

PACIFICA SCHOOL DISTRICT  
WORKFORCE HOUSING PROJECT  
FINDINGS OF FACT AND  
STATEMENT OF OVERRIDING CONSIDERATIONS

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# 1.0 INTRODUCTION

CEQA requires the Pacifica City Council to balance the benefits of the Pacifica School District Workforce Housing Project (project) against its significant and unavoidable environmental effects in determining whether to approve the project. Since the Environmental Impact Report (EIR) identifies significant impacts of the project that cannot feasibly be mitigated to below a level of significance, the City must state in writing its specific reasons for approving the project in a “statement of overriding considerations” pursuant to Sections 15043 and 15093 of the California Environmental Quality Act (CEQA) Guidelines. This Statement of Overriding Considerations sets forth the specific reasons supporting the City’s action in approving the project, based on the Final Environmental Impact Report (Final EIR or FEIR, which incorporates the Draft EIR or DEIR by reference) and other information in the administrative record.

In making the statement of overriding considerations, CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered ‘acceptable’. (CEQA Guidelines, Section 15093, subd. (a).)

The following sections provide findings and statements of facts supporting the findings, describe the general project benefits considered by decision makers in determining to adopt the proposed project despite its potentially significant adverse environmental effects, and provide conclusions.

## 1.1 ROLE OF CEQA FINDINGS

The following findings are hereby adopted by the City Council of Pacifica pursuant to the requirements of the California Environmental Quality Act, California Public Resources Code Section 21000 et seq. (CEQA), and the Guidelines for California Environmental Quality Act, Title 14, California Code of Regulations Section 15000 et seq. (CEQA Guidelines).

These Findings and Facts in Support of Findings relate to the approval of the Pacifica School District Workforce Housing project for which the City Council of Pacifica is the Lead Agency.

The Findings state the City Council’s conclusions regarding the significance of the potential environmental impacts of the project after all feasible mitigation measures have been adopted. These findings have been prepared to comply with the requirements of CEQA and the CEQA Guidelines and are based on information in the Draft and Final EIR for the project and on all other relevant information contained in the administrative record.

CEQA requires agencies to identify mitigation measures that would avoid or substantially lessen a project’s significant impacts or potentially significant impacts if such measures are feasible. The mitigating measures identified in the Final EIR mitigate the potentially significant impacts of the project, to the extent feasible, as described in the Final EIR. All mitigation measures identified in the Final EIR (as listed in Table 1-1 of the Draft EIR) that are within the City Council’s authority to impose are hereby adopted by the Council.

Public Resources Code Section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” The same statute states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.” Section 21002 further provides that “in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.” (Pub. Resources Code, Section 21002.)

The mandate and principles set forth in Public Resources Code Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See Pub. Resources Code, Section 21081, subd. (a); CEQA Guidelines, Section 15091, subd. (a).)

## 2.0 FINDINGS UNDER CEQA

The EIR examined the environmental impacts of the project in the areas of Aesthetics; Air Quality; Biological Resources; Cultural and Tribal Cultural Resources; Geology and Soils; Greenhouse Gas Emissions; Hazards and Hazardous Materials; Hydrology and Water Quality; Land Use and Planning; Noise; Population and Housing; Public Services; Transportation and Traffic; Utilities and Service Systems; Wildfire; Significant Irreversible Environmental Changes; Growth-Inducing Impacts; and Cumulative Impacts.

## 2.1 IMPACTS DETERMINED NOT TO BE SIGNIFICANT

State CEQA Guidelines Section 15128 requires that an EIR contain a brief statement disclosing the reasons why various possible significant effects of a project were found not to be significant, and therefore would not be discussed in detail in the EIR. Chapter 4, Environmental Evaluation, of the DEIR identified the following issue areas that would not be impacted by the proposed project, and thus, does not include a detailed discussion of:

- Agricultural and Forestry Resources
- Energy
- Mineral Resources
- Recreation

## 2.2 IMPACTS DETERMINED TO BE LESS THAN SIGNIFICANT

Under Public Resources Code section 21081(a)(1) and CEQA Guidelines sections 15091(a)(1) and 15092(b), the City determines that the following potential impacts would not occur as a result of the project or would be less than significant, as identified in the EIR:

### 2.2.1 AESTHETICS:

**Impact AES-1:** Implementation of the proposed project would not have a substantial adverse effect on a scenic vista.

**Impact AES-2:** Implementation of the proposed project would not substantially damage scenic resources, including, trees, rock outcroppings, and historic buildings within a state scenic highway.

**Impact AES-4:** The project would not create a new source of substantial light or glare which would adversely affect day or nighttime.

### 2.2.2 AIR QUALITY:

**Impact AQ-1:** Implementation of the proposed Pacifica School District Workforce Housing project would not conflict with or obstruct implementation of an applicable air quality plan.

**Impact AQ-4:** Implementation of the proposed project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

### 2.2.3 BIOLOGICAL RESOURCES:

**Impact BIO-2 (no impact):** The project would not result in a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans,

policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service.

**Impact BIO-4:** The project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.

**Impact BIO-6 (no impact):** The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

#### 2.2.4 CULTURAL AND TRIBAL CULTURAL RESOURCES

**Impact C/TCUL-1:** Implementation of the proposed project would not cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5.

#### 2.2.5 GEOLOGY AND SOILS

**Impact GEO-5 (no impact):** The proposed project will not be located on soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water.

#### 2.2.6 GREENHOUSE GAS EMISSIONS

**Impact GHG-2:** Implementation of the proposed project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

#### 2.2.7 HAZARDS AND HAZARDOUS MATERIALS

**Impact HAZ-1:** The proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

**Impact HAZ-3:** The proposed project would not emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

**Impact HAZ-4 (no impact):** The proposed project would not be located on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

**Impact HAZ-5:** The proposed project would be located within an airport land use plan, but would not result in a safety hazard or excessive noise for people residing or working in the

project area.

**Impact HAZ-6:** The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

### 2.2.8 HYDROLOGY AND WATER QUALITY

**Impact HYDRO-1:** Implementation of the proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.

**Impact HYDRO-2:** Implementation of the project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project would impede sustainable groundwater management of the basin.

**Impact HYDRO-3:** Implementation of the proposed would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would i) result in substantial erosion or siltation on- or off-site; ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv) impede or redirect flood flows.

**Impact HYDRO-4:** Implementation of the proposed project would not result in the risk of release of pollutants due to project inundation as a result of being located in a flood hazard, tsunami, or seiche zone.

**Impact HYDRO-5:** Implementation of the proposed project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

### 2.2.9 LAND USE AND PLANNING

**Impact LUP-1:** The project would not physically divide an established community.

**Impact LUP-2:** The project would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental impact.

### 2.2.10 NOISE

**Impact NOI-2:** The proposed project would not result in generation of excessive

groundborne vibration or groundborne noise levels.

**Impact NOI-3 (no impact):** The proposed project, would not expose people residing or working in the project area to excessive noise levels as a result of being located in an airport land use plan.

#### 2.2.11 POPULATION AND HOUSING

**Impact POP-1:** The project would not induce direct substantial population growth in the area as a result of construction of the proposed units, nor would the project result in indirect population growth in the area as a result of expansion of public facilities, such as roads or other infrastructure.

**Impact POP-2:** The project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

#### 2.2.12 PUBLIC SERVICES

**Impact PS-1:** The project would not require expansion or construction of new governmental facilities which could result in substantial adverse physical impacts as a result of increased demand for fire protection, police protection, schools, parks, or other public facilities.

#### 2.2.13 TRANSPORTATION AND TRAFFIC

**Impact TRA-1:** The project will not conflict with a program, plan, ordinance, or policy addressing the circulation system including transit, roadway, bicycle, and pedestrian facilities.

**Impact TRA-4:** Implementation of the project will not result in inadequate emergency access.

#### 2.2.14 UTILITIES AND SERVICE SYSTEMS

**Impact UTIL-1:** Implementation of the proposed project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

**Impact UTIL-2:** Implementation of project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.

**Impact UTIL-3:** Implementation of the project would not result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have

adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

**Impact UTIL-4:** Implementation of the project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.

**Impact UTIL-5:** Implementation of the project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

### 2.2.15 WILDFIRE

**Impact FIRE-1:** The project would not substantially impair an adopted emergency response plan or emergency evacuation plan.

