

Exhibit B
CEQA Findings and Statement of Overriding Considerations (SOC)

Introduction

Statutory Requirements for Findings

This statement of findings addresses the potentially significant environmental impacts associated with the proposed 751 Gateway Boulevard project (project) located in the City of South San Francisco, California and is made pursuant to Section 15091 of the California Environmental Quality Act Guidelines (CEQA Guidelines), which provides that:

- a) No public agency will approve or carry out a project for which an Environmental Impact Report (EIR) has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 - 1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - 2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - 3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.
- b) The findings required by subsection (a) will be supported by substantial evidence in the record.

Section 15092 of the CEQA Guidelines further stipulates that

- b) a public agency will not decide to approve or carry out a project for which an EIR was prepared unless either:
 - 1) The project as approved will not have a significant effect on the environment, or
 - 2) The agency has:
 - a. Eliminated or substantially lessened all significant effects on the environment where feasible as shown in findings under Section 15091, and
 - b. Determined that any remaining significant effects on the environment found to be unavoidable under Section 15091 are acceptable due to overriding concerns as described in Section 15093.

As required by CEQA, the City of South San Francisco, in adopting these findings, must also adopt a Mitigation Monitoring and Reporting Program (MMRP) for the project. The MMRP, which is incorporated by reference and made a part of these findings, meets the requirements of

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Statement of Overriding Considerations

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Section 15097 of the CEQA Guidelines by providing for the implementation and monitoring of measures intended to mitigate potentially significant effects of the project. Whenever these findings specifically refer to a mitigation measure that will avoid or mitigate a potentially significant impact, that specific mitigation measure is hereby made a specific condition of approval of the 751 Gateway Boulevard Project.

Environmental Review Process

Pursuant to CEQA, lead agencies are required to consult with public agencies having jurisdiction over a proposed project and to provide the general public with an opportunity to comment on the Draft EIR. On January 21, 2020, the City of South San Francisco circulated a Notice of Preparation (NOP) for a 30-day comment period to help identify the types of impacts that could result from the proposed project, as well as potential areas of controversy. The NOP was filed with the County Clerk and mailed to public agencies (including the State Clearinghouse and the California Department of Transportation), and nearby addresses. Comments received by the City on the NOP were taken into account during the preparation of the Draft EIR.

The Draft EIR was made available on the City's website for public review on September 22, 2020. The Notice of Availability of a Draft EIR was posted with the County Clerk, mailed to local, regional, state, and other public agencies (including the State Clearinghouse and the California Department of Transportation), and nearby property owners and occupants. Hard copies of the Draft EIR were available for public review upon request. The Draft EIR public comment period began on September 22, 2020 and ended on November 8, 2020. The Planning Commission conducted a public hearing to receive comments on the Draft EIR on October 15, 2020. In addition to Planning Commission comments, the City received four emails or letters commenting on the Draft EIR, including one received after the close of the comment period. Subsequent to the end of the public review period for the Draft EIR, and consistent with the requirements of Section 15088(a) of the CEQA Guidelines, the City of South San Francisco, as the Lead Agency, has considered the public comments received on the Draft EIR for the project and has prepared written responses to each of the comments received relative to environmental issues.

Pursuant to Section 15132 of the CEQA Guidelines, the Final EIR consists of the following:

- The Draft EIR, including all of its appendices.
- A list of persons, organizations, and public agencies commenting on the Draft EIR.
- Copies of all letters received by the City during the Draft EIR public review period and responses to significant environmental points concerning the Draft EIR raised in the review and consultation process.
- Any other information added by the Lead Agency.

Record of Proceedings

For purposes of CEQA and the findings set forth herein, the record of proceedings for the City's decision on the proposed project consists of: a) matters of common knowledge to the City, including, but not limited to, federal, State and local laws and regulations; and b) the following documents which are in the custody of the City:

- Notice of Preparation and other public notices issued by the City in conjunction with the proposed project (see Appendix A of the Draft EIR for the Notice of Preparation);
- The Public Review Draft EIR and supporting documentation prepared for the proposed project (Draft EIR dated September 2020 and Appendices A through D), and all documents cited, incorporated by reference, or referred to therein;
- The written and verbal comments and documents submitted to the City by agencies, organizations, and members of the public (before, during, and after the close of the public comment period);
- The Mitigation Monitoring and Reporting Program;
- The Final EIR for the 751 Gateway Project dated January 21, 2020 and all documents cited, incorporated by reference, or referred to therein;
- All findings and resolutions adopted by the City in connection with the proposed project, and documents cited or referred to therein;
- The City of South San Francisco General Plan, adopted by the City Council in 1999;
- Minutes or verbatim transcripts of information and study sessions, workshops, public meetings and public hearings held by the City in connection with the proposed project; and
- Any other materials required to be in the record of proceedings by public Resources Code section 21167.6, subdivision (e).

