
12. PUBLIC HEALTH AND SAFETY

This EIR chapter describes known and potential hazardous materials conditions in the project vicinity and within the project site, related potentially significant adverse public health impacts anticipated as a result of the proposed residential and commercial development, and associated mitigation needs. (Please refer to chapter 11 of this EIR, Soils and Geology, for discussion of potential seismic safety issues and chapter 9, Hydrology and Water Quality, for discussion of flood hazards.)

12.1 SETTING

12.1.1 General Concerns

For purposes of this EIR, "hazardous materials" are defined as substances with certain chemical and physical properties that could pose a substantial present or future hazard to human health or the environment if improperly handled, stored, disposed, or otherwise managed. If improperly handled, hazardous materials can result in public health hazards through human contact with contaminated soils or groundwater, or through airborne releases in vapors, fumes, or dust. There is also the potential for accidental or unauthorized releases of hazardous materials that would pose a public health concern.

Construction workers typically have the greatest risk of exposure to contaminated soil or groundwater. Accidents or spills during transport of hazardous materials or wastes can also expose the general public and the environment to these substances. If contamination at a site remains undetected, workers and the public may be at risk of exposure if precautions are not taken during site development.

12.1.2 General Project Area Characteristics

Redwood City and the project area include numerous sources of hazardous materials, hazardous wastes, airborne toxic emissions, and contaminated earth and groundwater sites. Major local sources of these contaminants include industrial facilities in the Seaport Boulevard vicinity and the Port of Redwood City. Railroads and highways traversing the area also are potential sources of accidental releases of toxics. Accidental release of airborne toxics from these sources could possibly reach the project site, as could an accidental spill that may flow into Redwood Creek or Smith Slough. Off-site soil and groundwater contamination, however, would not likely affect the site.

12.1.3 Recorded Sites on or Near the Project Property

Current information on existing known and potential hazardous materials sites on or near the project site is summarized below. This information includes sites of known (recorded) soil or groundwater contamination, including sites already cleaned up or targeted for cleanup, locations of underground storage tanks, and sites where hazardous materials are generated, stored, handled, or treated. The information is based on a records search of available state and federal government databases as of March 11, 2002, completed for this EIR by Environmental Data Resources (EDR), Inc.¹ A copy of this records search is on file with the Redwood City Planning Department.

The database review indicates numerous recorded contaminated and hazardous material storage sites on the project site and in the surrounding Bair Island Road area. The specific results of the records search are outlined below.

(a) Federal Data Bases:

(1) *RCRIS- Large Quantity Generator (LQG)*. This database includes selected information on sites that generate, store, treat or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). The source of this database is the United States Environmental Protection Agency (USEPA). There is one RCRIS-LQG site within 1/4 mile of the project site (Pacific Bell, located at 656 Bair Island Road). There are none on-site.

(2) *RCRIS- Sm. Quan. Gen. (SQG)*. There are two RCRIS-SQG sites within 1/4 mile of the project site. There are none on-site.

(3) *ERNS*. The Emergency Response Notification System (ERNS) is a database used to store information on oil discharges and hazardous substances releases. The ERNS is a cooperative program between the United States Environmental Protection Agency (US EPA), the United States Department of Transportation (DOT) and the National Response Center (NRC). The Peninsula Marina (on-site) and the nearby Port of Redwood City and Docketown marinas have all had ERNS reports on past oil discharges and/or hazardous substances releases.

(b) State Data Bases:

(1) *Cal-Sites*. This database contains both known and potential hazardous substance sites. The source is the California Department of Toxic Substance Control. There are four Cal-Sites locations within one mile of the target property. None are on-site.

¹Environmental Data Resources, Inc. The EDR Radius Map with GeoCheck, Marina Shores Village, Inquiry Number 742619.1s, March 7, 2002.

