significant storm events, the comment is noted for the record and the project design and location is responsive to flood risk data and FIRM recognized by FEMA.

- 6-7 Conclusion and Request. Concluding comments summarize previously stated concerns regarding flooding potential, and request that the City consider: project feasibility (as related to flood risk); long term environmental and safety issues associated with development of life science laboratory uses; and comprehensive flood mitigation strategies.

See above responses. The issues raised and requests to the City all ultimately relate to flood risk and flood protection. As the project raises the base flood elevation by 2 feet above existing conditions, the project will be located at an elevation above the 100-year floodplain. The project design and location is responsive to flood risk data and FIRM recognized by FEMA, as well as the City of Belmont and the OPC 2024 guidance document. These are recognized benchmarks for engineering purposes and assessing flood risk. As noted above, the City of Belmont, along with the City of San Carlos and San Mateo County, have prepared the Belmont Creek Watershed Management Plan, which represents a comprehensive flood mitigation strategy for managing peak flows for Belmont Creek.

With respect to the life science laboratory use, the risk associated with the use and transport of hazardous materials associated with this proposed land use is evaluated in detail within Draft EIR Chapter 12, Hazards and Hazardous Materials. For the reasons stated above, raising the base flood elevation provides acceptable risk protection based on FEMA benchmarks and planning policy of the OPC 2024.

2.6 Letters Received After the Public Comment Period

2.6.1 Response to Letter 7: San Mateo County Flood & Sea Level Rise Resiliency District (OneShoreline)

- 7-1 Planning Policy Guidance Consideration. Please refer to response to Comment 1-8 above regarding OneShoreline's Planning Policy Guidance (PPG) document. The PPG document is considered an important local resource and its recommendations will be considered by the City of Belmont during project review. However, as a guidance document it is not necessary to include these recommendations and planning policies within the regulatory setting of the Draft EIR, and no further response is required.
- 7-2 BCDC Comment. The comment discusses properly reflecting BCDC jurisdictional boundaries in Draft EIR text as well as maps and figures. Please see response to Comment 1-2 for appropriate consideration of BCDC jurisdictional boundaries regarding maps and diagrams.
- 7-3 Sea Level Rise. The comment requests that the Draft EIR contents pertaining to SLR be updated to incorporate local guidance. Please see Section 2.2.1 Master Response, as well as response to comments 1-7 and 1-9 regarding long term planning and resiliency to SLR and consideration of planning guidelines.
- 7-4 Regional Shoreline Adaptation Plan Guidance. Please see Section 2.2.1 Master Response, as well as response to comments 1-7 and 1-9 regarding long term planning and resiliency to SLR and consideration of planning guidelines. Impacts would remain less than significant and additional adaptation measures are not necessary nor required for the project.
- 7-5 Drainage and Hydrology Analysis. The comment refers to the evaluation of site drainage and suggested considerations related to climate change, SLR, groundwater, and watershed drainage. Please see Section 2.2.1 Master Response, as well as response to comments 1-7 through 1-10 regarding project features that address SLR, groundwater drainage, and flooding.
- 7-6 Groundwater Monitoring and Percolation. The comment expresses agreement with BCDC comments relating to monitoring rising groundwater and onsite drainage. Please see response to Comment 1-5 above. Rising groundwater is not a consequence of the project. CEQA requires the evaluation of physical environmental effects of a project upon the environment. Please see Section 2.2.1 Master Response, as well as response to comments 1-7 and 1-9 regarding long term planning and resiliency to SLR and consideration of planning guidelines.
- 7-7 Sea Level Rise Language. The comment suggests clarity in language surrounding scenarios relating to SLR and flooding in the SLR Assessment Report. The suggestion is

noted and further explanation regarding the SLR Assessment can be found in Section 2.2.1 Master Response.

- 7-8 FEMA Base Flood Elevation Consideration. The comment discusses local requirements regarding FEMA base flood elevation (BFE) standards and how that is incorporated into the project design. The project is located in FEMA Flood Zone X. There is no BFE required for this zone. Please see Section 2.2.1 Master Response, as well as response to comments 1-7 and 1-9 regarding long term planning and resiliency to sea level rise and flooding, and how the FEMA BFE is further considered in the project details.
- 7-9 Overtopping. Please see Section 2.2.1 Master Response, as well as response to comments 1-7 and 1-9 for further discussion concerning flooding.
- 7-10 Critical Equipment Risk. The comment expresses concern over siting of critical equipment in areas at risk of flooding. Please see Section 2.2.1 Master Response regarding a SLR Assessment, as well as response to comments 1-7 and 1-9 for further discussion concerning flooding. These suggestions are comments noted for the record but do not raise substantive issues regarding the EIR analysis. No further response is necessary.
- 7-11 Conditions for Intervention. This comment is noted for the record. A second intervention is proposed based on the assumption of a timeline of 5 to 10 years for pre-project planning, site investigations, concept design, detailed design, permitting, and construction. As the comment does not raise substantive issues specific to the EIR analysis, no further response is necessary.
- 7-12 Adaptation Assumptions Along Shoreline. The comment notes that the proposed project has vulnerabilities from other shoreline reaches regarding overtopping and flooding, affecting more than just the pathway adjacent to the slough. Please see Section 2.2.1 Master Response regarding the SLR Assessment, as well as response to comments 1-7 and 1-9 for further discussion concerning flooding. As the comment does not raise substantive issues specific to the EIR analysis, no further response is necessary.
- 7-13 Additional Resiliency Considerations. These suggestions regarding additional resilience measures are noted for the record but do not raise substantive issues regarding the EIR analysis. No further response is necessary.
- 7-14 Shoreline Infrastructure Recommendations. This comment concerning development standards for shoreline infrastructure has been noted for the record but does not raise substantive issues regarding the EIR analysis. No further response is necessary.
- 7-15 Bay Trail Design Guidelines. The trail along the eastern edge of the Project site is the Belmont Creek Trail, see Figure 3-4, Proposed Site Plan. The Bay Trail is located across Belmont Creek further east of the Project site and follows the north side of Twin Dolphin

Drive, see Figure 3-3, Surrounding Land Uses. As such, the Project will not impact the Bay Trail and therefore will not be required to adhere to Bay Trail Design Guidelines.

- 7-16 Natural Infrastructure. The comment suggests incorporation of natural infrastructure into the shoreline area. This suggestion has been noted for the record but does not raise substantive issues regarding the EIR analysis. No further response is necessary.
- 7-17 FEMA Accredited Levee. Shoreline interventions would not result in a FEMA accredited levee. As the comment does not raise substantive issues specific to the EIR analysis, no further response is necessary.
- 7-18 Drainage Alteration. The comment summarizes the existing drainage setting into the Slough and inquires about alterations to the outfall. The existing outfall is to remain as is, with the addition of a backflow valve to ensure there will not be any water from the slough backing into the storm drain system. There is no anticipated increase in stormwater discharge from the project site into the slough. As the comment does not raise substantive issues specific to the EIR analysis, no further response is necessary.
- 7-19 Slough Maintenance. Comments regarding defining the maintenance requirements and accessibility to the slough are noted for the record. As the comment does not raise substantive issues specific to the EIR analysis, no further response is necessary.

2.7 Response to Comments Received at Planning Commission November 4, 2024

Summary of Comments

The Planning Commission met on the evening of November 4, 2024 to hold a public hearing and receive public comments on the Draft EIR. Several comments were made (and questions asked) by both members of the public and individual Commissions. Most of these comments and questions, however, addressed issues unrelated to the environmental analysis contained within the Draft EIR. The following summary of comments addresses only those issues relevant to the environmental review. The Minutes of the November 4 public hearing are included herein as Appendix B.

Commissioner Ademkewics asked who reviews the sufficiency of the Project TDM Plan. All proposed development projects must demonstrate compliance with the City's TDM program by submitting a completed TDM application form along with all other applicable development or building permit forms. TDM submissions are subject to review and approval by the Department of Public Works (DPW). The TDM Plan is provided as Appendix I of the Draft EIR.

Commissioner Majeski asked what is the standard for noise mitigation regarding the roof features, and does that adapt to changes? The rooftop noise mitigation features will meet the existing City standard and can go through applicable changes to remain as such.

Commissioner Gurevich asked does the level of noise from the highway affect the Project? The highway noise exists currently at the site, and the Project would not be considered a noise sensitive use. As such, the highway noise would not significantly impact the Project.

3 Changes to the Draft EIR (EIR Errata)

Changes to the Draft EIR are shown on the following pages in the order that they appear in the Draft EIR. New text is shown in underline, and removed text is shown in ~~striketrough~~. Additionally, Mitigation Measures MM Bio-1.2 and MM CR-2.1 have been revised for the purposes of clarity. These text changes do not constitute substantial new information (per CEQA Guidelines Section 15088.5) and do not result in significant new impacts or the increase in severity of impacts already disclosed. As such, recirculation of the Draft EIR is not triggered.

Draft EIR, page 1-4 to 1-5 and 7-16 to 7-17

MM BIO-1.1 Avoidance and Preconstruction Surveys

Seasonal Avoidance. Tree removal, demolition, and the start of construction activities shall be scheduled to avoid the nesting season for breeding and special status bird species. If such activities take place outside the nesting season, all impacts on nesting birds protected under the MBTA and California Fish and Game Code will be avoided. The nesting season for most birds in San Mateo County extends from February 1 through August 31, and January 15 through August 31 for CRRRA.

Preconstruction/Pre-disturbance Surveys. If it is not possible to schedule construction activities between September 1 and January ~~31~~14, then preconstruction surveys for nesting birds shall be conducted by a qualified biologist to ensure that no nests of migratory birds will be disturbed during project implementation. These surveys shall be conducted no more than 7 days prior to the initiation of tree removal, demolition, ground disturbance, or construction activities for each construction phase. During this survey, the biologist will inspect all trees and other potential nesting habitats (e.g., trees, shrubs, buildings, and the ground) in and immediately adjacent to the impact areas for migratory bird nests.

In addition to the general surveys above, a qualified biologist shall conduct protocol-level surveys of CRRRA and BLRA in suitable habitats adjacent to the project using the 2017 California Clapper Rail Survey Protocol.

Buffers. If an active nest is found within areas that would be disturbed by project activities, the biologist will determine the extent of a construction-free buffer zone to be established around the nest (typically 300 ft for raptors and 100 ft for other species), to ensure that no nests of species protected by the MBTA and California Fish and Game Code will be disturbed during project implementation.

If CRRRA or BLRA are found in suitable habitat near the project site, a 700-foot no-work buffer shall be implemented between construction activity and any current-year breeding CRRRA and BLRA detections if construction cannot be avoided during the rail

breeding season. If a 700-foot buffer is not feasible, noise reduction through modification to equipment and/or implementation of acoustic barriers/blankets may be employed to attenuate noise and reduce visual impacts to breeding rails. Buffers and/or physical barriers shall be established in consultation with CDFW.

Inhibition of Nesting. If construction activities will not be initiated until after the start of the nesting season, all potential nesting substrates (e.g., bushes, trees, grasses, and other vegetation) that are scheduled to be removed by the project may be removed prior to the start of the nesting season (e.g., prior to February 1 or January 15 for CRRA). This will preclude the initiation of nests in this vegetation and prevent the potential delay of the project due to the presence of active nests in these substrates

Draft EIR, pages 1-5 to 1-6 and 7-18:

MM BIO-1.2 Project Construction Precautionary Measures

Worker Environmental Awareness Program. Before any construction activities begin, a qualified biologist shall conduct a training session for all construction personnel. At a minimum, the training will include descriptions of the salt marsh harvest mouse and salt marsh wandering shrew, their habitats, the laws protecting them, the general measures that are being implemented to conserve these species as they relate to the project, and the boundaries within which the project may be accomplished. Upon completion of the Worker Environmental Awareness Program, all construction personnel shall sign an affidavit stating they attended the training and understand all information and protection measures presented. These forms shall be provided to the City prior to the commencement of construction activity and monthly prior to new personnel beginning work on the project.

Draft EIR, pages 1-11 and 8-13:

MM CR-2.1 Cultural Awareness Training

Prior to any project-related ground disturbance, all construction workers shall receive training overseen by a qualified professional archaeologist who is experienced in teaching non-specialists to ensure that contractors can recognize archaeological resources in the event that any are discovered during construction. The construction staff directly overseeing excavation, or operating ground-disturbing vehicles, will be required to participate in this preconstruction training. Upon completion of the preconstruction training, all construction personnel shall sign an affidavit stating they attended the training and understand all information and protection measures presented. These forms shall be provided to the City

prior to the commencement of construction activity and monthly prior to new personnel beginning work on the project.

Draft EIR, page 7-15:

McAteer-Petris Act

The McAteer-Petris Act, enacted on September 17, 1965, serves as a legal provision under California State law to preserve San Francisco Bay from indiscriminate filling. The Act initially established the BCDC as a temporary State agency charged with preparing a plan for the long-term use of the San Francisco Bay. In August 1969, the McAteer-Petris Act was amended to make BCDC a permanent regulatory agency and to incorporate the policies of the Bay Plan. BCDC jurisdiction includes the San Francisco Bay and a 100-foot-wide band along the shoreline of the San Francisco Bay, as well as other areas not relevant to this particular project. The Bay shoreline is defined as all areas that are subject to tidal action from the south end of the San Francisco Bay to the Golden Gate (Point Bonita–Point Lobos), and to the Sacramento River line (a line between Stake Point and Simmons Point, extended northeasterly to the mouth of Marshall Cut), including. The BCDC will claim all sloughs, and (specifically the marshlands lying between mean high tide and up to 5 feet above mean sea level where marsh vegetation is present); tidelands (lands lying between mean high tide and mean low tide); and submerged lands (land lying below mean low tide) in this region. The McAteer-Petris Act also provides that within the 100-foot shoreline band, the BCDC may deny an application for a permit on the grounds that the project fails to provide maximum feasible public access, consistent with the proposed project, to the Bay and its shoreline. requires that “maximum feasible public access, consistent with a project be included as part of each project to be approved by the BCDC.”