The location and custodian of the documents and other materials that constitute the record of proceedings are:

City of South San Francisco Planning Division City Hall Annex
315 Maple Avenue
P.O. Box 711
South San Francisco, California 94080
Contact: Adena Friedman, (650) 877-8535
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The 751 Gateway Project

This section lists the objectives of the proposed project, provides a brief description of the project, and lists the project alternatives evaluated in the Draft EIR.

Project Objectives

The project sponsor identified the following objectives for the project:

- Create state-of-the-art R&D facilities consistent with the South San Francisco General Plan designation for the site as well as General Plan goals and policies.
- Develop a building that is aesthetically compatible with the surrounding vicinity, with height, massing and design treatment that is compatible with other recent development in the East of 101 Area.
- Promote the City's ongoing development of the "East of 101 Area" into a nationally recognized biotechnology and R&D center to attract other life science uses.
- Further the City's policies for developing the East of 101 Area with new opportunities for continued evolution from manufacturing and warehousing/distribution to biotechnology and R&D.
- Redevelop underutilized parcels within the project site at a higher density to build on the synergy of R&D development and to take advantage of opportunities offered in the East of 101 Area to create a vibrant, attractive and efficiently-designed R&D campus.
- Develop an R&D campus with a high level of design quality, as called for in the design policies and guidelines of the East of 101 Area Plan.
- Build a project that creates quality jobs for the City.
- Provide sufficient space for tenants to employ key scientific and business personnel in proximity to each other to foster efficient collaboration and productivity.
- Capitalize on the project's proximity to the new Caltrain station to provide transit-oriented employment opportunities, encourage employees to commute using public transit, and reduce VMT and air emissions by reducing single-occupancy vehicle trips.
- Enhance the visual quality of development around the existing Gateway Campus by providing a high-quality, modern building and functional and attractive landscape areas. The project will take advantage of and enhance access to the Caltrain station by upgrading the pedestrian and bicycle connections within and to the Gateway campus.
- Promote alternatives to automobile transportation to further the City's transportation objectives by emphasizing linkages, transportation demand management (TDM), pedestrian access, and ease of movement between buildings.

- Enhance vehicular, bicycle, and pedestrian circulation and access in the area surrounding the project site.
- Build a project that is viable in the East of 101 Area, based on market conditions and project service requirements for the area.
- Incorporate flexibility for office and R&D uses to ensure that the project is responsive to tenant demands, based on market conditions.
- Maximize positive fiscal impacts for the City through the creation of jobs, enhancement of property values, and generation of property taxes and development fees.

Project Summary

The City of South San Francisco prepared the 751 Gateway Boulevard Impact Report (EIR) to analyze the potential environmental effects that may result from the project. The project sponsor, 701 Gateway Center LLC, proposes to redevelop a 7.4-acre, irregularly shaped site within the City of South San Francisco's (City's) Gateway Specific Plan planning area with a research and development (R&D) facility and office building. The proposed project involves construction of a 148-foot-tall, seven-story building with approximately 208,800 square feet of space (60 percent R&D uses and 40 percent office uses). The new building would be constructed on the existing surface parking lot. The existing office building at 701 Gateway Boulevard would remain. The ground floor of the proposed building would include a "through lobby" with access from the north and south; the lobby would include an amenity space for tenants. An entry plaza and landscaped visitor lot would be constructed north of the proposed building. An entrance and screened service yard would be constructed south of the proposed building. The proposed project would improve pedestrian connections between the nearby Gateway Campus buildings at 701, 901, 951, and 801 Gateway Boulevard by creating a pedestrian hub central to the campus. The proposed project would also include surface parking lots with a total of 418 parking spaces on-site (including approximately 42 parking spaces in a lot north of the proposed building) for use of the tenants on-site and within the Gateway Campus.