(2) *CHMIRS*. The California Hazardous Material Incident Report System (CHMIRS) contains information on reported hazardous materials incidents (i.e., accidental releases or spills). The source is the California Office of Emergency Services. There are seven CHMIRS sites within one mile of the project site. None are on-site.

(3) *Cortese*. This database identifies public drinking water wells with detectable levels of contamination, hazardous substance sites selected for remedial action, sites with known toxic material identified through abandoned sites program, sites with underground storage tanks (USTs) having a reportable release and all solid waste disposal facilities from which there is known migration. The source is the California Environmental Protection Agency/Office of Emergency Information. There are 65 Cortese sites within one mile of the project site, including one on-site at Pete's Harbor.

(4) *Notify 65*. Notify 65 records contain facility notifications about any release that could impact drinking water and thereby expose the public to a potential health risk. The data come from the State Water Resources Control Board's Proposition 65 database. There are four Notify 65 sites within one mile of the project site, including one on-site at Pete's Harbor.

(5) *SWF/LF*. The Solid Waste Facilities/Landfill (SWF/LF) Sites records typically contain an inventory of solid waste disposal facilities or landfills. The data come from the Integrated Waste Management Board's Solid Waste Information System (SWIS) database. There is one SWF/LF site within 1/2 mile of the site (Redwood City disposal site at 365 Blomquist Street). There are no recorded on-site SWF/LF sites.

(6) *LUST*. The Leaking Underground Storage Tank (LUST) incident reports contain an inventory of reported leaking underground storage tank incidents. The data come from the State Water Resources Control Board Leaking Underground Storage Tank Information System. There are 15 LUST sites within 1/2 mile of the project site (including two on-site at Pete's Harbor and one at the Docktown Marina). Site investigation and corrective action for UST sites in Pete's Harbor were completed in 2001.²

(7) *CA FID UST*. The California Facility Inventory Database (CA FID) contains active and inactive underground storage tank locations. There is only one CA FID UST site within 1/4 mile of the project site, which is located on-site at Pete's Harbor. Site investigation and corrective action for this UST site were also completed in 2001.

(8) *CA SLIC*. The California Spills, Leaks Investigation and Cleanup (CA SLIC) program deals with site investigation and corrective action for hazardous leaks and spills. This CA SLIC program applies to sites not already overseen by the UST (Underground Storage Tank)

²Dean Peterson, San Mateo County Health Services Agency, written communication with Peter Uccelli, March 26, 2001.

Program and the Well Investigation Program administered by the California Regional Water Quality Control Board (RWQCB), who also administers the CA SLIC list. There is one CA SLIC site within 1/2 mile of the project site.

(9) *HAZNET*. The HAZNET database comes from the copies of hazardous waste manifests received each year by the Department of Toxic Substances Control (DTSC). There are six HAZNET sites within 1/4 mile of the project site, including four sites within the Bayport Marina Plaza complex along Bair Island Road; none are on-site.

(c) Local Data Bases:

(1) *San Mateo County BI*. The San Mateo County Business Inventory (BI) database addresses Hazardous Materials Business Plans, Hazardous Waste Generators, and USTs. The program is overseen by San Mateo County Environmental Health Services Division. There are 22 San Mateo County BI sites within 1/4 mile of the project site, including five sites within the Bayport Marina Plaza complex on Bair Island Road and three on-site at Pete's Harbor (Pete's Harbor, John's Mobile RV service, and Shoreline Ironworks).

12.2 PERTINENT PLANS AND POLICIES

12.2.1 City of Redwood City

(a) General Plan. The Redwood City Strategic General Plan Safety Element contains the following policies pertinent to public health and safety in the project vicinity:

- *Protect City residents from the risks inherent in the use, storage, transport, and distribution of hazardous materials.* (Objective 2, page 12-3)
- *Protect the safety of people on the ground and in aircraft in flight in the vicinity of San Carlos Airport.* (Objective 4, p. 12-3)
- *Review and update, as needed, the City's disaster response plans in coordination with the County's natural disaster preparedness plan.* (Policy S-3, p. 12-3)
- *Regulate land uses surrounding airports to assure airport safety. Measures may include restrictions on permitted land uses and development criteria.* (Policy S-12, p. 12-4)

(b) Other Plans and Regulations. The County of San Mateo has adopted a *Hazardous Waste Management Program* that addresses procedures for hazardous materials incidents; the City of Redwood City utilizes the County program.

