

VII. CEQA-REQUIRED ASSESSMENT CONCLUSIONS

As required by CEQA, this chapter discusses the following types of impacts that could result from implementation of the proposed project: growth-inducing impacts; significant irreversible changes; cumulative impacts; effects found not to be significant; and unavoidable significant effects.

A. GROWTH INDUCEMENT

A project is considered growth-inducing if it would directly or indirectly foster substantial economic or population growth, or the construction of additional housing.¹ Examples of projects likely to have significant growth-inducing impacts include extensions or expansions of infrastructure systems beyond what is needed to serve project-specific demand, and development of new residential subdivisions or industrial parks in areas that are currently only sparsely developed or are undeveloped. Typically, redevelopment projects on infill sites that are surrounded by existing urban uses are not considered growth-inducing because redevelopment by itself usually does not facilitate development intensification on adjacent sites.

Implementation of the proposed Master Plan would result not result in direct population growth because the Master Plan would not result in the development of new housing units. The proposed project would likely result in indirect population growth, but it would not be substantial in the context of population growth projected to occur in Foster City. Project-associated indirect population growth would occur as a result of the construction of up to 571,326 square feet for new office and laboratory space and the associated creation of up to 1,900 new jobs on the project site. As described in Section IV.B, Population, Employment and Housing, the creation of these jobs could cause new employees to move to Foster City, thereby inducing some population growth. The creation of 1,900 new jobs on the campus would cause approximately 190 employees to relocate to Foster City (based on the housing trends of existing Gilead employees), and would require 190 housing units to meet this increased demand. The projected housing units expected to be constructed in Foster City in the near term would more than satisfy the demand associated with the proposed project. As such, the proposed Master Plan would not induce substantial growth in Foster City.

In addition, the proposed project would occur on an infill site in an existing urbanized area in Foster City, and as such would not require the extension of utilities or roads into undeveloped areas, and would not directly or indirectly lead to the development of greenfield sites on the Peninsula. Because the project site is located within an existing urbanized area and is served by transit, anticipated employment growth could reduce adverse impacts associated with automobile use, such as air pollution. Therefore, the growth that would occur as a result of Master Plan implementation would not be considered substantial or adverse.

¹ *CEQA Guidelines*, 2007. §15126.2(d).

B. SIGNIFICANT IRREVERSIBLE CHANGES

An EIR must identify any significant irreversible environmental changes that could result from implementation of a proposed project. These may include current or future uses of non-renewable resources, and secondary or growth-inducing impacts that commit future generations to similar uses. CEQA dictates that irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.² The *CEQA Guidelines* describe three distinct categories of significant irreversible changes: 1) changes in land use that would commit future generations; 2) irreversible changes from environmental actions; and 3) consumption of non-renewable resources.

1. Changes in Land Use Which Would Commit Future Generations

The Master Plan would be implemented on a site that already contains a biopharmaceutical campus, and the mix of uses that would be developed in the Master Plan area would reflect land uses that currently exist on the site. The land use pattern that would be developed by the Master Plan is one that would allow for change as business conditions for Gilead Sciences evolve. In addition, it is conceivable that after Master Plan buildout the project site could be used for a range of land uses. The buildings and open space areas that are anticipated as part of the Master Plan would be suitable candidates for eventual adaptive reuse or further redevelopment. Therefore, the Master Plan would not result in changes in land use that would commit future generations to a poor use of resources.

2. Irreversible Changes From Environmental Actions

No significant irreversible environmental damage, such as what could occur as a result of an accidental spill or explosion of hazardous materials, is anticipated due to redevelopment activities associated with implementation of the Master Plan. Compliance with federal, State and local regulations, and the mitigation measures identified in Section IV.F, Hazards and Hazardous Materials, would reduce to a less-than-significant level the possibility that hazardous substances within the Master Plan area would cause significant environmental damage.

Beyond the potential irreversible effects of accidental hazardous substances releases, there are no other design or operational features of the Master Plan or its anticipated development that would lead to irreversible changes on the site.