Alternatives

Based on the project objectives and anticipated environmental consequences, and pursuant to Section 15126.6 of the CEQA Guidelines, the following project alternatives were selected for analysis:

- Alternative A: No Project Alternative
- Alternative B: Reduced Surface Parking Lot Demolition Alternative
- Alternative C: Reduced Building Footprint Alternative

A more detailed description of these alternatives, and required findings, are included the Feasibility of Project Alternatives section.

Impacts Determined to be Mitigated to Less than Significant Levels

The Draft EIR identified certain potentially significant impacts that could result from the project. However, the City finds, for the reasons stated in the EIR, that mitigation identified in the Draft EIR would reduce impacts to less than significant levels. The City finds that all the mitigation measures described below are feasible and agrees to adopt them as conditions of approval for the project. Accordingly, changes or alterations have been required or incorporated into the project which avoid or substantially lessen the significant effects as identified in the EIR and adoption of the mitigation measures set forth below will reduce these significant or potentially significant effects to less than significant levels. These mitigation measures will effectively be part of the project.

Air Quality

Impact AQ-2: The proposed project would not result in a cumulatively considerable net increase in any criteria pollutant for which the project region is classified as nonattainment under an applicable federal or state ambient air quality standard. (Construction)

Implement Mitigation Measure AQ-1: Use Clean Diesel-Powered Equipment during Construction to Control Construction-Related NOX Emissions. The project sponsor shall ensure that all off-road diesel- powered equipment used during construction is equipped with EPA-approved Tier 4 Final engines. The construction contractor shall submit evidence of the use of EPA- approved Tier 4 Final engines or cleaner for project construction to the City prior to the commencement of construction activities.

Implement Mitigation Measure AQ-2: Implement BAAQMD Basic Construction Mitigation Measures. The project sponsor shall require all construction contractors to implement the basic construction mitigation measures recommended by BAAQMD. The emissions reduction measures shall include, at a minimum, the following:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, unpaved access roads) shall be watered two times a day.
- All haul trucks shall be covered when transporting soil, sand, or other loose material offsite.
- All visible mud or dirt track-out material on adjacent public roads shall be removed using wet-power vacuum-type street sweepers at least once a day. The use of dry-power sweeping is prohibited.
- All vehicle speeds shall be limited to 15 miles per hour on unpaved roads.
- All roadways, driveways, and sidewalks that are to be paved shall be paved as soon as possible. Building pads shall be laid as soon as possible after grading, unless seeding or a soil binder is used.

- All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified visible-emissions evaluator.
- Idling times shall be minimized, either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure).
- Publicly visible signs shall be posted with the telephone number and name of the person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

Finding: With implementation of Mitigation Measures AQ-1 and AQ-2, the project construction impacts related to criteria pollutant would be less than significant.

Impact AQ-3: The proposed project would not expose sensitive receptors to substantial pollutant concentrations (construction).

Implement **Mitigation Measures AQ-1: Use Clean Diesel-Powered Equipment during Construction to Control Construction-Related NOX Emissions and AQ-2: Implement BAAQMD Basic Construction Mitigation Measures**, described above.

Finding: With implementation of Mitigation Measures AQ-1 and AQ-2, the project construction impacts related to exposure of sensitive receptors to substantial pollutant concentrations would be less than significant.

Impact C-AQ-2: The proposed project would not result in a cumulatively considerable contribution to significant cumulative impacts related to a net increase in criteria pollutants for which the region is in nonattainment for an applicable federal or state ambient air quality standard.

Implement **Mitigation Measures AQ-1: Use Clean Diesel-Powered Equipment during Construction to Control Construction-Related NOX Emissions and AQ-2: Implement BAAQMD Basic Construction Mitigation Measures**, described above.

Finding: With Implementation of Mitigation Measures AQ-1 and AQ-2, the project's impact on emissions resulting in a cumulatively considerable net increase of any criteria air pollutant for which the project region is nonattainment would be less than significant.

Impact C-AQ-3: The proposed project in combination with past, present, and reasonably

foreseeable future projects would not contribute to cumulative health risks for sensitive receptors.

Implement Mitigation Measures AQ-1: Use Clean Diesel-Powered Equipment during Construction to Control Construction-Related NOX Emissions and AQ-2: Implement BAAQMD Basic Construction Mitigation Measures, described above.

