
III. RESPONSES TO COMMENTS

A. INTRODUCTION

This section contains written responses to each of the written and oral comments on the Draft EIR (refer to subsection III.B) received during the public review period. Each piece of correspondence and each transcript is keyed with a letter, and individual comments are delineated and keyed with numbers. The correspondence and transcripts are contained in Appendix 1.0 of this document. The responses to the individual comments are provided below and are listed in alphabetical and numerical order. Text changes resulting from comments and staff-initiated changes to the Draft EIR are presented in this section as part of the responses. All text changes are presented in Section IV (Revisions to the Draft EIR).

B. RESPONSES TO COMMENTS ON THE DRAFT EIR

TOPICAL RESPONSES

The following are topical responses to comments related to commonly occurring issues raised in the oral and written comments:

1. Traffic Interim Thresholds of Significance

The project's impacts related to traffic were evaluated according to the City of Pacifica level-of-service standard and thresholds of significance for determining significant intersection impacts. The City's thresholds of significance were established based on careful review of the thresholds of significance being used by 12 other cities in San Mateo County and based on review by traffic consultants with knowledge and expertise of traffic conditions and patterns in the City. Based on this review, the thresholds of significance recommended for use in the City include both delay and volume-to-capacity components. The delay component is a measure of effectiveness (MOE) that is easily measured and understood by motorists. The V/C component is a MOE that equitably assesses impacts due to traffic added to an intersection, even those operating with high delays. The delay component of the level of service methodology sometimes behaves in an unstable manner for intersections operating near capacity, and a small increase in volume can result in a disproportionately large increase in the calculated delay. By incorporating V/C into the thresholds, small volume increases would result in proportionally small V/C ratio increases, ensuring that impacts are accurately identified. The use of the V/C ratio as one of the MOE's for the thresholds of significance is very common among cities in the Bay Area. This is a very stable method for assessing volume increases at an intersection. The threshold of significance used by Pacifica is consistent with Appendix G of the CEQA Guidelines which suggests that a project may cause a significant traffic impact if the project causes an "increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system."

Based on the City's thresholds of significance, a significant project impact would occur at an intersection already operating at LOS F if the addition of project traffic causes both the critical-movement delay at the

intersection to increase by one (1) or more seconds and the demand-to-capacity ratio (V/C) to increase by more than 0.010. For intersections already operating at LOS E, a significant impact would occur if the addition of project traffic causes both the critical-movement delay at the intersection to increase by two (2) or more seconds and the V/C ratio to increase by more than 0.010. The City's thresholds require that both the delay change and the V/C change fall above the thresholds to consider an impact significant.

It is important to note that the delay thresholds cited above are significantly more conservative than most other cities in the Bay Area. A change in delay of four or five seconds is a very common threshold in the Bay Area.

The level of service results under project and cumulative plus project conditions for the project indicate that the delay threshold would be exceeded at both the SR 1/Fassler Avenue and SR 1/Reina del Mar intersections. However, the volume of traffic added to these intersections would not be high enough to cause the V/C ratio to increase beyond the threshold. Therefore, the project impacts (both near-term and cumulative) at the two study intersections on Highway 1 are classified as less than significant and mitigation would not be required by CEQA.

The project would add 33 AM peak-hour trips and 41 PM peak-hour trips to the roadway network during the morning and evening commute hours, respectively. The traffic impacts of these additional trips on the roadway network were evaluated using accepted methodologies and the City's level-of-service standard and thresholds of significance, and found to not cause any significant impacts.

The City of Pacifica has developed thresholds of significance that are stricter for intersections that operate at gridlock (LOS F conditions) than for intersections that are more free-flowing, recognizing that drivers have a lower tolerance for longer delays when intersections are already at gridlock. The City's thresholds also recognize that it is not the responsibility of new development projects to mitigate existing level of service deficiencies. Based on the City's thresholds, the relatively small amount of peak-hour traffic added to Highway 1 by the proposed project would not cause a significant impact.

2. Traffic Hazards Related to a Design Feature

Construction of the project would not change or affect the design of Fassler Avenue, such that a safety problem would be created. The project applicant has worked with City staff to ensure that the design of the project driveway complies with City and Caltrans design standards for safety and operations. As such, as illustrated in the exhibit included in Appendix 2.0, the driveway would safely and efficiently handle project traffic with little disruption to Fassler Avenue traffic. The addition of the project driveway on Fassler Avenue would not introduce any sharp curves or sight distance deficiencies to Fassler Avenue. The character of Fassler Avenue would not be changed with the addition of the proposed project driveway, as the driveway design would be similar to other existing driveways and intersections on Fassler Avenue.

The project driveway would be located on a relatively straight section of Fassler Avenue, between horizontal curves. As such, the sight distance for vehicles leaving the site is sufficient to allow traffic to safely exit the site.

Several commenters cited perceived safety problems or hazardous conditions on Fassler Avenue. In order to gain perspective as to the relative severity of a potential safety problem associated with a particular roadway segment, accident rates must be calculated. Traffic accident data were obtained from the City of Pacifica Police Department to conduct an accident analysis for Fassler Avenue near the project site. The accident data provided include the accidents on Fassler Avenue from Roberts Road to Driftwood Circle from March 5, 2000 to March 24, 2007 (a period of about 7.05 years). The segment of Fassler studied has a length of 0.614 miles. The accident data show that a total of 34 traffic accidents occurred along the study segment of Fassler Avenue during the 7.05-year period. Based on 24-hour traffic counts collected on Fassler Avenue at the project driveway, it is estimated that there are about 3.15 million vehicle-miles of travel along the study segment each year. Over the last 7.05 years, this totals to approximately 22.21 million vehicle-miles of travel. The current traffic volume and accident experience on the route equate to an accident rate of 1.53 traffic accidents per million vehicle-miles of travel. The measured accident rate for the study segment was compared to the state-wide average accident rate for similar roadways in California. The state-wide average accident rate was obtained from data contained in *2002 Accident Data on California State Highways* published by the California Department of Transportation. It should be noted that the state-wide average rates are not a standard to which all facilities in the State should operate. Instead, they provide an average accident rate for all roadway facilities in the State for relative comparison. Statewide, similar roadways average about 1.68 traffic accidents per million vehicle-miles of travel based on the data from Caltrans. The measured accident rate on the study route is lower than the statewide average. Therefore, the study segment of Fassler Avenue does not have an accident history that would indicate that it is less safe than any other similar roadway in the state, and the additional traffic added to Fassler by the proposed project would not have any significant traffic safety impacts.

With respect to the configuration of the access into the project, the design of the project driveway has been updated since the Draft EIR for the project was circulated in order to further reduce the already insignificant impact of the proposed project on traffic. The modification to the driveway design was focused mainly on maintaining the two existing westbound travel lanes on Fassler Avenue in front of the proposed driveway. This was accomplished by eliminating the proposed westbound right-turn pocket from Fassler Avenue into the project site, and by carrying the two westbound travel lanes through the intersection. As a result, an exclusive westbound acceleration lane for outbound right-turn traffic would not be provided. Outbound right-turns from the project site would merge with westbound Fassler Avenue traffic as gaps in traffic permit. Intersection sight distance at the proposed driveway is sufficient to allow the outbound right-turn movement to proceed safely. Therefore, with the currently proposed driveway design, the construction of the project driveway would not affect the westbound travel lanes. There would still be two westbound lanes at the location of the project driveway. To make room for a left-turn pocket into the project site, the lane drop on eastbound Fassler Avenue would be moved a few hundred feet to the west. Moving the location where eastbound Fassler Avenue transitions from two lanes to one would not affect traffic operations on Fassler Avenue because the design of the driveway intersection would not

change the character of Fassler Avenue or reduce the capacity of the eastbound lane drop. The driveway from the project site would be controlled by a stop sign. Refer to Appendix 2.0 of the Final EIR for an updated exhibit illustrating lane configuration and site access for the proposed project.

The project driveway design and frontage improvements include adding an eastbound left-turn pocket for traffic turning left into the site from Fassler Avenue. This pocket would provide a refuge area for inbound left-turn traffic to wait for a gap in westbound traffic before entering the site. With the addition of the eastbound left-turn pocket on Fassler Avenue at the project driveway, traffic progression on eastbound Fassler Avenue should be unaffected by traffic turning into the project site.

3. Use of Amphitheatre

The proposed amphitheatre would be a small gathering area for the residents of the project and their invited guests. Language in the Covenants, Conditions and Restrictions (CC&Rs) would declare that the space is only for the use of the project residents, outside events are not permitted, sound amplification equipment is prohibited, and that excessive lighting would not be allowed. The amphitheatre would not likely cause an increase in crime or additional garbage on the roads because it would solely be for the use of the project residents and invited guests. In addition, noise complaints are typically addressed to the community, or if they are after hours or not met with an appropriate response, to local police. With the prohibition of sound amplification equipment, noise from the proposed project would not likely be a problem.

With respect to parking for amphitheatre use, as discussed on page IV.F-10 (Traffic/Circulation) of the Draft EIR, the City of Pacifica Zoning Code (Article 22.5, Sec. 9-4.2259) requires all single-family detached units to provide two covered and two uncovered parking spaces per unit and all single-family attached units to provide two covered and one-half uncovered parking spaces per unit. In addition, the City of Pacifica Zoning Code also requires a minimum of one guest space for every ten units. With 17 single-family detached units and 17 single-family attached units, the project meets the required 115 parking spaces by providing 112 covered parking spaces and three uncovered parking spaces. The project would provide sufficient parking for project residents and their invited guests, including anyone who is invited to participate in the use of the amphitheatre.

The amphitheatre would have two uses; it would be used for recreational purposes by residents during times when it is not serving as the final collection point for all other on-site water detention features. There would be more water on the site during rainy winter months, which is also the time when the amphitheatre would be less likely to be used by the community. The water level would retreat, possibly to zero, as the warmer months of summer and especially autumn progress, and as the water is used for landscaping.

4. Recirculation of the Draft EIR

Recirculation of the Draft EIR is not required under CEQA. *CEQA Guidelines* § 15088.5 provides direction for EIR recirculation prior to certification of the Final EIR:

A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term “information” can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. “Significant new information” requiring recirculation include, for example, a disclosure that:

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.*
- (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.*
- (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project’s proponents decline to adopt it.*
- (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.*

CEQA Guidelines § 15088.5 (b) provides that:

Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications to an adequate EIR.

Responses to comments provided in this document address environmental issues raised by commenting public agencies, private organizations and individuals. In some instances, additional or modified text, maps or other graphical material regarding the project description or potential project impacts has been provided in response to specific queries. For the most part, this new material may be found as additional information in Section IV (Revisions to the Draft EIR) of the Final EIR. This new information has been provided merely to clarify or amplify information in the Draft EIR. The new information does not reveal that the proposed project would cause new significant impacts not previously identified in the Draft EIR. A review of the new information indicates that there would not be a substantial increase in the severity of an environmental impact discussed in the Draft EIR. Furthermore, no significant new information has been presented that changes the Draft EIR in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the proposed project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the proposed project’s

proponents have declined to implement. Therefore, in accordance with *CEQA Guidelines* § 15088.5 (b), no recirculation of the Draft EIR is required.

5. *Aesthetic Impacts Already Identified as Significant and Unavoidable in the Draft EIR*

Many of the comments received related to the aesthetic impacts of the proposed project. By assigning a significant and unavoidable level of significance to aesthetic impacts, the Draft EIR used a conservative basis for analysis. When an ironclad definition of a significant effect is not possible, the lead agency, in accordance with CEQA § 15064, in determining whether an effect will be adverse, shall consider the views held by members of the public in all areas affected. Based on the project components and the location of the project site, the Draft EIR determined that aesthetic impacts could not be reduced to a less-than-significant level and, thus, would be significant and unavoidable. In light of this conclusion in the Draft EIR, to reduce the project's aesthetic impacts, the project applicant proposed the following mitigation measure, which will be added to pages II-5 and IV.A-23 the Draft EIR:

“Mitigation Measure IV.A-3: Relocation of Units # 1-4

To reduce impacts related to Aesthetics, Unit # 1 (the unit nearest Fassler Avenue) shall be moved to the southeast of the parking garage; Units # 2-4 shall be moved northwards towards the amphitheatre; and the height of Unit # 2 shall be limited to one story.”

As a result of this mitigation measure, the aesthetic impacts of the project would be substantially lessened. As compared to the project analyzed in the Draft EIR, this proposed development will not come into view for motorists traveling down Fassler Avenue (westbound) until later, and, when it does appear, it will block less of the scenic vista for a shorter time. Nonetheless, the proposed project as mitigated will still have a significant and unavoidable impact on a scenic vista and scenic resources. The view from Fassler Avenue looking up at the proposed project (eastward) would not change significantly with the additional mitigation.

Considering this significant and unavoidable impact and in accordance with CEQA § 15093(a) the decision-making body must balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable impacts when determining whether to approve the project.

This mitigation measure would not create any new unmitigated significant impacts. The implementation of this mitigation measure would not change the development footprint of the project in any significant way. Relocating Units # 1-4 may require some additional incursion into coastal scrub habitat, but the affected area has been disturbed in the past. Moreover, coastal scrub habitat is not considered a sensitive natural community type by the California Natural Diversity Data Base of the California Department of Fish and Game. Application of Mitigation Measure IV.B-2 (Special Status Mammal Species) would mitigate any potential impacts to dusky-footed woodrats by requiring a preconstruction trapping and relocation program. Further, implementation of these changes to the project could result in increased impacts to geology and soils or hydrology and water quality, but application of Mitigation Measures

IV.D-1 through IV.D-4 related to seismic hazards and Mitigation Measures IV.E-1 through IV.E-3 related to water quality would ensure that impacts from Mitigation Measure IV.A-3 (Relocation of Units # 1-4) remain less than significant.

LETTER A: CALIFORNIA DEPARTMENT OF FISH AND GAME (CHARLES ARMOR)

Response to Comment A-1

This comment advises that the project may result in changes to fish and wildlife resources and, therefore, an environmental filing fee is required to be paid prior to filing the Notice of Determination (NOD) of this project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment A-2

This comment advises that Comment A-1 is not a comment by the Department of Fish and Game (DFG) on the significance of project impacts or mitigation measures contained in the Draft EIR. Therefore, no further response is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment A-3

This comment contains contact information, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER B: DEPARTMENT OF TRANSPORTATION (TIMOTHY C. SABLE)

Response to Comment B-1

This comment introduces ensuing comments, which are discussed in detail in Responses to Comments B-2 through B-5.

Response to Comment B-2

Refer to Topical Response 1.

Response to Comment B-3

This comment describes and discusses a “potential mitigation measure D.” However, no such mitigation measure was analyzed or identified in the Draft EIR. Because the project’s impacts related to traffic at the

Highway 1/Fassler Avenue intersection are less than significant (refer to Topical Response 1), mitigation measures are not required at this location.

Response to Comment B-4

Pursuant to this request for the 50th and 95th percentile queue lengths, this information has been provided in Appendix 3.0 of the Final EIR.

Response to Comment B-5

This comment contains contact information, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER C: UNITED STATES DEPARTMENT OF THE INTERIOR, GOLDEN GATE NATIONAL RECREATION AREA (NANCY HORNOR)

Response to Comment C-1

This comment contains general information and expresses support for the project's mitigation measures, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment C-2

The comment concurs with the intent of mitigation measures regarding use of native seed mixes and control of invasive species. The recommended mitigation measures will be included as conditions of approval for the project, and implemented during project implementation. No additional response is necessary.

Response to Comment C-3

The comment requests that the invasive species identified in Mitigation Measure IV.B-6 (Wildlife Habitat Protection and Enhancement) be expanded to include undesirable priority species listed by Golden Gate National Recreation Area. In response to the comment, the first bullet to Mitigation Measure IV.B-6 on pages II-12 and IV.B-23 of the Draft EIR has been revised as follows:

“Prohibit the use of highly undesirable species in landscape improvements on the site which could spread into the adjacent open space areas. Unsuitable species include: blue gum eucalyptus (*Eucalyptus globulus*), acacia (*Acacia* spp.), pampas grass (*Cortaderi* spp.), broom (*Cytisus* spp. and *Genista* spp.), gorse (*Ulex europaeus*), bamboo (*Bambusa* spp.), giant reed (*Arundo donax*), English ivy (*Hedera helix*), German ivy (*Senecio milanioides*), Himalayan blackberry (*Rubus*

discolor), cotoneaster (*Cotoneaster pannosus*), fennel (*Foeniculum vulgare*), and periwinkle (*Vinca* spp.), among others identified in the list of “Invasive Non-Native Species” maintained by the Golden Gate National Recreation Area¹ and in the CalEPPC List.² This restriction on use of highly undesirable species in landscaping shall be included as a requirement in the CC&Rs for the project.”