3. Consumption of Nonrenewable Resources

Consumption of nonrenewable resources includes conversion of agricultural lands, loss of access to mining reserves, and use of non-renewable energy sources. The project site is located within an urbanized area of Foster City. No agricultural lands exist on the project site; therefore none would be converted to non-agricultural uses. In addition, the site does not contain known mineral resources and does not serve as a mining reserve; thus, implementation of the Master Plan would not result in the loss of access to mining reserves.

Implementation of the Master Plan would increase the use of electricity, natural gas, and possibly other forms of energy. New buildings constructed on the site would likely be more energy efficient than existing buildings. However, new structures (and up to 1,900 new employees on the site) would substantially increase consumption of nonrenewable fuel sources. Implementation of Mitigation

² *CEQA Guidelines*, 2007. §15126.2(c).

Measure GCC-1 would ensure that the Master Plan uses nonrenewable fuel sources efficiently, and would encourage the substitution of renewable fuel sources (e.g., wind turbines and photovoltaic cells) for nonrenewable sources. With implementation of Mitigation Measure GCC-1 along with compliance with State Title 24 energy efficiency standards, the proposed Master Plan would not result in a significant increase in the consumption of nonrenewable resources.

C. EFFECTS FOUND NOT TO BE SIGNIFICANT

Based on preliminary research and discussions with City staff, several environmental topics (including agriculture, biological resources, mineral resources, shade and shadow, and wind) were determined to not be associated with significant environmental effects. Each of these topics is discussed briefly below.

1. Agricultural Resources

The project site is developed with commercial and industrial uses and is located in an urban area. Prior to the creation of Foster City through filling of the San Francisco Bay, the site was open water. Therefore, impacts to agricultural resources would not be significant.

2. Biological Resources

The project site is developed with buildings, parking lots, and landscaping, and has low biological value. Buildout of the proposed project would require the removal of some trees on the campus; however, wildlife species that would be expected to use or pass through the site are common species that are adapted to urban and suburban conditions, and would not be substantially adversely affected by buildout of the Master Plan. No habitat for candidate, sensitive, or special status species has been identified on the site. In addition, the ecological value of Vintage Lake and San Francisco Bay would not be adversely affected once mitigation measures recommended in Section V.E, Hydrology and Water Quality, are implemented.

3. Mineral Resources

There are no known mineral resources within the project site. Therefore, impacts to mineral resources would not be significant.

4. Shade and Shadow

Buildings constructed as part of the Master Plan would not exceed 162 feet in height. In the summer, as the sun rises in the east, morning shadows are cast to the west. As the sun moves higher across the sky, shadows decrease until noon, and then extend generally to the east as the sun sets in the west. In the winter, the sun is lower in the sky (to the south) and the shadows cast are greater. As the sun rises in the east, shadows are cast to the west-northwest. As the sun moves across the sky, shadows move from the west-northwest in the morning, to the north at noon, and to the east-northeast as the sun sets. The tallest buildings in the project site would be located near Vintage Lake, which would provide a buffer between the buildings and the existing development to the east of the project site. Due to Vintage Lake and roadways surrounding the site, the project is not likely to substantially increase shade or shadow cast on surrounding development. Residential land uses in the project site vicinity are approximately 315 feet west of the project site, across Mariners Island Boulevard, and would not

be substantially affected by morning shade cast by new three- to ten-story buildings. Building design would be considered during the use permit process. Shadow diagrams may be required as part of the design analysis; however, potential impacts as a result of increased shade or shadow are not anticipated to be significant.

5. Wind

No significant wind-related impacts were identified based on the conceptual building plans submitted as part of the Master Plan. However, specific building designs and configurations would be evaluated by City staff for effects on wind patterns upon submittal of specific plans by the project sponsor.

D. SIGNIFICANT UNAVOIDABLE IMPACTS

The proposed project would result in the following significant and unavoidable impacts:

- Conflicts with transportation and noise policies adopted for environmental protection;
- Unacceptable congestion at the intersection of Foster City Boulevard and Marlin Avenue under cumulative conditions; and
- Unacceptable noise levels during the construction period.

