Revised Initial Study

556 El Camino Real Condominium Project

Prepared by:

THE CITY OF BURLINGAME CALIFORNIA INCORPORATED 1908

In Consultation with:

DAVID J. POWERS & ASSOCIATES, INC.
ENVIRONMENTAL CONSULTANTS & PLANNERS

~~February~~ June 2017

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ACRONYMS AND ABBREVIATIONS

AB	Assembly Bill
BAAQMD	Bay Area Air Quality Management District
CARB	California Air Resources Board
CBC	California Building Code
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CRHR	California Register of Historical Resources
EIR	Environmental Impact Report
FAA	Federal Aviation Administration
FEMA	Federal Emergency Management Agency
GHG	Greenhouse Gases
IS	Initial Study
MND	Mitigated Negative Declaration
NOD	Notice of Determination
NRHP	National Register of Historic Places
RWQCB	Regional Water Quality Control Board
TAC	Toxic Air Contaminants
USFWS	United States Fish and Wildlife Service
UWMP	Urban Water Management Plan

SECTION 1.0 INTRODUCTION AND PURPOSE

1.1 PURPOSE OF THE INITIAL STUDY

This Initial Study (IS) of environmental impacts is being prepared to conform to the requirements of the California Environmental Quality Act (CEQA), the CEQA Guidelines (California Code of Regulations 15000 et. seq.), and the regulations and policies of the City of Burlingame. The purpose of this Initial Study is to provide objective information regarding the environmental consequences of the proposed project to the decision makers who will be reviewing and considering the project. This Initial Study evaluates the potential environmental impacts which might reasonably be anticipated to result from implementation of the proposed 556 El Camino Real Condominium Project.

The City of Burlingame is the Lead Agency under CEQA and has prepared this Initial Study to address the environmental impacts of implementing the proposed project.

All documents referenced in this Initial Study are available for public review in the Community Development Department at City of Burlingame City Hall, 501 Primrose Road, during normal business hours.

1.2 PUBLIC REVIEW PERIOD

The City of Burlingame published an ~~Publication of this~~ Initial Study ~~marks the beginning of~~for a 30-day public review and comment period from February 3, 2017 to March 6, 2017. During this period, the Initial Study ~~will~~ was ~~be~~ available to local, state, and federal agencies and to interested organizations and individuals for review. Written comments concerning the environmental review contained in this Initial Study during the 30-day public review period ~~should be~~were ~~sent~~ submitted to the City of Burlingame.~~:~~ Of the four comment letters submitted during the review period, only one letter from Caltrans required inclusion of additional information in the Initial Study regarding historic resources. The other comment letters will be addressed in the staff report for the project. Subsequent to the review period, the City received an additional comment letter identifying a potential historic resource in the Town of Hillsborough located across El Camino Real from the project site.

~~Kevin Gardiner~~
~~City of Burlingame~~
~~501 Primrose Road Burlingame, CA 94010~~
~~kgardiner@burlingame.org~~

1.3 CONSIDERATION OF THE INITIAL STUDY AND PROJECT

~~Following the conclusion of the public review period, T~~the City of Burlingame will consider the adoption of the revised Initial Study/Mitigated Negative Declaration (MND) for the project at a regularly scheduled meeting. The City of Burlingame shall consider the revised Initial Study/MND together with ~~any~~ the comments received during the public review process. The additional information provided during and following the public review period regarding historic resources is discussed in detail in *Section 4.5 Cultural Resources* and Appendix F of this revised Initial Study. Upon adoption of the MND, the City may proceed with project approval actions.

1.4 NOTICE OF DETERMINATION

If the project is approved, the City of Burlingame will file a Notice of Determination (NOD), which will be available for public inspection and posted within 24 hours of receipt at the County Clerk's Office for 30 days. The filing of the NOD starts a 30-day statute of limitations on court challenges to the approval under CEQA (CEQA Guidelines Section 15075(g)).

SECTION 2.0 PROJECT INFORMATION

2.1 PROJECT TITLE

556 El Camino Real Condominium Development Project

2.2 LEAD AGENCY CONTACT

Kevin Gardiner
Planning Manager
City of Burlingame
501 Primrose Road
Burlingame, CA 94010

2.3 PROJECT APPLICANT

Property Owner and Applicant:

Roman Knop
Burlingame Investment LP
1856 Pacific Avenue, #9
San Francisco, CA 94109

2.4 PROJECT LOCATION

The 0.35-acre project site consists of one parcel (APN 029-111-260), located at 556 El Camino Real in Burlingame. Off-site improvements would also be made to the site frontage along El Camino Real within Caltrans right-of-way (State Route 82).

Regional and vicinity maps of the site are shown on Figures 2.2-1 and 2.2-2, and an aerial photograph of the project site and surrounding area is shown on Figure 2.2-3.

Much of Burlingame including the project site and surrounding streets is oriented on an axis offset from "true" North. For clarity, this EIR will reference El Camino Real as having a north-south orientation. El Camino Real is therefore considered to be situated along the western boundary of the site, Floribunda Avenue is considered to be located north of the site, and Bellevue Avenue is considered to be located south of the site.

2.5 ASSESSOR'S PARCEL NUMBER

APN 029-111-260

2.6 GENERAL PLAN DESIGNATION AND ZONING DISTRICT

General Plan: The General Plan designates the property as *High Density Residential* which allows over 50 dwelling units per acre. The site is within the boundaries of the Downtown Specific Plan.

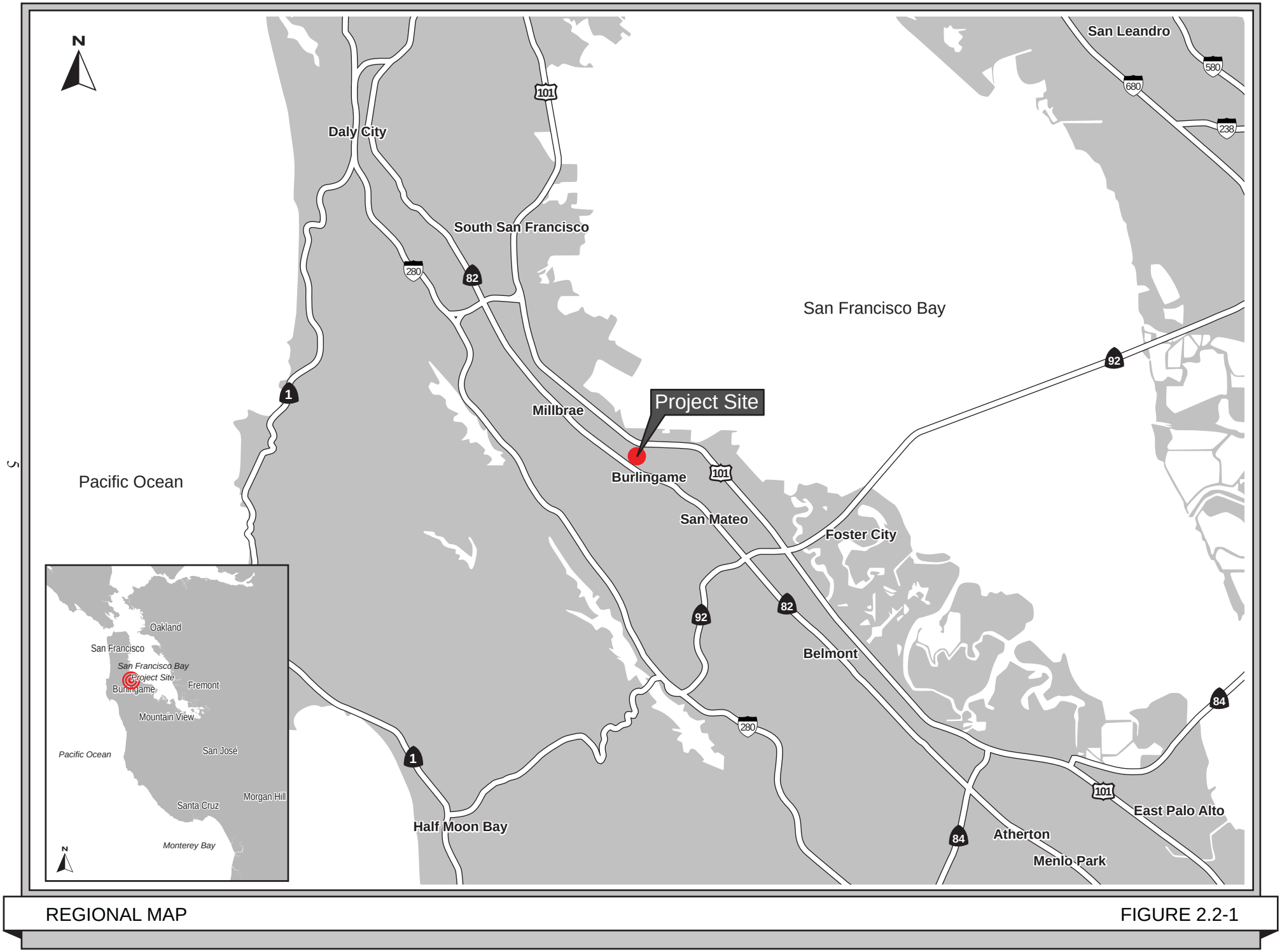
Zoning District: The subject property is located in the R-3 zoning district, which allows attached multi-family residential uses.

2.7 PROJECT-RELATED APPROVALS, AGREEMENTS, AND PERMITS

The project would require the following approvals from the City of Burlingame:

- Environmental Review
- Conditional Use Permit for building height
- Design Review
- Condominium Permit
- Tree Removal Permit
- Grading Permit
- Building Permit
- Encroachment Permit (Caltrans)

In addition, the Bay Area Air Quality Management District (BAAQMD) has permit authority for the issuance of permits for installation and operation of the emergency generator.



REGIONAL MAP

FIGURE 2.2-1

VICINITY MAP

FIGURE 2.2-2

AERIAL PHOTOGRAPH AND SURROUNDING LAND USES FIGURE 2.2-3

SECTION 3.0 PROJECT DESCRIPTION

3.1 PROJECT DESCRIPTION

3.1.1 Proposed Development

The applicant proposes to demolish an existing 14-unit apartment complex and associated improvements to construct a five-story, 21-unit condominium building (refer to Figure 3.1-1). The multi-family residential building would include a below-grade parking garage, lobby, and five stories of condominium units above the parking garage (refer to Figure 3.1-2 and 3.1-3). The project proposes approximately 10, three-bedroom units; eight, two-bedroom units; and three, one-bedroom unit for a total of 21 condominium units. The proposed units range in size from 630 to 1,955 square feet (s.f.) (refer to Figure 3.1-4).

3.1.2 Building Heights and Setbacks

The overall proposed height is 55 feet to the top of the roof (refer to Figure 3.1-5). The proposed project would be set back approximately 27 feet from the western property line on El Camino Real. The proposed building would also be set back approximately 10 feet from the adjacent residential property lines to the north and south and approximately 21 feet from the eastern property line. Building ADA ramps, stairs, and patios will extend into the proposed setbacks.

3.1.3 Site Access and Parking

The primary pedestrian access to the building would be provided from the lobby on El Camino Real. Vehicular access to the site would be provided from El Camino Real. The project proposes a subgrade parking garage that would use a CityLift Tower automated parking system.[1] There will be 35 parking spaces provided in the below-grade garage that will be accessed through a garage door on the front of the building, as well as two spaces above ground for delivery/guest vehicles. The proposed design would allow queueing for four vehicles on the site at the garage entrance.

The parking system would automatically move each vehicle by lift and then transfer it to a waiting cart on one of the multi-levels. The cart then travels horizontally and places the vehicle in its appropriate slot. The average parking and retrieval time for vehicles entering/exiting the parking structure is approximately 120 seconds (2.0 minutes).

3.1.4 Common Open Space and Landscaping

The project proposes approximately 3,086 s.f. of common open space in the rear yard along the eastern side of the building. Private balconies would be provided for each unit that range in size from 74 to 843 s.f. Landscaping would be planted along all residential property lines. Walls surrounding the common open spaces on the site would be up to six (6) feet in height on the property line. An approximately eight-foot tall gated access would be provided on the north side of the building to provide access to the common open space areas of the site.

[1] The original application specified a Parkmatic Multi-Parking system. The CityLift Tower and Parkmatic Multi-Parking systems have similar functional characteristics.

The project proposes the removal of one, approximately 16 inches in diameter, non-historic and non-contributing eucalyptus street tree (designated CT 197[2]) on the southern project frontage along El Camino Real to accommodate the relocated entrance driveway.[3] A replacement elm street tree would be planted in the park strip along El Camino Real south of the new entrance driveway to provide a Caltrans-approved replacement planting within the historic tree row with similar spacing to the current condition (refer to Figure 3.1-6). An existing, approximately four inches in diameter, contributing[4] elm street tree (designated CT 196) to the historic Howard-Ralston Eucalyptus Tree Rows in the center of the current park strip would be retained by the project. Additional landscaping is proposed within the park strip located around the existing elm and north of the realigned exit driveway on El Camino Real which would consist of low growing perennials and groundcovers. A crape myrtle tree, shrubs, low-growing perennials, and grasses are proposed on the southern end of the project site between the proposed building and sidewalk.

3.1.5 Grading and Excavation

The total depth of the multi-level parking garage would be approximately 28 feet below ground level. The project would require 7,741 cubic yards of soil export.

The project would require approximately 22 months to complete including three months for demolition and grading and 19 months for construction of the building.

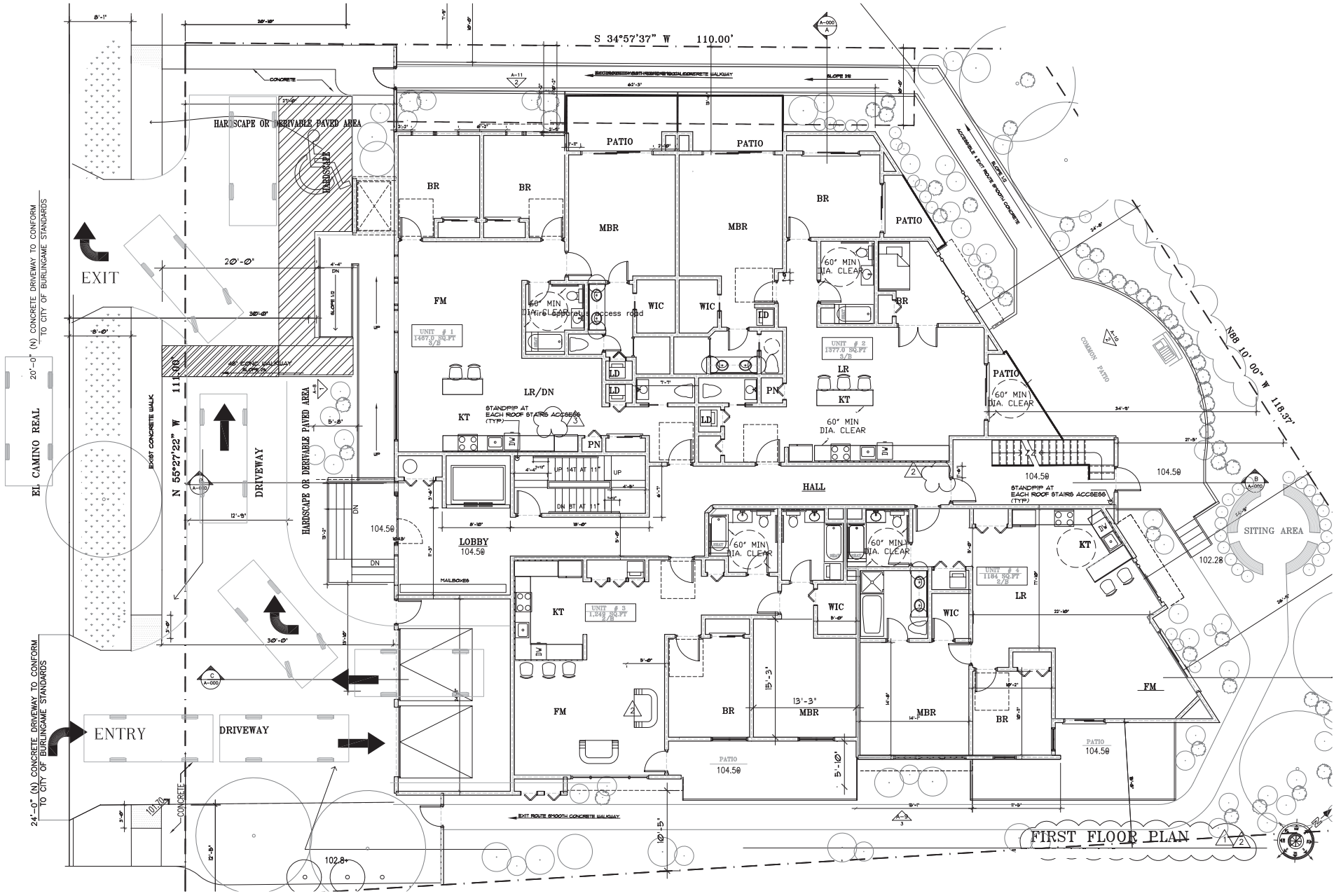
3.1.6 Emergency Diesel Generator

The project includes an emergency diesel generator in the garage level at the northwest corner of the building, adjacent to the trash room. The generator room would be sound insulated and the generator would only be used on an emergency basis and for testing as required by law.

[2] In 2008, Caltrans conducted a comprehensive GPS study of the Howard-Ralston Eucalyptus Tree Rows from Rosedale Avenue/Ray Drive to Peninsula Avenue, plotting the location of each tree, its type, circumference at breast height, total height, maturity, and whether it contributed to the resource.

[3] The Howard-Ralston Tree Rows are on the National Register of Historic Places and consist of elm and eucalyptus trees planted along both sides of El Camino Real (State Route 82) in the late 1800s (refer to *Section 4.5 Cultural Resources*).

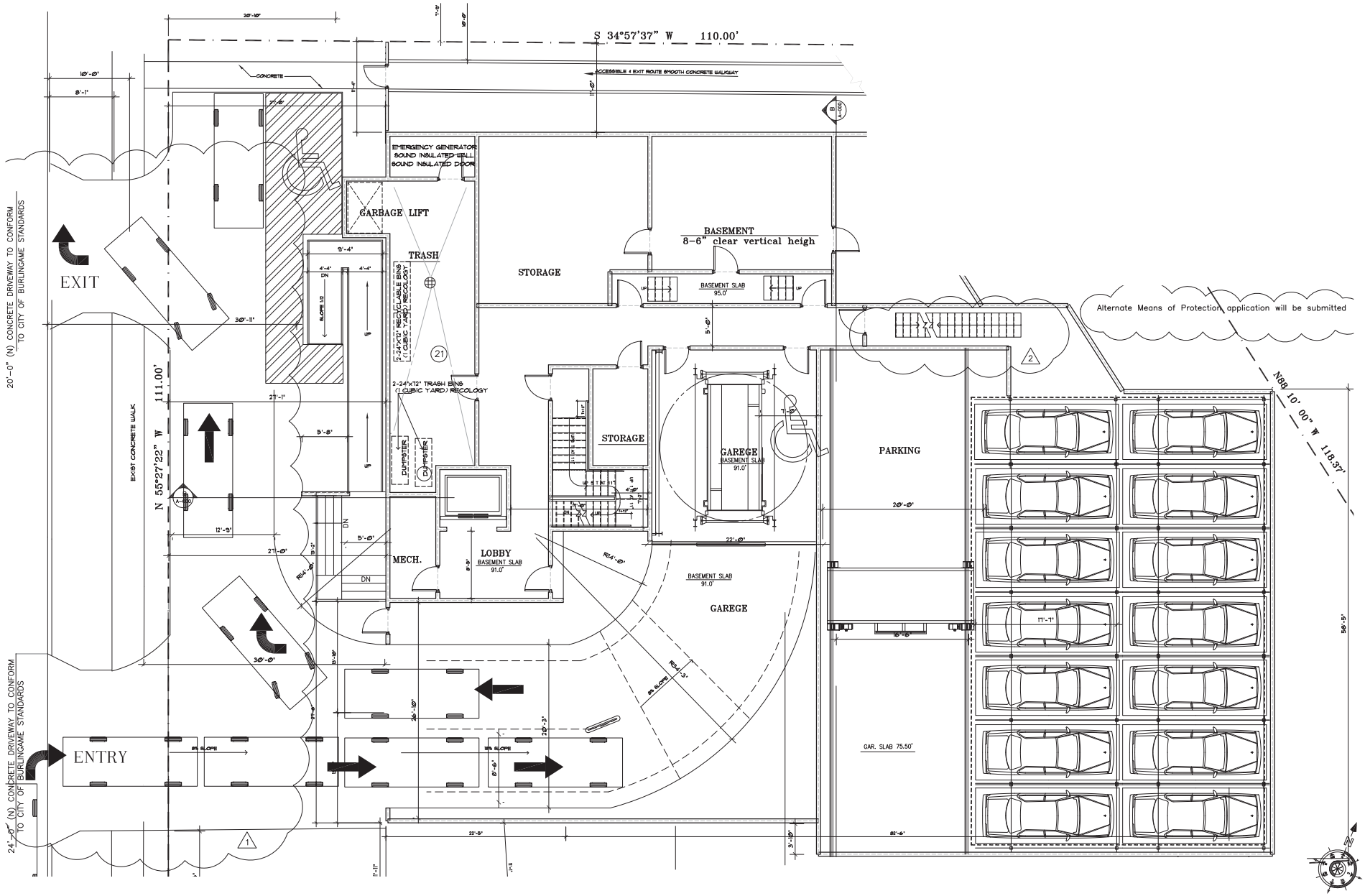
[4] Each tree within the Howard-Ralston Eucalyptus Tree Rows has been catalogued as historic, contributing to the historic district, or non-contributing to the historic district.



Source: VMK Design Group, 9/1/15.