**Impact FIRE-2:** The project would not exacerbate wildfire risks due to slope, prevailing winds, and other factors, and thereby would not expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

**Impact FIRE-3:** The project would not require installation or maintenance of infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.

**Impact FIRE-4:** The project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

## 2.3 IMPACTS DETERMINED TO BE LESS THAN SIGNIFICANT WITH MITIGATION

Under Public Resources Code section 21081(a)(1) and CEQA Guidelines sections 15091 (a)(1) and 15092(b), and to the extent reflected in the EIR, the City finds that changes or alterations have been required in, or incorporated into, the project that mitigate to a less than significant level or avoid the following potentially significant effects on the environment:

### 2.3.1 AESTHETICS

***Impact AES-3: Implementation of the proposed project could substantially degrade the existing visual character or quality of public views of the site and its surroundings and could result in a conflict with applicable zoning and other regulations governing scenic quality in urbanized areas (potentially significant impact).***

*Mitigation Measure(s)*

**AES-1:** All applicable Tree Protection Recommendations set forth in the Arborist Report prepared by Traverso Tree Service on March 18, 2020, for the subject property, including, but not limited to recommendations related to protection of Monterey pines (trees 25-27) and Monterey cypress (trees 1-12, 16-20) during the pre-construction, demolition, foundation, grading, construction, and landscaping phases of the project shall be implemented, except that the tree replacement ratio for removal of heritage and protected trees shall be 2:1. Final grading plans, construction plans, and building plans shall demonstrate that recommendations set forth in the Arborist Report have been incorporated into the final design of the project. Plans shall also demonstrate compliance with the planting size, species, and ratio recommendations set forth in the Tree Replacement Recommendation Memorandum prepared by Traverso Tree Services on June 17, 2020. Protection measures and replacement trees shall be subject to review and approval by the City of Pacifica Planning Department, Planning Commission, and City Council, as applicable.

*Finding*

Changes or alteration have been required in, or incorporated into the project, which avoid or substantially lessen the significant environmental impact identified in the EIR.

*Facts in Support of Finding*

Implementation of the project will result in removal of seven mature heritage and non-heritage trees that contribute to the existing visual character of the site and its surroundings. However, measure AES-1 requires planting of replacement trees at a 2:1 ratio, as well as protection of trees to be retained onsite which reduces the project's potential impacts to less than significant.

### 2.3.2 AIR QUALITY

***Impact AQ-2: Implementation of the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (potentially significant impact).***

*Mitigation Measure(s)*

**AQ-1:** Latest BAAQMD recommended Best Management Practices (BMPs) to control for fugitive dust and exhaust during all construction activities shall be incorporated into all demolition and construction plans to require implementation of the following:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and

unpaved access roads) shall be watered two times per day.

2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. 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.
4. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
5. 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.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 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.
7. 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.
8. 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.

*Finding*

Changes or alteration have been required in, or incorporated into the project, which avoid or substantially lessen the significant environmental impact identified in the EIR.

*Facts in Support of Finding*

Implementation of measure AQ-1 will reduce fugitive dust emissions during construction activities as recommended by BAAQMD. Exhaust emissions from operation of construction equipment and trucks for criteria pollutants will also be reduced through implementation of measures during construction activities. Therefore, after applying this measure, the impact will be less than significant.

***Impact AQ-3: Implementation of the proposed project would not expose sensitive receptors to substantial pollutant concentrations (potentially significant impact).***

*Mitigation Measure(s)*

**AQ-1:** (see above under Impact AQ-2)

**AQ-2:** Prior to issuance of a demolition and/or grading permit, a plan to reduce diesel particulate matter emissions by at least 60 percent shall be prepared and submitted to the City for review and acceptance. The plan shall include, but not be limited to, the following strategies:

1. All construction equipment larger than 50 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 emission standards for particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>), if feasible. Alternatively, the plan may include:
  - a. Equipment that meets U.S. EPA emission standards for Tier 2 or 3 engines and include particulate matter emissions control equivalent to CARB Level 3 verifiable diesel emission control devices that altogether achieve a 60 percent or greater reduction in particulate matter exhaust in comparison to uncontrolled equipment.
  - b. Alternatively fueled or electric equipment.
2. Alternatively, the applicant may develop a construction operations plan demonstrating that the construction equipment used on-site would achieve a reduction in construction diesel particulate matter emissions by 60 percent or greater. The construction operations plan shall be subject to review by an air quality expert and approved by the City prior to construction. Elements of the plan could include a combination of the following measures:
  - a. Use Tier 4 or alternatively fueled equipment;
  - b. Installation of electric power lines during early construction phases to avoid use of diesel generators and compressors;
  - c. Use of electric-powered equipment;
  - d. Use of electric or propane/natural gas-powered forklifts and aerial lifts;
  - e. Change in construction build-out plans to lengthen phases;
  - f. Implementation of different building techniques that result in less diesel equipment usage.

### *Finding*

Changes or alteration have been required in, or incorporated into the project, which avoid or substantially lessen the significant environmental impact identified in the EIR.

### *Facts in Support of Finding*

The Construction Community Risk Assessment, prepared by Illingworth & Rodkin for the project used the California Emissions Estimator Model (CalEEMod) to compute construction

period emissions with implementation of mitigation measures. The model inputs assumed all construction equipment met U.S. EPA Tier 4 interim engines standards and all BAAQMD best management practices for construction were included. With these mitigation measures AQ-1 and AQ-2, the project's construction cancer risk impact, assuming infant exposure, would be reduced by 90 percent to 2.48 per million and the project's annual PM2.5 concentrations would be reduced by 65 percent to 0.12 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ). A plan that reduces DPM emissions by 60 percent would reduce cancer risk to approximately 9.7 chances per million and a plan that reduces total PM2.5 emissions by 15 percent would reduce PM2.5 concentrations to 0.29  $\mu\text{g}/\text{m}^3$ . Based on these calculations, the project's construction cancer risk and PM2.5 concentrations would be reduced below the BAAQMD single-source thresholds and as such project impacts would be less than significant.

### 2.3.3 BIOLOGICAL RESOURCES

***Impact BIO-1: The project could result in a substantial adverse effect, either directly or through habitat modifications, on species identified as candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service (potentially significant impact).***

#### *Mitigation Measure(s)*

**BIO-1:** Prior to the start of grading, construction, or any other ground-disturbing activity, a pre-construction survey shall be conducted by a qualified biologist to identify occupied San Francisco dusky-footed woodrat middens onsite. Where feasible, occupied middens shall be avoided and a minimum five (5) foot non-disturbance buffer, or greater buffer as otherwise recommended by a qualified biologist, shall be established, maintained, and monitored throughout project construction. Additionally, a minimum five (5) foot non-disturbance buffer, or greater buffer as otherwise recommended by a qualified biologist, shall be established between the eastern limit of proposed development activities and the densely vegetated, impenetrable hazelnut scrub habitat.

**BIO-2:** To address potential impacts to San Francisco dusky-footed woodrats, a Relocation Plan prepared by a qualified biologist, shall be prepared and submitted to the City of Pacifica and the California Department of Fish and Wildlife for review and approval. At a minimum, the Relocation Plan shall include, but is not limited to, the following:

- Nests requiring relocation shall be dismantled by construction crews by hand and under the direct supervision of a qualified biologist.
- Each member of the construction crew shall receive an environmental awareness

training regarding San Francisco dusky-footed woodrat ecology and specifics of the Relocation Plan.

- All material removed during nest dismantling shall be moved into the Relocation Area, as determined by the qualified biologist, and constructed into piles suitable for habitation or use as refugia.
- If an active nest requires removal, the following phased dismantling protocol shall be implemented:
  - ◆ Remove at least 50-100% of the existing canopy cover and begin dismantling.
  - ◆ After partially dismantling the nest, leave nest alone for two to four days to allow woodrats to disperse on their own. After two to four days, continue to disassemble nest by hand. Plan to completely dismantle in two to three sessions.
  - ◆ If young are present, the construction crew and qualified biologist shall cease dismantling of the nest for 48 hours to allow the adult to move the young. If the young have been moved and the nest is vacant, nest removal may resume.
- If an inactive nest (as determined by a qualified biologist) needs to be removed, it may be removed completely in one day. If woodrats are observed within or fleeing from the nest, the nest will be considered active and relocated using a phased approach.