E. CUMULATIVE IMPACTS

CEQA defines cumulative impacts as “two or more individual effects which, when considered together, are considerable, or which can compound or increase other environmental impacts.” Section 15130 of the *CEQA Guidelines* requires that an EIR evaluate potential environmental impacts when the project’s incremental effect is cumulatively considerable. “Cumulatively considerable” means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. These impacts can result from a combination of the proposed project together with other projects causing related impacts. The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects.

1. Methodology

When evaluating cumulative impacts, CEQA allows the use of either a list of past, present, and probable future projects, including projects outside the control of the (lead) agency, or a summary of projections in an adopted planning document, or a thoughtful combination of the two. This EIR bases its cumulative analysis on the development assumptions used to generate the cumulative traffic scenario in Section V.G, Transportation and Circulation. This cumulative analysis includes a list of projected projects (see Table V.G-5), including: full utilization of vacant buildings; development of approved but not yet constructed projects; development of projects currently under review (including the Mirabella and Chess Hatch projects); and development of other projects that would occur with buildout of the General Plan.

2. Cumulative Effects of the Proposed Project

Potentially significant cumulative impacts to which the proposed project may contribute are discussed below for each topic evaluated in Chapter V.

a. Land Use and Planning Policy. In terms of cumulative impacts, land use compatibility can be discussed in terms of short-term and long-term impacts. Short-term impacts occur during construction and primarily affect existing sensitive land uses, such as hospitals, schools, and residential development near the construction site. These impacts include the noise and dust generated by grading and excavation activities and the use of heavy machinery, and the use of hazardous materials such as solvents. These specific impacts are discussed in greater detail in Sections V.E, Hazards and Hazardous Materials; V.H, Noise; and V.I, Air Quality, of this EIR.

Locating incompatible land uses within close proximity of one another also creates the potential for long-term conflicts between various types of land uses. The proposed project would redevelop a portion of the site developed with 629,154 square feet of office and research and development laboratory uses with up to 571,326 square feet of new interior office and laboratory building space. The proposed project would not introduce any new land uses to the project site, but would increase the intensity of development. However, an increased intensity of uses would not be incompatible with the existing surrounding development pattern. In addition, land uses proposed for the project site would also be internally compatible. As such, operation of the proposed project would not result in long-term land use impacts in conjunction with other planned development. Projects included in the cumulative analysis would all be required to conform to General Plan policies and to applicable design guidelines that are intended to minimize land use conflicts. While the proposed project and cumulative projects would result in land use changes, such changes are generally consistent with the City's goals and policies that are found in the General Plan. The project would conflict with traffic and noise policies adopted for environmental protection. These policy conflicts would be significant and unavoidable, and thus would be considered cumulatively considerable.

b. Visual Resources. The proposed project would alter existing views of scenic vistas within the vicinity of the project site, including views of the distant mountains. However, changes to scenic views would be considered less than significant. Therefore, the proposed project would not make a significant cumulative contribution to the obstruction of scenic views in Foster City. The project site and vicinity consist of a developed, mixed-use, suburban area, and redevelopment or expansion of existing development in this area would not adversely alter the visual character of the area. Other projects in Foster City would be designed or conditioned, in accordance with City policies, to avoid significant visual impacts; therefore, no significant cumulative impact to visual resources is expected as a result on future planned development activities. Although the proposed project and future projects in the vicinity of the site could increase light and glare in the area, the City's General Plan includes goals and policies related to design review, which govern the use of reflective materials and outdoor lighting. With implementation of Mitigation Measure VIS-1, the proposed project would not make a substantial cumulative contribution to light and glare.

c. Population, Employment and Housing. As discussed in Section V.B, Population, Employment and Housing, the proposed project would not cause a substantial amount of population growth in Foster City or in San Mateo County. Buildout of the Master Plan would result in approximately 190 new residents in Foster City, based on existing Gilead employee housing trends. The approved and foreseeable development along with the proposed Master Plan would increase

population and employment in Foster City and San Mateo County. However, since the proposed Master Plan would not result in substantial population growth, it would not result in significant adverse cumulative population impacts.