The project site is also located within the San Carlos Airport Land Use Plan area, under the jurisdiction of the City/County Association of Governments (C/CAG) of San Mateo County (see

subsection 12.2.2[i] below for additional information).

12.2.2 Other Regulatory Agencies

The following federal, state, and county agencies have regulatory authority for the handling and management of hazardous materials and wastes, and general public health and safety within the City of Redwood City:

(a) Environmental Protection Agency. The Environmental Protection Agency (EPA), Region IX regulates chemical and hazardous materials use, storage, treatment, handling, transport, and disposal practices; protects workers and the community (along with CalOSHA--see below); and integrates the federal Clean Water Act and Clean Air Act into California legislation.

(b) Federal Occupational Health and Safety Administration. The federal Occupational Health and Safety Administration (OSHA) establishes and enforces regulations related to health and safety of workers exposed to toxic and hazardous materials. In addition, OSHA sets health and safety guidelines for construction activities and manufacturing facility operations.

(c) California Occupational Safety and Health Administration. The California Occupational Safety and Health Administration (CalOSHA) is responsible for promulgating and enforcing health and safety standards and implementing federal OSHA laws.

(d) State of California Water Quality Control Board. The Regional Water Quality Control Board (RWQCB), San Francisco Region, protects surface and groundwater quality from pollutants discharged or threatened to be discharged to the waters of the state. The RWQCB issues and enforces National Pollutant Discharge Elimination System (NPDES) permits and regulates leaking underground storage tanks and other sources of groundwater contamination.

(e) California Department of Toxic Substances Control. The California EPA, Department of Toxic Substances Control (DTSC) regulates hazardous substances and wastes, oversees remedial investigations, protects drinking water from toxic contamination, and warns public exposed to listed carcinogens.

(f) California Highway Patrol/Caltrans. The California Highway Patrol (CHP) and Caltrans have primary regulatory responsibility for the transportation of hazardous wastes and materials.

(g) Bay Area Air Quality Management District. The Bay Area Air Quality Management District (BAAQMD) is responsible for the permitting of industrial air emissions and sets and enforces regional air quality standards.

(h) San Mateo County. The County has developed a *Hazardous Waste Management Plan* that addresses issues involving hazardous materials ranging from generation to disposal. The plan delineates local and regional agency procedures and roles during incidents involving hazardous materials. The County Department of Environmental Health also coordinates *Risk*

Management Plans for industrial activities.

(i) C/CAG and the Federal Aviation Administration. The San Carlos Airport is a general aviation facility located approximately 1.5 miles northwest of the project site. The City/County Council of Governments (C/CAG) of San Mateo County, in its designated role as the Airport Land Use Commission (ALUC) for San Mateo County, has adopted the provisions in Federal Aviation Regulations (FAR) Part 77, Objects Affecting Navigable Airspace for the San Carlos Airport. Guidelines for determining if an object is an obstruction to air navigation are set forth in FAR Part 77. The FAR Part 77 regulations contain three key elements: (1) standards for determining obstructions in navigable airspace; (2) requirements for construction notification if it may affect airspace; and (3) provisions for preparation of aeronautical studies conducted by FAA staff.

Any proposed new construction or expansion of existing structures that would penetrate any of the FAR Part 77 imaginary horizontal and sloping surfaces for San Carlos Airport would be deemed incompatible uses unless determined otherwise by the FAA.³ Because the project site is located within the restricted height area for the San Carlos Airport (ALUC threshold), and because the proposed project would include structures over 200 feet in height (FAA threshold),⁴ the project's relationship to the FAR Part 77 imaginary surfaces for the San Carlos Airport would warrant FAA airspace review (see subsection 12.3.2 below for additional discussion).