**BIO-3:** To offset the loss or disturbance of foraging habitat (native forbs and shrubs) for the special-status obscure bumble bee (*Bombus caliginosus*), plant species that are known nectar sources of the obscure bumble bee shall be replaced at a 2:1 ratio, or as otherwise recommended by a qualified biologist and CDFW and shall be included in a revised landscaping plan. Plant species shall be sited in concentrated locations selected in consultation with a qualified biologist and CDFW as necessary to ensure the long-term survival of such plants and to limit disturbance throughout project operation. Plant species known to benefit the obscure bumble bee include but are not limited to Ceanothus, Cirsium, Clarkia, Lathyrus, Lotus, Lupinus, Rhododendron, Rubus, Trifolium, and Vaccinium. As part of the update to the landscaping plans, selected bee-friendly species and planting locations shall be confirmed by a qualified biologist in consultation with the City of Pacifica.

**BIO-4:** If construction commences during the rainy season, a qualified biologist shall conduct a pre-construction survey for California red-legged frog no more than five days prior to commencement of ground disturbing activities. In the event that California red-legged frogs are found onsite, the qualified biologist in consultation with CDFW shall provide recommendations for relocation of individuals and installation of exclusion fencing. At the recommendation of CDFW and the qualified biologist and based on factors including the migration window for red-legged frog, rainfall, and inundation, exclusion fencing shall be installed. Exclusion fencing shall be inspected and maintained under the supervision of a qualified biologist. Results of the survey and recommendations for relocation and exclusion

fencing shall be submitted to the City of Pacifica.

**BIO-5:** To avoid potential impacts to special-status bats, a qualified biologist shall conduct a pre-construction survey of all structures and trees that would be impacted by the project, no more than 15 days prior to demolition, tree removal, or commencement of ground disturbing activities. Results of the preconstruction survey shall be documented by a qualified biologist and provided to the City of Pacifica. If special-status bat species are found roosting in building or trees proposed to be removed, the biologist shall determine if there are young present (i.e., the biologist should determine if there are maternal roosts). If young are found roosting in any tree or building proposed for removal, such impacts shall be avoided until the young are flying and feeding on their own. A 100 foot non-disturbance buffer, or as otherwise specified by a qualified biologist, installed with orange construction fencing shall be established around maternity site. If adults are found roosting in a tree or building on the project site but no maternal sites are found, then the adult bats can be flushed, or a one-way eviction door can be placed over the tree cavity for a 48-hour period prior to the tree removal or building demolition. If bats or evidence of bats are detected during the pre-construction surveys, the applicant shall notify the City of Pacifica and the CDFW regarding bat eviction protocol and submit a plan for review and acceptance by the City of Pacifica and the CDFW.

**BIO-6:** Should construction activities commence during the bird nesting season (February 1 to August 31), a pre-construction nesting bird survey shall be conducted by a qualified biologist no more than 14 days prior to the start of construction activities. Areas within 500 feet of construction shall be surveyed for active nests. Should active nests be identified, a 100 foot buffer for passerines and 300 foot buffer for raptors shall be established, or as otherwise specified by a qualified biologist based on the needs of the species as set forth by CDFW and shall be maintained until a qualified biologist verifies that the nestlings have fledged, or the nest has failed. Should construction activities cease for 14 consecutive days or more within the nesting season, an additional nesting bird survey shall be required prior to resuming construction. Results of the pre-construction nesting bird survey shall be submitted to the City of Pacifica.

*Finding*

Changes or alteration have been required in, or incorporated into the project, which avoid or substantially lessen the significant environmental impact identified in the EIR.

*Facts in Support of Finding*

The required surveys and protection measures for the San Francisco dusky-footed woodrat, California red-legged frog, special status bats, and nesting birds would prevent harm to these species as a result of construction activities. Therefore, after applying the mitigation measures listed above, impacts to special status species would be less than significant. Additionally, though foraging habitat for the obscure bumblebee will be removed as part of the project, the provision for planting of replacement habitat would result in less than significant impacts to this species.

***Impact BIO-3: The project could have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other mean (potentially significant impact).***

*Mitigation Measure(s)*

**BIO-7:** Indirect impacts to the seasonal wetlands and jurisdictional drainage feature shall be avoided through implementation of best management practices (BMPs) prior to earthwork. Construction exclusion zones shall be established by installing appropriate construction fencing, silt fencing, wildlife friendly hay wattles (no monofilament netting), gravel wattles, and other protective measures between project activities and the seasonal wetlands and drainage feature.

All non-native, invasive vegetation removed shall be discarded offsite and away from wetland areas to prevent reseeding.

Prior to implementation of the construction project, a biological monitor shall inspect installation of BMPs to ensure proper protection of the seasonal wetlands and jurisdictional drainage feature areas are in place. BMPs shall thereafter be routinely inspected by the construction manager to ensure BMPs remain in place for the duration of construction activities. Upon completion of project construction all exclusion fencing shall be removed along with any temporary BMPs.

**BIO-8:** A total of 0.063 acres of potential wetlands were identified in the project area. In the event that wetland plants are removed, altered, or destroyed along the edges of the concrete drainage ditch during repair/replacement of the concrete drainage ditch, the applicant shall replant these areas with native wetland plants at a 1:1 ratio to ensure continued viability of the wetlands.

**BIO-9:** To avoid impacts to jurisdictional waters and wetlands throughout project operation, plans submitted for building permit shall be revised to include a split rail fence with minimum

three foot and maximum 6 foot height along the boundary between the recreational field and seasonal wetlands and concrete drainage ditch located at the southeast portion of the project site to preclude access and limit foot traffic within the drainage and wetland features. The design of the fence shall be submit to review and approval by the Planning Director.

*Finding*

Changes or alteration have been required in, or incorporated into the project, which avoid or substantially lessen the significant environmental impact identified in the EIR.

*Facts in Support of Finding*

The project includes construction within 100 feet of an existing wetland which could result in impacts associated with construction activities. However, the project is required to implement best management practices such as establishment of construction exclusion zones installation of silt fencing, wildlife friendly hay wattles, gravel wattles, and other measures that would ensure the protection of wetlands onsite during construction. In addition, the project proposes repair of an existing drainage ditch, which is subject to the United States Army Corps of Engineers (USACE) Nationwide Permit 41. The project does not propose removal, fill, or hydrological interruption of existing wetlands adjacent to the drainage ditch, however, it is possible that construction activities could result in damage or removal of wetland plants. The project has been provisioned to replace wetland plants at a ratio of 1:1 in the event that such plants are removed, altered, or destroyed during construction. With implementation of best management practices and the provision for wetland plants to be replaced, impacts of the project on wetlands during construction would be less than significant.

As the wetlands onsite are located in an area that will be used for recreation purposes, operation of the project could result in impacts to wetlands onsite. However, the requirement to include split rail fencing to exclude foot traffic from the wetland area will reduce impacts during project operation to less than significant.

***Impact BIO-5: The project could conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (potentially significant impact).***

*Mitigation Measure(s)*

**AES-1:** (see above under Impact AES-3)

*Finding*

Changes or alteration have been required in, or incorporated into the project, which avoid or substantially lessen the significant environmental impact identified in the EIR.

*Facts in Support of Finding*

Implementation of the project will result in removal of seven mature heritage and non-heritage trees that contribute to the existing visual character of the site and its surroundings. However, measure AES-1 requires planting of replacement trees at a 2:1 ratio, as well as protection of trees to be retained onsite which reduces the project's potential impacts to less than significant.

### 2.3.4 CULTURAL AND TRIBAL CULTURAL RESOURCES

***Impact C/TCUL-2: Implementation of the project could potentially cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 (potentially significant impact).***

*Mitigation Measure(s)*

**C/TCUL-1:** Prior to commencement of ground-disturbing activities, project supervisors, equipment operators, and other members of the construction team overseeing or conducting ground-disturbing activities shall receive one or more preconstruction Cultural Awareness Trainings by a Secretary of Interior-qualified archaeologist. The Training(s) shall educate and familiarize supervisors, contractors, and equipment operators with the potential to encounter archaeological resources, the types of archaeological material that could be encountered, and procedures to follow if archaeological deposits and/or artifacts are encountered during construction.

