

***SUPPLEMENT TO THE
FINAL ENVIRONMENTAL IMPACT REPORT***

ADDITIONAL RESPONSES TO COMMENTS

***The Prospects Residential Project
State Clearinghouse #: 2006062150***

Prepared for:

City of Pacifica
1800 Francisco Boulevard
Pacifica, CA 94044

Prepared By:



CHRISTOPHER A. JOSEPH & ASSOCIATES
Environmental Planning and Research

April 2007

TABLE OF CONTENTS

I. ADDITIONAL RESPONSES TO COMMENTS.....I-1

APPENDICES

Appendix 1.0: Comment Letter

This page left blank intentionally.

I. ADDITIONAL RESPONSES TO COMMENTS

ADDITIONAL RESPONSES TO COMMENTS FROM COMMISSIONER WILLIAM LEON

The following letter, received from Planning Commissioner William Leon, was inadvertently omitted from the Final EIR. This document serves as a supplement to the Final EIR and responses to this letter, identified as “SUPP”, are provided below. Where appropriate, the following responses refer to the Final EIR document (specifically to responses included in Section III [Responses to Comments]), which includes responses to all other letters received on the Draft EIR. The comment letter from Planning Commissioner William Leon is contained in Appendix 1.0 of this document.

LETTER SUPP: LEON, COMMISSIONER WILLIAM

Response to Comment SUPP-1

This comment introduces ensuing comments, which are discussed in detail in Responses to Comments SUPP-2 through SUPP-40.

Response to Comment SUPP-2

Project applicant has provided all information needed for the approvals it now seeks. Further details about the specifics of the project will become available when the applicant prepares the Specific Plan and tentative map for the project, which will occur following certification of the Final EIR.

No additional information is available regarding excavation to accommodate the various components of the project, specifically with regard to the physical dimensions for excavation. As discussed in Response to Comment AA-17, excavation (i.e., cut and fill) would be balanced on the project site. For the purposes of evaluating the environmental impacts contained in the Draft EIR, the available excavation data is sufficient. In addition, the mitigation measures provided in the Draft EIR would ensure that impacts related to grading and paving remain less than significant. Specifically, MM IV.D-2 requires geotechnical consultant involvement for all geotechnical aspects of the proposed project. MM IV.D-3 requires that the project applicant comply with the mitigation measures identified in the geotechnical investigation prepared for the project. Finally, MM IV.E-3 requires that all grading and drainage plans be submitted to the City for review and approval. With implementation of the mitigation measures included in the Mitigation Monitoring Program (Section V of the Final EIR) impacts related to grading and paving are less than significant and no additional information is required to make these conclusions.

Response to Comment SUPP-3

Refer to Response to Comment SUPP-2.

Response to Comment SUPP-4

Refer to Response to Comment SUPP-2.

Response to Comment SUPP-5

This comment states that there is insufficient information to evaluate the level of impacts at the building site that involve runoff. The Draft EIR at page IV.E-9 states that the project would increase the area of impervious cover at the site from 24,078 square feet to 60,840 square feet. In order to mitigate the impacts associated with this creation of new impervious surface to a less-than-significant level, the project must incorporate all site design, source control, and treatment measures required by the Countywide NPDES permit. This permit specifies how the required treatment measures must be designed in order to accommodate the runoff from the project site. The permit also requires runoff controls to limit the peak stormwater runoff discharge rates. In addition to complying with the NPDES permit requirements, the project applicant must submit a grading and drainage plan to the City for its review and approval. This plan must ensure that (a) the project will not increase total peak runoff rates from the project site; (b) runoff associated with storm events will not flood the residential structures proposed by the project; (c) the project's drainage components are designed in compliance with the City's standards; (d) the project's detention basins are designed and constructed to serve as a water quality treatment feature; and (e) the detention basins are properly maintained. Regardless of where the impervious surface is created on the project site, these mitigation measures would reduce the impacts associated with stormwater runoff to a less-than-significant level. The remainder of this comment introduces an ensuing comment, which is discussed in Response to Comment SUPP-6.