PROPOSED SITE PLAN

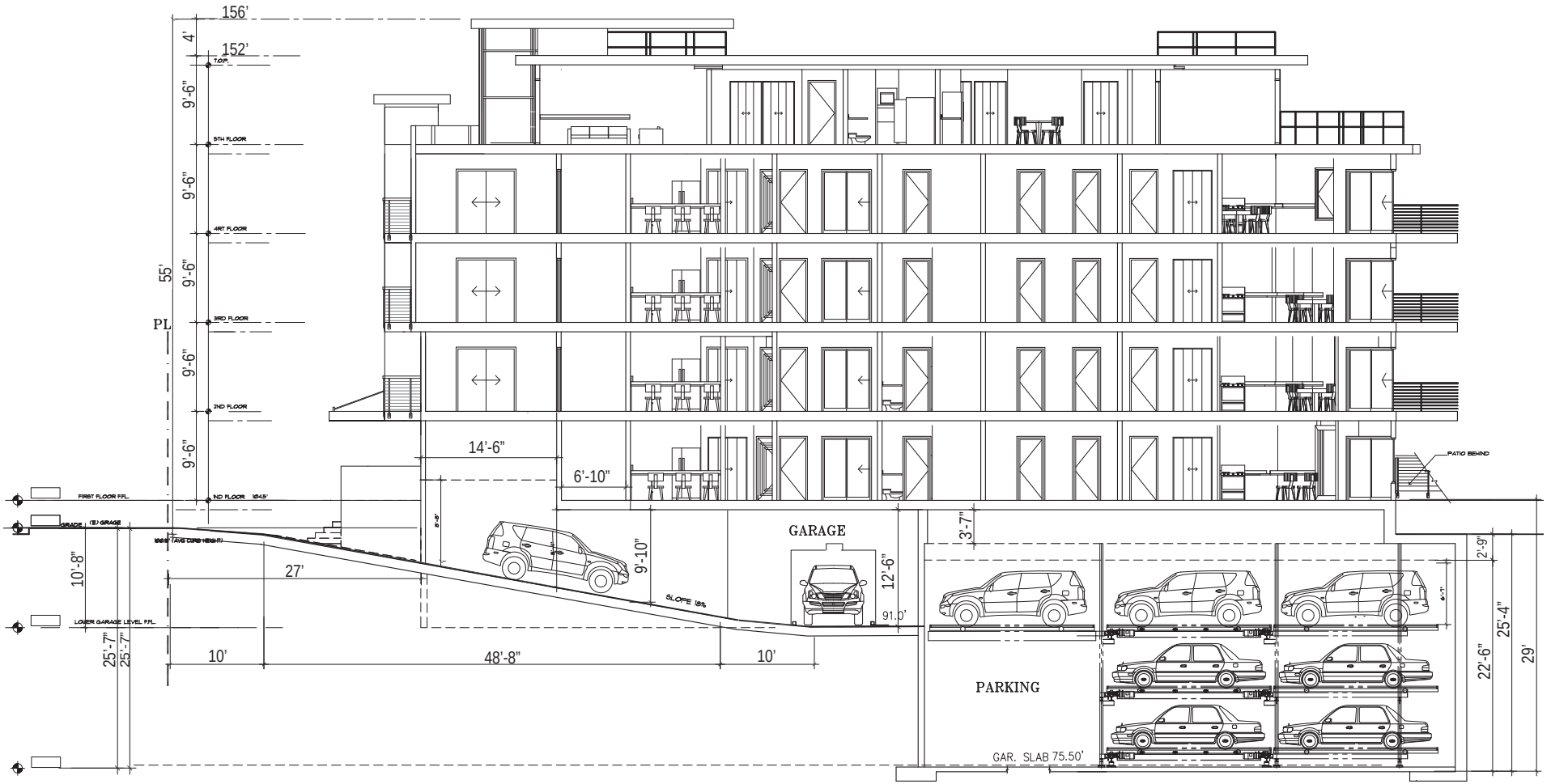
FIGURE 3.1-1



Source: VMK Design Group, 9/1/15.

PROPOSED GARAGE

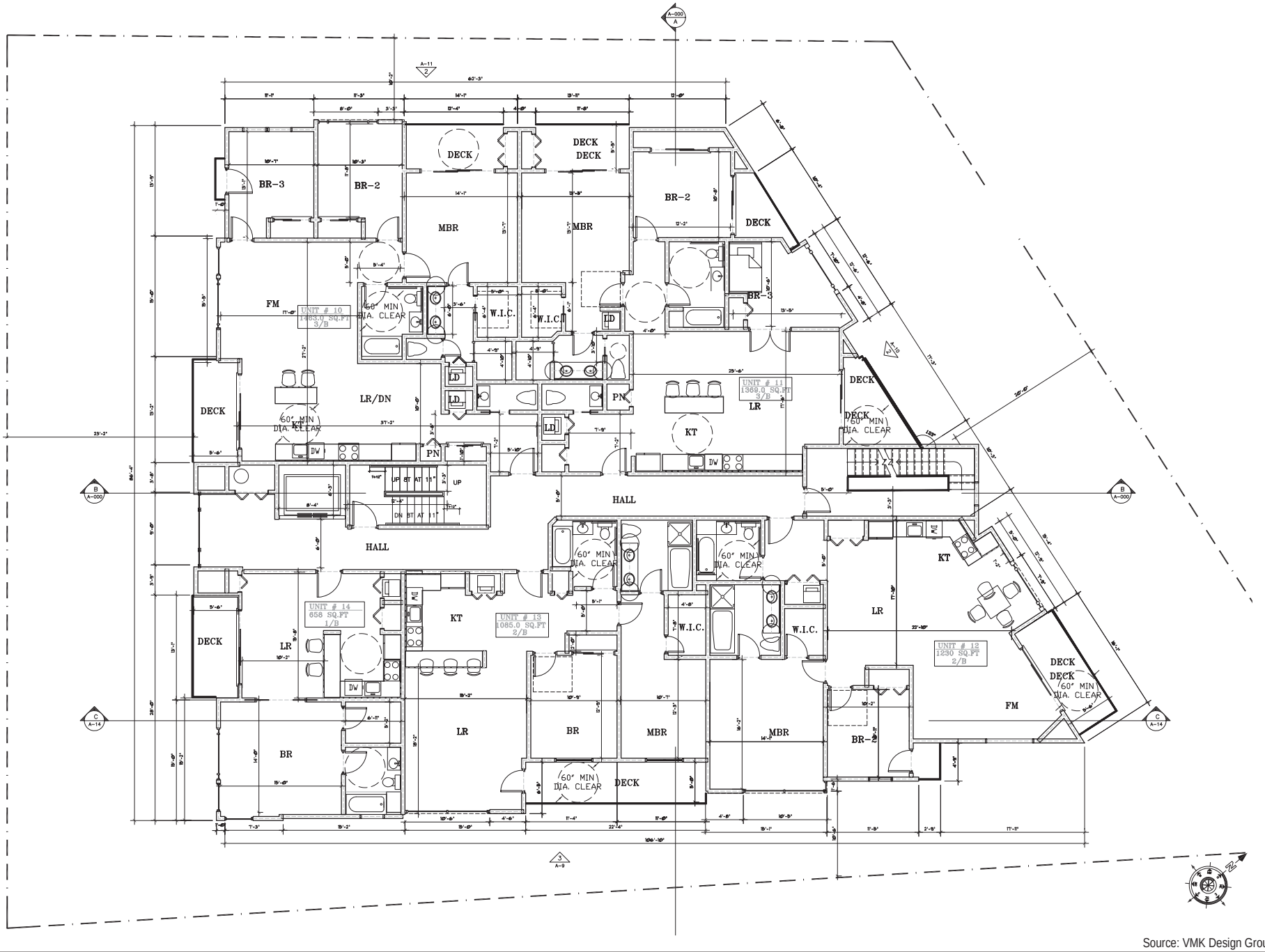
FIGURE 3.1-2



Source: VMK Design Group, 9/1/15.

PROPOSED BUILDING CROSS SECTION

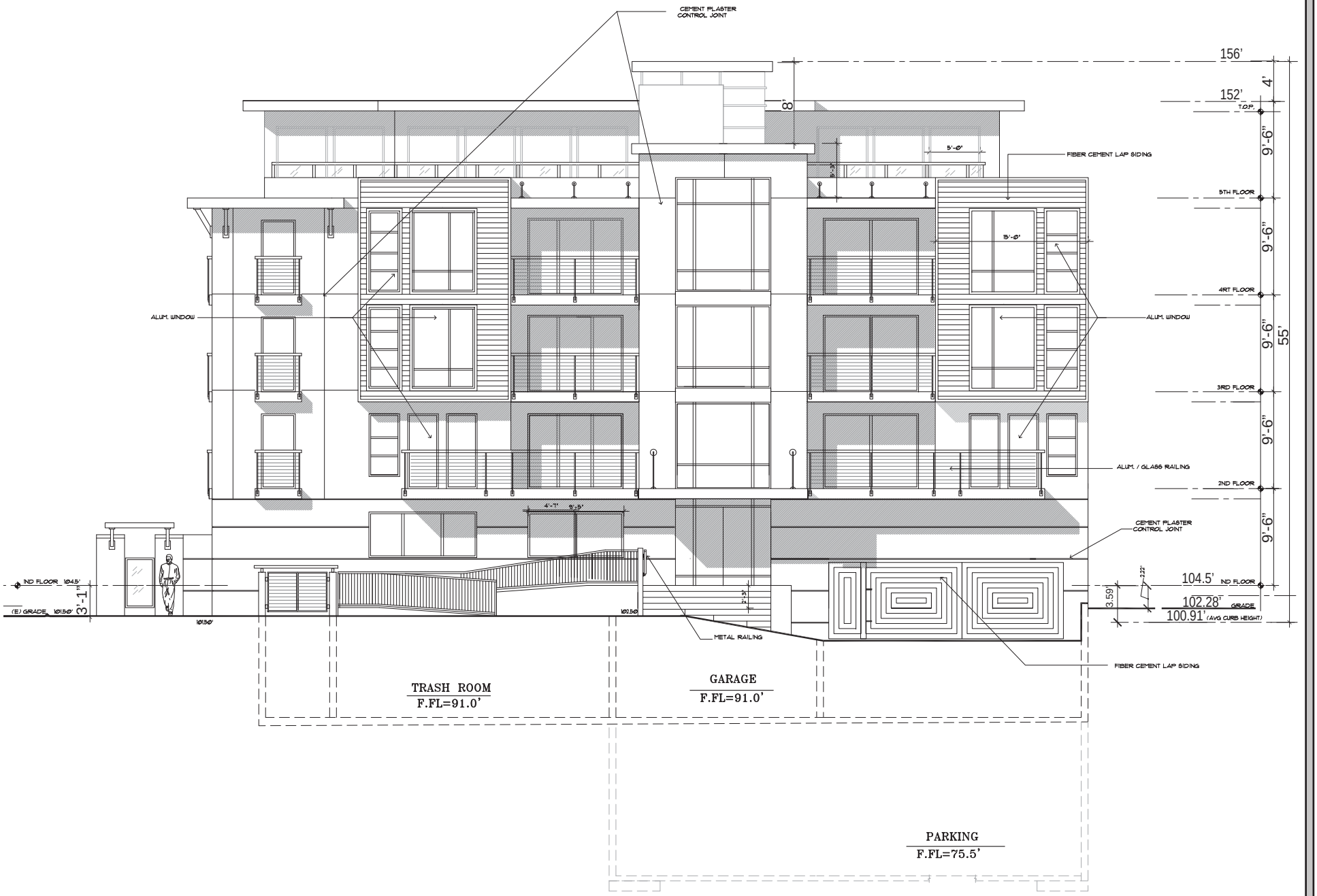
FIGURE 3.1-3



Source: VMK Design Group, 9/1/15.

PROPOSED THIRD FLOOR PLAN

FIGURE 3.1-4



Source: VMK Design Group, 9/1/15.

EL CAMINO REAL ELEVATION

FIGURE 3.1-5

SECTION 4.0 ENVIRONMENTAL CHECKLIST AND IMPACT DISCUSSION

This section presents the discussion of impacts related to the following environmental subjects in their respective subsections:

4.1	Aesthetics	4.10	Land Use and Planning
4.2	Agricultural and Forestry Resources	4.11	Mineral Resources
4.3	Air Quality	4.12	Noise and Vibration
4.4	Biological Resources	4.13	Population and Housing
4.5	Cultural Resources	4.14	Public Services
4.6	Geology and Soils	4.15	Recreation
4.7	Greenhouse Gas Emissions	4.16	Transportation/Traffic
4.8	Hazards and Hazardous Materials	4.17	Utilities and Service Systems
4.9	Hydrology and Water Quality	4.18	Mandatory Findings of Significance

The discussion for each environmental subject includes the following subsections:

- **Environmental Checklist –** The environmental checklist, as recommended by CEQA, identifies environmental impacts that could occur if the proposed project is implemented. The right-hand column of the checklist lists the source(s) for the answer to each question. The sources are identified at the end of this section.

- **Impact Discussion** – This subsection discusses the project's impact as it relates to the environmental checklist questions. For significant impacts, feasible mitigation measures are identified. "Mitigation measures" are measures that will minimize, avoid, or eliminate a significant impact (CEQA Guidelines Section15370). Each impact is numbered using an alphanumeric system that identifies the environmental issue. For example, **Impact HAZ-1** denotes the first potentially significant impact discussed in the Hazards and Hazardous Materials section. Mitigation measures are also numbered to correspond to the impact they address. For example, **MM BIO-2.3** refers to the third mitigation measure for the second impact in the Biology section.

Important Note to the Reader

The California Supreme Court in a December 2015 opinion [*California Building Industry Association v. Bay Area Air Quality Management District,* 62 Cal. 4th 369 (No. S 213478)] confirmed that CEQA, with several specific exceptions, is concerned with the impacts of a project on the environment, not the effects the existing environment may have on a project. Therefore, the evaluation of the significance of project impacts under CEQA in the following sections focuses on impacts of the project on the environment, including whether a project may exacerbate existing environmental hazards.

The City of Burlingame currently has policies that address existing conditions (e.g., air quality, noise, and hazards) affecting a proposed project, which are also addressed in this section. This is consistent with one of the primary objectives of CEQA and this document, which is to provide objective

information to decision-makers and the public regarding a project as a whole. The CEQA Guidelines and the courts are clear that a CEQA document (e.g., EIR or Initial Study) can include information of interest even if such information is not an "environmental impact" as defined by CEQA.

Therefore, where applicable, in addition to describing the impacts of the project on the environment, this chapter will discuss Planning Considerations that relate to policies pertaining to existing conditions. Such examples include, but are not limited to, locating a project near sources of air emissions that can pose a health risk, in a floodplain, in a geologic hazard zone, in a high noise environment, or on/adjacent to sites involving hazardous substances.

4.1 AESTHETICS

4.1.1 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒	1,2
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐	1,5
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐	1,2
d) Create a new source of substantial light or glare which will adversely affect day or nighttime views in the area?	☐	☐	☒	☐	1,6

4.1.2 Existing Setting

The project site is generally rectangular in shape and located in an urban, developed area. The project site is currently developed with a multi-family residential building that was constructed circa 1954 (refer to Photo 1). The project site is bounded by El Camino Real to the west, three-story multi-family residential buildings to the north and east, and a three-story multi-family residential building to the south (refer to Photos 2, 3, and 4).[5]

Given the generally flat topography of the project area, the project site is primarily visible from El Camino Real.

There are 11 trees located on the site adjacent to the existing building frontage and along the western boundary. The project site is not located along a state scenic highway or a rural scenic corridor. The project site is located along El Camino Real (State Route 82), which is a San Mateo County Scenic Roadway.

4.1.2.1 *Surrounding Land Uses*

The project site is surrounded by development. The multi-story condominium building located south of the site consists of a three-story contemporary building constructed in the late 1990's with a below-grade parking garage. The three-story apartment building north of the project site on the corner of El Camino Real and Floribunda Avenue was constructed in the early 1960's and is comprised of wood and stucco.

[5] Much of Burlingame including the project site and surrounding streets is oriented on an axis offset from "true" North. For clarity, this EIR will reference El Camino Real as having a north-south orientation.

PHOTO 1: View of the project site looking northeast from El Camino Real.

PHOTO 2: View of the project site and adjacent condominium complex looking east from El Camino Real.

PHOTOS 1 AND 2

PHOTO 3: View of the project frontage adjacent to El Camino Real.

PHOTO 4: View of El Camino Real from the project site looking southwest.

PHOTOS 3 AND 4

4.1.2.2 *Applicable Plans, Policies, and Regulations*

City of Burlingame Municipal Code

Municipal Code Section 18.16.030 regulates the usage and placement of exterior lighting (including security lighting). In accordance with Municipal Code Section 18.16.030, exterior lighting on all residential and commercial properties shall be designed and located so that the cone of light and/or glare from the lighting element is kept entirely on the property or below the top of any fence, edge, or wall.

City of Burlingame General Plan

The Scenic Roads and Highways Element of the City's General Plan contains policies and actions to avoid or mitigate aesthetic and visual impacts resulting from development within the City. The proposed project would be subject to conformance with applicable General Plan policies, including those listed below.

Policies	Description
Policy SR(A)	To retain a system of arterials and local roads that are beautiful and useful to local residents.
Action SR(2)	El Camino Real, state highway Route 82, is a scenic highway where views from the road are contained. The Burlingame portion of this historic road is lined with huge elm and eucalyptus trees that form a tunnel of foliage. These heritage trees give Burlingame a distinctive image. The segments of El Camino Real where abutting property is zoned first commercial are defined as scenic connectors. Commercial buildings and signs along El Camino Real should receive design review and satisfy all municipal codes. Trim abutting properties along the road provide a scenic character and add to the Burlingame image.
Action SR(3)	Except where traffic hazards might be created, median strips, traffic islands, and excess highway rights-of-way should be landscaped.
Policy SR(B)	Harmonize roads and highways with adjacent land use and roadside development.
Action SR(4)	The County of San Mateo proposes the loop via Skyline Boulevard, Canyon Road, Easton Drive, El Camino Real and Crystal Springs Road back to Skyline Boulevard be designated a County Scenic Roadway and part of the proposed Scenic Road System.
Policy SR(C)	Enhance the traveler's view from the road.
Action SR(7)	Utility lines should be undergrounded wherever possible; and sensitively sited where placement must be aboveground.
Action SR(8)	Plant materials should be used to screen or hide objectionable views.

4.1.3 Impacts Evaluation

a) Have a substantial adverse effect on a scenic vista?

Views of the San Francisco Bay and other scenic resources are not present from the project site. The project is located within a developed urban area and there are no scenic vistas that would be impacted by redevelopment of the site with a 21-unit multi-family residential building. **(No Impact)**

b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

The project site has been developed since 1954 and no scenic resources, such as rock outcroppings or historic buildings (refer to *Section 4.5 Cultural Resources*), are present on the project site. There are 11 trees on-site, including two protected street trees (refer to *Section 4.4 Biological Resources*). Trees located on El Camino Real, a State highway, are owned and maintained by the State Department of Transportation (Caltrans). The project site is not located along a state scenic highway or a rural scenic corridor.

The proposed project is located along El Camino Real, which is designated by the Burlingame General Plan and the County of San Mateo as a County Scenic Roadway. However, the State of California does not recognize El Camino Real as a Scenic Highway. The City's General Plan includes policies and actions related to the designation of El Camino Real as a Scenic Roadway. The project would adhere to the General Plan by planting landscaping on the project site and along the project frontage to enhance views of the site from El Camino Real. The project proposes to remove one non-historic, non-contributing eucalyptus street tree (CT 197) along the project El Camino Real frontage and replace it with an elm street tree consistent with the requirements of Caltrans for the historic Howard-Ralston Eucalyptus Tree Rows.[6] A contributing elm (CT 196) would be preserved with the project and impacts to a historic eucalyptus (CT 195) north of the project site would also be avoided through implementation of tree protection zones during construction of the project (refer to Sections 4.4.3 and 4.5.3).

Views of the project site are available to motorists and pedestrians approaching the site from the north or south along El Camino Real. There are no scenic resources on the site that would be affected by the project. The proposed building maintains the pattern of multi-family residential development along this stretch of El Camino Real including the practice of placing parking underground or behind buildings so as not to be primarily visible from the street. Therefore, the proposed project would have a less than significant impact to a County designated scenic roadway. **(Less Than Significant Impact)**

c) *Substantially degrade the existing visual character or quality of the site and its surroundings?*

The project site is developed with an existing two-story multi-family residential building and landscaping. The proposed project is located in a residential area with primarily multi-family uses on the east side of El Camino Real and trees and heavy vegetation shielding single-family residential uses located on the west side that are not visible from the roadway. The project is located adjacent to three-story multi-family residential buildings and associated driveways. Given the range of uses, styles, and intensities of development in the project area, the proposed five-story, residential development would not significantly degrade the existing visual character of the site or project area, and is in keeping with the scale of new

[6] Caltrans is requiring replacement of the tree in order to fulfill the State's responsibilities under Public Resources Code 5024.

development envisioned as part of the Downtown Specific Plan. **(Less Than Significant Impact)**

d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

Light and Glare

The proposed project would have outdoor security night lighting on the site along walkways and roadways. Consistent with the City's Zoning Ordinance (Municipal Code Section 18.16.030), project lighting would be designed and located so that light emitted from on-site lighting is kept entirely on the property or below the top of any fence, edge, or wall. The outside lighting would generally increase light levels in the area given the new building is three stories taller than current apartment on site, but would not cause significant glare or spillover into adjacent properties. Furthermore, the project would be constructed with materials such as wood and stucco which are generally non-reflective materials and, therefore, would not create a new source of glare in the project area.

Shadows

Burlingame has not established a community standard for shadow impacts, and most jurisdictions do not have criteria for significance. The Downtown Specific Plan provides guidance for assessing potential shadow impacts for projects in Downtown Burlingame, specifying that as part of the design review process, development in the Specific Plan Area that is proposed to be taller than existing surrounding structures (such as the proposed project) should be evaluated for potential to create new shadows/shade on public and/or quasi-public open spaces and major pedestrian routes. The plan suggests at a minimum shadow diagrams should be prepared for 9:00 a.m., 12 noon, and 3:00 p.m. on March 21st, June 21st, September 21st, and December 21st (approximately corresponding to the solstices and equinoxes) to identify extreme conditions and trends. This approach provides an analysis of each season as well as the longest and shortest days of the year, covering the full spectrum of possible shade and shadow effects.

Shadow impacts for 9:00 a.m., 12 noon, and 3:00 p.m. on March 21st, June 21st, September 21st, and December 21st for the proposed project as modeled from the dimensions are attached in Appendix A of this Initial Study.

Based on the Downtown Specific Plan criteria, the proposed five-story building would not create significant new shadows/shade on public and/or quasi-public open spaces and major pedestrian routes. There are no public or quasi-public open spaces directly adjacent to the site, and the adjacent pedestrian route (El Camino Real sidewalk) would only experience shading for some of the morning hours in summer. Floribunda Avenue to the north of the property would experience shading during the morning hours in winter. The overall shading resulting from the proposed project is comparable to surrounding buildings. Thus, the project would not be considered to have significant shadow impacts. **(Less Than Significant Impact)**

4.1.4 Conclusion

Implementation of the proposed project would not result in significant adverse visual or aesthetic impacts. **(Less Than Significant Impact)**

4.2 AGRICULTURAL AND FORESTRY RESOURCES

4.2.1 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒	1,8
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒	1,7
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒	4
d) Result in a loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒	1,2
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒	1,2

4.2.2 Existing Setting

The project site has been developed with a multi-family residential structure since 1954. The project site is not designated as farmland or forest land. According to the *San Mateo County Important Farmland 2014* map, the project site is designated as *Urban and Built-Up Land*, meaning that the land contains a building density of at least six units per 10-acre parcel or is used for industrial or commercial purposes, golf courses, landfills, airports, or other utilities. [7]

4.2.3 Impacts Evaluation

a, b) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use? Conflict with existing zoning for agricultural use, or a Williamson Act contract?

[7] California Department of Conservation, Division of Land Resource Protection. *San Mateo County Important Farmland 2014 Map*. 2016.

The project site is located in an urbanized area in the City of Burlingame. The project site does not include active agricultural uses, nor is the site zoned for agricultural uses. Therefore, the proposed project would have no impact on agricultural resources or operations. **(No Impact)**

c, d) Conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production? Result in a loss of forest land or conversion of forest land to non-forest use?