**C/TCUL-2:** In the event that an archaeological deposit is encountered during ground-disturbing activities, all work within 50-feet of the discovery shall be redirected until a Secretary of Interior-qualified archaeologist is retained to inspect the material and provide recommendations for appropriate treatment of the resource pursuant to regulations and guidelines set forth in the California Environmental Quality Act, including the involvement of Native American monitors if a prehistoric archaeological resource is identified. If avoidance of the archaeological resource is not feasible, the archaeological resource shall be evaluated for its eligibility for listing in the California Register of Historic Resources. In the event that archaeological resources are identified as eligible for listing on the CRHR, recommendations for proper treatment and handling shall be identified by the qualified archaeologist including, but not be limited to, avoidance or excavation in accordance with the Secretary of Interior's Standards and Guidelines for Archaeological Documentation, which may include

data recovery using standard archaeological field methods and procedures; laboratory and technical analyses of recovered archaeological materials; preparation of a report detailing the methods, findings, and significance of the archaeological site and associated materials; and accessioning of archaeological materials and a technical data recovery report at a curation facility. Upon completion of the assessment, the archaeologist shall prepare a report to document the methods and results of the assessment. The report shall be submitted to the project applicant and the Northwest Information Center.

*Finding*

Changes or alteration have been required in, or incorporated into the project, which avoid or substantially lessen the significant environmental impact identified in the EIR.

*Facts in Support of Finding*

Due to past disturbance of the project site and surrounding area, including removal of native soils, placement of artificial fill, and undergrounding of the North Fork San Pedro Creek, there is a possibility that disturbed or redeposited archaeological resources could be encountered during excavation and grading of the site. Without proper care during the grading and excavation phases of the proposed project, unknown and potentially significant historic and prehistoric archaeological resources could be damaged or destroyed, if present. With implementation of Mitigation Measures C/TCUL-1 through C/TCUL-2, the proposed project impacts to archeological resources would be less than significant.

***Impact C/TCUL-3: Implementation of the project could potentially cause a significant impact due to disturbance of human remains, including those interred outside of formal cemeteries (potentially significant impact).***

*Mitigation Measure(s)*

**C/TCUL-3:** In the event that human remains are encountered during ground-disturbing activities, all work must stop within 100-feet of the discovery area, the area shall be secured to prevent further disturbance, and the San Mateo County Coroner shall be notified immediately. The Coroner will determine if the remains are precontact period Native American remains or of modern origin, and if any further investigation by the coroner is warranted. If the remains are believed to be precontact period Native American, the Coroner shall contact the Native American Heritage Commission by telephone within 24-hours. The NAHC will immediately notify the person believed to be the most likely descendant (MLD) of the remains. The MLD has 48-hours to make recommendations to the landowner for treatment or disposition of the human remains. If the MLD does not make recommendations

within 48-hours, the landowner shall reinter the remains in an area of the property secure from further disturbance. If the landowner does not accept the descendant's recommendations, the owner or the descendant may request mediation by NAHC. An archaeologist should also be retained to evaluate the historical significance of the discovery, the potential for additional remains, and to provide further recommendations for treatment of the site in coordination with the MLD.

*Finding*

Changes or alteration have been required in, or incorporated into the project, which avoid or substantially lessen the significant environmental impact identified in the EIR.

*Facts in Support of Finding*

No known human burials have been identified on the project site or within recorded resources located in the vicinity. However, it is possible that unknown human remains could occur on the project site, and if proper care is not taken during grading and excavation, damage to or destruction of these unknown remains could occur, if present. Implementation of Mitigation Measure C/TCUL-3 would ensure that impacts to buried human remains, if present onsite, would be reduced to less than significant levels.

***Impact C/TCUL-4: Implementation of the project could cause a substantial adverse change in the significance of a tribal cultural resource, including resources that are listed or eligible for listing in the CRHR, or in a local register of historical resources, or that are determined by the City of Pacifica to be significant pursuant to criteria set forth in Section 5024.1(c) of Public Resources Code (potentially significant impact).***

*Mitigation Measure(s)*

**C/TCUL-1:** (see above under Impact C/TCUL-1)

**C/TCUL-2:** (see above under Impact C/TCUL-1)

**C/TCUL-3:** (see above under Impact C/TCUL-3)

*Finding*

Changes or alteration have been required in, or incorporated into the project, which avoid or substantially lessen the significant environmental impact identified in the EIR.

*Facts in Support of Finding*

There are no known Native American Sacred Sites on or within the immediate vicinity of the site nor are there any known tribal cultural resources on the project site. However, as stated

above under Impact C/TCUL-2, there is a possibility to encounter buried resources onsite. The project is subject to Mitigation Measures T/TCUL-1 through T/TCUL-3 which require avoiding inadvertent impacts to prehistoric resources and human remains, should they be encountered during excavation and grading, the proposed project would not affect any known or unknown tribal cultural resources in the area. Therefore, with mitigation the proposed project would result in a less than significant impact on tribal cultural resources.

### 2.3.5 GEOLOGY AND SOILS

***Impact GEO-1: The proposed project could potentially directly or indirectly result in substantial adverse effects, including the risk of loss, injury, or death involving fault rupture, strong seismic ground shaking, or seismic-related ground failure including liquefaction and landslides (potentially significant impact).***

#### *Mitigation Measure(s)*

**GEO-1:** All applicable recommendations set forth in the Design Level Geotechnical Investigation prepared by Rockridge Geotechnical on August 20, 2020, for the subject property, including, but not limited to recommendations related to grading, drainage, excavation, foundations systems, and compaction specifications shall be implemented. Final grading plan, construction plans, and building plans shall demonstrate that recommendations set forth in the geotechnical reports have been incorporated into the final design of the project and to the satisfaction of the City of Pacifica City Engineer.

#### *Finding*

Changes or alteration have been required in, or incorporated into the project, which avoid or substantially lessen the significant environmental impact identified in the EIR.

#### *Facts in Support of Finding*

Due to the site's location in a region of high seismicity the project would likely experience moderate to severe ground shaking during a seismic event, which could affect the proposed residences and other buildings onsite. The proposed project would comply with building requirements set forth by the State, which have been designed to reduce the likelihood of damage as a result of ground shaking. In addition, Mitigation Measure GEO-1 requires implementation of recommendations set forth in the design-level geotechnical report related to grading, drainage, excavation, foundation systems, and compaction specifications. With implementation of Mitigation Measure GEO-1 the potential for seismically induced impacts associated with the proposed project would be less than significant.

***Impact GEO-2: The proposed project could result in substantial soil erosion or the loss of topsoil (potentially significant impact).***

*Mitigation Measure(s)*

**GEO-2:** Upon submittal of grading and drainage plans, the applicant shall demonstrate compliance with applicable requirements of Title 6, Chapter 12 (Stormwater Management and Discharge Control) of the City of Pacifica Municipal Code. Plans shall include identification of appropriate best management practices (BMPs) to prevent the discharge of construction wastes or contaminants from construction materials, tools, equipment, stockpiles, or exposed soil from entering the City storm water system or watercourses. Plans shall also demonstrate compliance with stormwater treatment requirements set forth in NPDES Permit No. CAS612008.

*Finding*

Changes or alteration have been required in, or incorporated into the project, which avoid or substantially lessen the significant environmental impact identified in the EIR.

*Facts in Support of Finding*

Construction of the project involves ground disturbing activities that have the potential to result in soil erosion or loss of topsoil. However, the project is subject to the erosion and sediment control requirements set forth in the City's Municipal Code which requires incorporation of erosion, sediment, and pollution prevention BMPs during to prevent sediment from reaching the streets or entering the stormdrain system. Mitigation Measure GEO-2 requires that the project demonstrate compliance with the City's requirements, which would result in less than significant impacts related to erosion during construction.

***Impact GEO-3: The proposed project would be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse (potentially significant impact).***

*Mitigation Measure(s)*

**GEO-1:** (see above under Impact GEO-1)

*Finding*

Changes or alteration have been required in, or incorporated into the project, which avoid or substantially lessen the significant environmental impact identified in the EIR.