Draft EIR, page 13-5:

Increased compliance tasks under the most recently adopted 2009 2022 Construction General Permit include project risk evaluation, effluent monitoring, receiving water monitoring, training, inspections, electronic data submission of the SWPPP and all other permit registration documents, and a Rain Event Action Plan (REAP), which must be designed to protect all exposed portions of a project site within 48 hours prior to any likely precipitation event.

Draft EIR, page 13-8:

Pursuant to the CWA, in 2009, the SWRCB issued a statewide general NPDES Permit for stormwater discharges from construction sites (NPDES No. CAS000002). The NPDES permit was reissued in 2022 (Order WQ 2022-0057-DWQ). Under this reissued permit, discharges of stormwater from construction sites with a disturbed area of one or more

acres must obtain individual NPDES permits or be covered by the General Permit—i.e., by filing a Notice of Intent with the SWRCB and developing and implementing a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP must contain a site map that shows the construction site perimeter, existing and proposed buildings, lots, roadways, stormwater collection and discharge points, general topography both before and after construction, and drainage patterns across the project site. The SWPPP must also list best management practices (BMPs) implemented on the construction site to protect/retain stormwater runoff, and must contain a visual monitoring program, a sampling, analysis, and monitoring requirement for "non-visible" pollutants, and a monitoring plan if the site discharges directly to a water body listed on the state's 303(d) list of impaired waters.

Draft EIR, Page 13-10:

Belmont Creek Watershed Management Plan

The Belmont Creek Watershed Management Plan was prepared for San Mateo County, and the cities of Belmont and San Carlos, and adopted in 2019. The plan proposes flood risk reduction measures, green infrastructure, and water quality improvements to address flooding along Belmont Creek. Specifically, the plan targets improvements between Old County Road and Industrial Road in the City of Belmont, the City of San Carlos, unincorporated areas of the County, and the Caltrain tracks.

4 Mitigation Monitoring and Reporting Program

4.1 Public Resources Code

When approving projects with Environmental Impact Reports (EIRs) that identify significant impacts, the California Environmental Quality Act (CEQA) requires public agencies to adopt monitoring and reporting programs or conditions of project approval to mitigate or avoid the identified significant effects (Public Resources Code Section 21081.6(a)(1)). A public agency adopting measures to mitigate or avoid the significant impacts of a proposed project is required to ensure that the measures are fully enforceable, through permit conditions, agreements, or other means (Public Resources Code Section 21081.6(b)). The program must be designed to ensure project compliance with mitigation measures during project implementation.

The Mitigation Monitoring and Reporting Program (MMRP) is organized in a table format (see Table 4-1: Mitigation Monitoring and Reporting Program for the 1301 Shoreway Project, keyed to each significant impact and each EIR mitigation measure. Only mitigation measures adopted to address significant impacts are included in this program. Each mitigation measure is set out in full, followed by a tabular summary of monitoring requirements. The column headings in the tables are defined as follows:

- **Mitigation Measures:** This column presents the mitigation measure identified in the EIR.
- **Monitoring/Reporting Responsibility:** This column contains an assignment of responsibility for the monitoring and reporting tasks.
- **Timing of Implementation:** This column refers to when the measure is required to be implemented.
- **City Staff/Notes:** This column will be used by the lead agency to document the person who verified the implementation of the mitigation measure and the date on which this verification occurred.

4.2 Enforcement

If the project is approved, the MMRP for the development would be incorporated as a condition of such approval. Therefore, all mitigation measures for significant impacts must be carried out to fulfill the requirements of approval. A number of the mitigation measures would be implemented during the course of the development review process. These measures would be checked on plans, in reports, and in the field prior to construction. Most of the remaining mitigation measures would be implemented during the construction, or project implementation phase.

Table 4-1: Mitigation Monitoring and Reporting Program for the 1301 Shoreway Project

Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
Aesthetics							
AES-1	MM AES-1.1 Construction Screening To minimize and soften the visual effects of construction as seen from nearby businesses and adjacent land uses, the project proponent shall incorporate construction fencing or screening around the perimeter of the site. The screening material shall be of sufficient height to mask ground-level activities. Screening shall remain in place during site preparation and new building construction. Screening shall not be necessary during the final stages of construction when architectural coatings, detailing and landscaping are applied.	Project Applicant or their designee Construction Contractor	Community Development Department Director or their designee		Plan for screening to be submitted prior to the issuance of any building or grading permits. Measure to remain in place until final stages of construction.	Incorporate requirements into the project plans, construction contracts and/or construction bid solicitation materials. Comply with measures and limitations.	During project site preparation and construction activities up to the final stages of construction.
AES-3	MM AES-3.1 Light/Glare Reduction and Design Prior to the issuance of building permits, final improvement, lighting and architectural plans shall clearly demonstrate the light glare reducing features and finishes of the project. Lighting and finishes shall be selected to reduce reflective glare, bird strike,	Project Applicant or their designee Qualified Biologist	Community Development Department Director or their designee		Project Applicant to incorporate light glare reducing features to minimize glare as part of final improvement plans.	Submit project plans to City Community Development Department that meet the requirements of the mitigation measure.	Prior to issuance of building permits.

Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
	and light spill to neighboring properties and habitat areas.					Peer review and approval of the above by a qualified biologist with appropriate expertise.	
Air Quality							
AQ-2	MM AQ-1: Require Tier 4 Engines on Construction Equipment¹ All applicants proposing development of projects within Belmont shall require their contractors, as a condition of contract, to further reduce construction-related exhaust emissions by ensuring that all off-road equipment greater than 50 horsepower (hp) and operating for more than 20 total hours over the entire duration of construction activities shall operate on an EPA-approved Tier 4 or newer engine. Exemptions can be made for specialized equipment where Tier 4 engines are not commercially available within 200 miles of the project site. The construction contract must identify these pieces of equipment, document their unavailability, and ensure that they operate on no less than an EPA approved Tier 3 engine. ARB regulations will result in the	Project Applicant or their designee Construction Contractor	Community Development Department Director or their designee		Prior to and throughout the duration of construction activities.	Incorporate requirements into the construction contracts and/or construction bid solicitation materials. Comply with measures and limitations.	Prior to issuance of demolition and/or building permits. During all project construction activities.

Mitigation Monitoring and Reporting Program

Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
	percentage of Tier 4 engines increasing over the next several years.						
	MM AQ-3: Require Low-VOC Coatings During Construction¹ All applicants proposing development of projects within Belmont shall require their contractors, as a condition of contract, to reduce construction-related fugitive ROG emissions by ensuring that low-VOC coatings that have a VOC content of 10 grams/liter (g/L) or less are used during construction. The project applicant will submit evidence of the use of low-VOC coatings to BAAQMD prior to the start of construction.	Construction Contractor BAAQMD Air Quality Inspector	Community Development Department Director or their designee		Prior to the start of construction.	Incorporate requirements into the construction contracts and/or construction bid solicitation materials. Comply with measures and limitations.	Prior to issuance of demolition and/or building permits. During all project construction activities.
	MM AQ-4: Require Fugitive Dust Best Management Practices¹ All applicants proposing development of projects within Belmont shall require their contractors, as a condition of contract, to reduce construction-related fugitive dust by implementing BAAQMD's basic control measures at all construction and staging areas. The following measures are based	Project Applicant or their designee Construction Contractor	Community Development Department Director or their designee		Throughout the duration of construction activities.	Incorporate requirements into the construction contracts and/or construction bid solicitation materials. Respond to any dust complaints.	Prior to issuance of demolition and/or building permits. During all project construction activities.

Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
	on BAAQMD's current CEQA guidelines. - All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) will be watered two times per day. - All haul trucks transporting soil, sand, or other loose material offsite will be covered. - All visible mud or dirt track-out onto adjacent public roads will be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. - All vehicle speeds on unpaved roads, driveways, or driving surfaces shall be limited to 15 mph. - All roadways, driveways, and sidewalks to be paved will be completed as soon as possible. Building pads will be laid as soon as possible after						

Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
	grading unless seeding or soil binders are used. Post a publicly visible sign with the telephone number and the name of the person to contact at the lead agency regarding dust complaints. This person will respond and take corrective action within 48 hours. The phone number of the District will also be visible to ensure compliance.						
Biological Resources							
BIO-1	MM BIO-1.1 Avoidance and Preconstruction Surveys Seasonal Avoidance. Tree removal, demolition, and the start of construction activities shall be scheduled to avoid the nesting season <u>for breeding and special status bird species</u> . If such activities take place outside the nesting season, all impacts on nesting birds protected under the MBTA and California Fish and Game Code will be avoided. The nesting season for most birds in San Mateo County extends from February 1 through August 31, <u>and January 15 through August 31 for CRRRA</u> . Preconstruction/Pre-disturbance Surveys. If it is not possible to	Project Applicant CDFW and USFWS-approved Biologist	Community Development Department Director or their designee		Applicant to schedule on-site tree removal, demolition, and grading to occur outside of the nesting and breeding season (February 1 through September 1 and January 15 through August 31) to avoid nest disturbance. If surveys are required, results shall be submitted to the Community Development	Community development Department to review and confirm any potentially required survey results.	Prior to tree removal. During all project construction activities.

Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
	schedule construction activities between September 1 and January ~~31~~<u>14</u>, then preconstruction surveys for nesting birds shall be conducted by a qualified biologist to ensure that no nests of migratory birds will be disturbed during project implementation. These surveys shall be conducted no more than 7 days prior to the initiation of tree removal, demolition, ground disturbance, or construction activities for each construction phase. During this survey, the biologist will inspect all trees and other potential nesting habitats (e.g., trees, shrubs, buildings, and the ground) in and immediately adjacent to the impact areas for migratory bird nests. <u>In addition to the general surveys above, a CDFW and USFWS-approved biologist shall conduct protocol-level surveys of CRRA and BLRA in suitable habitats adjacent to the project using the 2017 California Clapper Rail Survey Protocol.</u> Buffers. If an active nest is found within areas that would be disturbed by project activities, the ornithologist will determine the				Department prior to commencement of site work/tree removal.		

Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
	extent of a construction-free buffer zone to be established around the nest (typically 300 ft for raptors and 100 ft for other species), to ensure that no nests of species protected by the MBTA and California Fish and Game Code will be disturbed during project implementation. <u>If CRRA or BLRA are found in suitable habitat near the project site, a 700-foot no-work buffer shall be implemented between construction activity and any current-year breeding CRRA and BLRA detections if construction cannot be avoided during the rail breeding season. If a 700-foot buffer is not feasible, noise reduction through modification to equipment and/or implementation of acoustic barriers/blankets may be employed to attenuate noise and reduce visual impacts to breeding rails. Buffers and/or physical barriers shall be established in consultation with CDFW.</u> Inhibition of Nesting. If construction activities will not be initiated until after the start of the nesting season, all potential nesting substrates (e.g., bushes,						

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Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
	trees, grasses, and other vegetation) that are scheduled to be removed by the project may be removed prior to the start of the nesting season (e.g., prior to February 1 or January 15). This will preclude the initiation of nests in this vegetation and prevent the potential delay of the project due to the presence of active nests in these substrates.						
	MM BIO-1.2 Project Construction Precautionary Measures Worker Environmental Awareness Program. Before any construction activities begin, a qualified biologist shall conduct a training session for all construction personnel. At a minimum, the training will include descriptions of the salt marsh harvest mouse and salt marsh wandering shrew, their habitats, the laws protecting them, the general measures that are being implemented to conserve these species as they relate to the project, and the boundaries within which the project may be accomplished. <u>Upon completion of the Worker Environmental Awareness Program, all construction personnel shall sign</u>	Project Applicant Qualified Biologist	Community Development Department Director or their designee		Construction awareness training and barrier and fencing installation to occur prior to any demolition or construction activities. If a salt marsh harvest mouse, salt marsh wandering shrew, or an animal that could be one of these species is observed on the project site, all construction activities will be	Community Development Department to review and provide confirmation of reception of monthly construction personnel list. Community Development Department to verify required measures.	Prior to construction activities. During all project site preparation and construction activities.

Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
	<u>an affidavit stating they attended the training and understand all information and protection measures presented. These forms shall be provided to the City prior to the commencement of construction activity and monthly prior to new personnel beginning work on the project.</u> Exclusion Barrier. Prior to the start of construction activities along the eastern edge of the project site, a barrier will be installed at the outer limits of the work area on the east side of the project site to exclude salt marsh harvest mice and salt marsh wandering shrews from the project site. This barrier will consist of a 3-ft tall, tight cloth, smooth plastic, or sheet-metal (or similar material) fence toed into the soil at least 3 inches deep and supported with stakes placed on the inside of the barrier. Following the installation of the barrier, designated construction personnel will check its integrity each morning that construction activities occur and will initiate repairs immediately as needed. Environmentally Sensitive Area Fencing. Prior to the start of construction activities along the				halted until a qualified biologist is able to handle the discovered species.		

