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## 14. PROJECT CONSISTENCY WITH LOCAL AND REGIONAL PLANS

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Section 15125(d) of the California Environmental Quality Act (CEQA) Guidelines requires EIRs to "...discuss any inconsistencies between the proposed project and applicable general plans and regional plans." The Guidelines indicate that the objective of this discussion is to identify possible modifications to the project to reduce any inconsistencies with relevant plans and policies.

### 14.1 CITY OF REDWOOD CITY STRATEGIC GENERAL PLAN AND ZONING ORDINANCE

#### 14.1.1 City-Adopted On-Site Land Use Designations

The project site is designated *Industrial--Research and Development Uses* by the Redwood City Strategic General Plan and is zoned *IR (Industrial--Restricted)* by the Redwood City Zoning Ordinance. The proposed project is consistent with both the General Plan and zoning designations for the site, which allow public or quasi-public uses "operated by a private non-profit education, religious, recreational, charitable, or medical institution and having the primary purpose of serving the local community" (Redwood City Zoning Ordinance, Article 2, Section 2.83 and Article 17, Section 17.2). Stanford Hospital & Clinics is a non-profit medical institution.

#### 14.1.2 Project Consistency with Other Pertinent General Plan Policies

In addition to the General Plan land use designation for the project site, project consistency with other relevant General Plan policies pertinent to environmental issues has been evaluated in chapters 4 through 13 of this SEIR as part of the impact analysis for each environmental topic area (aesthetics, hazards and hazardous materials, transportation, circulation, and parking, etc.). Throughout chapters 4 through 13, relevant General Plan policies have been listed and have been considered as criteria for determining the significance of environmental impacts. Where an apparent substantial inconsistency between the project and a General Plan environmental policy has been determined, a significant adverse environmental impact has been identified, and mitigation measures have been recommended to reduce or eliminate the identified inconsistency.

The ultimate determination whether the proposed project changes, after implementation of the mitigations identified in this SEIR, are or are not consistent with one or more General Plan goals or policies is not an SEIR purpose or a responsibility of the SEIR authors under CEQA; rather, such a discretionary interpretation is the responsibility of City officials and decision-makers assigned such authority. In particular, interpretation of Stanford Outpatient Center project application consistency with Redwood City Strategic General Plan policy is the ultimate responsibility of the City of Redwood City Planning Commission, with their decision appealable to the City Council.

## **14.2 PERTINENT REGIONAL PLANS**

### **14.2.1 ABAG's Regional Land Use Policy Framework**

The most recent regional land use policy document by the Association of Bay Area Governments (ABAG) is entitled A Proposed Land Use Policy Framework for the San Francisco Bay Area, adopted by the ABAG Executive Board in July 1990. The document is described as a regional policy framework for future land use decisions in the Bay Area. The document contains policies pertinent to the proposed project that direct growth where regional infrastructure (e.g., freeways, transit, water, solid waste disposal, sewage treatment) is available and natural resources will not be overburdened; and encourage development that discourages long-distance commuting. The proposed project's potential impacts on public services, transportation, and utilities are discussed in chapters 11 (Fire/Emergency Services and Child Care), 12 (Transportation, Circulation, and Parking), and 13 (Utilities) of this SEIR.

### **14.2.2 Regional Clean Air Plan**

The policies of the Bay Area Air Quality Management District (BAAQMD) Clean Air Plan call for consideration of traffic-related air quality impacts in the review of development projects. Specifically, the BAAQMD calls for such air quality effects to be analyzed in environmental impact reports on such projects, subject to BAAQMD review. Chapter 5 (Air Quality) of this SEIR provides an analysis of air quality impacts, and also discusses the proposed Stanford Outpatient Center project's relationship to BAAQMD significance thresholds. This SEIR identifies mitigation measures to reduce project-specific air quality impacts to less-than-significant levels; in addition, the project's contribution to cumulative air quality impacts would be less-than-significant.

### **14.2.3 San Mateo County Congestion Management Program**

The City/County Council of Governments of San Mateo County (C/CAG) is the state-designated regional Congestion Management Agency (CMA) that sets state and federal funding priorities for improvements affecting its San Mateo County Congestion Management Program (CMP) designated regional roadway system. C/CAG-designated CMP roadway system components in Redwood City include SR 82 (El Camino Real), SR 84 (Woodside Road), U.S. 101, and I-280. C/CAG-designated CMP intersections in Redwood City include El Camino Real/Whipple Avenue, Bayfront Expressway/Marsh Road (borders Redwood City), and Woodside Road/Middlefield Road.