Finding: With Implementation of Mitigation Measures AQ-1 and AQ-2, the project's impact on cumulative health risks for sensitive receptors would be less than significant.

Biological Resources

Impact BIO-1: The proposed project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

Implement Mitigation Measure BI-1: Pre-Construction Nesting Bird Surveys and Buffer Areas. The project sponsor shall protect nesting birds and their nests during construction by implementation of the following measures:

- a) To the extent feasible, conduct initial activities, including, but not limited to, vegetation removal, tree trimming or removal, ground disturbance, building or parking lot demolition, site grading, and other construction activities which may compromise breeding birds or the success of their nests outside the nesting season (February 15–September 15).
- b) If construction occurs during the bird nesting season, a qualified wildlife biologist shall conduct a nesting bird preconstruction survey within 14 days prior to the start of construction or demolition at areas that have not been previously disturbed by project activities or after any construction breaks of 14 days or more. The survey shall be performed within 100 feet of the applicable construction phase area in order to locate any active nests of passerine species and within 300 feet of the applicable construction phase area to locate any active raptor (birds of prey) nests, and this survey shall be of those areas that constitute suitable habitat for these species.
- c) If active nests are located during the preconstruction nesting bird survey, a qualified biologist shall determine if the schedule of construction activities could affect the active nests; if so, the following measures would apply:
 - 1) If the qualified biologist determines that construction is not likely to affect an active nest, construction may proceed without restriction; however, a qualified biologist shall regularly monitor the nest at a frequency determined appropriate for the surrounding construction activity to confirm there is no adverse effect. Spotcheck monitoring frequency would be determined on a nest-by-nest basis,

considering the particular construction activity, duration, proximity to the nest, and physical barriers that may screen activity from the nest.

- 2) If it is determined that construction may cause abandonment of an active nest, the qualified biologist shall establish a no-disturbance buffer around the nest(s), and all project work shall halt within the buffer to avoid disturbance or destruction until a qualified biologist determines that the nest is no longer active. Typically, buffer distances are 100 feet for passerines and 300 feet for raptors; however the buffers may be shortened if an obstruction, such as a building, is within line-of-sight between the nest and construction.
- 3) Modifying nest buffer distances, allowing certain construction activities within the buffer, and/or modifying construction methods in proximity to active nests shall be approved by the qualified biologist and in coordination with the Planning Division. To the extent necessary to remove or relocate an active nest, such removal or relocation shall be coordinated with the Planning Division, and the removal or relocation shall be in compliance with the California Fish and Game Code and other applicable laws.
- 4) Any work that must occur within established no-disturbance buffers around active nests shall be monitored by a qualified biologist. If adverse effects in response to project work within the buffer are observed and could compromise the nest, work within the no-disturbance buffer shall halt until the nest occupants have fledged.
- 5) Any birds that begin nesting within the project area and survey buffers amid construction activities are assumed to be habituated to construction-related or similar noise and disturbance levels. Work may proceed around these active nests subject to Measure c.2 above.

Finding: With implementation of Mitigation Measure B1-1, project impacts to nesting birds would be less than significant.

Impact BIO-4: The proposed project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Implement **Mitigation Measure BI-1: Pre-Construction Nesting Bird Surveys and Buffer Areas.**, described above, **Mitigation Measure BI-2: Lighting Measures to Reduce Impacts on Birds:**

During design, the project sponsor shall ensure that a qualified biologist experienced with bird strikes and building/lighting design issues shall identify lighting- related measures to minimize the effects of the building's lighting on birds. The project sponsor shall incorporate such measures, which may include the following and/or other measures, into the building's design and

operation.

- Use strobe or flashing lights in place of continuously burning lights for obstruction lighting. Use flashing white lights rather than continuous light, red light, or rotating beams.
- Install shields onto light sources not necessary for air traffic to direct light towards the ground.
- Extinguish all exterior lighting (i.e., rooftop floods, perimeter spots) not required for public safety.
- When interior or exterior lights must be left on at night, the operator of the buildings shall examine and adopt alternatives to bright, all-night, floor-wide lighting, which may include installing motion-sensitive lighting, using desk lamps and task lighting, reprogramming timers, or using lower-intensity lighting.
- Windows or window treatments that reduce transmission of light out of the building shall be implemented to the extent feasible

Implement Mitigation Measure BI-3: Building Design Measures to Minimize Strike Risk:

During design, the project sponsor shall ensure that a qualified biologist experienced with bird strikes and building/lighting design issues shall identify measures related to the external appearance of the building to minimize the risk of bird strikes. The project sponsor shall incorporate such measures, which may include the following and/or other measures, into the building's design.

