

# **FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS BAYHILL SPECIFIC PLAN INCLUDING THE PHASE I DEVELOPMENT**

**PREPARED FOR:**

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## 1.1 Introduction

The Project is comprised of the proposed Bayhill Specific Plan (Specific Plan), including Phase I of YouTube’s 15-year expansion plan (Phase I Development). The Final EIR certified for the Project provides a program-level review of the Specific Plan and a project-level review of the Phase I Development. The Specific Plan is a proposed land use, transportation, and capital improvements plan that outlines a cohesive, long-term, community-driven vision for the Planning Area (Project Site). The Project Site, known locally as “Bayhill,” is a 92.2-acre site in the City of San Bruno (City) comprising Bayhill Office Park and Bayhill Shopping Center, that includes the headquarters of YouTube as well as several other office and commercial/retail uses. The Project Site is bounded by Interstates 280 to the west and 380 to the north, the properties fronting El Camino Real to the east, and San Bruno Avenue West from Elm Avenue to Interstate 280 to the south. The Specific Plan would allow for the development of up to 2.46 million net new square feet of office uses on the Project Site, and supports retention of retail uses in Bayhill Shopping Center. The Specific Plan would also establish housing and mixed-use overlay zones on a total of 20.5 acres in the southern portion of the Project Site that would allow for the development of up to 573 multi-family residential units. Office uses would continue to be allowed in the housing overlay zone, and a mix of both use types could be developed as long as the maximum permitted overall development is not exceeded. The Specific Plan would also allow for circulation and access improvements, including the realignment of Grundy Lane, other public infrastructure improvements, and landscape/streetscape improvements.

The Phase I Development is a proposed development project within the Project Site. The Phase I Development is the first phase of YouTube’s 15-year expansion plan and would be implemented under the Specific Plan. The 8.12-acre site containing the Phase I Development (Phase I Site) is located within the Project Site and is comprised of two separate parcels (APNs 020-015-020 and 020-011-230) separated by Grundy Lane and bordered by Cherry Avenue to the west, Interstate 380 to the north, Bayhill Drive to the south, and adjacent office properties to the east. The Phase I Development would construct two three-story office buildings totaling approximately 440,000 square feet. The Phase I Development would also construct two three-level subterranean parking garages (one under each new building) that would be connected through a below-grade tunnel extending underneath Grundy Lane.

For a detailed description of the Project and Phase I Development, see Chapter 2, *Project Description*, of the Draft EIR and Chapter 4, *Revisions to the Draft EIR*, of the Final EIR.

Section 1 of this document provides a summary of the environmental review process. Section 2 describes the alternatives considered in the 2021 Final EIR. Section 3 contains the City’s findings for each significant environmental effect of the Project and Phase I Development, respectively, identified in the Final EIR, as required by CEQA. Section 3 also describes the reasons why the project alternatives analyzed in the Final EIR ultimately have been rejected. Section 4 consists of a statement of overriding considerations, as required by State CEQA Guidelines Section 15093, stating the specific circumstances that support the City’s determination that the unavoidable significant

environmental effects of the Project and Phase I Development are acceptable because specific benefits of the Project and Phase I Development outweigh those effects.

## 1.2 CEQA Process

The City of San Bruno is the lead agency for the Project. Consistent with CEQA's requirements, the Draft EIR was made available to the public and regulatory agencies for review and comment during the minimum 45-day comment period between January 14, 2021 and March 1, 2021.

The Final EIR was prepared in accordance with CEQA and contains responses to each comment received and resulting revisions to the Draft EIR. All written comments received during the public review period are responded to in Chapter 3, *Responses to Comments*, of the Final EIR. Revisions to the Draft EIR are contained in Chapter 4, *Revisions to the Draft EIR*, of the Final EIR.

Prior to approving the Project and Phase I Development, the City must certify that it has considered the Final EIR, that the Final EIR adequately meets the requirements of CEQA, and that the Final EIR reflects the independent judgment of the City. In order to approve the Project and Phase I Development, the City must adopt the following findings of fact regarding the significant effects identified in the Final EIR and the range of alternatives analyzed in the Final EIR, and adopt a statement of overriding considerations explaining the benefits that outweigh the significant unavoidable effects identified in the Final EIR.

Pursuant to Public Resources Code (PUB. RES. CODE) Section 21081.6, the City must also adopt as part of its approvals a mitigation monitoring and reporting program (MMRP) for the mitigation measures that are the City's responsibility to implement. The MMRP establishes a program to ensure that the adopted mitigation measures identified in the Final EIR will be implemented.

## Section 2

# Alternatives Considered

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CEQA Guidelines Section 15126.6 requires an EIR to evaluate a reasonable range of alternatives to the project that would feasibly attain most of the project's basic objectives, but that would avoid or substantially lessen any identified significant environmental impacts of the project, as well as the No Project Alternative. Alternatives determined to be infeasible, to not avoid or substantially reduce one or more significant impacts of the Proposed Project, or to not meet all or most of the Project's objectives were dismissed from further analysis.

The following three alternatives to the Project are analyzed in the Draft Environmental Impact Report.

- **No Project Alternative:** Required by CEQA, the No Project Alternative assumes that the Specific Plan is not adopted, existing land uses remain unchanged and in their current physical state, and no new construction occurs within the Project Site. No new structures or subterranean parking garages would be built, and no demolition of existing uses would occur. Existing General Plan land use classifications and zoning districts would be maintained on the Project Site.
- **Residential Alternative:** The Residential Alternative considers a variation of the proposed Specific Plan that would allow for the development of up to 1,499 new residential dwelling units, 926 more dwelling units than the Project. To accommodate the increased residential density, the amount of net new office uses would be reduced to 1,773,636 square feet compared to 2,459,847 square feet under the Project (or 1,942,896 square feet under the Maximum Housing Scenario). The Residential Alternative was selected for evaluation based on its ability to provide a more balanced jobs/housing ratio and reduce VMT impacts.
- **Increased Height Alternative:** The Increased Height Alternative would allow housing, hotel, and office buildings on the Project Site to reach a height limit of 70 feet/five stories. The additional building height would allow for a greater density of residential and hotel uses compared to the Project, while the intensity of office development would be the same. Office buildings would contain the same total volume but could be taller with smaller bases, enabling more of the site area to be in open space. It is estimated that the Increased Height Alternative would provide approximately 6.5 acres of additional open space compared to the Project. This alternative could only be implemented if the voters approved a modification to City Ordinance 1284 which currently limits heights on the Project Site to three stories. The San Bruno City Council requested an evaluation of the Increased Height Alternative; the alternative also has the potential to provide a more balanced jobs/housing ratio and reduce VMT impacts.

As further discussed in Section 5.2, *Alternatives Considered but Rejected*, of the Draft EIR, the following additional alternatives were considered but rejected from further analysis due to infeasibility, inability to meet the Project objectives, and/or inability to reduce or avoid the significant impacts of the Project: Offsite Alternative, Reduced Parking Alternative, Reduced Intensity Alternative, Reconfigured Office-Only Alternative, Phase I-Only Alternative.

### 3.1 CEQA Requirements

CEQA requires the lead agency to make written findings about the disposition of the project’s effects whenever it decides to approve a project for which an EIR has been certified (Public Resources Code Section 21081). Regarding these findings, Section 15091(a) of the State CEQA Guidelines states, in part:

(a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

(1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

(3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

(b) The findings required by subsection (a) shall be supported by substantial evidence in the record.

The “changes or alterations” referred to in the State CEQA Guidelines may be mitigation measures, alternatives to the project, or changes to the project by the project proponent. The Final EIR for the Project and Phase I Development identifies mitigation measures that will avoid or reduce significant effects of the Project or mitigate other potential effects that may not be, strictly speaking, environmental effects under CEQA. These mitigation measures will be incorporated into the design, construction and operation of the Project and Phase I Development. An MMRP will also be adopted by the City to ensure that the mitigation measures identified in the Final EIR and these findings will be implemented.

The documents and other materials that constitute the record upon which the Authority’s decision and these findings are based can be reviewed in person at the following location:

City of San Bruno  
Community Development Department  
567 El Camino Real  
San Bruno, CA 94066

## 3.2 Findings Regarding Independent Review and Judgment

Each member of the City Council was provided a complete copy of the Final EIR for the Project and Phase I Development in advance of the hearing on the Project and Phase I Development. The City hereby finds that the Final EIR reflects its independent judgment. The City also finds that it has independently reviewed and analyzed the Final EIR prior to taking final action with respect to the Project and Phase I Development.

## 3.3 Findings Regarding the Project

### 3.3.1 Findings Regarding Significant and Unavoidable Effects

The City, based on the Final EIR, determines that the following significant effects cannot be avoided. Feasible mitigation measures included in the Final EIR will lessen these effects but will not result in mitigation of the effects to a less-than-significant level. The full text of each of the mitigation measures cited below is found in the Final EIR and that text is hereby incorporated by reference. The titles/numbers of the effects are the same as those in the Final EIR. The following identifies the pertinent mitigation measures by number and summary title.

The Phase I Development would not result in any significant and unavoidable impacts.

#### 3.3.1.1 Air Quality

**Significant Effect.** Impact AQ-2a: The Project could result in a cumulatively considerable net increase of a criteria pollutant for which the project region is a nonattainment area for an applicable federal or state ambient air quality standard during construction and operation. It is anticipated that throughout the course of the buildout period, multiple land use development projects would be constructed intermittently within the Project Site. As the timing and intensity of future development projects is not known at this time, the precise effects of construction activities associated with buildout of the Project Site cannot be accurately quantified at this time. While the construction emission impacts associated with each new individual development would be short-term in nature (relative to the buildout year) and limited to the period of time when construction activity is taking place for that particular development, the concurrent construction of a multitude of individual development projects that could occur at any one time in the Project Site under the Specific Plan would generate combined criteria pollutant emissions on a daily basis that could exceed the Bay Area Air Quality Management District (BAAQMD)'s project-level thresholds. Additionally, depending on the size and scale of an individual development project, along with its construction schedule and other parameters, there may also be instances where the daily construction emissions generated by a single development project within the Project Site could also exceed BAAQMD's criteria pollutant thresholds. As such, construction emissions generated in the Project Site by implementation of the proposed Plan would result in a potentially significant impact on air quality. These emissions could contribute to ozone formation and other air pollution in the SFBAAB, which at certain concentrations, can contribute to short- and long-term human health effects.

The Specific Plan would be constructed in multiple phases, with operations occurring concurrently with construction. Therefore, operational emissions would include overlapping construction

emissions. As described above, the EIR's analysis provides a quantified analysis of operational emissions based on the proposed land use mix and trip volumes, and a qualitative analysis of construction emissions because specific construction details for individual developments under the Specific Plan (other than the Phase I Development) are not known at this time.

Operations at buildout of the Project Site under the Specific Plan has the potential to result in air quality impacts from area, energy, mobile, and stationary sources. Area sources would include landscaping equipment, off-gassing during the reapplication of architectural coatings, and consumer products (e.g., solvents, cleaning supplies, cosmetics, toiletries). Energy sources would include onsite natural gas combustion for space and water heating. Mobile sources would include vehicle trips generated by land uses proposed within the Project Site. Stationary sources would include the testing of emergency generators. Each of these sources was taken into account in calculating the Specific Plan's long-term operational emissions, which were quantified using the CalEEMod model for area, energy, and stationary sources and the CT-EMFAC model for mobile sources.