The proposed project would also warrant Airport Land Use Commission review because: (1) the project site is within the planning area of the San Carlos Airport Land Use Plan (ALUP), and (2) the proposed project would require an amendment to currently adopted land use policy (e.g., general plan amendment, zoning ordinance amendment) involving residential dwelling units, as identified in Table IV-5 of the ALUP (Criteria for Basing a Request for the Grant of an Avigation Easement to the County of San Mateo).⁵

12.3 IMPACTS AND MITIGATION MEASURES

12.3.1 Significance Criteria

³City/County Association of Governments (C/CAG) of San Mateo County. San Mateo County Comprehensive Airport Land Use Plan, San Carlos Airport Land Use Plan, December 1996, p. IV-34.

⁴David F. Carbone, ALUC staff, personal communications, January 9 and 10, 2003.

⁵Carbone and C/CAG, Table IV-5 (p. IV-54).

Based on the CEQA Guidelines, the project would be considered to have a *potentially significant impact* related to public health and safety if it would directly or indirectly:⁶

- (1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- (2) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;
- (3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
- (4) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment;
- (5) For a project located within an airport land use plan, result in a safety hazard for people residing or working in the area; or
- (6) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

12.3.2 Impacts and Mitigation Measures

Future On-Site Hazardous Materials Use and Disposal. Hazardous substances may be stored, generated, and/or used in association with new residential and commercial uses proposed as part of the project. All hazardous materials are required to be stored and handled according to manufacturer's directions and local, state, and federal regulations. The City requires all new commercial and other uses to follow applicable regulations and guidelines regarding the storage and handling of hazardous waste under the policies of the County *Hazardous Waste Management Program*. Some of these regulations may include posting of signs, Fire District notification, and specialized containment facilities.

Project compliance with these adopted federal, state, and local regulations would provide reasonable assurance that any potentially significant health and safety effects associated with project-related hazardous materials storage, generation or use would remain ***less-than-significant***.

Mitigation. No significant impact has been identified; no mitigation is required.

⁶CEQA Guidelines, Appendix G, items VII(a-e).

Project Exposure to Existing Hazardous Materials Contamination. As noted above, USTs formerly located in Pete's Harbor have been removed and remediated to the satisfaction of local and federal authorities. However, there is always a small possibility that project construction could encounter contamination and expose construction workers to existing spilled, leaked or otherwise discharged hazardous materials or wastes, especially in the vicinity of the former UST at John's RV Repair Service.⁷ If such a situation arose during project grading or other construction phases, the project developer would be required to comply with all applicable existing state- and county-mandated site assessment, remediation, removal, and disposal requirements for soil, surface water, and/or groundwater contamination. In particular, these include the requirements of the City of Redwood City, Regional Water Quality Control Board (RWQCB), and California Department of Toxic Substances Control (DTSC).

Potential contaminants in dredge spoils in both Peninsula Marina and Pete's Harbor could pose a significant health risk if disturbed. Both Peninsula Marina and Pete's Harbor Marina would need maintenance dredging for future boating activities, as well as part of construction of the proposed flushing channel. Based on information generated during preparation of a recent (2000) *Environmental Site Assessment for Peninsula Marina*, there was no obvious information to suggest that there had been a significant source of contamination to the sediments at Peninsula Marina.⁸ However, the potential for contaminants to exist in dredge spoils remains. Obtaining the necessary dredging permits would require sampling and chemical analysis of sediments to be removed. The resulting data would be reviewed by permitting agencies (through the California Dredged Material Management Office) for a determination of allowable disposal sites, based on the level of contamination found.⁹

Project compliance with these established requirements would provide reasonable assurance that this possible health and safety impact would remain ***less-than-significant***.