*Facts in Support of Finding*

The project is proposed on a relatively flat portion of the site and would not result in on- or off-site landslides. Though the eastern portion of the project site includes steep slopes, the project proposes a 10-foot retaining wall which is designed to resist lateral pressure from the adjacent hillside. Though existing soil conditions have the potential for geologic and soil instability, the project would not be affected by lateral spreading or liquefaction. To address existing soil instability, the project would be required to implement Mitigation Measure GEO-1, which incorporates recommendations set forth in the design level geotechnical report. Through incorporation of geotechnical recommendations, impacts resulting from construction on an unstable geologic unit or soils would be less than significant.

***Impact GEO-4: The proposed project would be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property (potentially significant impact).***

*Mitigation Measure(s)*

**GEO-1:** (see above under Impact GEO-1)

*Finding*

Changes or alteration have been required in, or incorporated into the project, which avoid or substantially lessen the significant environmental impact identified in the EIR.

*Facts in Support of Finding*

Based on the findings of the geotechnical analysis prepared for the project, the site contains 35 feet of artificial fill comprised of loose to very dense gravels and sands with varying amounts of clay, underlain by alluvium and sandstone bedrock. To address the presence of expansive soils onsite, the Geotechnical Investigation provides recommendations related to site preparation, treatment of fill, and foundation design which are required to be implemented into the final design through Mitigation Measure GEO-1. Compliance with measure GEO-1 would reduce impacts related to the site's location on expansive soils to less than significant.

***Impact GEO-6: The proposed project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature (potentially significant impact).***

*Mitigation Measure(s)*

**GEO-3:** In the event that paleontological resources, including individual fossils or assemblages of fossils, are encountered during construction activities, all ground disturbing

activities shall halt, and a qualified paleontologist shall be procured to evaluate the discovery and make treatment recommendations.

*Finding*

Changes or alteration have been required in, or incorporated into the project, which avoid or substantially lessen the significant environmental impact identified in the EIR.

*Facts in Support of Finding*

Though there are no known paleontological resources on or in the immediate vicinity of the project site, there remains a potential for inadvertent discovery of unique paleontological or geological resources during ground disturbing activities. Mitigation Measure GEO-3 identifies procedures to be followed in the event of a paleontological discovery. With implementation of measure GEO-3, impacts resulting from direct or indirect destruction of a unique paleontological resource or unique geologic feature would be less than significant.

### 2.3.6 GREENHOUSE GAS EMISSIONS

***Impact GHG-1: Implementation of the proposed Pacifica School District Workforce Housing project would not generate greenhouse gas emissions, either directly or indirectly, that would result in a significant impact on the environment (potentially significant impact).***

*Mitigation Measure(s)*

**GHG-1:** Prior to issuance of a demolition and/or grading permit, a GHG reduction plan shall be prepared and submitted to the City for review and acceptance. The plan shall, at a minimum demonstrate that at least 10% of the total building materials used for the project will be local building materials sourced from the San Francisco Bay Area Region and will reuse/recycle at least 50 percent construction waste and demolition material. In the event that these measures are not feasible, the plan shall identify suitable replacement to achieve equivalent or greater GHG emissions reductions.

*Finding*

Changes or alteration have been required in, or incorporated into the project, which avoid or substantially lessen the significant environmental impact identified in the EIR.

*Facts in Support of Finding*

Construction of the project would result in greenhouse gas emissions associated with mobile sources including operation of construction equipment, worker, and vendor trips. To reduce

GHG emissions during construction, the project is required to implement Mitigation Measure GHG-1, which requires preparation of a GHG reduction plan. With implementation of measure GHG-1, impacts of the project would be less than significant.

### 2.3.7 HAZARDS AND HAZARDOUS MATERIALS

***Impact HAZ-2: The proposed project could 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 (potentially significant impact).***

#### *Mitigation Measure(s)*

**HAZ-1:** Prior to demolition of the existing structures, an asbestos survey shall be performed by a licensed asbestos inspector to identify all asbestos-containing materials and lead-based paint. The survey shall adhere to sampling protocols outlined by the Asbestos Hazard Emergency Response Act (AHERA) and shall incorporate the findings of the survey into a report to be submitted to the city. In the event that such substances are found, the report shall include appropriate removal and disposal protocols subject to requirements set forth by the Occupational Safety and Health Administration AHERA requirements, lead standard contained in 29 CFR 1910.1025 and 1926.62, and any other local, state, or federal regulations. Treatment, handling, and disposal of these materials shall be performed by qualified professionals in accordance with applicable federal and state regulations, and shall be completed prior to demolition of the existing structures.

#### *Finding*

Changes or alteration have been required in, or incorporated into the project, which avoid or substantially lessen the significant environmental impact identified in the EIR.

#### *Facts in Support of Finding*

Based on observations made during site surveys as well as the age of the school building and shed to be demolished as part of the project, asbestos containing materials (ACMs) and lead-based paint (LBP) are presumed to be present in existing structures onsite. Disturbance to ACMs and LBP during demolition activities has the potential to result in impacts to construction workers or the environment if not properly treated and removed. However, consistent with Mitigation Measure HAZ-1, a full survey of the building would be performed to identify all ACMs and LBP and appropriate removal and disposal protocols would be established prior to demolition. With implementation of measure HAZ-1, impacts would be less than significant.

***Impact HAZ-7: The proposed project could expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.***

*Mitigation Measure(s)*

**HAZ-2:** Upon submittal of a building permit the applicant shall submit a site-specific Vegetation Management Plan for review and approval by the City of Pacifica and the North County Fire Authority. The Plan shall:

1. Remove all vegetation within the site listed on the San Mateo County list of “Fire Prone (Pyrophytic) Plants” except for isolated specimen plants.
  - a. Existing isolated or newly planted specimens shall meet the vertical and horizontal spacing guidelines.
2. Maintain and plant all trees and shrubs to the specifications identified in ‘Plant and Tree Spacing’, ‘Vertical Spacing’, and ‘Horizontal Spacing’ as outlined in the Plan “Fire Safe Landscaping” guide.
  - a. An evaluation of slope implications shall be reflected when determining the landscape.
  - b. All plantings shall be from the Plan “Firescaping with Native Plants” or otherwise fire resistive plantings.
3. Maintain an ember zone of 5 feet around all buildings pursuant to California Government Code (CGC) 51182 (5)(1), (2) within the Project.
  - a. The ember zone shall be maintained to remove weeds and other combustible materials on a minimum monthly basis.
4. Maintain all landscaping and vegetation on the Project site on a regular basis as part of a regular landscape maintenance program.
  - a. All vegetation shall be irrigated as needed to maintain the vegetation in a healthful condition.

*Finding*

Changes or alteration have been required in, or incorporated into the project, which avoid or substantially lessen the significant environmental impact identified in the EIR.

*Facts in Support of Finding*

The project site is located within the Wildland Urban Interface (WUI) and is adjacent to an

area designated as a moderate fire hazard severity zone which could expose people or structures to hazards associated with wildland fires. Based on the site's vulnerability to wildland fires, compliance with California Building Code for construction within the WUI would be required. Furthermore, the project would be required to implement Mitigation Measure HAZ-2, which requires preparation of a site-specific Vegetation Management Plan that complies with the Vegetation Management Plan Memo prepared for the project as well as the Fire Safe San Mateo County Defensible Guidelines. Through compliance with the California Building Code as well as implementation of measure HAZ-2, impacts related to hazardous conditions caused by wildland fires would be less than significant.