The project site has been in residential use since at least 1954. The project site and surrounding area is not used or zoned for timberland or forest land. The project would not impact timberland or forest land. **(No Impact)**

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

According to the *San Mateo County Important Farmland 2014* map, the project site and surrounding area is designated as *Urban and Built-Up Land*. The development of the project site would not result in conversion of any forest or farmlands. **(No Impact)**

4.2.4 Conclusion

Implementation of the proposed project would not result in an impact to agricultural or forestry resources in the area. **(No Impact)**

4.3 AIR QUALITY

This discussion is based in part on a construction health risk assessment prepared by *Illingworth & Rodkin* included as Appendix B of this Initial Study.

4.3.1 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐	9,10,11
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐	10,11
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard including releasing emissions which exceed quantitative thresholds for ozone precursors?	☐	☐	☒	☐	10,11
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐	10,11
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐	1

4.3.2 Existing Setting

Air quality and the amount of a given pollutant in the atmosphere are determined by the amount of a pollutant released and the atmosphere's ability to transport and dilute the pollutant. The major determinants of transport and dilution are wind, atmospheric stability, terrain and for photochemical pollutants, sunshine.

The U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) have established ambient air quality standards for what are commonly referred to as "criteria pollutants," because they set the criteria for attainment of good air quality. Criteria pollutants include carbon monoxide, ozone, nitrogen dioxide, sulfur dioxide, and particulate matter (PM).

4.3.2.1 *Climate and Topography*

The project site is located in San Mateo County, which is part of the San Francisco Bay Area Air Basin. The project area's proximity to both the Pacific Ocean and the San Francisco Bay has a moderating influence on its climate.

4.3.2.2 *Regional and Local Criteria Pollutants*

Major criteria pollutants, listed in "criteria" documents by the USEPA and CARB include ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, and suspended particulate matter. These pollutants can have health effects such as respiratory impairment and heart/lung disease symptoms. Ambient air quality standards have been established at both the state and federal level. Violations of ambient air quality standards are based on air pollutant monitoring data and are judged for each air pollutant. Areas with air quality that exceed adopted air quality standards are designated as "nonattainment" areas for the relevant air pollutants. Nonattainment areas are sometimes further classified by degree (marginal, moderate, serious, severe, and extreme for ozone, and moderate and serious for carbon monoxide and PM_{10}) or status ("nonattainment-transitional"). Areas that comply with air quality standards are designated as "attainment" areas for the relevant air pollutants. "Unclassified" areas are those with insufficient air quality monitoring data to support a designation of attainment or nonattainment, but are generally presumed to comply with the ambient air quality standard. State Implementation Plans must be prepared by states for areas designated as federal ambient air quality standard.

The Bay Area is considered a non-attainment area for ground-level ozone and fine particulate matter ($PM_{2.5}$) under both the federal Clean Air Act and the California Clean Air Act. The area is also considered non-attainment for respirable particulates or particulate matter with a diameter of less than 10 micrometers (PM_{10}) under the California Clean Air Act, but not the federal act. High ozone levels are caused by the cumulative emissions of reactive organic gases (ROG) and nitrogen oxides (NO_x). These precursor pollutants react under certain meteorological conditions to form high ozone levels. Controlling emissions of these precursor pollutants is the focus of the Bay Area's attempts to reduce ozone levels. High ozone levels aggravate respiratory and cardiovascular diseases, reduced lung function, and increase coughing and chest discomfort. Elevated concentrations of PM_{10} and $PM_{2.5}$ are the result of both region-wide (i.e. cumulative) emissions and localized emissions. High particulate matter levels aggravate respiratory and cardiovascular diseases, reduce lung function, increase mortality (e.g., lung cancer), and result in reduced lung function growth in children.

4.3.2.3 *BAAQMD Guidelines*

The BAAQMD is the regional agency tasked with managing air quality in the region. The BAAQMD is primarily responsible for assuring that the federal and state ambient air quality standards are maintained in the San Francisco Bay Area. Air quality standards are set by the federal government (the 1970 Clean Air Act and its subsequent amendments) and the state (California Clean Air Act and its subsequent amendments). Regional air quality management districts such as BAAQMD must prepare air quality plans specifying how state standards would be met. The BAAQMD's most recently adopted Clean Air Plan is the 2010 Clean Air Plan (2010 CAP). The 2010 CAP provides an updated comprehensive plan to improve the Bay Area's air quality and protect public health, taking into account future growth projections to 2035. The BAAQMD has published CEQA Air Quality Guidelines that are used in this assessment to evaluate air quality impacts of projects. The thresholds of significance for construction- and operation-related pollutant emissions are shown in Table 4.3-1.

Table 4.3-1
Thresholds of Significance Used in Air Quality Analyses

Pollutant	Construction	Operation-Related	
	Average Daily Emissions (pounds/day)	Average Daily Emissions (pounds/day)	Maximum Annual Emissions (tons/year)
ROG, NO_x	54	54	10
PM_{10}	82 (exhaust)	82	15
$PM_{2.5}$	54 (exhaust)	54	10
Fugitive Dust (PM_{10}/$PM_{2.5}$)	Best Management Practices	None	None
Risk and Hazards for New Sources and Receptors (Project)	Same as Operational Threshold	• Increased cancer risk of >10.0 in one million • Increased non-cancer risk of > 1.0 Hazard Index (chronic or acute) • Ambient $PM_{2.5}$ increase: > 0.3 µg/m^3 [Zone of influence: 1,000-foot radius from property line of source or receptor]	
Risk and Hazards for New Sources and Receptors (Cumulative)	Same as Operational Threshold	• Increased cancer risk of >100 in one million • Increased non-cancer risk of > 10.0 Hazard Index (chronic or acute) • Ambient $PM_{2.5}$ increase: > 0.8 µg/m^3 [Zone of influence: 1,000-foot radius from property line of source or receptor]	

Sources: *BAAQMD Thresholds Options and Justification Report (2009)* and *BAAQMD CEQA Air Quality Guidelines* (dated May 2011).

4.3.2.4 *Local Community Risks/Toxic Air Contaminants and Fine Particulate Matter*

Besides criteria air pollutants, there is another group of substances found in ambient air referred to as Toxic Air Contaminants (TACs). These contaminants tend to be localized and are found in relatively low concentrations in ambient air. Exposure to low concentrations over long periods, however, can result in adverse chronic health effects. Diesel exhaust is a predominant TAC in urban air and is estimated to represent about three-quarters of the cancer risk from TACs (based on the Bay Area average).

Fine Particulate Matter ($PM_{2.5}$) is a complex mixture of substances that includes elements such as carbon and metals; compounds such as nitrates, organics, and sulfates; and complex mixtures such as diesel exhaust and wood smoke. Long-term and short-term exposure to $PM_{2.5}$ can cause a wide range of health effects. Common stationary sources of TACs and $PM_{2.5}$ include gasoline stations, dry cleaners, diesel backup generators, and motor vehicles. The other, more significant, common source is motor vehicles on roadways and freeways.

4.3.2.5 *Sensitive Receptors*

There are groups of people more affected by air pollution than others. CARB has identified the following persons who are most likely to be affected by air pollution: children under 14, the elderly over 65, athletes, and people with cardiovascular and chronic respiratory diseases. These groups are classified as sensitive receptors. Locations that may contain a high concentration of these sensitive population groups include residential areas, hospitals, daycare facilities, elder care facilities, elementary schools, and parks. For cancer risk assessments, children are the most sensitive receptors, since they are more susceptible to cancer causing TACs. Residential locations are assumed to include infants and small children. The closest sensitive receptors to the project site are the multi-family dwellings that border the site on three sides and the single-family residences located across El Camino Real. In addition, the McKinley Elementary School is 700 feet to the north.

4.3.2.6 *Construction TAC and $PM_{2.5}$ Health Risks*

Construction equipment and associated heavy-duty truck traffic generates diesel exhaust, which is a known TAC. These exhaust air pollutant emissions would not be considered to contribute substantially to existing or projected air quality violations. Construction exhaust emissions may still pose health risks for sensitive receptors such as surrounding residents. The primary community risk impact issues associated with construction emissions are cancer risk and exposure to $PM_{2.5}$. Diesel exhaust poses both a potential health and nuisance impact to nearby receptors.

4.3.3 Impacts Evaluation

a) Would the project conflict with or obstruct implementation of the applicable air quality plan?

The proposed project will not conflict with the latest Clean Air planning efforts since; (1) the project's operational emissions would be well below the BAAQMD thresholds of significance for air pollutants as discussed below in Section 4.3.3(b) and development of the project site would be considered urban infill. **(Less Than Significant Impact)**

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

The 2011 BAAQMD *CEQA Air Quality Guidelines* contain a screening table that lists the minimum unit count for condominium projects, below which the project would not result in the generation of operational or construction criteria air pollutants, or greenhouse gas emissions, that exceed the threshold of significance. The project proposes 21 dwelling units on the project site and, as summarized in Table 4.3-2 below, the screening threshold for operational criteria pollutants is 451 units; for operational greenhouse gas emissions is 78 units; and for construction criteria pollutants is 240 units. The proposed residential development would not exceed the screening level for operational and construction criteria pollutants or greenhouse gas emissions and, therefore, the project would not result in significant air quality impacts. **(Less Than Significant Impact)**

Table 4.3-2 Criteria Air Pollutants and Precursors and GHG Screening Level Size			
Land Use Type	**Operational Criteria Pollutant Screening Size**	**Operational GHG Screening Size**	**Construction Criteria Pollutant Screening Size**
Condominiums	451 units	78 units	240 units
Below screening threshold?	Yes	Yes	Yes

c) *Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard including releasing emissions which exceed quantitative thresholds for ozone precursors?*

Non-attainment pollutants of concern for the San Francisco Bay Air Basin are ozone, PM_{10} and $PM_{2.5}$. In developing thresholds of significance for air pollutants, BAAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions. As discussed in impact (b) above, the project's operational and construction emissions would be less than significant since the project falls under the BAAQMD's screening thresholds. In addition, construction on the site will be required to implement BAAQMD's Best Management Practices for dust control in accordance with the City's General Plan policies, as discussed in impact (d) below. **(Less Than Significant Impact)**

d) *Would the project expose sensitive receptors to substantial pollutant concentrations?*

Construction Dust Emissions

Construction dust could affect local air quality at various times during construction of the project. The dry, windy climate of the area during the summer months creates a high potential for dust generation when and if underlying soils are exposed to the atmosphere. Construction activities would increase dustfall and locally elevated levels of PM_{10} downwind.

Nearby land uses, particularly sensitive receptors adjacent to the project site, could be affected by dust generated during construction activities.

Impact AQ – 1: The project would generate dust during construction activities that would affect nearby sensitive receptors. **(Significant Impact)**

Mitigation Measure: The project shall implement the following mitigation measure to ensure project impacts from construction are reduced to a less than significant level:

MM AQ – 1.1: During any construction period which causes ground disturbance, the applicant shall ensure that the project contractor implement measures

to control dust and exhaust. Implementation of the measures recommended by BAAQMD and listed below would reduce the air quality impacts associated with grading and new construction to a less than significant level. The contractor shall implement the following best management practices that are required of all projects:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five (5) minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Construction TAC and $PM_{2.5}$ Health Risks

Construction activity is anticipated to include demolition, grading and site preparation, trenching, building construction, and paving. A health risk assessment of the project construction activities was completed (see Appendix B) that evaluated potential health effects of sensitive receptors at nearby residences from construction emissions of Diesel Particulate Matter (DPM) and $PM_{2.5}$. Construction period emissions were modeled using the California Emissions Estimator Model, Version 2013.2.2 (CalEEMod).

Increased cancer risks were calculated using the maximum modeled concentrations for 2017 and BAAQMD recommended risk assessment methods for infant exposure (3rd trimester

through two years of age) and for an adult exposure. The cancer risk calculations were based on applying the BAAQMD recommended age sensitivity factors to the TAC concentrations, as described above (see discussion regarding *Health Impact Evaluation Methodology*). Age-sensitivity factors reflect the greater sensitivity of infants and small children to cancer causing TACs. Infant, child, and adult exposures were assumed to occur at all residences through the entire construction period.

The maximum community risk impacts associated with project construction are shown in Table 4.3-3. Results of the assessment for project construction indicate the maximum incremental residential child cancer risk at the maximally exposed individual (MEI) receptor, located just east of the construction site at the second floor level of a multi-family residential building approximately 90 feet from El Camino Real, would be 222.3 in one million and the residential adult incremental cancer risk would be 3.8 in one million. The maximum-modeled annual $PM_{2.5}$ concentration, which is based on combined exhaust and fugitive dust emissions, was 1.12 $\mu g/m^3$. The maximum modeled annual residential DPM concentration (i.e., from construction exhaust) was 0.967 $\mu g/m^3$, which is lower than the reference exposure level, which is the concentration at or below which no adverse health effects are anticipated for a specified exposure period. The maximum computed HI based on this DPM concentration is 0.19 which is lower than the BAAQMD significance criterion of a hazard index greater than 1.0.

Table 4.3-3
Construction Source Health Risks

Source	Cancer Risk (per million)	$PM_{2.5}$ Concentration ($\mu g/m^3$)	Acute and Chronic Hazard (HI)
Proposed Project Construction Unmitigated	**Infant = 222.3** Adult = 3.8	**1.12**	0.19
BAAQMD Thresholds Single Source	*>10*	*0.3*	*<0.01*
Significant?	***Yes***	***Yes***	*No*
Mitigated Project Construction	5.6	0.05	<0.01
Significant?	*No*	*No*	*No*

Bold signifies a significant impact.

Impact AQ – 2: The project would use construction equipment that generates toxic exhaust emissions. **(Significant Impact)**

Mitigation Measure: The project shall implement the following mitigation measure to ensure project impacts from construction TACs are reduced to a less than significant level:

MM AQ – 2.1: The project shall develop a plan demonstrating that the off-road equipment used on-site to construct the project would achieve a fleet-wide average 96 percent reduction in $PM_{2.5}$ exhaust emissions. One feasible plan to achieve this reduction would include the following:

- All mobile diesel-powered off-road equipment larger than 50 horsepower and operating on the site for more than two days continuously shall meet, at a minimum, U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent. The use of equipment that includes CARB-certified Level 3 Diesel Particulate Filters or alternatively-fueled equipment (i.e., non-diesel) would meet this requirement. Other measures may be the use of added exhaust devices, or a combination of measures, provided that these measures are approved by the City and demonstrated to reduce community risk impacts to less than significant (<10.0 in one million increased cancer risk).

The project will be required to implement the measures listed above as conditions of approval. These measures will be placed on project plan documents prior to issuance of any building permits for the project. The proposed project, therefore, would not result in a significant air quality impact due to construction TAC emissions. **(Less Than Significant Impact With Mitigation Measures Incorporated)**

Operational TAC Sources

El Camino Real

The project site is located adjacent to El Camino Real (State Route 82), a source of TACs from vehicular and truck emissions. BAAQMD created a screening tool for highways to identify the potential health risks for projects within 1,000 feet of major highways. The closest sensitive receptors on the project site would be setback 42 feet from El Camino Real which would result in an increased cancer risk of 9.64 cases per million.[8] The project would be subject to $PM_{2.5}$ concentrations of 0.14 $\mu g/m^3$ and a hazard index of less than 0.03. The health risks from TACs on the project site are all below BAAQMD thresholds.

Emergency Diesel Generator

A back-up emergency diesel generator is proposed on site. The generator would be located in the basement garage and operated during emergencies and for regular testing to ensure adequate operation. The generator would be subject to permitting by the BAAQMD which would ensure it would not be result in TAC emissions that exceed an increased cancer risk of 10 in one million, $PM_{2.5}$ of 0.3 $\mu g/m^3$ or a chronic or acute hazard index of 1.0 for project residents as well as surrounding residences.

[8] The closest sensitive receptor on the project site to El Camino Real would be approximately 42 feet from the roadway. The MEI receptor for the construction TAC analysis was determined to be located 90 feet from El Camino Real. Refer to Appendix B.

e. Create objectionable odors affecting a substantial number of people?

Implementation of the proposed project would not create objectionable odors affecting a substantial number of people near the site. No new stationary odor sources are anticipated as part of the project and there are no odor sources in the vicinity of the site that would emit substantial odors with the potential to impact future guests of the proposed residential structure. **(Less Than Significant Impact)**

4.3.4 Conclusion

The proposed project, with the implementation of mitigation measures MM AQ-1.1 and MM AQ-2.1, would result in less than significant air quality impacts. **(Less Than Significant Impact With Mitigation Measures Incorporated)**

4.4 BIOLOGICAL RESOURCES

This discussion is based in part on an Arborist Report prepared by *Kielty Arborist Services, LLC* in June 2016. A copy of this report is included as Appendix C in this Initial Study.

4.4.1 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS)?	☐	☒	☐	☐	1,2
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?	☐	☐	☐	☒	1,2,12
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒	1
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, impede the use of native wildlife nursery sites?	☐	☐	☐	☒	1,2,12
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐	1,2,12
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒	2

4.4.2 Existing Setting

The project site is located in an urban neighborhood and is developed with a multi-family residential structure, pavement, and landscaping. Habitats in developed, urban areas are extremely low in species diversity. Common species that occur in urban environments include rock pigeons, mourning doves, house sparrows, finches, and European starlings. Raptors and other avian species could forage in the project area or nest in surrounding landscaping.

There are no sensitive habitats or wetlands on or adjacent to the project site. Due to the lack of sensitive habitats, human disturbance, and the developed nature of the project site, special-status plant and animal species are not expected to occur. The primary biological resources on-site are landscape trees.

A tree survey (Appendix C) was completed for the project site in June 2016 by *Kielty Arborist Services, LLC*. Eleven trees (including the street trees regulated by Caltrans) were identified on the project site, representing seven non-native species. Twelve trees, representing five species, were identified on neighboring properties and are all protected under the City of Burlingame's Tree Ordinance. The existing on-site trees are primarily scattered throughout the perimeter of the parcel. Of the 11 identified project site trees, only two are protected under the City of Burlingame's Tree Ordinance. Most of the trees on-site trees have been poorly located with little room for growth, topped, and/or poorly maintained. Refer to Appendix C for a tree location map and additional details including tree circumference and health.

4.4.2.1 *Applicable Plans, Policies, and Regulations*

Federal Endangered Species Act and California Endangered Species Act

The federal Endangered Species Act and California Endangered Species Act protect listed wildlife species from harm or "take," which can include habitat modification or degradation that directly results in death or injury to a listed wildlife species. The long-term purpose of these laws are to ultimately restore their numbers to where they are no longer threatened or endangered.

Federal Migratory Bird Treaty Act

The Federal Migratory Bird Treaty Act (FMBTA: 16 U.S.C., scc. 703, Supp. I, 1989) is part of a coordinated effort between the United States, Canada, Mexico, Japan, and Russia to help protect migratory birds in this part of the world. It prohibits killing, taking, selling, possessing, or trading in migratory birds, except in accordance with regulations prescribed by the Secretary of the Interior. This act encompasses whole birds, parts of birds, and bird nests and eggs.

State Fish and Game Code

Birds of prey, such as owls and hawks, are protected in California under provisions of the State Fish and Game Code, Section 3503.5 (1992), which states that it is "unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest

abandonment and/or loss of reproductive effort is considered "taking" by the California Department of Fish and Wildlife.

City of Burlingame Municipal Code

Chapter 11.06 of the City's Municipal Code, Urban Reforestation and Tree Protection, establishes conditions and regulations for the removal and replacement of existing trees and the installation of new trees in new construction and development. A "protected tree" is defined as (1) any tree with a circumference of 48 inches or more (or diameter of 15 inches or more) when measured at 54 inches above natural grade; (2) a tree or stand of trees so designated by the City Council based upon findings that it is unique and of importance to the public due to its unusual appearance, location, historical significance or other factor; or (3) a stand of trees in which the Parks and Recreation Director has determined each tree is dependent upon the others for survival [Municipal Code, Chapter 11.06, Section 11.06.020(f)].

A permit is required for the removal (and heavy pruning) of a protected tree. The permit process involves a formal inspection by the City Arborist to determine the tree's health, structure, and impacts to neighboring properties, as well as replacement requirements (Municipal Code, Chapter 11.06, Section 11.06.090). Permits for removal of protected trees shall include replanting conditions with the following guidelines:

- Replacement trees shall be three 15-gallon, one 24-inch box, or one 36-inch box size landscape tree(s) for each tree removed.
- Size and number of the replacement tree(s) shall be determined by the Director and shall be based on the species, location, and value of the tree(s) removed.
- If replacement trees cannot be planted on the property, payment of equal value shall be made to the City. The payment shall then be deposited in the tree planting fund to be drawn upon for public tree planting. The replacement of a tree can be waived by the Parks and Recreation Department Director if a sufficient number of trees exists on the property to meet all other requirements of the Code.

4.4.3 Impacts Evaluation

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS?

The project site is located in an urban area surrounded by development. The project site is developed with a building, pavement, and landscaping. No sensitive habitats or habitats suitable for special-status plants or wildlife species occur within or adjacent to the project site. The project would not directly result in impacts to special-status species.

The mature trees on and adjacent to the project site could provide nesting habitat for birds, including migratory birds and raptors. Nesting birds are among the species protected under provisions of the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503, 3503.5, and 2800.

Construction of the project during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes abandonment and/or loss of reproductive effort is considered a taking by the CDFW. Any loss of fertile eggs, nesting raptors, or any activities resulting in nest abandonment would constitute an impact. Construction activities such as tree removal and site grading that disturb a nesting bird or raptor on-site or immediately adjacent to the construction zone would also constitute an impact.

Impact BIO – 1: The project may disturb nesting birds on and adjacent to the site during construction. **(Significant Impact)**

Mitigation Measures: The project will be required to implement the following mitigation measures to reduce impacts to raptors and migratory birds to a less than significant level:

MM BIO – 1.1: In order to protect nesting birds on and adjacent to the project site the following measures will be implemented:

- Pre-construction nesting bird surveys shall be completed prior to tree removal if removal or construction is proposed to commence during the breeding season (February 1 to August 31) in order to avoid impacts to nesting birds. Surveys shall be completed by a qualified biologist no more than 7 days before construction begins. During this survey, the biologist or ornithologist shall inspect all trees and other possible nesting habitats in and within 250 feet of the project boundary.
- If an active nest is found in an area that would be disturbed by construction, the ornithologist shall designate an adequate buffer zone (~250 feet) to be established around the nest, in consultation with the California Department of Fish and Wildlife (CDFW). The buffer would ensure that nests shall not be disturbed until the young have fledged (left the nest), the nest is vacated, and there is no evidence of second nesting attempts.
- The applicant shall submit a report indicating the results of the survey and any designated buffer zones to the satisfaction of the Director of Community Development, prior to the issuance of a grading permit or demolition permit.