⁷ERM. Summary of Findings, Phase II Environmental Site Assessment and Risk Evaluation, Pete's Harbor, 1 Uccelli Blvd., Redwood City, California, November 2000, p. 4-1.

⁸PES Environmental, Inc. Phase I Environmental Assessment, Peninsula Marina Office Park, Redwood City, California, October 13, 2000, p. 20.

⁹PES Environmental, Inc.

Mitigation. No significant impact has been identified; no mitigation is required.

Potential Asbestos Exposure. Project-related removal or disturbance of asbestos-containing material during demolition of existing on-site structures has the potential for exposing construction workers and the general public to friable asbestos. No survey of asbestos has yet been conducted for on-site structures to be demolished as part of the project.

As a condition of any project-related building demolition or alteration permit within the project site, the City would normally require the project applicant to coordinate with the Bay Area Air Quality Management District (BAAQMD) to determine if asbestos is present. This condition would generally require the project applicant to complete the following steps:

- Step 1.* Review as-built plans and specifications for existing buildings, and, if necessary, survey the project site and existing affected structures for the presence of asbestos-containing material. The survey shall be performed by a person who is properly certified by OSHA and has taken and passed an EPA-approved building inspector course.
- Step 2.* If building elements containing any amount of asbestos are present within the development area, prepare a written *Asbestos Abatement Plan* describing activities and procedures for removal, handling, and disposal of these building elements using the most appropriate procedures, work practices, and engineering controls.
- Step 3.* Provide the asbestos survey findings, the written *Asbestos Abatement Plan* (if necessary), and notification of intent to demolish to the San Mateo County Department of Environmental Health at least 10 days prior to commencement of demolition.

Implementation of these established requirements would provide reasonable assurance that health and safety effects associated with any project-related asbestos disturbance or removal would remain ***less-than-significant***.

Mitigation. No significant impact has been identified; no mitigation is required.

Interference With Emergency Response Plans. The project would not interfere with any established emergency response plan, provided that *Mitigation 10-4* identified in chapter 10 (Infrastructure and Public Services) is implemented.

Mitigation. No significant impact has been identified; no additional mitigation is required.

Potential Electromagnetic Field (EMF) Health Hazards. Project-proposed development and

open space uses in the central portion of the site would be located in close proximity to two existing, parallel, PG&E 230 kV and 115 kV electrical transmission lines that extend in an east/west direction within an 80-foot-wide transmission line easement directly north of the Peninsula Marina property (see Figure 3.4 in section 3 herein). In general, it is known that the flow of charge particles through electrical lines produces an electromagnetic field (EMF). Electric and magnetic fields are found everywhere electricity is used. Evidence regarding the health effects of long-term human exposure to EMF from high voltage transmission is inconclusive.

Earlier studies suggested a possible link between high voltage transmission line EMF exposure and rates of cancer occurrence, and possible effects on pregnancy outcome and general physiological and psychological health. More recent studies have suggested that there may not be proven links between EMFs and health problems in humans. To date, lawsuits attempting to prove the potential linkage between EMFs and adverse health effects have not succeeded.

In the recent case of San Diego Gas and Electric Co. vs. The Superior Court of Orange County, the court in its ruling "Background" noted that by the early 1980s, the question of whether powerline electric and magnetic fields pose a danger to health had become a matter of public concern and a source of growing controversy in the scientific community. The court also noted the recent California Public Utilities Commission conclusion that: (a) available evidence does not support a reasonable belief that electromagnetic fields present a substantial risk of physical harm, and therefore (b) no action need now be taken to reduce field levels from existing powerlines. The ruling "Background" concluded as follows:

To sum up, "There are electric and magnetic fields wherever there is electric power." (OTA Rep., supra, at p. 1.) In the typical home, fields of various strengths arise from the wall and ceiling wiring, the ground currents, and all electric machinery, equipment, and appliances: "Keeping fields out of the home would mean keeping any electricity from coming into or being used in the home." (EPA Q&A, supra, at p. 16, italics added.) And because the sources of electric and magnetic fields inside the home are so numerous, "Occupants of the average household are probably exposed to higher fields from their house wiring and appliances than from the outside wiring," i.e., from powerlines. (Ibid.)