### 2.3.8 NOISE

***Impact NOI-1: The proposed project could involve generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies (potentially significant impact).***

#### *Mitigation Measure(s)*

**NOI-1:** Construction activities shall comply with the following best management practices to minimize noise levels from the proposed development:

- Construction will be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. on Saturdays and Sundays.
- The contractor shall use "new technology" power construction equipment with state-of-the-art noise shielding and muffling devices. All internal combustion engines used on the project site shall be equipped with adequate mufflers and shall be in good mechanical condition to minimize noise created by faulty or poorly maintained engines or other components.
- Staging areas and stationary noise-generating equipment shall be located as far as possible from noise-sensitive receptors, such as residential uses (a minimum of 200 feet).
- Ensure that generators, compressors, and pumps are housed in acoustical enclosures.
- Locate cranes as far from adjoining noise-sensitive receptors as possible.
- During final grading, substitute graders for bulldozers, where feasible. Wheeled heavy equipment are quieter than track equipment and should be used where feasible.
- Substitute nail guns for manual hammering and electrically powered tools for noisier pneumatic tools, where feasible.
- The adjacent residences within 200 feet of the project site shall be notified not less than 96 hours prior to the start of each phase of the project, including but not limited to demolition, grading, and construction. Notifications shall indicate the hours of operation and planned timeline for the respective phase.
- A "noise disturbance coordinator" shall be designated to respond to any local complaints

about construction noise. The disturbance coordinator would determine the cause of the noise complaints (e.g., beginning work too early, bad muffler, etc.) and institute reasonable measures warranted to correct the problem. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site.

*Finding*

Changes or alteration have been required in, or incorporated into the project, which avoid or substantially lessen the significant environmental impact identified in the EIR.

*Facts in Support of Finding*

The temporary or periodic increases in noise that would result from activities such as demolition, site preparation, grading, excavation, material hauling, deliveries, and foundation work would be significant. To minimize noise levels during construction, Mitigation Measure NOI-1 requires implementation of noise abatement measures including limiting construction hours from 7 a.m. to 7 p.m. on weekdays and 9 a.m. to 5 p.m. on weekends (consistent with standard Pacifica construction hours); staging equipment as far as possible from sensitive uses; using acoustical enclosures; substituting certain equipment for quieter alternatives where possible; notifying residents of construction; and designating a noise disturbance coordinator. With implementation of measure NOI-1 project impacts associated with construction activities would be reduced to less than significant.

### 2.3.9 TRANSPORTATION AND TRAFFIC

***Impact TRA-3: The project will not substantially increase hazards due to a geometric design or incompatible uses (potentially significant impact).***

*Mitigation Measure(s)*

**TRA-3:** To maintain adequate sight lines at the project driveways, signage and landscaping introduced onsite within close proximity of the driveways shall be maintained such that low-lying shrubs remain at a height lower than three feet from ground level and that tree branches be no less than seven feet in height from ground level. The applicant shall be responsible for maintaining adequate sight lines from the project driveways.

**TRA-4:** Parking shall be prohibited south of the project driveway along Oddstad Boulevard for a distance of at least 30 feet. To ensure parking does not occur in this area, curbs shall be painted red subject to review and approval by the North County Fire Authority.

*Finding*

Changes or alteration have been required in, or incorporated into the project, which avoid

or substantially lessen the significant environmental impact identified in the EIR.

*Facts in Support of Finding*

The project could result in significant transportation hazards if not designed properly. Mitigation Measures TRA-3 and TRA-4 require that the project be designed to provide adequate site lines for vehicles exiting the site onto Oddstad Boulevard. Compliance with measures TRA-3 and TRA-4 would reduce potential impacts resulting from a geometric design hazard to less than significant.

## 2.4 SIGNIFICANT AND UNAVOIDABLE IMPACTS

***Impact TRA-2: The project will conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (B) (significant impact).***

*Mitigation Measure(s)*

**TRA-1:** Upon submittal of plans for building permit, the applicant shall submit a list of Transportation Demand Management strategies to be implemented district-wide. TDM strategies shall be clearly defined in terms of location, extent, timing, and responsibility for implementation. Strategies may include, but are not limited to the following:

- **Safe Routes to School.** Pursue grants to fund pedestrian and bicycle improvements around Pacifica School District schools to increase safety for students and staff walking and bicycling.
- **Install Bike Racks.** Identify Pacifica School District schools where more bicycle racks are needed. Once identified, install as needed.
- **Install e-bike Charging Stations.** Install e-bike charging systems in secure bike parking facilities at Pacifica School District schools.
- **Samtrans Flex Services.** Continue to partner with Samtrans to establish fixed-route services to Pacifica School District schools. Coordinate with Samtrans on possible flex services (such as dial-a-ride) to serve schools with lower demand.
- **Shuttle Services.** Partner with the Jefferson Union High School District to fund shuttle services to Pacifica schools.

**TRA-2:** To promote electric vehicle ownership and reduce GHG emissions associated with vehicles traveling to and from the site, install electric vehicle (EV) charging infrastructure and equipment as required by the 2022 California Building Standards Code and any City of Pacifica local amendments thereto.

*Finding*

Under Public Resources Code section 21081(a)(1) and CEQA Guidelines sections 15091(a)(1) and 15092(b), the City determines that impacts related to the project's vehicle miles traveled

(VMT) generation remain significant and unavoidable despite incorporation of Mitigation Measures TRA-1 and TRA-2, set forth above. Further, the City finds that the significant and unavoidable impact is acceptable due to the overriding considerations described below. The City also finds that further mitigation measures and Alternatives that may reduce the significance of any of these impacts are rejected as infeasible for the reasons provided below.

*Facts in Support of Finding*

There are no feasible mitigation measures identified that would reduce project-level VMT impacts to less than significant. Other potentially effective on-site VMT measures, such as increasing the density would not result in a quantifiable reduction of project-generated VMT given the project site's location within the regional context and at the edge of City limits, the project site's land use designation, and zoning provisions.

The project would be required to implement Mitigation Measure TRA-1, which sets forth transportation demand management (TDM) strategies implemented throughout the Pacifica School District. Given that there is limited evidence to support VMT reductions from such TDM strategies, it is not feasible to quantify VMT reductions of the alternative mode programs. Programs identified as potential mitigations are intended to encourage staff and students to walk, bike, or use transit, however, given the conceptual nature of these programs and the level of staff and student participation, the resulting VMT reduction could not be known at the time of preparation of the EIR. Furthermore, many of the strategies identified in measure TRA-1 are complementary to one another such as Safe Routes to School and installation of more bike racks and e-bike charging stations, which makes isolating their effectiveness difficult. Nonetheless, measures that encourage alternative transportation can help reduce VMT, and as such the project would be required to incorporate such measures. Programs that are intended to increase bus or shuttle service to the schools would also help to reduce VMT, however, these services are not in place at the time and therefore the level of reduction is not known. Based on the lack of quantitative data available, project VMT cannot be reduced below the VMT threshold of 15% and there are no additional feasible mitigation measures identified that would reduce project-level VMT impacts to less than significant.

Though the project will result in a significant and unavoidable impact related to project VMT, as noted in the DEIR, the General Plan Update and Sharp Park Specific Plan EIR (SCH No. 2012022046), certified by the City Council on July 11, 2022, also concludes that implementation of the General Plan will result in significant and unavoidable impacts related

to VMT and the City Council adopted a statement of overriding considerations for the General Plan (Resolution 45-2022). The project is consistent with the General Plan as residential development at the project site has already been anticipated and significant and unavoidable VMT impacts have already been considered.

The above Findings are made in conjunction with a Statement of Overriding Considerations, which is simultaneously being adopted for the project (see Section 3).

## 2.5 FINDINGS REGARDING FEASIBLE ALTERNATIVES

The Final EIR analyzed three alternatives to the project, examining the environmental impacts and feasibility of each alternative, as well as the ability of the alternatives to meet project objectives. The project objectives are listed in Chapter 3 (Project Description) of the Draft EIR; the potentially significant environmental effects of the project, including feasible mitigation measures identified to avoid these impacts, are analyzed in Chapter 4 (Environmental Evaluation) of the Draft EIR; and the alternatives are described in detail in Chapter 6 (Alternatives) of the Draft EIR. Brief summaries of the alternatives analyzed are provided below. All analysis in Final EIR Chapter 6 is incorporated by reference.

### 2.5.1 ALTERNATIVE 1: NO PROJECT/NO DEVELOPMENT

The No Project alternative is the continuation of existing conditions on the project site, which is developed with the former Oddstad School complex, closed by the Pacifica School District in 2005, and used for storage since 2019. The site includes a single-story school complex, circulation improvements such as driveways, parking areas, and pedestrian pathways, recreational fields and courts, landscaping, fencing, and an undeveloped hillside area along the eastern portion of the site. The existing recreational fields are publicly accessible and are used for both organized sports and individual recreation activities. Under the No Project alternative, no physical alterations would be made, and the site would continue to be used as storage and publicly accessible recreation.