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Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
	eastern edge of the project site, the project limits on the east side of the site will be clearly demarcated with highly visible Environmentally Sensitive Area fencing to avoid inadvertent disturbance of any habitat outside of the designated construction area during construction activities. This fencing may be combined with the exclusion barrier but must not be outside that barrier. Immediate Work Stoppage. If a salt marsh harvest mouse, salt marsh wandering shrew, or an animal that could be one of these species is observed on the project site during project activities, all work that could result in the injury or death of the animal will stop immediately and a qualified biologist will be immediately notified. The animal will be allowed to leave the area on its own and shall not be handled except by a qualified biologist authorized to do so.						
	MM BIO-1.3 Water Quality During construction, the contractor shall employ the following measures to treat and	Construction Contractor	Community Development Department Director or their designee		Throughout the duration of construction activities.	Incorporate requirements into the project plans, construction contracts and/or construction bid	During project site preparation and construction activities.

Mitigation Monitoring and Reporting Program

Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
	minimize runoff from the project site. - All relevant erosion control, sediment control, source control, treatment control, material management, and stormwater management measures consistent with the latest edition of the California Stormwater Quality Association "Stormwater Best Management Practices Handbook," will be implemented. - Spill prevention kits shall always be in close proximity when using hazardous materials (e.g., crew trucks and other logical locations). - If any fueling of equipment needs to occur in areas directly draining to the wetlands along Belmont Creek, containment shall be provided in such a manner that any accidental spill of fuel shall not be able to enter the water or contaminate					solicitation materials. Comply with measures and limitations.	

Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
	sediments that may come in contact with water. - A hazardous materials management/fuel spill containment plan will be developed and implemented by the construction contractor and given to all contractors working on the project, with at least one copy of the plan located on the site at all times. - Vehicles will be checked daily for oil or fuel leaks and will be washed only at an approved area. No washing of vehicles will occur within areas directly draining to the wetlands along Belmont Creek. - Within 100 ft of tidal wetlands along Belmont Creek, the work site, areas adjacent to the site, and access areas will be maintained in an orderly condition, free and clear from debris and discarded materials. Personnel will not sweep,						

Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
	grade, or flush surplus materials, rubbish, debris, or dust onto adjacent areas or wetlands or waterways. Upon completion of work, all building materials, debris, unused materials, concrete forms, and other construction-related materials will be removed from the project site. • Stockpiled materials in areas draining to the tidal wetlands along Belmont Creek will be covered by plastic sheeting, tarps, or similar material that can be secured during wind and rain. A sediment fence or berm will be installed around stockpiled dredged material to prevent runoff from transporting sediment into sensitive habitats (such as wetlands and open waters). • Water conservation methods will ensure that water used in the project						

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Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
	site does not create surface flows capable of carrying pollutants to the nearby slough channel. Silt fencing will be erected along the limits of disturbance between the project site and wetlands along Belmont Creek during construction activities that could potentially result in siltation of wetlands and open waters of Belmont Creek.						
	MM BIO-1.4 Project Lighting The following measures shall be identified on the project's final improvement plans and incorporated into the project design to reduce the effects of glare or increased luminance experienced by migratory birds and wildlife using Belmont Creek: Exterior lighting shall be minimized (e.g., by turning lights off) in accordance with recommendations from the International Dark-Sky Association (2011) from midnight until	Project Applicant or designee Qualified biologist	Community Development Department Director or their designee		Prior to approval of project plans.	Submit project plans to City Building Division that meet the requirements of the mitigation measure. Peer review and approval of the above by a qualified biologist with appropriate expertise.	Prior to issuance of building permits.

Mitigation Monitoring and Reporting Program

Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
	dawn, at a minimum, except as needed for safety and City code compliance. Spillage of lighting from building interiors shall be minimized using occupancy sensors, dimmers, or other mechanisms from midnight until dawn, at a minimum, during bird migration seasons (February–May and August–November). This measure may be voluntarily implemented year-round.						
Cultural Resources							
CR-2	MM CR-2.1 Cultural Awareness Training Prior to any project-related ground disturbance, all construction workers shall receive training overseen by a qualified professional archaeologist who is experienced in teaching non-specialists to ensure that contractors can recognize archaeological resources in the event that any are discovered	Construction Contractor Qualified Archaeologist	Community Development Department Director or their designee		Prior to ground disturbing activities.	Community Development Department to review and provide confirmation of reception of monthly construction personnel list.	Prior to ground disturbing activities. During all ground disturbance activities.

Mitigation Monitoring and Reporting Program

Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
	during construction. The construction staff directly overseeing excavation, or operating ground-disturbing vehicles, will be required to participate in this preconstruction training. <u>Upon completion of the preconstruction training, all construction personnel shall sign an affidavit stating they attended the training and understand all information and protection measures presented. These forms shall be provided to the City prior to the commencement of construction activity and monthly prior to new personnel beginning work on the project.</u>						
	MM CR-2.2 Inadvertent Discovery of Archaeological Resources If unknown precontact or historic-period archaeological materials are encountered during project activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. Cultural resources materials may include precontact resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as	Construction Contractor Qualified Archaeologist	Community Development Department Director or their designee		During ground disturbing activities; prior to issuance of grading permit.	Community Development Department to verify language is included in grading plans.	Prior to issuance of grading permits.

Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
	historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations shall be required to mitigate adverse impacts from project implementation. These additional studies may include, but are not limited to, recordation, archaeological excavation, or significance evaluation. The applicant shall inform its contractor(s) of the sensitivity of the project site for archaeological deposits and include the following directive in the appropriate contract documents: “The subsurface of the construction site may contain archaeological deposits. If archaeological deposits are encountered during project subsurface construction, all ground-disturbing activities within 25 feet shall be redirected and a qualified archaeologist shall assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery.						

Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
	Project personnel shall not collect or move any archaeological materials. Archaeological deposits can include, but are not limited to, shellfish remains; bones, including human remains; flakes of, and tools made from, obsidian, chert, and basalt; mortars and pestles; historical trash deposits containing glass, ceramics, and metal artifacts; and structural remains, including foundations and wells.” The City shall verify that the language has been included in the grading plans prior to issuance of a grading permit or permit for other project actions that include ground-disturbing activities on the project site.						
CR-3	MM CR-3.1 Inadvertent Discovery of Human Remains In the event that human remains are identified during project construction, the remains will be treated in accordance with California Health and Safety Code Section 7050.5 and PRC Section 5097.98, as appropriate. In the event of the discovery or recognition of any human remains in any location other than a dedicated cemetery, Section 7050.5 of the California Health	Construction Contractor Qualified Archaeologist San Mateo County Coroner California Native American Heritage Commission	San Mateo County Coroner		During ground disturbing activities.	Compliance if any human remains are discovered on the project site.	During all ground-disturbing activities.

Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
	and Safety Code states that there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains were discovered has determined whether or not the remains are subject to the coroner's authority. If the human remains are of Native American origin, the coroner must notify the NAHC within 24 hours of identification. The NAHC will identify a Native American MLD to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. PRC Section 5097.98 states that the NAHC, upon notification of the discovery of Native American human remains, pursuant to California Health and Safety Code Section 7050.5, shall immediately notify those persons (i.e., the MLD) it believes to be descended from the deceased. With permission of the landowner or a designated representative, the MLD may inspect the remains and any associated cultural materials and make recommendations for the treatment or disposition of the						

Mitigation Monitoring and Reporting Program

Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
	remains and associated grave goods. The MLD shall provide recommendations or preferences for treatment of the remains and associated cultural materials within 48 hours of being granted access to the site.						
Geology & Soils							
GEO-6	MM GEO-6.1 Final Geotechnical Evaluation A final construction level geotechnical evaluation shall be required for the project. The project shall be required to adhere to and incorporate all standards and recommended engineering measures to mitigate for settlement concerns related to lateral spreading from compression of underlying near-surface soils layers and Bay Mud layers. The final geotechnical evaluation will be provided to the City for review and approval prior to the issuance of building permits	Project Applicant or their designee Qualified Engineer	Community Development Department Director or their designee		Prior to the issuance of building permits.	Review and approval of the Geotechnical Evaluation.	Prior to the issuance of building permits.
GEO-7	MM GEO-7.1 Inadvertent Discovery of Paleontological Resources In the event that fossils or fossil-bearing deposits are discovered during construction activities, work shall be temporarily halted	Project Applicant or their designee Construction Contractor Qualified Paleontologist	Community Development Department Director or their designee		During ground disturbing activities.	Compliance if any human remains are discovered on the project site	During all ground disturbing activities.

Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
	with a 25-foot radius of the discovered materials and workers should avoid altering the materials and their context until a qualified paleontologist has evaluated the situation and provided appropriate recommendations. Construction and potential impacts to the area(s) within a radius determined by the paleontologist shall not recommence until the assessment is complete. If it is determined that the proposed development could damage unique paleontological resources, mitigation shall be implemented in accordance with Public Resources Code Section 21083.2 and Section 15126.4 of the CEQA Guidelines. Possible mitigation under Public Resources Code Section 21083.2 requires that reasonable efforts be made for resources to be preserved in place or left undisturbed. If preservation in place is not feasible, the applicant shall mitigate significant effects. Excavation as mitigation shall be limited to those parts of resources that would be damaged or destroyed by a project. Possible mitigation under CEQA						

Mitigation Monitoring and Reporting Program

Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
	emphasizes preservation-in-place measures, including planning construction avoid paleontological sites, incorporating sites into parks and other open spaces, covering sites with stable soil, and deeding the site into a permanent conservation easement. Under CEQA Guidelines, when preservation in place is not feasible, data recovery through excavation shall be conducted with a data recovery plan in place.						
Hazards & Hazardous Materials							
HAZ-1	MM HAZ-1.1 Pre-Demolition Surveys and Management Plan Prior to demolition and removal of material from the site, the project applicant shall conduct surveys and testing for asbestos containing building materials (ACBMs), lead based paints and products, mercury and polychlorinated biphenyl caulking products. If such materials are not identified, no further action is required. If these materials are identified, the applicant shall prepare and implement an Operation and Management (O&M) Plan for removal and disposal. The O&M Plan shall be prepared consistent with National Emissions Standards	Project Applicant or their designee City Building Official	Community Development Department Director or their designee		Prior to demolition and material removal activities.	Review and approve O&M Plan, if specified materials are identified.	Prior to issuance of demolition or construction permits.

Mitigation Monitoring and Reporting Program

Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
	for Hazardous Air Pollutants (NESHAP) guidelines for the removal of potentially friable ACBMs and other materials if present. The plan shall be reviewed and approved by the City of Belmont prior to implementation. Removal and disposal work will be completed pursuant to all federal, State and local regulations by certified professionals.						
HAZ-1	MM HAZ-1.2 Imported Fill Prior to depositing fill on the project site, all imported soil and fill material shall be tested to ensure any contaminants of concern are within DTSC and U.S. Environmental Protection Agency Regional Screen Levels for the intended land use. To minimize the possibility of introducing contaminated soil and fill material the applicant shall document the origins of the soil or fill material and, if applicable, conduct sampling to ensure that the imported soil and fill material meets screening levels outlined in the Preliminary Endangerment Assessment (PEA) Guidance Manual.	Project Applicant or their designee	Community Development Department Director or their designee		Prior to fill-depositing activities.	Review documented origins of soil and fill material.	Prior to fill-depositing activities.

Mitigation Monitoring and Reporting Program

Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
HAZ-1	MM HAZ-1.3 Management of Potentially Hazardous Materials If BSL 3 certification is pursued, the life science laboratory/office buildings shall be designed and constructed as BSL 3 facilities. For any BSL level, the project sponsor shall independently pursue and obtain all necessary federal, state and local approvals, permits, certifications and/or licenses for the design, operation, transport, use and disposal of materials used. Proof of compliance and all related management plans shall be provided to the City of Belmont prior to building occupancy.	Project Applicant or their designee City Building Official.	Community Development Department Director or their designee		Prior to building occupancy.	Review proof of compliance and all related BSL 3 management plans.	Prior to building occupancy.
HAZ-2	MM HAZ-2.1 Emergency Response Plan and First Responder Training Prior to building occupancy for BSL 3 use, the project sponsor or lab operator shall prepare and submit an emergency response plan to the City of Belmont and San Mateo Consolidated Fire Department (SMC Fire) tailored to the specific lab operations, hazardous materials and class of pathogens expected to be present. Based on those specific pathogens	Project Applicant or their designee City Building Official SMC Fire Redwood City Fire Department	Community Development Department Director or their designee SMC Fire		Prior to building occupancy.	Review and approve the BSL 3 emergency response plan for the project. Conduct specialized training and education session(s)	Prior to building occupancy. As needed during BSL 3 operations.

Mitigation Monitoring and Reporting Program

Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
	or other hazardous substances, the project sponsor or lab operator shall also conduct specialized training and education session(s) with SMC Fire hazmat personnel and the Redwood City Fire Department regarding lab operations. This training shall be specific to the biohazards present at the facility, strategy for response and potential need for specialized equipment and/or vaccination protocols, if warranted. Training shall be periodic and updated as needed based on the biohazards present.						
Noise & Vibration							
N-1	MM N-1.1 Construction Noise Control Plan The applicant shall identify site-specific noise attenuation measures to be included with construction plans to reduce noise to levels below the FTA threshold of 80 dBA Leq. Prior to commencement of construction activities, the applicant shall submit the construction noise control plan to the city for review and approval. Noise attenuation measures shall be identified in the plan and implemented to reduce noise levels to the greatest extent	Project Applicant or their designee Construction Contractor	Community Development Director or their designee		Prior to commencement of construction activities.	Review and approve the prepared construction noise control plan.	Prior to the issuance of any construction permit.

Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
	feasible. Noise measures may include, but are not limited to, the following: • Using smaller equipment with lower horsepower or reducing the hourly utilization rate of equipment on the site to reduce noise levels at 50 feet to the allowable level. • Locating construction equipment as far as feasible from noise-sensitive uses. • Requiring that all construction equipment powered by gasoline or diesel engines have sound control devices that are at least as effective as those originally provided by the manufacturer and that all equipment be operated and maintained to minimize noise generation. • Prohibiting gasoline or diesel engines from having unmuffled exhaust systems • Not idling inactive construction equipment for prolonged periods (i.e., more than 2 minutes).						

Mitigation Monitoring and Reporting Program

Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
	• Constructing a solid plywood barrier around the construction site and adjacent to operational businesses, residences, or other noise-sensitive land uses. • Using temporary noise control blanket barriers. • Monitoring the effectiveness of noise attenuation measures by taking noise measurements. • Using “quiet” gasoline-powered compressors or electrically powered compressors and electric rather than gasoline- or diesel-powered forklifts for small lifting.						
N-1	MM N-1.2 Reduce Noise from Project Mechanical Equipment To reduce potential noise effects resulting from project heating, cooling, and ventilation equipment as well as project emergency generators at the proposed project, a supplemental noise analysis shall be prepared to estimate the actual noise levels of project-specific equipment once the equipment models and design	Project Applicant or their designee Qualified Acoustical Analyst and/or Engineering Professional	Community Development Department Director or their designee		Prior to the issuance of building permits	Review and approve project plans with incorporated acoustical analysis recommendations.	Prior to the issuance of building permits.

Mitigation Monitoring and Reporting Program

Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
	features to attenuate noise have been selected. The analysis shall be conducted prior to the issuance of building permits and shall be prepared by persons qualified in acoustical analysis and/or engineering, demonstrating with reasonable certainty that the mechanical equipment selected for the project and the attenuation features incorporated into project design would not result in an exceedance of the applicable City noise standards of 45 dBA L_{eq} and 65 dBA L_{max} during the nighttime and 55 dBA L_{eq} and 70 dBA L_{max} during the daytime. Options to reduce noise from heating and cooling equipment include enclosing equipment in mechanical equipment rooms, shielding equipment with mechanical screens at least as tall as the equipment, and selecting quieter equipment models. All recommendations from the acoustical analysis necessary to ensure that noise sources meet the above standards shall be incorporated into the building design and operations. This measure should be implemented concurrently with MM AES-1.1						

Mitigation Monitoring and Reporting Program

Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
	(Construction Screening) to provide a barrier that addresses both visual and noise effects.						
Transportation and Circulation							
TRA-1	MM TRA-1 Final Transportation Demand Management Program Prior to occupancy, the project shall prepare and implement a final transportation demand management (TDM) program to reduce the project's VMT to below the significance threshold as noted in Table 17-1. The program includes encouraging employees to use alternative modes of transportation to single-occupant vehicles. The City of Belmont has an adopted TDM policy requiring projects that exceed 50,000 square feet to achieve 18 TDM points. Compliance with the city's TDM policy would reduce the project trips and the VMT by an estimated 15 percent or more, which would be more than the required 7.4 percent reduction needed if using the C/CAG VMT estimation tool and the 6.0 percent reduction needed if using the C/CAG travel demand model. The effectiveness of the TDM plan shall be reviewed annually and	Project Applicant or their designee	Community Development Director or their designee		Prior to building occupancy.	Conduct annual review of the project's TDM Plan.	Prior to building occupancy and annually, or as adjusted, thereafter.

Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
	adjusted as necessary to maintain these trip and VMT reductions.						
TRA-2	TRA-2 Transit Improvements To enhance transit service and facilities consistent with City policy, the project sponsor shall coordinate with the City and Commute.org to reestablish local shuttle service such as the Redwood LIFE Caltrain shuttle stop at the project site that connects to the San Carlos Belmont Caltrain Station and Redwood Shores community. Because the feasibility, demand and location of additional shuttle stops are ultimately determined by Commute.org and the transit operator, the applicant's responsibility is limited to supporting a shuttle stop on the property, participating in applicable employer-based funding mechanisms, identifying a shuttle stop location on the project's final improvement plans, and promoting use of the shuttle and alternative modes of transportation through the project's TDM program.	Project Applicant or their designee Department of Public Works Director or their designee	Department of Public Works Director or their designee		Prior to building occupancy and throughout project operations.	Reestablish local shuttle services.	Throughout project operations.

Mitigation Monitoring and Reporting Program

Impact Number	Mitigation Measures	Implementation Responsibility	Agency Responsible for Monitoring	City Staff Notes, Initials / Date when Done	Timing of Implementation	Monitoring Action	Monitoring Frequency
Tribal Cultural Resources							
TR-2	Refer to MM CR-2.1, MM CR-2.2, and MM CR-3.1.	Refer to MM CR-2.1, MM CR-2.2, and MM CR-3.1.	Refer to MM CR-2.1, MM CR-2.2, and MM CR-3.1.		Refer to CR-2.1, MM CR-2.2, and MM CR-3.1.	Refer to MM CR-2.1, MM CR-2.2, and MM CR-3.1.	Refer to MM CR-2.1, MM CR-2.2, and MM CR-3.1.
Utilities & Service Systems							
UTIL-1	Refer to MM N-1.1, MM AES-1.1, MM AQ-1, MM AQ-3, and MM AQ-4.	Refer to MM AES-1.1, MM AQ-1, MM AQ-3, and MM AQ-4.	Refer to MM AES-1.1, MM AQ-1, MM AQ-3, and MM AQ-4.		Refer to MM AES-1.1, MM AQ-1, MM AQ-3, and MM AQ-4.	Refer to MM AES-1.1, MM AQ-1, MM AQ-3, and MM AQ-4.	Refer to MM AES-1.1, MM AQ-1, MM AQ-3, and MM AQ-4.
¹ MM AQ-1, MM AQ-3, and MM AQ-4 were established in the City's General Plan EIR document and are included, as applicable, to mitigate potential air quality impacts related to the project.							

Appendix A: Written Public Comments Received on the Draft EIR

San Francisco Bay Conservation and Development Commission

375 Beale Street, Suite 510, San Francisco, California 94105 tel 415 352 3600 fax 888 348 5190

State of California | Gavin Newsom – Governor | info@bcdc.ca.gov | www.bcdc.ca.gov

November 22, 2024

City of Belmont

1 Twin Pines Ln, Suite 310

Belmont, CA 94002

ATTN: Carlos de Melo, Community Development Director

Via E-mail: cdemelo@belmont.gov

SUBJECT: Comments on the Draft Environmental Impact Report for the 1301 Shoreway Project; BCDC Inquiry File No. SM.BM.2024.01

Dear Carlos,

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the 1301 Shoreway Project (Project).

1-1

The San Francisco Bay Conservation and Development Commission (BCDC) is providing the following comments as a responsible agency with discretionary approval power over aspects of the Project, as described below. BCDC will rely on the Final EIR when considering its approvals for the Project, and we appreciate this opportunity to comment on the information and analyses presented in the DEIR. The Commission itself has not reviewed the DEIR; the following comments are based on BCDC staff review of the DEIR, the McAteer-Petris Act (Title 7.2 of the California Government Code), and the *San Francisco Bay Plan* (Bay Plan).

San Francisco Bay Conservation and Development Commission

BCDC is a State planning and regulatory agency with permitting authority over San Francisco Bay, the Bay shoreline, and Suisun Marsh, as established in the McAteer-Petris Act and the Suisun Marsh Preservation Act. Per the McAteer-Petris Act, BCDC is responsible for granting or denying permits for any proposed fill; extraction of materials; or substantial changes in use of any water, land, or structure within the Commission's jurisdiction (Government Code Section 66632). Additionally, BCDC establishes land use policies for the Bay as a resource and for development of the Bay and shoreline in the Bay Plan, which provides the basis for the Commission's review and actions on proposed projects.

BCDC Jurisdiction

The Project site is partially located within the shoreline band area of BCDC's permitting jurisdiction, consisting of all territory located between the shoreline of the Bay and 100 feet landward of and parallel with the shoreline (Government Code Section 66610[b]). The Project team has previously worked with BCDC staff to map the limits of this jurisdictional area. Areas in the shoreline band jurisdiction include the shoreline, most of the open space and public access amenities, and portions of the surface parking lot located near Belmont Creek.

1-2



The Bay shoreline for this Project should be determined as Mean Sea Level (MSL) + 5 feet due to the presence of tidal marsh. In this area, MSL is located at 3.35 NAVD88, so the Bay shoreline would be 8.35 ft NAVD88. It is not clear whether Figure 3-4 (Proposed Site Plan) in the DEIR correctly shows the BCDC jurisdiction since the shoreline topography is not shown and it's marked as "Not to Scale." Please correct the BCDC jurisdiction map to show the Bay shoreline and the 100-foot shoreline band drawn to scale.

Environmental Analyses

Below are BCDC staff's remaining questions and comments on the DEIR, organized by environmental topic.

1-3

BIOLOGICAL RESOURCES

In BCDC's comments to the NOP, we requested that "In defining the study area for the biological resources analysis in the DEIR, please include any areas of the Bay that may be affected by site preparation and construction activities and the ongoing operation of the Project, including those that might be affected by light, sound, debris, runoff, etc. Additionally, please provide a detailed analysis of any potential impacts in and along Belmont Creek." Upon our review of the additional analysis provided in the DEIR, we have determined that issues remain with the DEIR's assessment of impacts on biological resources.

Please also note that section 7.4.3 incorrectly incorporates the McAteer-Petris act under Local Applicable Regulations, Plans, and Standards, and it should instead be categorized as at the State level. It may also be useful to cite that the McAteer-Petris Act is Title 7.2 of the California Government Code. Additionally, please make the following corrections to that paragraph:

1-4

The McAteer-Petris Act, enacted on September 17, 1965, serves as a legal provision under California State law to preserve San Francisco Bay from indiscriminate filling. The Act initially established the BCDC as a temporary State agency charged with preparing a plan for the long-term use of the San Francisco Bay. In August 1969, the McAteer-Petris Act was amended to make BCDC a permanent regulatory agency and to incorporate the policies of the Bay Plan. BCDC jurisdiction includes the San Francisco Bay and a 100-foot-wide band along the Bay shoreline of the San Francisco Bay, as well as other areas not relevant to this particular project. The Bay shoreline is defined as all areas that are subject to tidal action from the south end of the San Francisco Bay to the Golden Gate (Point Bonita–Point Lobos), and to the Sacramento River line (a line between Stake Point and Simmons Point, extended northeasterly to the mouth of Marshall Cut), including– ~~The BCDC will claim~~ all sloughs, and (specifically the marshlands lying between mean high tide and up to 5 feet above mean sea level where marsh vegetation is present); tidelands (lands lying between mean high tide and mean low tide); and submerged lands (land lying below mean low tide) in this region. The McAteer-Petris Act also provides that within the 100-foot shoreline band, the BCDC may deny an application for a permit on the grounds that the project fails to provide maximum feasible public access, consistent with the proposed project, to the Bay and its shoreline. requires

~~that “maximum feasible public access, consistent with a project be included as part of each project to be approved by the BCDC.”~~

HAZARDS AND HAZARDOUS MATERIALS

In BCDC’s comments on the NOP, we requested that the DIER “consider the potential for groundwater rise to mobilize below-ground contaminants.... please include a discussion of whether groundwater rise could potentially mobilize below-ground contaminants at the Project site.” Please reference the following comments (Hydrology and Water Quality, 2) on stormwater management as they relate to groundwater rise and the mobilization of toxic contaminants.

1-5

HYDROLOGY AND WATER QUALITY

In BCDC’s comments on the NOP, we noted that the DEIR should incorporate Bay Plan policies on Water Quality and Climate Change and include analysis of relevant sea level rise scenarios in accordance with the best available science (currently considered to be the Ocean Protection Council’s 2024 Sea Level Rise Guidance). Upon our review of the additional analysis provided in the DEIR, we have determined that issues remain with the DEIR’s assessment of impacts from Sea Level Rise as the management of stormwater.

1-6

1. **Sea-level rise and flood resilience.** Section 13.3.2 considers the SLR resilience of the site by looking at MHHW plus 2 feet of sea level rise, since the City requires development to be at least 2 feet above the FEMA base flood elevation, which here is 10 feet NAVD88. However, The Ocean Protection Council’s 2024 State of California Sea Level Rise Guidance ¹ predicts 2 feet of sea level rise for about the year 2070. Per San Francisco Bay Plan Climate Change policies, the DEIR should include analysis of sea level rise impacts to the end of the Project’s life (or otherwise end-of-century), which is assumed to be 2100, when sea level rise is predicted to be about 5 feet.

1-7

Please note that the Project is not consistent with OneShoreline’s Planning Policy Guidance, ² which should be incorporated into the local regulatory setting (13.4.3). Additionally, please also note that BCDC policies require that future work maintain sea level rise resilience to the end of the Project life, including public access within BCDC jurisdiction. The DEIR analysis of flood projections for this site should consider both sea level rise and creek outflows, using future projections for rainfall in the Belmont Creek watershed.