- Minimize the extent of glazing.
- Use low-reflective glass and/or patterned or fritted glass.
- Use window films, mullions, blinds, or other internal or external features to “break up” reflective surfaces rather than having large, uninterrupted areas of surfaces that reflect, and thus to a bird may not appear noticeably different from, vegetation or the sky.

Finding

With implementation of Mitigation Measures B1-1, B1-2, and B1-3, the project impacts related to movement of birds or bird wildlife corridors would be less than significant.

Impact C-BIO-1: The proposed project would not result in a cumulatively considerable contribution to significant cumulative impacts on biological resources.

Implement **Mitigation Measures BI-1, BI-2, and BI-3**, described above.

Finding: Implementation of Mitigation Measure BI-1, Preconstruction Nesting Bird Surveys and Buffer Areas; Mitigation Measure BI-2, Lighting Measures to Reduce Impacts on Birds; and

Mitigation Measure BI-3, Building Design Measures to Minimize Bird Strike Risk, would require pre-construction surveys for nesting birds, and building design measures to minimize lighting effects on birds and bird strike risk. Implementation of these mitigation measures would ensure that the proposed project's contribution to cumulative impacts on nesting special-status and migratory bird species, the movement of native resident or migratory wildlife species, established native resident or migratory wildlife corridors, the use of native wildlife nursery sites, and local policies or ordinances for protecting biological resources would be less than cumulatively considerable.

Cultural Resources

Impact CR-2: The proposed project would not cause a substantial adverse change in the significance of an archaeological resource, pursuant to Section 15064.5.

Implement **Mitigation Measure CR-1: Cultural Resources Worker Environmental Awareness Program (WEAP).** The project applicant shall ensure that a qualified archaeologist shall conduct a WEAP training for all construction personnel on the project site prior to construction and ground-disturbing activities. The training shall include basic information about the types of artifacts that might be encountered during construction activities, and procedures to follow in the event of a discovery. This training shall be provided for any additional personnel added to the project even after the initiation of construction and ground-disturbing activities.

Implement Mitigation Measure CR-2: Halt Construction Activity, Evaluate Find, and Implement Mitigation for Archaeological, Historical, and Tribal Resources. In the event that previously unidentified archaeological, historical, or tribal resources are uncovered during site preparation, excavation, or other construction activity, the project applicant shall cease or ensure the ceasing of all such activity within 25 feet of the discovery until the resources have been evaluated by a qualified professional, and specific measures can be implemented to protect these resources in accordance with sections 21083.2 and 21084.1 of the California Public Resources Code. If the find is significant, the project applicant shall ensure that a qualified archaeologist excavate the find in compliance with state law, keeping project delays to a minimum. If the qualified archaeologist determines the find is not significant then proper recordation and identification will ensue and the project shall continue without delay

Finding

With implementation of Mitigation Measures CR-1 and CR-2, the impacts of the proposed project on archaeological resources would be reduced to a less than significant level.

Impact CR-3: The proposed project would not disturb any human remains, including those interred outside of formal cemeteries.

Implement **Mitigation Measure CR-3: Halt Construction Activity, Evaluate Remains, and Take Appropriate Action in Coordination with Native American Heritage Commission.** In the event that human remains are uncovered during site preparation, excavation, or other construction activity, the project applicant shall cease or ensure the ceasing of all such activity within 25 feet of the discovery until the remains have been evaluated by the County Coroner, and appropriate action taken in coordination with the NAHC, in accordance with section 7050.5 of the CHSC or, if the remains are Native American, section 5097.98 of the California Public Resources Code

Finding: With implementation of Mitigation Measure CR-3, the impacts of the proposed project on human remains would be less than significant.

Impact CR-4: The proposed project would not cause a substantial adverse change in the significance of a tribal cultural resource.

Implement **Mitigation Measures CR-1, CR-2, and CR-3**, described above.

Finding: With implementation of Mitigation Measures CR-1, CR-2 and CR-3, the impacts of the proposed project on tribal cultural resources would be less than significant.