The proposed Master Plan, in conjunction with other projects, would increase employment in the City. The 1,900 jobs created by the proposed Master Plan would be within the job growth projected for the City between 2005 and 2035 by ABAG. It is anticipated that jobs created by the other proposed projects would also be within ABAG's projected job growth for the City. Therefore, the proposed Master Plan would result in less-than-significant cumulative impacts to employment.

Based on housing patterns of existing Gilead Sciences employees, approximately 10 percent of future employees (190) generated by the Master Plan would be expected to live in Foster City. This would correlate to an increased demand for housing units in the City. In conjunction with other office and commercial development projects, housing demand would be expected to increase. The ABAG housing forecast for the City shows an increase of 1,180 units by 2035, which would be able to meet any additional demand for housing created by the proposed Master Plan and other proposed projects.

Therefore, buildout of the proposed Master Plan and other office and residential projects in Foster City would have a less-than-significant cumulative impact on population, employment, and housing.

d. Geology, Soils and Seismicity. The proposed project would not contribute considerably to any cumulative impacts related to geology. Development of the Master Plan in conjunction with other cumulative development would increase the number of individuals that could be exposed to regional seismic risks in the seismically active San Francisco Bay Area. In addition, new structures could be built on areas of man-made fill, unstable soil, expansive soil and/or corrosive soil. However, these impacts are generally confined to specific development sites and are not expected to be significant once incorporation of standard geotechnical mitigation measures have been implemented.

e. Hydrology and Water Quality. Construction of the Master Plan, in combination with other development projects, could increase storm water runoff volume and the amount of contaminants carried in the runoff, adversely affecting the waters of the San Francisco Bay. Project-specific mitigation measures required for each of the projects would be incorporated into their design and operation so as to reduce impacts to flooding and water quality to a less-than-significant level. Grading and drainage features are required to be designed in accordance with City of Foster City Design Criteria. Project proponents are required to prepare Stormwater Pollution Prevention Plans (SWPPPs) to reduce potential impacts to surface water quality through the construction period of the project. In addition, the City ensures that project designs include operational Best Management Practices to reduce potential impacts to surface water quality associated with operation of projects. No significant unavoidable impacts related to hydrology and water quality would result from construction or operation of the proposed project, and the project would not contribute to any cumulative hydrology and water quality impacts.

f. Hazards and Hazardous Materials. As discussed in Section V.F, Hazards and Hazardous Materials, development of the project site could expose construction workers and/or the public to hazardous materials releases during and following demolition and construction activities. Cumulative projects within the vicinity of the site may also result in similar releases; however, the implementation of standard mitigation measures regulating construction practices and the requirements for

individual site assessments and abatement activities, where necessary, would ensure that hazardous materials releases occurring during construction periods do not combine to create a cumulatively considerable effect.

g. Transportation and Circulation. Cumulative traffic operations are discussed in detail in Section V.G. Transportation and Circulation. Under cumulative conditions, the proposed Master Plan would contribute to unacceptable operations at the intersection of Foster City Boulevard and Marlin Avenue. This cumulative impact would be significant and unavoidable after implementation of Mitigation Measure TRANS-1.

h. Noise. The project would contribute to traffic noise level increases under cumulative conditions; however, these increases are anticipated along roadway segments without sensitive receptors. Cumulative traffic volumes were reviewed to calculate future buildout traffic noise levels and the project's relative contribution to noise levels along roadway segments where noise levels would be substantially increased. Development envisioned under the Master Plan would contribute a "cumulatively considerable" increase in noise (1 dBA DNL or more) to cumulative noise level increases of 3 dBA DNL or more anticipated along the following roadway segments: East Third Avenue; between Mariners Island Boulevard and Lakeside Drive; along Lakeside Drive south of East Third Avenue; and along Vintage Park Drive, between Lakeside Drive and Chess Drive. No noise sensitive land uses were identified along these affected roadway segments, and the cumulative traffic noise impact would be less-than-significant. However, the proposed project would make a significant cumulative contribution to the noise environment during the construction period because the project-specific impact would be significant (and could occur in conjunction with other planned development in the area, including on the EFI campus to the north of the project site).