With the implementation of the above mitigation measures, the proposed project would have a less than significant impact on raptors and migratory birds. **(Less Than Significant Impact With Mitigation Measures Incorporated)**

b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?*

The project site is developed with urban uses and does not contain any riparian habitats or other sensitive natural communities. **(No Impact)**

c) *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

The project site is completely developed and devoid of wetlands, marshes, or vernal pools. The project would not impact any federally protected wetlands under the Clean Water Act. **(No Impact)**

d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, impede the use of native wildlife nursery sites?*

The project site is located in a developed urban area and does not support any watercourse, river, or provide substantial habitat that facilitates the movement of any native resident or migratory fish or wildlife species, other than birds which are discussed in Section 4.4.3(a) above. The project site is fully developed and contains limited potential to serve as a migratory corridor for wildlife. **(No Impact)**

e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

On-Site Trees

Construction of the proposed project would require the removal of nine trees on-site, none of which are protected trees. An additional street tree, a non-historic eucalyptus tree, along El Camino Real would be removed for reconstruction of the driveway entrance, requiring a permit from Caltrans, and the project would provide a replacement elm street tree consistent with the historic Howard-Ralston Eucalyptus Tree Rows.

As discussed in *Section 4.4.2.1*, removal of a protected tree (with a valid permit) shall be replaced by three 15-gallon size trees or one 24-inch box size tree or one 36-inch box size tree for each protected tree removed; replacement of a removed protected tree may also be waived by the Director if a sufficient number of trees exist on the property to meet all other requirements of the Code. As part of the project, and in accordance with the City of Burlingame Municipal Code Section 11.06.090 and the Urban Forest Management Plan, eight new trees would be planted on-site. The project shall comply with the City's Municipal Code and Urban Forest Management Plan by obtaining the necessary tree permit(s) and adhering to the tree plantings/replacements requirements. Therefore, removal of the protected trees would not result in a significant impact.

Off-Site Trees

The tree survey for the project (refer to Appendix C) also included trees on adjacent properties that may be affected by project construction. Twelve off-site trees have canopies extending onto the project site that may require pruning to provide construction clearance. The project shall implement the mitigation measures identified in the tree survey and presented below to protect off-site trees during project construction.

Impact BIO – 2: The project may impact protected trees on and/or adjacent to the site. **(Significant Impact)**

Mitigation Measure: The project shall implement the following mitigation measure to ensure project impacts to protected trees on and adjacent to the site are reduced to a less than significant level:

MM BIO – 2.1: In order to protect the retained trees on and/or adjacent to the site, the following measures should be implemented:

- Tree protection zones shall be established and maintained throughout the entire length of the project. Fencing for the protection zones shall be a six-foot tall metal chain link type supported by two-inch metal poles pounded into the ground by no less than two feet. The support poles shall be spaced no more than 10 feet apart on center. The location for the protection fencing shall be as close to the dripline as possible but still allow room for construction to safely continue. Signs shall be placed on fencing signifying "Tree Protection Zone - Keep Out". No materials or equipment shall be stored or cleaned inside the tree protection zones. Areas outside the fencing but still beneath the drip line of protected trees, where foot traffic is expected to be heavy, shall be mulched with four to six inches of chipper chips.
- Trenching for irrigation, electrical, drainage or any other reason shall be hand dug when beneath the driplines of protected trees. Hand digging and carefully laying pipes below or beside protected roots will dramatically reduce root loss of desired trees thus reducing trauma to the entire tree. Trenches shall be backfilled as soon as possible with native material and compacted to near its original level. Trenches that must be left exposed for a period of time shall also be covered with layers of burlap or straw wattle and kept moist. Plywood over the top of the trench will also help protect exposed roots below.
- Normal irrigation shall be maintained throughout the entire length of the project. The imported trees on this site will require irrigation during the warm season months. Some irrigation may be required during the winter months depending on the seasonal rainfall. During the summer months the trees on this site shall receive heavy flood type irrigation twice a month. During the fall

and winter, once a month should suffice. Mulching the root zone of protected trees will help the soil retain moisture, thus reducing water consumption.[9]

With the implementation of the above mitigation measures, impacts to trees would be less than significant. **(Less Than Significant With Mitigation Incorporated)**

f) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

The project site is not located within a Habitat Conservation Plan or Natural Community Conversation Plan. Therefore, the project would not conflict with the provisions of an adopted HCP. **(No Impact)**

4.4.4 Conclusion

The project, with implementation of the identified mitigation measures MM BIO – 1.1 and MM BIO – 2.1, would have a less than significant impact on biological resources. **(Less Than Significant Impact With Mitigation Incorporated)**

[9] Kielty Arborist, LLC. *Arborist Report 556 El Camino Real.* June 27, 2016.

4.5 CULTURAL RESOURCES

The following discussion is based, in part, on an Archaeological Literature Search prepared by *Holman & Associates* in June 2017 and a Historical Resources Compliance Report prepared by *Ward Hill, Architectural Historian* in June 2017. Copies of these reports are included as Appendix F in this Initial Study.

4.5.1 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines Section 15064.5?	☐	☐	☒	☐	2,3,13,20
b) Cause a substantial adverse change in the significance of an archaeological resource as defined in CEQA Guidelines Section15064.5?	☐	☒	☐	☐	2,3,13,19
c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	☐	☒	☐	☐	2,3
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐	2,3,19
e) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					1,19
1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or	☐	☐	☐	☒	1,19
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying this criteria, the significance of the resource to a California Native American tribe shall be considered.	☐	☐	☐	☒	1,19

4.5.2 Existing Setting

Historic Buildings

The building on-site was constructed circa 1954. While over 50 years in age, the existing multi-family residential structure does not appear to have exemplary characteristics in design or association with any patterns of development or significant events contributing to the history of the City that would be eligible for the California or National Registers. The Downtown Specific Plan included an Inventory of Historic Resources (completed by *Carey & Co., 2008)* that identified which properties appear to be eligible as historic resources, based on State and federal criteria. Based on archival research to assess historic significance and site reconnaissance to evaluate potential historic structure, 23 structures within the Plan Area were determined to be eligible for the California Register of Historical Resources (CRHR) and the National Register of Historic Places (NRHP).[10] In addition, Carey & Co. found 51 structures in the Plan Area that, although not California or National Register-eligible, still convey certain aspects of Burlingame's history and architectural heritage. The project site is not included as a potential historic resource in this inventory, and is not considered an historic resource under CEQA Guidelines Section 15064(c). There are no documented historic buildings adjacent to ~~or in the vicinity of~~ the site that could be indirectly affected by development of the project site. El Camino Real is a California Historic Landmark (No. 784) that acknowledges the approximate, modernized location of this portion of the Spanish travel route linking the missions from San Diego to San Francisco. A National Register-eligible property located at 1615 Floribunda Avenue in Hillsborough is located approximately 80 feet from the project site on the west side of El Camino Real.

Historic Landscapes

The project is adjacent to the Howard-Ralston Eucalyptus Tree Rows, listed on the National Register of Historic Places in 2012, which consists of elms and eucalyptus trees planted along both sides of El Camino Real (State Route 82) beginning in the 1870s. The trees were originally planted to beautify and protect from wind the portion of the El Camino Real leading to the estates of several San Francisco Peninsula property owners, the most prominent of whom were landowner George H. Howard and capitalist William C. Ralston. The tree planting, undertaken between 1873 and 1876, was comprised primarily of English elms, interspersed with eucalyptus, to protect the elms from wind. The historic resource area is 2.2 miles long, bounded by Peninsula Avenue to the south and Ray Drive/Rosedale Avenue to the north. There are approximately 557 trees contained within the resource boundaries and 356 trees are considered contributing trees. The majority of the trees contributing to the historic resource are mature blue and manna gums from the original planting. The remaining contributing trees are elms which are comprised of mature elms and those planted since 2006 by the California Department of Transportation and City of Burlingame. These new plantings are noteworthy because the elm species had been the predominant tree type specified in the original landscape plan for the El Camino Real in this area.[11] Three trees adjacent to the project site have been mapped by Caltrans (CT 195 to CT 197) as part of the historic preservation efforts for the tree row. CT 195 is an approximately 85-foot tall and 40-inch diameter historic eucalyptus tree, located directly north of the project site adjacent to El Camino Real. CT 196 is a newly planted, contributing

[10] Carey & Company, Inc. *Inventory of Historic Resources.* October 6, 2008.
[11] Burlingame Historical Society. *National Register of Historic Places Registration Form, Howard-Ralston Eucalyptus Tree Rows*. July 31, 2011.

elm tree to the historic tree rows that is centrally located in the park strip fronting the site adjacent to El Camino Real. CT 197 is an approximately 65-foot tall and 16-inch diameter eucalyptus tree, located in the park strip directly south of the entry driveway, that is non-contributing to the historic tree row.

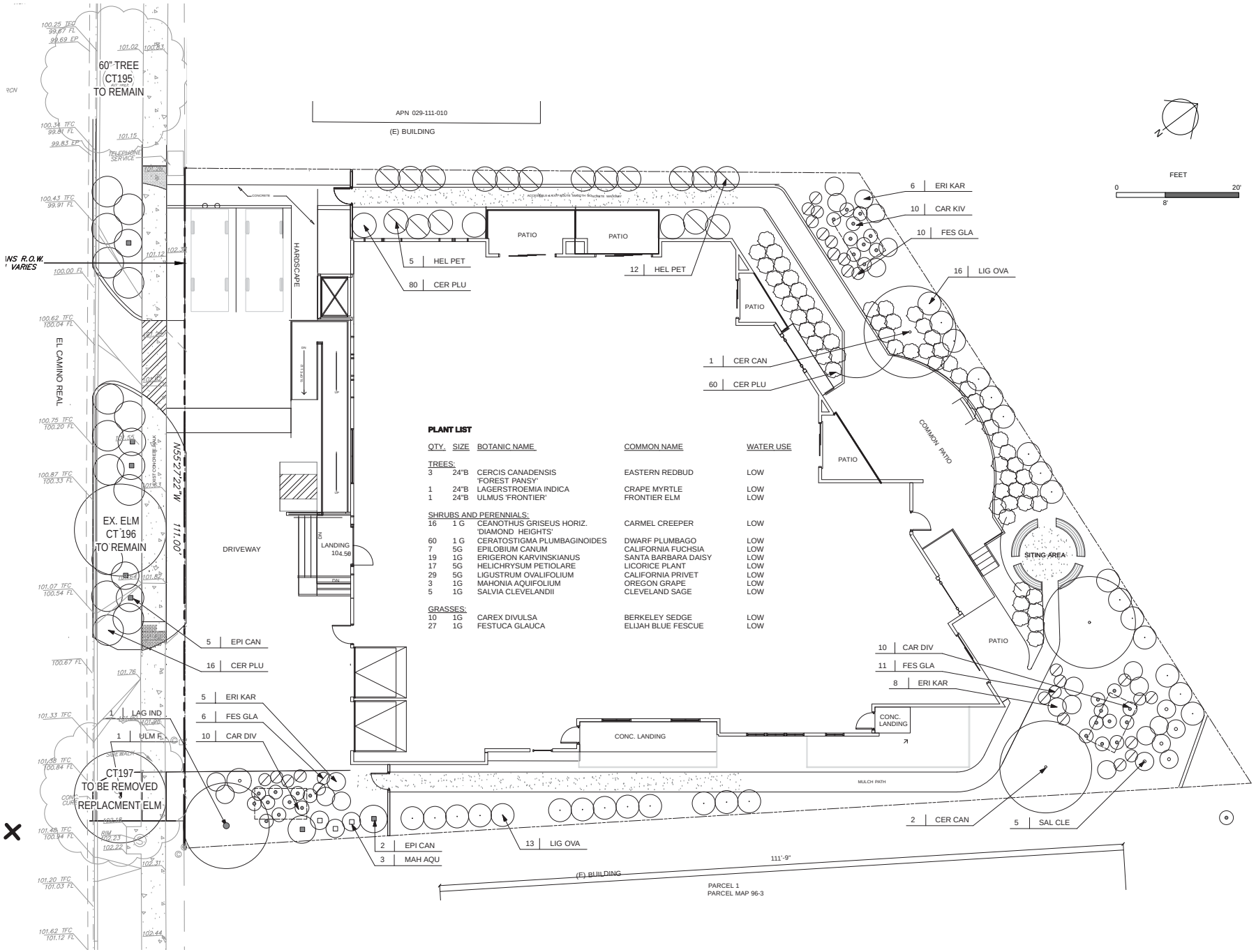
Archaeological Resources

Based on a review of archaeological literature, the project site and adjacent properties are not listed in federal, state, or local registers. No Native American archaeological sites have been recorded within one-quarter mile of the project site. In this portion of San Mateo County, Native American archaeological sites have been identified on land adjacent to historic bay margins, adjacent to major creeks, and at the base of the hills by waterways. The project and vicinity is located within a gently sloping valley not close to any major watercourse, and historically it was approximately 0.6 miles to the San Francisco Bay. Based on a review of historic-era maps and historical land use patterns, there is no indication that specific historic archaeological deposits might exist within or adjacent to the current project site.

~~There are no archaeological sites that have been recorded on or immediately adjacent to the project site.~~

4.5.2.1 *Native American Resources*

On September 25, 2014, Governor Edmund G. Brown signed Assembly Bill 52 (AB 52), creating a new category of environmental resources (tribal cultural resources), which must be considered under CEQA. The legislation imposes new requirements for consultation regarding projects that may affect a tribal cultural resource, includes a broad definition of what may be considered to be a tribal cultural resource, and includes a list of recommended mitigation measures. AB 52 also requires lead agencies to provide notice to tribes that are traditionally and culturally affiliated with the geographic area if they have requested to be notified of projects proposed within that area. Where a project may have a significant impact on a tribal cultural resource, consultation is required until the parties agree to measures to mitigate or avoid a significant effect on a tribal cultural resource or when it is concluded that mutual agreement cannot be reached. No tribes had requested notice under AB 52 of projects within the geographic area encompassing the project site. Based on a Sacred Lands File (SLF) review and Native American Consultation completed by *Holman & Associates*, ~~N~~no known tribal cultural resources are located ~~at~~ on or adjacent to the project site.



PLANT LIST

QTY.	SIZE	BOTANIC NAME	COMMON NAME	WATER USE
TREES:				
3	24"B	CERCIS CANADENSIS 'FOREST PANSY'	EASTERN REDBUD	LOW
1	24"B	LAGERSTROEMIA INDICA	CRAPE MYRTLE	LOW
1	24"B	ULMUS 'FRONTIER'	FRONTIER ELM	LOW
SHRUBS AND PERENNIALS:				
16	1 G	CEANOTHUS GRISEUS HORIZ. 'DIAMOND HEIGHTS'	CARMEL CREEPER	LOW
60	1 G	CERATOSTIGMA PLUMBAGINOIDES	DWARF PLUMBAGO	LOW
7	5G	EPILOBIUM CANUM	CALIFORNIA FUCHSIA	LOW
19	1G	ERIGERON KARVINSKIANUS	SANTA BARBARA DAISY	LOW
17	5G	HELICHRYSUM PETIOLARE	LICORICE PLANT	LOW
29	5G	LIGUSTRUM OVALIFOLIUM	CALIFORNIA PRIVET	LOW
3	1G	MAHONIA AQUIFOLIUM	OREGON GRAPE	LOW
5	1G	SALVIA CLEVELANDII	CLEVELAND SAGE	LOW
GRASSES:				
10	1G	CAREX DIVULSA	BERKELEY SEDGE	LOW
27	1G	FESTUCA GLAUCA	ELIJAH BLUE FESCUE	LOW

TREE LOCATION MAP

FIGURE 4.5-1

4.5.3 Impacts Evaluation

a) Cause a substantial adverse change in the significance of an historical resource?

The project site has been developed with a multi-family residential structure since circa 1954. While over 50 years in age, the existing residential building on-site, as evaluated by Carey & Co. as part of the Downtown Specific Plan, does not appear to have exemplary characteristics in design or be associated with any patterns of development or significant persons or events contributing to the history of the City that would make it eligible for the California or National Registers.

According to the Downtown Specific Plan Inventory of Historic Resources, the existing apartment building on-site is not listed as a historic resource. Therefore, the structure is not considered to be an historic resource as defined in Section 21084.1 of the California Environmental Quality Act.

The National Register-eligible property located at 1615 Floribunda Avenue in Hillsborough on the west side of El Camino Real is buffered from the roadway and project site on the east side of El Camino Real by the Howard-Ralston Eucalyptus Tree Rows. The historic eucalyptus trees in this area are approximately 85 feet in height (refer to Appendix C). The project would not result in any impact to the historic tree row on the west side of El Camino Real, nor would it remove significant contributing trees on the east side of El Camino Real. As described in *Section 4.1.3 Aesthetics* and shown graphically in Appendix A, due to the orientation of site, shadows from the proposed building would not extend across El Camino Real nor have any effect on the health of the historic eucalyptus trees.[12] The project, therefore, would not substantially affect, directly or indirectly any historic buildings or property, including the setting and context for the property located at 1615 Floribunda Avenue.

The project would remove one, non-contributing eucalyptus tree (CT 197) on the south end of the project site to accommodate a realigned project driveway. A replacement elm would be planted in the park strip along El Camino Real south of the new entrance driveway to provide a Caltrans-approved replacement planting within the historic tree row with similar spacing to the current condition. The project would retain the existing elm (CT 196) on the El Camino Real frontage and includes tree protection measures for trees adjacent to the site, including the historic eucalyptus (CT 195) to the north of the proposed northerly driveway to the project site. The project maintains a pattern of multi-storied, multi-family development along El Camino Real in the City of Burlingame. The project maintains similar setbacks to the existing development and would not result in substantial changes to the setting of the historic tree rows.

The project would not involve any other changes to the El Camino Real frontage of the site that would affect the historic status of El Camino Real or the Howard-Ralston Eucalyptus Tree Rows. **(Less Than Significant Impact)**

[12] Disco, Bob. City Arborist, City of Burlingame. Memorandum. June 28, 2017.

~~No documented historic buildings are adjacent to or in the vicinity of the site; therefore, the project would have no indirect off-site impacts on historic resources.~~ **~~(Less Than Significant Impact)~~**

b – d) Cause a substantial adverse change in the significance of an archaeological resource? Would the project disturb any human remains, including those interred outside of formal cemeteries? Would the project directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?

Based on the identification of archaeological resources in the City of Burlingame completed for the Downtown Specific Plan, there are no known archaeological resources within the boundaries of the project site. Project related construction activities involving ground-disturbance during construction could result in significant impacts, if any unknown culturally significant sites are discovered. If remains were unearthed during project construction, damage to or destruction of significant archaeological remains would be a potentially significant impact.

The site has no known human remains, including those interred outside of formal cemeteries. However, it is possible, though unlikely, that the presence of human remains on a site may be discovered during site excavation and grading.

Paleontological resources are the fossilized remains and/or traces of prehistoric plant and animal life exclusive of human remains or artifacts. Fossil remains, such as bones, teeth, shells, and wood, are found in geologic deposits (rock formations). The project site has been previously developed and no known paleontological resources have been recorded. Because the proposed project would not result in excavation in bedrock conditions given alluvial deposits were encountered to depths of 51 feet and project excavation would extend to 28 feet, significant paleontologic discovery would be unlikely. However, significant fossil discoveries can be made even in areas of supposed low sensitivity.

Impact CUL – 1: Construction of the proposed project could result in significant impacts to archaeological resources, unique paleontological resources/sites, unique geologic features, or human remains, if present on-site. **(Significant Impact)**

Mitigation Measure: The project shall implement the following mitigation measures to ensure project impacts to cultural resources are reduced to a less than significant level:

MM CUL – 1.1: *Unique Paleontological and/or Geologic Features and Reporting*. Should a unique paleontological resource or site or unique geological feature be identified at the project site during any phase of construction, all ground disturbing activities within 25 feet shall cease and the Community Development Director notified immediately. A qualified paleontologist shall evaluate the find and prescribe mitigation measures to reduce impacts to a less than significant level. The identified mitigation measures shall be implemented. Work may proceed on other parts of the project site while mitigation for

paleontological resources or geologic features is carried out. Upon completion of the paleontological assessment, a report shall be submitted to the City and, if paleontological materials are recovered, a paleontological repository, such as the University of California Museum of Paleontology.

MM CUL – 1.2: *Cultural Sensitivity Training.* Prior to any ground-disturbing construction activity on the site, cultural resource sensitivity training for construction personnel on the project shall be completed by a qualified archaeologist. The training shall outline potential indicators of archaeological materials and artifacts to be aware of during grading and excavation activity on the site.

MM CUL – 1.3: *Undiscovered Archaeological Resources.* If evidence of an archaeological site or other suspected cultural resource as defined by CEQA Guideline Section 15064.5, including darkened soil representing past human activity ("midden"), that could conceal material remains (e.g., worked stone, worked bone, fired clay vessels, faunal bone, hearths, storage pits, or burials) is discovered during construction related earth-moving activities, all ground-disturbing activity within 100 feet of the resources shall be halted and the Community Development Director shall be notified. The project sponsor shall hire a qualified archaeologist to conduct a field investigation. The Community Development Director shall consult with the archaeologist to assess the significance of the find. Impacts to any significant resources shall be mitigated to a less-than-significant level through data recovery or other methods determined adequate by a qualified archaeologist and that are consistent with the Secretary of the Interior's Standards for Archaeological documentation. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-J) form and filed with the NWIC.

MM CUL – 1.~~4~~3: *Human Remains.* If human remains are discovered at any project construction site during any phase of construction, all ground-disturbing activity within 100 feet of the resources shall be halted and the Community Development Director and the County coroner shall be notified immediately, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The project sponsor shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary,

the archaeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains. The City of Burlingame shall be responsible for approval of recommended mitigation as it deems appropriate, taking account of the provisions of State law, as set forth in CEQA Guidelines section 15064.5(e) and Public Resources Code section 5097.98. The project sponsor shall implement approved mitigation, to be verified by the City of Burlingame, before the resumption of ground-disturbing activities within 100 feet of where the remains were discovered.

MM CUL – 1.54: *Report of Archaeological Resources.* If archaeological resources are identified, a final report summarizing the discovery of cultural materials shall be submitted to the City's Planning Manager prior to issuance of building permits. This report shall contain a description of the mitigation program that was implemented and its results, including a description of the monitoring and testing program, a list of the resources found and conclusion, and a description of the disposition/curation of the resources.

MM CUL – 1.6: *Secretary of the Interior's Standards (SOIS) and Environmentally Sensitive Areas (ESA) Action Plan.* The project shall implement measures contained in the final SOIS and ESA Action Plan as required by Caltrans through the encroachment permit process. The proposed measures shall include, but not be limited to, the following:

- Identify the environmentally sensitive area and/or tree protection zone for tree CT 195 and CT 196 on the work plan for review and approval by Caltrans District 4 Professionally Qualified Staff (PQS).
- Project Landscape Architect/ Arborist shall identify appropriate location for planting of a new contributing elm tree to replace CT 197, subject to consultation with Caltrans PQS.
- Any subsequent changes to the project shall be reviewed by the Project Landscape Architect/Arborist for consistency with the SOIS and ESA Action Plan and provided to other responsible parties (Caltrans PQS and Community Development Director).
- Project Landscape Architect/Arborist shall inform Caltrans PQS and the Community Development Director upon completion of the project per the SOIS and ESA Action Plan.
- Project Landscape Architect/Arborist shall document planting of the new elm and provide to Caltrans PQS and the Community Development Director. **(Less Than Significant Impact With Mitigation Incorporated)**

e) *Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: (1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or (2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.*

No tribes have requested notice under AB 52 of projects within the geographic area encompassing the project site. No known tribal cultural resources are located at the project site. For these reasons, the project would result in no impact to tribal cultural resources. **(No Impact)**

4.5.4 Conclusion

Construction of the proposed development, with the implementation of mitigation measures CUL – 1.1 through CUL – 1.64, would not result in a significant impact to buried cultural resources. **(Less Than Significant Impact With Mitigation Incorporated)**

The project would not result in a significant impact to historic resources, nor tribal cultural resources. **(Less Than Significant Impact)**

4.6 GEOLOGY AND SOILS

The following discussion is based in part on a geotechnical investigation prepared by *Earth Mechanics Consulting Engineers* in April 2013. A copy of this report is included in this Initial Study as Appendix D.