Response to Comment C-4

This comment contains contact information, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER D: CALIFORNIA STATE CLEARINGHOUSE (TERRY ROBERTS)

Response to Comment D-1

This comment incorrectly states that the closing date for the review period was February 5, 2007. As noted on the Notice of Availability (NOA) and Notice of Completion (NOC) for the Draft EIR, the closing date for the review period was February 12, 2007. It was determined at the public meeting (as discussed in Response to Comment PM-16) that the review period would be extended to February 13, 2007. The remainder of this comment contains general information, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment D-2

This comment contains general information, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment D-3

This comment confirms that this Draft EIR has complied with State Clearinghouse review requirements and contains contact information, but the comment does not state a specific concern or question regarding

¹ Golden Gate National Recreation Area, 2006, *List of Invasive Non-Native Species for Which Removal within Golden Gate National Recreation Area is a Priority*, March.

² California Exotic Pest Plant Council, 2006, *Ibid.*

the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER E: DE KUNFFY, CHARLES

Response to Comment E-1

This comment expresses displeasure at the process of claiming the certified letter requesting comments on the Draft EIR, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment E-2

Refer to Response to Comment E-1.

Response to Comment E-3

This comment advises that the process used to solicit comments should not be repeated and contains anecdotal information about the post office, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER F: JACOBI, JEANETTE AND CHASE, PATRICK

Response to Comment F-1

This comment expresses opposition to the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment F-2

This comment contains anecdotal information about traffic and open space. Section IV.F (Transportation/Traffic) of the Draft EIR provides analysis of the effects of the project on transportation and traffic. As indicated therein, the impacts related to traffic would be less than significant. In addition, with respect to issues related to open space, refer to Section IV.A (Aesthetics) of the Draft EIR and Topical Response 5.

Response to Comment F-3

This comment contains anecdotal information regarding Pacifica's tax base, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER G: RODRIGUEZ, JAMES***Response to Comment G-1***

This comment contains anecdotal information regarding wildlife, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment G-2

This comment expresses opposition to the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment G-3

The commenter expresses concern over development on the hillside. The land coverage controls for the City's Hillside Preservation District (HPD) regulations are outlined on page IV-7 (Environmental Setting) of the Draft EIR. As discussed, the HPD maximum allowable site coverage on the site is 53,134 square feet. The proposed project (as discussed on page III-7 of the Draft EIR) would result in a maximum allowable site coverage of 86,347 square feet. Because of this discrepancy, the project applicant is requesting a land coverage control variance, the approval of which would be decided by the City.

With respect to the portion of this comment concerning wildlife, refer to Section IV.B (Biological Resources) of the Draft EIR, which provides analysis of the project's impacts related to biological resources. As indicated therein, the project's potential impacts to biological resources would be mitigated to a less-than-significant level.

With respect to the portion of this comment concerning traffic, refer to Section IV.F (Transportation/Traffic) of the Draft EIR, which provides analysis of the effects of the project on transportation and traffic. The project was analyzed with respect to the thresholds prescribed by Appendix G of the *CEQA Guidelines* and the thresholds identified by the City, as indicated on pages IV.F-8 and IV.F-9 of the Draft EIR. Because no impacts related to transportation/traffic have been identified, no

mitigation measures are required or recommended. The project's impacts related to transportation/traffic would be less than significant.

With respect to the portion of this comment concerning noise, refer to Section IV.G (Other Environmental Impact Analysis) of the Draft EIR, which addresses the project's impacts related to noise. As indicated therein, the project's impact on noise from construction and operational activities would be mitigated to a less-than-significant level.

A portion of this comment recommends consideration of the Old Rock Quarry as an alternative site for the project. As discussed on page VI-2 of the Draft EIR the Alternative Project Site Alternative was rejected for further analysis because the project applicant does not own or have the ability to acquire or trade this property for any other property that would be feasible for this project or that could accommodate the density of this project. In addition, the Old Rock Quarry is zoned for commercial use.

Response to Comment G-4

This commenter expresses concern for aesthetic issues, noise, crime rates, and issues related to capacity on Fassler Avenue.

With respect to aesthetics, refer to Section IV.A (Aesthetics) of the Draft EIR and Topical Response 5.

With respect to concerns over noise, refer to Section IV.G (Other Environmental Impact Analysis) of the Draft EIR, which addresses the project's impacts related to noise. As indicated therein, the project's impact related to noise from construction and operational activities would be mitigated to a less-than-significant level. The proposed project, as outlined in Mitigation Measure IV.G-2 (Construction Noise) would be required to comply with all the provisions in the City's Noise Ordinance, which limits the hours of construction activity and equipment used during construction.

With respect to the commenter's concern over increased crime rates, as discussed in Section V (General Impact Categories) of the Draft EIR, the Pacifica Police Department has indicated that they could adequately serve the project. However, due to the residential nature of the project, a substantial increase in crime is not anticipated.

With respect to the concerns about traffic, refer to Response to Comment G-3.

Response to Comment G-5

Refer to Topical Response 3.

Response to Comment G-6

Refer to Response to Comment G-3.

Response to Comment G-7

This comment expresses opposition to the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

For a discussion of impacts related to aesthetics, refer to Topical Response 5.

Response to Comment G-8

Refer to Topical Response 5 and Response to Comment G-7.

LETTER H: CAMPAGNA, CLORINDA***Response to Comment H-1***

This comment introduces ensuing comments, which are discussed in detail in Responses to Comments H-2 through H-8.

Response to Comment H-2

This comment contains anecdotal information about the developer and the commenter, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment H-3

This comment expresses support for the project's "sound engineering" and efforts to minimize impacts to the land, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment H-4

This comment expresses support for the project's underground parking structure, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment H-5

This comment is incorrect in stating that “any undesirable impact aesthetically and visually can be mitigated.” Refer to Topical Response 5. In response to the portion of this comment stating that “the buildings are off the ridge,” the first paragraph on page III-7 of the Draft EIR has been revised as follows:

“The development would be ~~sited~~ located on a site formerly used as a quarry below the ridgeline and, ~~therefore~~, would be visible from Fassler Avenue. The gardens and open space areas would be sited east of the residential units. The proposed hiking trail would extend throughout the entire project site. The subterranean garage would consist of approximately 26,000 square feet and would provide 112 parking spaces. Three additional surface parking spaces (including one handicapped space) would be provided near the entrance to the proposed project site.”

In addition, the first sentence on page IV.A-2 of the Draft EIR has been revised as follows:

“The proposed project site sits on a ridge that gradually ~~lowers in elevation to Rockaway Beach~~ descends to Highway 1. There are ridges on either side of the project site that are even higher in elevation.”

Response to Comment H-6

This comment expresses support for the project with respect to its impacts on the environment, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment H-7

This comment expresses support for the Draft EIR’s analysis of the project with respect to the objectives of the Hillside Preservation District, which include:

- To maximize choice in types of environment available in the City and particularly to encourage variety in the development pattern of the hillsides;
- The concentration of dwellings and other structures by clustering and/or high rise should be encouraged to help save larger areas of open space and preserve the natural terrain;
- To use to the fullest current understanding of good civic design, landscape architecture, architecture, and civil engineering to preserve, enhance, and promote the existing and future appearance and resources of hillside areas;
- To provide density and land use incentives to aid in ensuring the best possible development of the City’s natural features, open space, and other landmarks;

- To encourage the planning, design, and development of building sites in such a fashion as to provide the maximum in safety and human enjoyment while adapting development to, and taking advantage of, the best use of the natural terrain;
- To preserve and enhance the beauty of the landscape by encouraging the maximum retention of natural topographic features, such as drainage swales, streams, slopes, ridge lines, rock-outcroppings, vistas, natural plant formations, and trees;
- To prohibit, insofar as is feasible and reasonable, the padding or terracing of building sites in the hillside areas;
- To provide safe means of ingress and egress for vehicular and pedestrian traffic to and within hillside areas while at the same time minimizing the scarring effects of hillside street construction;
- Utility wires and television lines shall be installed underground;
- Outstanding natural physical features, such as the highest crest of a hill, natural rock outcroppings, major tree belts, and the like, should be preserved;
- Roads should follow natural topography wherever possible to minimize cutting and grading;
- Imaginative and innovative building techniques should be encouraged to create buildings suited to natural hillside surroundings; and
- Detailed and effective arrangements shall be formulated for the preservation, maintenance, and control of open space and recreational lands resulting from planned unit development.

The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment H-8

This comment expresses anecdotal information, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER I: SHAPIRO, LOU

Response to Comment I-1

This commenter expresses general support for the project and states that the provision of a left-turn lane should eliminate concerns regarding traffic back-ups on Fassler Avenue. The project will, in fact, provide a left-turn lane. As such, the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is

acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment I-2

This comment expresses anecdotal information, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER J: BRAY, TODD MCCUNE

Response to Comment J-1

This comment states that the Draft EIR is presented in a programmatic level, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment J-2

According to § 15161 of the *CEQA Guidelines*, the definition of a Project EIR is: “The most common type of EIR examines the environmental impacts of a specific development project. This type of EIR should focus primarily on the changes in the environment that would result from the development project. The EIR shall examine all phases of the project including planning, construction, and operation.”

According to § 15168 of the *CEQA Guidelines*, the definition of a Program EIR is: “(a) General. A program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either: (1) Geographically, (2) A logical parts in the chain of contemplated actions, (3) In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or (4) As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.”

Because the Draft EIR analyzes the potential environmental impacts of one particular development project, it is a Project EIR. The project is not part of a larger “program” or series of projects, nor does the EIR analyze a broader program or series of projects.

With respect to the portion of this comment requesting justification that this Draft EIR is a Project EIR, refer to page III-1 of the Draft EIR and refer to the definition of a Project EIR included above. As indicated on page III-1, the specific development project consists of the construction of “34 residential units, a subterranean parking garage, and associated amenities in the western two acres of the project site.” In addition, refer to Sections IV.A through IV.G (Environmental Impact Analysis) of the Draft EIR,

which specifically evaluate the aspects of the proposed project. These sections of the EIR focus on the “changes in the environment that would result from the development project,” as prescribed by the *CEQA Guidelines*. There are no analyses in the Draft EIR that are analyzed on a programmatic level. Within each environmental issue section, impacts are analyzed for all phases of the project when feasible.

Response to Comment J-3

With respect to the portion of the comment regarding project design, refer to Mitigation Measure IV.A-1 (Landscaping Plan and Design Review). As indicated therein, prior to building permit issuance, the grading plan, development plan, landscaping plan, elevations, and colors and materials shall receive review and approval of the City staff through the design review procedures with the Planning Commission during approval of the Specific Plan. In addition, the project will comply with the Hillside Preservation District (HPD) Ordinance. Refer to Response to Comment H-7 for a list of HPD objectives.

With respect to the portion of the comment concerning the “exterior faceting and finish” of the units as depicted in the simulations in the Draft EIR, these simulations are intended to provide only a very general idea of how the buildings will look, showing the height and location of the units. The exterior faceting and finish of the actual units may look very different from that shown in the simulations. Again, the exterior design must be approved by the City prior to construction.

A portion of the comment suggests the Sanchez Library and the old Sharp Park Wastewater Treatment Plant as alternative sites for the project. As discussed on page VI-2 of the Draft EIR the Alternative Project Site Alternative was rejected for further analysis because the project applicant does not own or have the ability to acquire or trade this property for any other property that would be feasible for this project or that could accommodate the density of this project. The Sanchez Library is currently operating as a library and the Sharp Park Wastewater Treatment Plant is zoned for commercial use. Thus both sites are unavailable for consideration as alternative project sites.

Response to Comment J-4

The commenter expresses concern over the suitability of the project site for the project. Although the project includes a General Plan Amendment and rezoning, the land use is not significantly different from what is currently allowed for the site as a whole. As discussed on page IV-7 (Environmental Setting) of the Draft EIR, the General Plan designation for the western portion of the site (7.6 acres) allows one unit per more than five acres. The General Plan designation for the eastern portion of the site (3.6 acres) allows three to nine units per acre. Thus, under the current land use designation, the proposed project site could be developed with 34 residential units. The General Plan Amendment serves to shift the allowable development from the eastern portion of the site to the western portion of the site, where development activities are more feasible due to topography. With respect to the proposed project located across Fassler Avenue, it would be developed with single-family homes on large lots. This type of development is not consistent with the project objectives outlined by the project applicant on page III-21 of the Draft EIR.

Response to Comment J-5

Refer to Topical Response 5 and Response to Comment H-5.

Response to Comment J-6

The commenter expresses concern that the site plans and elevations were not independently reviewed to ensure objectivity. City staff has reviewed the plans submitted by the project applicant. Refer to Topical Response 5.

Response to Comment J-7

CEQA states that, “[t]he EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project.” Generally, significant impacts of an alternative shall be discussed, but in less detail than the proposed project, and should provide decision makers a perspective as well as a reasoned choice. The details included in Alternative D are done so to offer a basis from which a comparison can be made with the project. The Alternatives section of the Draft EIR provides sufficient information to allow meaningful analysis by offering specific scenarios to which the project can be compared. However, CEQA does not require that exhibits be prepared to illustrate each of the Alternatives that are proposed. As the Draft EIR explains, the site plan configuration for the Reduced Density alternative would be similar to the proposed project, but 22 units would be eliminated and the outdoor area associated with each unit would be increased. The units that would be eliminated would primarily be the southernmost units, including units 1-8, 13-22, and 25-28. By referring to Figure III-3 and Figure IV.A-4 (representing post-project views from Fassler Avenue), one can see that, if these units are removed, the aesthetic impacts of the reduced density alternative would be less than significant because the removed units are the units that block the ocean views.

Furthermore, the fact that the alternatives contain project-specific details, such as number of units, location of the parking structure and other project amenities is indicative of a project-level EIR. An alternatives analysis in the program-level EIR would compare similar programs or policies, not project-specific details.

Response to Comment J-8

Refer to Topical Response 5. The commenter also expresses concern over the programmatic level of detail included in the Draft EIR. Section III (Project Description) of the Draft EIR contains all of the relevant project details. These are provided on a project level as they very specifically relate to the project. In a programmatic-level EIR, project details are typically presented in a very general way and typically would describe a range of (for example) allowable building heights or detention basin features. All of the information included in Section III (Project Description) of Draft EIR, which ultimately serves as a basis for the environmental analysis, is based on the site plans, architectural drawings, and/or technical reports prepared specifically for the proposed project.

Response to Comment J-9

Refer to Topical Response 1.

Response to Comment J-10

Refer to Topical Response 1.

Response to Comment J-11

Refer to Topical Responses 1 and 2.

Response to Comment J-12

Refer to Response to Comment J-2.

Response to Comment J-13

Refer to Topical Response 4.

Response to Comment J-14

This comment contains anecdotal information, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment J-15

This comment contains anecdotal information, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER K: GERUSA, JOAN M AND GERUSA, RUDOLF

Response to Comment K-1

This comment introduces ensuing comments, which are discussed in detail in Responses to Comments K-2 through K-15.

Response to Comment K-2

The comment asks how traffic counts were conducted. Traffic counts for traffic impact studies normally are conducted from 7:00 AM to 9:00 AM and from 4:00 PM to 6:00 PM to correspond with the normal

morning and evening commute periods. However, for this project, traffic counts at the study intersections on Highway 1 were collected for longer periods (from 6:30 AM to 10:00 AM and from 3:00 PM to 7:00 PM). From these data, the peak-hour for the morning commute period was found to be 7:30 to 8:30 AM at the Highway 1/Fassler Avenue intersection and 7:15 to 8:15 AM at the Highway 1/Reina Del Mar intersection. For the evening commute period, the peak hours were found to be 4:30 to 5:30 PM at the Highway 1/Fassler Avenue intersection and 5:00 to 6:00 PM at the Reina Del Mar intersection. The traffic analysis evaluated project impacts during these critical peak hours.

Response to Comment K-3

The comment questions whether a traffic light is necessary. The project would add 33 AM peak-hour trips and 41 PM peak-hour trips to Fassler Avenue during the morning and evening commute hours, respectively. This volume of traffic is not enough to satisfy traffic signal warrants for the installation of a traffic signal at the project driveway on Fassler Avenue. Additionally, this volume of traffic is not high enough to create the need to install new traffic signals at other locations on Fassler Avenue between the project site and Highway 1.

Response to Comment K-4

The comment incorrectly states that the Draft EIR compares Fassler Avenue to Sharp Park Road. The Draft EIR analyzes the proposed project in the context of the project location. As directed by Appendix G of the *CEQA Guidelines*, the Draft EIR examines the required environmental issues in Sections IV.A (Aesthetics), IV.B (Biological Resources), IV.C (Cultural Resources), IV.D (Geology/Soils), IV.E (Hydrology & Water Quality), IV.F (Transportation/Traffic), IV.G (Other Environmental Categories), and V (General Impact Categories).

Response to Comment K-5

The comment refers to an enclosed map and points out all of the streets that feed traffic to Fassler Avenue. Daily traffic count data collected on Fassler Avenue indicate that this roadway operates as a collector, carrying traffic from the residential areas to Highway 1.

Response to Comment K-6

Refer to Response to Comment K-5.

Response to Comment K-7

Refer to Response to Comment K-5.

Response to Comment K-8

Refer to Response to Comment K-5.