*Findings:* The City hereby makes findings (a)(1) and (a)(3) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

*Facts in Support of Findings:*

The following measures mitigate this impact to the extent feasible, but not to a less than significant level.

MM-AQ-1: Require at least Tier 4 Final Engines on Construction Equipment.

MM-AQ-2: Require use of diesel trucks with 2010-compliant model year engines.

MM-AQ-3: Require construction fleet to use renewable diesel.

MM-AQ-4: Require low-volatile organic compound (VOC) coatings during construction.

MM-AQ-5: Require fugitive dust best management practices.

MM-AQ-6: Purchase of mitigation credits for construction emissions exceeding BAAQMD's daily pollutant thresholds.

MM-AQ-7: Purchase of mitigation credits for operation emissions exceeding BAAQMD's daily pollutant thresholds.

MM-TRA-1: Prepare and implement a Transportation Demand Management (TDM) program.

Mitigation Measures AQ-1 through AQ-4 require the use of at least Tier 4 engines and renewable diesel for off-road equipment, which is commercially available in the San Francisco Bay Area, and newer trucks to reduce nitrous oxide (NOx) and particulate matter (PM) exhaust emission levels, and use of low-VOC paints to reduce reactive organic gas (ROG) emission levels would be required during construction activities within the Project Site. Additionally, while the BAAQMD considers fugitive PM10 and PM2.5 dust emissions significant without the application of standard best management practices (BMPs), Mitigation Measure AQ-5 would require construction projects within the Project Site to implement BMPs as recommended by the BAAQMD to reduce these fugitive dust emissions. Under Mitigation Measure AQ-6, applicants would be required to track all land use development construction activities occurring within the Project Site, assess and determine the estimated total emissions for all construction activities that would be concurrently ongoing (subject

to City review and approval), and coordinate with BAAQMD to determine the mitigation fees for each development project's applicant to pay on a pro rata basis to BAAQMD to offset their pollutant emissions as necessary such that BAAQMD's daily pollutant thresholds would not be exceeded. However, because it cannot be concluded that offset programs would always be available in the future at the time and in the amount needed for any given future development, for the purposes of the EIR analysis, construction air quality impacts are conservatively assumed to be significant and unavoidable.

During operation, implementation of Mitigation Measure TRA-1 in Section 3.10, *Transportation*, of the EIR will reduce mobile source emissions. This measure requires a reduction of the drive alone percentage from 54 percent to 43 percent, an annual monitoring study to be completed by Project Site property owners, and ongoing monitoring and evaluation. This would be accomplished through provisions such as employee shuttles, bicycle storage and car-sharing programs.

Mitigation Measure AQ-7 will also offset operational criteria pollutant emissions resulting from development under the Specific Plan through the purchase of mitigation credits. Through implementation of Mitigation Measure AQ-7, applicants would determine the estimated total emissions for operational activities and coordinate with an independent third-party approved by the City, such as the Bay Area Clean Air Foundation, to offset their pollutant emissions as necessary such that BAAQMD's daily pollutant thresholds would not be exceeded. Offsetting emissions below BAAQMD's threshold levels would ensure future development under the Specific Plan would not contribute a significant level of air pollution such that regional air quality within the San Francisco Bay Area Air Basin (SFBAAB) would be degraded. Based on recent experience of offsets being feasibly available for other large recent projects in the San Francisco Bay Area, it is reasonable to assume that offset programs will be available in the future and thus that emissions can be reduced below threshold levels. However, because it cannot be concluded that offset programs would always be available in the future at the time and in the amount needed for any given future development, for the purposes of the EIR analysis, operational air quality impacts are conservatively assumed to be significant and unavoidable.

**Significant Effect.** Impact AQ-3a: The Project could result in the exposure of sensitive receptors to substantial toxic air contaminant (TAC) concentrations during construction and operation, and could result in the exposure of sensitive receptors to substantial criteria pollutant concentrations during construction and operation. Regional emissions generated by a project could increase photochemical reactions and the formation of tropospheric ozone and secondary PM, which at certain concentrations, could lead to increased incidence of specific health consequences. Although these health effects are associated with ozone and particulate pollution, the effects are a result of cumulative and regional emissions. Thus, the Plan's incremental contribution cannot be traced to specific health outcomes on a regional scale and a quantitative correlation of project-generated regional criteria pollutant emissions to specific human health impacts is not included in this analysis. All feasible mitigation is being applied to reduce construction- and operational-generated emissions of ozone precursors and PM to the extent possible.

*Findings:* The City hereby makes findings (a)(1) and (a)(3) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

*Facts in Support of Findings:*

The following measures mitigate this impact to the extent feasible, but not to a less than significant level.

MM-AQ-1: Require at least Tier 4 Final Engines on Construction Equipment.

MM-AQ-2: Require use of diesel trucks with 2010-compliant model year engines.

MM-AQ-3: Require construction fleet to use renewable diesel.

MM-AQ-4: Require low-VOC coatings during construction.

MM-AQ-5: Require fugitive dust best management practices.

MM-AQ-6: Purchase of mitigation credits for construction emissions exceeding BAAQMD's daily pollutant thresholds.

MM-AQ-7: Purchase of mitigation credits for operation emissions exceeding BAAQMD's daily pollutant thresholds.

MM-AQ-8: Require future projects located within 1,000 feet of sensitive receptors to perform a health risk assessment.

MM-TRA-1: Prepare and implement TDM program.

As discussed above under Impact AQ-2a, construction emissions resulting from individual projects developed under the Specific Plan could exceed BAAQMD's regional ROG, NO<sub>x</sub>, and PM thresholds. Mitigation Measures AQ-1 through AQ-6 would reduce regional emissions of ROG, NO<sub>x</sub>, and PM below BAAQMD's regional thresholds. Similarly, long-term operation of development under the Specific Plan at full build-out would result in a net increase of approximately 80 pounds of ROG, 70 pounds of NO<sub>x</sub>, 534 pounds of PM<sub>10</sub>, and 88 pounds of PM<sub>2.5</sub> per day. Mitigation Measure TRA-1 and AQ-7 would reduce regional emissions of ROG, NO<sub>x</sub>, and PM of individual projects developed under the Specific Plan below BAAQMD's regional thresholds, resulting in a less-than-significant impact. Because it cannot be concluded that offset programs per Mitigation Measures AQ-6 and AQ-7 would be available in the future at the time and in the amount needed for any given future development, for the purposes of this EIR analysis, health impacts related to regional criteria pollutants quality impacts are conservatively assumed to be significant and unavoidable.

Even with Specific Plan policies, additional emissions generated by new stationary sources, vehicle trips, and construction activity could expose receptors to cancer and non-cancer risks in excess of BAAQMD significance thresholds during construction and operational activities. Mitigation Measure AQ-8 is therefore required to provide a project-level evaluation of construction- and operational-related health risks from future projects. Mitigation Measure AQ-8 is not required for the Phase I Development, which is analyzed separately. It cannot be concluded what the result of the project level evaluation will be without speculation, and it is possible that mitigation for future project health risks may be inadequate to reduce impacts below BAAQMD threshold level; therefore this impact is conservatively assumed to be significant and unavoidable.

**Significant Effect.** Impact C-AQ-1a: The Project, in combination with past, present, and reasonably foreseeable future projects, could result in a cumulatively considerable net increase in criteria pollutants after mitigation for which the Project region is a nonattainment area for an applicable federal or State ambient air quality standard.

The Phase I Development would not exceed BAAQMD's criteria pollutant emission threshold during construction or operation with mitigation. Therefore, the Phase I Development would not have a cumulatively considerable impact. With regard to other development under the Specific Plan, BAAQMD's project-level thresholds do not lend themselves well to the analysis of specific plans. Rather, it is more appropriate to evaluate planning-level documents for their consistency with the most recently adopted attainment plan, which is the 2017 Clean Air Plan for the SFBAAB. As discussed under Impact AQ-1a, the Project would support the goals of BAAQMD's 2017 Clean Air Plan, would include all applicable control measures, and would not conflict with Clean Air Plan implementation. The comprehensive suite of Specific Plan policies and improvements, such as promoting alternative modes of transportation such as walking and biking through infrastructure improvements (e.g., striping bicycle lanes, installing pedestrian refuges) (e.g., Specific Plan Policies 4-1, 4-3, and 3-1) and strengthening connections between the Project Site and regional transit systems (e.g., BART and Caltrain) (Policy 4-5) would ultimately reduce the severity of growth-oriented criteria pollutants, relative to conditions without the Specific Plan. However, individual development projects may still generate construction and operational emissions in excess of BAAQMD's project-level thresholds prior to mitigation.

*Findings:* The City hereby makes findings (a)(1) and (a)(3) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

*Facts in Support of Findings:*

The following measures mitigate this impact to the extent feasible, but not to a less than significant level.

MM-AQ-1: Require at least Tier 4 Final Engines on Construction Equipment.

MM-AQ-2: Require use of diesel trucks with 2010-compliant model year engines.

MM-AQ-3: Require construction fleet to use renewable diesel.

MM-AQ-4: Require low-VOC coatings during construction.

MM-AQ-5: Require fugitive dust best management practices.

MM-AQ-6: Purchase of mitigation credits for construction emissions exceeding BAAQMD's daily pollutant thresholds.

MM-AQ-7: Purchase of mitigation credits for operation emissions exceeding BAAQMD's daily pollutant thresholds.

MM-TRA-1: Prepare and implement TDM program.

With implementation of Mitigation Measures AQ-1 through AQ-7 and Mitigation Measure TRA-1, individual project ROG, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions associated with Project development would be less than cumulatively considerable, resulting in a less than significant impact. Based on recent experience of offsets being feasibly available for other large recent projects in the San Francisco Bay Area, it is reasonable to assume that offset programs per Mitigation Measures AQ-6 and AQ-7 will be available in the future. Should offset programs be available for future development, Project development would result in a less than significant cumulative impact. However, because it cannot be concluded that offset programs would be available in the future at the time and in the

amount needed for any given future development, for the purposes of this EIR analysis, cumulative impacts for development under the Specific Plan (other than the Phase I Development) is conservatively assumed to be significant and unavoidable.

**Significant Effect:** Impact C-AQ-2a: The Project's TAC emissions, in combination with past, present, and reasonably foreseeable future project TAC emissions, could contribute to cumulative exposure health risks of sensitive receptors. The Project could also locate new receptors where they could be exposed to cumulative health risks due to cumulative TAC emissions.

According to BAAQMD's guidelines, combined risk levels should be determined from all nearby diesel particulate matter (DPM) sources within 1,000 feet of a project site, and these combined risk levels should be compared to BAAQMD's cumulative health risk thresholds. Existing nearby DPM sources and the Project could contribute to a cumulative health risk for sensitive receptors near the Project Site.

*Findings:* The City hereby makes findings (a)(1) and (a)(3) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

*Facts in Support of Findings:*

The following measures mitigate this impact to the extent feasible, but not to a less than significant level.

MM-AQ-1: Require at least Tier 4 Final Engines on Construction Equipment.

MM-AQ-2: Require use of diesel trucks with 2010-compliant model year engines.

MM-AQ-3: Require construction fleet to use renewable diesel.

MM-AQ-4: Require low-VOC coatings during construction.

MM-AQ-5: Require fugitive dust best management practices.

MM-AQ-6: Purchase of mitigation credits for construction emissions exceeding BAAQMD's daily pollutant thresholds.