4.6.1 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
1. Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (refer to Division of Mines and Geology Special Publication 42)?	☐	☐	☒	☐	1,14
2. Strong seismic ground shaking?	☐	☐	☒	☐	1,14
3. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐	14
4. Landslides?	☐	☐	☒	☐	14
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒	14
c) Be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☒	☐	☐	14
d) Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property?	☐	☐	☒	☐	14
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒	14

4.6.2 Existing Setting

4.6.2.1 *Soils*

The project site is underlain by alluvial deposits consisting primarily of sand-clay mixtures with varying amounts of gravel. Results of soil testing completed on-site indicated that the project site is generally covered with saturated and firm silty-clay with sand for the first 10 feet bgs. Below the silty-clay was moist, very stiff, and dense mottled clayey sand with varying amounts of gravel fragments down to the terminated boring depth of 51.5 feet. Refer to Appendix D for additional detail on soil conditions on the site.

4.6.2.2 *Groundwater*

Based on groundwater data on-site and in the area, it is estimated that the groundwater surface fluctuates seasonally and can reach depths as shallow as five feet below ground surface (bgs).[13] Fluctuations in the level of subsurface water can occur due to variations in rainfall, temperature, and other factors.

4.6.2.3 *Seismicity and Seismic-Related Hazards*

The San Francisco Bay Area is one of the most seismically active regions in the United States. Several major fault zones pass through the Bay Area in a northwesterly direction which have produced approximately 12 earthquakes per century strong enough to cause structural damage. The faults causing such earthquakes are part of the San Andreas Fault System, a major rift in the earth's crust that extends for at least 700 miles along western California. The San Andreas Fault System includes the San Andreas, San Gregorio, Hayward, Calaveras Fault Zones, and other faults.

The major active faults in the project area are the San Andreas, San Gregorio, and Hayward faults located approximately 3.7 miles northwest, 14 miles northwest, and 26 miles southeast of the project site, respectively. An earthquake of moderate to high magnitude generated within the San Francisco Bay region could cause considerable ground shaking at the project site. Strong shaking during an earthquake can result in ground failure such as that associated with soil liquefaction, lateral spreading, and differential compaction. These seismic-related hazards are discussed below.
The site is not within an Earthquake Fault Zone, as defined by the Alquist-Priolo Earthquake Fault Zoning Act, and no known active or potentially active faults exist on the site.

4.6.2.4 *Liquefaction*

Liquefaction is the result of seismic activity and is characterized as the transformation of loose, saturated soils from a solid state to a liquid state during ground shaking. On-site soils consist of cohesive clay-sand mixtures that generally have low potential for liquefaction (refer to Appendix D).

4.6.2.5 *Lateral Spreading*

Lateral spreading is the horizontal displacement of flat-lying alluvial material toward an open face, such as the steep bank of a stream channel. Lateral spreading is generally caused by liquefaction of

[13] Earth Mechanics Consulting Engineers, Inc. *Geotechnical Investigation for Planned Residential Development at 556 El Camino Real.* April 2013.

marginally stable soils underlying gentle slopes. Considering the relatively flat site grades and the absence of a free face on or adjacent to the site the risk of lateral spreading on the site is low.

4.6.2.6 *Applicable Plants, Policies, and Regulations*

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act regulates development in California near known active faults due to hazards associated with surface fault ruptures. The Earthquake Fault Zones indicate areas with potential surface fault-rupture hazards. Areas within the Alquist-Priolo Earthquake Fault Zone require special studies to evaluate the potential for surface rupture to ensure that no structures intended for human occupancy are constructed across an active fault. The project site is not located in an Alquist-Priolo Earthquake Fault Zone.

California Building Code

The State of California provides minimum standards for structural design and site development through the California Building Code [CBC – California Code of Regulations (CCR), Title 24, part 2]. Local codes are permitted to be more stringent than Title 24 but, at minimum, are required to meet all state standards and enforce the regulations of the 2013 CBC. The City's enforcement of its Building Code ensures the project would be consistent with the CBC.

Chapter 16 of the CBC deals with structural design requirements governing seismically resistant construction. Chapter 18 of the CBC includes the requirements for foundation and soil investigations; excavation, grading, and fill; allowable load-bearing values of soils; and design of foundation walls, retaining walls, embedded post and poles. Chapter 33 of the CBC includes requirements for safeguards at work sites to ensure stable excavations and cut or fill slopes and the protection of pedestrians and adjoining properties from damage caused by such work. Appendix J of the CBC includes grading requirements for design of excavation of fills and for erosion control.

City of Burlingame General Plan

The Seismic Safety Element, as well as the Safety Element of the City's General Plan contains policies, recommendations, and actions to avoid or mitigate geology and soils impacts resulting from development within the City. The proposed project would be subject to conformance with applicable General Plan policies, including those listed below.

Policies	Description
Policy SS(B)	Require that new development incorporate seismic hazard mitigation measures to reduce risk to an acceptable level.
Policy S(A)	Identify existing natural and man-made safety hazards, and devise a reasonable assignment of responsibility for their correction or reduction which will be within limits of economic acceptability.
Policy S(C)	Identify any urgently needed implementation measures or new legislation.

4.6.3 Impacts Evaluation

a, c) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: i) rupture of a known earthquake fault, ii) strong seismic ground shaking, iii) seismic-related ground failure, or iv) landslides? Would the project be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Seismic Shaking and Liquefaction

While the likelihood of fault rupture at the project site is extremely low, the project site is located in a seismically active region and strong ground shaking would likely occur at the project site during seismic activity throughout the life of the project. Given the alluvial nature of the soil deposits at the site, there is a potential that liquefiable soils could exist in discrete pockets with limited vertical and lateral extent. If liquefaction were to occur in soils beneath the site, the ground surface would be susceptible to up to one inch of liquefaction-induced settlement. Therefore, there is a relatively low potential for damage to buildings from liquefaction.

The project would conform to the standard engineering and building practices and techniques specified in the CBC. The proposed buildings would be designed and constructed in accordance with the recommendations of a geotechnical report prepared for the site (refer to Appendix D), which identifies the specific design features related to geologic and seismic conditions. The buildings would meet the requirements of appropriate Building and Fire Codes, as adopted by the City of Burlingame. The project, in conformance to applicable regulations and with the implementation of the recommendations in the geotechnical report, would not result in significant impacts from seismicity and seismic-related hazards including ground shaking and liquefaction. **(Less Than Significant Impact)**

Landslides

The site and surrounding areas are generally level. Therefore, the hazard due to landsliding is very low for the site. **(Less Than Significant Impact)**

Groundwater Impacts

Groundwater at the project site has been encountered at depths as shallow as five feet bgs. The below grade structure would require soil excavation up to approximately 28 feet bgs. Therefore, the project could risk exacerbating environmental hazards or risks on the site through the construction of the proposed development. If groundwater is encountered during construction, dewatering and special soil preparation may be necessary to allow construction in a dry condition and on a stable subgrade. Dewatering activities that lower groundwater level could increase the effective stress on underlying sediments, potentially resulting in ground settlements and damage to structures, roadways, and/or utilities.

According to the Downtown Specific Plan, lowering the local shallow groundwater table could contribute to land subsidence and reduce the aquifer volume. Impacts of development under the Downtown Specific Plan on groundwater, therefore, would be potentially significant.

Impact GEO – 1: The project may be subject to high groundwater levels over the life of the proposed structure. **(Significant Impact)**

Mitigation Measures: The following Standard Condition of Approval would reduce impacts to groundwater to a less than significant level:

MM GEO – 1.1: For development under the Downtown Specific Plan, projects with subgrade structures require that the project sponsor prepare a Geotechnical Study identifying the depth to the seasonal high water table at the project site. No permanent groundwater dewatering would be allowed in the Downtown Specific Plan Area. Instead, all residential uses must be elevated to above the seasonal high water table and all areas for non-residential uses shall be floodproofed and anchored, in accordance with floodplain development requirements, to the design depth as recommended by a geotechnical engineer. Final design shall be prepared by a qualified professional engineer and approved by the Burlingame Department of Public Works prior to receiving a building permit. **(Less Than Significant Impact With Mitigation Incorporated)**

b, d, e) Would the project result in substantial soil erosion or the loss of topsoil? Would the project be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property? Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Soil Impacts

The project does not propose the use of septic tanks or alternative wastewater disposal systems and, therefore, the last threshold is not discussed further. Due to the relatively flat topography of the site and surrounding area, the project would not result in substantial erosion, or loss of topsoil.

Expansive soils are not present on the site (refer to Appendix D). Therefore, impacts to structures from expansive soils would be less than significant. **(Less Than Significant Impact)**

4.6.4 Conclusion

The project would not result in significant geology and soil impacts with the implementation of mitigation measure GEO – 1.1. **(Less Than Significant Impact With Mitigation Incorporated)**

4.7 GREENHOUSE GAS EMISSIONS

4.7.1 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐	2,10, 11,15
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐	2,10, 11,15

4.7.2 Existing Setting

The project site is currently developed with a multi-family residential structure. GHG emissions from existing uses on-site include emissions resulting from building and operations (e.g., heating/cooling and lighting) and vehicular travel to and from the site.

4.7.2.1 *Background*

Unlike emissions of criteria and toxic air pollutants, which are discussed in *Section 4.4* and have local or regional impacts, emissions of Greenhouse Gases (GHGs) have a broader, global impact. Global warming associated with the "greenhouse effect" is a process whereby GHGs accumulating in the atmosphere contribute to an increase in the temperature of the earth's atmosphere over time. The principal GHGs contributing to global warming and associated climate change are carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and fluorinated compounds. Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the transportation, industrial/manufacturing, utility, residential, commercial, and agricultural sectors.

The San Francisco Bay Area Air Basin (SFBAAB) is currently designated as a nonattainment area for state and national ozone standards and national particulate matter ambient air quality standards. SFBAAB's nonattainment status is attributed to the region's development history. Past, present and future development projects contribute to the region's adverse air quality impacts on a cumulative basis. By its very nature, air pollution is largely a cumulative impact. No single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project's contribution to the cumulative impact is considerable, then the project's impact on air quality would be considered significant. The Bay Area Air Quality Management District's (BAAQMD) approach to developing a Threshold of Significance for GHG emissions is to identify the emissions level for which a project would not be expected to substantially conflict with existing California legislation adopted to reduce statewide GHG emissions needed to move us towards climate stabilization. If a project would generate GHG emissions above the threshold level, it would be considered to contribute substantially to a cumulative impact, and would be considered significant.

The Thresholds of Significance for operational-related GHG emissions are:

- For land use development projects, the threshold is compliance with a qualified GHG reduction Strategy; or annual emissions less than 1,100 metric tons per year (MT/yr) of CO_2e; or 4.6 MT CO_2e/SP/yr (residents + employees). Land use development projects include residential, commercial, industrial, and public land uses and facilities.
- For stationary-source projects, the threshold is 10,000 metric tons per year (MT/yr) of CO_2e. Stationary source projects include land uses that would accommodate processes and equipment that emit GHG emissions and would require an Air District permit to operate. If annual emissions of operational-related GHGs exceed these levels, the proposed project would result in a cumulatively considerable contribution of GHG emissions and a cumulatively significant impact to global climate change.

The BAAQMD has established project level screening criteria to assist in the evaluation of impacts. If a project meets the screening criteria and is consistent with the methodology used to develop the screening criteria, then the project's air quality impacts may be considered less than significant. For condominiums and townhouses, the BAAQMD *CEQA Air Quality Guidelines* set a screening threshold of 78 dwelling units.

4.7.2.2 *Applicable Plans, Policies, and Regulations*

State of California

Assembly Bill 32 and Executive Order S-3-05

Assembly Bill 32 (AB 32), also known as the Global Warming Solutions Act, was passed in 2006 and established a goal to reduce GHG emissions to 1990 levels by 2020. Prior to the adoption of AB 32, the Governor of California also signed Executive Order S-3-05 into law, which set a long term objective to reduce GHG emissions to 90 percent below 1990 levels by 2050. The CalEPA is the state agency in charge of coordinating the GHG emissions reduction effort and establishing targets along the way.

In December 2008, CARB approved the *Climate Change Scoping Plan*, which proposes a comprehensive set of actions designed to reduce California's dependence on oil, diversify energy sources, save energy, and enhance public health, among other goals. Per AB 32, the Scoping Plan must be updated every five years to evaluate the mix of AB 32 policies to ensure that California is on track to achieve the 2020 greenhouse gas reduction goal. The First Update to the Scoping Plan was approved on May 22, 2014 and builds upon the Scoping Plan with new strategies and recommendations. The First Update defines CARB's priorities over the next five years and lays the groundwork to reach long-term goals set forth in Executive Order S-3-05.

Senate Bill 375

Senate Bill 375 (SB 375), known as the Sustainable Communities Strategy and Climate Protection Act, was signed into law in September 2008. SB 375 builds on AB 32 by requiring CARB to develop regional GHG reduction targets to be achieved from the automobile and light truck sectors for 2020 and 2035 in comparison to 2005 emissions. The per capita reduction targets for passenger vehicles in the San Francisco Bay Area include a seven percent reduction by 2020 and a 15 percent reduction by 2035. The four major requirements of SB 375 are:

1. Metropolitan Planning Organizations (MPOs) must meet greenhouse gas emission reduction targets for automobiles and light trucks through land use and transportation strategies.
2. MPOs must create a Sustainable Communities Strategy (SCS), to provide an integrated land use/transportation plan for meeting regional targets, consistent with the Regional Transportation Plan (RTP).
3. Regional housing elements and transportation plans must be synchronized on eight-year schedules, with Regional Housing Needs Assessment (RHNA) allocation numbers conforming to the SCS.
4. MPOs must use transportation and air emissions modeling techniques consistent with guidelines prepared by the California Transportation Commission (CTC).

MTC and ABAG adopted *Plan Bay Area* in July 2013 in response to SB 375. The strategies in the plan are intended to promote compact, mixed-use development close to public transit, jobs, schools, shopping, parks, recreation, and other amenities, particularly within Priority Development Areas (PDAs) identified by local jurisdictions. The project site is located within a PDA.

Regional and Local

Bay Area 2010 Clean Air Plan

The Bay Area 2010 Clean Air Plan (2010 CAP) addresses air emissions in the San Francisco Bay Area Air Basin. One of the key objectives in the CAP is climate protection. The 2010 CAP includes emission control measures and performance objectives, consistent with the state's climate protection goals under AB 32 and SB 375, designed to reduce emissions of GHGs to 1990 levels by 2020 and 40 percent below 1990 levels by 2035.

City of Burlingame

General Plan

The Housing Element of the City's General Plan contains policies, recommendations, and actions to promote energy conservation. Through energy conservation, GHG emissions are reduced. The proposed project would be subject to conformance with applicable General Plan policies, including the policy listed below.

Policy	Description
Policy H (E-1)	Promote the use of energy conservation in residential construction

Climate Action Plan

The City's Climate Action Plan serves as a guiding document to identify methods that the City and community can implement to significantly reduce GHG emissions. Adopted in 2009, the Climate Action Plan establishes a framework of action that the City and community can implement and also provides a statement of intent for long-term and short-term priorities. In addition, it creates a baseline of emissions, sets achievable targets stipulated by AB 32, and recommends steps to be taken to reduce emissions, increase sustainability, and improve quality of life.

Green Building Ordinance

In 2010, the City of Burlingame adopted the Green Building Ordinance, which required enhanced green building measures for non-residential projects and residential construction projects with a value of $50,000 or more. For residential construction, compliance with the Green Building Ordinance required the submittal of a GreenPoint checklist, or equivalent, with a minimum rating of 50 points to the Planning Division or Building Division, depending on whether Planning Commission approval is required. Then in 2014 the Green Building Ordinance was superseded by CalGreen (California Green Building Code).

4.7.3 Impacts Evaluation

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

The project proposes 21 units and is well below the 78 dwelling units screening level specified in BAAQMD's CEQA Air Quality Guidelines, therefore it is not anticipated that the project will create significant operational GHG emissions. **(Less Than Significant Impact)**

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

The project would be consistent with the City's General Plan [specifically Policy H (E-1) of promoting energy conservation in residential construction], Downtown Specific Plan, Climate Action Plan, and CalGreen because the project proposes to be constructed in compliance with the 2013 California Green Building Standards Code (Title 24), which requires efficient windows, insulation, lighting, ventilation systems, and other features that reduce water and energy consumption.

By complying with CalGreen, the project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment nor would it conflict with an applicable policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. **(Less than Significant Impact)**

4.7.4 Conclusion

The proposed project would not result in significant GHG emission impacts. **(Less Than Significant Impact)**

4.8 HAZARDS AND HAZARDOUS MATERIALS

4.8.1 Environmental Checklist

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:						
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐	1
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐	1
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐	1,2
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, will it create a significant hazard to the public or the environment?	☐	☐	☒	☐	1,2
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, will the project result in a safety hazard for people residing or working in the project area?	☐	☐	☒	☐	1,2,17
f)	For a project within the vicinity of a private airstrip, will the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	17
g)	Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐	1,2
h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒	1,2

4.8.2 Existing Setting

4.8.2.1 *Background*

Hazardous materials encompass a wide range of substances, some of which are naturally-occurring and some of which are man-made. Examples include motor oil and fuel, metals (e.g., lead, mercury, arsenic), asbestos, pesticides, herbicides, and chemical compounds used in manufacturing and other activities. A substance may be considered hazardous if, due to its chemical and/or physical properties, it poses a substantial hazard when it is improperly treated, stored, transported, disposed of, or released into the atmosphere in the event of an accident. Determining if such substances are present on or near project sites is important because exposure to hazardous materials above regulatory thresholds can result in adverse health effects on humans, as well as harm to plant and wildlife ecology.

On-Site Hazardous Materials

The project site has been residential since 1954. Therefore, residents would likely use and store small quantities of household hazardous wastes (i.e., ammonia, paints, oils) which would not be considered significant. There are no known hazardous materials releases associated with the project site.

Off-Site Hazardous Materials

According to Geotracker, several facilities (within 1,000 feet of the property site) were documented as having a leaking underground storage tank (LUST) that could potentially contaminate the project site and neighboring areas if contaminants are absorbed into the groundwater or soil. A nearby school (McKinley Elementary School) approximately 700 feet north of the project site, documented a LUST case that was closed by December 1994. A LUST case was also recorded at Hillsborough Town Hall approximately 500 feet west of the project site and remediated by March 1999. Lastly, a LUST case was recorded at a nearby private residence approximately 300 feet west of the project site and remediated in 2000. The primary contaminant of concern for the LUST cases was gasoline and diesel. No other LUST cases have been recorded in the vicinity of the project site.

The project includes a below-grade parking garage that will require excavation to 28 feet bgs in an area where groundwater was encountered at five (5) feet bgs. Due to natural groundwater fluctuations, the project could encounter groundwater during excavation activities on the site which would need to be removed from excavated areas and disposed. Based on the distance of the previous LUST cases from the project site, residual contaminants found in groundwater are unlikely to flow towards the project site.

4.8.2.2 *Applicant Plans, Policies, and Regulations*

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA), initially authorized in 1976, gives the U.S. EPA the authority to control hazardous waste from "cradle-to-grave." This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also set forth a framework for the management of non-hazardous solid wastes. The 1986 amendments to RCRA

enabled the U.S. EPA to address environmental problems that could result from underground tanks storing petroleum and other hazardous substances.

Department of Toxic Substances Control

The Department of Toxic Substances Control (DTSC) regulates hazardous waste, remediation of existing contamination, and evaluates procedures to reduce the hazardous waste produced in California. DTSC regulates hazardous waste in California primarily under the authority of the federal RCRA and the California Health and Safety Code. Other laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup and emergency planning. From these laws and regulations, DTSC develops guidelines and regulations that define what those who handle hazardous waste must do to comply with the laws. These rulemakings are subject to public review and comment.

Government Code §65962.5 (Cortese List)

Section 65962.5 of the Government Code requires the California Environmental Protection Agency (Cal EPA) to develop and update (at least annually) a list of hazardous waste and substances sites, known as the Cortese List. The Cortese List is used by the State, local agencies, and developers to comply with CEQA requirements. The Cortese List includes hazardous substance release sites identified by the Department of Toxic Substances Control (DTSC), State Water Resources Control Board (SWRCB), and the Department of Resources Recycling and Recovery (CalRecycle). The project site is not listed on the Cortese List.

City of Burlingame General Plan

The Seismic Safety Element, as well as the Safety Element of the City's General Plan contains policies, recommendations, and actions to avoid or mitigate hazards and hazardous material impacts resulting from development within the City. The proposed project would be subject to conformance with applicable General Plan policies, including those listed below.

Policies	Description
Policy SS(B)	Require that new development incorporate seismic hazard mitigation measures to reduce risk to an acceptable level.
Policy S(A)	Identify existing natural and man-made safety hazards, and devise a reasonable assignment of responsibility for their correction or reduction which will be within limits of economic acceptability.
Policy S(C)	Identify any urgently needed implementation measures or new legislation.

4.8.3 Impacts Evaluation

a, b) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

The proposed multi-family residential development would not involve the transport, use, storage or disposal of reportable quantities of hazardous materials. Future residents, as is likely true of current site residents, would likely use and store small quantities of household hazardous wastes (i.e., ammonia, paints, oils) which would not be considered significant. During construction, the project may store fuels and chemicals used in the construction of the proposed residential building.

Redevelopment of the proposed project will require the demolition of a multi-family residential building on the site, which may contain asbestos building materials and/or lead-based paint. In conformance with State and local laws, a visual inspection/pre-demolition survey, and possible sampling, will be conducted prior to the demolition of the building to determine the presence of asbestos-containing materials and/or lead-based paint. The project will be required to implement the following measures in conformance with existing regulations:

- Asbestos is regulated as a hazardous air pollutant and as a potential worker safety hazard. The Bay Area Air Quality Management District's (BAAQMD) Regulation 11 and the California division of Occupational Safety and Health (Cal/OSHA) regulations restrict asbestos emissions from demolition and renovation activities and specify safe work practices to minimize the potential for release of asbestos fibers.
- Fluorescent light ballasts may contain PCBs, and if so, are regulated as hazardous waste and must be transported and disposed of as hazardous waste.
- Cal/OSHA standards establish a maximum safe exposure level for types of construction work where lead exposure may occur, including demolition of structures where materials containing lead are present; removal or encapsulation of materials containing lead; and new construction, alteration, repair, or renovation of structures with materials containing lead.
- Lighting tubes typically contain concentrations of mercury that may exceed regulatory thresholds for hazardous waste and, as such, must be managed in accordance with hazardous waste regulations. Elemental mercury also can be found in many electrical switches which also must be managed in accordance with hazardous waste regulations.