In conclusion, there is no current informational basis for determination of a significant adverse environmental impact associated with the proposed project land use relationship to the two adjacent PG&E electrical transmission tower lines (see subsection 5.3.2 herein for a discussion of electrical transmission line visual impacts and mitigation needs).

No significant impact has been identified relative to EMF hazards and the proposed project. However, as required as part of the California Department of Real Estate Transfer Disclosure Statement (TDS) given to all prospective buyers and renters, the project applicant will disclose information about potential health hazards. In addition to TDS requirements, notices should be posted in the open space area south of the "Villas at Bair Island" complex, warning individuals about EMFs and the potential for interference with electronic devices such as cardiac

pacemakers.

Mitigation. No significant impact has been identified; no mitigation is required.

Impact 12-1: Safety Impacts Related to San Carlos Airport. The proposed project would introduce new development and several thousand full-time residents within the restricted height area of the San Carlos Airport planning area. This could represent a **potentially significant impact** (see criterion 5 in subsection 12.3.1, "Significance Criteria", above).

The City of Redwood City does not have an airport overlay zone to address airport/land use compatibility issues. However, the *Safety Element* of the Redwood City General Plan does contain Policy S-12, which states,

Regulate land uses surrounding airports to assure airport safety. Measures may include restrictions on permitted land uses and development criteria.

The density and building heights (i.e., any structure in the county over 200 feet in height) proposed by the project would warrant review of the project design by the FAA to ensure compliance with FAA height limitations related to the San Carlos Airport and to give the FAA opportunity to further define appropriate mitigations for any potential intrusion by a project structure into navigable airspace.¹⁰ Through its airspace review procedure, the FAA determines whether an object (e.g., a building) would constitute an obstruction to air navigation. If the object is not deemed by the FAA to be an obstruction, then no further review is required and no special measures are necessary. If the object is deemed an obstruction, the FAA then determines whether it would constitute a hazard to air navigation. If a project component is determined to be an obstruction but not a hazard, certain safety measures, such as lights and markings, may be required. If the object is deemed a hazard, then more stringent measures, possibly including limiting the heights of the object, may be required. (As a point of reference, the FAA required lights on top of the Oracle World Headquarters office buildings in Redwood Shores which, at up to 220 feet high, are lower in height than the proposed project buildings.)

¹⁰David F. Carbone, ALUC Staff, written communication, March 20, 2002; and personal communications, January 9 and 10, 2003.

As outlined in the San Carlos Airport Land Use Plan (ALUP) and explained by ALUC staff,¹¹ ALUC review of any proposed project would include an analysis of the detailed project designs when they become available, including, among other related variables, building heights above Mean Sea Level (MSL) (to compare with the San Carlos Airport runways at two feet above MSL) and building locations. This information would be analyzed in relation to the following issues: the Imaginary Surfaces Height Restrictions (Map SC-16 of the ALUP), the 20:1 slope conical surfaces (Figures SC-3 and SC-4 of the ALUP), San Carlos Airport aircraft traffic patterns, aircraft noise, aircraft altitudes, aircraft-induced vibration, electromagnetic interference, fuel particles, dust, frequency of aircraft overflights, airspace, San Francisco International Airport aircraft arrival traffic, and transient aircraft traffic. The precise details necessary for ALUC review typically are not available until later stages of a project's design, as would be the case for the proposed Marina Shores Village project. In addition, due to the potential interaction of the many variables mentioned above, a strict height limit for buildings on the project site has not been determined, although, as presented by the applicant for this EIR, the proposed project has been designed with a maximum building height above ground level of 260 feet, pursuant to the generalized height limits diagramed on ALUP Map SC-16 (Imaginary Surfaces Height Restrictions).