### 2.5.2 ALTERNATIVE 2: PARK PACIFICA HIGHLAND SUBDIVISION: 54 SINGLE FAMILY RESIDENCES

The Park Pacifica Highland Subdivision: 54 Single Family Residences alternative represents an alternative that could occur based on the existing Low Density Residential General Plan Land Use designation, R-1 zoning designation, and underlying single family residential subdivision, originally recorded in 1965 with the County of San Mateo. The subdivision includes 56 single family lots, two remainder lots adjacent to the city-owned Frontierland Park, and four dedicated public rights-of-way. Since recordation of the subdivision in 1965,

Lots 54 and 55, along Big Bend Drive to the north of the project site, have been developed. As such, lots 54 and 55 are presumed to no longer be part of the subdivision and are therefore not considered in this alternative.

Under this alternative, the existing lots on the project site would be used for development rather than a re-subdivision of the land as proposed with the project. The entire 12.49-acre site, with the exception of the approximately 2.02-acre hillside area to the east (referred to as Lot D on the subdivision map), would be developed with single-family residences, including the existing recreational field at the southern portion of the site. Of the 54 single family residences, this alternative assumes construction of 16 accessory dwelling units (ADUs) for a total of 70 units on 54 lots. Development of the single-family residences and ADUs would be subject to regulations contained in Section 9-4.402 of the Pacifica Municipal Code, which permits a maximum of 40% lot coverage, and maximum building height of 35-feet. In addition, development of 54 single family residences and 16 ADUs would be subject to the minimum setbacks, landscaping, and parking requirements of the Municipal Code. Under this alternative, new water, sewer, and storm drain facilities would be installed to accommodate the residential units and the four dedicated rights-of-way shown on the subdivision map would be paved, and curb, gutter, and sidewalks would be installed.

### 2.5.3 ALTERNATIVE 3: VARIATION OF SITE LAYOUT AND UNIT MIX

The Variation of Site Layout and Unit Types Alternative assumes that Lot 1, at the southern portion of the project site, would be retained as a recreational field for use by the public, and Lots 2 and 3, totaling 7.47 acres would be developed in a varied layout and with a different unit mix as compared to the proposed project. Under this alternative, Building A, located at the eastern portion of Lot 2 would be relocated to the area of Buildings B1 and B2 and would include an additional floor with 14 units. The height of Building A would increase from 30-feet to approximately 40-feet. Under this alternative, the site would be rezoned from R-1 to Planned Development (P-D), which provides for flexibility in building height if the findings in Section 9-4.2211(a) of the PMC can be made. In addition to modification of the location of Building A, under this alternative, Building B3 would be modified to eliminate two units for a total of four units. Under this alternative, the unit count and mix would be as follows:

- Building A (41 units)
  - 2.0 32 one-bedroom
  - 3.0 9 two-bedroom
- ◆ Building B3
  - 4.0 2 two-bedroom
  - 5.0 2 three-bedroom

- ◆ Buildings C1 and C2 (no change)
  - 6.0 2 two-bedroom
  - 7.0 2 three-bedroom
- ◆ Building D (no change)
  - 8.0 11 one-bedroom
  - 9.0 6 two-bedroom

#### 2.5.4 FINDINGS REGARDING ALTERNATIVES

1. The City Council finds that changes or alterations to the project as evaluated in the Draft EIR have been required of, or incorporated into the project that avoid or substantially lessen significant environmental effects.
2. The EIR evaluated a reasonable range of alternatives to the project. The City Council adopts the EIR's analysis and conclusions eliminating alternatives for an adaptive reuse of the existing school complex, increased density, and alternative site location from further consideration.
3. The potentially feasible alternatives analyzed in the EIR, including the No Project/No Development alternative required by CEQA, represent a reasonable range of potentially feasible alternatives that reduce one or more significant impacts of the proposed project. These alternatives include: (1) Alternative 1: No Project/No Development; (2) Alternative 2: Park Pacifica Highland Subdivision: 54 Single Family Residences; and (3) Alternative 3: Variation of Site Layout and Unit Mix. As presented in the EIR, the alternatives were described and compared with each other and with the proposed Project.
4. The City Council certifies that it has independently reviewed and considered the information on alternatives provided in the EIR and in the record. The EIR reflects the City Council's independent judgment as to alternatives. The City Council finds that the project provides the best balance between the project sponsor's objectives, the City's goals and objectives, the project's benefits, and mitigation of environmental impacts. The three CEQA alternatives evaluated in the EIR are rejected for the following reasons. Each individual reason presented below constitutes a separate and independent basis to reject the alternatives.
5. **No Project/No Development Alternative:** The No Project/No Development Alternative would not achieve the property's, highest and best use or realize residential development as provided by the Low Density Residential land use designation and as planned for in the City of Pacifica 2040 General Plan. Furthermore, the No Project/No Development Alternative would fail to meet all stated project objectives, would be inconsistent with the General Plan objectives and land use designations, and would not provide housing

needed to meet the city's RHNA obligation.

6. **Alternative 2: Park Pacifica Highland Subdivision: 54 Single Family Residences:** The Park Pacifica Highland Subdivision: 54 Single Family Residences Alternative would result in new or increased impacts to biological resources, hydrology and water quality, recreation, and utilities and service systems relative to the proposed Project. Furthermore, the Park Pacifica Highland Subdivision: 54 Single Family Residences Alternative would fail to meet some of the stated project objectives as it would not provide workforce housing for current and future staff members of the Pacifica School District, would not provide rental rates and lease terms that enable and improve the District's ability to retain and attract qualified faculty and staff, and would not maintain and expand recreational opportunities on site for use by the surrounding neighborhood, future residents, and organized recreational groups.
7. **Alternative 3: Variation of Site Layout and Unit Mix Alternative:** The Variation of Site Layout and Unit Mix Alternative would be incompatible with the surrounding single-family residential neighborhood as it would introduce an approximately 40-foot (3 story) building to an area predominantly consisting of one and two story single family homes. Additionally, VMT impacts would remain significant and unavoidable and other environmental impacts identified would not be substantially reduced.

## 3.0 OVERRIDING CONSIDERATIONS CONCLUSIONS

CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a project against its unavoidable risks when determining whether to approve a project. If the specific economic, legal, social, technological or other benefits of the project outweigh the unavoidable adverse environmental effects, those effects may be considered acceptable. CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are not avoided or substantially lessened. Those reasons must be based on substantial evidence in the EIR or elsewhere in the administrative record.

In accordance with the requirements of CEQA and the CEQA Guidelines, the City finds that the mitigation measures identified in the Final EIR and the Mitigation Monitoring and Reporting Program (MMRP), when implemented, avoid or substantially lessen virtually all of the significant effects identified in the Draft and Final EIR. Nonetheless, one significant impact of the project is unavoidable even after incorporation of all feasible mitigation measures. The significant unavoidable impact is identified and discussed in Section 2.4 of

these Findings. The City further specifically finds that notwithstanding the disclosure of the significant unavoidable impacts, there are specific overriding economic, legal, social, and other reasons for approving the project. Each of the following reasons in Section 3.1 provides an independent basis to support the override of the following significant and unavoidable impact:

Impact TRA-2: The project will conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (B) (significant impact).