1-8

¹ opcc.ca.gov/wp-content/uploads/2024/05/California-Sea-Level-Rise-Guidance-2024-508.pdf

² <https://oneshoreline.org/wp-content/uploads/2023/09/OneShoreline-Planning-Policy-Guidance-Final-June-21-2023-For-Print.pdf>

2. **Storm-water.** BCDC previously requested that the DEIR conduct an analysis of the impacts of groundwater rise. Based on the analysis provided, BCDC is concerned that the proposed stormwater management system could result in Project impacts that are not currently accounted for in the DEIR. Groundwater is shallow onsite (about 3 feet below the current grade, or 10 feet NAVD88), and appears the grades are being raised by about 2 feet. This will locate groundwater about 5 feet below grade. Per section 13.5.4, the Project drainage will rely on stormwater infiltration of permeable areas and detention basins to meet requirements. However, since storm drain piping is likely to be installed to depths of about 5 feet below ground, it will quickly fill with groundwater due to leaks in the system and lose capacity. Since groundwater levels will rise with sea level rise, groundwater will be within 3 feet of the ground surface (2 foot rise) by 2070 after which time stormwater infiltration will cease to be effective³.

1-9

The EIR Project Description should include a description of work needed to maintain the function of the storm drain system over the life of the Project, and the analysis should take into account the effects of future groundwater rise.

3. **Drainage patterns.** For Impact Analysis HYD-3, please include a discussion that explains how raising the elevation of the site would not increase the rate and volumes of flow off of the site into adjacent areas.
4. **Flood hazards.** For Impact Analysis HYD-4, please incorporate potential flooding from groundwater rise over the life of the Project into the analysis of whether a flooding event could risk the release of pollutants. Additionally, please include a brief characterization of what the analysis considers to be a pollutant (and note that the contents of sewer lines, etc. should also be considered pollutants in this context).

1-10

1-11

LAND USE AND PLANNING

As BCDC previously noted in our comments on the NOP, "The McAteer-Petris Act and the Bay Plan are a State law and a land use plan, respectively, adopted for the purpose of avoiding or mitigating an environmental effect and should be included in the regulatory settings for this section as well as considered in the impact analysis." However, the DEIR does not reference the Bay plan or McAteer-Petris Act in Section 14.4 (Applicable Regulations, Plans, and Standards) or the accompanying analysis.

1-12

³[https://www.sfei.org/sites/default/files/biblio_files/Shallow%20Groundwater Sea%20Level%20Rise Pathways SFEI 2022 v2 2.pdf](https://www.sfei.org/sites/default/files/biblio_files/Shallow%20Groundwater%20Sea%20Level%20Rise%20Pathways%20SFEI%202022%20v2%202.pdf)



PUBLIC SERVICES AND RECREATION

Thank you for including the adjacent Belmont Creek Trail segments and connected planned and existing recreation areas in the study area. However, in BCDC's comments on the NOP, we requested that, for the recreation analysis, the DEIR also "identify the service area and service population for these facilities, assess whether the recreational facilities provided are commensurate with the need generated by the Project, and consider whether the Project has the potential to result in the physical deterioration of these facilities."

1-13

BCDC also previously requested that the DEIR analysis "should demonstrate that public access and recreational facilities are resilient to projected sea level rise at mid-century, with a comprehensive plan for adaptation through the end of the century. This plan should include strategies for maintaining accessibility, functionality, and safety of recreational and visitor-serving amenities under various sea level rise scenarios. The DEIR should state whether the adaptation or replacement of the proposed public access would require further construction or expansion of recreational facilities and assess whether that may have an adverse effect on the environment."

Conclusion

We appreciate your attention to the topics discussed above and for the opportunity to make the above comments on the DEIR. If you have any questions or concerns regarding this matter, please do not hesitate to contact me at (415)-352-3626 or by email at alyssa.plese@bcdc.ca.gov.

1-14

Sincerely,

DocuSigned by:
Alyssa Plese
E97852452B074AD...
ALYSSA PLESE

Coastal Program Analyst
San Francisco Bay Conservation and Development Commission
375 Beale Street, Suite 510
San Francisco, California 94105
Tel: 415-352-3600
Fax: 888 348 5190
Email: info@bcdc.ca.gov
Website: www.bcdc.ca.gov

cc: State Clearinghouse (state.clearinghouse@opr.ca.gov)

AP / mm





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



November 13, 2024

Chris Dacumos, Senior Planner
City of Belmont
One Twin Pines Lane, Suite 310
San Mateo, CA 94002
CDacumos@goodcityco.com

Subject: 1301 Shoreway Project, Draft Environmental Impact Report,
SCH No. 2024060880, City of Belmont, San Mateo County

Dear Chris Dacumos:

The California Department of Fish and Wildlife (CDFW) received a Notice of Availability of a Draft Environmental Impact Report (EIR) from the City of Belmont (City) for the 1301 Shoreway Project (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹ CDFW previously submitted comments in response to the Notice of Preparation of the draft EIR.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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proposed, for example, the Project may be subject to CDFW's Lake and Streambed Alteration (LSA) regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

Proponent: City of Belmont

Objective: The objective of the Project is to demolish an existing office building at 1301 Shoreway Road and to construct a Class-A building for office, technology, and/or R&D, including life sciences, as well as an associated parking structure.

Primary Project activities include demolition of all existing on-site uses and construction of an 8-story 270,446 square-foot building, a seven-story 271,589 square-foot building, and a 441,280 square-foot parking garage with 9 levels above grade. The total building footprint on the Project site would be 983,315 gross square feet. The parking garage and surface parking lots would provide approximately 1,626 parking stalls.

Location: 1301 Shoreway Road, Belmont, CA 94002, 37.524390, -122.266028. The approximately 6.9-acre Project site is bounded by Shoreway Road and Highway 101 to the southwest, commercial development to the northwest, a Pacific Gas and Electric Company (PG&E) substation to the southeast, and a tidal section of Belmont Creek and narrow strip of ruderal grassland to the northeast.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

I. Mitigation Measures and Impacts

Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or U.S. Fish and Wildlife Service (USFWS)?

COMMENT #1 – California Ridgway's Rail and California Black Rail

Section 7.3.4 Special-Status Species and Sensitive Habitats

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Issue: The draft EIR describes the Project occurring upstream of northern coastal salt marsh habitat that supports populations of California Ridgway's rail (*Rallus obsoletus obsoletus*, formerly California clapper rail, hereafter CRRA), a state and federally endangered and state fully protected species, and California black rail (*Laterallus jamaicensis coturniculus*, BLRA), a state threatened and state fully protected species (California Natural Diversity Database [CNDDB] 2024). Further, the draft EIR describes how the Project site is directly adjacent to tidal marsh habitat and exposed mudflats of Belmont Creek, which may serve as a wildlife movement corridor for special-status species that occur nearby.

Specific impact: Direct mortality of CRRA or BLRA could occur through nest abandonment, loss of potential foraging habitat resulting in reduced reproductive success (loss or reduced health or vigor of eggs or young), inadvertent entrapment or entrainment, or impingement.

Why impact would occur: The Project will include impacts such as noise, groundwork, and operation and movement of equipment and workers that would have the potential to disturb foraging, roosting, and nesting.

Evidence impact would be significant: CRRA and BLRA are fully protected species under California Fish and Game Code (§ 3511 or § 4700) and are either listed under the federal Endangered Species Act, CESA, or both. These species are at great conservation risk and may be experiencing serious population declines or range retractions.

Recommended Potentially Feasible Mitigation Measures

Mitigation Measure 1: Rail surveys

A CDFW and USFWS-approved biologist should conduct protocol-level surveys of CRRA and BLRA in all suitable habitats adjacent to the Project using the 2017 California Clapper Rail Survey Protocol to determine where CRRA or BLRA are present in each year of construction (Wood et al. 2017). CDFW staff are available to collaborate to incorporate calls of BLRA into the protocol to ensure that both species are sufficiently surveyed.

Mitigation Measure 2: Rail Buffers

If CRRA or BLRA are found in suitable habitat near the Project site, appropriate buffers should be incorporated to avoid and minimize impacts to CRRA and BLRA. A 700-foot no-work buffer should be implemented between construction activities and any current-year breeding CRRA and BLRA detections if construction cannot be avoided during the rail breeding season (January 15- August 31 for CRRA, February 1- August 31 for BLRA). If establishing a 700-foot buffer around breeding

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rail detections is not feasible, noise reducing modifications to equipment as well as portable acoustic barriers/blankets placed near noise sources may be appropriate to reduce auditory and visual impacts to breeding rails. Note that these noise reduction features may be appropriate regardless of time of year to minimize impacts to foraging rails as well. CDFW recommends that a qualified avian biologist advise and support buffer establishment in consultation with CDFW.

Mitigation Measure 3: Rail Take Avoidance

Fully protected species such as CRRA and BLRA may not be taken or possessed at any time. In the event a fully protected species is found within or adjacent to the Project site, CDFW recommends that a qualified biologist implement an appropriate no-disturbance buffer (see Mitigation Measure 2) and allow the individual to leave the Project site of its own volition. The qualified biologist should also be on-site during all Project activities to ensure that fully protected species are not being disturbed by Project activities

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 the CNDDDB. The CNDDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

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ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. 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. Payment of the environmental document filing fee is required for the underlying project approval to be operative, vested, and final. (See Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

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CONCLUSION

CDFW appreciates the opportunity to comment on the draft EIR to assist the City in identifying and mitigating Project impacts on biological resources.

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Questions regarding this letter or further coordination should be directed to Shannon Husband, Environmental Scientist, at (707) 337-1364 or Shannon.Husband@Wildlife.ca.gov; or Wesley Stokes, Senior Environmental Scientist (Supervisory) at (707) 339-6066 or Wesley.Stokes@Wildlife.ca.gov.

Sincerely,

DocuSigned by:

B77E8A8211EF486...
Erin Chappell
Regional Manager
Bay Delta Region

ec: Office of Planning and Research, State Clearinghouse (SCH No. 2024060880)

REFERENCES

CNDDDB. 2024. RareFind 5. California Department of Fish and Wildlife Government Version 5.3.0 dated September 29, 2024.

Wood, J.K., Nur, N., Salas, L. and O.M.W. Richmond. 2016. Site-specific Protocol for Monitoring Marsh Birds: Don Edwards San Francisco Bay and San Pablo Bay National Wildlife Refuges. Prepared for the U.S. Fish and Wildlife Service, Pacific Southwest Region Refuge Inventory and Monitoring Initiative. Point Blue Conservation Science. Petaluma, CA.

California Department of Transportation

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November 22, 2024

SCH #: 2024060880
GTS #: 04-SM-2024-00633
GTS ID: 33127
Co/Rt/Pm: SM/101/9.307

Carlos de Melo, Community Development Director
City of Belmont
One Twin Pines Lane, Suite 310
Belmont, CA 94002

Re: 1301 Shoreway Project – Draft Environmental Impact Report (DEIR)

Dear Carlos de Melo:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the 1301 Shoreway Project. 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 October 2024 DEIR.

Please note this correspondence does not indicate an official position by Caltrans on this project and is for informational purposes only.

Project Understanding

The proposed project would result in the demolition of the existing 148,949 square feet (sq. ft.) medical office building and surface parking lot to develop 542,035 sq. ft. of employment uses through the construction of two buildings to serve as a general office and/or research and technology campus. An associated 9-story, 442,690 sq. ft. parking garage would also be constructed. The development also proposes a series of public outdoor amenities that would be accessible from the slough and adjacent trail along Belmont Creek. The 6.9-acre project site is located adjacent to northbound U.S. Route 101 (U.S. 101).

Travel Demand Analysis

The project vehicle miles traveled (VMT) analysis and significance determination are undertaken in a manner consistent with the City of Belmont's adopted Resolution 2021-021 – VMT Policy, which includes recommendations regarding VMT methodology and thresholds of significance. Per the DEIR, this project is found to have a less than

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significant VMT impact with the implementation of a Transportation Demand Management (TDM) plan focused on reducing employee VMT. The project also proposes reestablishing a local shuttle service to connect the office development to the San Carlos Caltrain Station and the Redwood Shores community. The proposed mitigation measures identified in the TDM plan should be documented with annual monitoring reports to demonstrate effectiveness.

Please note that the City/County Association of Governments of San Mateo County's (C/CAG) VMT/Greenhouse Gas (GHG) Model Mitigation Program was awarded through Caltrans' Sustainable Transportation Planning Grant Program to assist project sponsors and developers to identify feasible options for mitigating VMT and GHG emission impacts of land use and VMT-inducing transportation projects in the County. The City is encouraged to collaborate with Caltrans and C/CAG to explore more VMT mitigation program options when needed.

Hydrology

Following review of the October 2024 DEIR, there would be no significant adverse drainage condition expected on U.S. 101 from the proposed project.

Water Quality

In *Section 13.4 Applicable Regulation, Plans, and Standards* of the DEIR, the current National Pollutant Discharge Elimination System (NPDES) 2022 Construction Stormwater General Permit should be referenced unless it is clearly substantiated and justified to use the older versions of the permit for this proposed project.

Construction-Related Impacts

A reminder that the following two Caltrans projects are within the vicinity of the project site and may pose a potential construction conflict. For future project coordination, please contact Rommel Pardo, Senior Project Manager of Program Project Management for San Mateo County at Rommel.Pardo@dot.ca.gov.