Project demonstration to the City of FAA review and approval of the proposed project building heights, per PUC section 21670 et seq., pursuant to FAR 77 requirements, would adequately address potential project intrusions into navigable airspace, but not airport-related ground safety issues. Potential safety issues are addressed below.

The San Carlos Airport Land Use Plan (ALUP) shows existing land use at the project site as *Commercial/Industrial*.¹² No residential uses were assumed for the project site when the San Carlos ALUP was completed in 1996. Since prohibiting residential development within the vicinity of the airport may not be feasible or practical, the ALUP maintains that the best alternative is to inform potential buyers of property near the airport of the airport's proximity. The ALUP suggests that this information can be transmitted through a *buyer awareness measure*, such as the granting of an *avigation easement* by the property owner to the airport proprietor. This easement would be recorded on the title of the property. Also pursuant to the buyer awareness concern, the Real Estate Transfer Disclosure Statement (TDS), required by the California Department of Real Estate and given to all prospective buyers and renters, would identify the project site as within the planning area of the San Carlos Airport.

¹¹Ibid.

¹²C/CAG, San Mateo County Comprehensive Airport Land Use Plan, San Carlos Airport Land Use Plan, Map SC-3, "San Carlos Airport Environs Generalized Land Use," p. IV-7.

The San Carlos ALUP establishes an Avigation Easement Review Area (AERA) for San Carlos Airport. The San Carlos ALUP AERA designations and associated avigation easements are intended to balance the public need for the development of land in the vicinity of the airport with the additional need for continued safe and efficient operation of San Carlos Airport.¹³ San Carlos ALUP Map SC-18 outlines the AERA boundaries for the San Carlos Airport. The project site is just east of the boundaries of the San Carlos Airport AERA Areas B and C. However, due to the density and building heights of development proposed, an avigation easement might be required to ensure against safety impacts related to air traffic, electromagnetic interference, and fuel particles, as well as nuisance impacts related to noise and dust, as indicated in appendix E (Examples of County of San Mateo Avigation Easement Documents) of the ALUP.

Mitigation 12-1. In addition to the project review required by C/CAG per PUC section 21670 et seq., the applicant must submit a *Notice of Proposed Construction or Alteration (FAA Form 7460-1)* to the FAA for airspace review. If the proposed project structures are deemed to be obstructions to air navigation, specific mitigation measures required by the FAA shall be implemented to ensure that navigation is not obstructed.

In order to minimize potential conflict between project development and the continued safe and efficient operation of the San Carlos Airport, and as outlined in the San Carlos ALUP, the City shall forward the project plans and a description of the project as well as the General Plan Amendment and Precise Plan applications to the C/CAG Airport Land Use Commission for Commission review and recommendation. Based on the Commission's review of the proposed project, although outside the San Carlos ALUP designated Avigation Easement Review Area, the project *may require* the granting of an Avigation Easement over all or an appropriate portion of the project site, following the process outlined in the San Carlos ALUP, Section H, subsection 4, p. IV-52. Under such an easement, the proposed project residential uses would be considered as "conditional," and as such, could be required to comply with certain C/CAG Airport Land Use Commission recommended safety measures. Once approved by C/CAG, the project Avigation Easement would be recorded on the title of each included property in the Marina Shores Village development and remain on each included property in perpetuity. The Avigation Easement would constitute a "buyer awareness measure," and would require transfer of appropriate disclosure documents to buyers and renters which include an acknowledgment of potential nuisance and safety issues associated with property ownership and tenancy in proximity to a general aviation facility.

¹³C/CAG, p. IV-48.

(continued)

Mitigation 12-1 (continued):

Regardless of the C/CAG decision regarding the Avigation Easement, the transfer of mandatory disclosure documents would be completed as part of the required California Department of Real Estate Transfer Disclosure Statement (TDS) given to all prospective buyers and renters.

Implementation of this measure would reduce safety impacts related to the San Carlos Airport to a ***less-than-significant*** level.