C/CAG has adopted mitigation guidelines to reduce the number of net new regional roadway system vehicle trips generated by new developments, entitled *C/CAG Guidelines for the Implementation of the Land Use Component of the 1999 Congestion Management Program*. These guidelines apply to all developments that generate 100 or more net new peak-period trips on the CMP network and are subject to CEQA review. These guidelines ensure that *"the developer and/or tenants will reduce the demand for all new peak-hour trips (including the first 100 trips) projected to be generated by the development."*<sup>1</sup>

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<sup>1</sup> Revised C/CAG Guidelines for the Implementation of the Land Use Component of the 1999 Congestion Management Program; C/CAG (Walter Martone); October 11, 2000.

Chapter 12 (Transportation, Circulation, and Parking) of this SEIR has been prepared in a manner consistent with the requirements of the CMP and C/CAG guidelines.

#### **14.2.4 California Regional Water Quality Control Board (RWQCB) Water Quality Control Plan**

Addressing its legal mandates from the U.S. Environmental Protection Agency (EPA) and the state's Porter-Cologne Act, the San Francisco Bay Regional Water Quality Control Board (RWQCB, or Regional Board) developed and adopted the first San Francisco Bay Basin Water Quality Control Plan (Basin Plan) in 1968. After several revisions and an extensive public hearing process, the current Basin Plan was adopted in 1995 (1995 Basin Plan).<sup>1</sup>

(a) Federal and State Water Quality Regulations. In California, the discharge of pollutants to water bodies from point and non-point sources is regulated at the federal level by the U.S. Environmental Protection Agency's National Pollution Discharge Elimination System (NPDES), under the auspices of sections 401 and 402 of the Clean Water Act, and at the state level by the Porter-Cologne Water Quality Control Act, Water Code section 13260. Federal regulations issued in November 1990 and revised in 2003 expanded the original scope of the NPDES to include permitting of storm water discharges from construction sites that disturb areas larger than one acre. (The proposed project changes, including the proposed storm water retention vault installation and landscape modifications, would disturb an area larger than one acre.)

In the Bay Area, the NPDES program and the Porter-Cologne Act are administered by the San Francisco Bay Regional Water Quality Control Board (RWQCB), a division of the State Water Resources Control Board (SWRCB).

For storm water discharges associated with construction activities, federal regulations allow two permitting options, Individual Permits and General Permits. The SWRCB utilizes a single statewide General Permit for construction-related storm water discharges. This General Permit requires dischargers where construction activity disturbs one acre or more, to:

- (1) Develop and implement a Storm Water Pollution Prevention Plan (SWPPP) that specifies Best Management Practices (BMPs) to be employed (1) on the construction site to prevent all construction materials that may be sources of pollution from contacting storm water and to prevent all products of erosion from moving off-site into receiving waters, and (2) on the developed site throughout the life of the project to minimize the discharge of urban pollutants into receiving waters;
- (2) Eliminate or reduce non-storm water discharges to storm sewer systems and other waters of the nation; and

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<sup>1</sup>San Francisco Bay Basin Water Quality Control Plan. California Regional Water Quality Control Board, San Francisco Bay Region; June 1995.

(3) Maintain and perform inspections of all BMPs.<sup>1</sup>

(b) City Water Quality Control Requirements. In addition to its own programs designed to protect water quality (such as street cleaning and litter control), Redwood City has developed an "NPDES Permit Requirements Checklist" for implementation of its own Stormwater Pollution Prevention Program. The checklist sets forth specific provisions and design requirements for all construction activities, since new construction and redevelopment projects constitute a significant source of pollutants in municipal storm water discharges. Also, because the time of construction typically represents the only opportunity to incorporate permanent pollution control measures into a project, the checklist includes provisions covering site design and pollutant source controls.

(c) Proposed Project's Compliance With RWQCB Requirements. The proposed Stanford Outpatient Center project would be required to comply with the 1995 Basin Plan. Compliance would require preparation and implementation of an approved *Storm Water Pollution Prevention Plan (SWPPP)* during project construction and operation, and a *storm water permit* to comply with NPDES regulations (see further discussion in chapter 8, Hydrology and Water Quality, of this SEIR). With implementation of such measures, the project would be consistent with the 1995 Basin Plan.