MM-AQ-7: Purchase of mitigation credits for operation emissions exceeding BAAQMD's daily pollutant thresholds.

MM-AQ-8: Require future projects located within 1,000 feet of sensitive receptors to perform a health risk assessment.

Mitigation Measures AQ-1 through AQ-8, along with Specific Plan Policies 6-11 and 6-13, which would develop and maintain best practices for reducing emission associated with construction and operational activities and require that new development with sensitive receptors located adjacent to TAC sources be designed to minimize health risk, would reduce construction and operational health risks to existing and future receptors. However, there may be instances where Project-specific conditions preclude the reduction of health risk below adopted thresholds and expose receptors to cumulative health risks. For instance, this may include the installation or operation of new stationary sources of TACs (e.g., generators) on the Project Site that result in significant PM2.5 concentrations. BAAQMD permitting would reduce cancer risks and the hazard index but would not ensure reductions in PM2.5 emissions. In addition, future development projects under the Specific

Plan could generate DPM and PM2.5 that could expose adjacent receptors to significant health risks (e.g., CAP thresholds exceeded, construction adjacent to sensitive receptors). Therefore, it is conservatively assumed that the cumulative health impacts from TAC emissions would be *significant and unavoidable*, and that the Specific Plan's contribution would be cumulatively considerable.

For the Phase I Development, cumulative cancer risks, hazard index (HI), and PM2.5 concentrations from construction and operation related DPM exhaust emissions would not exceed BAAQMD thresholds. Therefore, cumulative health impacts of the Phase I Development would not be cumulatively considerable.

### 3.3.1.2 Transportation

**Significant Effect.** Impact TRA-5a: The Project would be inconsistent with State CEQA Guidelines Section 15064.3, subdivision (b), concerning vehicle miles traveled (VMT). The Draft EIR establishes a VMT threshold of 21.7 VMT per Service Population for net new development in the Plan Area (14.3 percent below the existing regional average of 25.3 VMT per Service Population). This equates to a single-occupancy vehicle (SOV) mode share goal of no more than 43 percent. The Project's effect on VMT per Service Population would be 27.8 VMT per Service Population, which exceeds the 21.7 VMT per Service Population threshold; therefore, the addition of the Project would result in a significant impact.

YouTube operates a robust TDM program today that, if maintained at its current levels over time, is expected to result in VMT levels below the significance threshold, thereby reducing the impact to less than significant with mitigation. There is no guarantee, however, that YouTube would be the primary tenant in the buildout time frame, and the large-scale TDM program required to mitigate the VMT impact could be too great for a standard tenant to achieve. Therefore, Project impacts on VMT are conservatively assumed to be significant and unavoidable.

Mitigation Measure TRA-2 would require YouTube to implement a TDM program for the Phase I Development that results in a maximum SOV mode share of 43 percent or VMT per Service Population levels in compliance with the Project threshold of 21.7. Since YouTube is the project applicant for the Phase I Development, the Phase I Development is composed entirely of YouTube-owned parcels, and YouTube has historically demonstrated its ability to meet the required VMT reductions through implementation of its existing TDM program, implementation of Mitigation Measure TRA-2 is considered feasible for the Phase I Development, and VMT impacts associated with the Phase I Development would result in a less-than-significant impact with mitigation.

*Findings:* The City hereby makes findings (a)(1) and (a)(3) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

#### *Facts in Support of Findings:*

The following measure mitigates this impact to the extent feasible, but not to a less than significant level.

MM-TRA-1: Prepare and implement TDM program.

Mitigation Measure TRA-1 would require new land use applicants to submit a TDM program in conjunction with the development application that would, over time, achieve the Plan's VMT per Capita threshold. The 21.7 VMT per Service Population threshold equates to no more than 43

percent of trips occurring by single-occupancy vehicles (SOV). Acknowledging reasonable limitations on near-term TDM program success, program expectations may be less stringent for an initial occupancy period but would become more stringent over time and would ultimately require each employer or property manager to meet the VMT per Capita threshold or associated drive-alone goal. With implementation of Mitigation Measure TRA-1, alternative modes would be encouraged, the use of single-occupant vehicles would be discouraged, and the impact of additional vehicles generated by the Project would be lessened. However, to reduce the Project's impact to a less-than-significant level (less than 21.7 VMT per Service Population), the Project would need to reduce its addition of VMT by an additional 23 percent through TDM programs. Studies indicate that implementation of a typical TDM program for office uses, in communities with similar transportation and land use context to San Bruno, would result in a VMT reduction of approximately 10 to 15 percent (CAPCOA 2010). Therefore, even with mitigation, it is unlikely that the Project can achieve 21.7 VMT per Service Population under Existing Plus Project conditions. As a result, the VMT impacts associated with the Project would be significant and unavoidable.

### 3.3.2 Findings Regarding Significant Effects Mitigated to Less-Than-Significant Levels

The City has determined that, for the following effects, mitigation measures included in the Final EIR will mitigate the effects of the Project and the Phase I Development to a less-than-significant level. The following identifies the pertinent mitigation measures by number and summary title. The full text of each of the mitigation measures cited below is found in the Draft EIR and that text is hereby incorporated by reference. The Project's impacts are identified with a [P] before the impact title. The Phase I Development's impacts are identified with a [Phase I].

#### 3.3.2.1 Air Quality

**Significant Effect. [Phase I] Impact AQ-2b:** After mitigation, the Phase I Development would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a nonattainment area for the applicable federal or state ambient air quality standard during construction and operation.

Construction of the Phase I Development would generate NO<sub>x</sub> emissions in excess of BAAQMD's significance threshold during construction and would result in a potentially significant air quality impact. In addition, fugitive dust emissions would also be significant without the application of standard BMPs.

The Phase I Development would result in a net increase of ROG, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions per day, exceeding BAAQMD's thresholds for PM<sub>10</sub> during operation. The increase in PM<sub>10</sub> is primarily generated by mobile sources (additional vehicles traveling throughout the region resuspend dust on the roadways, resulting in an increase in PM<sub>10</sub>). The Phase I Development would reduce CO emissions per day. The decrease in CO would be due to decreasing emission factors over time as vehicles become more efficient.

*Findings:* The City hereby makes finding (a)(1) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

*Facts in Support of Findings:*

The following measures mitigate this impact to a less than significant level.

MM-AQ-1: Require at least Tier 4 Final Engines on Construction Equipment.

MM-AQ-5: Require fugitive dust best management practices.

MM-TRA-2: Monitor and evaluate existing TDM program.

Implementation of Mitigation Measure AQ-1 would reduce construction-related NO<sub>x</sub> to below BAAQMD's threshold. Mitigation Measure AQ-5 would also reduce fugitive dust emissions, consistent with BAAQMD guidance. As emissions would be below BAAQMD's NO<sub>x</sub> numeric threshold and consistent with BAAQMD guidance with mitigation, implementation of other Specific Plan mitigation measures (i.e., Mitigation Measures AQ-2, AQ-3, AQ-4, and AQ-6) would not be required. As such, construction emissions would not be expected to contribute a significant level of air pollution such that regional air quality within the SFBAAB would be degraded. Therefore, construction-related criteria pollutant impacts would be less than significant with mitigation.

Implementation of Mitigation Measure TRA-2 would reduce mobile source emissions during operation sufficiently so that emissions would not exceed BAAQMD's PM<sub>10</sub> thresholds of 82 pounds per day. Accordingly, operational source air quality impacts under the Phase I Development would be less than significant with mitigation.

**Significant Effect. [Phase I] Impact AQ-3b:** After mitigation, the Phase I Development would not result in the exposure of sensitive receptors to substantial TAC concentrations or criteria pollutant concentrations during construction and operation.

*Findings:* The City hereby makes finding (a)(1) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

*Facts in Support of Findings:*

The following measures mitigate this impact to a less than significant level.

MM-AQ-1: Require at least Tier 4 Final Engines on Construction Equipment.

MM-AQ-5: Require fugitive dust best management practices.

MM-TRA-2: Monitor and evaluate existing TDM program.

Construction of the Phase I Development would not generate regional criteria pollutants in excess of BAAQMD thresholds with implementation of Mitigation Measures AQ-1. In addition, Mitigation Measure AQ-5 requires implementation of all feasible dust control measures, effectively reducing localized fugitive dust emissions during construction. As such, construction of the Phase I Development would not be expected to contribute a significant level of air pollution such that air quality within the SFBAAB would be degraded. Consequently, construction-generated criteria pollutant emissions would be less than significant and would not expose receptors to substantial pollutant concentrations or risk.

As shown in Table 3.2-9 of the Draft EIR, operation of the Phase I Development would result in a net increase of ROG, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions per day, exceeding BAAQMD's PM<sub>10</sub> threshold. However, with implementation of Mitigation Measure TRA-2, the project applicant would offset PM<sub>10</sub> emissions to below 82 pounds per day. The Phase I Development would meet the BAAQMD's

CO hot spot screening criteria and would not contribute to a localized hot spot. Consequently, operations-generated criteria pollutant emissions would be less than significant with mitigation.

### 3.3.2.2 Energy

**Significant Effect. [P] Impact EN-1a:** After mitigation, the Project would not result in wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation. The types of land uses envisioned under the Specific Plan would involve construction activities typical of development within a planning area, and no land uses are expected to require an extraordinary amount of energy consumption during construction, as may occur with large, industrial facilities, like new power plants or dams, because no such land uses are proposed or permitted within the Specific Plan Area. The Specific Plan includes policies designed to reduce air quality, transportation, and greenhouse gas impacts during construction, such as developing and maintaining best management practices for minimizing construction-related emissions (Policies 6-9, 6-10, and 6-14) and requiring individual projects to submit Construction Management Plans to reduce construction-related traffic congestion (Policy 4-12). These policies would also achieve reductions in construction-related energy use.

*Findings:* The City hereby makes finding (a)(1) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

#### *Facts in Support of Findings:*

The following measures mitigate this impact to a less than significant level.

MM-GHG-1: Require implementation of BAAQMD-recommended Construction Best Management Practices.

MM-AQ-3: Require construction fleet to use renewable diesel.

Future construction projects under the Specific Plan would be required to comply with Mitigation Measure GHG-1, which requires construction contractors to implement BAAQMD's recommended best management practices including ensuring that alternative fueled (e.g. biodiesel, electric) construction vehicles/equipment make up at least 15 percent of the fleet, using local building materials of at least 10 percent (sourced from within 100 miles of the Planning Area); and recycling and reusing at least 50 percent of construction waste and demolition materials. Additionally, as discussed in Section 3.2, *Air Quality* of the EIR, Mitigation Measure AQ-3 would require all off-road equipment greater than 50 horsepower (hp) and operating for more than 20 total hours over the entire duration of construction activities to use renewable diesel. These measures would reduce the amount of fossil fuel consumed during construction activities and the energy intensiveness associated with new building materials and disposed construction and demolition waste. With incorporation of these mitigation measures, construction under the Specific Plan would not result in the wasteful, inefficient, or unnecessary consumption of energy resources. This impact is less than significant with mitigation.