Impact C-CR-1: The proposed project would not result in a cumulatively considerable contribution to significant cumulative impacts on archeological resources, human remains, and tribal cultural resources.

Implement Mitigation Measures CR-1, CR-2, and CR-3, described above.

Finding: With implementation of Mitigation Measures CR-1, CR-2 and CR-3, the proposed project would not result in a cumulatively considerable contribution to a significant cumulative impact on archaeological resources, human remains, and tribal cultural resources.

Energy

Impact EN-1: The proposed project would not result in a potentially significant environmental impact due to the wasteful, inefficient, or unnecessary consumption of energy resources (Construction).

Implement **Mitigation Measure GHG-1: Require Implementation of BAAQMD-recommended Construction BMPs.** The project sponsor shall require its contractors, as a condition in contracts (e.g., standard specifications), to reduce construction-related GHG emissions by implementing BAAQMD's recommended BMPs as set forth in BAAQMD's 2017 CEQA Guidelines, including (but not limited to) the following measures:

- Ensure alternative-fuel (e.g. biodiesel, electric) construction vehicles/equipment make up at least 15 percent of the fleet
- Use local building materials (at least 10 percent) sourced from within 100 miles of the planning area; and
- Recycle and reuse at least 50 percent of construction waste or demolition materials.
- The project sponsor shall submit evidence of compliance to the City prior to the start of construction

Finding: With implementation of Mitigation Measure GHG-1 during the construction phase of the proposed project, the environmental impact of the project construction due to wasteful, inefficient, or unnecessary consumption of energy resources would be reduced to less than significant.

Geology and Soils

Impact GEO-6: The proposed project could directly or indirectly destroy a unique paleontological resource on-site or unique geological feature.

Implement Mitigation Measure GEO-1: Halt Construction Activity, Evaluate Find, and Implement Mitigation for Paleontological Resources. In the event that previously unidentified paleontological resources are uncovered during site preparation, excavation, or other construction activity, the project sponsor shall cease or ensure that all such activity within 25 feet of the discovery cease until the resources have been evaluated by a qualified professional, and specific measures can be implemented to protect these resources in accordance with sections 21083.2 and 21084.1 of the California Public Resources Code. If the find is significant, a qualified paleontologist shall excavate the find in compliance with state law, keeping project delays to a minimum. If the qualified paleontologist determines the find is not significant then proper recordation and identification shall ensue and the project will continue without delay.

Finding: With implementation of Mitigation Measure GEO-1, the impact of the project on a unique paleontological resource or unique geological feature would be reduced to less than significant.

Impact C-GEO-2: The proposed project would not result in a cumulatively considerable contribution to significant cumulative impacts on paleontological resources.

Implement **Mitigation Measure GEO-1**, described above.

Finding: With implementation of Mitigation Measure GEO-1, the proposed project would not result in a cumulatively considerable contribution to a significant cumulative impact on

paleontological resources.
Greenhouse Gas Emissions

Impact GHG-1A: The proposed project would not generate GHG emissions, either directly or indirectly, that may have significant impact on the environment during construction.

Implement Mitigation Measure GHG-1: Require Implementation of BAQMD-recommended Construction BMPs. The project sponsor shall require its contractors, as a condition in contracts (e.g., standard specifications), to reduce construction-related GHG emissions by implementing BAAQMD’s recommended BMPs as set forth in BAAQMD’s 2017 CEQA Guidelines, including (but not limited to) the following measures:

- Ensure alternative-fuel (e.g. biodiesel, electric) construction vehicles/equipment make up at least 15 percent of the fleet
- Use local building materials (at least 10 percent) sourced from within 100 miles of the planning area; and
- Recycle and reuse at least 50 percent of construction waste or demolition materials.
- The project sponsor shall submit evidence of compliance to the City prior to the start of construction

Finding: With implementation of Mitigation Measure GHG-1, the impacts of the proposed project construction to GHG emissions would be less than significant.