- *Project 04-0Q070* – modify and enhance the metering system and guardrails for various U.S. 101 on-ramps, including the on-ramps at Whipple Ave and Hillsdale Blvd.
- *Project 04-2J73A* – pavement rehabilitation and upgrade guardrails along U.S. 101 near Cordilleras Creek Bridge.

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Luana Chen, Transportation Planner, via LDR-D4@dot.ca.gov.

Carlos de Melo, Community Development Director
November 22, 2024
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For future early coordination opportunities or project referrals, please visit Caltrans LDR website ([link](#)) or contact LDR-D4@dot.ca.gov.



Sincerely,

YUNSHENG LUO
Branch Chief, Local Development Review
Office of Regional and Community Planning

c: State Clearinghouse
Chris Dacumos, Senior Planner for City of Belmont

October 28, 2024

Advocates for the Environment

A non-profit public-interest law firm
and environmental advocacy organization



Carlos de Melo
Community Development Director
City of Belmont
1 Twin Pines Lane, Suite 310
Belmont, CA 94002

Via U.S. Mail and email to cdemelo@belmont.gov

Re: Comments on the Draft Environmental Impact Report for the 1301 Shoreway Project,
SCH No. 2024060880

Dear Mr. Melo:

Advocates for the Environment submits the comments in this letter regarding the proposed 1301 Shoreway Project (**Project**), located at 1301 Shoreway Road at the northeast intersection of Shoreway Road and Sem Lane in the City of Belmont (**City**). This Project proposes to demolish an existing office building and construct a 542,000 square-foot office and laboratory space, along with a 442,690 square-foot parking garage, on the 6.9-acre Project site.

We are a non-profit public-interest law firm that uses environmental law to fight to improve the environment in California. We have reviewed the Environmental Impact Report (**EIR**) prepared in October 2024, and submit comments regarding the sufficiency of the EIR's Greenhouse-Gas (**GHG**) analysis under the California Environmental Quality Act (**CEQA**).

The City Should Require the Project to be Net-Zero

Given the current regulatory context and technological advancements, a net-zero significance threshold is feasible and extensively supportable. GHG emissions from buildings, including indirect emissions from offsite generation of electricity, direct emissions produced onsite, and from construction with cement and steel, amounted to 21% of global GHG emissions in 2019. (IPCC Sixth Assessment Report, Climate Change 2022, WGIII, Mitigation of Climate Change, p. 9-4.) This is a considerable portion of global GHG emissions.

It is much more affordable to construct new building projects to be net-zero than to obtain the same level of GHG reductions by expensively retrofitting older buildings to comply with climate change regulations. Climate damages will keep increasing until we reach net zero GHG emissions, and there is a California state policy requiring the state to be net-zero by 2045. It therefore is economically unsound to construct new buildings that are not net-zero.

Environmental groups have achieved tremendous outcomes by litigation under CEQA. Two of the largest mixed-use development projects in the history of California, Newhall Ranch

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(now FivePoint Valencia), and Centennial (part of Tejon Ranch) decided to move forward as net-zero communities after losing CEQA lawsuits to environmental groups. The ability for these large projects to become net-zero indicates that it is achievable, even for large-scale developments. The Applicant for this Project should do the same.

We urge the City to adopt net-zero as the GHG significance threshold for this Project. This threshold is well-supported by plans for the reduction of GHG emissions in California, and particularly the CARB Climate Change Scoping Plans. The CARB 2017 Scoping Plan states that “achieving no net additional increase in GHG emissions, resulting in no contribution to GHG impacts, is an appropriate overall objective for new development.” (CARB 2017 Scoping Plan, p. 101.) Additionally, the CARB 2022 Scoping Plan reaffirms the necessity of a net zero target by expressing: “it is clear that California must transition away from fossil fuels to zero-emission technologies with all possible speed ... in order to meet our GHG and air quality targets.” (CARB 2022 Scoping Plan, p. 184.) CARB further encourages a net-zero threshold in its strategies for local actions in Appendix D to the 2022 Scoping Plan. (CARB 2022 Scoping Plan, Appendix D p. 24-26.)

Moving this Project forward as a net-zero project would not only be the right thing for the City to do, but also would help protect the City and the Applicant from CEQA GHG litigation.

CEQA GHG Significance Analysis

The EIR derived its GHG significance thresholds from the CEQA Appendix G Guidelines: whether the Project would generate GHG emissions that may have a significant impact, and whether the Project would be consistent with an applicable plan, policy, or regulation for the reduction of GHG emissions. (EIR, p. 11-14.) The City used CalEEMod to quantify the net Project’s annual emissions, which were reported to be 4,079 metric tons of carbon dioxide equivalent (MTCO_{2e}) per year. (EIR, p. 11-18.) The EIR concluded that the Project’s GHG emissions would be less than significant after mitigation. (EIR, p. 11-24.)

Chosen Threshold Is Not Supported by Substantial Evidence

As the basis for its significance determination under the first significance threshold, the City chose BAAQMD’s Best Management Practices (BMPs), the implementation of a Transportation Demand Management Program (TDM), and the City of Belmont Climate Action Plan (CAP). (EIR, p. 11-14 –11-19.) However, the City did not provide substantial evidence in the record that complying with these programs is a valid significance threshold to demonstrate a less-than-significant impact.

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Insufficient Evidence for 15% VMT Reduction from TDM Program

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The EIR lacks sufficient evidence to demonstrate the TDM program's effectiveness at achieving a 15% reduction in vehicle miles traveled (VMT). The Project's reliance on the TDM program to ensure compliance with BAAQMD and the City's CAP is therefore misplaced and unsupported by substantial evidence.

The EIR acknowledges that a vast majority of the Project's emissions —nearly 80%— come from mobile sources. (EIR, p. 11-19.) For this reason, reducing VMT would substantially reduce the Project's overall GHG impact. To address this, the EIR proposes to implement a TDM program described under Transportation Mitigation Measure 1 (MM TRA-1). According to this measure, before occupancy, the City shall prepare and implement a final TDM program to reduce the Project's VMT to below the significance threshold. This would include encouraging employees to use alternative modes of transportation to single-occupant vehicles. The City of Belmont TDM policy requires this Project to achieve 18 points. Compliance with the city's TDM policy would reduce the Project's vehicle trips and the VMT by an estimated 15 percent or more, which would be more than the required 7.4 percent reduction needed if using the City/County Association of Governments of San Mateo County (C/CAG) VMT estimation tool, and the 6.0 percent reduction needed if using the C/CAG travel demand model. (EIR, p. 1-24.) While this plan claims that compliance with the TDM policy will lead to a 15% VMT reduction, it fails to provide sufficient evidence for several reasons.

First, this measure lacks performance standards to ensure the TDM program is effective. The measure itself does not list any concrete strategies to bring about the reduction of single-occupant employee vehicles, rather it defers the creation of specific strategies to a future date. Additionally, the term "encouraging" (EIR, p. 1-24) is inherently vague and lacks enforceability as it does not guarantee the implementation of these measures. MM TRA-1 should be aimed at reducing single-occupant vehicles, not simply encouraging alternative transportation. There are many factors that influence an employee's choice of transportation method, including convenience, time, and money. Merely encouraging alternative mechanisms without providing structural changes to make such options more convenient would not lead to measurable reductions in VMT or GHG emissions.

Moreover, the absence of specific strategies and enforceable commitments is insufficient to achieve quantifiable reductions in greenhouse gases, rendering the plan incomplete. Although the City references Belmont's TDM Program Report and Guideline, which requires the Project to reach 18 points to achieve a 15% reduction in VMT, the EIR fails to provide the TDM Program Proposed Project Measures form. This form would detail which specific measures the Project plans to implement and show how the required 18 points are being met. Without these

specific commitments, there is no assurance that the Project will achieve the anticipated VMT reductions under the TDM.

Second, even if the City committed to specific measures in the TDM, the EIR fails to present empirical evidence on why the TDM program will successfully reduce VMT by 15% for a project of this size. The TDM Program Report and Guidebook for the City of Belmont varies the number of points required based on land use and project size, up to 50,000 square feet. Any project over 50,000 square feet must meet 18 points (Report and Guidebook, p. 4.) Because this is the maximum amount of points, this Project would be held to the same 18-point requirement as a project that is more than ten times smaller, but still expected to reach the same 15% reduction. In other words, the City of Belmont's TDM policy applies a one-size-fits-all point system for projects over 50,000 square feet without providing evidence that a 15% reduction can be achieved for all projects. This threshold might not account for the complexity or scale of a significantly larger project, such as this 542,000-square-foot development. The policy and EIR assume that a 15% reduction can be achieved through the same measures applied to much smaller projects. This assumption is not supported by substantial evidence.

The EIR also does not provide the necessary evidence and detailed commitments to ensure effective implementation of the proposed TDM program. As a result, it fails to establish a reliable path to achieving the claimed 15% reduction in VMT, undermining support for the Project's chosen threshold.

Inadequate Commitment to BAAQMD Best Management Practices

The EIR references implementing BAAQMD BMPs to reduce short-term construction-related GHG emissions but fails to sufficiently specify or enforce commitments regarding these practices. The EIR states that the BMP requirements shall be documented on final construction drawings and must be verified as a condition of project approval. (EIR, p. 11-17.) However, this language lacks specific enforceable commitments and does not outline how the BMPs will be integrated into the construction process. Furthermore, it withholds critical information from the general public by deferring these details to final construction drawings, leaving the public without a clear understanding of how GHG reductions will be achieved.

The BMPs include: (1) Us[ing] alternative-fuel (e.g., biodiesel, electric) construction vehicles/equipment (at least 15 percent of the Project's construction fleet); (2) Us[ing] local (within 200 miles) building materials (at least 10 percent); and (3) Recycl[ing] at least 50 percent of construction waste or demolition materials. (EIR, p. 11-17.) The first BMP presents multiple alternative fuel options, each of which has different levels of emissions it will emit. The EIR does not clarify which alternative fuels will be prioritized or how the Project intends to select between them. Additionally, all three BMPs include the language "at least X percentage," The Project fails to specify whether it will exceed these minimum thresholds and, if so, by how

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much, or just meet the minimum requirement. Relying on vague BMP commitments as part of the Project's GHG significance determination is a deferral of the City's responsibility to determine the extent of the Project's potential GHG impact.

Consistency with Identified Applicable Plans

The EIR included a discussion of the CAP, AB 32, SB 32, and Plan Bay Area/SB 375 to support its conclusion that the Project would not conflict with an applicable plan, policy, or regulation for GHG emissions reductions. However, consistency with AB 32 is irrelevant because this is an expired plan. Furthermore, the EIR failed to acknowledge and analyze all applicable plans for the reduction of GHGs. This Project is inconsistent with several applicable plans that were excluded. As a result, this significance analysis violates CEQA by being deficient and misleading in several areas.

AB 32 Is Not Applicable Because It is Outdated

AB 32 analysis under Threshold (b) is not applicable because AB 32 set a goal that has already been accomplished and therefore is not an applicable policy for this Project. The EIR states that AB 32 included provisions to reduce GHG emission levels to 1990 levels by 2020. (EIR, p. 11-32.) This goal was successfully reached in 2016, four years earlier than mandated. To date, about 8 years have passed since that goal was reached, and 4 have passed since the 2020 deadline. This plan has since been superseded by more current plans that have set new goals with higher standards to reach. As a result, demonstrating consistency with AB 32 does not meet Threshold (b) because this plan is no longer applicable.

The EIR Should Have Analyzed All Applicable Plans

The City chose, as its second GHG threshold, whether the Project would "conflict with a plan, policy or regulation adopted for the purpose of reducing greenhouse gas emissions." (EIR, p. 11-19.) This language requires that the EIR analyze the Project's consistency with all other applicable plans, not just the plans that the City prefers to analyze.

An agency must consider a project's GHG impact over time to reasonably evaluate the full extent of environmental impact as CEQA requires. The City did not estimate or account for the GHG impact across the Project's lifespan. However, the reasonable lifespan of a commercial building averages 50 to 60 years.¹ Therefore, the Project must show consistency with long-term State GHG goals, including Executive Order B-55-18 (EO B- 55-18), the 2022 CARB Scoping Plan, the 2017 CARB Scoping Plan, and the Belmont City Code.

¹ <https://bciconstruction.us/which-factors-determine-the-lifespan-of-a-building/#:~:text=Use%20of%20the%20Building,-Finally%2C%20the%20use&text=A%20warehouse%20used%20to%20produce,for%20major%20repairs%20or%20renovations.>

4-6

EO B-55-18 requires the State of California to achieve carbon neutrality—net zero GHG emissions—by 2045. The Project is inconsistent with EO B-55-18 because it does not prohibit the use of gasoline, diesel, and natural gas. In fact, the Project would use diesel-powered equipment during construction, require five emergency diesel generators during operations, and emit diesel exhaust from the heavy-duty truck traffic that the Project would create. (EIR, p. 6-19; p. 6-25; p. 6-25.) Burning non-renewable fuels, such as diesel, results in substantial GHG emissions, preventing the Project from ever achieving carbon neutrality, unless it enters into agreements with the applicant and/or future tenant to ensure that fossil fuel use is on track to be eliminated by 2045. Thus, the Project would conflict with EO B-55-18. As stated by the City's chosen threshold, conflict with *any* applicable policy would be a significant GHG impact.