i. Air Quality. The proposed project would contribute to local carbon monoxide concentrations and regional pollution levels. However, these contributions would be less than significant. Construction activities would result in short-term PM₁₀ (including PM_{2.5}) and exhaust emissions. Depending on construction schedules and actual implementation of projects in the area, generation of fugitive dust and pollutant emissions during construction may result in substantial short-term increases in air pollutants. However, each individual project would be subject to the BAAQMD rules and regulations, and other mitigation requirements designed to reduce construction period pollutant emissions. The BAAQMD has established thresholds of significance for ozone precursors and fugitive dust of 80 pounds per day. The operational emissions that would be generated by the Master Plan would not exceed these thresholds of significance for reactive organic gases, nitrogen oxides, or particulate matter and would not constitute a cumulatively considerable contribution. In addition, the proposed project would not conflict with the Clean Air Plan.

j. Public Services, Utilities and Recreation. The proposed project and cumulative projects would increase the demand for police, fire, school, and recreation services. These services are subject to an annual budgeting process during which service priorities are established and service levels monitored, allowing for adjustments where needed. According to correspondence with the City, the FCPD would likely need to hire one additional officer due to demand associated with the proposed project and other foreseeable projects, but additional staffing would not result in physical environmental effects. No cumulative impacts to these services are anticipated that would result in adverse physical impacts associated with the maintenance of service standards.

The proposed project and cumulative development projects would increase water demand in Foster City. According to the Water Supply Assessment (provided in Appendix E of this Draft EIR) buildout of the proposed Master Plan in conjunction with other development projects currently under review in Foster City would result in a net water demand of 432 acre-feet per year. In 2010, the anticipated water supply is 6,945 acre-feet. Taking into account other anticipated demand in the service area, a net surplus of 335 acre-feet of water supply is expected. Table VII-1 shows the total system demand projected for EMID, including the demand from the cumulative projects, compared to the projected water supply.

Table VII-1: Total System Demand and Supply (acre-feet/year)

	2010	2015	2020	2025	2030
System Demand Projections	6,178	6,339	6,478	6,523	6,569
Net Demand from Proposed Projects	432	432	432	432	432
Total System Demand	6,610	6,771	6,910	6,955	7,001
Annual Supply	6,945	7,057	7,281	7,505	7,616
Annual Difference	335	286	371	550	615

Source: Foster City, City of, Estero Municipal Improvement District, 2008.

Table VII-1 shows that the supply allocations would be able to meet total system demand during normal water years. The Water Supply Assessment (Appendix E) also found that during multiple dry years, there would continue to be sufficient supplies to meet all cumulative demand, including the net additional demand generated from the proposed projects in the next 25 years, if EMID implements mandatory demand reduction measures.

The proposed project and cumulative development projects would also increase demand for wastewater services and other utilities in Foster City. Since development of the proposed project would not result in significant impacts to existing wastewater and other infrastructure, buildout of the Master Plan would not have a cumulatively considerable impact on wastewater infrastructure and services and other utilities. Therefore, the proposed Master Plan would result in a less-than-significant impact to water supplies and other utilities and infrastructure.

k. Global Climate Change. Climate change is a global environmental problem in which any given development project contributes only a small portion of any net increase in global greenhouse gasses. Therefore, climate change is strictly a cumulative impact. Greenhouse gas emissions would be generated by the proposed project in the short- and long-term, and could interfere with the greenhouse gas emissions reductions planned as part of Assembly Bill 32. However, the project's potential conflicts with AB 32 and other State goals and policies relating to climate change would be reduced to a less-than-significant level with the implementation of Mitigation Measure GCC-1.

l. Cultural and Paleontological Resources. The proposed project is considered unlikely to result in significant impacts to archaeological and fossil resources (due to the presence of fill on the site), and would not make a significant contribution to the cumulative loss of these resources.