Response to Comment K-9

The commenter expresses concern over deer and other wildlife in the project area. With respect to wildlife, Appendix G of the *CEQA Guidelines* requires that an EIR analyze impacts related to candidate, sensitive, or special-status species. As discussed under Impact IV.B-1 on page IV.B-16 (Biological Resources) of the Draft EIR, California red-legged frog, San Francisco garter snake, and San Francisco dusky-footed woodrat, and some species of birds could be affected by the project. Mitigation Measures IV.B-1 through IV.B-3 outline measures in order to protect these species from impacts related to the proposed project. As such, the project would have less-than-significant impacts on these species. Furthermore, with respect to the commenter's concern over local deer, the Draft EIR determined that through implementation of mitigation measures related to wildlife habitat protection and enhancement and wildlife habitat avoidance, the project would not substantially interfere with the movement of wildlife species.

Response to Comment K-10

The commenter expresses concern over the speeding of motorists on Fassler Avenue. The prevailing speeds on Fassler Avenue are a function of existing traffic conditions and driver behavior on that roadway. It is expected that drivers from the proposed project would exhibit the same characteristics, on average, as existing drivers on Fassler Avenue. As such, the development of the proposed project would not increase traffic speeds on Fassler Avenue. Conversely, the project may lead to a reduction in speeds on Fassler Avenue by introducing a "friction point" to an otherwise uncontrolled stretch of that road.

Response to Comment K-11

Refer to Topical Response 1.

Response to Comment K-12

Refer to Topical Response 3.

Response to Comment K-13

The comment asks the status of the plans for Estella Drive. The project proposed no changes to Estella Drive.

Response to Comment K-14

With respect to capacity of Fassler Avenue, refer to Response to Comment G-3.

Response to Comment K-15

This comment expresses concern over approval of the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the

Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER L: PARKER, BARBARA

Response to Comment L-1

This comment introduces ensuing comments, which are discussed in detail in Responses to Comments L-2 through L-16.

Response to Comment L-2

Refer to Topical Response 2.

Response to Comment L-3

Refer to Topical Response 5.

Response to Comment L-4

This comment expresses concern related to nearby residential development. Refer to page IV-9 (Environmental Setting) of the Draft EIR. The subsection titled “Other Projects in the Region” includes the projects that were included in the cumulative analysis conducted in the Draft EIR. Table IV-2 and Figure IV-3 illustrate the details and locations of these projects, respectively. In accordance with the *CEQA Guidelines*, the Draft EIR analyzed cumulative impacts created as a result of the combination of the project evaluated in the Draft EIR together with other projects causing related impacts.

Response to Comment L-5

With respect to the concern regarding increased traffic and congestion, refer to Response to Comment G-3.

Response to Comment L-6

The comment expresses concern over increased pollution. This comment is unclear regarding which type of pollution the project would create. Nonetheless, the project’s impact related to air quality and noise would be mitigated to a less-than-significant level through implementation of Mitigation Measure IV.G-1 (Control Measures for Construction Emissions of PM10) and Mitigation Measure IV.G-2 (Construction Noise), as discussed in Section IV.G (Other Environmental Impacts) of the Draft EIR. In addition, the project’s impacts related to water quality would be mitigated to a less-than-significant level, as discussed in Section IV.E (Hydrology & Water Quality) of the Draft EIR.

Response to Comment L-7

With respect to impacts related to hydrology and water quality, refer to Response to Comment L-6.

Response to Comment L-8

The comment expresses concern regarding impacts to wildlife habitat. As discussed in Section IV.B (Biological Resources) of the Draft EIR, the project's impacts related to biological resources would be mitigated to a less-than-significant level.

Response to Comment L-9

The commenter expresses concern regarding seismic hazards. As noted on page IV.D-5 of the Draft EIR, implementation of Mitigation Measure IV.D-1 (Strong Seismic Ground Shaking) and Mitigation Measure IV.D-2 (Geotechnical Consultant Involvement) would ensure that impacts related to seismic ground shaking remain less than significant.

Response to Comment L-10

The commenter expresses concern regarding noise. Refer to Section IV.G (Other Environmental Impacts) of the Draft EIR, which addresses the project's impacts related to noise. As indicated therein, the project's impact related to noise from construction and operational activities would be mitigated to a less-than-significant level.

Response to Comment L-11

Refer to Topical Response 5.

Response to Comment L-12

With respect to crime, refer to Response to Comment G-4.

Response to Comment L-13

Refer to Topical Response 5.

Response to Comment L-14

This comment expresses general opposition to the project related to several environmental areas. With respect to the portion of this comment alleging that the project would adversely affect traffic and have a large impact on Highway One, refer to Responses to Comments L-5 and L-6.

With respect to trash generation, refer to Section V (General Impact Categories) of the Draft EIR. As indicated therein, the solid waste generated by the project would represent 0.005 percent of the allowed

daily capacity. Because the landfill is not operating at capacity it is anticipated that this increase would result in a less-than-significant impact.

With respect to the portion of this comment stating that the project would have a large impact on the Hillside Preservation District (HPD) and open space, refer to Section V (General Impact Categories) of the Draft EIR and Response to Comment H-7. It is the intent of the HPD overlay to place controls on proposed development within hillside areas of the City in order to preserve and enhance their use as a prime resource, help protect people and property from all potentially hazardous conditions particular to hillsides, assure that any development be economically sound, and encourage innovative design solutions. The proposed project includes a rezoning of the site to PD with a Development Plan. This would be done in accordance with the City's Zoning Code which stipulates that development under the PD District is to be implemented through adoption of a development and specific plan. Therefore, with the approval of the proposed project, including the associated zone change, exceptions to Planned Development Regulations for building height, variances for parking space location and land coverage control, the proposed project would be in conformance with the zoning regulations for the project site. The principles of the HPD are outlined in Response to Comment H-7. The project would not conflict with these principles.

Response to Comment L-15

This comment expresses opposition to the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment L-16

This comment expresses opposition to the project, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER M: BRYANT, PAUL

Response to Comment M-1

This comment introduces ensuing comments, which are discussed in detail in Responses to Comments M-2 through M-4.

Response to Comment M-2

The comment expresses concern over the hazards to bicyclists along Fassler Avenue. Fassler Avenue does not have striped bike lanes. As such, bicyclists should use this roadway with caution. Refer to Topical Response 2.

Response to Comment M-3

This comment contains anecdotal information, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment M-4

Refer to Response to Comment M-2 and Topical Response 2.

LETTER N: MOESLIN, HEATHER***Response to Comment N-1***

This comment expresses general support for the project, but also concern that a reduced density alternative was not analyzed. As indicated on page VI-13 of the Draft EIR, the environmentally superior alternative indicates that “this alternative would result in the greatest reduction in significant project impacts.” Alternative C fulfills this definition because it would reduce impacts related to scenic vistas and scenic resources within a scenic highway to less-than-significant levels.

Response to Comment N-2

This commenter expresses general support for the project and expresses concerns over sprawl into the Central Valley if local, quality housing is not provided. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment N-3

Refer to page VI-7 of the Draft EIR for analysis of Alternative C, the “Reduced Density” Alternative. As indicated therein, this alternative assumes the project site would be developed with 12 units, which is approximately 65 percent fewer units than proposed by the project. As required by the *CEQA Guidelines*, this alternative is analyzed with respect to environmental impacts including impacts related to traffic and air quality, which inherently consider pollution, as discussed on pages VI-7 through VI-10 of the Draft EIR. However, any analysis of whether this reduction in density would result in more homes being built in the Central Valley and, in turn, what additional environmental impacts such growth would have would be speculative, and therefore need not be included in the EIR.

With respect to the portion of this comment requesting analysis of the “increased costs of importing food,” § 15064(e) of the *CEQA Guidelines* states, “Economic and social changes resulting from a project shall not be treated as significant effects on the environment.” The Draft EIR does not analyze economic

impacts related to increased costs of importing food because such an analysis is inherently speculative and is beyond the scope of this EIR. *CEQA Guidelines* § 15145 states: “If, after thorough investigation, a lead agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact.”

With respect to the portion of this comment requesting further analysis of fossil fuel usage and pollution caused by increased commutes, these environmental issues have been evaluated using available data in Sections IV.E (Hydrology/Water Quality) of the Draft EIR and IV.G (Other Environmental Impacts) of the Draft EIR. Further analysis considering increased commute distances would be purely speculative.

Response to Comment N-4

This comment questions whether Alternative C, the “Reduced Density” Alternative, would be built using green building principles. The ability to provide some of the green building features (such as its pedestrian-oriented design) of the project is contingent upon the project’s design and would not be possible under Alternative C. Other green building features, however, such as the use of photovoltaic electricity production, would be possible under Alternative C. To the extent possible and where feasible, green building features would be built into Alternative C. Given the smaller number of units over which to spread costs and the reduced number of units available for sale, it may not be economically feasible to use green building principles in this reduced density alternative.

LETTER O: BLINCOE, NOEL

Response to Comment O-1

Refer to Topical Response 5. In addition, refer to Response to Comment H-7 for a list of the Hillside Preservation District’s principles and Response to Comment L-14 for a discussion of the project in the context of the Hillside Preservation District.

Response to Comment O-2

The commenter specifies three different additional locations from which simulated photos should be provided for the project and Alternative C, the “Reduced Density” Alternative. Refer to Response to Comment J-7 for a discussion of the level of detail required for the alternatives analysis. Due to the topography and adjacent ridgelines surrounding the site, the project would be minimally visible from various locations within the sites recommended by commenter and would not have a substantial adverse effect on the scenic vista. As discussed on page IV.A-2 of the Draft EIR, the simulations are not meant to be an exhaustive collection of all the views that include the project site from all vantage points. Rather, they are meant to show representative views toward the site from the surrounding area. It is acknowledged that the project would be visible from other vantage points. Further, the Draft EIR concludes that the project would have significant and unavoidable aesthetic impacts. Refer to Topical Response 5.

LETTER P: BUENDIA, SYLVIA M.***Response to Comment P-1***

This comment introduces ensuing comments, which are discussed in detail in Responses to Comments P-2 through P-21.

Response to Comment P-2

This comment correctly summarizes Impact IV.D-2 in the Draft EIR, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment P-3

The comment expresses concern regarding soil disturbances. As indicated on page IV.D-7 of the Draft EIR, Mitigation Measure IV.D-3 (Grading and Drainage) provides grading procedures and drainage measures including, but not limited to, vegetation removal, noting existing utilities, replacing test pits, slope design, etc. Implementation of this mitigation measure would ensure that impacts related to landslides remain less than significant. A geotechnical investigation prepared by Bay Area Geotechnical Group for the proposed project outlines the seismic hazards and appropriate mitigation measures. Section IV.D (Geology/Soils) of the Draft EIR is based on the aforementioned investigation.

Response to Comment P-4

The commenter requests information on the type of equipment that would be used for excavation. Excavation will be performed by an excavator, the standard equipment for this type of project.

Response to Comment P-5

The commenter expresses concern over the possible use of dynamite for blasting. The use of dynamite is not anticipated.

Response to Comment P-6

Grading activities will adhere to Section 9-4.2212 of the City's Municipal Code. As indicated therein, "No grading or excavation permit shall be issued by the City for any location in the P-D District or Hillside Preservation District, unless the permit has the approval of the Planning Administrator and the City Engineer who shall ensure that the issuance of the permit will not result in effects inconsistent with the purposes of this article or the defined Hillside Preservation District. The approval of such permits shall be contingent upon the following conditions: (a) The grading plan and work shall be directly related to an approved specific plan; (b) Any grading and excavation shall be necessary for the establishment or maintenance of an approved specific plan; (c) The design, scope, and location of the grading and

excavation will cause minimum disturbance of the terrain and natural features of the land commensurate with the purpose of the grading and excavation work; (d) All persons performing any grading and excavation operation shall put into effect all necessary safety precautions to minimize erosion, protect any watercourse and other natural feature, protect the health and welfare of all persons, and protect private and public property from damage of any kind; and (e) The City shall place certain conditions on time limits and necessary site restoration, and shall undertake measures to assure the fulfillment of such conditions, for any grading and excavation work [emphasis added].” According to the provisions in item (d), the City would ensure that grading would not be performed during the rainy season unless the City’s geotechnical consultant approves an erosion control plan.

Response to Comment P-7

Refer to Responses to Comments P-3 through P-6. The questions regarding liability do not address any environmental impacts of the proposed project, and therefore are beyond the scope of CEQA analysis. Generally, landowners are responsible for ensuring their property does not damage adjoining property.

Response to Comment P-8

This comment questions which entity would decide when to implement Mitigation Measure IV.D-2 (Geotechnical Consultant Involvement). In response to this comment, the text on page II-16 of the Draft EIR has been revised as follows:

“MM IV.D-2: Geotechnical Consultant Involvement

All geotechnical aspects of the proposed project and preliminary development of plans shall continue to be evaluated by the project geotechnical consultant. A letter from the project geotechnical consultant shall be submitted to the City ~~and submitted to the City for peer review as necessary. Peer review shall verify the approval of all geotechnical aspects of the site development layout, project geotechnical feasibility, and conformance with the geotechnical consultant’s design recommendations, that confirms it has reviewed all geotechnical aspects of the proposed site development layout, verifies project geotechnical feasibility, and verifies conformance with the geotechnical consultant’s design recommendations made to ensure less-~~than-significant seismic impacts.

~~In addition, preparation of a single geotechnical engineering report, containing all recommended geotechnical design criteria for the project, shall be prepared no later than acceptance of detailed plans. This report shall be submitted to the City for peer review and acceptance by the City Geotechnical Consultant.”~~

In addition, the text on page IV.D-7 of the Draft EIR has been revised as follows:

“MM IV.D-2: Geotechnical Consultant Involvement

All geotechnical aspects of the proposed project, and preliminary development of plans shall continue to be evaluated by the project geotechnical consultant. A letter from the project geotechnical consultant shall be submitted to the City prepared that approves that confirms it has reviewed all geotechnical aspects of the proposed site development layout, verifies project geotechnical feasibility, and verifies conformance with the geotechnical consultant's design recommendations, insuring made to ensure less-than-significant seismic impacts.

~~In addition, preparation of a single geotechnical engineering report, containing all recommended geotechnical design criteria for the project, shall be prepared no later than acceptance of detailed plans. This report shall be submitted to the City for peer review and acceptance by the City Geotechnical Consultant."~~

These revisions clarify the meaning and purpose of Mitigation Measure IV.D-2; they do not alter the effectiveness of the mitigation measure, nor do they create any new environmental impacts.

Response to Comment P-9

The commenter requests information on who would perform the activities outlined in Mitigation Measure IV.D-2 (Geotechnical Consultant Involvement). The project's geotechnical consultant will submit the required documentation to the City. City engineering staff will review the information. When City staff does not have the expertise to evaluate submitted information, it regularly hires reputable engineering consultant firms to peer review engineering reports and studies presented to the City to comply with conditions of project approval or as part of the environmental review for a proposed project.

Response to Comment P-10

The commenter asks whether members of the public can participate in the peer review of geotechnical information. The term "peer review" refers to the practice of one expert reviewing the technical document prepared by another expert in order to ensure that the reasoning and science employed in the document is sound. The public does not participate in the "peer review" process. Members of the public are entitled to request copies of non-privileged, public documents from the City.

Response to Comment P-11

This comment contends that Alternative B, the "Redistribution of Units" Alternative, will be less intrusive to the environment and introduces ensuing comments, which are discussed in detail in Responses to Comments P-12 through P-15.

Response to Comment P-12

Even with redistribution of units to the eastern portion of the site, only a portion of the proposed units would have views of the Pacific Ocean. The eastern portion of the site is significantly narrower than the

western portion of the site. Considering the shape of the site it is anticipated that fewer units would be offered a scenic view under Alternative B, the “Redistribution of Units” Alternative.

Response to Comment P-13

While the commenter correctly states that positioning the amenities associated with the project on the western portion of the site would disturb the ridge to a lesser extent than the proposed project, grading activities on the eastern edge under Alternative B, the “Redistribution of Units” Alternative, would be significantly increased to accommodate the residential structures in a portion of the site with much steeper slopes. Thus, under Alternative B, the topography would likely be more affected. This is discussed on page IV-6 (Alternatives) of the Draft EIR under Geology and Soils.

Response to Comment P-14

This comment asks about parking under Alternative B, the “Redistribution of Units” Alternative. Because Alternative B would result in the same number of residential units, the number of parking spaces would not be reduced. Furthermore, page IV-6 of the Draft EIR states that earth moving activities would be greater under Alternative B than the proposed project.

With respect to the commenter’s question concerning parking, the City’s Zoning Code (Article 22.5, Sec. 9-4.2259) requires all single-family detached units to provide two covered and two uncovered parking spaces per unit and all single-family attached units to provide two covered and one-half uncovered parking spaces per unit. In addition, the City’s Zoning Code also requires a minimum of one guest space for every ten units. With 17 single-family detached units and 17 single-family attached units, the project meets the required 115 parking spaces by providing 112 covered parking spaces and three uncovered parking spaces. According to the City’s Municipal Code, the project is not proposing an excessive number of parking spaces, but indeed is proposing the minimum required under the Code.