Response to Comment SUPP-6

In response to this comment, the following table has been provided:

**Table SUPP-1
Site Tabulation Sheet**

Description	Area (sf)	Area (acres)	Percent of Total Area
Total Site Area	486,231	11.16	100.00
Developed Area	210,279	4.83	43.25
Garage and Dwellings	28,024	0.64	5.76
Dwellings and Yards 1	6,747	0.15	1.39
Dwellings and Yards 2	1,675	0.04	0.34
Dwellings and Yards 3	6,377	0.15	1.31
Dwellings and Yards 4	3,403	0.08	0.70
Dwellings and Yards 5	1,875	0.04	0.39
Dwellings and Yards 6	2,400	0.06	0.49
Dwellings and Yards 7	2,115	0.05	0.43
Dwellings and Yards 8	5,032	0.12	1.03
Yards 1	762	0.02	0.16
Yards 2	394	0.01	0.08

**Table SUPP-1
Site Tabulation Sheet**

Description	Area (sf)	Area (acres)	Percent of Total Area
Yards 3	511	0.01	0.11
Yards 4	1,100	0.03	0.23
Yards 5	782	0.02	0.16
Yards 6	2,516	0.06	0.52
Fire Lane 1	7,330	0.17	1.51
Fire Lane 2	2,485	0.06	0.51
Fire Lane 3	2,380	0.05	0.49
Access Paths	1,040	0.02	0.21
Driveway	3,959	0.09	0.81
Public Parking	815	0.02	0.17
Utility 1	429	0.01	0.09
Utility 2	1,139	0.03	0.23
Utility 3	3,057	0.07	0.63
Total Coverage	86,347	1.98	17.76
Recreation Space			
Community Room	1,308	0.03	0.27
Community Room Porch	393	0.01	0.08
Amphitheater	5,236	0.12	1.08
Community Gardens 1	10,673	0.25	2.20
Community Gardens 2	15,917	0.37	3.27
Picnic Area 1	2,424	0.06	0.50
Picnic Area 2	4,985	0.11	1.03
Play Fields	6,443	0.15	1.33
Hiking Trail 1	579	0.01	0.12
Hiking Trail 2	34,294	0.79	7.05
Hiking Trail 3	1,250	0.03	0.26
Pond and Watercourse	3,162	0.07	0.65
Terraced Gardens 1	2,081	0.05	0.43
Terraced Gardens 2	3,616	0.08	0.74
Recreation Space 2	1,646	0.04	0.34
Recreation Space 3	284	0.01	0.06
Recreation Space 4	508	0.01	0.10
Recreation Space 5	59	0.00	0.01
Recreation Space 10	1,714	0.04	0.35
Landscape Park 1	6,814	0.16	1.40
Landscape Park 2	18,874	0.43	3.88
Landscape Park 3	1,672	0.04	0.34
Total Recreation Space	123,932	2.85	25.49
<i>Source: VanMechelen Architects, Proposed Site Plans.</i>			

Response to Comment SUPP-7

Refer to Response to Comment SUPP-5. Additional information is not available regarding the physical dimensions or capacity of each of the features of the proposed water retention/detention system. The conclusions reached in the Draft EIR are not dependent on this requested information and the analysis in

the Draft EIR is based on the preliminary plans which presented a system with an underground cistern that would act as a retention basin and would have a total capacity of 200,000 gallons. The proposed storm water detention features would provide approximately 7,463 cubic feet of temporary storage. Mitigation Measure MM IV.E-3 would ensure that impacts would result related to a substantial alteration of the existing drainage pattern of the site or area would remain less than significant. As outlined in MM IV.E-3, a detailed hydraulic analysis must be prepared that ensures there would be no increase in total peak runoff rates from the project site relative to pre-development conditions. Inclusion of the requested information would not change the conclusions reached in the Draft EIR.

Response to Comment SUPP-8

Refer to Responses to Comments SUPP-5 and SUPP-7.

Response to Comment SUPP-9

This comment requests additional building code information related to Table III-1 on page III-19 of the Draft EIR. According to the City's Municipal Code, "Regulations for area, coverage, density, yards, parking, height, and open ground area for P-D District users shall be guided by the regulations of the residential, commercial, or industrial zoning districts most similar in nature and function to the proposed P-D District uses as determined by the Commission and the Council." The R-1 Single-Family Residential District would be most similar in nature and function to the project. Therefore, the maximum allowable site coverage would be 53,134 square feet (refer to Response to Comment PM-55), the maximum allowable site coverage for building area would be 40 percent, and the maximum building height would be 35 feet.

Response to Comment SUPP-10

Refer to Response to Comment PM-56. The commenter incorrectly states that the increase for allowable site coverage would be 100 percent. As discussed in Response to Comment PM-56, the project represents an increase of 61 percent in land coverage over what is currently allowed.