Demolition done in conformance with these federal, State and local laws and regulations, will avoid significant exposure of construction workers and/or the public to asbestos and lead-based paint. **(Less Than Significant Impact)**

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

McKinley Elementary School is located approximately 700 feet north of the project site. Future residents on-site, as is likely true of current site residents, would likely use and store small quantities of household hazardous wastes (i.e., ammonia, paints, oils) which would not be considered significant. Therefore, the proposed residential uses would not use or emit significant quantities of hazardous materials that would have any effect on McKinley Elementary School. **(Less Than Significant Impact)**

d) *Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to [Government Code Section 65962.5] and, as a result, would it create a significant hazard to the public or the environment?*

The project is not located on a site which is included on a list of hazardous materials sites and, therefore, is not anticipated to have any impact on adjacent uses from existing conditions on the site.

The project site has been developed with the existing apartment building since 1954 and soils and groundwater on the site are not known or anticipated to contain hazardous materials contamination. Excavation on the site for construction of the subgrade parking garage would require export of soils to offsite locations (i.e. landfills or other development sites). Any landfill operator or developer receiving the exported soil will require sampling to ensure the soil meets applicable criteria for the specific receiving site, and the project applicant will share the soil sampling results with the City prior to issuance of a grading permit to document there is no potential to affect worker safety and adjacent residents. **(Less Than Significant Impact)**

e, f) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?*

The project site is located within the Airport Influence Area (AIA) of the San Francisco International Airport (SFO). At its highest point, the Downtown Specific Plan Area, which includes the project site, is approximately 40 feet above mean sea level (msl), and the tallest buildings under the Downtown Specific Plan would not exceed 75 feet (115 feet msl). Thus, the building heights in the Plan Area would be well under the 300- to 350-foot high surface boundary of the SFIA ALUP, and the proposed project would not conflict with the ALUP height restrictions.

Federal Aviation Regulations, Part 77, "Objects Affecting Navigable Airspace" (referred to as FAR Part 77) sets forth standards and review requirements for protecting the airspace for safe aircraft operation, particularly by restricting the height of potential structures and minimizing other potential hazards (such as reflective surfaces, flashing lights, and electronic interference) to aircraft in flight.

These regulations require that the Federal Aviation Administration (FAA) be notified of certain proposed construction projects located within an extended zone defined by an

imaginary slope radiating outward for several miles from an airport's runways, or which would otherwise stand at least 200 feet in height above ground. For the project site, any proposed structure of a height greater than approximately 100 feet above mean sea level is required under FAR Part 77 to be submitted to the FAA for review.

The proposed project will be 55 feet in height to the top of the roof. The project site is approximately 40 feet above msl. Therefore, the total height of the structure would not exceed 95 feet which falls under the FAR Part 77 height restrictions of 100 feet above msl. **(Less Than Significant Impact)**

The project is not located in the vicinity of a private airstrip. Therefore, private airstrip uses would not be a hazard to people visiting or residing on the project site. **(No Impact)**

g, h) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan? Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Compliance with the California Building and Fire Code requirements as amended by the City of Burlingame will ensure that residents of the proposed building are not exposed to health hazards or potential health hazards.

The Fire Marshal has required that the building be equipped with a minimum NFPA 13R designed system with electronic monitoring system and be protected by a fire alarm system, which is required to be monitored by an approved central station. This requirement will reduce potential fire hazards for the project. Burlingame also participates in a county-wide mutual aid program for large-scale fires and related emergencies. The City of Burlingame's water system that serves this site is rated as a Class 3 system by the Insurance Services Offices, and is adequate for fighting fires at this location.[14]

The City has established goals and policies in its General Plan Safety Element that are designed to address potential threats to the City and its residents. As stipulated by the Safety Element, the City, in cooperation with the Town of Hillsborough, has adopted an *Emergency Operations Plan*. The plan is to be used by City staff to provide emergency support during and after a disaster. Therefore, the continued residential use of the site will not impede the Emergency Operations Plan enforced by the City. **(Less Than Significant Impact)**

The proposed project area is entirely urbanized and does not contain wildlands, nor is it adjacent to wildlands. Therefore, wildland hazards are not a concern.[15] **(No Impact)**

4.8.4 Conclusion

The project is not proposing new hazardous materials uses and is not located on a site contaminated with hazardous materials. There proposed project would therefore not result in significant hazards and hazardous materials impacts. **(Less Than Significant Impact)**

[14] City of Burlingame Planning Staff Project Comments to Fire Division. November 19, 2014.
[15] City of Burlingame. *Downtown Specific Plan Initial Study*. May 27, 2010. Page 150.

4.9 HYDROLOGY AND WATER QUALITY

4.9.1 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐	1,2
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there will be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells will drop to a level which will not support existing land uses or planned uses for which permits have been granted)?	☐	☒	☐	☐	1,2
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which will result in substantial erosion or siltation on-or off-site?	☐	☐	☒	☐	1,2
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which will result in flooding on-or off-site?	☐	☐	☒	☐	1,2
e) Create or contribute runoff water which will exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐	1,2
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐	1,2
g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒	1,16
h) Place within a 100-year flood hazard area structures which will impede or redirect flood flows?	☐	☐	☐	☒	1,16
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒	1,2

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
j) Cause inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒	1,2

4.9.2 Existing Setting

4.9.2.1 *Water Quality*

The water quality of streams, creeks, ponds, and other surface water bodies can be greatly affected by pollution carried in contaminated surface runoff. Pollutants from unidentified sources, known as non-point source pollutants, are washed from streets, construction sites, parking lots, and other exposed surfaces into storm drains. Urban stormwater runoff often contains contaminants such as oil and grease, plant and animal debris (e.g., leaves, dust, animal feces, etc.), pesticides, litter, and heavy metals. In sufficient concentration, these pollutants have been found to adversely affect the aquatic habitats to which they drain.

4.9.2.2 *Surface Water*

The project site is located within the Burlingame/Ralston Creek Watershed. Approximately 55 percent of the project site is covered with impervious materials. Stormwater runoff in this watershed is entirely contained within a storm drain system and combined with the flows from Burlingame Creek.

4.9.2.3 *Groundwater*

Groundwater on the project site was recorded at a depth of about five feet below ground surface (bgs). Fluctuations in the groundwater level in the area may occur due to seasonal changes, variations in rainfall and underground drainage patterns, and other factors. The City of Burlingame does not use local groundwater for its drinking water supply, nor does it participate in active groundwater recharge activities.

4.9.2.4 *Flooding and Other Inundation Hazards*

The Citywide storm drainage system includes five major watershed areas: Easton, Burlingame/ Ralston Creek, Sanchez/Terrace, Mills, and El Portal/Trousdale. The project site is located within the Burlingame/Ralston Creek watershed.

The Burlingame/Ralston Creek watershed experiences flooding in the following areas: areas upstream from El Camino Real at Heritage Park and Crescent Avenue, the Burlingame Avenue Downtown business area, the Ralston Creek area, and the residential area bounded by California Drive and Rollins Road. The project site is not located within any of the areas of this watershed that experience flooding.

Flooding within the Burlingame/Ralston Creek watershed is a result of undersized drainage facilities. The combined Burlingame Creek and Ralston Creek storm drain system has a capacity of a 10-year

storm event as opposed to the City's 30-year storm capacity standard. There are two undersized box culverts beneath Burlingame Avenue in the Plan Area; and there are two undersized pipelines along Oak Grove Avenue to San Francisco Bay. The City has proposed the following improvements to remedy these drainage issues that have been funded by a bond measure:

- Install a 60-inch pipeline bypass from Burlingame Creek at El Camino Real along Howard Avenue to San Francisco Bay with floodgates.

- Install a 60-inch bypass pipeline from Ralston Creek to the channel along the Caltrain ROW.

The planned improvements have been funded and are currently in the design phase.

The project site is not located in a 100-year floodplain. According to the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM), the project site is designated Zone X which are areas of moderate risk areas within the 0.2-percent-annual-chance floodplain, areas of one-percent-annual-chance flooding where average depths are less than one foot, areas of one-percent-annual-chance flooding where the contributing drainage area is less than one square mile, and areas protected from the one-percent-annual-chance flood by a levee. Given the topography of the project site and area, the project site is not subject to seiche, tsunami, or mudslide hazards.

4.9.2.5 *Sea Level Rise*

The project is located at an elevation of approximately 40 feet above mean sea level, and it is not within a shoreline area vulnerable to projected sea level rise from global climate change of up to 55 inches.[16]

4.9.2.6 *Applicable Plans, Policies, and Regulations*

National Flood Insurance Program

In 1968, Congress created the National Flood Insurance Program (NFIP) in response to the rising cost of taxpayer funded disaster relief for flood victims and the increasing amount of damage caused by floods. The NFIP makes federally-backed flood insurance available for communities that agree to adopt and enforce floodplain management ordinances to reduce future flood damage. The Federal Emergency Management Agency (FEMA) manages the NFIP and creates Flood Insurance Rate Maps (FIRMs) that designate 100-year floodplain zones and delineate other flood hazard areas. A 100-year floodplain zone is the area that has a one in 100 (one percent) chance of being flooded in any one year based on historical data. As discussed in more detail in *Section 4.9.2.4 above*, the project site is not located in a 100-year floodplain.

[16] Bay Conservation and Development Commissions. 2011. *Living with a Rising Bay: Vulnerability and Adaptation in San Francisco and on its Shoreline.* Approved on October 6, 2011. Accessed April 21, 2016. http://www.bcdc.ca.gov/BPA/LivingWithRisingBay.pdf.

City of Burlingame Municipal Code

Chapter 15.14 of the City's Municipal Code, Storm Water Management and Discharge Control, ensures the future health, safety, and general welfare of City of Burlingame citizens by: (a) eliminating non-storm water discharges to the municipal separate storm sewer, (b) controlling the discharge to municipal separate storm sewers from spills, dumping or disposal of materials other than storm water, and (c) reducing pollutants in storm water discharges to the maximum extent practicable in compliance with applicable permits (e.g., NPDES Permit and MRP) and with the implementation of best management practices.

4.9.3 Impacts Evaluation

a, f) Violate any water quality standards or waste discharge requirements? Otherwise substantially degrade water quality?

Construction-Related Water Quality Impacts

Construction of the project requires excavation to a maximum depth of approximately 28 feet. Groundwater depth on the project site fluctuates seasonally and was observed as shallow as five feet bgs. As a result, excavation and construction of the project could encounter groundwater and dewatering would be required. Minor construction dewatering would be covered under the statewide Construction General Permit. In accordance with the Downtown Specific Plan Design and Character guidelines, any groundwater dewatering required during construction would be temporary and would not substantially affect groundwater levels. Prior to the issuance of a grading permit, if the City determines an individual water discharge requirements (WDR) and NPDES permit is required for construction dewatering, it would include discharge limitations and monitoring requirements to be protective of water quality and ensure water quality standards are not violated.

All storm drain inlets in the area of construction work would be protected with sediment controls such as berms, fiber rolls or filters. **(Less Than Significant Impact)**

Post-Construction Water Quality Impacts

The project would include stormwater treatment measures implemented in order to reduce and/or mitigate the potential for polluted runoff. All roof runoff would be directed away from sidewalks and walkways and would be directed to vegetated areas. The floor drains in the parking garage area would drain to the sanitary sewer. The landscaping pallet would include a diverse species selection and would include pest and/or disease-resistant, drought tolerant, and/or species that attract beneficial insects. Efficiently planned and operated irrigation systems would be put into place to minimize runoff. All discharge for fire sprinkler testing would be designed to discharge to landscaped areas or the sanitary sewer. With the implementation of stormwater treatment measures, the project would result in less than significant impacts to water quality. **(Less Than Significant Impact)**

b) *Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there will be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells will drop to a level which will not support existing land uses or planned uses for which permits have been granted)?*

As previously discussed, groundwater at the project site has been encountered at five feet bgs. The below grade parking garage would require soil excavation to approximately 28 feet bgs. As noted in the geotechnical investigation, groundwater levels on the site may exist at shallower depths than noted in borings on the site with seasonal fluctuations. If groundwater is encountered during construction, dewatering and special soil preparation may be necessary to allow construction in a dry condition and on a stable subgrade. Dewatering activities that lower groundwater levels could increase the effective stress on underlying sediments, potentially resulting in ground settlements and damage to structures, roadways, and/or utilities (refer to *Section 4.6 Geology and Soils*).

In areas where parking structures would intersect the seasonal high groundwater table, flood-proofing or permanent groundwater dewatering may be required. The local, shallow groundwater is not used as a local water supply; water supply in the City of Burlingame is from surface water resources. Potential impacts of depleting groundwater supplies or reducing groundwater recharge, therefore, would be less than significant.

The Downtown Specific Plan, which includes the project site, has a Standard Condition of Approval for projects with subgrade structures that requires the project sponsor to prepare a Geotechnical Study and implement mitigation measures (MM GEO – 1.1) to ensure no permanent groundwater dewatering and reduce potential impacts on the local groundwater table and aquifer volume. **(Less Than Significant Impact With Mitigation Incorporated)**

c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which will result in substantial erosion or siltation on-or off-site?*

There are no waterways on the project site and, therefore, redevelopment of the project site would not alter the course of a stream or river. Construction on the site will comply with the City's stormwater regulations to ensure construction activities on the site do not result in increased soil erosion or siltation off-site. **(Less Than Significant Impact)**

d) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which will result in flooding on-or off-site?*

The 0.35-acre project site is currently primarily paved and covered with a two-story multi-family residential structure. As shown in Table 4.9-1, the project would increase impervious surfaces on the project site by about 3,639 square feet, an increase in area roughly equivalent to the roof area and paving for a new single family home.

Table 4.9-1 Pervious and Impervious Surfaces On-Site						
Site Surface	**Existing/Pre-Construction (SF)**	**%**	**Project/Post-Construction (SF)**	**%**	**Difference (SF)**	**%**
Impervious	8,328	55	11,967	79	+3,639	+24
Pervious	6,779	45	3,140*	21	-3,639	-24
Total	15,107	100	15,107	100		
*The landscaped area (2,542 s.f.) includes the total stormwater treatment area (598 s.f.).						

Under existing conditions, the site is 55 percent impervious (8,328 square feet of the 0.35-acre project site). The proposed project would increase the amount of impervious surfaces on-site by only 3,639 square feet, an increase of 24 percent of the project site. The result of this change could be an incremental increase in the amount of stormwater runoff from the project site. The project includes bioretention areas to ensure stormwater runoff from the site would not exceed current runoff rates. Given the limited increase in impervious surfaces on the site and use of bioretention areas, runoff from the project would not result in additional flooding on- or off-site. **(Less Than Significant Impact)**

e) *Create or contribute runoff water which will exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*

As described above, the proposed project would result in a 24 percent increase in impervious surfaces on the site which could result in an incremental increase in runoff. Given the limited increase in impervious surfaces on the site and use of bioretention areas, the project would not substantially increase runoff volumes or pollutant loads in runoff from the site and the project is not anticipated to exceed the City's storm drainage system capacity with the implementation of planned and funded storm sewer improvements. **(Less Than Significant Impact)**

g – i) *Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? Place within a 100-year flood hazard area structures which will impede or redirect flood flows? Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?*

The project site is not located in a 100-year floodplain and, therefore, would not place housing within a 100-year flood hazard area or impede or redirect flood flows within a 100-year flood hazard area.

The project site is not located in a dam failure inundation area for the Burlingame and Crocker Dams. Therefore, the project site would not be exposed to risks involving the failure of a levee or dam.[17] **(No Impact)**

[17] County of San Mateo. Dam Failure Inundation Maps. Accessed April 13, 2016. http://planning.smcgov.org/sites/planning.smcgov.org/files/documents/files/Dam_Failure_Inundation.pdf

j) *Result in inundation by seiche, tsunami, or mudflow?*

The project site, due to its topography, is not subject to seiche, tsunami, or mudslide hazards. **(No Impact)**

4.9.4 Conclusion

The proposed project, in compliance with applicable water quality regulations and mitigation measures (MM GEO – 1.1), would not result in significant impacts to hydrology and water quality. **(Less Than Significant Impact With Mitigation Incorporated)**

4.10 LAND USE AND PLANNING

4.10.1 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Physically divide an established community?	☐	☐	☒	☐	1,2
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐	1,2,17
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒	1

4.10.2 Existing Setting

The project site is located in an urban area bounded by El Camino Real to the west, three-story multi-family residential buildings to the north, and a three-story multi-family residential building to the south (refer to Figure 2.2-3).

The project site is currently developed with a multi-family residential building. The site is not used for agricultural or forestry uses. The site is not located within an adopted habitat conservation plan or natural communities conservation plan.

4.10.2.1 *Applicable Plans, Policies, and Regulations*

The project site is designated in the General Plan as *High Density Residential*. This allows for over 51 dwelling units per acre. Areas for high density residential uses are designated in the area northwest of the Burlingame Avenue-Park Road shopping center. High density residential areas provide good access to all forms of transportation and proximity to downtown.

The project site is zoned in R-3 zoning district. All uses permitted in R-3 districts include multi-family residential uses with an average unit size of 1,250 square feet (as specified by the Downtown Specific Plan). Churches, convents, and parish houses are also permitted in R-3 zoning districts. Building heights are limited to 35 feet in height without the issuance of a Conditional Use Permit.

The project site is located in the R-3 Base District of the Downtown Specific Plan. This district is on the north side of Downtown and is bounded by Oak Grove Avenue to its north; development fronting California Drive to its east; El Camino Real to its west and development fronting Bellevue Avenue and Douglas Avenue to its south. The land uses in the R-3 Base District are predominantly multi-family residential including some lower intensity residential uses such as single-family homes,

duplexes, apartment homes, multi-family homes and accessory buildings. Uses in this district also include public buildings, public parks and playgrounds, and religious facilities.

Comprehensive Airport Land Use Compatibility Plan for the Environs of the San Francisco International Airport and Federal Aviation Regulations, Part 77

In 1967, the State legislature adopted legislation requiring the establishment of airport land use commissions in counties with one or more airports serving the general public. Amendments adopted by the legislature in 1970 required each commission to develop comprehensive airport land use compatibility plans (ALUPs). The purpose of the ALUPs is to provide for the orderly growth of airports and the surrounding areas to minimize the public's exposure to excessive noise and safety hazards.

The project site is located within the Airport Influence Area (AIA) of the San Francisco International Airport (SFO). Properties within the AIA may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (e.g., noise, vibration, and odors). The airport/land use compatibility of a proposed development or land use policy action shall be determined by comparing the proposed development or land use policy action with the safety compatibility criteria, noise compatibility criteria, and airspace protection/height limitation criteria in the ALUP.

The ALUP for SFO identifies safety zones where certain land uses are incompatible and should be avoided. The project site is not located within an identified safety zone. Properties located within the 65 dB CNEL aircraft noise contour for SFO warrant land use controls to promote noise compatibility. The project site is not located within 65 dB CNEL aircraft noise contour for SFO. The ALUP also includes airspace protection/height limitation criteria based on Federal Aviation Regulations. Federal Aviation Regulations, Part 77, "Objects Affecting Navigable Airspace" (referred to as FAR Part 77) sets forth standards and review requirements for protecting the airspace for safe aircraft operation, particularly by restricting the height of potential structures and minimizing other potential hazards (such as reflective surfaces, flashing lights, and electronic interference) to aircraft in flight. These regulations require that the Federal Aviation Administration (FAA) be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport's runways, or which would otherwise stand at least 200 feet in height above ground. For the project site, any proposed structure of a height greater than approximately 100 feet above mean sea level is required under FAR Part 77 to be submitted to the FAA for review.

4.10.3 Impacts Evaluation

a) Physically divide an established community?

The project site is located in a developed urban area with residential uses to the north, south, and east. Implementation of the proposed project would result in the demolition of an existing 14-unit multi-family structure and the construction of a 21-unit multi-family residential structure on the site. The layout and design of the project does not include any features that would physically divide the community (e.g., impeding roadways or sidewalks).

Therefore, the project would not physically divide an established community. **(Less Than Significant Impact)**

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?

According to the City's General Plan, the project site is designated as *High Density Residential*, which allows for over 51 dwelling units per acre. The project site has a density of 60 units per acre, therefore it is consistent with General Plan.

The proposed multi-family residential development is a permitted use in the R-3 Base District. All uses permitted in R-3 districts include multi-family residential uses with an average unit size of 1,250 square feet. The proposed project would have an average unit size of 1,055 square feet.

The project site is located within the Airport Influence Area (AIA) for SFO. Although aircraft-related noise would occasionally be audible at the project site, the project site lies outside of the 65 dB CNEL contour for SFO, as established in the ALUP. For the project site, any proposed structure of a height greater than approximately 100 feet above mean sea level is required under FAR Part 77 to be submitted to the FAA for review. The proposed project will be 55 feet in height to the top of the roof. The project site is approximately 40 feet above msl. Therefore, the total height of the structure would not exceed 95 feet which falls under the FAR Part 77 height restrictions of 100 feet above msl.

The project would not result in a fundamental conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. Thus, the project would result in a less than significant land use impact. (**Less Than Significant Impact)**

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

The project site is not located within an adopted habitat conservation plan or natural community conservation plan. **(No Impact)**

4.10.4 Conclusion

The proposed project would not result in a significant land use impact. **(Less Than Significant Impact)**

4.11 MINERAL RESOURCES

4.11.1 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?	☐	☐	☐	☒	1,2,3
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒	1,2,3

4.11.2 Existing Setting

The San Mateo County General Plan identifies 13 mineral resources found in San Mateo County and classifies these resources into four categories. Seven of these minerals: chromite, clay, expansible shale, mercury, sand and gravel, sands (specialty), and stone (dimension), are not likely to be used primarily because of limited quantities, urbanization or economic infeasibility.

Due to the fact that the project site is located on urban land in the City of Burlingame, there are no significant mineral resources on or in the vicinity of the project site.

4.11.3 Impacts Evaluation

a, b) Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state? Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

According to the San Mateo County General Plan Mineral Resources Map, the project site is not located in an area containing known mineral resources. Furthermore, according to the State of California Department of Mines and Geology, Mineral Resources Zones and Resources Sectors Map, the project site is located in an area designated as MRZ-1. This designation refers to an area "where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence." Therefore, implementation of the project would not impact mineral resources. **(No Impact)**

4.11.4 Conclusion

The project would not result in the loss of availability of known mineral resources. **(No Impact)**

4.12 NOISE AND VIBRATION

4.12.1 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project result in:					
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐	1,2,3
b) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐	1
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	1,2,3
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐	1,2,3
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, will the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐	1,2,17
f) For a project within the vicinity of a private airstrip, will the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐	1,2

4.12.2 Existing Setting

4.12.2.1 *Background*

Noise may be defined as unwanted sound. Acceptable levels of noise vary from land use to land use. In any one location, the noise level will vary over time, from the lowest background or ambient noise level to temporary increases caused by traffic or other sources. State and federal standards have been established as guidelines for determining the compatibility of a particular use with its noise environment.