Buildout and operation of the Specific Plan would increase energy consumption on the Project Site by 415,871 million BTUs, or 73 percent when compared to existing conditions. However, energy use per square foot would remain at 0.17 million BTUs/sf, consistent with existing conditions despite the increase in building area that would occur. This is attributable to the energy efficiency of the future buildings and vehicles, which would be subject to increasingly robust regulations over time to

meet the State's renewable energy mandates. Based on the discussion in Section 3.3, *Energy Use*, of the EIR, buildout of the Specific Plan would not result in the wasteful, inefficient, or unnecessary consumption of energy resources. This impact is *less than significant*. While mitigation is not necessary, note that the mitigation measures required to reduce GHG and transportation impacts would further reduce energy use associated with the Specific Plan (see Mitigation Measure GHG-2 and Mitigation Measure TRA-1). Specifically, implementation of Mitigation Measure TRA-1 would reduce both annual gasoline and diesel usage by 13 percent by requiring a reduced drive alone percentage, an annual monitoring study, and ongoing monitoring and evaluation.

**Significant Effect. [Phase I] Impact EN-1b:** After mitigation, the Phase I Development, in combination with past, present, and reasonably foreseeable projects, would not result in wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation.

*Findings:* The City hereby makes finding (a)(1) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

*Facts in Support of Findings:*

The following measure mitigates this impact to a less than significant level.

MM-GHG-1: Require implementation of BAAQMD-recommended Construction Best Management Practices.

Construction of the Phase I Development would not result in the wasteful, inefficient, or unnecessary consumption of energy resources with implementation of Mitigation Measure GHG-1. This measure would reduce the amount of fossil fuel consumed during construction activities and the energy intensiveness associated with new building materials and disposed construction and demolition waste by requiring construction contractors to implement BAAQMD's recommended best management practices, specifically those associated with alternative fuel use and recycling.

Regarding operations, as shown in Table 3.3-6 of the EIR, buildout of the Phase I Development would increase operational energy consumption on the Phase I Site by 28,856 million BTUs, or 58 percent when compared to existing conditions (67 percent when compared to 2020 Without Phase I Development conditions). However, energy use per square foot would actually decrease to 0.11 million BTUs/sf, when compared to the existing condition of 0.23 million BTUs/sf. This decrease is attributable to the energy efficiency measures to be incorporated into the Phase I Development.

The Phase I Development would install Energy Star appliances, meet United States Green Building Council's LEED v4 Silver or equivalent certification standards, and exceed the 2016 Title 24 standards by approximately 16 percent. Additionally, the design of the Phase I Development would incorporate environmentally sustainable design features including access to natural light through windows and skylights, photovoltaic features, and green roofs and walls. The lighting and the heating, ventilation, and air conditioning (HVAC) systems, along with other mechanical systems, would be designed around maximizing energy efficiency and natural lighting. Furthermore, as discussed in Section 2.6.2.9, *Transportation Demand Management*, of the EIR, YouTube implements a robust TDM program, and the Phase I Development would be subject to YouTube's existing TDM program. This program includes, but is not limited to, a TDM coordinator; priority parking for carpools, vanpools, and clean-fuel vehicles; bicycle parking, sharing, and facilities; a guaranteed ride home program; rideshare matching services; pre-tax commuter benefits; employer commuter

shuttle services; flexible work schedule program; and commuter incentives and rewards, which results in the reduction of vehicle miles travelled, and consequently the amount of energy consumed through gasoline and diesel.

Based on the EIR analysis, operation of the Phase I Development would not result in the wasteful, inefficient, or unnecessary consumption of energy resources. This impact is *less than significant*. While mitigation is not necessary, note that Mitigation Measure TRA-2 would reduce the Phase I Development's annual gasoline and diesel usage by 19 percent by requiring a reduced drive alone percentage, an annual monitoring study, and ongoing monitoring and evaluation.

### 3.3.2.3 Greenhouse Gases

**Significant Effect. [P] Impact GHG-1a:** After mitigation, the Project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment during construction and operation. Construction associated with new land use developments under the Specific Plan would result in the temporary generation of GHG emissions. Emissions would originate from mobile and stationary construction equipment exhaust and employee and haul truck vehicle exhaust.

The estimated Specific Plan emissions at full buildout in 2040 are 39,666 metric tons of CO<sub>2</sub>e (assuming the worst-case Maximum Office Scenario). This is an increase of 27,498 metric tons of CO<sub>2</sub>e from the Project Site when compared to 2040 Without Project conditions. The Specific Plan would achieve additional GHG reductions through voluntary sustainability features that encourage alternative transportation, passive heating and cooling, and other GHG-reducing measures. However, these strategies were not quantified because the exact number of installed systems and affected structures are currently unknown and are not mandated by the Specific Plan. The discussion under Impact GHG-1a in Section 3.4, *Greenhouse Gases*, of the EIR presents a sector-by-sector analysis of GHG impacts, consistent with OPR, CARB, and BAAQMD guidance.

*Findings:* The City hereby makes finding (a)(1) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

#### *Facts in Support of Findings:*

The following measures mitigate this impact to a less than significant level.

MM-GHG-1: Require implementation of BAAQMD-recommended Construction Best Management Practices.

MM-TRA-1: Prepare and implement TDM program.

MM-GHG-2: Implement operational GHG reduction measures or their equivalent.

MM-GHG-3: Purchase of GHG mitigation credits.

BAAQMD has not established a quantitative threshold for assessing construction-related GHG emissions. Rather, the air district recommends evaluating whether construction activities would conflict with statewide emission reduction goals and implement feasible Best Management Practices. Therefore, construction-related GHG emissions from the Specific Plan would be required to comply with Mitigation Measure GHG-1, which would reduce construction emissions consistent with BAAQMD guidance and statewide emission reduction goals. In addition, all proposals requiring

demolition at the Project Site would be required to complete the City's Construction Waste Management Plan for approval before demolition commences. The plan would identify local recycling options and require the reuse and recycling of construction and demolition material. Accordingly, this impact is less than significant with mitigation.

Implementation of Mitigation Measure GHG-2 is being required to reduce operational GHG emissions in the sectors with the largest amount of emissions (other than on-road emissions addressed by Mitigation Measure TRA-1). Mitigation Measure GHG-2, which includes requirements for LEED certification or equivalent, electric space and water heating, solar roofs, and waste diversion programs, would ensure consistency with the 2017 Climate Change Scoping Plan and the long-term statewide reduction trajectory. Should all measures included in Mitigation Measure GHG-2 be implemented by a future project sponsor, that development would be consistent with the Scoping Plan and the state's reduction targets; GHG impacts would be less than significant and no further action would be required. However, because the extent of implementation of Mitigation Measure GHG-2 is currently unknown (e.g., applicability and feasibility), impacts from future development could remain significant for some sectors if all strategies are not implemented for a particular project or equivalent measures are not identified by a project sponsor. For projects where all of the requirements of Mitigation Measure GHG-2 (or their equivalent) are not implemented, implementation of Mitigation Measure GHG-3 is further required to reduce net operational GHG emissions through purchase of GHG mitigation credits. Accordingly, with implementation of the mitigation measures described above, as applicable on a project-by-project basis, operational GHG emissions under the Specific Plan would be less than significant with mitigation.

**Significant Effect. [P] Impact GHG-2a:** After mitigation, the Project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases during construction and operation.

*Findings:* The City hereby makes finding (a)(1) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

*Facts in Support of Findings:*

The following measures mitigate this impact to a less than significant level.

MM-GHG-1: Require implementation of BAAQMD-recommended Construction Best Management Practices.

MM-TRA-1: Prepare and implement TDM program.

MM-GHG-2: Implement operational GHG reduction measures or their equivalent.

MM-GHG-3: Purchase of GHG mitigation credits.

Most GHG emissions generated by the construction activities would be short term and would cease once construction is complete. Implementation of Mitigation Measure GHG-1 would result in less than significant impacts during construction by reducing construction emissions. Therefore, construction activities under the Specific Plan would not conflict with or obstruct implementation of an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs, and impacts would be less than significant with mitigation.

Implementation of Mitigation Measure TRA-1 would reduce mobile source emissions, but not enough to meet the 14.3 percent reduction target. Stationary source emissions would be below BAAQMD's stationary source threshold. The Specific Plan would be consistent with the Scoping Plan's overall goal of avoiding losses in carbon sequestration. Implementation of Mitigation Measure GHG-2 would require the implementation of various GHG reduction measures, assisting the state with meeting its reduction targets under AB 32 and SB 32, and its carbon neutrality goal under EO B-55-18. The exact feasibility of implementing every measure in Mitigation Measure GHG-2 (or providing equivalent reduction measures) is unknown for future projects in the Specific Plan area (e.g., applicability and feasibility) and impacts from emission sources could remain significant. For projects where all of the requirements of Mitigation Measure GHG-2 (or their equivalent) are not implemented for non-transportation emissions and for all projects relative to transportation emissions where Mitigation Measure TRA-1 does not meet the 14.3 VMT/service population reduction threshold, implementation of Mitigation Measure GHG-3 is further required to reduce net operational GHG emissions through purchase of GHG mitigation credits. Therefore, overall GHG emissions during operation would not conflict with applicable plans, policies, or regulations adopted for the purpose of reducing GHG emissions. GHG impacts of the Specific Plan would be less than significant with mitigation.

**Significant Effect. [Phase I] Impact GHG-1b:** The types of construction and operational GHG emissions generated by the Phase I Development would be similar to those described above for the Specific Plan. GHG emissions were estimated for the Phase I Development using the CalEEMod. The analysis indicates that Phase I Development construction would generate approximately 12,783 metric tons of CO<sub>2e</sub> over the three-year construction period, and that operation of the Phase I Development would result in approximately 21,770 metric tons of CO<sub>2e</sub> per year. The Draft EIR presents a sector-by-sector analysis of the Phase I Development's GHG impacts.

*Findings:* The City hereby makes finding (a)(1) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

*Facts in Support of Findings:*

The following measures mitigate this impact to a less than significant level.

MM-GHG-1: Require implementation of BAAQMD-recommended Construction Best Management Practices.

MM-TRA-2: Monitor and evaluate existing TDM program.

Stationary source emissions would be below BAAQMD's stationary source threshold. The Phase I Development would replace removed trees, and therefore would be consistent with the Scoping Plan's overall goal of avoiding losses in carbon sequestration. Similarly, the Phase I Development's sustainability measures represent a robust suite of strategies that are consistent with applicable policies from the 2017 Climate Change Scoping Plan and regulatory programs for the area, energy, water, waste, and land use sectors. As discussed in Section 3.10, *Transportation*, the Phase I Development would achieve the 14.3 percent VMT per service population reduction target with implementation of Mitigation Measure TRA-2, which would reduce mobile emissions from 19,882 metric ton of CO<sub>2e</sub> to 16,582 metric tons of CO<sub>2e</sub> per year. Achievement of the VMT per service population reduction target ensures that the Phase I Development is consistent with regulatory programs such as SB 743 that expressly aim to reduce VMT consistent with the state's climate

change goals. In addition, the Phase I Development would also be subject to the same regulatory programs related to fuel and vehicle efficiency, and vehicle electrification as the Specific Plan. Therefore, GHG impacts from mobile sources would be less than significant with mitigation.

**Significant Effect. [Phase I] Impact GHG-2b:** After mitigation, the Phase I Development would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases during construction and operation.

*Findings:* The City hereby makes finding (a)(1) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

*Facts in Support of Findings:*

The following measures mitigate this impact to a less than significant level.

MM-GHG-1: Require implementation of BAAQMD-recommended Construction Best Management Practices.

MM-TRA-2: Monitor and evaluate existing TDM program.