The 2022 Scoping Plan sets a goal for 50% of all industrial energy demand to be electrified by 2045 (2022 CARB Scoping Plan, p. 77).² The EIR makes no showing that the Project is consistent with this goal. The 2022 CARB Scoping Plan also places particular emphasis on decarbonizing industrial facilities by “displacing fossil fuel use with a mix of electrification, solar thermal heat, biomethane, low- or zero-carbon hydrogen, and other low-carbon fuels to provide energy for heat and reduce combustion emissions” (2022 CARB Scoping Plan, p. 208). Again, the Project does not appear to be consistent with this goal, based on the analysis provided in the EIR. The Project creates a conflict with the 2022 Scoping Plan by its reliance on diesel fuel in its operations. (See EIR, p. 9-12 [noting diesel gas-powered equipment.])

Additionally, Chapter 7 Article IV, Division 10 of the Belmont City Code requires that all newly constructed buildings must be all-electric buildings. It also applies reach code standards that prohibit the use of natural gas and require electric vehicle (EV) parking and charging capabilities for new development within the city. (EIR, p. 11-14.) The Project directly violates the code by using approximately 13,646,800 thousand British Thermal Units (kBtu) of natural gas per year. (EIR, p. 9-15.) The EIR also does not address the EV parking and charging stations.

Consequently, because the Project is inconsistent with applicable plans for the reduction of GHGs, it is significant under the second threshold.

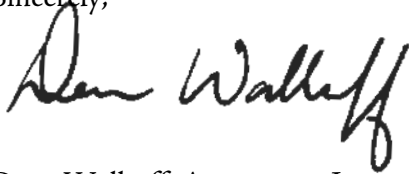
Conclusion

The conclusion of less-than-significant GHG impact violates CEQA because the Project's chosen significance threshold is not supported by substantial evidence, the Project should have found a significant GHG impact. Further, the Project would not be consistent with the applicable plans, policies, and regulations for the reduction of GHGs.

² 2022 Scoping Plan located at: <https://ww2.arb.ca.gov/sites/default/files/2023-04/2022-sp.pdf>

Please put Advocates for the Environment on the list of interested parties to receive updates about the progress of this potential project approval. We make this request under Public Resources Code, section 21092.2.

Sincerely,

A handwritten signature in black ink that reads "Dean Wallraff". The signature is fluid and cursive, with the first name "Dean" and last name "Wallraff" clearly distinguishable.

Dean Wallraff, Attorney at Law
Executive Director, Advocates for the Environment



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Re: **Agenda Item 7.C: Preliminary Comments on Draft
Environmental Impact Report for 1301 Shoreway Project
(SCH 2024060880)**

Dear Planning Commissioners, Mr. Dacumos and Mr. de Melo:

These comments are submitted on behalf of San Mateo Residents for Responsible Development ("San Mateo Residents") regarding the City of Belmont's ("City") Draft Environmental Impact Report ("DEIR") for the 1301 Shoreway Project (SCH 2024060880) ("Project") proposed by Four Corners Properties ("Applicant"). The Project appears as Agenda Item Number 7.C. The Planning Commission will receive public comments on the DEIR but will not take action on the Project.¹ The Project includes the proposed construction of an office and life science/research campus and an associated parking structure.² The proposed development includes 542,035 square feet of employment uses (e.g., office and laboratory space), a 442,690-square foot parking garage, and landscape improvements including a central courtyard. The Project would include two buildings: Building 1 would be 8 stories, and Building 2 would be 7 stories. Parking

¹ We reserve the right to supplement these comments at later hearings and proceedings on the Project. Gov. Code § 65009(b); PRC § 21177(a); *Bakersfield Citizens for Local Control v. Bakersfield* (2004) 124 Cal. App. 4th 1184, 1199-1203; see *Galante Vineyards v. Monterey Water Dist.* (1997) 60 Cal. App. 4th 1109, 1121.
² DEIR, p. 1-1.

for both buildings would be provided through a 9-level parking garage and surface parking for a total of 1,626 spaces. The 6.9-acre Project site is located at 1301 Shoreway Road at the northeast intersection of Shoreway Road and Sem Lane (APN 040-371-110).³

The DEIR states that the life science may be occupied with laboratories with a biosafety level ("BSL") of up to BSL-3.⁴ BSL-3 laboratories handle microbes that can cause serious or potentially lethal disease through respiratory transmission,⁵ and require specialized facilities with associated precautions, laboratory practices, safety equipment and specific facility construction such as decontamination equipment, specific exhaust and airflow requirements and two sets of self-closing and locking doors.⁶ In addition to seeking development planning entitlements from the City, the Project requires C/CAG Review for Airport Land Use Plan Compatibility and Bay Conservation and Development Commission ("BCDC") Clearance.⁷ The Applicant also proposes to enter into a Development Agreement with the City.⁸

San Mateo Residents urges the City to comply with California Environmental Quality Act ("CEQA")⁹ throughout the Project's environmental review and entitlement process. Residents also urges the City to engage in a broad, community-inclusive public process as part of the Development Agreement negotiation process which builds a community consensus on the community benefits the Applicant must be required to provide to the City and its residents in exchange for the land use concessions that may be provided by the City.

I. STATEMENT OF INTEREST

San Mateo Residents is an unincorporated association of individuals and labor organizations that may be adversely affected by the potential public health and environmental impacts of the Project. The association includes the International Brotherhood of Electrical Workers Local 617, Plumbers & Steamfitters Local 467, Sheet Metal Workers Local 104, Sprinkler Fitters Local 483,

³ DEIR, p. 1-1.

⁴ DEIR, pp. 1-1, 2-1.

⁵ See Center for Disease Control, *Recognizing the Biosafety Levels*, BSL-3, available at

<https://www.cdc.gov/training/quicklearns/biosafety/> (last visited 11/3/24); Eureka, What is a BSL-3 (Biological Safety Levels) Lab?, available at <https://www.criver.com/eureka/what-bsl-3-lab> (last

visited 11/3/24).

⁶ DEIR, p. 2-1.

⁷ DEIR, p. 3-21.

⁸ DEIR, p. 3-21.

⁹ Public Resources Code § 21000 et seq.

their members and families, and other individuals that live and/or work in the City of Belmont and San Mateo County. San Mateo Residents has a strong interest in enforcing the State's environmental laws that encourage sustainable development and ensure a safe working environment for its members.

Individual members of Residents live, work, recreate, and raise their families in the City of Belmont, in San Mateo County, and in the surrounding communities. Accordingly, they would be directly affected by the Project's environmental and health and safety impacts. Individual members may work on the Project itself. They will be first in line to be exposed to any health and safety hazards that exist on site. In addition, Residents has an interest in enforcing environmental laws that encourage sustainable development and ensure a safe working environment for its members. Environmentally detrimental projects can jeopardize future jobs by making it more difficult and more expensive for businesses and industries to expand in the region, and by making the area less desirable for new businesses and new residents. Continued environmental degradation can also result in construction moratoriums and other restrictions on growth that, in turn, reduce future employment opportunities.

II. THE CITY MUST COMPLY WITH CEQA

San Mateo Residents respectfully urges the City to fully comply with CEQA in all aspects of the Project, including but not limited to consideration of all comments submitted by responsible agencies, members of the public, or others on the DEIR and the Project, preparation of the FEIR and the City's consideration of any and all applications for licenses, permits, or any other entitlements sought for the Project.

San Mateo Residents requests that the City carefully comply with CEQA's requirement to identify and mitigate the Project's potentially significant impacts to the maximum extent feasible.¹⁰ The DEIR identifies several potentially significant environmental impacts, including, but not limited to: exposure of sensitive receptors to toxic air contaminants,¹¹ harm to several special status species who breed or forage near the Project site¹², and potential exposure of workers to hazardous soils and/or groundwater¹³. San Mateo Residents stands to be directly affected by the Project's impacts. In particular, they request that the City carefully analyze and

¹⁰ Pub. Res. Code § 21001; CEQA Guidelines § 15126.4(a).

¹¹ DEIR, p. 6-28-6-33.

¹² DEIR, p. 7-16-7-18.

¹³ DEIR, p. 12-15-12-16.

mitigate the Project's potentially significant impacts from construction and operational air emissions, health risk, hazardous materials, and noise. The Project cannot be approved until the City fully complies with CEQA.

III. THE DEVELOPMENT AGREEMENT SHOULD BE DEVELOPED BASED ON COMMUNITY INPUT AND MUST INCLUDE SUBSTANTIAL COMMUNITY BENEFITS

5-5

The Applicant proposes to enter into a Development Agreement with the City for the Project.¹⁴ A development agreement is a contract between an agency and a developer establishing certain development rights with any person having a legal or equitable interest in the property at issue. Development agreements extend the life of the entitlements in exchange for the provision of public benefits and to reduce the economic risk of development.¹⁵ While a development agreement must advance an agency's local planning policies, it may also contain provisions that vary from otherwise applicable zoning standards and land use requirements as long as the project is consistent with the general plan and applicable specific plans.¹⁶ For this reason, it is critical that the terms of a proposed development agreement be disclosed to the public and analyzed during the Project's CEQA process in order to determine whether the development agreement may have potentially significant impacts that are not otherwise inherent in the project. Therefore, any development agreement for the Project must be described in the EIR and considered by the City's decision makers at the same time as the rest of the Project approvals. The Project's proposed Development Agreement is not described or attached to the DEIR.

Because a Development Agreement would provide the Project with land use concessions in a binding contract that sets the terms, rules, conditions, regulations, entitlements, responsibilities, and other provisions relating to the development of the Project property, the City must also negotiate developer concessions, which generally include community benefits or contributions that the City could not otherwise obtain from a developer through normal exactions or conditions of approval.¹⁷ The City has broad discretion to approve or deny a Development Agreement depending on its assessment of the value of such an agreement to the City and its residents. Given the large size and scope of this Project, the City should require the Applicant to provide meaningful and substantial community benefits as

¹⁴ DEIR, p. 3-21.

¹⁵ Gov. Code §§ 65864-65869.5.

¹⁶ *Id.*

¹⁷ *Hermosa Beach Stop Oil Coalition v City of Hermosa Beach* (2001) 86 Cal. App. 4th 534 (Development Agreements are not subject to Mitigation Fee Act [Govt Code. §§66000-66025] or takings law); *Leroy Land Dev. Corp. v Tahoe Reg'l Planning Agency* (9th Cir 1991) 939 F.2d 696, 697.

November 4, 2024

Page 5

part of the Development Agreement negotiation before the City can consider approving the Project. For example, the Development Agreement should provide workforce benefits to support local employment or local workforce training through apprenticeship programs, and ensure that the Project will maximize local employment opportunities.

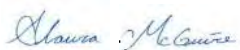
Further, the City should closely include the community in formulation of the Development Agreement. Preparation of the Development Agreement should be an inclusive process that engages all community stakeholders to ensure that the Development Agreement provides well-tailored community benefits. Accordingly, the City should solicit public comment on a draft Development Agreement and work collaboratively with the community throughout the formulation of the final Development Agreement.

IV. CONCLUSION

Residents urges the City to comply with its duties under CEQA and other State and local laws to ensure that the Project fully complies with CEQA and all applicable land use laws. Residents also urges the City to engage in an inclusive and transparent Development Agreement negotiations process which incorporates community input to ensure the Applicant provides meaningful community benefits to the City and its residents. San Mateo Residents expressly reserve the right to submit additional comments on the Project with the Draft EIR and Final EIR for the Project or any other future actions taken with regard to the Project.

Thank you for your attention to this matter. Please do not hesitate to contact us should you have any questions. Please place this letter in the record of proceedings for this Project.

Sincerely,



Alaura McGuire
Christina Caro

ARM:acp

You don't often get email from steven.goodale@gmail.com. [Learn why this is important](#)

Hello Mr. de Melo,

Please see this forwarded email (below) submitted to cdev@belmont.gov regarding the flood risks associated with the proposed 1301 Shoreway development.

We welcome further discussion on this matter.

----- Forwarded message -----

From: **Steven Goodale** <steven.goodale@gmail.com>

Date: Fri, Nov 22, 2024 at 11:59 PM

Subject: 1301 Shoreway Proposal

To: <cdev@belmont.gov>, Steve & Nina Goodale <steveninagoodale@comcast.net>

Nov 22, 2024

Dear Belmont Community Development Department,

We are writing to express grave concerns regarding the proposed biolabs campus development at 1301 Shoreway Road. This project poses significant environmental and safety risks due to its proximity to critical waterways and its high susceptibility to flooding, both current and projected.

6-1

Site Vulnerability and Current Conditions:

The proposed site is adjacent to the Belmont Slough and estuary, which connects directly to the San Francisco Bay and interfaces with approximately one-third of the total site area. The Belmont Creek, serving Belmont, San Carlos, and parts of San Mateo, flows into this estuary. Currently, the site's sump pumps discharge runoff directly into the estuary at coordinates 37°31'32.5"N 122°15'56.2"W, with the outflow pipe positioned low on the bay side of the existing levee - an area already subject to inundation during extreme high tides.

Historical data shows that during extreme high tides, occurring multiple times annually, bay waters inundate the slough, estuary and creek, extending upstream into Belmont. Stage gauge markers on the box culvert beneath Industrial Boulevard, over a quarter-mile upstream, have recorded tidal waters reaching within one foot of the channel bottom.