Response to Comment SUPP-11

This comment correctly summarizes pages IV-7 and IV-8 of the Draft EIR by stating that the maximum allowable site coverage under the HPD would be 53,134 square feet, 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 SUPP-12

Refer to Response to Comment PM-56.

Response to Comment SUPP-13

With respect to residential land coverage, refer to Response to Comment PM-56. The maximum allowable site coverage applies to areas of the project site occupied or covered by buildings, pavement, or grading and excludes recreation facilities and active recreation areas which can be used by the project residents.

Response to Comment SUPP-14

This comment requests the calculation of any other coverage not addressed in SUPP-12 and SUPP-13, 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 SUPP-15

Refer to Topical Response 5.

Response to Comment SUPP-16

This comment expresses an opinion about the City's HPD ordinances, 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. The project would advance many of the goals of the City's HPD ordinance. For example, it would concentrate dwellings and other structures by clustering them, and thus saves and preserves larger areas of open space and natural terrain. The project as proposed would also provide a 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. Because the proposed location of the units would place them primarily on the areas of the project site that were disturbed by the quarry activities, the project would also encourage the planning, design, and development of the project site 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. Refer to Response to Comment H-7 for a list of the objectives of the HPD and Topical Response 5 for a discussion of the aesthetic impacts that have been identified.

Response to Comment SUPP-17

This comment contains introductory language for ensuing comments, which are discussed in Responses to Comments SUPP-18 and SUPP-19.

Response to Comment SUPP-18

Refer to Response to Comment J-7.

Response to Comment SUPP-19

Refer to Response to Comment J-7.

Response to Comment SUPP-20

Refer to Response to Comment PM-59.

Response to Comment SUPP-21

Refer to Response to Comment PM-59.

Response to Comment SUPP-22

This comment correctly summarizes the water detention system described on pages III-7 and III-19, 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 SUPP-23

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). The mitigation measures included in this section of the Draft EIR are intended to reduce impacts related to all types of runoff that could occur on the project site. Occupants of the proposed project would be required to follow all relevant regulations related to use of fertilizer and insecticide. Implementation of Mitigation Measure MM IV.E-1 would ensure that sediment from graded areas would not cause environmental impacts.

Response to Comment SUPP-24

Refer to Response to Comment PM-59.

Response to Comment SUPP-25

The comment refers to the potential for special-status snakes and frogs on the site, and need for safeguards related to water quality and flow disruption, harassment from humans and pets, and changes in habitat. As discussed under Impact IV.B-1 in the Draft EIR, essential habitat for California red-legged frog and San Francisco garter snake is absent on the site, and the likelihood that individuals of these species would be present on the site is extremely remote. Any dispersing frogs and snakes would likely avoid the developed portions of the site once the project is constructed given the lack of protective cover in areas of mown turf and managed landscaping, and barriers created by structures, paved paths and parking areas, and curbs. Mitigation Measure MM IV.B-1 was recommended to ensure that no

inadvertent take of listed species occurred as a result of construction and site development. If any listed species are encountered on the site, the U.S. Fish and Wildlife Service would have to be consulted and additional recommendations followed, if specified by the agency as part of required authorization. Mitigation Measure MM IV.B-7 requires that the following requirement be included in the CC&Rs for the development: “Dogs and cats shall be confined to individual residences and the fenced portion of the building envelopes to minimize harassment and loss of wildlife, except dogs on leash and cats with bells on collars.” This restriction on pets will further ensure that development of the Project will not have an adverse impact on protected species.

Response to Comment SUPP-26

Mitigation Measure IV.B-4 on page IV.B-21 of the Draft EIR requires avoidance of native willow scrub on the project site. This mitigation measure also stipulates the types of vegetation that would be planted in the areas of restored habitat. As part of this mitigation measure, a Biological Assessment Report would be required to determine the appropriate mix of vegetation. The specific plant species that would be used are not listed, but the mitigation measure ensures that a qualified native plant specialist would be involved in determining the plantings on the site. In addition, Mitigation Measure IV.B-6 prohibits the use of highly undesirable plant species in landscaping of the project.