Response to Comment P-15

While it is true that adoption of Alternative B would not involve a General Plan Amendment, it would still require rezoning and height exception, and variances for parking space location and land coverage. It is not anticipated that removing the General Plan Amendment from the list of approvals would significantly streamline the process.

Response to Comment P-16

This comment draws a conclusion from Comments P-12 through P-15 that urges reconsideration of Alternative B with modifications in order to serve the interests of the developer and the community. This comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment P-17

With respect to parking space requirements, refer to Response to Comment P-14.

Response to Comment P-18

This comment is proposing what is typically considered mitigation. As discussed on page IV.F-17 of the Draft EIR, because no impacts related to transportation/traffic have been identified, no mitigation measures are required or recommended. As discussed on page IV.G-2 of the Draft EIR, project impacts related to air quality would be less than significant and short term air quality impacts that may occur during the construction phase of the proposed project would be controlled with Best Management Practices.

Response to Comment P-19

With respect to parking space requirements, refer to Response to Comment P-14.

Response to Comment P-20

The objective described by this comment does not necessarily indicate a decrease in parking from what is currently proposed. There are several environmentally friendly elements of the project that fulfill this objective including, but not limited to, the water detention system.

With respect to parking space requirements, refer to Response to Comment P-14.

Response to Comment P-21

This comment contains anecdotal information, but the comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER Q: DOMINSKI, AHNA***Response to Comment Q-1***

This comment expresses opposition to the proposed project. With respect to the scenic vista and character of the site, refer to Topical Response 5.

Response to Comment Q-2

With respect to alternatives, Section VI (Alternatives) of the Draft EIR provides an analysis for Alternative C, the “Reduced Density” Alternative. As discussed therein, Alternative C would reduce impacts related to aesthetics to a level of less than significant with mitigation. As discussed on page VI-10

of the Draft EIR, this Alternative would also meet the objective of returning the remaining undeveloped areas of the project site to its natural habitat as the associated amenities described in Section III (Project Description) would be implemented. This Alternative was identified as the environmentally superior alternative.

With respect to aesthetics, refer to Topical Response 5. In addition, refer to Response to Comment H-7 for a list of the Hillside Preservation District's principles and Response to Comment L-14 for a discussion of the project in the context of the Hillside Preservation District.

Response to Comment Q-3

Refer to Topical Response 5.

LETTER R: DOMINSKI, TONY

Response to Comment R-1

With respect to aesthetics, refer to Topical Response 5.

With respect to the portion of this comment stating that the project would greatly increase traffic congestion, refer to Response to Comment G-3.

Response to Comment R-2

The comment expresses concern about allowing future development into the hillside area. The project includes the improvement of Fassler Avenue to provide access into the project site. Although, in general, road improvements have a potential to allow for additional development, the road improvements associated with the project would serve the project only. Therefore, these road improvements would not attract development to the project vicinity and would not be growth inducing. The project does not include any substantial extensions of infrastructure.

Response to Comment R-3

Refer to Response to Comment Q-2. As discussed in that response, the Alternatives section of the Draft EIR provides an analysis for Alternative C, the "Reduced Density" Alternative.

With respect to the portion of this comment recommending the architecture of the project blend into the hillside, Mitigation Measure IV.A-1 (Landscaping Plan and Design Review) would reduce impacts to scenic resources using screen plantings and an appropriate color palette. In addition, Mitigation Measure IV.B-4 (Riparian Habitat or Other Sensitive Natural Community) mandates that plants used at the site shall be site specific: grown from material collected onsite or within a five mile radius from the project site.

LETTER S: FLAHERTY, TIMOTHY***Response to Comment S-1***

Refer to Topical Response 2.

Response to Comment S-2

Refer to Topical Response 5.

Response to Comment S-3

As directed by Appendix G of the *CEQA Guidelines*, the Draft EIR examines the required environmental issues in Sections IV.A (Aesthetics), IV.B (Biological Resources), IV.C (Cultural Resources), IV.D (Geology/Soils), IV.E (Hydrology & Water Quality), IV.F (Transportation/Traffic), IV.G (Other Environmental Categories), and V (General Impact Categories). With respect to land use designations and zoning, refer to response to Comment L-14.

LETTER T: GRAHAM, JUNE AND KLEIN, PAMELA***Response to Comment T-1***

This comment incorrectly states the number of cars the project would generate. As indicated on page IV.F-11 of the Draft EIR, the project would generate an estimated 33 trips during the AM peak hour and 41 trips during the PM peak hour.

Response to Comment T-2

Refer to Topical Response 5.

Response to Comment T-3

The design of the project driveway on Fassler Avenue does not include adding stop signs on the Fassler Avenue approaches, but a stop sign is proposed for the egress portion of the driveway at the project site so that traffic must stop before entering Fassler Avenue. Fassler Avenue would continue to flow uncontrolled at that location. Refer to Topical Response 2.

Response to Comment T-4

The project site does not have access to any other roads in the area, so access to Fassler Avenue is the only alternative for this site.

LETTER U: HOLOBER, NADIA V.***Response to Comment U-1***

This comment contains anecdotal information, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment U-2

This comment expresses support for the project and discusses some general project components, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment U-3

This comment introduces ensuing comments, which are discussed in detail in Responses to Comments U-4 through U-34.

Response to Comment U-4

This comment correctly summarizes various aspects of the project description. In response to this comment regarding surrounding land uses, the text on page IV-8, second paragraph of the Draft EIR, has been revised as follows:

“As previously mentioned, the parcels to the north, ~~west, and south~~ ~~and southeast~~ of the project site are vacant, ~~and a condominium development (the SeaCrest Condominiums) borders the site to the east.~~ A multiple-family residential development is located ~~almost immediately~~ adjacent to the project site to the southeast east (along the north side of Fassler Avenue). A larger, single-family residential development is located across Fassler Avenue further southeast of the project site. There are also residential uses approximately 500 feet northeast of the project site, along Rockaway Beach Avenue.”

Response to Comment U-5

The information provided in Table III-1 related to open space specifically refers to private and shared open space and refers to private yards and patio areas as well as open space common areas. It is not intended to illustrate the total amount of undeveloped area of the project.

Response to Comment U-6

In response to this comment, the text in Table III-1 on page III-19 of the Draft EIR has been revised as follows:

**Table III-1
Summary of Key Components**

Component	Relevant Information
Land Use	Residential, Recreational
Square Footage	Total Building ¹ Area = 86,347 sf Total Recreation Area = 123,932 sf Total Developed Area: 210,279 sf
Site Coverage	Total Building Area = 17.8% of site Total Recreation Area = 25.5% of site Total Developed Area = 43.3% of site
Building Height	Between 34' 25' 6" and 38' 3"
Parking Spaces	115 (includes 3 guest spots)
Project Access	Vehicular: Two access points along Fassler Avenue, near western border of site Pedestrian: 5' sidewalk along Fassler Avenue and internal pedestrian walkways
Open Space	Private: 12,460 sf Shared: 13,060 sf
Notes: ¹ including associated amenities such as yards, driveways, fire lanes, and utility areas	
Source: Pacifica Quarry Homes, LLC, Site Plans. The Prospects, Fassler Avenue between Roberts Road & Driftwood Circle, City of Pacifica, San Mateo County, 10/6/05.	

Response to Comment U-7

In response to this comment, the text in Table III-1 on page III-19 of the Draft EIR has been revised as follows:

**Table III-1
Summary of Key Components**

Component	Relevant Information
Land Use	Residential, Recreational
Square Footage	Total Building ¹ Area = 86,347 sf Total Recreation Area = 123,932 sf Total Developed Area: 210,279 sf
<u>Housing Units</u>	<u>Detached Single-Family Residences = 17 (2 designated as affordable)</u> <u>Duplexes and Triplexes = 17 (3 designated as affordable)</u>
Site Coverage	Total Building Area = 17.8% of site Total Recreation Area = 25.5% of site

**Table III-1
Summary of Key Components**

Component	Relevant Information
	Total Developed Area = 43.3% of site
Building Height	Between 31' and 38'3"
Parking Spaces	115 (includes 3 guest spots)
Project Access	Vehicular: Two access points along Fassler Avenue, near western border of site Pedestrian: 5' sidewalk along Fassler Avenue and internal pedestrian walkways
Open Space	Private: 12,460 sf Shared: 13,060 sf
Notes: ¹ including associated amenities such as yards, driveways, fire lanes, and utility areas	
Source: Pacifica Quarry Homes, LLC, Site Plans. The Prospects, Fassler Avenue between Roberts Road & Driftwood Circle, City of Pacifica, San Mateo County, 10/6/05.	

Response to Comment U-8

The comment states that the Draft EIR accurately states the four criteria for significant aesthetic impacts listed in Appendix G of the *CEQA Guidelines*, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment U-9

Appendix G to the *CEQA Guidelines* includes a list of questions and a suggested form to assist lead agencies in determining whether a project will have potentially significant environmental impacts. One such question asks: "Would the project . . . [s]ubstantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?" Appendix G, Section I(b) (Aesthetic) (emphasis added).

Contrary to the commenter's assertion, scenic resources are not limited to resources within a state scenic highway. Page IV.A-21 of the Draft EIR states that the proposed project is not within the viewing corridor of a state scenic highway. However, the proposed project is within the viewshed of Fassler Avenue. According to the City's General Plan, the views of the Pacific Ocean, the coastal ridge, and other major recreation areas from Fassler Avenue are "spectacular." Refer to page 94 of the General Plan. Thus, for the purposes of the Draft EIR, the view from Fassler Avenue is considered a scenic resource. View 2 in Figure IV.A-4 of the Draft EIR shows that the project, as proposed, would block a significant portion of what is now a sweeping view of the Pacific Ocean from Fassler Avenue. Because the proposed project would substantially damage what the City considers to be a scenic resource from a scenic (albeit not state scenic) highway, the project's impact would be significant. Refer to Topical Response 5.

Response to Comment U-10

The commenter states that the genesis for Appendix G, Question (I)(b) was California Public Resources Code § 21084, which provides that a project cannot be categorically exempt from CEQA if it “may result in damage to scenic resources, including, *but not limited to*, trees, historic buildings, rock outcroppings, or similar resources, within a highway designated as an official state scenic highway” Assuming this assertion is true, it does not undermine the Draft EIR’s conclusion that the project would substantially damage scenic resources. First, § 21084 (b), like Appendix G, Question (I)(b), provides that the term “scenic resources” includes but is not limited to “trees, historic buildings, rock outcroppings, or similar resources, within a highway designated as an official state scenic highway.”

Even if Appendix G, Question (I)(b), and Public Resources Code § 21084 had not included the qualifying language italicized above, the City would have been free to adopt a broader interpretation of “scenic resources” than that supplied in Appendix G.

Refer to Response to Comment U-9.

Response to Comment U-11

Refer to Response to Comment U-9. This comment summarizes a portion of the Streets and Highways Code, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment U-12

With respect to the project’s impacts related to Fassler Avenue, refer to Response to Comment U-9.

In response to the portion of this comment concerning the project’s impacts related to Highway 1, the text in the third paragraph on page IV.A-2 of the Draft EIR has been revised as follows:

“As discussed in Chapter IV (Environmental Setting), other public vantage points in the general project area include Highway 1, the Golden Gate National Recreation Area located approximately 0.75 miles east of the project site, Oddstad Park located approximately 0.60 miles south of the project site, and Frontierland Park located approximately 1.5 miles southeast of the project site. Due to the topography and adjacent ridgelines surrounding the site, the project would be minimally visible from various locations within ~~The project site is not visible from any of the~~ abovementioned public vantage points, but would not have a substantial adverse effect on the scenic vista from those vantage points. The most prominent public vantage points from which the site is visible are analyzed below. There are no areas designated by the City’s General Plan as Open Space in the general project vicinity.”

In addition, the text in the discussion under Impact IV.A-2 on page IV.A-21 of the Draft EIR has been revised as follows:

~~“The proposed project is not within the viewing corridor of~~ would be minimally visible from portions of a state scenic highway. ~~However, a~~ According to the City’s General Plan, the City proposes to designate the Linda Mar Boulevard – Oddstad – Terra Nova Boulevard – Fassler Avenue loop as a scenic roadway. ~~According to the City’s General Plan, v~~Views along Fassler Avenue are considered a scenic resource because they afford unobstructed and sweeping views of the Pacific Ocean and surrounding undeveloped land and ridgelines. ~~and, a~~ As discussed under Impact IV.A-1, implementation of the proposed project would substantially alter the views available from Fassler Avenue. As such, the proposed project would substantially damage scenic resources ~~within a scenic highway~~ and would result in a significant and unavoidable impact. Mitigation Measure MM IV.A-1 described below would reduce impacts related to scenic resources in a scenic highway, but not to a less-than-significant level. Impacts would, therefore, remain *significant and unavoidable.*”

Response to Comment U-13

This comment introduces ensuing comments, which are discussed in detail in Responses to Comments U-14 through U-27.

Response to Comment U-14

Refer to Topical Response 5.

Response to Comment U-15

The comment correctly notes that Community Design Element of the City’s General Plan does not designate Fassler Avenue as an important viewshed. In response to this comment, the text in the third paragraph on page IV.A-3 of the Draft EIR has been revised as follows:

“The Open Space and Recreation and Community Design Elements of the General Plan contain policies aimed in part to preserve the visual character of the City. Although the General Plan does not define the term “scenic vista” the Open Space and Recreation Element draws a connection between open space and the City’s visual resources. The visual resources noted in this element are most importantly the City’s hillsides and ocean. The Community Design Element discusses the importance of protecting the City’s important viewsheds and sometimes “rather delicate terrain of hillside areas” and includes policies to balance these values with the interests of local property owners and residents. ~~The Community Design Element designates Fassler Avenue adjacent to the project site as an important viewshed in the City.~~”

Nonetheless, the view from Fassler Avenue offers a view of the Pacific Ocean and surrounding open space, and is therefore undoubtedly a scenic resource. Refer to Responses to Comment U-9. The above

clarification does not change the conclusion reached in the Draft EIR, i.e., that the project will have a significant and unavoidable impact related to a scenic resource.

Response to Comment U-16

Refer to Response to Comment U-15.

Response to Comment U-17

As discussed on page IV.A-3 of the Draft EIR, the City's General plan proposes the Linda Mar Boulevard – Oddstat – Terra Nova Boulevard – Fassler Avenue loop “for designation as a scenic roadway.” Refer to pages IV.A-12 and IV.A-21 of the Draft EIR. Indeed, this “loop,” which includes Fassler Avenue, is one of only four roadways proposed for designation in the General Plan. The fact that the General Plan proposes Fassler Avenue for designation as a scenic roadway suggests that the views from Fassler Avenue are exceptional, and that the City considers these views to be important scenic vistas. As the Draft EIR noted, the General Plan describes the views from the “loop” of the coastal ridge, the ocean, major recreation areas, points of historic interest and scenic beauty as “spectacular.” The Draft EIR's analysis of the project's impacts is based on all of these considerations.

Response to Comment U-18

The comment contains anecdotal information related to the designation of scenic highways, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment U-19

An individual project's impacts on a scenic vista are site-specific. As discussed on pages IV.A-15 through IV.A-21 of the Draft EIR, the proposed project would substantially block the sweeping views of the ocean and surrounding undeveloped hills afforded from Fassler Avenue. This was considered a significant impact. The other projects mentioned by the commenter may be visible from Fassler Avenue, but they do not block views of the ocean as the proposed project would.

Response to Comment U-20

Refer to Topical Response 5.

Response to Comment U-21

Commenter is correct that, as represented in View 4, Figure IV.A-5 of the Draft EIR, other structures may be visible from the intersection of Roberts Road and Fassler Avenue, but, like the project, are difficult to see from this vantage point. If the project is visible in View 4, it would not result in significant aesthetic impacts. In response to this comment, page IV.A-15 of the Draft EIR will be revised as follows:

“Implementation of the proposed project would diminish the scenic quality of this view by introducing a new residential development into an area ~~previously predominantly~~ characterized by vacant land and undeveloped areas. ~~Because no other nearby residential developments are visible, the proposed project becomes the only visible development in the area.”~~

This modification does not change the ultimate conclusion that the proposed project will have significant and unavoidable impacts on a scenic vista. The Draft EIR does not analyze whether the proposed project’s impact on a particular view is significant, but rather, after analyzing the impacts of the Project on a number of views, concludes that the proposed project will have a significant, adverse impact on scenic vistas. The views from Fassler Avenue looking towards the Pacific Ocean and from Fassler Avenue looking up at the hills (Views 1 & 2, Figure IV.A-4) will be significantly and adversely altered by the proposed project. Refer to the Draft EIR, pages IV.A-15, IV.A-21, and IV.A-22.