There are several methods of characterizing sound. The most common in California is the A-weighted sound level or dBA.[18] This scale gives greater weight to the frequencies of sound to which the human ear is most sensitive. Because sound levels can vary markedly over a short period of time, different types of noise descriptors are used to account for this variability. Typical noise descriptors

[18] The sound pressure level in decibels as measured on a sound level meter using the A-weighting filter network. All sound levels in this discussion are A-weighted, unless otherwise stated.

include maximum noise level (L_{max}), the energy-equivalent noise level (L_{eq}), and the day-night average noise level (L_{dn}). The L_{dn} noise descriptor is commonly used in establishing noise exposure guidelines for specific land uses. For the energy-equivalent sound/noise descriptor called L_{eq} the most common averaging period is hourly, but L_{eq} can describe any series of noise events of arbitrary duration.

Although the A-weighted noise level may adequately indicate the level of environmental noise at any instant in time, community noise levels vary continuously. Most environmental noise includes a conglomeration of noise from distant sources which create a relatively steady background noise in which no particular source is identifiable.

Since the sensitivity to noise increases during the evening hours, 24-hour descriptors have been developed that incorporate artificial noise penalties added to quiet-time noise events. The Day/Night Average Sound Level, L_{dn} (sometimes also referred to as DNL), is the average A-weighted noise level during a 24-hour day, obtained after the addition of 10 dB to noise levels measured in the nighttime between 10:00 p.m. and 7:00 a.m. The Community Noise Equivalent Level (CNEL) is a 24-hour A-weighted noise level from midnight to midnight after the addition of five dBA to sound levels occurring in the evening from 7:00 p.m. to 10:00 p.m. and after the addition of 10 dBA to sound levels occurring in the night between 10:00 p.m. and 7:00 a.m.

4.12.2.2 *On-Site Conditions*

The project site is bounded by El Camino Real to the west, and multi-family residences to the north, east, and south. The noise environment on the project site results primarily from vehicular traffic along El Camino Real, a major arterial roadway located directly west of the project site.

4.12.2.1 *Applicable Plans, Policies, and Regulations*

Comprehensive Airport Land Use Compatibility Plan for the Environs of the San Francisco International Airport

As discussed in more detail in *Section 4.10 Land Use*, the project site is located within the Airport Influence Area (AIA) of the San Francisco International Airport (SFO). Properties within the AIA may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (e.g., noise, vibration, and odors). The airport/land use compatibility of a proposed development or land use policy action shall be determined by comparing the proposed development or land use policy action with the safety compatibility criteria, noise compatibility criteria, and airspace protection/height limitation criteria in the ALUP.

Properties located within the 65 dB CNEL aircraft noise contour for SFO warrant land use controls to promote noise compatibility. The project site is not located within SFO's 65 dB CNEL aircraft noise contour.

2014 State Building Code, Title 24, Part 2

The State Building Code, Title 24, Part 2 of the State of California Code of Regulations establishes uniform minimum noise insulation performance standards to protect persons within new buildings which house people, including hotels, motels, dormitories, apartment houses and dwellings other

than single-family dwellings. Title 24 mandates that interior noise levels attributable to exterior sources shall not exceed 45 dB L_{dn} or CNEL in any habitable room.

City of Burlingame General Plan

The Noise Element of the General Plan sets forth noise and land use compatibility standards to guide development, and noise goals and policies to protect citizens from the harmful and annoying effects of excessive noise. According to the General Plan, suitable outdoor noise levels for residential land uses ranges up to 60 dBA CNEL and the indoor noise level for residential land uses is 45 dBA CNEL or lower.

The Noise Element of the City's General Plan contains policies, recommendations, and actions to avoid or mitigate land use impacts resulting from development within the City. The proposed project would be subject to conformance with applicable General Plan policies, including those listed below.

Policies	Description
Policy N(A)	Preserve peaceful noise conditions in the City where they do exist.
Policy N(B)	Reduce annoying levels of noise for existing situations; aircraft, motor vehicle and domestic animal noise were identified by a Noise Questionnaire to be the most annoying at present.
Policy N(C)	Achieve a peaceful acoustic environment in portions of the city to be developed.
Policy N(D)	Consider use of existing city and inter-governmental processes to accomplish noise control.
Policy N(E)	Arrive at resultant implementation programs which are consistent with State and Federal guidelines and which are (i) legally valid, (ii) not unduly costly, and (iii) do not impose undue hardship upon residential property owners and community business interests.
Policy N(F)	Foster in the citizens of all segments of the City an assurance that their concerns with unwanted sound levels are of importance to the City, and publicize the existence of avenues by which these problems can be quantified and mitigated.

City of Burlingame Municipal Code

The Building Construction Section of the Municipal Code establishes daily hours for construction in the City of Burlingame. Chapter 18.07.110-305.1 states that no person shall erect, demolish, alter, or repair any building or structure other than between the hours of 8:00 a.m. and 7:00 p.m. on weekdays, and 9:00 a.m. and 6:00 p.m. on Saturdays, except under circumstances of urgent necessity in the interest of public health and safety. An exception must be approved in writing by the building official and shall be granted for a period of no more than three days for projects including structures with a gross floor area of less than 40,000 square feet; when reasonable to accomplish the erection, demolition, alteration, or repair, the exception shall not exceed 20 days for projects including structures with a gross floor area of 40,000 square feet or greater.

4.12.3 Impacts Evaluation

a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

The Noise Element of the General Plan establishes 60 dBA CNEL as the maximum suggested outdoor noise level for land uses that include single and multi-family residences. Based on the General Plan noise contours, noise levels on the project site are expected to exceed 70 CNEL due to traffic levels along El Camino Real.

Because the proposed project is a multi-family residential land use, Title 24 of the California Code of Regulations will require a qualified acoustical engineer to prepare a design-level acoustical study as a prerequisite to building permit issuance for multi-family residential development applications where noise levels could exceed 65 dBA. The study shall include post-construction monitoring to ensure that interior ambient noise levels for multi-family housing are at or below 45 dBA.

The project site includes a common open space on the eastern side of the site that would be acoustically protected by shielding from the proposed building that fronts El Camino Real, adjacent three-story buildings fronting El Camino Real and proposed six-foot privacy fencing along the property line. The proposed building design and siting of the proposed open space would ensure a common use area is available to residents with noise levels of 60 dBA DNL or less which is consistent with the outdoor noise levels for residential uses identified in the General Plan. **(Less Than Significant Impact)**

b) *Result in exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?*

Construction of the proposed condominium will not require pile driving or other significant vibration causing construction activity. The proposed residences once occupied would not generate excessive or perceptible vibration. **(Less Than Significant Impact)**

c) *Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?*

The proposed residential structure will include air conditioning units generating noise and would result in some additional vehicle trips in the project area. Increased vehicle trips would not result in a significant increase in ambient noise levels as new traffic volumes from 21 dwelling units (reflecting a net increase of seven units above current 14) would be low compared to existing traffic volumes on El Camino Real and surrounding streets. The proposed project air conditioning units will be designed to meet the City's 60 dBA L_{eq} noise levels at adjacent residential property lines consistent with the City's Municipal Code which will be verified by the City prior to the issuance of a building permit.[19] **(Less Than Significant Impact)**

d) *Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?*

Project implementation would result in intermittent short-term noise impacts resulting from construction-related activities. Section 18.07.110 of the City's Municipal Code limits the

[19] City of Burlingame. Municipal Code Section 26.30.070(f)(4).

hours of construction to between 8:00 a.m. and 7:00 p.m. on weekdays, and 9:00 a.m. to 6:00 p.m. on Saturdays. During the hours permitted by the City for construction activities, project-related construction noise may create unacceptable peak noise levels for surrounding land uses, and thus result in a temporary but potentially significant impact. Due to the size of the project site and proposed land use it is anticipated that the effects of construction noise levels would be reduced through the implementation of standard permit conditions. As described in *Section 3.0 Project Description*, construction on the site would last approximately 22 months.

Impact NV – 1: The project would construct a multi-story residential building adjacent to noise sensitive, residential uses which could result in temporary disturbances during construction. **(Significant Impact)**

Mitigation Measure: The following mitigation measures will be implemented by the project to ensure impacts from construction noise are reduced to a less than significant level:

MM NV – 1.1: The Project applicant shall incorporate the following practices into the construction documents to be implemented by the project contractor:[20]

- Maximize the physical separation between noise generators and noise receptors. Such separation includes, but is not limited to, the following measures:
  - Use heavy-duty mufflers for stationary equipment and barriers around particularly noisy areas of the site or around the entire site;
  - Use shields, impervious fences, or other physical sound barriers to inhibit transmission of noise to sensitive receptors;
  - Locate stationary equipment to minimize noise impacts on the community;
  - Minimize backing movements of equipment;
- Use quiet construction equipment whenever possible;
- Impact equipment (e.g., jackhammers and pavement breakers) shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically-powered tools. Compressed air exhaust silencers shall be used on other equipment. Other quieter procedures, such as drilling rather than using impact equipment, shall be used whenever feasible;
- Prohibit unnecessary idling of internal combustion engines; and
- Select routes for movement of construction-related vehicles and equipment in conjunction with the Burlingame Community

[20] City of Burlingame. *Downtown Specific Plan Initial Study*. May 27, 2010. Page 165.

Development Department so that noise-sensitive areas, including residences and schools, are avoided as much as possible.

- The project sponsor shall designate a "disturbance coordinator" for construction activities. The coordinator would be responsible for responding to any local complaints regarding construction noise and vibration. The coordinator would determine the cause of the noise or vibration complaint and would implement reasonable measures to correct the problem.
- The construction contractor shall send advance notice to neighborhood residents within 50 feet of the project site regarding the construction schedule and including the telephone number for the disturbance coordinator at the construction site.

With the implementation of the following mitigation measures, the proposed project would reduce noise impacts to a less than significant level. **(Less Than Significant Impact With Mitigation Incorporated)**

e, f) For a project located within an airport land use plan or, where such a plan has not yet been adopted, within 2 miles of a public use airport, would the project expose people residing or working in the project area to excessive noise levels? For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

San Francisco International Airport (SFO) is a major international airport located approximately 3.4 miles north of the project site. The project site is located within the Airport Influence Area (AIA) for SFO. Although aircraft-related noise would occasionally be audible at the project site, the project site lies outside of the 65 dB CNEL contour for SFO, as established in the ALUP. In addition, the vehicular traffic noise levels measured at the project site exceed 65 dBA L_{dn}, therefore, any overhead aircraft noise would not be significant in relation to the existing, local traffic noise. **(Less Than Significant Impact/No Impact)**

4.12.4 Conclusion

The proposed project, with the implementation of mitigation measure NV – 1.1 would ensure that construction noise impacts would be less than significant. **(Less Than Significant Impact With Mitigation Incorporated)**

4.13 POPULATION AND HOUSING

4.13.1 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐	1,2
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐	1
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐	1

4.13.2 Existing Setting

According to California Department of Finance 2014 Census data, Burlingame's population for 2014 was 30,298 persons.[21] From 2010 to 2014, there were 13,027 households with an average of 2.38 persons per household.[22] According to the Housing Element of the City's General Plan, the projected population in 2040 will be 38,400 persons occupying 16,134 households. The project site currently provides 14 residences, which accommodate approximately 33 residents, assuming the City's average household size.

The Downtown Specific Plan, which includes the project site area, would allow construction of up to 1,232 residential units. Therefore, based on the household size estimated in the ABAG 2007 Projections, the residential component of the Downtown Specific Plan would increase the population of Burlingame by 1,374 persons by the year 2020. This would represent partial build out of the Downtown Specific Plan. By the year 2030, when the Downtown Specific Plan would be at full build out, the residential component would directly increase the population by 2,723 persons. Thus, the total population would increase to 32,123 at full build out under the Downtown Specific Plan in 2030.

The jobs/housing balance is the relationship between the number of housing units required as a result of local jobs and the number of residential units available in the City. This relationship is quantified by the jobs/employed resident ratio. When the ratio reaches 1.0, a balance is struck between the supply of local housing and local jobs. The jobs/employed resident ratio is determined by dividing the number of local jobs by the number of employed residents that can be housed in local housing.

[21] State of California, Department of Finance. E-1 Population Estimates for Cities, Counties, and the State—January 1, 2014 and 2015. May 2015. Available at: http://www.dof.ca.gov/research/demographic/reports/estimates/e-1/view.php.

[22] U.S. Census Bureau. "American Fact Finder." Profile of General Population and Housing Characteristics: 2014, for the City of Burlingame. Available at: http://www.census.gov/quickfacts/table/PST045215/00.

Burlingame currently has a higher number of jobs than employed residents (approximately 2.42 jobs per employed resident).

4.13.3 Impacts Evaluation

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Implementation of the project will replace the existing 14-unit multi-family residential structure on-site with a 21-unit condominium building, which will create more housing by adding a net increase of seven dwelling units. This increase in housing would result in a net increase in local population by approximately 16 residents.[23] The number of additional residents will be part of the planned growth in the Downtown area of the City as envisioned in the Downtown Specific Plan, which accommodates an increased population of up to approximately 2,723 new residents. The minor increase in population associated with the project would not induce substantial growth in the City of Burlingame, and is part of the planned growth for the Downtown Specific Plan area. The project's impact due to population growth would be less than significant. **(Less Than Significant Impact)**

b, c) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

Construction of the proposed project would result in the demolition of a multi-family residential building. Since the proposed project will be adding seven residential dwelling units to the City's housing supply, the loss of the existing structure would not require replacement housing to be constructed elsewhere, although the current residents would be required to vacate the site and find existing replacement housing elsewhere. Because the project would add a net increase to the City's housing supply, the impact from loss of the current 14 units and displacement of existing residents would be less than significant. **(Less Than Significant Impact)**

4.13.4 Conclusion

Implementation of the proposed project would result in a less than significant impact on the City's population and housing supply. **(Less Than Significant Impact)**

[23] Based on the latest US Census data for the City, the average residents per household is 2.38. 2.38 residents per household x 7 net new units = 16 residents.

4.14 PUBLIC SERVICES

4.14.1 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project					
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
- Fire Protection?	☐	☐	☒	☐	1,2
- Police Protection?	☐	☐	☒	☐	1,2
- Schools?	☐	☐	☒	☐	1,2
- Parks?	☐	☐	☒	☐	1,2
- Other Public Facilities?	☐	☐	☒	☐	1,2

4.14.2 Existing Setting

Because the project is infill, represents an insignificant increase in the total population of the City, and is located on an already developed site, the existing public and governmental services in the area have capacities that can accommodate the proposed 21-unit condominium building.

4.14.2.1 *Fire Service*

Fire protection services in the City of Burlingame are provided by the Central County Fire Department, which also serves the Town of Hillsborough and City of Millbrae. The CCFD provides all-risk services and plays a role in fire suppression, rescue, emergency medicine, operational training, fire prevention and investigation, and community education. The CCFD also participates in a Joint Powers Agreement within San Mateo County, providing Advanced Life Support as part of a 20-city, 56 engine company workforce. In addition, the CCFD is part of the San Mateo County Fire Services Automatic Aid Agreement, which calls for the CCFD to assist neighboring fire departments (and vice versa) in providing fire protection services (as needed) throughout the County.

The City's General Plan does not identify a service ratio goal, response time goal, or other performance standard for fire services. However for reference, the CCFD has a 6:59 minute response time standard for emergency medical services, and a minimum goal of 13 personnel to a structure fire within eight minutes. The closest station to the project site is CCFD Fire Station 34, located at 799 California Drive, approximately 0.6 miles north of the project site.

4.14.2.2 *Police Service*

Police protection services are provided in the City of Burlingame by the Burlingame Police Department, located at 1111 Trousdale Drive, approximately 2.4 miles north of the project site. The BPD currently consists of 37 police officers and 25 professional staff, and includes an Operations Division, Administration Division, Traffic Division, and Investigations Section. Select members of the BPD also belong to a regional Special Operations Unit, which includes Special Weapons and Tactics (SWAT). The City's General Plan does not identify a service ratio goal, response time goal, or other performance standard for police services.

4.14.2.3 *Schools*

Students in the City of Burlingame are served by two school districts: Burlingame School District (BSD) for grades K-8 and San Mateo Union High School District (SMUHSD) for grades 9-12. Students in the project area attend McKinley Elementary School, Burlingame Intermediate School, and Burlingame High School. McKinley Elementary School is located approximately 700 feet north of the project site, Burlingame Intermediate School is located approximately 2.2 miles north of the project site, and Burlingame High School is located approximately 0.9 miles east of the project site.

4.14.2.4 *Parks*

The City of Burlingame provides and maintains developed parkland and open space to serve its residents. Residents of Burlingame are served by regional and community park facilities, including regional open space, community and neighborhood parks, playing fields, and trails. The City of Burlingame Parks and Recreation Department is responsible for development, operation, and maintenance of all City park facilities. The City's General Plan does not identify a service ratio goal, or other performance standard for park facilities.

The closest parks to the project site include Paloma Playground located approximately 0.5 miles to the north and Heritage Park located approximately 0.5 miles to the south.

4.14.2.5 *Libraries*

The Burlingame Public Library System consists of one main library and one branch library. The Main Library is located at 480 Primrose Road, 0.4 miles east of the project site, and the Easton Branch Library is located at 1800 Easton Drive, 1.1 miles north of the project site.

The City's General Plan does not identify a service ratio goal, or other performance standard for library services.

4.14.2.6 *Applicable Public Services Regulations and Policies*

Government Code Section 65996

State law (Government Code Section 65996) specifies an acceptable method of offsetting a project's effect on the adequacy of school facilities as the payment of a school impact fee prior to issuance of a building permit. California Government Code Sections 65995-65998, sets forth provisions for the payment of school impact fees by new development as exclusive means of "considering and

mitigating impacts on school facilities that occur or might occur as a result of any legislative or adjudicative act, or both, by any state or local agency involving, but not limited to, the planning, use, or development of real property" [§65996(a)]. The legislation goes on to say that the payment of school impact fees "are hereby deemed to provide full and complete school facilities mitigation" under CEQA [§65996(b)]. The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code. The school impact fees and the school districts' methods of implementing measures specified by Government Code 65996 would mitigate project-related increases in student enrollment.

In the City of Burlingame, fees are collected on all new construction projects and residential remodels that add 500 square feet or more. School fees are collected to offset costs of rehabilitation and maintenance of school buildings; the fees are split between the Burlingame School District and San Mateo Union High School District.

City of Burlingame General Plan

The Open Space and Land Use Elements of the City's General Plan contain policies, recommendations, and actions to protect and enhance existing and future open space areas within the City. The proposed project would be subject to conformance with applicable General Plan policies, including those listed below.

Policy	Description
Policy OS(B)	Increase privacy, amenity and safety, and assure provision of light and air.
Policy OS(D)	Provide open space for recreational needs and for the preservation of sites of historical and cultural significance.

4.14.3 Impacts Evaluation

4.14.3.1 *Fire Protection Services*

As part of the permitting process, the Central County Fire Department would review project plans before permits are issued to ensure compliance with all applicable fire and building code standards and to ensure that adequate fire and life safety measures are incorporated into the project in compliance with all applicable state and city fire safety regulations. Because the proposed project is not anticipated to generate substantial additional demand for fire protection services, and would not result in the need for new or expanded facilities, the project's potential impact on fire protection services would be less than significant. **(Less Than Significant Impact)**

4.14.3.2 *Police Protection Services*

The project proposes to demolish the existing apartment building and construct a 21-unit condominium building, resulting in a net increase in seven dwelling units on-site. The project would not result in an increased demand for police services or require the expansion or construction of police facilities. The project's potential impact on police services would be less than significant. **(Less Than Significant Impact)**

4.14.3.3 *Schools*

The proposed project would only slightly increase the number of occupied housing units on-site from 14 to 21; it is anticipated that the potential number of school-age children would only increase slightly. The State of California has determined that housing units yield approximately 0.7 students per unit.[24]

The proposed project would generate approximately five net new students (beyond the approximately ten students generated by the current 14 units on the project site) that would attend McKinley Elementary School, Burlingame Intermediate Middle School, and Burlingame High School. Under, Section 65996 of the State Government Code, payment of school impact fees established by SB 50 is deemed to constitute full and complete mitigation for school impacts from development. Developer(s) of new housing units under the Downtown Specific Plan are required to pay these school impact fees at the time of building permit issuance. The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code. Fulfillment of this requirement would mitigate the impact of the project to schools to a less than significant level. **(Less Than Significant Impact)**

4.14.3.4 *Parks*

The City of Burlingame is served by several parks and recreation facilities, including 13 neighborhood parks and playgrounds, a dog park, tennis courts, an aquatic center, and a golf and soccer center. The Downtown Specific Plan area does not include any existing park facilities. Planned open space facilities would be provided in downtown in the vicinity of Primrose Avenue and Burlingame Avenue as well as within a roundabout at Primrose Avenue adjacent to City Hall. Since the proposed project would only cause a slight increase in the number of occupied units on-site (seven net new units with approximately 16 residents), and provides common open space, the project would not generate substantial additional demand for parks or other public facilities and therefore this impact would be less than significant. **(Less Than Significant Impact)**

4.14.4 Conclusion

The project would result in a less than significant impact to public services. **(Less Than Significant Impact)**

[24] City of Burlingame. *Burlingame Downtown Specific Plan Initial Study*. May 27, 2010. Page 174.

4.15 RECREATION

4.15.1 Environmental Checklist

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?	☐	☐	☒	☐	1,2
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐	1,2

4.15.2 Existing Setting

The City of Burlingame currently operates 13 neighborhood parks, an aquatic center, tennis courts, a dog park, and a golf and soccer center. Planning, acquisition, and development of City parks and recreational facilities in Burlingame are the responsibility of the Parks and Recreation Department. The City also has an agreement with the Burlingame School District that allows the use of the fields at Burlingame Intermediate School and Franklin Elementary School.

The closest parks to the project site include Paloma Playground located approximately 0.5 miles to the north and Heritage Park located approximately 0.5 miles to the south.

4.15.2.1 *Applicable Plans, Policies, and Regulations*

City of Burlingame General Plan

The Open Space and Land Use Elements of the City's General Plan contain policies, recommendations, and actions to protect and enhance existing and future open space areas within the City. The proposed project would be subject to conformance with applicable General Plan policies, including those listed below.

Policy	Description
Policy L(F)	The City residents are served by three classes of parks and open space: community parks, neighborhood parks and preserves.
Policy OS(D)	Provide open space for recreational needs and for the preservation of sites of historical and cultural significance.

4.15.3 Impacts Evaluation

a, b) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated? Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

The City of Burlingame provides and maintains parkland and open space within the City for residents and visitors to enjoy. Based on the latest US Census data for the City, it is estimated that the project would generate approximately 16 net new residents beyond current site resident population. The project residents would be served by existing parks in the project area and other open space and recreational facilities in the region.

The proposed project includes common open space in the form of a fenced yard east of the building. It is not anticipated that the project's incremental demand for park and recreational facilities in the area would result in the substantial, physical deterioration of existing park and recreational facilities or require the expansion or construction of new facilities. The impact, therefore, would be less than significant. **(Less Than Significant Impact)**

4.15.4 Conclusion

Given the limited number of new residents, the proposed project would not substantially deteriorate existing park facilities or require expansion of recreational facilities that would adversely affect the existing environment. **(Less Than Significant Impact)**

4.16 TRANSPORTATION/TRAFFIC

The following discussion is based, in part, on a site access analysis prepared by *Hexagon Transportation Consultants* in November 2016. A copy of this report is included in this Initial Study as Appendix E.