Response to Comment SUPP-27

This comment correctly summarizes the text on page IV.E-11 of 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 SUPP-28

This comment requests information regarding who will be responsible for fines levied by the Regional Water Quality Control Board and the type of liability in such an event. With respect to the requirements of a mitigation measure according to CEQA, refer to Response to Comment AA-42. With respect to the commenter’s question about the fines included in Mitigation Measure IV.E-1, the Mitigation Monitoring Program (MMP) included in the Final EIR specifies the implementing party, the enforcement agency, and the monitoring agency for this mitigation measure. In addition, the Countywide NPDES permit requires private entities, such as HOAs, to sign a legally enforceable agreement accepting responsibility for the maintenance of ongoing stormwater treatment measures. See RWQCB Permit No. CAS0029921, Order R2-2003-0023.

Response to Comment SUPP-29

The first portion of this comment correctly summarizes the second bullet under Mitigation Measure IV.E-2 (National Pollution Discharge Elimination System). The remaining questions request information regarding specific costs and repercussions. HOA costs associated with activities outlined in Mitigation

Measure IV.E-2 would be speculative and are unrelated to the environmental impacts of the proposed project, and therefore need not be included in the EIR. Repercussions for not maintaining O&M agreements are beyond the scope of this EIR. Mitigation Measure MM IV.E-3 requires the development and implementation of a self-perpetuating drainage system maintenance program (to be managed by an HOA or similar entity), that includes annual inspections and regular maintenance of all detention basins, culverts, drainage ditches, and drainage inlets. In addition, the Countywide NPDES permit requires private entities, such as HOAs, to sign a legally enforceable agreement or other mechanism accepting responsibility for the maintenance of ongoing stormwater treatment measures. See RWQCB Permit No. CAS0029921, Order R2-2003-0023. Finally, please refer to Response to Comment SUPP-28 regarding the various parties and agencies involved with implementation of the mitigation measures.

Response to Comment SUPP-30

The first portion of this comment correctly quotes the text on page IV.E-10 of the Draft EIR. With respect to the portion of this comment stating that the mitigation measures reducing significant impacts to less than significant should not be included until plans are completed, submitted, and evaluated, refer to Responses to Comments AA-42 and SUPP-5.

Response to Comment SUPP-31

Refer to Response to Comment PM-54.

Response to Comment SUPP-32

This comment contains a statement about the City's thresholds of significance for determining intersection impacts, 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. Nonetheless, refer to Topical Response 1.

Response to Comment SUPP-33

This comment correctly quotes the cover letter dated October 20, 2006 and located in Appendix E3 to 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 SUPP-34

The comment correctly outlines the two elements that comprise the City's thresholds of significance, 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. Nonetheless, refer to Topical Response 1.

Response to Comment SUPP-35

This comment introduces ensuing comments, which are discussed in Responses to Comments SUPP-36 through SUPP-40.

Response to Comment SUPP-36

Refer to Topical Response 1.

Response to Comment SUPP-37

The comment correctly reiterates the traffic conclusions reached in the Draft EIR and the application of the City's thresholds of significance.

Response to Comment SUPP-38

Refer to Topical Response 1.

Response to Comment SUPP-39

Refer to Topical Response 1.

Response to Comment SUPP-40

This comment contains closing language, 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.

APPENDICES

This page left blank intentionally.

APPENDIX 1.0 COMMENT LETTER

This page left blank intentionally.

February 1, 2007

Kathryn Farbstein
City of Pacifica
Planning Department
1800 Francisco Blvd
Pacifica, Ca 94044

RE: Draft Environmental Impact Report (DEIR) – Submission of Questions and Concerns – The Prospects Residential Project – State Clearinghouse #2006062150

In regards to the impacts from various elements of the proposed project, there is insufficient information presented in the DEIR to resolve concerns with impacts. Therefore, I am requesting the following information:

SUPP-1

I. A. In regards to Grading and Paving, What are the physical dimensions in feet of the depth, width and length estimated for each excavation proposed to accommodate the following components of the project:

- 1) Subterranean parking garage
- 2) foundations for housing units
- 3) Amphitheater
- 4) Water Retention Ponds
- 5) Open water channels, streams and creeks
- 6) Storm water drains connecting to City storm water systems
- 7) Sanitary Sewer system
- 8) Underground Utilities
- 9) Other below grade excavations and/or cuts

SUPP-2

B. What is the estimated amount in cubic yards of excavation(cut) of soil and rock necessary to accommodate each of the following proposed components of the project:

- 1) Subterranean parking garage and foundations
- 2) foundations for housing units
- 2) Amphitheater
- 3) Water Retention Ponds
- 4) Open water channels, streams and creeks
- 5) Storm water drains connecting to City storm water systems
- 6) Sanitary Sewer system
- 7) Underground utilities
- 8) Total amount of cubic yards of soil and/or rock from all excavations

SUPP-3

C. According to the DEIR there will be 4.83 acres of onsite grading, which is to remain on site so there is a balance between cut and filled material. Identify the following:

- 1) Specifically where the excavated (cut material) will be cut from and identify the location of the resulting areas to be filled in order to achieve the balance.
- 2) Identify the estimated height and length and width in feet at each area proposed to be filled with excavated or cut material.
- 3) Specify the amount in cubic yards of each area proposed to receive fill from the excavated cut.

SUPP-4

RE: Draft Environmental Impact Report (DEIR) – Submission of Questions and Concerns – The Prospects Residential Project – State Clearinghouse #2006062150

- II. In regards to the Project Characteristics section of the DEIR , there is insufficient information to evaluate the level of impacts at the building site that involve runoff water flows due to the proposed increase of the impervious cover at the site from 24K sq. ft. to 60.8K sq. ft. Therefore, I am requesting the following information: SUPP-5

 - A. Identify the following areas: SUPP-6

 - 1) each area that will be covered with impervious material
 - 2) the sq. ft. of each area to be covered with impervious material
 - B. In regards to the water storage capacity and/or the water flow capacity, what are the physical dimensions in feet of the depth, width and length estimated for each component required to move the captured runoff. The following components are listed in the DEIR pages 111-7 and page 111-19: SUPP-7


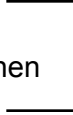
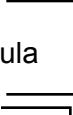

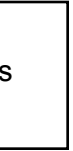



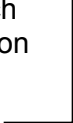

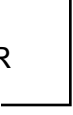

 - 1) detention ponds
 - 2) waterfalls
 - 3) swales
 - 4) open channels
 - 5) pipes
 - 6) amphitheatre
 - 7) in addition list any other known water detention features i.e. cistern
 - C. In regards to the water storage capacity and/or the water flow capacity how many gallons of water will be stored in each component and/or how many gallons will flow from or through each component per minute/hr. for the following components: (see pg 111-7 & 111-19) SUPP-8

 - 1) detention ponds
 - 2) waterfalls
 - 3) swales
 - 4) open channels
 - 5) pipes
 - 6) amphitheatre
 - 7) in addition list any other water detention features i.e. cistern
 - D. The Project Description also contains a Table III-1 Summary of Key Components. SUPP-9

The table does not give a comparison in terms of it's compliance to local codes or regulations that set limits for the components listed under the Relevant Information heading i.e. Proposed Square Footage, Site Coverage and Building Height.

In order to assist me in evaluating the impacts from the components, I am asking for the percentage to be given of each component when compared to the corresponding benchmark or limit established by local codes or regulations for each component. i.e. the proposed site coverage exceeds the allowable coverage by 100%. Specify for each of the components. SUPP-10

RE: Draft Environmental Impact Report (DEIR) – Submission of Questions and Concerns – The Prospects Residential Project – State Clearinghouse #2006062150