Response to Comment U-22

As discussed on pages IV.A-14 through IV.A-22 of the Draft EIR, the proposed project would block a significant portion of the otherwise sweeping ocean view. With respect to aesthetics, refer to Topical Response 5. Although the revised arrangement of units proposed by the project applicant will substantially lessen this impact, the impact will remain significant. One of the reasons the proposed project’s impact related to aesthetics is significant is because it would cause a dramatic change from wide open natural vista to a view dominated by a development. This change is significant regardless of whether the development blocks the views of passing motorists for six seconds or eight seconds. Refer to the comments of Greg VanMechelen, Project Architect, (Comment Letter EE) comparing aesthetic impacts of project as proposed, and with mitigation. As displayed in Figure IV.F-1 of the Draft EIR, according to traffic counts along Fassler Avenue, 1,626 motorists drive down Fassler Avenue toward the ocean during the a.m. and p.m. peak hours alone, and 1,301 drive up toward the ridgeline during these peak hours. The views of these motorists will be significantly and adversely altered if the proposed project is constructed. Therefore, the proposed project, even incorporating the Mitigation Measure IV.A-3 (Relocation of Units # 1-4), would have significant aesthetic impacts.

Response to Comment U-23

Refer to Topical Response 5, Response to Comment U-22, and Figure IV.F-1 of the Draft EIR. Although few pedestrians and bicyclists may utilize Fassler Avenue, hundreds of motorists travel the road every day. The proposed project’s impacts to the scenic vista enjoyed by these motorists, and to the scenic resources of the area, are significant and adverse even with mitigation.

Response to Comment U-24

Refer to Response to Comment U-22.

Response to Comment U-25

The photos included in the Draft EIR are simply representative of views seen from various points along Fassler Avenue. Moreover, View 2 in Figure IV.A-4 of the Draft EIR does not differ significantly from the representations labeled “Second #5” and “Second #6” in the comment letter submitted by Greg VanMechelen, architect for the proposed project. The representations in this comment letter purport to show the views of a motorist traveling down Fassler Avenue, looking straight ahead.

Response to Comment U-26

Refer to Topical Response 5 and Response to Comment U-22. The architect for the project submitted a representation of the view of the proposed project incorporating Mitigation Measure IV.A-3 (Relocation of Units # 1-4) from the same vantage point as that in View 1, Figure IV.A-4 of the Draft EIR. Contrary to the commenter’s assertion, neither Mitigation Measure IV.A-3 nor the represented landscaping changes the proposed project’s impacts to the view from this vantage point in any significant way.

With respect to the portion of this comment stating that the project is set below the ridgeline, refer to Response to Comment H-5.

Response to Comment U-27

In response to this comment, page VI-3 of the Draft EIR, paragraph headed “Aesthetics” will be revised as follows:

“The EIR concluded that project impacts related to scenic vistas, ~~visual character~~ and scenic resources would be significant and unavoidable.”

In addition, page VI-5 of the Draft EIR, paragraph headed “Aesthetics” will be revised as follows:

“The EIR concluded that impacts related to scenic vistas, and scenic resources within a scenic highway, ~~and visual character~~ would be significant and unavoidable”

In addition, page VI-8 of the Draft EIR, paragraph headed “Aesthetics” will be revised as follows:

“The EIR concluded that impacts related to scenic vistas, and scenic resources within a scenic highway, ~~and visual character~~ would be significant and unavoidable”

In addition, page VI-11 of the Draft EIR, paragraph headed “Aesthetics” will be revised as follows:

“The EIR concluded that impacts related to scenic vistas, and scenic resources within a scenic highway, ~~and visual character~~ would be significant and unavoidable”

In addition, page VI-14 of the Draft EIR, Table Entry for Visual Character, Impacts of the Proposed Project will be revised as follows:

~~“Significant and Unavoidable~~ Less than Significant”

In addition, page VI-14 of the Draft EIR, Table Entry for Visual Character, Alternative B will be revised as follows:

~~“Significant and Unavoidable~~ Less than Significant”

In addition, page VI-14 of the Draft EIR, Table Entry for Visual Character, Alternative C will be revised as follows:

“Less Than Significant ~~w/Mitigation~~”

In addition, page VI-14 of the Draft EIR, Table Entry for Visual Character, Alternative D will be revised as follows:

“Less Than Significant ~~w/Mitigation~~”

Response to Comment U-28

In response to this comment, the text in the first paragraph on page IV.E-2 of the Draft EIR has been revised as follows:

“The quality of surface and groundwater at the project site is affected by land uses within the watershed that drain through the site and the composition of geologic materials. Drainage from the site could contribute to the quality of water in drainages downstream and eventually in the ~~San Francisco Bay and~~ Pacifica Ocean.”

Response to Comment U-29

In response to this comment, Mitigation Measure IV.C-2 (Archaeologist Oversight) on pages II-14 and IV.C-8 of the Draft EIR has been revised as follows:

“MM-IV.C-2: Archaeologist Oversight

A qualified archaeological monitor (which could include the construction foreman if appropriately trained by an archaeological monitor) shall be present during any and all ground-disturbing activities that occur in association with the project, including any utility and sewer hookups within the public streets.”

A Mitigation Monitoring Plan is included as Section V of the Final EIR.

Response to Comment U-30

Pursuant to *CEQA Guidelines* § 15065, if a lead agency finds that certain conditions may occur as a result of a project, the lead agency must require that an EIR be prepared for the project. Thus, the purpose of

these “mandatory findings of significance” is to assist the lead agency in determining whether to prepare an EIR, a negative declaration, or find the project exempt from further environmental review. Here, the Initial Study for the project included these mandatory findings and concluded that the project may have a significant environmental impact. Therefore, an EIR was prepared. On the basis of these findings and in accordance with *CEQA Guidelines* § 15065(c), the Draft EIR identified and analyzed in depth the project’s potentially significant impacts, feasible alternatives and mitigation measures, and changes to the proposed project that could substantially lessen or avoid the significant effects. The Draft EIR concluded that the project’s aesthetic impacts would be significant and unavoidable. Therefore, a statement of overriding considerations must be adopted by the City in order to approve the project.

Response to Comment U-31

CEQA Guidelines § 15126.6(e)(3)(B) provides that the discussion of the “no project” alternative should compare “the environmental effects of the property remaining in its existing state against environmental effects which would occur if the project is approved.” In addition, “[i]f disapproval of the project under consideration would result in predictable actions by others, such as the proposal of some other project, this ‘no project’ consequence should be discussed.” *Id.* (emphases added). The City is not aware of any “predictable” actions by others to develop the property, should this project be disapproved, because few development proposals other than various versions of this project have been submitted for the project site. It would be speculative for the City to analyze the impacts of a hypothetical project proposal that could be presented to the City if the current project is not approved.

Response to Comment U-32

Refer to Response to Comment U-31. The Draft EIR concludes that the environmentally superior alternative is the “No Project” Alternative. Among the remaining alternatives, Alternative C, the “Reduced Density” Alternative, is environmentally superior because it would result in no significant and unavoidable impacts, and would have fewer (and lesser) environmental impacts than the other alternatives. Refer to pages VI-13 of the Draft EIR.

The commenter is correct that the analysis of the “no project” alternative does not include an analysis of this alternative’s biological impacts. In response to this comment, page VI-3 of the Draft EIR has been revised as follows:

“Biological Resources

Under Alternative A, the site would not be developed and disturbance of the site would not occur. The EIR concluded that impacts related to biological resources would be significant and with implementation of mitigation, these impacts would be less than significant. Because no new development would occur under this alternative, any biological resources that are present on the site would no be disturbed. This Alternative would not result in impacts.”

Response to Comment U-33

Refer to Response to Comment N-4. Alternative C, the “Reduced Density” Alternative, assumed that the project site would be developed with twelve units similar to the units proposed by the project applicant. Refer to the Draft EIR, pages VI-7 and VI-8. Thus, Alternative C would likely be as energy-efficient as the proposed project based on the fewer number of proposed units. Even if it were not, Alternative C has fewer other environmental impacts than the proposed project. In particular, Alternative C would have a less-than-significant-impact on aesthetics. Alternatives B and D include the same number of units as the proposed project but vary their locations. The same green building components of the project would be incorporated in these alternatives, and therefore the energy consumption and energy-efficiency of Alternatives B and D would be similar to the proposed project. The “no project” alternative would require the lowest levels of energy consumption out of all the alternatives because no new materials would be used and no energy expended either for construction or operation. While the alternatives envision that green building components would be incorporated into the design, it is unclear whether it would be economically feasible to do so.

Response to Comment U-34

This comment contains anecdotal information, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER V: KEITELMAN, MARY***Response to Comment V-1***

This comment introduces ensuing comments, which are discussed in detail in Responses to Comments V-2 through V-15.

Response to Comment V-2

The development projects cited by the comment were not specifically evaluated in the cumulative analysis of the traffic study for the project. However, in accordance with CEQA requirements, the traffic study does include a cumulative analysis that takes into account traffic growth from planned and pending

development projects in the area. The methodology used for this analysis was to factor up all of the existing traffic count data using a one percent per year growth rate applied over a 10-year period. Additionally, the trips from one known development project (“The Rock”) and the trips from the subject project were layered on top of the factored volumes to yield traffic volumes for “cumulative plus project” conditions. The growth rate used in the study is consistent with the growth of jobs and households projected by the Association of Bay Area Governments for Pacifica. For an area like Pacifica, where most of the city is built out, using the growth rate method provides for a more conservative estimate of cumulative traffic volumes since the volume in every turn movement at all study intersections is factored up by the growth rate. Thus the cumulative impacts analysis assumes a level of growth that includes the Steward Newton development.

Response to Comment V-3

The traffic report does present an accurate analysis of traffic conditions in the study area and the existing congestion levels are noted in the traffic study. The City’s thresholds of significance are stricter for congested intersections, but they do allow for a small amount of traffic to be added to a congested location without being classified as a significant intersection impact. The proposed project was evaluated against the City’s thresholds and the analysis concluded that the amount of project traffic that would be added by the project would not constitute a significant intersection impact. Moreover, CEQA does not require a project to mitigate existing traffic deficiencies.

Response to Comment V-4

The comment states that the Pacific Ocean allows only one direction of through traffic to the project site. As discussed on page IV.F-2 of the Draft EIR, Fassler Avenue serves as a collector street for several residential developments east of SR 1. The project site is not adjacent to the Pacific Ocean, so there is no physical boundary preventing through traffic in two directions.

Response to Comment V-5

The relatively small amount of project traffic added to Fassler Avenue during commute times would not noticeably affect travel times on that road. During the AM and PM peak hours, the commute directions on Fassler Avenue (westbound in the morning and eastbound in the evening) would each carry 23 project trips. This equates to about one new vehicle trip every 2.5 minutes. Such a low volume of traffic would not disrupt traffic flow on Fassler Avenue to the point that average travel times along Fassler Avenue are affected.

Response to Comment V-6

Refer to Responses to Comments K-3 and V-5.

Response to Comment V-7

The amount of traffic added to Fassler Avenue would not constitute a significant increase in traffic on that road. During the AM peak hour the 33 trips added by the project constitute about 2 percent of the existing traffic load. Similarly during the PM peak hour the 41 trips added to Fassler Avenue by the project constitute about 3.5 percent of the existing traffic volume on Fassler Avenue. There is no evidence to suggest that the addition of the relatively small amount of project traffic to Fassler Avenue would make that roadway more hazardous to motorists. The development of the proposed project would not create any traffic hazards or make existing conditions more hazardous. The proposed project driveway would be designed and constructed to City and Caltrans standards for operations and safety, ensuring safe and efficient traffic operations. In addition, refer to Topical Response 2 and Responses to Comments K-3 and V-5.

Response to Comment V-8

Refer to Section IV.B (Biological Resources) of the Draft EIR, which provides analysis of the project's impacts on biological resources. A discussion of the potential impacts of development on special-status species, including raptors protected under federal and State regulations, is provided under Impact IV.B-1, and impacts on wildlife habitat in general is provided under Impact IV.B-4 of the Draft EIR. Mitigation Measure IV.B-3 would ensure avoidance of any active raptor nests, and Mitigation Measures IV.B-6 and IV.B-7 would minimize potential adverse impacts on wildlife habitat in general. Implementation of these and other relevant measures in the Section IV.B (Biological Resources) of the Draft EIR would ensure that potential impacts on wildlife species and associated habitat are mitigated to a less-than-significant level, and no additional measures are considered necessary.

Response to Comment V-9

Refer to Response to Comment V-8. As indicated in Section IV.B (Biological Resources) of the Draft EIR, no evidence of any nesting was actually observed on the site, but the preconstruction survey recommended in Mitigation Measure IV.B-3 would ensure avoidance of any new nests in active use. As discussed under Impact IV.B-5, although the two Monterey cypress trees meet the definition of "Heritage tree" under the City's Municipal Code Sec. 4-12.04, the loss of these two non-native trees would not be considered significant. They currently do not contain any raptor nests, and sufficient replacement trees would be planted as part of landscaping and habitat restoration on the site.

Response to Comment V-10

This comment incorrectly states that trees hold water in the ground and their removal represents a loss of water. Trees actually draw on the surface and subsurface water, much of which is lost through evapotranspiration through leaves. This rate of evapotranspiration varies depending on daily temperature, wind speed, and other factors, but trees actually contribute to a reduction in available surface and subsurface water from a particular location.

Response to Comment V-11

The project applicant is pursuing LEED certification for this project under their relatively new “LEED for Homes” standards. An initial meeting has taken place between the project applicant and a LEED expert (and member of the USGBC Planning Committee) of the Draft EIR. The LEED expert said the project is a very strong project, which should receive a Gold rating, and has an excellent potential for receiving a Platinum rating, the highest possible score. Because of the requirements for documentation during construction, a final designation will not be received until the project has nearly completed construction. Updates will be provided on the expected LEED status throughout the project on the project applicant’s website (<http://pacificapropects.com/>).

Response to Comment V-12

This comment contains anecdotal information, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment V-13

This comment states that the increase in human presence will adversely affect birds and other wildlife. Refer to Response to Comment V-9. Hiking activities would be limited to established trails and would include trash cans. A discussion of the potential impacts of the project on wildlife is provided under Impact IV.B-4 acknowledges direct and indirect changes to existing habitat. Mitigation Measures IV-B-6 and IV.B-7 would minimize adverse changes in existing habitat and together, with other mitigation measures, would reduce anticipated impacts to less-than-significant levels.

Response to Comment V-14

Refer to Response to Comment U-12.

Response to Comment V-15

This comment contains anecdotal information, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER W: LEE, RICK***Response to Comment W-1***

This comment contains anecdotal information, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment

is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Refer to Responses to Comments W-2 through W-6.

Response to Comment W-2

This comment asserts that it would not be economically feasible to build twelve units on the project site unless the units were large homes, and that the environmental impacts of building twelve large homes on the site would be greater than building the proposed project. The comment describes a different, additional alternative to the proposed project that would have twelve large homes, occupy a footprint similar in size to the proposed project's footprint, and have a higher per person impact in terms of energy use, water consumption, materials depletion, and other factors. This alternative was not analyzed in the Draft EIR, as it would not substantially reduce significant impacts.

As discussed on pages VI-7 and VI-8 of the Draft EIR, Alternative C, the "Reduced Density" Alternative, assumed that the project site would be developed with twelve units similar to the units proposed by the project. The purpose of Alternative C was to reduce the footprint of the project, and thus reduce the impacts to aesthetics, biological resources, cultural resources, hydrology and water quality, and noise. In addition, because Alternative C would result in fewer new residents, it would have reduced impacts to air quality and traffic. For these reasons, the Draft EIR concluded Alternative C would be environmentally superior to the proposed project. Refer to Response to Comment N-4 for a discussion of the possible green building features under Alternative C. As discussed on page VI-10 of the Draft EIR, Alternative C may not be economically feasible.

Response to Comment W-3

This comment contains anecdotal information, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Refer to Response to Comment W-2.

Response to Comment W-4

This comment contains anecdotal information, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Refer to Response to Comment W-2.

Response to Comment W-5

This comment contains anecdotal information, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Refer to Response to Comment W-2.

Response to Comment W-6

Refer to Response to Comment Q-2. Commenter notes that commenter's alternative (i.e., twelve large homes) would not meet the objectives of the project because the development would no longer be a green development, would not demonstrate the benefits of green building, and would not create a pedestrian community. As discussed on page VI-10 of the Draft EIR, Alternative C, the "Reduced Density" Alternative, may not meet the objective of "demonstrating to the development community that there is a market for this type of project," and that it may not provide the same number of affordable units. Contrary to the commenter's suggestion, there is no indication in the Draft EIR that any mitigation measures (including site restoration measures) would be deleted for Alternative C.

LETTER Wa: LEE, RICK (ATTACHMENT)***Response to Comment Wa-1***

The time periods cited for the pedestrian counts are adequate to accurately identify pedestrian traffic patterns in the area associated with school traffic. One of the counts was conducted on a Friday and the second on a Thursday. Traffic data are typically collected on "normal weekdays" (i.e., Tuesdays, Wednesdays, or Thursdays) to avoid any anomalies in traffic patterns that potentially could be caused by weekend activities. However, this primarily applies to collecting vehicle count data. With respect to pedestrian count data, Friday observations are likely to yield very similar results to observations conducted during "normal weekdays," especially when involving school children, since schools operate on similar schedules on most days of the week, including Fridays.

Response to Comment Wa-2

The pedestrian activity observed by the commenter is consistent with the area and terrain along Fassler Avenue. The neighborhoods to the east on Fassler Avenue are not within what is considered normal walking distance of the destination points along Highway 1. Thus, it is unlikely that many pedestrians would use this stretch of Fassler Avenue.