4.16.1 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐	1,2
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐	1,2
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒	1
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	☐	☐	☒	☐	1,18
e) Result in inadequate emergency access?	☐	☐	☐	☒	1
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☒	☐	1,2

4.16.2 Impact Evaluation

a, b) Would the project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? Would the project

conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Redevelopment of the site with the proposed 21-unit development would result in seven new residential units on the site, as the current 14 apartment units are part of the existing environmental setting and would offset the trips and other impacts of 14 of the new condominium development's units. Based on the ITE's *Trip Generation* 9th Edition, daily trip generation rates of 5.81 trips/unit, seven net new condominium units would result in 41 net new daily vehicle trips. As noted above, the approximately 82 daily trips generated by the current 14 apartment units are part of the existing environmental setting and will offset an equal amount of the new condominium units' trips.

The Congestion Management Program requires a traffic impact analysis when a project would result in 100 or more peak hour trips. The project, which would generate approximately three AM and four PM net new peak hour trips, therefore, does not require a detailed traffic impact analysis to show conformity to the CMP. The project would not result in a conflict with any other adopted plan, ordinance, or policy related to the effectiveness of the circulation system. Additionally, the traffic impacts from the full implementation of the Downtown Specific Plan, which includes the proposed development on the project site, were evaluated when the Downtown Plan was approved in 2010. The full build-out of the Downtown Specific Plan would add substantially to delays at three study area intersections located at California Drive/Lorton Avenue, El Camino Real/Peninsula Avenue/Park Road, and California Drive/Howard Avenue. As identified in the Downtown Specific Plan Initial Study, Mitigation Measures F-1 through F-3 would reduce the delays at these intersections to less-than-significant levels by year 2030.[25]

Since the proposed project is only contributing seven net new units on the site, and is not within the nearby vicinity of the aforementioned study intersections, traffic impacts would as a result of the project would be less than significant. **(Less Than Significant Impact)**

c) *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*

The project would not affect air traffic patterns in the vicinity of the site. **(No Impact)**

d) *Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?*

The project proposes a subgrade parking garage that would use an automated system. The initial application specified a Parkmatic Multi-Parking system, but the application has since been revised to specify a CityLift Tower system; both systems have similar functional characteristics. The system has been designed to automatically move the vehicles by lift which then transfers it to a waiting cart on one of the three parking garage levels. The carts then travel horizontally and place the vehicle in its appropriate slot. There will be 35 parking

[25] Refer to the Downtown Specific Plan Initial Study Traffic Section, pages 129 to 131.

spaces provided in a below-grade garage that will be accessed through a garage door on the front of the building. There will also be two additional spaces above ground for delivery vehicles and guests.

A queuing analysis was conducted by *Hexagon Transportation Consultants* (Appendix E) on the Parkmatic Multi-Parking system that was specified in the initial application, based upon the average service rate reported for a similarly sized automated parking system. According to the supplier of a similarly sized parking system, the average parking and retrieval time for vehicles entering/exiting the parking structure is approximately 155 seconds (2.5 minutes), meaning the parking system can handle approximately 24 vehicles per hour.[26] The project with 21 units is expected to generate 11 trips during the PM peak hour.

The proposed design would allow queueing for four vehicles on the site at the garage entrance. By designing the driveway storage to accommodate up to four vehicles, the chance of queue spillback onto El Camino Real is reduced to 0.02 percent, therefore the likelihood the project would not be able to accommodate cars entering the site in the afternoon PM peak hour and cause unsafe conditions with cars spilling back into El Camino Real travel lanes is extremely low.

Therefore, the proposed project would not substantially increase hazards due to a design feature. **(Less Than Significant Impact)**

e) *Would the project result in inadequate emergency access?*

The residential development proposed on the site will be reviewed and approved by the Burlingame Fire Department to ensure adequate emergency access. **(No Impact)**

f) *Would the project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?*

The proposed project would not conflict with existing or planned multimodal transportation facilities or conflict with the City of Burlingame's General Plan policies and regulations. The proposed project does not include any features that would conflict with the City of Burlingame's Bicycle Transportation Plan. Therefore, the proposed project would not impact bicycle circulation. In addition, the Downtown Specific Plan includes Goals C-2, S-1, S-4, D-3, and D-4, along with the associated policies encouraging the use of alternative modes of transportation. **(Less Than Significant Impact)**

[26] The CityLift Tower system specifies an average retrieval time of 120 seconds (2.0 minutes), compared to 155 seconds (2.5 minutes) assumed in the *Hexagon Transportation Consultants* analysis based on a similarly sized system. The *Hexagon* analysis, therefore, can be considered a conservative estimate.

4.16.3 Conclusion

The proposed project would not generate a substantial amount of new vehicle trips that would exceed the capacity of the street system serving the site, nor would the project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities. The project would not result in inadequate emergency access, nor change in air traffic patterns. The proposed parking facilities and site design would allow for adequate vehicle queuing and would not result in traffic hazards on El Camino Real. **(Less Than Significant Impact)**

4.17 UTILITIES AND SERVICE SYSTEMS

4.17.1 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐	1,2
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐	1,2
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐	1,2
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐	1,2
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐	1,2
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐	1,2

4.17.2 Existing Setting

4.17.2.1 *Water Supply and Services*

The City of Burlingame provides potable water service to its business and residential customers within the City limits, and to residents of the unincorporated Burlingame Hills area. The City purchases its potable water from the San Francisco Public Utilities Commission (SFPUC). The City also uses well water and recycled water for supplying non-potable water.

Based on the City's Urban Water Management Plan, Burlingame is expected to have adequate water supply for projected demands in a normal rainfall year until the year 2040. During a single-dry rainfall year, water demand may exceed supply by seven to 17 percent after 2020 and under multiple dry years demand may exceed supply from 21 to 30 percent after 2020. The City of Burlingame has a Water Shortage Contingency Plan to address up to a 50 percent supply reduction. During 2015, the

City had a cumulative water demand reduction of approximately 31 percent relative to 2013 water demand.[27]

There is an existing six-inch water main in El Camino Real that serves the site. The existing apartment building on the site is estimated to use approximately 1,960 gallons of water per day (GPD).

4.17.2.2 *Wastewater Services*

The City maintains the sewer system within the City boundaries. With few exceptions, the sewer system is gravity fed to lift stations located in the industrial sections of town, then to the Burlingame Waste Water Treatment Plant (WWTP) at 1103 Airport Boulevard. The WWTP provides treatment of domestic and commercial wastewater originating from the City of Burlingame, Town of Hillsborough, and the Burlingame Hills Sewer Maintenance District. The treatment process consists of influent screening, grit removal, primary clarification, activated sludge biological treatment, secondary clarification, and disinfection using sodium hypochlorite.

The WWTP is part of the North Bayside System Unit (NBSU), a joint powers authority that includes the cities of Burlingame, Millbrae, South San Francisco and San Bruno, as well as the San Francisco International Airport. Based on the joint use agreement, the WWTP discharges treated and disinfected effluent through the NBSU force main to the South San Francisco, and San Bruno Water Quality Control Plant, where the effluent is dechlorinated before being discharged into the Lower San Francisco Bay.

Sanitary sewer mains along the El Camino Real project frontage were rehabilitated in 2005.[28] Based on an assumed sewage generation rate of 85 percent of water use, the existing apartment building on the site is estimated to generate sewage of approximately 1,666 GPD.

4.17.2.3 *Storm Drainage*

The Citywide storm drainage system includes five major watershed areas: Easton, Burlingame/ Ralston Creek, Sanchez/Terrace, Mills, and El Portal/Trousdale. The project site is located within the Burlingame/Ralston Creek watershed.

The Burlingame/Ralston Creek watershed experiences flooding in the following areas: areas upstream from El Camino Real at Heritage Park and Crescent Avenue, the Burlingame Avenue Downtown business area, the Ralston Creek area, and the residential area bounded by California Drive and Rollins Road. The project site is not located in any of these flooding areas.

Flooding within the Burlingame/Ralston Creek watershed is a result of undersized drainage facilities. The combined Burlingame Creek and Ralston Creek storm drain system has a capacity of a 10-year storm event as opposed to the City's 30-year storm capacity standard. There are two undersized box culverts beneath Burlingame Avenue in the Plan Area; and there are two undersized pipelines along Oak Grove Avenue to San Francisco Bay. The City has proposed the following improvements to remedy these drainage issues that have been funded by a bond measure:

[27] City of Burlingame. *2015 Urban Water Management Plan*. June 2016.
[28] City of Burlingame. *Downtown Specific Plan Initial Study*. May 27, 2010. Page 179, Figure L-1.

- Install a 60-inch pipeline bypass from Burlingame Creek at El Camino Real along Howard Avenue to San Francisco Bay with floodgates.

- Install a 60-inch bypass pipeline from Ralston Creek to the channel along the Caltrain ROW.

The planned improvements have been funded and are currently in the design phase.

The project site is currently 55 percent covered with impervious materials. Stormwater runoff in this watershed is entirely contained within a storm drain system and combined with the flows from Burlingame Creek.

4.17.2.4 *Solid Waste*

The City of Burlingame is a member of Rethink Waste, South Bayside Waste Management Authority (Rethink Waste). Rethink Waste is a joint powers authority comprised of the cities of Atherton, Belmont, Burlingame, East Palo Alto, Foster City, Hillsborough, Menlo Park, Redwood City, San Carlos, San Mateo, unincorporated San Mateo, and West Bay Sanitary District. Corinda Los Trancos Landfill (Ox Mountain Landfill), is the principal landfill for Rethink Waste.[29] Ox Mountain Landfill has a remaining capacity of approximately 69 million cubic yards and has an estimated closure date of 2040.[30] Rethink Waste contracts with Ox Mountain Landfill for disposal of its member agencies, including the City of Burlingame. The contract expires in 2019.

Recology San Mateo (Recology) provides solid waste, recycling, and organics collection services to all residential and commercial customers within the 12 member agencies of Rethink Waste.

4.17.2.5 *Electricity and Natural Gas*

PG&E transmits and delivers electricity and natural gas to residents and businesses in the City of Burlingame. Electricity and natural gas are used for operating on-site appliances, lighting, and general building operations (such as heating and cooling) for the residential uses on-site.

4.17.2.6 *Applicable Plans, Policies, and Regulations*

Assembly Bill 939

Assembly Bill 939 was established by the California Integrated Waste Management Board and requires all California counties to prepare integrated waste management plans. AB 939 required all municipalities to divert 25 percent of their solid waste from landfill disposal by January 1, 1995. Fifty percent of the waste stream was to be diverted by the year 2000.

Assembly Bill 341

As of July 1, 2012, per Assembly Bill 341, all businesses that generate four or more cubic yards of garbage per week and multi-family dwellings with five or more units in California are required to

[29] Feldman, Cliff. Personal Communications with Rethink Waste Recycling Programs Manager. December 8, 2014.
[30] McGourty, Scott. Personal Communications with Environmental Manager at Ox Mountain Landfill. November 6, 2014.

recycle. Multi-family dwellings include: apartments, townhouses, and condominiums. The purpose of the law is to reduce garbage sent to landfills and reduce greenhouse gas emissions.

City of Burlingame Construction and Demolition Ordinance

Demolition, new construction projects, and alterations over $50,000 are subject to the City of Burlingame's Construction and Demolition Ordinance (C&D Ordinance). The C&D Ordinance requires applicable projects to recycle at least 60 percent of total waste during demolition or construction.

4.17.3 Impacts Evaluation

a, b, e) Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Pursuant to the Federal Clean Water Act and California's Porter-Cologne Water Quality Control Act, the RWQCB regulates wastewater discharges to surface waters, such as San Francisco Bay, through the NPDES program. Wastewater permits contain specific requirements that limit the pollutants in discharges. As required by the RWQCB, the WWTP monitors its wastewater to ensure that it meets all requirements. The RWQCB routinely inspects treatment facilities to ensure permit requirements are met.

Sewage from development on the project site would be treated at the WWTP in accordance with the existing NPDES permit. The estimated total project demand for water is approximately 2,940 GPD or 140 GPD per dwelling unit, less existing water demand from existing 14 units of approximately 1,960 GPD for a net new demand of 980 GPD. For the purposes of this analysis, wastewater generation rates are assumed to be 85 percent of the total on-site water use (approximately 2,500 GPD, less existing generation from 14 units of approximately 1,666 GPD).

Given the small increase in sewage generation and prior rehabilitation of the sewer main on El Camino Real, the project would not result in the need for existing wastewater conveyance or treatment facilities.

The project would generate a small increase in water demand (approximately 980 GPD) but would be required to upgrade the existing six-inch water main to an eight-inch pipe on El Camino Real in order to accommodate the proposed project and fire flow demands. The required water main improvements would occur in existing disturbed right-of-way and would be subject to the same mitigation for ground disturbance as required elsewhere in this Initial Study.

The developer will be required to install water and sewer laterals to service the property. Based on the existing facilities available to serve the site and required upgrades, the project would not result in any significant impacts related to the provision of water and wastewater facilities to the site. **(Less Than Significant Impact)**

c) Would the project require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Implementation of the proposed project would increase the amount of impervious surfaces on-site from 55 to 79 percent. The project would result in a 24 percent increase in impervious surfaces, approximately 3,639 square feet in the area, which would incrementally increase runoff from the site. Stormwater runoff from the development, however, will be directed to and treated in bioretention areas and flow-through planter areas on-site. The bioretention areas would be designed to minimum depths of three feet to reduce the excess runoff generated by the proposed project in order to maintain a stormwater discharge rate that does not exceed the pre-development discharge rate.

Due to the fact that the proposed project incorporates bioretention areas on-site and only marginally increases on-site impervious surface area, it is concluded that the existing storm drain system would continue to adequately serve the project site and the project would not require the construction of new or expanded storm drain facilities. **(Less Than Significant Impact)**

d) Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

The City of Burlingame purchases all of its water from the San Francisco Public Utilities Commission (SFPUC). Water is supplied to the City by several SFPUC pipelines that are connected to six metered connections at various locations throughout the City. Based on water usage rates of 140 gallons per unit per day (GPD) the project would require 2,940 GPD, an increase of 980 GPD over the site's existing developed condition with 14 units. The proposed project would upsize the existing six-inch water line to an eight-inch pipe, thereby allowing for adequate capacity in the system to accommodate the proposed project. The project's increased water demand was accounted for in the comprehensive analysis completed for the Downtown Specific Plan. The proposed project, therefore, would not result in the need for new or expanded water supply entitlements. **(Less Than Significant Impact)**

f, g) Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? Would the project comply with federal, state and local statues and regulations related to solid waste?

The current solid waste service provider is Recology, which hauls waste collected in Burlingame to the San Carlos Transfer Station and The Recyclery of San Mateo County for sorting, then disposal at Ox Mountain Landfill. Residential development on the site is anticipated to result in waste generation of approximately eight (8) tons of solid waste

annually.[31] Development on the project site with 21 housing units will be required to conform to City plans and policies to reduce solid waste generation.[32] Demand for solid waste disposal services generated by the project would be adequately served by existing capacity at the transfer station and landfill. **(Less Than Significant Impact)**

4.17.4 Conclusion

The project, which would replace a 14-unit apartment building with a 21-unit condominium building, would not result in significant impacts related to the construction of minor upgrades in the water main serving the site nor would it exceed the current capacity or require the construction of other new infrastructure or service facilities. **(Less Than Significant Impact)**

[31] CalRecycle. *Solid Waste Disposal Rates*. Accessed September 2, 2016. Available at: http://www.calrecycle.ca.gov/wastechar/ResDisp.htm

[32] Recology San Mateo County. http://www.recologysanmateo.com/index.php/. Accessed September 2, 2016.

4.18 MANDATORY FINDINGS OF SIGNIFICANCE

4.18.1 Environmental Checklist

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐	Pgs. 14-10094
b)	Does the project have impacts that are individually limited, but cumulatively considerable ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐	Pgs. 14-10094
c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐	Pgs. 14-10094

4.18.2 Impacts Evaluation

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

As discussed in the individual sections, the proposed project would not degrade the quality of the environment with the implementation of identified General Plan policies, applicable regulations, and mitigation measures. As discussed in *Section 4.4 Biological Resources*, the project is located in an urban environment and would not impact sensitive habitat or species; however, nesting birds and retained trees may be affected during project construction if not adequately protected. While there is a potential for buried archaeological resources on-site, implementation of the identified ~~General Plan policies~~ mitigation measures in *Section 4.5 Cultural Resources*, would ensure less than significant impacts to ~~cultural~~ archaeological resources. The project also includes tree protection mitigation measures to ensure impacts to the historic Howard-Ralston Eucalyptus Tree Rows avoided. While the project removes a

eucalyptus tree within the historic Howard-Ralston Eucalyptus Tree Rows, the tree is non-historic and will be replaced with an appropriate elm tree, and the removal of a non-historic eucalyptus tree and replacement with an elm street tree will not significantly alter the setting or context for the historic property located at 1615 Floribunda Avenue across El Camino Real. Therefore, the implementation of identified mitigation measures would ensure biological and cultural impacts related to the proposed residential redevelopment of the site would be less than significant. **(Less Than Significant Cumulative Impact With Mitigation Incorporated)**

b) *Does the project have impacts that are individually limited, but cumulatively considerable?*

Under Section 15065(a)(3) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has potential environmental effects "that are individually limited, but cumulatively considerable." As defined in Section 15065(a)(3) of the CEQA Guidelines, cumulatively considerable means "that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects."

Because criteria air pollutant and GHG emissions would contribute to regional and global emissions of such pollutants, the identified thresholds developed by BAAQMD and used by the City of Burlingame were developed such that a project-level impact would also be a cumulatively considerable impact. The project would not result in a significant emissions of criteria air pollutants, construction emissions (refer to Table 4.18-1 below), or GHG emissions and, therefore, would not make a substantial contribution to cumulative air quality or GHG emissions impacts.

Table 4.18-1
Cumulative Construction Source Health Risks

Proposed Project Construction Unmitigated	**Infant =222.3** Adult = 3.8	**1.12**	0.19
El Camino Real at 90 feet	5.1	0.07	<0.01
Cumulative Total	**227.4**	**1.19**	<0.20
BAAQMD Thresholds Cumulative Source	*>100*	*>0.8*	*>10.0*
Significant?	***Yes***	***Yes***	*No*
Mitigated Project Construction	5.6	0.05	<0.01
El Camino Real at 90 feet	5.1	0.07	<0.01
Cumulative Total	10.7	0.12	<0.02
BAAQMD Thresholds Cumulative Source	*>100*	*>0.8*	*>10.0*
Significant?	*No*	*No*	*No*

With the implementation of mitigation measures and standard permit conditions, residential development on the site would not result in significant geology and soils or hydrology and

water quality impacts and would not contribute to cumulative impacts to these resources. Also, the project would not impact agricultural and forest resources or mineral resources and, therefore, the project would not contribute to a significant cumulative impact on these resources.

The project is located in an urban area and given its limited size would not contribute to a cumulative impact on aesthetics, population and housing, public services, recreation, and transportation with the implementation of Municipal Code requirements.

Additionally, the proposed project has been evaluated as part of the implementation of the Downtown Specific Plan which was approved in 2010. The full build-out of the Downtown Specific Plan would have significant impacts on traffic and air quality. Appropriate mitigation measures have been identified in the Downtown Specific Plan IS/MND that would reduce impacts from future development as part of the Downtown Plan to less-than-significant levels by year 2030. **(Less Than Significant Cumulative Impact)**

c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

The proposed project does not present significant environmental effects that would adversely affect human beings, either directly or indirectly. Adverse impacts to humans that may be associated with the proposed project are related to air quality, geology and soils, hazardous materials, and noise. The project site does not contain any known hazardous materials contamination that would be disturbed by the project. Mitigation measures are included in the project to ensure temporary construction impacts to air quality and noise levels would be less than significant. Mitigation measures have also been included in the project to ensure the building is designed to account for high groundwater levels on the site. The proposed project with the incorporation of mitigation measures would not result in any significant impacts on human beings directly or indirectly. **(Less Than Significant Cumulative Impact With Mitigation Incorporated)**

Checklist Sources

1. Professional judgment and expertise of the environmental specialists preparing this assessment, based upon a review of the site and surrounding conditions, as well as a review of the project plans.
2. City of Burlingame. *Downtown Specific Plan IS/MND.* October 4, 2010. Accessed July 22, 2016.
3. City of Burlingame. *General Plan.* 1975. Accessed July 22, 2016.
4. City of Burlingame Municipal Code.
5. Department of Transportation. *Scenic Highway Mapping System.* 2011. Accessed August 18, 2015. <http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm>
6. VMK Design Group. *556 El Camino Real Shadow Studies.* August 16, 2016.
7. California Department of Conservation. *San Mateo County Williamson Act FY 2006/2007 Map. 2012.*
8. California Department of Conservation, Division of Land Resource Protection. *San Mateo County Important Farmland 2014 Map*. February 2016.
9. Bay Area Air Quality Management District. *Bay Area 2010 Clean Air Plan.* September 15, 2010.
10. Bay Area Air Quality Management District. *California Environmental Quality Act Air Quality Guidelines.* May 2011.
11. Illingworth & Rodkin, Inc. *556 El Camino Real Residential Development Construction Health Risk Assessment.* November 11, 2016.
12. Kielty Arborist, LLC. *Arborist Report 556 El Camino Real.* June 27, 2016.
13. Carey & Company, Inc. *Inventory of Historic Resources Burlingame Downtown Specific Plan.* October 6, 2008.
14. Earth Mechanics Consulting Engineers. *Geotechnical Investigation for Planned Residential Development at 556 El Camino Real, Burlingame, CA.*
15. City of Burlingame. *Climate Action Plan.* June 2009. Accessed April 9, 2016.
16. Federal Emergency Management Agency. *Flood Insurance Rate Map.* July 16, 2015.
17. San Mateo County Airport Land Use Commission. *Comprehensive Land Use Plan: San Francisco International Airport.*
18. Hexagon Transportation Consultants, Inc. *Peer Review of the Queuing Analysis Completed for the Proposed Residential Project at 556 El Camino Real in Burlingame, California.* November 18, 2016.
19. Holman & Associates. *Results of a CEQA Archaeological Literature Search and Initial Native American Consultation for 556 El Camino Real, Burlingame, San Mateo County, California.* June 5, 2017.
20. Ward Hill, Architectural Historian. *Historical Resources Compliance Report*. June 1, 2017.

SECTION 5.0 REFERENCES

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California Air Resources Board. *First Update to the AB 32 Scoping Plan*. Accessed August 12, 2016. Available at: http://www.arb.ca.gov/cc/scopingplan/document/updatedscopingplan2013.htm

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---. *San Mateo County Williamson Act FY 2006/2007 Map. 2012.*

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CalRecycle. *Solid Waste Disposal Rates*. Accessed September 2, 2016. Available at: http://www.calrecycle.ca.gov/wastechar/ResDisp.htm

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SECTION 6.0 LEAD AGENCY AND CONSULTANTS

6.1 LEAD AGENCY

City of Burlingame
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William Meeker, Community Development Director
Kevin Gardiner, Planning Manager

6.2 CONSULTANTS

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Tali Ashurov, Assistant Project Manager
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Ward Hill, Architectural Historian