Implementation of Mitigation Measure GHG-1 would result in less than significant impacts during construction by reducing construction emissions. Therefore, construction activities under the Phase I Development would not conflict with or obstruct implementation of an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. This impact would be less than significant with mitigation.

Implementation of Mitigation Measure TRA-2 would reduce mobile source emissions during operation to sufficiently to meet the 14.3 percent VMT per service population a reduction target. Stationary source emissions would be below BAAQMD's stationary source threshold. As discussed above, the Phase I Development would be consistent with the Scoping Plan's overall goal of avoiding losses in carbon sequestration given the proposed tree replacements. The Phase I Development would fully implement sustainability measures, such as achieving LEED Silver v4 certification or equivalent, achieving an indoor water education goal of 25 percent, and waste diversion programs, which are consistent with the 2017 Scoping Plan, and would reduce GHG emissions and associated impacts from area, energy, water, and waste sources to less than significant levels. These reductions would assist the state with meeting its GHG reduction goals. Therefore, GHG impacts of the Phase I Development would be less than significant with mitigation.

### 3.3.2.4 Hydrology and Water Quality

**Significant Effect. [P] Impact HWQ-1a:** After mitigation, the Project would not result in the violation of any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.

As shown in Figure 3.5-2 of the EIR, dewatering is anticipated in Phases 3, 4, and 5 of YouTube buildout, and during construction of the proposed parking garages west of Cherry Avenue. Construction dewatering could result in the exposure of pollutants from prior spills or other activities and may contaminate groundwater. Therefore, groundwater quality monitoring during dewatering would be required prior to disposal, as well as water quality testing prior to disposal to ensure there are no impacts to surface water quality. Construction dewatering would not likely mobilize contaminants associated with leaking underground storage tank (LUST) sites or other

current or formerly contaminated sites located near or within the Project Site. However, as discussed under Environmental Settings in Section 3.5, *Hydrology and Water Quality*, of the EIR, the Bayhill 7 Facility site has a history of contamination. To protect groundwater supplies from chemical pollution, and pursuant to Policy 6-8 in the Specific Plan, development is subject to review by the San Mateo County Health Department Groundwater Protection Program (GPP). During Phase 3 and Phase 4 of YouTube buildout, water level drawdown is estimated to be more than two feet at the Bayhill 7 Facility site (see Table 3.5-3 of the EIR). Phase 5 construction would have direct disturbance at the Bayhill 7 site and would have more extensive dewatering (see Table 3.5-3 of the EIR). The GPP will be notified of the planned activities associated with the Project Site redevelopment and would review potential impacts to water quality, as well as any waste discharge requirements necessary during dewatering. The Specific Plan includes Policies 6-8, and 6-18 through 6-24 to reduce groundwater impacts and dewatering impacts due to construction.

*Findings:* The City hereby makes finding (a)(1) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

*Facts in Support of Findings:*

The following measures mitigate this impact to a less than significant level.

MM-HWQ-1: Require groundwater monitoring well installation and sampling prior to dewatering activity.

MM-HWQ-2: Prepare drainage report and implement stormwater control measures to avoid increases in peak flows.

The Project would be required to comply with the City's MRP requirements and the NPDES Construction General Permit. Post-construction measures must also meet SMCWPPP requirements. Further, a stormwater control plan is required for each development. Compliance with these requirements would ensure that construction activities do not result in a violation of water quality standards or waste discharges requirements, or otherwise result in water quality degradation. However, as discussed below, discharge of potentially contaminated dewatered groundwater could make its way into surface waters, which would impact surface water quality. Implementation of Mitigation Measure HWQ-1 would reduce this impact.

The Project would comply with San Francisco Bay RWQCB dewatering requirements to prevent potential water quality impacts on surface waters or ensure proper treatment measures are implemented prior to discharge. However, potential water quality impacts may be encountered or incurred during construction dewatering. Even minimal and short-term drawdown associated with construction dewatering may impact the migration of impacted groundwater. Implementation of Mitigation Measure HWQ-1 would reduce this impact.

Mitigation Measure HWQ-2 would require project-level drainage studies to be conducted to identify site-specific drainage facilities necessary to avoid increases in drainage flows and associated polluted runoff, and require implementation of stormwater control measures. With implementation of Mitigation Measures HWQ-2, operational drainage associated with the Project would not result in increased pollutant runoff and the associated impact would be less than significant with mitigation.

**Significant Effect. [P] Impact HWQ-3a:** After mitigation, the Project 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, in a manner which would result in substantial erosion or siltation on or offsite; substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or offsite; create or contribute water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows.

*Findings:* The City hereby makes finding (a)(1) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

*Facts in Support of Findings:*

The following measure mitigates this impact to a less than significant level.

MM-HWQ-2: Prepare drainage report and implement stormwater control measures to avoid increases in peak flows.

Construction of the Project would not substantially alter the existing drainage pattern of the area in a manner which would result in substantial erosion or siltation or increase the rate or amount of surface runoff in a manner that would result in flooding on or offsite. However, the existing stormwater drainage system has existing capacity deficiencies downstream, and thus any increase in site runoff would exceed the system capacity. As a result, during construction, the Project could create or contribute water that would exceed the capacity of existing stormwater drainage systems. Mitigation Measure HWQ-2 would require project-level drainage studies to be conducted to identify site-specific drainage facilities necessary during construction to avoid increases in drainage flows to the existing system and implementation of the necessary drainage improvements during construction. With implementation of Mitigation Measure HWQ-2, Project construction would not result in an exceedance of drainage system capacities and the associated impact would be less than significant with mitigation.

With regard to operations, Mitigation Measure HWQ-2 would require project-level drainage studies to be conducted to identify site-specific drainage facilities necessary to avoid increases in drainage flows to the existing system, and construction of the necessary drainage improvements. With implementation of Mitigation Measure HWQ-2, Project operations would not result in an exceedance of drainage system capacities. To meet local, state and federal requirements for water quality treatment as well as flood control, stormwater management facilities for each development will also be incorporated. Post-construction water quality treatment measures, as required by C.3 regulations, such as bioretention areas, flow-through planters, green-roofs and pervious pavements that drain to native soil, are expected to be implemented as part of the Project development. Stormwater runoff would be captured in drainage facilities or infiltrated into native soil to recharge groundwater. A Stormwater Control Plan Report, a description of site design and source control measures, drainage management areas, stormwater treatment measure sizing calculations, and a maintenance plan, would be submitted with the final design plans.

**Significant Effect. [Phase I] Impact HWQ-1b:** After mitigation, the Phase I Development would not result in the violation of any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Water quality of the Phase I Site is similar to the water quality discussed above under Impact HWQ-1a. Like the Project, the Phase I Development must comply with the NPDES Construction General Permit, the Municipal Regional Permit, the City's Municipal Code and grading permit. In addition, a SWPPP is required and would identify standard

erosion control measures and BMPs to be implemented during construction to reduce sedimentation of waterways. Temporary BMPs would be implemented to control soil erosion and sediment and restrict non-stormwater discharges. Temporary site improvements, such as the proposed parking lots to be used during Phase I construction, would also comply with water quality standards that provide pollutant control and reduce or limit surface runoff to pre-project conditions.

*Findings:* The City hereby makes finding (a)(1) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

*Facts in Support of Findings:*

The following measure mitigates this impact to a less than significant level.

MM-HWQ-2: Prepare drainage report and implement stormwater control measures to avoid increases in peak flows.

Mitigation Measure HWQ-2 would require project-level drainage studies to be conducted to identify site-specific drainage facilities necessary to avoid increases in drainage flows and associated polluted runoff, and require implementation of stormwater control measures. With implementation of Mitigation Measures HWQ-2, operational drainage associated with the Phase I Development would not result in increased pollutant runoff and the associated impact would be less than significant with mitigation.

**Significant Effect. [Phase I] Impact HWQ-3b:** After mitigation, the Phase I Development 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, in a manner which would result in substantial erosion or siltation on or offsite; substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or offsite; create or contribute water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or Impede or redirect flood flows.

*Findings:* The City hereby makes finding (a)(1) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

*Facts in Support of Findings:*

The following measure mitigates this impact to a less than significant level.

MM-HWQ-2: Prepare drainage report and implement stormwater control measures to avoid increases in peak flows.

The existing stormwater drainage system has existing capacity deficiencies downstream, and thus any increased in site runoff would exceed the system capacity. As a result, during construction, the Phase I Development could create or contribute water that would exceed the capacity of existing stormwater drainage systems. Mitigation Measure HWQ-2 would require project-level drainage studies to be conducted to identify site-specific drainage facilities necessary during construction to avoid increases in drainage flows to the existing system and implementation of the necessary drainage improvements during construction. With implementation of Mitigation Measure HWQ-2, Phase I Development construction would not result in an exceedance of drainage system capacities and the associated impact would be less than significant with mitigation.

With regard to operations, Mitigation Measure HWQ-2 would require project-level drainage studies to be conducted to identify site-specific drainage facilities necessary to avoid increases in drainage flows to the existing system, and construction of the necessary drainage improvements. With implementation of Mitigation Measure HWQ-2, operational drainage associated with the Phase I Development would not result in an exceedance of drainage system capacities.

**Significant Effect. [P and Phase I] Impact C-HWQ-1:** After mitigation the Project, inclusive of the Phase I Development, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable violation of any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.

*Findings:* The City hereby makes finding (a)(1) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

*Facts in Support of Findings:*

The following measures mitigate this impact to a less than significant level.

MM-HWQ-1: Require groundwater monitoring well installation and sampling prior to dewatering activity.

MM-HWQ-2: Prepare drainage report and implement stormwater control measures to avoid increases in peak flows.

With implementation of Mitigation Measures HWQ-1 and HWQ-2, and the development design features described in Impact C-HWQ-1 in Section 3.5, *Hydrology and Water Quality*, of the EIR, water quality effects due to construction dewatering and runoff would be controlled such that the Project would not contribute considerably to cumulative significant water quality impacts.

Without mitigation, and even with Phase I Development proposed drainage improvements, the Phase I Development would result in impacts as a result of increased impervious areas and associated runoff and polluted runoff. However, Mitigation Measure HWQ-2 would require project-level drainage studies to be conducted to identify site-specific drainage facilities necessary to avoid increases in drainage flows and associated polluted runoff, and require implementation of stormwater control measures. With implementation of Mitigation Measure HWQ-2, operational drainage associated with the Phase I Development would not result in increased pollutant runoff and the associated impact would be less than significant with mitigation.

**Significant Effect. [P and Phase I] Impact C-HWQ-3:** After mitigation, the Project, inclusive of the Phase I Development, 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, in a manner which would result in substantial erosion or siltation on or offsite; substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or offsite; create or contribute water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or Impede or redirect flood flows.

*Findings:* The City hereby makes finding (a)(1) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

*Facts in Support of Findings:*

The following measure mitigates this impact to a less than significant level.

MM-HWQ-2: Prepare drainage report and implement stormwater control measures to avoid increases in peak flows.

As discussed in Section 3.5, *Hydrology and Water Quality*, of the EIR, the Project, including the Phase I Development, before mitigation may increase drainage discharge that could exceed the existing system's capacity. Given that the existing drainage system is at capacity, the Project and Phase I Development could contribute to a cumulative significant impact on drainage capacity. However, with implementation of Mitigation Measure HWQ-2, the project's contribution to downstream drainage impacts would be reduced to a less than considerable level. Implementation of the City's Stormwater Capital Improvement Plan and other Master Plan improvements would also ensure that pipes are adequately sized, and stormwater capacity is sufficient for the existing and planned stormwater drainage system. Therefore, with mitigation, the Project, inclusive of the Phase I Development (a component of the overall Project), would not likely contribute to the cumulative exceedance of storm drainage capacity, and there would be a less-than-cumulatively considerable contribution to the cumulative impact.