- | | | |
|--|---|----------------|
| <p>D. In Regards to Section IV. Environmental Setting (pg IV-7) the DEIR addresses the maximum allowable land coverage within the HPD and the calculation shows that 53,134 sq. ft. would be the maximum allowable coverage.</p> |  | <p>SUPP-11</p> |
| <p>What is the percentage of the following HPD factors:</p> | | |
| <p>1) the percentage of the total of all the proposed developed area coverage when compared to the allowable HPD coverage</p> |  | <p>SUPP-12</p> |
| <p>2) the percentage of the proposed individual components namely the recreational and the residential when compared to the allowable HPD formula coverage</p> |  | <p>SUPP-13</p> |
| <p>3) a calculation of any other coverage that is separate from items 1 and 2 above</p> |  | <p>SUPP-14</p> |
| <p>III. Concerns of the impact of the proposed project on Scenic Vistas and Scenic Roadways</p> | | |
| <p>A. The DEIR states that a Significant and Unavoidable impact will occur as it applies to both the Community Design Element and The Scenic Highway Element of the General Plan. This is a significant concern going forward with the project</p> |  | <p>SUPP-15</p> |
| <p>Furthermore, Pacific’s HPD ordinances include language that calls for the preservation and enhancement of the landscape including vistas.</p> |  | <p>SUPP-16</p> |
| <p>B. In order to fully evaluate potential impacts, it would be helpful to see simulated photographs showing the visual impacts from the Environmentally Superior Alternative C as follows:</p> |  | <p>SUPP-17</p> |
| <p>1) simulated photos depicting Alternative C from the same locations and views that are represented in the DEIR figures IVA-4 view 1 and view 2</p> |  | <p>SUPP-18</p> |
| <p>2) also, a new set of simulated photos with the view from the Rockaway beach neighborhood at a point where it is visible and below the proposed project on Rockaway Beach Blvd In these include conceptual photos of Alternative C and add a new set of the proposed project depicting the 34 units</p> |  | <p>SUPP-19</p> |
| <p>IV. Environmental Impact Analysis B. Biological Resources</p> | | |
| <p>A. There has been no discussion or analysis included in the DEIR of the potential impacts from the creation of a habitat on the project site that occurs when the ponds, waterfalls and open channels are operational and filled with water.</p> |  | <p>SUPP-20</p> |
| <p>B. It is reasonable to conclude that the ponds, waterfalls and open channels will be used, visited by, and occupied by the Special-Status Species identified in the DEIR (pg IV-B-16) i.e. SF garter snake, red legged frog, dusky footed wood rat.</p> |  | <p>SUPP-21</p> |
| <p>C. The proposed project includes plans to capture all surface runoff and route it through a series of detention ponds, waterfalls, swales, open channels and pipes to the final collection point within the proposed amphitheatre (pg III-7).</p> |  | <p>SUPP-22</p> |

RE: Draft Environmental Impact Report (DEIR) – Submission of Questions and Concerns – The Prospects Residential Project – State Clearinghouse #2006062150

- | | | |
|---|---|---------|
| <p>D. Specifically, what measures will be taken to address the following potential impacts to water quality from the runoff water at the project site that will empty into and be routed through the ponds, waterfalls and open channels(new habitat area).</p> <ul style="list-style-type: none"> 1) from parking garages, automobiles, structures, waste bins, etc. 2) from residents and others i.e. landscape gardeners who use fertilizers and/or pesticides 3) spaying or other pest and/or rodent control efforts affecting water quality. 4) sediments from areas that have been graded | } | SUPP-23 |
| <p>E. Mitigation Measures: Special Status Amphibian and Reptile Species (pg IV.B-19) contains no discussion or analysis of the impacts to the San Francisco garter snake or the California red-legged frog once they are attracted to the water habitat created on the project site.</p> | } | SUPP-24 |
| <p>F. What specific measures will be taken to address the following potential impacts to safeguard the snakes and frogs from the following:</p> <ul style="list-style-type: none"> 1) water quality 2) harassment from curious or unknowing residents and our visitors 3) harassment from the domestic pets of residents and visitors 4) habitat alterations and water flow disruption | } | SUPP-25 |
| <p>G. There is no discussion or recommendation of what types of plants should be placed in the new habitat area. I.E. plants that both protect and provide benefit to the protected species that are likely to visit or live on the site.</p> | } | SUPP-26 |
| <p>V. Hydrology and Water Quality mitigation: according to the DEIR (pg IV.E-11) the Developer shall retain an independent monitor and provide written monthly reports to the City of Pacifica to ensure compliance with the Storm Water Pollution Prevention Plan. Furthermore, The RWQCB may make unannounced site inspections, are empowered to levy considerable fines.</p> | } | SUPP-27 |
| <p>A. There is no indication in the DEIR who will be responsible for the fines. There is also no indication of what a substantial fine is. Please explain who is responsible and what type of liability potentially exists to the responsible party when fines are issued.</p> | } | SUPP-28 |
| <p>B. National Pollution Discharge Elimination System (pg IV.E-12) The Operation and Maintenance of treatment measures section notes that treatment controls often do not work unless they are adequately maintained. O&M agreements are to be developed and entered into with private entities these would be the responsibility of the HOA and run with the land. What are the anticipated costs that will be brought upon the residents (HOA)? And what are the repercussions of not maintaining the O&M agreements.</p> | } | SUPP-29 |
| <p>C. Incomplete plans regarding Impacts IV.E-2 Drainage & IV.E-3 Runoff (pg IV.E-10) the narrative states “as stated above, lacking a detailed design plan for the retention and detention basins impacts remain significant”. In both Impacts complete and/or detailed plans are absent. Therefore mitigation measures reducing significant impacts to less than significant should not be included until the actual plans are completed, submitted & evaluated prior to claiming an impact is less than significant.</p> | } | SUPP-30 |