LETTER X: MOORE, WILLIAM A.***Response to Comment X-1***

This comment accurately summarizes the portion of the Draft EIR that designates Alternative C as the environmentally superior alternative, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment X-2

This comment accurately summarizes the portion of the Draft EIR describing the number of affordable houses and also contains anecdotal information regarding affordable housing, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment X-3

Refer to Responses to Comments N-3 and Q-2.

Response to Comment X-4

Refer to Responses to Comments Q-2, W-2, and W-6. This comment contains speculation about the affordability of homes if Alternative C, Reduced Density, was implemented instead of the project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment X-5

This comment contains anecdotal information, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER Y: PILGRIM, STELLA M. AND ROBERT L.***Response to Comment Y-1***

This comment introduces ensuing comments, which are discussed in detail in Responses to Comments Y-2 through Y-13.

Response to Comment Y-2

A portion of the project site is designated Low Density Residential. As part of the project, the project applicant is requesting an amendment to the General Plan to re-designate the western portion of the property as Low Density Residential, instead of Open Space Residential. According to page 32 of the City's General Plan, the Low Density Residential designation "[i]ndicates an average of 3 to 9 dwelling units to the acre. The specific density and type of units will be determined by site conditions, including slope, geology, soils, access, availability of utilities, public safety, visibility, and environmental safety." As discussed on page V-4 of the Draft EIR, the proposed project is consistent with the Low Density Residential designation. The portion of the property formerly used for the quarry has already been graded, and thus comprises the most logical location for the permitted units.

Response to Comment Y-3

Refer to Response to Comment H-5. In addition, the project has been designed to limit the height of the units in order to preserve views of the ridgeline from Fassler Avenue.

Response to Comment Y-4

The traffic impacts of the proposed project on the roadway network were evaluated using accepted methodologies and the City's level of service standard and thresholds of significance, and found not to cause any significant impacts.

Response to Comment Y-5

The level of service definitions cited by the commenter are outdated. The current edition of the Highway Capacity Manual, published by the Transportation Research Board in 2000, is the basis of the level of service thresholds for the subject project. However, no matter which edition of the Highway Capacity Manual is used, the conditions at the Highway 1/Fassler Avenue intersection would be classified as LOS F during the AM peak hour, as stated by the commenter. The project would add 30 trips to the Highway 1/Fassler Avenue intersection during the AM peak hour. The impact of these additional trips at that intersection was correctly analyzed in the traffic analysis. Refer to Topical Response 1.

Response to Comment Y-6

This comment states that the traffic analysis does not evaluate the traffic impacts of the daily trips added by the project. The traffic analysis evaluates the impacts of traffic added by the project during the peak commute hours – the times when significance traffic impacts are most likely to occur. The purpose of the traffic report is to identify potential "significant" traffic impacts caused by the project for which mitigation measures would be required to be implemented by the project. The traffic report does not conclude that there would be no traffic increases. Instead, the traffic report concludes that there would be no significant traffic impacts, for which mitigation measures are required. Refer to Topical Response 1.

Response to Comment Y-7

Refer to Topical Response 1.

Response to Comment Y-8

Refer to Topical Response 1.

Response to Comment Y-9

Refer to Topical Response 1.

Response to Comment Y-10

Refer to Topical Response 1.

Response to Comment Y-11

Refer to Topical Response 1.

Response to Comment Y-12

Refer to Topical Response 1.

Response to Comment Y-13

Refer to Topical Response 4.

LETTER Z: METCALF, JUDY AND QUERIDO, DOROTHY

Response to Comment Z-1

This comment introduces ensuing comments, which are discussed in detail in Responses to Comments Z-2 through Z-9.

Response to Comment Z-2

Refer to the discussion under Impact IV.E-3 on page IV.E-10 of Section IV.E (Hydrology & Water Quality) of the Draft EIR. As indicated therein, the project would include measures to provide storage for runoff generated by the project. Though a detailed design plan for the retention and detention basins is unavailable, Mitigation Measure IV.E-3 would ensure that detention basins operate properly, thereby reducing impacts to a less-than-significant level.

Response to Comment Z-3

Refer to Impact IV.E-2 on page IV.E-9 of the Draft EIR. As indicated therein, there are no streams traversing the project site. Runoff from the site would be controlled and directed into the on-site water detention features (including the upper level pond, cistern, and amphitheatre) and ultimately the underground cistern located under the subterranean parking structure. The detained runoff would be used as a supplemental irrigation supply. Though the preliminary plan does not include a detailed design and maintenance plan for these features of the project, Mitigation Measure IV.E-3 on page IV.E-13 of the Draft EIR would ensure that the detention basins would operate properly through requiring design specifications and a maintenance plan. This would reduce impacts to a less-than-significant level.

Response to Comment Z-4

Refer to Topical Response 3.

Response to Comment Z-5

This comment expresses general concern about the hiking trails, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Z-6

This comment expresses an opinion regarding the density of the project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Nonetheless, as discussed on pages V-3 and V-4 of the Draft EIR, given the project's consistency with the City's land use plan, policies and regulations, impacts related to land use are considered less than significant and no further analysis is required.

Response to Comment Z-7

This comment is unclear. Nonetheless, a geotechnical investigation prepared by Bay Area Geotechnical Group for the proposed project outlines the seismic hazards and appropriate mitigation measures. Section IV.D (Geology/Soils) of the Draft EIR is based on the aforementioned investigation. Mitigation Measure IV.D-2 (Geotechnical Consultant Involvement) would require preparation of a single geotechnical engineering report no later than acceptance of detailed plans.

Response to Comment Z-8

This comment contains anecdotal information regarding hillside disasters, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the

Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Z-9

This comment contains anecdotal information regarding the project's consistency with the City's land use policies, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER AA: ROSENSTEIN, KAREN

Response to Comment AA-1

In response to this comment, the text on page III-20, second paragraph of the Draft EIR, has been revised as follows:

“Access to the project site would be provided ~~at two points~~ by one full access point and one emergency access point along Fassler Avenue, near the western border of the project site. The westernmost access road into the project site would provide full access to the subterranean parking garage. The ~~second~~ emergency access point would lead into one of the access roads on the project site which (along with the other access road on the project site) would serve as a promenade, emergency access, and pedestrian walkway. The emergency access point would be used as an access point during emergencies only. Because the ~~second~~ emergency access point would be sited on top of the parking structure, it would be designed to meet California Department of Transportation Bridge Design Standards.”

Response to Comment AA-2

Refer to Topical Response 2 and Response to Comment T-3.

Response to Comment AA-3

Refer to Topical Response 2.

Response to Comment AA-4

The Draft EIR discusses the proposed project's consistency with the City's General Plan, Zoning Ordinance, and other planning documents on pages V-3 and V-4 of the Draft EIR. As part of the project, the General Plan would be amended to designate the western portion of the site “Low Density Residential.” In addition, as the commenter notes, the project requires a variance from the Hillside Preservation District regulations. The Zoning Ordinance authorizes the City to grant variances under certain circumstances (refer to Municipal Code § 9-4.3401). The City Planning Commission would determine whether such a variance is appropriate (refer to Municipal Code § 9-4.3404). All

environmental impacts caused by the activity requiring the variance (for example, increased grading as a result of developing property in the Hillside Preservation District) have been analyzed in the Draft EIR. For example, refer to pages IV.E-1 through IV.E-14 of the Draft EIR (analyzing the project's impacts to hydrology and water quality). The grant of this variance, and the project more generally, is consistent with the policies and programs of the General Plan. For example, Policy 3 of the Open Space Element provides that one of the City's policies is to "[b]alance open space, development and public safety, particularly in the hillside areas" (refer to page 17 of the General Plan). The proposed project strikes this balance in the HPD by providing new homes, but at the same time concentrating the units on a small footprint and thereby leaving substantial open space for public and private use.

Refer to Topical Response 2.

Response to Comment AA-5

The green principles by which the project was designed are listed on page III-21 of the Draft EIR. As discussed on pages IV.E-8 and IV.E-9 of the Draft EIR, the water collection system is included in the proposed project to reduce impacts related to hydrology and water quality. The water detention/retention system is subject to the same mitigation measures as described in the Draft EIR, including those related to geology/soils. If the system was not included, the proposed project would result in impacts to hydrology, specifically related to drainage. This system is required by the regulations outlined in Mitigation Measures IV.E-1 and IV.E-2 and the proposed project could not be constructed without it.

Response to Comment AA-6

Refer to Response to Comment AA-5.

Response to Comment AA-7

The houses located below the storm drainage system will naturally drain downhill. The total runoff is projected to be less than the current natural runoff and design measures will be implemented to ensure natural drainage. In addition, all units would be subject to Mitigation Measures IV.E-1 through IV.E-3 as described on pages IV.E-10 through IV.E-14 of the Draft EIR.

Response to Comment AA-8

The vegetation located on the slope below the project is watered by rainfall in addition to runoff from the project site. The entire site will not be paved and areas with pervious surfaces will continue to absorb moisture. There will be no destabilization and, thus, no vegetation removal

Response to Comment AA-9

Refer to Topical Response 3.

Response to Comment AA-10

As depicted in Figure III-3 of the Draft EIR, the amphitheatre is located uphill from Units #6 and #8.

Response to Comment AA-11

Refer to Topical Response 3.

Response to Comment AA-12

With respect to the portion of the comment stating that the project is advertised as providing amenities for the public, all the improvements on the project site are for residents and their invited guests. With respect to the portion of the comment concerning parking, refer to Topical Response 3.

Response to Comment AA-13

The subterranean garage would not be completely visible, thereby lessening the overall bulk and mass of the project. The South Elevation in Figure III-5 of the Draft EIR shows the roadway that would lead to the subterranean garage entrance. To view a cross-section of the subterranean garage with units located on top, refer to Figure III-4 of the Draft EIR. The plans included in the Draft EIR are from a perspective that is further away and include the hillsides in comparison to the plans available at the City Planning Department.

Response to Comment AA-14

The purpose of this figure is to show the project's impacts related to aesthetics and is not intended to show the lane configuration. For a description of lane changes and configurations, refer to Topical Response 2.

Response to Comment AA-15

Refer to the first paragraph on page IV.A-2 of the Draft EIR. As indicated therein, the photographs include views from vantage points in areas surrounding the project site in which the site is visible. In no way is this grouping of photographs meant to be an exhaustive collection of all the views that include the project site from all vantage points. Rather, the photographs are meant to show *representative* views toward the site from the surrounding area. Refer to Response to Comment U-12.

Response to Comment AA-16

The parking garage is a ramp design, with a higher floor elevation on the east side, to follow the sloping contours of the site. This higher level, the "Upper Garage" as identified on the floor plan, is five feet higher than the "Lower Garage." Parking lifts would be used to stack the automobiles and they require a pit of approximately six feet in depth to lower the bottom car while accessing the upper car. To ease construction, the entire structural floor of the Upper Garage will be built at the same level, six feet under

the drive surface. As there are no lifts in the drive aisle, there is an “extra” utility space underneath, and this is a logical place to put water storage tanks. They will not disturb the soil, will not degrade or corrode area readily accessible for cleaning and other maintenance, and they will be invisible.

Response to Comment AA-17

With respect to the portion of the comment concerning excavation, the objective is to balance the excavation, i.e., cut and fill. It is evident from review of the cross section of the garage, that while there is excavation (cut) on one side, there is also nearby fill on the other side. The cut and fill balancing will be optimized in the final design. With respect to the concerns regarding blasting, refer to Response to Comment P-5.

Response to Comment AA-18

A complete analysis of the electrical generation versus the electrical usage on the project has not yet been performed. However, preliminary estimates and goals are to make the project a zero energy usage, where the electricity generated on the site meets the annual needs of the project. The project applicant has stated that there would be enough power for the individual homes, the community center, the site lighting, water management, and all of the electrical equipment in the garage.

Response to Comment AA-19

No generator would be required. The car lifts would allow for the upper car to be lowered by gravity and the lower car would be cranked into position if necessary.

Response to Comment AA-20

The car lift would be designed to allow either car to be removed without disturbing the other car.

Response to Comment AA-21

The total area tributary to the garage entrance would be approximately 3,500 square feet. The surface would consist of pervious material including the pavement, which would be porous concrete. The slope ranges from zero to a maximum of 6.7 percent with an average slope of less than 5 percent. There is provision for a high capacity trench drain in front of the garage door opening to intercept any runoff that reaches this point. This trench drain is connected to the storm water collection system and drains by gravity. This type of system has been used effectively elsewhere in more severe conditions. Furthermore, if some water crosses the trench drain and enters into the garage, there is an additional garage drain.

Response to Comment AA-22

The Draft EIR concluded that the noise generated by the operation of the project would be less than significant, and therefore no mitigation measures were required for the operational phase of the project. To further reduce the noise impacts, Charles Salter Associates of San Francisco will consult with the

project applicant. The primary concerns will be the noise from Fassler Avenue. Slower moving cars in the garage generate less noise and the concrete walls of the garage greatly reduce sound transmission. In the past, Charles Salter Associates has recommended improving the quality of the exterior windows and glazing as the most important means of reducing sound impacts. Pursuant to Mitigation Measure IV.A-3, Units #1-4 would be relocated farther from Fassler Avenue, so a portion of this comment is no longer applicable.

Response to Comment AA-23

With respect to the portion of the comment concerning soundproofing, refer to Response to Comment AA-22. With respect to the portion of the comment concerning ventilation of the garage, the California Building Code sets requirements for ventilation of parking garages. Based on this, the project would have four ventilation discharge areas, each approximately 4.5 square feet, with air moving at the relatively slow speed of 500 feet per minute to minimize noise. Airshafts would be integrated into the design of the structures above the garage, and have the discharge at a point above the windows of nearby units to avoid contaminating the interior environment.

Response to Comment AA-24

As indicated in Mitigation Measure IV.D-1 (Strong Seismic Ground Shaking) the project applicant shall submit any design/development plans for the Project to the City for review and approval, including peer review as necessary, to verify that the plans conform to design standards. In addition, the project would comply with the Housing Code Chapter of the City's Municipal Code.

Response to Comment AA-25

The commenter asks whether the project applicant will be legally combining the two parcels located on the project site. The project site consists of two separate lots and assessor's parcels numbers (APNs) but no lot mergers are recorded. Typically, when more than one parcel or lot is within one project site, the City has not required lots to be merged. However, City staff will evaluate whether it to be appropriate in this case, and, if so, whether staff would recommend this as a condition of approval.

Response to Comment AA-26

Refer to Response to Comment J-4. Implementation of the proposed project would require an amendment to the General Plan redesignating the western portion of the site for Low Density Residential use.

Response to Comment AA-27

An individual unit may have a larger private open space than the yards indicated on the site plan. The City's Zoning Code has a specific definition for "yard" and it includes open space with a ground slope of less than 10 percent. Units #1-6 are on the relatively flat portion of the site and more of their yard space can count toward fulfilling the City's requirements for open space. The final demarcations of the other

properties have not been determined, but they will include land that has a steeper slope and therefore does not meet the City's requirements for yards.

Response to Comment AA-28

The community garden would be for the use of the project residents only. The garden will be for food production. If windbreaks are determined necessary, they would be designed as low growing hedges, and as such would not block public views of any scenic vistas or scenic resources.

Response to Comment AA-29

The parking for Unit #7 is on the lower portion of the project site at grade level of the garage and on the west side of the structure. The parking spaces are approximately 90 feet from the entrance to Unit #7, which is well within the City's distance requirements, along an accessible path which includes ramps but no elevators. Two of the four spaces for Unit #7 are accessible in accordance with the California Building Code and Federal ADA requirements.

Response to Comment AA-30

This comment correctly identifies Units #1 and #13 as designated affordable housing. As indicated in Figure III-3, Units #12, #19, and #28 are also designated as affordable housing. The commenter also requested information on the cost of affordable housing. The City will soon adopt an Inclusionary Zoning Ordinance that will defer to the Health and Safety code for its affordability formula. It is anticipated that units for Lower Income Households would be offered at a price where households earning eighty (80%) percent of the most current household size-adjusted median income for San Mateo County would spend no more than thirty-three (33%) percent of their gross monthly income toward all monthly housing costs. Units for Moderate Income Household would be offered at a price where households earning between eighty (80%) and one hundred (100%) percent of the most current household size-adjusted median income for San Mateo County would spend no more than thirty- three (33%) percent of their gross monthly income toward all monthly housing costs.

Response to Comment AA-31

Requirements for affordable housing would be reduced from 5 units to 2 units, a 60 percent loss, and the larger units would be further from the reach of most residents.

Response to Comment AA-32

With respect to the portion of this comment concerning the definition of private open space, refer to page III-20 of the Draft EIR. As indicated therein, each residential unit would have open space in the form of yards and decks. With respect to the portion of this comment concerning the heights of fences around private open spaces, that level of detail is not yet available. Nonetheless, the project will comply with the City's zoning code.

Response to Comment AA-33

Plug-ins are an option to facilitate and encourage use of electric cars. It is understood that currently available hybrid cars do not generally require being plugged in. Vehicle technology is improving steadily and it is the project applicant's intention to evaluate the options as construction nears in order to provide the greatest fuel efficiency.