### 3.3.2.5 Land Use

**Significant Effect. [P] Impact LU-2a:** After mitigation, the Project would not result in an environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

*Findings:* The City hereby makes finding (a)(1) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

*Facts in Support of Findings:*

Implementation of all EIR mitigation measures mitigate this impact to a less than significant level.

The Project was evaluated for consistency with regional plans Plan Bay Area 2040 and the Airport Land Use Compatibility Plan (ALUCP). Potential impacts associated with inconsistency with Plan Bay Area 2040 were found to be less than significant because the Project supports several of Plan Bay Area 2040's key objectives, including fostering compact development and jobs in proximity to transit, focusing growth within a Priority Development Area (PDA), supporting pedestrian- and bicycle-friendly streets, and opening up new opportunities for housing, while remaining consistent with the Association of Bay Area Governments (ABAG)'s population projections for the region. The Project was found to be consistent with the ALUCP's policies regarding safety, heights, noise, and notification. The Project's potential impacts regarding inconsistency with the ALUCP's policies were thus found to be less than significant. The Phase I Development's potential impacts associated with either of the above plans were found to be less than significant because the Phase I Site is contained within the Project Site and would be subject to the same development standards and policies.

The Project was evaluated for consistency with the following local plans and regulations: the San Bruno General Plan, City Ordinance No. 1284, City of San Bruno Walk 'n Bike Plan, and City of San Bruno Zoning Ordinance. Potential impacts associated with inconsistency with the existing General Plan and the Zoning Ordinance were found to be less than significant with mitigation, because with implementation of all EIR mitigation measures, the Project would be consistent with the General Plan and the Zoning Ordinance with amendments as proposed in the Specific Plan, and the Project

would comply with the height and other requirements of City Ordinance No. 1284. The Project includes mobility and parking policies that align with the Walk 'n Bike Plan and would improve the safety, convenience, and comfort of walking and biking across San Bruno; its impact is therefore less than significant. The Phase I Development's potential impacts associated with any of the above plans were found to be less than significant with mitigation because the Phase I Site is contained within the Project Site and would be subject to the same development standards and policies.

**Significant Effect. [Phase I] Impact LU-2b:** After mitigation, the Phase I Development would not result in an environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

*Findings:* The City hereby makes finding (a)(1) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

*Facts in Support of Findings:*

Implementation of all EIR mitigation measures mitigate this impact to a less than significant level.

Refer to discussion above for Impact LU-2a.

### 3.3.2.6 Noise

**Significant Effect. [P] Impact NOI-1a:** After mitigation, the Project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in a local general plan or noise ordinance, or applicable standards of other agencies, with implementation of mitigation measures. Noise from night work could exceed City standards, as could work during the day that is located close to existing noise-sensitive uses.

*Findings:* The City hereby makes finding (a)(1) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

*Facts in Support of Findings:*

The following measures mitigate this impact to a less than significant level.

MM-NOI-1: Development of noise control plan for nighttime construction.

MM-NOI-2: Siting of noise-generating uses.

MM-NOI-3: The operation of sound amplifying equipment.

Mitigation Measure NOI-1 would reduce Project impacts associated with potential nighttime construction to meet local noise standards by requiring the development and implementation of noise reduction actions. Regarding operational noise, compliance with the San Bruno Municipal Code and Specific Plan policies 3-13 and 6-1 would reduce noise impacts from new noise-generating sources. Mitigation Measure NOI-2 and Mitigation Measure NOI-3 would ensure that noise from future onsite noise-generating land uses and events with amplified sound would comply with the applicable criteria set forth in the City of San Bruno General Plan and Municipal Code. This impact would be less than significant with mitigation.

**Significant Effect. [Phase I] Impact NOI-1b:** After mitigation, the Phase I Development would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in a local general plan or noise ordinance, or applicable standards of other agencies, with implementation of mitigation measures.

*Findings:* The City hereby makes finding (a)(1) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

*Facts in Support of Findings:*

The following measures mitigate this impact to a less than significant level.

MM-NOI-1: Development of noise control plan for nighttime construction.

MM-NOI-3: The operation of sound amplifying equipment.

Mitigation Measure NOI-1, described previously, would reduce construction noise impacts from construction of the Phase I Development during nighttime hours to less-than-significant levels by ensuring that noise at a distance of 100 feet during nighttime hours would be below 60 dBA  $L_{eq}$ , (unless a permit is first obtained from the director of the City Public Works Department or his/her designee). Implementation of Mitigation Measure NOI-3 would reduce the Phase I Development impact associated with amplified music or speech from events by requiring that they be kept at a less-than-significant level.

**Significant Effect. [P] Impact C-NOI-1a:** After mitigation, the Project, in combination with past, present, and reasonably foreseeable future projects, would not result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies.

With regard to nighttime construction, it is possible that construction during nighttime hours would occur for some components of Project development. Between the hours of 10:00 p.m. and 7:00 a.m., construction noise is limited to 60 dBA at 100 feet in the city, unless a permit has been obtained from the director of the City Public Works Department or his/her designee. As shown in Table 3.7-10 of the EIR, most individual pieces of construction equipment proposed for Project construction activities would exceed 60 dBA at a distance of 100 feet. Note that construction during nighttime hours would not be a common occurrence but may occur for certain activities (concrete pours, etc.) if required to maintain the construction schedule. Nighttime construction would therefore be intermittent and temporary. However, noise from these activities may be audible at nearby noise-sensitive land uses and may exceed the 60 dBA limit at 100 feet.

In general, most operational sources of noise do not generate noise that is perceptible far beyond the edge of a project site. It is possible that Specific Plan HVAC equipment could generate noise in excess of allowable levels, depending on the type of equipment installed and the location of the equipment. It is also possible noise-generating uses from nearby projects (especially the proposed office development at the vacant parcel west of 901 Cherry Avenue and potential projects adjacent to the Project Site, such as 841 San Bruno Avenue) could be close enough to one another that HVAC noise from multiple projects could combine and result in a cumulative noise impact. Therefore, because complete details about HVAC equipment for the proposed Specific Plan and for nearby development projects are not known at this time, it is possible that noise from HVAC for the

proposed Project could combine with HVAC noise from adjacent projects to cause a cumulative noise impact at nearby residential land uses. This cumulative impact is considered potentially significant unless mitigated.

Although precise details related to the potential development of stationary sources of noise for nearby projects are not known at this time, it is possible that stationary sources of noise from cumulative projects would combine to result in a cumulative noise impact related to operational noise. Specifically, proposed development projects in the vicinity of the Specific Plan (including some adjacent to the Specific Plan area) may have sources of stationary noise. Depending on the location of, and the noise levels produced by, these sources, noise from operation of other projects could combine with noise generated by development within the Project Site for the Specific Plan to result in excessive noise. Cumulative impacts related to the siting of noise-generating uses/stationary-source operational noise would be potentially significant unless mitigated.

*Findings:* The City hereby makes finding (a)(1) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

*Facts in Support of Findings:*

The following measure mitigates this impact to a less than significant level.

MM-NOI-1: Development of noise control plan for nighttime construction.

MM-NOI-2: Siting of noise-generating uses.

MM-NOI-3: The operation of sound amplifying equipment.

Mitigation Measure NOI-1 would reduce construction noise impacts during nighttime hours to a less-than-significant level by ensuring that noise at a distance of 100 feet during nighttime construction activities would be below 60 dBA Leq. With implementation of this mitigation measure, Project impacts would be reduced to a less-than-significant level, and the contribution of the Project to the potential cumulative impact would not be cumulatively considerable.

Implementation of Mitigation Measure NOI-2 would reduce Project-related impacts to less-than-significant levels by siting HVAC equipment away from sensitive receptors, and the contribution of the Project to the potential cumulative impact would not be cumulatively considerable.

Mitigation Measures NOI-2 and NOI-3 would reduce Project impacts to less-than-significant levels by locating noise generating uses away from sensitive receptors and limiting noise from sound amplifying equipment. The contribution of the Project to the potential cumulative impact would not be cumulatively considerable with implementation of this mitigation measure.

**Significant Effect. [Phase I] Impact C-NOI-1b:** After mitigation, the Phase I Development, in combination with past, present, and reasonably foreseeable future projects, would not result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies.

Construction of the Phase I Development may involve some nighttime construction activities, during which time the city's construction noise threshold is lower. Should other nearby projects involve nighttime construction, and should those activities occur simultaneously with nighttime

construction of the Phase I Development, construction noise could combine to result in a cumulative construction noise impact during nighttime hours. Ambient noise levels are typically lower during nighttime hours, and construction noise may be audible at greater distances during these times. Because the construction impacts of the Phase I Development could combine with those of nearby projects, cumulative construction noise impacts would be considered significant.

While construction at 901 Cherry Avenue already has begun, it could continue to occur concurrently with construction of the Phase I Development. This project is of a similar size and scale of the Phase I Development and could be expected to require a similar number of total, daily, and hourly haul truck trips as the Phase I Development. Given the proximity of the two properties, it is possible that the haul routes for both projects could overlap. Since haul truck activity for the Phase I Development was determined to add up to 2 dB to surrounding roadway segments during peak hauling, it is possible that a 3 dB total increase could occur if hauling activities from the Phase I Development occurred along the same roadway segments and overlapped in time with hauling activities from the 901 Cherry development. Therefore, cumulative impacts from haul truck noise under the Phase I Development are conservatively considered to be significant. Since the Phase I Development's contribution could be up to 2 dB based on the direct impact analysis presented previously, the Phase I Development's contribution to this potential cumulative impact would be cumulatively considerable. This impact would be considered significant, and mitigation is required.

*Findings:* The City hereby makes finding (a)(1) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

*Facts in Support of Findings:*

The following measure mitigates this impact to a less than significant level.

MM-NOI-1: Development of noise control plan for nighttime construction.

MM-NOI-4: Coordination of Phase I Development haul truck routes with 901 Cherry Avenue.

Mitigation Measure NOI-1 would reduce construction noise impacts from construction of the Phase I Development during nighttime hours to less-than-significant levels by ensuring that noise at a distance of 100 feet during nighttime hours would be below 60 dBA  $L_{eq}$ , unless a permit is first obtained from the director of the City Public Works Department or his/her designee). Implementation of Mitigation Measure NOI-4 would reduce the potential cumulative impact related to construction-related haul truck noise for the Phase I Development to a less-than-significant level by scheduling haul truck trips so that trips generated by Phase I Development and 901 Cherry would not overlap.

### 3.3.2.7 Transportation

**Significant Effect. [Phase I] Impact TRA-5b:** After mitigation, the Phase I Development would be consistent with CEQA Guidelines Section 15064.3, subdivision (b), concerning VMT. The Phase I Development's effect on VMT per Service Population would result in 31.8 VMT per Service Population without any TDM program or mitigation. This is approximately 50 percent above the 21.7 VMT per Service Population threshold.

*Findings:* The City hereby makes finding (a)(1) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

*Facts in Support of Findings:*

The following measure mitigates this impact to a less than significant level.

MM-TRA-2: Monitor and evaluate existing TDM program.