RE: Draft Environmental Impact Report (DEIR) – Submission of Questions and Concerns – The Prospects Residential Project – State Clearinghouse #2006062150

VI. Transportation and Traffic (pg IV.F-1)

A. The Study intersections did not include the Stop sign controlled intersection at Sea Bowl lane and SR 1. The analysis did not include the fact that traffic flowing on Fassler Avenue can opt to depart Fassler onto Sea Bowl lane. This impacts the traffic counts from Fassler and adds what would otherwise be counted at the Fassler SR1 intersection to be counted on SRI as volume coming from the south. New counts may need to be conducted to determine if there is an impact to the traffic count resulting from the Sea Bowl lane omission.

SUPP-31

B. The Interim Thresholds of Significance Criteria (pg IV.F-9) The City does not have formally adopted thresholds of significance for determining intersection impacts and is currently in the process of studying and developing a formal set of thresholds.

SUPP-32

C. In reviewing the letter of October 20, 2006 from Dowling Associates, Inc. to the applicant, Pacifica Quarry Homes, LLC. (see DEIR appendix E) The language in the second paragraph begins: “We found that the existing levels of service were worse than reported last year. Because the traffic demands are higher than we realized last year, the impact from the trips that would be added by the project is actually less (same number of trips that would be added to a higher volume than before). Based on our understanding of the level of service criteria, we found there would be no traffic impacts caused by the project under Existing conditions”....

SUPP-33

D. There is reason to be concerned with the City’s Interim Threshold of Significance.

Currently there are two elements that comprise the City's Interim Threshold. And both elements must be met before a finding of Significance can be made. Element One has to do with impacts regarding the amount of average delay created at the intersection by a new project(s) coming on line and impacting the intersection. Element Two involves the vehicle (volume) to capacity (v/c) ratio at an intersection.

SUPP-34

In regards to the vehicle to capacity (v/c) ratio at intersections operating at LOS F (i.e. study intersections SR1 at Fassler Ave and at SR1 at Reina Del Mar), the DEIR Interim threshold traffic impact concerns are:

SUPP-35

1) As traffic continues to worsen at SR1 intersections operating at LOS F the impacts from projects being studied appear to be less and less as traffic gets worse due to the volume increases. This is not a realistic measure of a significant impact. LOS F is an unacceptable level of service. But as F levels become even worse over time proposed traffic impact ratios become less.

SUPP-36

2) One reason that the current conclusion of a “Less than Significant” traffic impact is because under the City's Interim Threshold both elements must have a Significant Impact in order for the criteria to conclude there is a Significant Impact. (see E4 peer review pg 6 of 7 letter dated 12/12/06 Hexagon Transportation Consultants to Ms. Erin Effner) excerpt as follows:

“The level of service results indicates that the addition of project traffic at the study intersections would result in delay increases at both study intersections that exceed the City’s interim thresholds of significance. However, the volume-to capacity ratio increases caused by the project would fall below the thresholds of significance. Based on the City’s interim level of service standard and thresholds of significance, the project would not cause a significant impact under near-term conditions or under cumulative conditions. Therefore, project mitigation measures are not required”.

SUPP-37

RE: Draft Environmental Impact Report (DEIR) – Submission of Questions and Concerns – The Prospects Residential Project – State Clearinghouse #2006062150

VI. Transportation and Traffic - continued

3) Based on the information provided above in items 1 and 2 it appears that a significant impact is caused by the delay criteria at both study intersections in both the near term condition and the cumulative condition. However, because the City's Interim Threshold requires that both elements must be found to have significant impacts in order for the criteria to conclude there is a Significant Impact. The conclusion is no significant impact.

SUPP-38

4) Given the worsening traffic on SR1 specifically at the study intersections operating at a level of service F. It is arguable that the City's Interim Thresholds of Significance needs to be revised to account for traffic and conditions that do not adequately address the impacts in the volume to capacity calculations from project related traffic at our worst intersections.

SUPP-39

I appreciate the opportunity to raise my concerns with the DEIR. I believe that the additional information that I have requested will assist me and others in arriving at a better understanding of the proposed project and its impacts.

SUPP-40

Sincerely,

William "Leo" Leon
Planning Commissioner
City of Pacifica