6-2

Watershed Capacity and Flood Risks:

The Belmont Creek Watershed Management Plan (August 2019) indicates:

- The watershed serves approximately 1,900 acres
- It has a capacity of about 630 cubic feet per second (cfs), with a 10% annual chance of occurrence
- A 50-year, 3-hour storm (2% annual chance) would generate approximately 857 cfs

6-3



- Conservative estimates for a 100-year, 3-hour storm range from 942.7 to 1285.5 cfs



Projected Sea Level Rise and Its Implications:

According to NOAA data and projections:

1. The creek near the site is currently at Mean Higher High Water level.
2. With 1 foot of sea-level rise (SLR), the creek will approach the tops of its banks.
3. At 2 feet of SLR, it will reach the bank tops and can cause flooding across Highway 101.
4. At 3 feet of SLR, the proposed site will be flooded - notably, it is the only building along that stretch of Shoreline to experience such inundation at this level.

6-4

The Ocean Protection Council's 2024 report projects:

- Sea-level rise between 0.5 – 1.2 feet by 2050
- 1.0 – 6.6 feet by 2100
- 1.3 – 11.9 feet by 2150
- A statewide average of 0.8 feet rise is most likely by 2050

The report also predicts a rapid increase in storms, high tides, and El Niño events starting in the 2030s, potentially resulting in significant storm events.

6-5

Critical Concerns:

The proposed development fails to adequately address these severe flooding hazards.

1. During extreme high tides, water from the site cannot be pumped into the estuary.
2. Waters from the watershed's terminal point will inevitably collide and rise with bay waters.
3. The project lacks comprehensive flood mitigation strategies for both current and future scenarios.
4. Regardless of SLR, the perfect storm of an extreme high tide combined with a significant atmospheric river event could cause heavy flooding of the site in the near future.

6-6

Conclusion and Request:

The absence of proper flood preparedness in this development proposal is deeply troubling. We strongly urge the city to:

6-7



1. Re-evaluate this project's feasibility, given its proximity to the Belmont Creek and estuary.
2. Consider the long-term environmental and safety implications of proceeding with development 1000's of feet of biolabs in this flood-prone area.
3. Require comprehensive flood mitigation strategies that address both current risks and future projections.

The safety of our community and the integrity of our local ecosystem depend on careful consideration of these factors. We look forward to your thorough review and response to these critical concerns.

Sincerely,

Steven and Nina Goodale

Local Residents



Fw: [Belmont Project] 1301 Shoreway

From Berg, Mia <Mia.Berg@kimley-horn.com>

Date Sun 7/6/2025 9:29 PM

To Berg, Mia <Mia.Berg@kimley-horn.com>

From: **Summer Bundy** <sbundy@oneshoreline.org>

Date: Tue, Mar 25, 2025 at 1:10 PM

Subject: RE: [Belmont Project] 1301 Shoreway

Hi Chris and team,

Thank you for the opportunity to review the 1301 Shoreline Road project and thank you for your patience in hearing back from our small team. We were pleased to see several sea level resilience considerations incorporated into the project. For example:

- The inclusion of the publicly accessible shoreline is consistent with OneShoreline's Planning Policy Guidance (PPG).
- Assuming the accuracy of the BCDC jurisdictional band, the building edge is greater than 35' outside of the BCDC 100' band, which exceeds our PPG.
- The inclusion of adaptation strategies accounting for higher sea level rise scenarios provides adaptive capacity to increase the useful life and resilience of the proposed redevelopment beyond its initial construction.

We have several comments on the analysis and project concepts, for the project team's consideration:

General:

- Consider incorporating OneShoreline's PPG into the DEIR local setting, consistent with BCDC's comment.
- Consider review of OneShoreline's PPG to identify additional applicable resilience measures.
- Project maps/diagrams and DEIR text should be updated in consideration of BCDC's comments, including possible project revisions needed to reflect the BCDC jurisdictional boundary.
- The Draft EIR text on sea level rise should be updated to reflect the OPC 2024 guidance, Senate Bill 272, and the Bay Conservation and Development Commission's Regional Shoreline Adaptation Plan.
- Senate Bill 272 and the recently adopted BCDC Regional Shoreline Adaptation Plan require Belmont to develop a subregional adaptation plan. The RSAP Minimum Standards require that the City consider the 2100 scenario of 6.6' SLR plus 100-year storm surge. This scenario is not evaluated by the applicant's sea level rise assessment report. Additional adaptation strategy information to inform the City's RSAP Element D, such as adaptation pathways to the 6.6' scenario, will be required for the City's RSAP. We note that this information will also be informative to the upcoming Redwood Shorelines Levee project.

7-1

7-2

7-3

7-4

- OneShoreline did not see that a drainage/hydrology analysis was provided as part of the DEIR document set, though a BKF report is referred to in the DEIR. We suggest that the project evaluate site drainage in consideration of climate change (SLR and changes in extreme precipitation), drainage needs of the watershed, the existing and projected shallow groundwater conditions, and other City requirements. We suggest considering increased tailwater effects from sea level rise, the need to drain across the elevated shoreline for initial and adapted condition, and changes in rainfall with climate change. (See also BCDC Comments 2, 3, and 4). We are also interested in understanding the freeboard in the Slough with the proposed shoreline designs. 7-5
- OneShoreline agrees with BCDC's comments related to monitoring of rising groundwater and possible infeasibility of onsite LID drainage requiring percolation. 7-6
- The language in the sea level rise assessment report should be tightened up to be clear about scenarios and timeframes of projected overtopping/flooding. The project's resilience is presented in terms of the **current** 100-year extreme tide elevation and future projections. With the current verbiage, a layperson could misunderstand the level of conservatism/resilience. We have provided markups where we noticed this (e.g., 3.1.1). We suggest that this language be revised to present flood risks relative to the SLR projections, not today's conditions. This will provide a more accurate depiction of the project's flood risk for laypeople. 7-7
- The sea level rise assessment report language such as "could not arise" and "would not occur" should be reviewed carefully and framed in the context of the SLR scenarios and engineering standards of care. We suggest that the language "is not projected" is a more careful framing.

Base Flood Elevation:

- The building site is to be elevated a proposed 2' to address the city's requirement to establish development sites 2' above the Federal Emergency Management Agency (FEMA) base flood elevation. The building finish grade is 0.55 inches above the *current* 100-year elevation of 10.45'. This elevation removes the building's first floor from today's FEMA floodplain but is not protective against unmitigated sea level rise. OneShoreline's Planning Policy Guidance recommends, "For all properties within the Sea Level Rise Overlay District, the Lowest Floor elevation shall be the Base Flood Elevation (BFE) on the FEMA Flood Insurance Rate Map in effect at the time of the Application Date, plus at least 3 feet (Sea Level Rise Base Flood Elevation or SLR-BFE)". Note that the guidance also includes consideration for building heights for projects incorporating this BFE recommendation. 7-8
- Note that overtopping the project's initial 12.5' shoreline will flood the building (BFE =12'). This residual risk should be better described for the initial construction and the adapted condition. 7-9
- The sea level rise assessment report did not evaluate the residual risks of flooding sensitive, critical equipment sited at ground level. Consider siting sensitive, critical equipment at higher elevations. 7-10

Bay Trail and Shoreline Protection Design:

- The project proposes an initial intervention (12' top of trail) and a second intervention (18' top of trail with use of parking area for adaptation). We recommend that approvals include conditions defining the triggers and obligations for the second intervention, leaving sufficient time for permitting, design, and construction. 7-11
- The sea level rise risk assessment presented in Section 3.1 presumes that only flooding pathway is overtopping associated with the applicant's reach of the Slough. Without adaptation of adjacent shoreline areas, the proposed project is not protected to the extent described in Section 3.1 due to overtopping and outflanking vulnerabilities from other shoreline reaches. 7-12
- The applicant and/or City should consider additional resilience measures and/or conditions if adjacent areas are not elevated. 7-13

- Please see PPG XX.XX.050, development standards, for recommendations related to shoreline infrastructure. 7-14
- The project description states that the eastern edge is considered the Bay Trail. The provided 8' trail does not appear to conform to [Bay Trail Design Guidelines](#), which call for a 12' shared-use trail and two 3' shoulders. The applicant should consult with appropriate agencies regarding the design of the Bay Trail. 7-15
- The provided drawings do not detail the waterside of the shoreline. Consider incorporating natural infrastructure into the shoreline protection, including opportunities for tidal marshes etc. into the shoreline protection design. Where nature-based measures are included as part of the project design or mitigation, conditions related to maintenance and monitoring should be included. 7-16
- Will the shoreline interventions result in a FEMA accredited levee? 7-17
- The applicant should detail how drainage into the Slough at the end of the paved portion of Sem Lane will be altered. We understand that there is an existing outfall at that location. What changes will the project make to that outfall? 7-18

Maintenance of Slough:

- Requirements/responsibilities for permitted maintenance of the Slough should be defined. 7-19
- Maintenance access needs and easements should be defined.

Thank you again for the opportunity to review. We are available to answer questions.

Summer Bundy, ENV SP (she/her)

Director of Projects

San Mateo County Flood & Sea Level Rise Resiliency District (OneShoreline)

1700 S. El Camino Real, Suite 502 | San Mateo, CA 94402

sbundy@oneshoreline.org

m 650-294-0752

[OneShoreline.org](https://www.1oneshoreline.org)



Appendix B: Minutes of November 4th, 2024 Public Hearing at Planning Commission

MINUTES OF PLANNING COMMISSION SPECIAL MEETING

City Council Chambers, City Hall, One Twin Pines Lane, Belmont, California

MONDAY, NOVEMBER 4, 2024

CALL TO ORDER: 7:00 PM

1. ROLL CALL 7:00 P.M.

Planning Commission members present: Kulich, Adamkewicz, Gurevich, Majeski

Commission members absent: Meier, Twigg, Kramer

Staff Present: Assistant City Manager Kathy Kleinbaum, Community Development Director Carlos de Melo, Assistant Planner Jeremy Ruiz, Administrative Assistant Courtney Brown

2. PLEDGE OF ALLEGIANCE

Led by Chair Kulich.

3. COMMUNITY FORUM

Chair Kulich opened the Community Forum.

No in-house speakers, Zoom attendants, or email inquiries related to this portion of the agenda.

Chair Kulich closed the Community Forum.

4. COMMISSIONER ANNOUNCEMENTS AND AGENDA AMENDMENTS

Chair Kulich confirmed no commissioner announcements or agenda amendments.

5. CONSENT BUSINESS

Minutes as presented for September 17, 2024 and October 1, 2024 were tabled for a future meeting. The Commission did not reach quorum for these items.

6. STUDY SESSION

Chair Kulich confirmed no study session items.

7. PUBLIC HEARINGS

7A. 3248 Lori Drive - Single-Family Design Review

Chair Kulich confirms there are no ex-parte communications.

Assistant Planner Ruiz presented the staff report for a 595 square foot upper floor addition to the existing single-family residence. The project would bring the total net square footage of the residence to 3,075 square feet, where the maximum building size permitted for this site is 3,500 square feet.

Commissioner Questions and Comments

Applicant made a brief statement. Chair Kulich opens the Public Hearing. A member of the public spoke on collapsing retaining walls. Chair Kulich closed the Public Hearing.

Commissioners discussed neighbors connecting with the project manager and the moratorium on grading/construction during the rainy season.

COMMISSION DISCUSSION AND DELIBERATION

Commissioners made the findings in the affirmative.

ACTION: On a motion by Commissioner Adamkewicz, seconded by Commissioner Majeski to approve 3248 Lori Drive (Single-Family Design Review)
Motion Passes 4-0-3 (4 Ayes, 0 Noes, 3 Absent)

7B. 23 Somerset Court - Conditional Use Permit & Single-Family Design Review

Chair Kulich confirms there are no ex-parte communications.

Assistant Planner Ruiz presented the staff report to amend the Hallmark West Detailed Development Plan for a 423 square foot ground floor addition to the existing single-family residence. The new additions will bring the Gross Floor Area for the residence to 3,491 square feet, where 7,697 square feet is permitted.

Commissioner Questions and Comments

Applicant made a brief statement. Chair Kulich opens the Public Hearing. No members of the public commented on this item. Chair Kulich closed the Public Hearing.
Commissioners discussed the Accessory Dwelling Unit (ADU) floor area for the subject property.

COMMISSION DISCUSSION AND DELIBERATION

Commissioners made the findings in the affirmative.

ACTION: On a motion by Commissioner Majeski, seconded by Commissioner Majeski to approve 23 Somerset Court (Conditional Use Permit & Single-Family Design Review)
Motion Passes 4-0-3 (4 Ayes, 0 Noes, 3 Absent)

7C. 1301 Shoreway Road - Draft Environmental Impact Report (DEIR)

Director de Melo, Chris Dacumos from Good City Company, and Tad Stearn from Kimley-Horn presented a report on the Draft Environmental Impact Report (DEIR) for the 1301 Shoreway Project as an update to the Commissioners and members of the public.

COMMISSION DISCUSSION

Commissioners discussed Transportation Demand Management (TDM) standards and approval process, as well as sound mitigation for the proposed builders as related to surrounding properties and Highway 101.

Chair Kulich opens the Public Hearing.

A representative from Carpenter's Union 217 spoke on the large opportunity this project provides to local construction workers in Belmont and the greater San Mateo county.

A representative from Carpenter's Union 104 spoke on community benefits and the impacts this project will have on both Belmont residents and construction workers.

Chair Kulich closed the Public Hearing.

8. OTHER BUSINESS AND UPDATES

9. ADJOURNMENT 8:05 PM

**Submitted by:
Courtney Brown, Administrative Assistant**



1301 Shoreway

Final Environmental Impact Report

SCH # 2024060880

January 2026



Kimley»Horn