Phase I Development is composed entirely of YouTube-owned parcels, and all trip generation associated with Phase I Development would be YouTube generated. YouTube operates a robust TDM program today that, if implemented during Phase I Development, would bring VMT levels below the 21.7 VMT per Service Population CEQA threshold. TDM performance is dependent on multiple factors outside of City and even employer control such as gas prices, housing stock availability and prices, and larger economic trends. For this reason, TDM-related VMT reductions cannot be guaranteed outright, but they can be included as a mitigation measure tied to ongoing monitoring and refinement. Mitigation Measure TRA-2 would require YouTube to implement a TDM program resulting in a maximum SOV mode share of 43 percent, which would reduce VMT per Capita levels in compliance with the Project threshold of 21.7 (see the EIR's Transportation Appendix, pages 6–11). YouTube has demonstrated its ability to achieve this reduction through its annual monitoring report from the last 2 years, which shows an SOV mode share of less than 43 percent.

**Significant Effect. [P] Impact C-TRA-1:** After mitigation, the Project, inclusive of the Phase I Development, in combination with past, present, and reasonably foreseeable future projects, would, after mitigation, be consistent with CEQA Guidelines Section 15064.3, subdivision (b) (Project, including Phase I Development. As presented in the *VMT Analysis Results* in Section 3.10, *Transportation* of the EIR, the cumulative with Project condition would result in 26.1 VMT per Service Population. This is higher than the 21.7 VMT per Service Population CEQA threshold (determined by applying a 14.3-percent reduction to the existing regional average) and, consequently, constitutes a significant impact requiring mitigation.

*Findings:* The City hereby makes finding (a)(1) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

*Facts in Support of Findings:*

The following measure mitigates this impact to a less than significant level.

MM-TRA-1: Prepare and implement TDM program.

Mitigation Measure TRA-1 requires an annual monitoring study to be completed by Project Site property owners to ensure that the 21.7 VMT per Capita or 43-percent SOV mode share target is being met. Therefore, with implementation of Mitigation Measure TRA-1, VMT impacts associated with the cumulative Project would result in a less-than-significant impact with mitigation. This differs from Impact TRA-5a, in which the Project is found to have a significant unavoidable impact because TDM measures implemented by Project occupants cannot be guaranteed to meet the VMT reduction target, because the cumulative situation includes changes in surrounding land uses and transit service improvements by 2040 that will make the VMT reduction achievable (see EIR page 3.10-43). Further, because the Phase I Development is a component of the Project, the cumulative analysis for the Project also serves as the cumulative analysis for the Phase I Development.

**Significant Effect. [P] Impact C-TRA-9:** After mitigation, the Project, inclusive of the Phase I Development, in combination with past, present, and reasonably foreseeable future projects, would not substantially increase hazards because of a geometric design feature (e.g., sharp curves, dangerous intersections) or incompatible uses (e.g., farm equipment). A queue analysis was performed at freeway off-ramp termini intersections to evaluate if the Project would result in a queue spillback that would affect the mainline freeway. The addition of the Project would increase queue lengths on freeway off-ramps near the Project Site.

*Findings:* The City hereby makes finding (a)(1) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

*Facts in Support of Findings:*

The following measure mitigates this impact to a less than significant level.

MM-TRA-1: Prepare and implement TDM program.

Implementation of TDM-based Mitigation Measure TRA-1 would reduce trip generation sufficiently to reduce the spill back by at least 40 feet, such that queues from the intersection would fit within the available off-ramp storage capacity.

### 3.3.2.8 Utilities and Service Systems

**Significant Effect. [P] Impact UT-1a:** After mitigation, the Project would not result in the relocation or construction of new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities, with the potential to cause significant environmental effects. A portion of the Project Site located along San Bruno Avenue West between Traeger Avenue and Elm Avenue (within the proposed housing overlay zone) is currently serviced by a 6-inch sewer pipe which may have insufficient capacity to continue serving this area if the Maximum Housing Scenario is implemented.

Implementation of the Project could result in an increase in impervious surfaces from approximately 80 percent (current conditions) to approximately 85 percent with full buildout. Because there are existing storm drain facility deficiencies within and downstream of the Project Site, any increase in impervious surfaces could contribute to an increase in the quantity of stormwater runoff, resulting in a significant impact. While the Project would relocate and upgrade the 72-inch storm drain trunk line located at the eastern edge of the Plan Area, through 1100 Grundy Lane, 950 Elm Avenue, and 999/1001 Bayhill Drive, with either a parallel 72-inch pipeline or an upsized line, as shown in Table 3.11-5, the City's Storm Drain Master Plan notes that adding a second 72-inch pipeline or upsizing the existing 72-inch pipeline within the Project Site would not completely address the storm drain capacity deficiencies that are outside the Project Site.

*Findings:* The City hereby makes finding (a)(1) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

*Facts in Support of Findings:*

The following measures mitigate this impact to a less than significant level.

MM-UT-1: Require Project-specific sewer studies for projects served by the 6-inch sanitary sewer pipe in San Bruno Avenue east of Traeger Avenue.

MM-HWQ-2: Prepare drainage report and implement stormwater control measures to avoid increases in peak flows.

Mitigation Measure UT-1 requires that all future development within the area served by the 6-inch pipeline, which is shown in Figure 3.11-2 of the EIR, conduct project-specific sewer studies as part of project design. Future development within this area would also be required to coordinate with the City to ensure that proposed projects would not exceed sewer system capacity, and incorporate strategies to address potential capacity exceedances if identified. Should future improvements be required to increase pipeline capacity within this area, such improvements would be outside the scope of this EIR analysis and subject to further CEQA review.

It would be overly speculative to require studying the need for improvements to the sewer line segment as part of this EIR, because it is not known how much and what kind of development may occur requiring the pipeline, including whether any housing will be built in that area. Thus deferring the MM-UT-1 study is appropriate in this situation.

Mitigation Measure HWQ-2 would require that applicants for future development within the Project Site prepare drainage reports for City review and approval to demonstrate that post-project flows would not exceed pre-project stormwater flows.

**Significant Effect. [Phase I] Impact UT-1b:** After mitigation, the Phase I Development would not result in the relocation or construction of new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities, with the potential to cause significant environmental effects. The Phase I Development is expected to result in a 1-percent increase in impervious surfaces (from approximately 76 percent impervious surfaces to approximately 77 percent) when compared to current site conditions per the “Hydrology and Water Quality Evaluation for the Bayhill Specific Plan and the YouTube Phase I Office Development” (included in Appendix 3.5-1 of the EIR). Because the City’s storm drain infrastructure is prone to exceedances in the system capacity downstream of the Project Site, inclusive of the Phase I Development, the increased stormwater runoff anticipated from this increase in impervious surfaces would be significant unless mitigated.

*Findings:* The City hereby makes finding (a)(1) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

*Facts in Support of Findings:*

The following measure mitigates this impact to a less than significant level.

MM-HWQ-2: Prepare drainage report and implement stormwater control measures to avoid increases in peak flows.

Mitigation Measure HWQ-2 would require applicants for future development within the Project Site, including the Phase I Development, to prepare drainage reports for city review and approval to demonstrate that post-project flows would not exceed pre-project stormwater flows.

**Significant Effect. [P] Impact C-UT-1:** The Project, inclusive of the Phase I Development, in combination with past, present, and reasonably foreseeable future projects, would not result in the

relocation or construction of new or expanded wastewater disposal and stormwater drainage, with the potential to contribute to significant environmental effects. The “Sanitary Sewer Impact Study for Bayhill Specific Plan Area” (included in Appendix 3.11-3 of the EIR) identified that operational Project-related wastewater flows would not result in adverse cumulative impacts in combination with the other cumulative projects in consideration, with the potential exception of the area served by the 6-inch sewer pipeline in San Bruno Avenue east of Traeger Avenue, discussed above in Impact UT-1.

Project implementation would result in an increase in impervious surfaces onsite from approximately 80 percent to approximately 85 percent, which, when paired with potential increases in impervious surfaces at other nearby project sites, has the potential to cause adverse cumulative stormwater impacts downstream. Because the stormwater system serving the Project Site and downstream areas in San Bruno is prone to exceedances in the system capacity, any of the cumulative projects that contribute to the same stormwater facilities as those that serve the Project Site could further stress the already deficient system. If the Project, in combination with these projects, were to contribute to stormwater drainage facility exceedances beyond existing levels, cumulative impacts would be significant.

*Findings:* The City hereby makes finding (a)(1) (described above), as required by Pub. Res. Code Section 21081 and stated in State CEQA Guidelines Section 15091, with respect to the above identified effect.

*Facts in Support of Findings:*

The following measure mitigates this impact to a less than significant level.

MM-UT-1: Require Project-specific sewer studies for projects served by the 6-inch sanitary sewer pipe in San Bruno Avenue east of Traeger Avenue.

MM-HWQ-2: Prepare drainage report and implement stormwater control measures to avoid increases in peak flows.

Implementation of Mitigation Measure UT-1 would ensure that the Project’s contribution to cumulative impacts in this area is less than cumulatively considerable by requiring that all future development within the area served by the 6-inch pipeline, which is shown in Figure 3.11-2 of the EIR, conduct project-specific sewer studies as part of project design. As explained above, it is appropriate to defer this study. Future development within this area would also be required to coordinate with the City to ensure that proposed projects would not exceed sewer system capacity, and incorporate strategies to address potential capacity exceedances if identified.

Through adherence to Mitigation Measure HWQ-2, the Project, including the Phase I Development, would be required to prepare a drainage report and implement stormwater control measures to avoid increases in peak stormwater flows when compared to pre-project conditions. Additionally, while not necessary to avoid a significant impact, to further minimize demands for stormwater facilities, all future development proposed within the Project Site would also be required to comply with multiple Specific Plan policies that would help manage and reduce potential stormwater outputs, thus reducing the potential for project operation to contribute to exceedances in the storm drain system capacity. Applicable Specific Plan Policies include a requirement that all future development in the planning area achieve at least LEED Silver Certification (Specific Plan Policy 6-15) and incorporate Low-Impact Development (LID) techniques to improve water retainment onsite (Specific Plan Policy 5-16). Although Specific Plan Policy 6-15 is not applicable to the Phase I

Development, the Phase I Development design would meet United States Green Building Council's LEED v4 Silver certification standards). These policies will substantially reduce runoff into the City's existing stormwater facilities.

## 3.4 Findings Regarding the Alternatives

As required by CEQA, the Draft EIR and Final EIR analyze possible alternatives to the Proposed Project, including the No-Project Alternative. With adoption of the Project and approval of the Phase I Development, the City makes the following findings to support its rejection of the three Project alternatives examined in the EIR. Other alternatives were considered and screened out of the range of alternatives analyzed in the EIR for the reasons discussed in Section 5.2 of the Draft EIR, which is hereby incorporated by reference. No alternatives to the Phase I Development were examined, because the Phase I Development was not found to result in any significant unavoidable impacts requiring consideration of alternatives under CEQA.

As noted above, Section 15091 (a)(3) of the State CEQA Guidelines describes that one of the findings that a lead agency can make concerning significant project impacts is that specific economic, legal, social, technological, or other considerations, make infeasible the Project alternatives identified in the Final EIR. In these findings, the decision-making body is making a final determination of feasibility. CEQA Guidelines Section 15364 defines "feasible" as: "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors."