### 3.1 PROJECT BENEFITS

1. The project will redevelop a previously developed and underutilized 12.4-acre property in an established residential neighborhood.
2. The project would enhance the property by removing aging facilities, upgrading utilities, and improving landscaping, including providing stormwater management facilities onsite.
3. The project will maintain the eastern portion of the lot in a natural state providing a visual and biological transition to the Frontierland Park which is owned and operated by the City.
4. Through a Development Agreement (DA), which would vest the right to develop the property for 15 years, the School District would dedicate 1.4 acres onsite as parkland and would preserve an additional 3.5 acres for public use for at least 20 years.
5. The DA also seeks to make the 3.5 acres available for public use beyond 20 years. As provided therein, the Pacifica School District would provide notice to the City on how the 3.5 acres may be used to further the School District's mission. Should removal of the 3.5 acres from public use be proposed, such removal and any new use would be subject to review and approval by the City; and if the School District intends to sell the 3.5 acres, the City has the right of first offer to purchase the 3.5 acres.
6. Other public benefits provided by the project include a bathroom/changing room, field drainage improvements, parking lot striping, and periodic use of residents' commons building.
7. The Pacifica School District Workforce Housing Project would benefit Pacifica residents by attracting quality teachers and school employees to work and live in the city.
8. The project would contribute 70 new residential units to the city inclusive of 11 below market rate (BMR) units, affordable to low- and moderate-income households consistent with the City of Pacifica's Below Market Rate Program, 34 subsidized units for teachers

and School District employees, and up to 25 market rate units to assist in subsidizing the other units.

9. By providing subsidized and below market rate housing, the project would help to address challenges experienced by the Pacifica School District in competing for and retaining qualified teachers and other School District employees due to the high cost of living in the San Francisco Bay Area. The proposed project will help to attract and retain teachers by lowering the cost of living associated with housing.
10. The project would contribute to the City's existing housing inventory and assist in meeting the City's Regional Housing Needs Allocation across a variety of income levels.
11. Though the EIR identified a significant and unavoidable impact associated with VMT, providing affordable housing options proximate to jobs is consistent with state and local goals as it would help to reduce vehicle miles traveled associated with living and working in a different city, thereby reducing greenhouse gas emissions.

### 3.2 STATEMENT OF OVERRIDING CONSIDERATIONS

The Council finds that the Pacifica School District Workforce Housing Project has been carefully reviewed and that mitigation measures have been included in the Final EIR to be certified by the Council. Nonetheless, the proposed project, as was previously concluded by the EIR prepared for the 2040 General Plan, will result in environmental effects due to VMT that cannot be avoided or substantially lessened. As to these significant environmental effects that are not avoided or substantially lessened to a point less than significant, the Council finds that specific fiscal, economic, social, technological, or other considerations make additional mitigation of those impacts infeasible, in that all feasible mitigation measures have been incorporated into the proposed project.

The Council has carefully considered all environmental impacts that have not been mitigated to a less than significant level, as listed above. The Council has also carefully considered the fiscal, economic, social, and environmental benefits of the proposed project, as listed above, and compared these with the benefits and impacts of the alternatives. The Council has balanced the fiscal, economic, social, and environmental benefits of the proposed project against its unavoidable and unmitigated adverse environmental impacts and, based upon substantial evidence in the record, has determined that the benefits of the proposed project outweigh, and therefore override, the remaining adverse environmental effects. Such benefits provide the substantive and legal basis for this Statement of Overriding Considerations.

In approving the Pacifica School District Workforce Housing project, the Council makes the following Statement of Overriding Considerations pursuant to Public Resources Code Section 21081 and State CEQA Guidelines Section 15093 in support of its findings on the Final EIR:

1. The Council has considered the information contained in the Final EIR and has fully reviewed and considered all public testimony, documentation, exhibits, reports, and presentations included in the record of these proceedings. The Council specifically finds and determines that this Statement of Overriding Considerations is based upon and supported by substantial evidence in the record.
2. The Council has carefully weighed the benefits of the proposed project against any adverse impacts identified in the Final EIR that could not be feasibly mitigated to a level of insignificance, which are listed below. While the Council has required all feasible mitigation measures, such impacts remain significant for purposes of adopting this Statement of Overriding Considerations:
  - a. Impact TRA-2: The project will conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (B) (significant impact).

### 3.3 GENERAL FINDINGS

1. The City, acting through the Planning Division, is the “Lead Agency” for the project evaluated in the EIR. The City finds that the EIR was prepared in compliance with CEQA and the CEQA Guidelines. The City finds that it has independently reviewed and analyzed the EIR for the project, that the Draft EIR which was circulated for public review reflected its independent judgment and that the Final EIR reflects the independent judgment and analysis of the City in accordance with Public Resources Code Section 21082.1(c)(3).
2. The DEIR evaluated the following potential project and cumulative environmental impacts: aesthetics, air quality, biological resources, cultural and tribal cultural resources, geology and soils, greenhouse gas emissions, hydrology and water quality, land use and planning, noise, population and housing, public services, transportation and traffic, utilities and service systems, and wildfire. Additionally, the EIR considered, in separate sections, Significant Irreversible Environmental Changes and Growth Inducing Impacts. The significant environmental impacts of the project, as well as other alternatives were identified in the DEIR.
3. The City finds that the DEIR provides objective information to assist the decision makers and the public at large in their consideration of the environmental consequences of the

project. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft EIR. The Final EIR was prepared after the review period and responds to comments made during the public review period.

4. The Planning Division evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the Planning Division prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provides adequate, good faith and reasoned responses to the comments. The Planning Division reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts to the Draft EIR. The Lead Agency has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these Findings, concerning the environmental impacts identified and analyzed in the FEIR.
5. Having reviewed the information contained in the Draft EIR, the Final EIR, and the administrative record, as well as the requirements of CEQA and the CEQA Guidelines regarding recirculation of Draft EIRs, the City finds that there is no new significant impact, substantial increase in the severity of a previously disclosed impact, significant new information in the record of proceedings or other criteria under CEQA that would require recirculation of the Draft EIR, or that would require preparation of a supplemental or subsequent EIR. Specifically, the City finds that:
  - a. The Responses to Comments contained in the Final EIR fully considered and responded to comments claiming that the project would have significant impacts or more severe impacts not disclosed in the Draft EIR and include substantial evidence that none of these comments provided substantial evidence that the project would result in changed circumstances, significant new information, considerably different or feasible mitigation measures, or new or more severe significant impacts than were discussed in the Draft EIR.
  - b. The City has thoroughly reviewed the public comments received regarding the Project and the Final EIR as it relates to the project to determine whether under the requirements of CEQA, any of the public comments provide substantial evidence that would require recirculation of the EIR prior to its adoption and has determined that recirculation of the EIR is not required.
  - c. None of the information submitted after publication of the Final EIR, including testimony at the public hearings on the project, constitutes significant new

information or otherwise requires preparation of a supplemental or subsequent EIR. The City does not find this information and testimony to be credible evidence of a significant impact, a substantial increase in the severity of an impact disclosed in the Final EIR, or a feasible mitigation measure or alternative not included in the Final EIR.

- d. The mitigation measures identified for the project were included in the Draft and Final EIR. The final mitigation measures for the Project are described in the Mitigation Monitoring and Reporting Program (MMRP). Each of the mitigation measures identified in the MMRP is incorporated into the project. The City finds that the impacts of the project have been mitigated to the extent feasible by the mitigation measures identified in the MMRP.
6. CEQA requires the Lead Agency approving a project to adopt a MMRP or the changes to the project which it has adopted, or made a condition of project approval, in order to ensure compliance with the mitigation measures during project implementation. The mitigation measures included in the EIR as certified by the City and in the MMRP as adopted by the City serve that function. The MMRP includes all mitigation measures adopted by the City in connection with approval of the project and has been designed to ensure compliance with such measures during implementation of the project. In accordance with CEQA, the MMRP provides the means to ensure that the mitigation measures are fully enforceable. In accordance with the requirements of Public Resources Code Section 21081.6, the City hereby adopts the MMRP.
7. In accordance with the requirements of Public Resources Code § 21081.6, the City hereby adopts each of the mitigation measures expressly set forth herein as conditions of approval for the Project.
8. The custodian of the documents or other materials which constitute the record of proceedings upon which the City decision is based its decision making is the City of Pacifica, Planning Division.
9. The City finds and declares that substantial evidence for each and every finding made herein is contained in the EIR, which is incorporated herein by this reference, or is in the record of proceedings in the matter.
10. The City is certifying an EIR for, and is approving and adopting Findings for, the entirety of the actions described in these Findings and in the EIR as comprising the Pacifica School District Workforce Housing project.
11. The EIR is a project EIR for purposes of environmental analysis of the Pacifica School District Workforce Housing project. A project EIR examines the environmental effects of

a specific project. The EIR serves as the primary environmental compliance document for entitlement decisions regarding the project by the City and the other regulatory jurisdictions.