Response to Comment AA-34

This comment is incorrect. As indicated on page IV.F-17 of the Draft EIR, there are no mitigation measures required or recommended because no potentially significant impacts have been identified. Furthermore, hybrid vehicles were not factored into air quality analysis performed in Section IV.G (Other Environmental Impacts).

Response to Comment AA-35

This comment questions the density of Alternative C. The density of Alternative C is not based on the Open Space Residential land use designation, but rather assumes the General Plan Amendment to Low Density Residential would be implemented. This is the reason this Alternative assumes a greater density than one unit per more than five acres. Under the Low Density Residential designation, between three and nine units per acre may be developed.

Response to Comment AA-36

The City will condition the approval of the project on the project applicant complying with all mitigation measures, including those mitigation measures that require construction monitors and meetings. If the project applicant fails to comply with these conditions, the City has at its disposal a number of enforcement options to ensure that any such failure is corrected. For example, the City may withhold future permits or approval of the final map if it finds the project applicant has not adhered to the Mitigation Monitoring Program adopted by the City and included as Section V of the Final EIR.

Response to Comment AA-37

This comment concerns moving animal nests before nesting season, and the effect on the natural cycle of the species. The comment is presumably referring to Mitigation Measure IV.B-2 regarding the recommended trapping and relocation program for any San Francisco dusky-footed woodrats located within the limits of proposed grading and development. As indicated in the mitigation measure, relocating any individuals outside the breeding season would ensure any young are not inadvertently lost due to the destruction of the protective nests. The trapping and relocation effort would be temporarily disruptive to individual woodrats, but suitable habitat occurs in areas to be retained as permanent open space, and these individuals should adapt relatively quickly. Stick nests would be relocated as part of the trapping and relocation effort, providing protective cover for any relocated individuals.

Response to Comment AA-38

As indicated in the discussion under Impact IV.B-4 on page IV.B-18 of the Draft EIR, a total estimate of approximately 4.8 acres of existing habitat on the site would be replaced with residential development and landscape improvements. However, these modifications are generally not expected to affect any native wildlife nursery areas, substantially interfere with the movement of native resident or migratory wildlife, or obstruct migratory wildlife corridors. Wildlife in the area are already acclimated to human activity along the Fassler Avenue roadway, and a substantial portion of the site would remain as undeveloped open space and would continue to be available for wildlife use and movement with improved habitat values as a result of proposed restoration and enhancement. Implementation of Mitigation Measures IV.B-6 and IV.B-7 would ensure that impacts related to native wildlife would be less than significant.

Response to Comment AA-39

The traffic analysis evaluates potential significant impacts during the peak commute hours (7:00 to 9:00 AM and 4:00 to 6:00 PM). These are the times when traffic volumes are at their highest and traffic conditions are busiest. During non-peak times, ambient traffic volumes on the surrounding street system are significantly lower, such that the addition of non-peak-hour traffic generated by the project could easily be accommodated by the street system.

Response to Comment AA-40

With respect to the cumulative impact of other development projects in the area, refer to Response to Comment V-2. The tunnel project is not intended to add capacity to Highway 1. Instead, it is intended to reduce the time during the year that Highway 1 is closed due to weather-related problems.

Response to Comment AA-41

Refer to Response to Comment V-11.

Response to Comment AA-42

Refer to Response to Comment AA-36.

Under CEQA, a mitigation measure is adequate provided that it specifies the performance standards the project must meet even if these standards may be met in more than one way (refer to CEQA Guidelines § 15126.4[a][1][B]). In this way, the measures identified and analyzed as mitigation for the proposed project's water quality impacts set performance standards (e.g., the drainage plan for the project must not result in an increase in total peak runoff rates from the project site). Refer to pages IV.E-10 through IV.E-14 of the Draft EIR. These measures are adequate under CEQA even though the precise drainage plans have not been developed yet because the City can ensure that any drainage plans meet the required performance standards.

Refer to Response to Comment AA-34. The analysis in the Draft EIR of the proposed project's potential air quality impacts does not assume that the residents of the new units would all have and use hybrid gas/electric vehicles and does not conclude that these vehicles would not contribute to air pollution in the region. Refer to pages IV.G-2, IV.G-4, and IV.G-5 of the Draft EIR. Rather, the predicted mobile source and area source emissions associated with project operation were calculated using a standard computer model distributed for use by the California Air Resources Board and recommended for use by the Bay Area Air Quality Management District. This model does not assume that the vehicles used by residents during the life of the project will be hybrid vehicles. In addition, refer to pages IV.G-6 through IV.G-8 of the Draft EIR.

Response to Comment AA-43

This comment states that the Draft EIR contains statements for which there appears to be no solid data to support and introduces ensuing comments, which are discussed in detail in Responses to Comments AA-44 through AA-49.

Response to Comment AA-44

The Draft EIR makes no such statements regarding the effect of the project related to nearby businesses or the likelihood of project residents shopping near work.

Response to Comment AA-45

As discussed in Section V (General Impact Categories) of the Draft EIR, project implementation would result in increased use of the City's parks, beaches, and recreational facilities. However, recreational uses would be provided onsite and it is anticipated that the residents of the project would largely utilize the onsite facilities. Nonetheless, any increase in use of existing facilities would be minimal since the project has the potential to increase the City's population by 93 residents. Any additional needs would be served by existing facilities. The Draft EIR does not assume that project residents would never use other facilities, but bases the analysis on the small number of residents that would be generated by the project and proposed facilities at the project site.

Response to Comment AA-46

This comment incorrectly states that the Draft EIR states that other nearby projects would include open space if the project includes open space. As discussed in the fifth paragraph on page V-10 of the Draft EIR, the project would set aside 9.2 acres of the 11.2 acre site to be used as open space. Such a practice *could encourage* other future developments in the area to set aside land to be used as open space. However, the project applicant has no authority to require neighboring developments to have open space. The open space on other developments is established by General Plan designations and zoning.

Response to Comment AA-47

This comment incorrectly states that the Draft EIR indicates the project's 93 projected residents would have no impact on the City of Pacifica. The project's level of impact is indicated in each environmental issue section.

With respect to the portion of the comment concerning the project's visibility from certain areas, refer to Section IV.A (Aesthetics) of the Draft EIR, Topical Response 5, and Response to Comment O-2.

With respect to the portion of the comment alleging that the project would change water drainage patterns, refer to the analysis for Impact IV.E-2 on page IV.E-9 of the Draft EIR. As indicated therein, the project's impacts to the existing drainage pattern on the project site would be mitigated to a less-than-significant level through implementation of Mitigation Measure IV.E-1 (Storm Water Pollution Prevention Plan), MM IV.E-2 (National Pollution Discharge Elimination System), and Mitigation Measure IV.E-3 (Grading and Drainage Plans).

A portion of the comment concerns the project's lane configuration and environmental aspects of the proposed project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Refer to Topical Response 2 and Response to Comment T-3.

Response to Comment AA-48

This comment incorrectly states that the project is promoted as being Mediterranean. As indicated in the third paragraph on page IV.E-2 (Hydrology and Water Quality) of the Draft EIR, the City's proximity to the Pacific Ocean results in "Mediterranean climate conditions". There is no mention in the Draft EIR of any Mediterranean features of the project. With respect to the commenter's concern over the allowable development under current zoning and land use designations, refer to Response to Comment J-4. Commenter's expressed belief that the Planning Commission may recommend a project with a smaller number of units is noted.

Response to Comment AA-49

Refer to Topical Response 2 and Response to Comment T-3. A portion of the comment concerns the project's relation to the current zoning and General Plan designation, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment AA-50

This comment expresses opposition the project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER BB: SCHMIDT, PAUL AND VIGNERA, ANDREA***Response to Comment BB-1***

A portion of this comment expresses opposition the project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

The remainder of this comment introduces ensuing comments, which are discussed in detail in Responses BB-2 through BB-5.

Response to Comment BB-2

Refer to Topical Response 2 and Responses to Comments T-3, V-5, and V-7.

Response to Comment BB-3

Refer to Response to Comment Z-3. As discussed in Section IV.E (Hydrology & Water Quality) of the Draft EIR, impacts related to runoff would be mitigated to a less-than-significant level through implementation of Mitigation Measure IV.E-1 (Storm Water Pollution Prevention Plan), Mitigation Measure IV.E-2 (National Pollution Discharge Elimination System), and Mitigation Measure IV.E-3 (Grading and Drainage Plans).

Response to Comment BB-4

The specifics of the retaining walls have not yet been designed, but the project applicant intends to use an embossed stone pattern, actual thin-set stone, or synthetic stone for the walls. The retaining walls facing north towards Rockaway Beach Avenue will not exceed five feet in height, and only one wall (located between Units #11 and #12) will exceed four feet in height. Preliminary three-dimensional modeling, which is consistent with the modeling included in the Draft EIR, shows that these walls would not be visible from Rockaway Beach Avenue. While a complete landscape plan has not been finished, the walls would be concealed by planted shrubs.

Response to Comment BB-5

Refer to Topical Response 3.

LETTER CC: SCHNEIDER, FRANK***Response to Comment CC-1***

This comment introduces alleged errors described in ensuing comments, which are discussed in detail in Responses to Comments CC-2 through CC-5.

Response to Comment CC-2

Refer to Response to Comment U-21.

Response to Comment CC-3

Refer to Response to Comment U-9 and U-15.

Response to Comment CC-4

Refer to Responses to Comments U-9, U-10, and U-17.

Response to Comment CC-5

Commenter is correct that Fassler Avenue itself is part of almost any view from Fassler Avenue toward the ocean or up at the ridgeline. In response to this comment, the text on page IV.A-11, second paragraph of the Draft EIR, has been revised as follows:

“The area surrounding the project site to the east is characterized by low-intensity development primarily consisting of suburban neighborhoods dispersed among undeveloped areas. The area surrounding the project site to the north is characterized by undeveloped hillsides and vacant land. Fassler Avenue, a four lane road, borders the project site to the west and south. Across Fassler Avenue to the ~~west and~~ south of the project site consists primarily of undeveloped areas.”

However, the visual character of the area is not defined by Fassler Avenue even though it is in the foreground of the views in the Draft EIR. Refer to Response to Comment U-9. Fassler Avenue does not block or significantly detract from any view of the ocean or the ridgelines. Figures IV.A-2, IV.A-3, IV.A-4, and IV.A-5 of the Draft EIR show Fassler Avenue in their depictions of views from various vantage points.

Response to Comment CC-6

Refer to Topical Response 5 and Responses to Comments U-22 and U-23.

Response to Comment CC-7

Refer to Responses to Comments U-9, U-10, U-17, and U-19.

Response to Comment CC-8

Refer to Responses to Comments U-9 and U-10.

Response to Comment CC-9

This comment contains anecdotal information and an opinion about the project's impacts related to aesthetics, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER DD: SHERMAN, ROBERT M.

Response to Comment DD-1

This comment introduces ensuing comments, which are discussed in detail in Responses to Comments DD-2 through DD-6.

Response to Comment DD-2

The comment contains anecdotal information, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment DD-3

The comment contains anecdotal information regarding the history of Fassler Avenue, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment DD-4

The comment expresses support for the project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment DD-5

The comment contains anecdotal information regarding speeding and pedestrian safety on Fassler Avenue, but does not state a specific concern or question regarding the sufficiency of the analysis or

mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment DD-6

The comment contains anecdotal information, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER EE: VANMECHELEN, GREG

Response to Comment EE-1

The comment contains an opinion about the Draft EIR's analysis of the project's impacts related to aesthetics. More detailed concerns regarding this issue are raised in ensuing comments, which are discussed in detail in Responses to Comments EE-2 through EE-8.

Response to Comment EE-2

Refer to Responses to Comments U-9, U-10 and U-22. After reviewing the commenter's simulation of what a traveling motorist would see when driving past the proposed development, it appears that View 2 in the Draft EIR, Figure IV.A-4, does not exaggerate the impact of the proposed project on the view from Fassler Avenue. The still frames labeled "Second 5," "Second 6," "Second 7," and "Second 8" all show the proposed project substantially blocking the motorists view of the ocean. Similarly, the commenter's simulation from the same vantage point as View 2 in the Draft EIR still shows the proposed development blocking a substantial portion of the ocean view.

Response to Comment EE-3

The comment contains information regarding additional materials submitted along with this comment letter, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment EE-4

The commenter expresses concern regarding the accuracy of the simulations prepared for the project. The simulations reflect the detail that was provided by the architect. No additional information was available.

Response to Comment EE-5

The comment contains information regarding the commenter's process of creating additional simulations, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation

measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment EE-6

The comment summarizes the simulations included in the comment letter, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment EE-7

Refer to Responses to Comments U-9, U-10, U-17, U-22, and EE-2.

Response to Comment EE-8

Refer to Topical Response 5.

Response to Comment EE-9

The comment introduces a series of ensuing pictures, which are discussed in detail in Responses to Comments EE-10 and EE-11.

Response to Comment EE-10

The comment summarizes the simulations included in the comment letter, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment EE-11

Refer to Topical Response 5.

Response to Comment EE-12

The comment contains information regarding additional materials submitted along with this comment letter, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER FF: PETITION SIGNED BY DODSON, JACK, ET AL.***Response to Comment FF-1***

The comment expresses opposition to the project and introduces ensuing comments, which are discussed in detail in Responses to Comments FF-2 through FF-8.

Response to Comment FF-2

Refer to Topical Response 2.

Response to Comment FF-3

Refer to Topical Responses 1 and 2 and Response to Comment K-3,

Response to Comment FF-4

Refer to Topical Response 2 and Response to Comment T-3.

Response to Comment FF-5

This comment states that the project violates the principles of the Hillside Preservation District guidelines due to its request for a height variance. Refer to Responses to Comments H-7, L-5, U-12, and AA-15.

Response to Comment FF-6

This comment concerns the loss of natural habitat and its affect on foraging for raptors. A discussion of the potential impacts of development on special-status species, including raptors protected under federal and State regulations, is provided under Impact IV.B-1 on page IV.B-16 of the Draft EIR, and impacts on wildlife habitat in general is provided under Impact IV.B-4 on page IV.B-18 of the Draft EIR. As indicated in the discussion under Impact IV.B-4, a total estimate of approximately 4.8 acres of existing habitat on the site would be replaced with residential development and landscape improvements. However, these modifications are generally not expected to affect any native wildlife nursery areas, substantially interfere with the movement of native resident or migratory wildlife, or obstruct migratory wildlife corridors. Wildlife in the area are already acclimated to human activity along the Fassler Avenue roadway, and a substantial portion of the site would remain as undeveloped open space and would continue to be available for wildlife use and movement with improved habitat values as a result of proposed restoration and enhancement. Alternative foraging habitat would remain in the surrounding grassland and scrub habitat, both permanently protected on-site and on adjacent lands, and no significant project-related impacts on raptor foraging habitat are anticipated as part of the project. Mitigation Measure IV.B-3 would ensure avoidance of any active raptor nests, and Mitigation Measures IV.B-6 and IV.B-7 would minimize potential adverse impacts on wildlife habitat in general. Implementation of these and other relevant measures in the Section IV.B (Biological Resources) of the Draft EIR would ensure

that potential impacts on wildlife species and associated habitat are mitigated to a level of less-than-significant, and no additional measures are considered necessary.

Response to Comment FF-7

The comment contains anecdotal information about the scenic character of Pacifica and expresses opposition to the project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment FF-8

The comment introduces the signers of the petition and expresses opposition to the project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER GG: GOLDEN, LOUIS LYNDA

Response to Comment GG-1

The comment contains anecdotal information about heavy traffic, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment GG-2

Refer to Topical Response 2.

Response to Comment GG-3

Refer to Topical Response 2 and Response to Comment T-3. Additionally, a traffic signal would not be installed at the project driveway. Traffic on Fassler Avenue would continue to flow unimpeded by stop-control devices at that location.

Response to Comment GG-4

Refer to Topical Response 2.

LETTER PM: ORAL COMMENTS***Response to Comment PM-1***

This comment contains anecdotal information from the project applicant, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment PM-2

Refer to Responses to Comments K-10 and L-2.

Response to Comment PM-3

Refer to Topical Response 5 and Responses to Comments H-7, O-2, and V-14. With respect to the portion of the comment stating that the project would be visible from Highway 1, refer to Response to Comment U-12. The portion of the comment stating that the project would be visible from portions of Rockaway Beach Avenue is correct, although the project would not be visible from Buel Avenue and Ebken Street as depicted in Figure IV.A-5 of the Draft EIR.

Response to Comment PM-4

Refer to Topical Response 2 and Response to Comment K-10.

Response to Comment PM-5

Refer to Topical Response 5 and Responses to Comments G-3, H-7, L-5, L-14, U-12, AA-4, AA-15, and FF-5.

Response to Comment PM-6

California utility regulations require that power generated by an individual rate payer be used for that ratepayer's services. Photovoltaic panels on the roofs of individual units would go towards the energy used in that unit. There would be panels to provide electricity for common use functions, including site and garage lighting, the commons area, water pumps, and other site features. Some of those panels may be located on the roofs of the individual residences or on the roof of the community center.