An alternative may have been determined to be potentially technically, logistically, and financially "feasible" in the Final EIR and still ultimately be concluded by the City to meet the definition of "infeasibility" per Section 15091 (a)(3) when all considerations are considered. The final determination of infeasibility "involves a balancing of various 'economic, environmental, social, and technological factors.'" (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417). Where there are competing and conflicting interests to be resolved, the determination of infeasibility "is not a case of straightforward questions of legal or economic feasibility," but rather, based on policy considerations. (*California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001-02). "[A]n alternative that is impractical or undesirable from a policy standpoint may be rejected as infeasible." (*Id.* at p. 1002, citing 2 Kostka & Zischke, Practice Under the Cal. Environmental Quality Act, (Cont. Ed. Bar 2010) section 17.29, p. 824).

The underlying purpose of the Project is to implement a Specific Plan that outlines a cohesive, long-term vision for future development on the Project Site, and ensures that development within the Project Site is integrated into an attractive setting that benefits the Project Site's property owners as well as the broader San Bruno community. Other objectives of the Project include the following:

- Accommodate additional development within the Project Site to take advantage of its proximity to existing mass transit/public transportation and strengthen its role as the city's premier employment hub.
- Enhance the quality of the Bayhill Office Park by replacing surface parking areas with architecturally distinctive buildings constructed of high-quality materials that will contribute to the revitalization of the office park.

- Provide a cohesive vision for future development within the Project Site, recognizing Bayhill's essential nature as a business park/employment center while allowing for residential development in appropriate locations, thereby helping to serve the city and region's housing needs.
- Integrate Bayhill with the greater San Bruno community. Ensure that development is an asset to the community and enhances the area's and the city's image and quality of life.
- Ensure that the neighborhood commercial uses at the Bayhill Shopping Center that serve office park employees and the surrounding neighborhoods are retained.
- Improve multimodal connectivity to and through the Project Site so that walking and biking are safe and enjoyable experiences, and connections to the nearby San Bruno Caltrain and BART stations are strengthened.
- Promote a vibrant and mixed-use walkable district. Foster the creation of an enhanced pedestrian environment and attractive greenways along public streets for the use of city residents and office park employees.
- Promote optimal long-term development patterns and accommodate the expansion needs of existing businesses, while being adaptable to changing economic conditions and business needs.
- Provide adequate parking spaces to accommodate employee and business visitor parking demand thereby ensuring that project parking is accommodated on-site with no spill-over to adjacent neighborhoods.
- Enhance the public realm and promote quality design by incorporating amenities and promoting green building principles.
- Ensure a net positive fiscal impact for the city.
- Assure that new development mitigates its impacts and pays its fair share for infrastructure improvements needed to support the development.
- For the Phase I Development, create approximately 440,000 square feet of new office and accessory space, associated parking, and a multimodal transportation facility to meet YouTube's immediate business needs and allow for future growth.
- For the Phase I Development, design buildings to meet modern tenant needs for building floor plans and site configurations.
- For the Phase I Development, provide amenities that are commensurate with the Phase I Development's density.
- For the Phase I Development, ensure the safety and security of employees through secure access to and between the existing and proposed buildings and outdoor spaces.

### **3.4.1 No-Project Alternative**

Required by CEQA, the No Project Alternative assumes that the Specific Plan is not adopted, existing land uses remain unchanged and in their current physical state, and no new construction occurs within the Project Site. No new structures or subterranean parking garages would be built, and no demolition of existing uses would occur. Existing General Plan land use classifications and zoning districts would be maintained on the Project Site. Despite the EIR determining that the No Project Alternative is the environmentally superior alternative, this alternative is rejected.

*Facts in Support of Findings:* The No-Project Alternative would not meet the project objectives and is rejected for that reason.

### 3.4.2 Residential Alternative

This alternative considers a variation of the proposed Specific Plan that would allow for the development of up to 1,499 new residential dwelling units, 926 more dwelling units than the Project. To accommodate the increased residential density, the amount of net new office uses would be reduced to 1,773,636 square feet compared to 2,459,847 square feet under the Project (or 1,942,896 square feet under the Maximum Housing Scenario). The EIR determined that the Residential Alternative is the environmentally superior alternative (besides the No Project Alternative.) This alternative is rejected as infeasible.

*Facts in Support of Findings:* Under CEQA, a lead agency's determination of infeasibility represents a balancing of competing economic, environmental, social, and technological factors (*California Native Plant Society v. City of Santa Cruz* (CNPS) (2009) 177 Cal.App.4th 957, 1001.), and an alternative that is determined undesirable from a policy standpoint, or found to be inconsistent with the project objectives, may be rejected as infeasible. (Ibid.). The Residential Alternative would be undesirable from a policy standpoint and is therefore infeasible. The Residential Alternative would reduce the amount of net new office uses and would require the extension of the housing overlay zone to greater areas of the office park to accommodate the additional residential dwelling units, thus undermining the Bayhill Office Park's intended use as an employment center providing professional offices and corporate headquarters. The San Bruno General Plan includes several policies intended to strengthen the commercial/office uses of this area, including Policy LUD-G, which promotes infill in the Bayhill Office Park with new professional offices and hotel uses; Policy LUD-51, which promotes the construction of professional and administrative offices on existing surface parking lots in the Bayhill Office Park; and Policy LUD-52, which allows for ancillary commercial uses in Bayhill Office Park to serve employee needs. The reduction in office space and the extension of the housing overlay zone would be in opposition to these policies.

While focused residential uses are not incompatible with the Bayhill Office Park, these uses must be subordinated to the commercial area's intended uses, and in conformance with other city plans and policies aimed at fostering healthy, safe, and livable neighborhoods. The location of the overlay zones in the south portion of the Bayhill Office Park, along San Bruno Avenue west of Elm Avenue, provides the best opportunity to conform with existing plans and policies. San Bruno General Plan Policy T-G aims to protect residential areas from congestion and associated noise resulting from BART and Caltrain spillover traffic. The proposed location of the overlay zones under the Project would be in conformance with this policy, placing residential units at a safe remove, while also providing walkable/bikeable access to BART and Caltrain for future residents. Policy HS-40 aims to protect residents from air traffic related noise, which could affect housing if constructed in the northern portion of the Bayhill Office Park. The overlay zones are at a safe remove from CNEL zones, as well as from roadway noise associated with I-380 and I-280. Additionally, the overlay zones along San Bruno Avenue are in close proximity to existing neighborhoods to the south, providing the best opportunity to integrate the proposed residential uses into existing walkable residential areas and provide access to services such as libraries and schools.

### 3.4.3 Increased Height Alternative

The Increased Height Alternative would allow housing, hotel, and office buildings on the Project Site to reach a height limit of 70 feet/five stories. Office buildings would contain the same total volume but could be taller with smaller bases, enabling more of the site area to be in open space. It is estimated that the Increased Height Alternative would provide approximately 6.5 acres of additional open space compared to the Project. This alternative is rejected as infeasible.

*Facts in Support of Findings:* The Increased Height Alternative would require voter approval of an initiative in order to modify Ordinance 1284 which currently limits heights on the Project Site to three stories. Approval of the initiative is uncertain, because it would require majority approval of city voters at an election held for that purpose. For that reason the City cannot find that implementation of the alternative can be successfully accomplished within a reasonable amount of time.

## 4.1 Introduction

CEQA requires decision-makers to balance the economic, legal, social, technological, or other benefits of a project against its unavoidable environmental 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, the adverse environmental effects may be considered acceptable (State CEQA Guidelines 15093). In this case, the lead agency must state in writing the specific reasons to support its action. This “statement of overriding considerations” shall be supported by substantial evidence in the record, shall be included in the record of the project approval, and should be mentioned in the notice of determination. Pursuant to Section 15093 of the CEQA Guidelines, the following Statement of Overriding Considerations has been prepared for the Project and Phase I Development.

## 4.2 Statements of Fact in Support of Overriding Considerations

The City hereby finds that the following social, legal, environmental and economic benefits of the Project and Phase I Development outweigh the significant unavoidable impacts for the following reasons. These benefits, viewed both individually and collectively, outweigh the significant unavoidable adverse effects of implementing the Project and Phase I Development:

**The Project, including Phase I Development, sets an example of environmental sustainability for future projects.** The Project would incorporate all applicable City- and State-mandated sustainability features, including Title 24, Part 6, California Energy Code baseline standard requirements for energy efficiency, based on the 2019 Energy Efficiency Standards requirements, and applicable building requirements set forth in the 2019 California Green Building Standards Code, commonly referred to as CALGreen.

The Specific Plan would also encourage the incorporation of a variety of sustainability features in all future development projects within the Project Site, including the Phase I Development. These include maximizing natural cooling and passive solar heating through building orientation, designing buildings to incorporate natural light and ventilation, using sustainable building and paving materials, and promoting recycling and composting programs.

The intensification of office uses in the Specific Plan area would further enhance the environmental sustainability of future projects as the office park is located in a transit-rich area, with access to regional transportation and transit facilities. The San Bruno BART Station and San Bruno Caltrain Station are both in close proximity, approximately a half-mile northeast and a third-mile east, respectively. As the Specific Plan area is currently occupied by predominately commercial uses, the intensification of these uses would mean less commercial development elsewhere, conserving undeveloped land and intensifying the uses of existing facilities and transportation infrastructure.

**The Project, including Phase I Development, sets an example for future major projects to incorporate traffic demand management (TDM) strategies, thereby reducing vehicle miles travelled within the community.** To ensure that all future tenants implement TDM strategies, the Specific Plan includes policies that require applicants of all new development to implement a TDM program or join a transportation management association (TMA) to reduce single occupancy travel to the Plan Area. All TDM programs are required to include a designated TDM coordinator to facilitate programming and monitoring activities, and program coordinators are required to conduct annual travel surveys to evaluate program effectiveness and report their results to the City.

Reducing VMT is important to meeting greenhouse gas reductions needed to moderate climate change impacts, consistent with California's commitment to fighting climate change. The 2017 Scoping Plan adopted by the California Air Resources Board is California's key document setting out state policies in the fight against climate change. The 2017 Scoping Plan states:

While most of the GHG reductions from the transportation sector in this Scoping Plan will come from technologies and low carbon fuels, a reduction in the growth of VMT is also needed. VMT reductions are necessary to achieve the 2030 target and must be part of any strategy evaluated in this Plan. Stronger SB 375 GHG reduction targets will enable the State to make significant progress toward this goal, but alone will not provide all of the VMT growth reductions that will be needed. There is a gap between what SB 375 can provide and what is needed to meet the State's 2030 and 2050 goals.

**The Project, including Phase I Development, would significantly contribute to community goals through participation in the Community Benefit Program.** The project would allow for approximately 1.9 million additional square feet of net new office development, or an increase of 92 percent over existing and already-allowed development. As this increase in allowable office square footage creates additional value for the developer and landowner, a Community Benefit Program has been developed to enable the city to capture a portion of the value it has created for the purposes of advancing community goals, over and above those required by existing City requirements or policies. Under the Community Benefit Program, a Community Benefit contribution of \$35 per square foot of gross building space above existing allowable amount would be required for office development. A Community Benefit contribution of \$10 per net square footage would be required for market rate residential development. With the approval of the project, the City as a whole would gain from the community benefit contributions which could be used to fund public facilities or further community goals (e.g. affordable housing, community services, open space and recreation amenities). If the project were not approved, the City would not benefit from the Community Benefit Program and the additional sources of funding.