### **14.3 FEDERAL, STATE, AND LOCAL HAZARDOUS MATERIALS REGULATIONS SPECIFICALLY APPLICABLE TO THE PROPOSED PROJECT**

Hazardous materials handling and hazardous waste management are subject to laws and regulations at all levels of government, as described below. The following regulations apply to medical clinics, such as the Stanford Outpatient Center use proposed for the project site.

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<sup>1</sup>In 1994, the RWQCB issued recommendations for *New and Redevelopment Controls for Storm Water Programs* to define the local regulatory framework and to provide guidelines designed to help construction permittees comply with the terms of the General Permit. These recommendations include policies that define watershed protection goals; set forth minimum non-point source pollutant control requirements for site planning, construction, and post-construction activities; and establish criteria for ongoing reporting of water quality control activities. The RWQCB watershed protection goals are based on policies identified in the Board's San Francisco Bay Basin Water Quality Control Plan (Basin Plan), (California Regional Water Quality Control Board. San Francisco Bay Basin Water Quality Control Plan; 1995) and the entire program relies on the implementation of "best management practices" to limit pollutant contact with storm water runoff at its source and to remove pollutants before they are discharged into receiving waters. The California Storm Water Quality Task Force (The State Storm Water Task Force is a committee of the California Chapter of the American Public Works Association) has published a series of best management practices handbooks that can be used to identify the most effective ways to achieve the water quality objectives identified by the Basin Plan for the beneficial uses of surface waters, groundwaters, wetlands, and marshes.

The Basin Plan's water quality objectives specify that the presence or concentration of listed, potentially deleterious constituents of surface water runoff shall not be permitted to cause a nuisance or adversely affect beneficial uses. A partial list of these constituents includes floating material, suspended material, settleable material, oil and grease, biostimulatory substances, sediment, pH, dissolved oxygen, bacteria, and toxic substances that are lethal to or that produce other detrimental responses in aquatic organisms. (California Regional Water Quality Control Board). Many, if not all, of these constituents are found in storm water runoff within urban and suburban areas.

### **14.3.1 Hazardous Materials Management and Emergency Planning**

State and federal laws require detailed planning to ensure that hazardous materials are properly handled, used, stored, and disposed of, and, in the event that such materials are accidentally released, to prevent or mitigate injury to health or the environment. California's Hazardous Materials Release Response Plans and Inventory Law, sometimes called the "Business Plan Act," aims to minimize the potential for accidents involving hazardous materials and to facilitate an appropriate response to possible hazardous materials emergencies. The law requires businesses that use hazardous materials to provide inventories of those materials to designated emergency response agencies, to illustrate on a diagram where the materials are stored on-site, to prepare an emergency response plan, and to train employees to use the materials safely. Businesses that handle certain very hazardous substances must undertake a systematic analysis of their operations, study the potential consequences of possible worst-case accidents, and prepare Risk Management Plans to reduce apparent risks. Stanford Hospitals & Clinics handles such materials in its overall operations, but not in quantities sufficient to trigger State Risk Management Plan requirements. For the proposed Stanford Outpatient Center, these laws would be enforced locally by the County of San Mateo Health Services Agency (CSMHSA) and by the Redwood City Fire Department, which also enforces fire code regulations pertaining to hazardous materials storage.

### **14.3.2 Building and Fire Safety**

The Redwood City Community Development Services Department, Building and Inspection Division, has adopted and enforces the Uniform Building Code. The Redwood City Fire Department enforces the Uniform Fire Code, as amended by the City Code of Redwood City. These laws specify management practices for flammable materials, including some packaging and containment requirements. They also set forth appropriate construction standards (e.g., fire separations and fire suppression systems) depending on building occupancy classifications. The Uniform Fire Code incorporates relevant portions of National Fire Protection Association Standard 99, which addresses hazardous materials and fire safety at hospitals. The Redwood City Building and Inspection Division and the Redwood City Fire Department review proposed building design plans to ensure compliance with the Uniform Building Code and Uniform Fire Code, respectively.