Response to Comment PM-7

Refer to Topical Response 2 and Responses to Comments H-7 and AA-4.

Response to Comment PM-8

With respect to the missing views, refer to Response to Comment AA-15. With respect to the last portion of this comment stating that the buildings do not compliment the hillside, refer to Mitigation Measure IV.A-1 (Landscaping Plan and Design Review) on page IV.A-22 of the Draft EIR. As indicated therein, the City's design review would ensure that architectural design and color compliment the natural landscape.

Response to Comment PM-9

This comment expresses support for the green building aspects of the project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment PM-10

With respect to the portion of this comment that states that the project's underground garage is not consistent with development and aesthetic along Fassler Avenue, the underground garage was designed to reduce the amount of impermeable surface area on the project site in addition to reducing the project's impacts to aesthetics by storing vehicles underground. The expense of the subterranean garage is beyond the scope of the CEQA Analysis.

With respect to the portion of this comment recommending that figures be included in the discussion of Alternative C, refer to Response to Comment O-2.

Response to Comment PM-11

This comment expresses an opinion regarding the density of the project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Nonetheless, as discussed on pages V-3 and V-4 of the Draft EIR, given the project's consistency with the City's land use plan, policies and regulations, impacts related to land use are considered less than significant and no further analysis is required.

Response to Comment PM-12

This comment expresses concern that the Draft EIR does not consider cumulative impacts of the development west of the site. It is assumed that the commenter is referring to the Harmony @ 1 project. Refer to Sections IV.A (Aesthetics), IV.B (Biological Resources), and IV.E (Hydrology & Water Quality) of the Draft EIR. These sections consider the Harmony @ 1 project in their discussion of cumulative impacts. The discussions of cumulative impacts in Sections IV.C (Cultural Resources) and IV.D (Geology/Soils) of the Draft EIR state that impacts on these environmental issues tend to be site-specific

and not necessarily related to other sites. Page IV.F-11 of Section IV.F (Transportation/Traffic) of the Draft EIR does not consider the Harmony @ 1 project specifically, but used a one percent growth rate for 10 years (to 2015), and existing traffic from known nearby projects to estimate cumulative growth. This one percent growth rate is typical for areas that are not completely built out, and is consistent with growth of jobs and households projected by the Association of Bay Area Governments (ABAG) for Pacifica in its latest publication of land use projections, *Projections 2005*.

Response to Comment PM-13

The comment expresses support for the green building aspects of the project and the project applicant's reputation, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment PM-14

The comment expresses support for the green building aspects of the project and the project applicant's reputation, in addition to anecdotal information, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment PM-15

With respect to that portion of the comment pertaining to indoor air quality of the proposed project, refer to Response to Comment AA-23. The comment contains anecdotal information and expresses support for the project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment PM-16

In response to this comment, the public review period was extended from February 12, 2007 to February 13, 2007.

Response to Comment PM-17

Refer to Responses to Comments U-9 and U-17.

Response to Comment PM-18

The comment contains anecdotal information and expresses support for the project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in

the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment PM-19

The commenter states that aesthetic impacts can be mitigated through project alternatives. As discussed in Section VI (Alternatives) of the Draft EIR, Alternative C, the “Reduced Density” Alternative and Alternative D, the “Modified Site Plan” Alternative, would reduce impacts related to aesthetics.

Response to Comment PM-20

The comment contains anecdotal information about the current aesthetics of the project site and acknowledges the project applicant’s willingness to modify the project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment PM-21

Each individual impact category (e.g., Aesthetics [pages IV.A-23 and IV.A-24 of the Draft EIR] and Biological Resources [pages IV.B-25 and IV.B-26 of the Draft EIR], etc.) contains its own analysis of the project’s cumulative impacts to the resource at issue. The Draft EIR was prepared in accordance with the *CEQA Guidelines* and, as such, analyzed all required environmental issues, cumulative impacts, and thresholds in the appropriate context.

Response to Comment PM-22

The comment contains anecdotal information about recommendations to improve the current aesthetics of the project site, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment PM-23

The comment contains anecdotal information, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment PM-24

As discussed on page V-6 of the Draft EIR, the proposed project site would be served by the Pacifica Police Department (PPD).³ The PPD anticipates that an increase in traffic at the intersection of Fassler Avenue and SR 1 would increase traffic-related incidents thereby increasing demand on the department. However, the PPD has also indicated that such increases in demand would not necessitate the construction of a new facility. Impacts are, therefore, less than significant.

Response to Comment PM-25

The comment expresses support for the project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment PM-26

The comment expresses support for the aesthetics section of the Draft EIR, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment PM-27

Refer to Topical Responses 1 and 2 and Responses to Comment K-3.

Response to Comment PM-28

Refer to Topical Response 5.

Response to Comment PM-29

The comment contains anecdotal information about the aesthetic quality of the City of Pacifica and expresses support for the project applicant, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

³ Chief Saunders, Pacifica Police Department, Memorandum, Subject: Attached Input Request for Project on Fassler Avenue. Written Correspondence. June 1, 2006.

Response to Comment PM-30

This comment contains an opinion about the project's impacts to aesthetics and expresses support for Alternative C, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment PM-31

This comment states that the EIR should address issues beyond the City's General Plan. As directed by Appendix G of the *CEQA Guidelines*, the Draft EIR examines the required environmental issues in Sections IV.A (Aesthetics), IV.B (Biological Resources), IV.C (Cultural Resources), IV.D (Geology/Soils), IV.E (Hydrology & Water Quality), IV.F (Transportation/Traffic), IV.G (Other Environmental Categories), and V (General Impact Categories). When considered collectively, the Draft EIR and the Initial Study address the seventeen environmental issue areas required by Appendix G of the *CEQA Guidelines*, many of which are not addressed in the General Plan.

Response to Comment PM-32

Refer to Topical Response 5 and Responses to Comments U-9 and U-10.

Response to Comment PM-33

With respect to aesthetics, refer to Topical Response 5.

Response to Comment PM-34

Refer to Topical Response 5.

Response to Comment PM-35

This comment contains an opinion about improvements to Highway 1 and citywide traffic, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment PM-36

Refer to Response to Comment L-8.

Response to Comment PM-37

Refer to Topical Response 2 and Response to Comment T-3.

Response to Comment PM-38

As discussed on pages VI-7 through VI-10, Alternative C (Reduced Density) assumes the project site would be developed with 12 units, which is approximately 65 percent fewer units than proposed by the project. The site plan configuration would be similar to the proposed project, but 22 units would be eliminated and the outdoor area associated with each unit would be increased. The subterranean garage would be reduced accordingly. Impacts related to geology/soils would be similar to the proposed project.

Response to Comment PM-39

The comment expresses support for the project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment PM-40

The comment expresses support for the project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Refer to Response to Comment N-3.

Response to Comment PM-41

The impacts of not building the project are analyzed in Section VI (Alternatives to the Project) of the Draft EIR under the discussion of Alternative A, the “No Project” Alternative. Analyzing the effects of building residences in the Central Valley instead of on the project site is beyond the scope of this EIR because it is speculative to assume that this project would cause new development in the Central Valley.

Response to Comment PM-42

The comment expresses support for the project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment PM-43

The comment contains anecdotal information about traffic on Fassler Avenue, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment PM-44

Refer to Response to Comment V-11.

Response to Comment PM-45

The comment contains anecdotal information and expresses support for the project, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment PM-46

Refer to Topical Response 1 and Response to Comment G-5.

Response to Comment PM-47

The traffic analysis evaluated project impacts on Fassler Avenue and on Highway 1 during the AM and PM peak hours. With respect to parking space requirements, refer to Response to Comment P-14.

Response to Comment PM-48

Refer to Topical Response 3.

Response to Comment PM-49

The Draft EIR includes analysis of four alternatives: the No Project Alternative, the Redistribution of Units Alternative, the Reduced Density Alternative, and the Modified Site Plan Alternative. The purpose of analyzing the Redistribution of Units Alternative (Alternative B) was to consider an alternative that would not require an amendment to the existing General Plan. The purpose of analyzing the Reduced Density Alternative (Alternative C) was to analyze an alternative that would reduce most of the environmental impacts, and would reduce the aesthetic impacts to a less than significant level. The purpose of analyzing the Modified Site Plan Alternative (Alternative D) was to analyze an alternative that would maintain the proposed number of units but modify the site plan so as to reduce the aesthetic impacts to a less than significant level. Because each of these alternatives would avoid or lessen certain environmental impacts, it is not necessary to analyze an alternative that would both reduce the density of the project and modify the site plan.

Response to Comment PM-50

Safety and insurance standards for private and municipally owned water features (e.g., fountains, etc.) limit the depth of any accessible water area to 18 inches. These guidelines will be followed and drain overflows will be provided at 18 inches of depth to ensure safety.

Response to Comment PM-51

Refer to Response to Comment PM-21.

Response to Comment PM-52

The objective is to balance the excavation, i.e., cut and fill. It is evident from review of the cross section of the garage, that while there is excavation (cut) on one side, there is also nearby fill on the other side. The calculations for cut and fill will be optimized in the final design and are therefore not currently available. Refer to Response to Comment AA-17.

Response to Comment PM-53

With respect to ways to address runoff, refer to page IV.E-9 of the Draft EIR. As indicated therein, runoff from the site would be controlled and directed into the on-site water detention features (including the upper level pond, cistern, and amphitheatre) and ultimately the underground cistern located under the subterranean parking structure.

With respect to the capacity of holding channels and ponds, it is assumed that the commenter is referring to the water features of the proposed project. As indicated on page IV.E-6 of the Draft EIR, in total, the underground cistern would act as a retention basin and would have a total capacity of 200,000 gallons. According to hydraulic analysis prepared for the project,⁴ the storm water detention features mentioned above would provide approximately 7,463 cubic feet of temporary storage for runoff generated at the developed site.

With respect to additional detail regarding the mitigation measures ensuring the project's compliance with RWQCB regulations and NPDES compliance, refer to pages IV.E-10 through IV.E-13 of the Draft EIR. As indicated therein, Mitigation Measure IV.E-1 (Storm Water Pollution Prevention Plan) and Mitigation Measure IV.E-2 (National Pollution Discharge Elimination System) provide detail regarding the requirements of the project related to reducing construction- and project operation-related hydrology and water quality impacts.

⁴ Pacifica Quarry Homes (PQH), 2005, Notes, Appendix B "Hydrology and Storm Water Analysis", November.

Response to Comment PM-54

Some project traffic potentially could travel on Sea Bowl Lane. However, the traffic analysis takes a more conservative approach and assumes all project traffic would travel to Highway 1 via Fassler Avenue. Doing so provides for a more conservative analysis of project impacts at the Highway 1/Fassler Avenue intersection. If the report assumptions were changed and some project traffic was routed to Sea Bowl Lane, then the project impacts at Highway 1/Fassler Avenue would be reduced. The amount of traffic that potentially would be added to Sea Bowl Lane by the proposed project would be very small. The use of Sea Bowl Lane to access Highway 1 from the project site does not constitute a faster path of travel since traffic exiting Sea Bowl Lane onto Highway 1 must wait in a queue to merge into the slow moving queue on northbound Highway 1. As such, both routes to Highway 1 have roughly the same travel time and the amount of traffic that would use Sea Bowl Lane is expected to be low. The project would generate 23 outbound trips traveling to Highway 1 during the AM peak hour. Even if half of these trips used Sea Bowl Lane, the impact of these trips spread over the course of the AM peak hour would be insignificant. A discussion of existing traffic count adjustments is contained in the traffic study for the project, which is included in the Technical Appendices of the EIR. The City's thresholds of significance are discussed in the Traffic Study Peer Review report prepared for the project.

Response to Comment PM-55

Refer to pages IV-7 and IV-8 of the Draft EIR for a discussion of the formula used for determining consistency with the Hillside Preservation District (HPD) Ordinance. The HPD regulations include land coverage control calculations to determine the maximum allowable site coverage. For the proposed project, the maximum allowable site coverage would be 53,134 square feet. The maximum allowable land coverage for any development within the HPD is determined in accordance with Section 9-4.2257 of the City's Zoning Code using the formula: $C = 40 - (S^2 / 35)$, where "C" is the maximum allowable site coverage and "S" is the average percent of natural slope of the site.⁵ For the proposed project, the average slope of the site ("S") = 31.9 percent. So, $C = 40 - ([31.9 * 31.9] / 35)$. Therefore, the maximum allowable site coverage = 10.93 percent of the site or 53,134 square feet. Additional information about the site coverage of the proposed project is included on page III-19 of the Draft EIR.

Response to Comment PM-56

Refer to Table III-1, as amended by the Final EIR, and the description of the proposed project and current land use designations (including density) on pages IV-7 and IV-8 of the Draft EIR. Refer to Sections 9-4.2257 and 9-4.2259 of the Municipal Code for the land coverage controls and parking requirements for

⁵ The zoning code contains an additional method: $S = 0.00229 * I * L / A$. In this formula, "I" is the contour interval, "L" is the sum of lengths of all the contours (feet) and "A" is the area of the parcel in acres. The assumption in this method is that it is applied to a hillside in its natural state.

property within the HPD. The relevant height limits for the property are located at Section 9-4.402 of the Municipal Code.

With respect to building height, the attached units above the parking garage would be a maximum of 38'3" above grade, which would also be the maximum building height on the project site. This represents an increase of nine percent over what is currently allowed on the project site.

With respect to land coverage, the residential portion of the proposed project would consist of 86,347 square feet and would cover approximately 17.8 percent of the total site area. This represents a 61 percent increase in land coverage over what is currently allowed.

Given the General Plan Amendment, rezoning, and exceptions and variances requested as part of the proposed project, the project would be consistent with the General Plan and the Zoning Code.

Response to Comment PM-57

Refer to Table III-1, as amended by the Final EIR. The ratio of residential square feet to recreational square feet on the project site will be approximately 0.7:1 (86,347 square feet / 123,932 square feet).

Response to Comment PM-58

Refer to Topical Response 5.

Response to Comment PM-59

A discussion of the potential impacts of the project on possible jurisdictional waters is provided under Impact IV.B-3 on page IV.B-17 of the Draft EIR, which could affect the stand of willow and associated drainage. Mitigation Measure IV.B-4 and Mitigation Measure IV.B-5 would provide for avoidance of the willow stand and most of the potential jurisdictional waters on the site, with a minimum 15-foot setback from existing willow scrub. Where complete avoidance is not feasible, Mitigation Measure IV.B-5 would require authorization from jurisdictional agencies and the City at a minimum 2:1 replacement ratio. This agency and City review would ensure that there is a net increase in habitat acreage and values over any jurisdictional waters lost as a result of proposed development. It is unlikely that the replacement habitat would be designed to provide habitat for special-status species such as California red-legged frog or San Francisco garter snake given its proximity to possible direct and inadvertent take given its location in the project site. As discussed in Impact IV.B-1 on page IV.B-16 of the Draft EIR, these special-status species are not believed to occur on the site, and essential breeding habitat is absent.

Response to Comment PM-60

Refer to Response to Comment AA-36. As a condition of approval, the City will require the project applicant to include requirements such as the requirement of maintaining stormwater treatment measures

in the CC&Rs for the Homeowners' Association, and to provide each purchaser of a unit with a copy of these CC&Rs.

Response to Comment PM-61

The comment expresses support for the thoroughness of the EIR, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment PM-62

Refer to Topical Response 2 and Response to Comment K-10.

Response to Comment PM-63

The project will be subject to design review by the City. As indicated on page IV.A-12 of the Draft EIR, the intent of the Design Guidelines is to, among other things, provide direction for design and redesign of projects. In addition, Mitigation Measure IV.A-1 (Landscaping Plan and Design Review) on page IV.A-22 of the Draft EIR states, Colors used for exterior building surfaces shall match the hue, lightness, and saturation of colors of the immediately surrounding trees and vegetation. Several colors matching those of the surrounding trees and vegetation shall be used in order to minimize uniformity. In addition, refer to Topical Response 5.

With respect to the portion of the comment stating that the "aesthetic impact from northern side of East Rockaway not adequately represented in EIR," refer to Response to Comment O-2.

Response to Comment PM-64

The garage drain is connected to the sewer per the California Building Code. Refer to Response to Comment AA-21.

Response to Comment PM-65

Refer to the discussion of the potential impacts of the project on wildlife provided under Impact IV.B-4 on page IV.B-18 of the Draft EIR. Mitigation Measure IV.B-6 (Wildlife Habitat Protection and Enhancement) and Mitigation Measure IV.B-7 (Wildlife Habitat Avoidance) include specific measures to minimize any adverse impacts to habitat and movement opportunities. The project's modifications to the project site are generally not expected to affect any native wildlife nursery areas, substantially interfere with the movement of native resident or migratory wildlife, or obstruct migratory wildlife corridors.

Response to Comment PM-66

Refer to Response to Comment O-2.

Response to Comment PM-67

Refer to Topical Response 3.

Response to Comment PM-68

Refer to Topical Response 3.

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