### **14.3.3 Worker Safety**

Occupational safety standards exist in federal and state laws to minimize worker safety risks from both physical and chemical hazards in the workplace. The California Division of Occupational Safety and Health (CalOSHA) is responsible for developing and enforcing workplace safety standards and assuring worker safety in the handling and use of hazardous materials. Among other requirements, CalOSHA obligates businesses to prepare Injury and Illness Prevention Plans and Chemical Hygiene Plans. The Hazard Communication Standard requires that workers be informed of the hazards associated with the materials they handle. For example, manufacturers are to appropriately label containers, Material Safety Data Sheets are to be available in the workplace, and employers are to properly train workers. The U.S. Occupational Safety and Health Administration's Bloodborne Pathogens Standard requires the use of Universal Precautions (e.g., handling all human blood and certain body fluids as if they contain infectious agents) in the workplace.

#### **14.3.4 Hazardous Waste Handling**

The U.S. Environmental Protection Agency (EPA) has authorized the California Department of Toxic Substances Control (DTSC) to enforce hazardous waste laws and regulations in California. Hazardous waste generators are responsible for all phases of hazardous waste disposal. Generators must ensure that their wastes are disposed of properly, and legal requirements dictate the disposal requirements for many waste streams (e.g., banning many types of hazardous wastes from landfills). Many hazardous waste generators that produce more than about 13 tons of hazardous waste per year are required to prepare Hazardous Waste Minimization Plans pursuant to the California Hazardous Waste Source Reduction and Management Review Act. All hazardous waste generators must certify that, at a minimum, they make a good faith effort to minimize their waste and select the best waste management method available. Hazardous waste laws and regulations are enforced locally by the San Mateo County Health Department, Environmental Health Division.

#### **14.3.5 Radioactive Materials Management**

The Radiologic Health Branch of the California Department of Health Services administers the federal and state radiation safety laws that govern the storage, use, and transportation of radioactive materials and the disposal of radioactive wastes. The Radiologic Health Branch licenses institutions that use radioactive materials and radiation-producing equipment, such as x-ray equipment. To maintain a radioactive materials license, an institution must meet training and radiation safety requirements and be subject to routine inspections.

#### **14.3.6 Medical Waste Handling**

The California Department of Health Services Medical Waste Management Program delegates authority to enforce the California Medical Waste Management Act and related regulations locally to the San Mateo County Health Department, Environmental Health Division. Medical waste is generally regulated in the same manner as hazardous waste, except that special provisions apply to storage, disinfection, containment, and transportation. State law imposes a continual tracking system for disposal, and a calibration and monitoring system for on-site treatment. Facilities that treat medical wastes must obtain permits and are subject to annual audits. Medical waste is to be stored in closed red bags marked "biohazard" and, when transported for disposal, placed inside hard-walled containers with lids.

#### **14.3.7 Hazardous Materials Transportation**

The U.S. Department of Transportation has developed regulations pertaining to the transport of hazardous materials and hazardous wastes by all modes of transportation, including packaging specifications for different types of materials. The U.S. Postal Service has developed additional regulations for the transport of hazardous materials by mail. The U.S. Environmental Protection Agency (EPA) has also promulgated regulations for the transport of hazardous wastes; these more stringent requirements include tracking shipments with manifests to ensure that wastes are delivered to their intended destinations. In California, the California Highway Patrol, the California Department of Transportation, and the California Department of Toxic Substances Control (DTSC) play a role in enforcing hazardous material and waste transportation requirements.

### **14.3.8 Oversight of Contaminated Properties**

Depending on specific circumstances, the San Mateo County Health Department, San Francisco Bay Regional Water Quality Control Board (RWQCB), or the California Department of Toxic Substances Control (DTSC) oversees sites contaminated by hazardous materials releases. The administering agency implements applicable soil and groundwater cleanup laws, including Superfund. Decisions regarding cleanup and future use of a site are typically based on actual and reasonably projected risks present at the site. This approach focuses on the level of risk acceptable for planned land uses.

### **14.3.9 Hazardous Building Components**

Structural building components, particularly in older buildings, sometimes contain hazardous materials such as, among others, asbestos, polychlorinated biphenyls (PCBs), lead, and mercury. These materials are subject to various regulations. In the case of the proposed Stanford Outpatient Center, the Midpoint Technology Park buildings to be renovated and converted were constructed between 1998 and 2000, after laws were passed banning or regulating the use of asbestos, PCBs, lead, and mercury in building components.