Noise and Vibration

Impact NO-1: The proposed project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

Implement Mitigation Measure NO-1: Construction Noise Control Plan to Reduce Noise Outside of the Standard Construction Hours in the City of South San Francisco. The project sponsor and/or the contractor(s) for the proposed project shall obtain a permit to complete work outside of the standard construction hours outlined in the City Municipal Code. In addition, the project sponsor and/or the contractor(s) for the proposed project shall develop a construction noise control plan to reduce noise levels to within the City’s daytime and nighttime noise standards. Specifically, the plan shall demonstrate that noise from construction activities that occur daily between 7:00 and 8:00 weekdays and Saturday will comply with the applicable City noise limit of 65 dBA at the nearest existing land use, and construction activities that occur between 10:00 p.m. and 7:00 a.m. will comply with the applicable City noise limit of 60 dBA at the nearest existing land use. Measures to help reduce noise from construction activity during non-standard construction hours to these levels shall be incorporated into this plan and may

include, but are not limited to, the following:

- Require all construction equipment be equipped with mufflers and sound control devices (e.g., intake silencers and noise shrouds) that are in good condition (at least as effective as those originally provided by the manufacturer) and appropriate for the equipment.
- Maintain all construction equipment to minimize noise emissions.
- Locate construction equipment as far as feasible from adjacent or nearby noise-sensitive receptors.
- Require all stationary equipment be located to maintain the greatest possible distance to the nearby existing buildings, where feasible.
- Require stationary noise sources associated with construction (e.g., generators and compressors) in proximity to noise-sensitive land uses to be muffled and/or enclosed within temporary enclosures and shielded by barriers, which can reduce construction noise by as much as 5 dB.
- Use noise-reducing enclosures around noise-generating equipment during nighttime/non-standard daytime hours. Prohibit the use of impact tools (e.g., jack hammers) during these hours.
- Prohibit idling of inactive construction equipment for prolonged periods during nighttime hours (i.e., more than 2 minutes).
- Advance notification shall be provided to surrounding land uses disclosing the construction schedule, including the various types of activities that would be occurring throughout the duration of the construction period.
- The construction contractor shall provide the name and telephone number an on-site construction liaison. If construction noise is found to be intrusive to the community (complaints are received), the construction liaison shall investigate the source of the noise and require that reasonable measures be implemented to correct the problem.
- Use electric motors rather than gasoline- or diesel- powered engines to avoid noise associated with compressed air exhaust from pneumatically powered tools during nighttime hours. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust could be used; this muffler can lower noise levels from the exhaust by about 10 dB. External jackets on the tools themselves could be used, which could achieve a reduction of 5 dB.

Implement Mitigation Measure NO1-2: Operational Noise Study to Determine Attenuation Measures to Reduce Noise from Project Mechanical Equipment. Once equipment models and design features to attenuate noise have been selected, the project sponsor shall conduct a noise analysis to estimate actual noise levels of project-specific mechanical equipment, including heating and cooling equipment (such as boilers, chillers, cooling towers, and exhaust fans), to

reduce potential noise impacts resulting from project mechanical equipment. Feasible methods to reduce noise below the significant threshold include, but are not limited to, selecting quieter equipment, siting equipment further from the roofline, and/or enclosing all equipment in a mechanical equipment room designed to reduce noise. This analysis shall be conducted, and its results and reduction methods provided to the City, prior to the issuance of building permits. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that the mechanical features incorporated into project design would ensure noise from these equipment do not result in noise at the nearest existing land use of 65 dBA Leq during the daytime and 60 dBA Leq during the nighttime. The project sponsor shall incorporate all recommendations from the acoustical analysis necessary to ensure that noise sources would meet applicable requirements of the noise ordinance into the building design and operations.

Finding: With implementation of Mitigation Measures NOI-1 and NOI-2, impacts associated with an increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies would be less than significant.

Impact C-NOI-1: The proposed project would not result in a cumulatively considerable contribution to the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project site in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies

Implement Mitigation Measure NOI-2, Operational Noise Study to Determine Attenuation Measures to Reduce Noise from Project Mechanical Equipment, described above.

Finding: With implementation of Mitigation Measure NOI-2, the project would not result in a cumulatively considerable contribution to a significant cumulative impact associated with noise levels in the vicinity of the project.

Transportation and Circulation

Impact TR-4: The proposed project would not produce a detrimental impact to local transit or shuttle service, or conflict with adopted plans and programs.

Implement Mitigation Measure TR-1: First- and Last-Mile Strategies. The project sponsor shall fund the design and construction of the following off-site improvements to support the project's first- and last-mile strategies necessary to support auto trip reduction measures.

- The project shall provide a fair-share contribution towards the City's cost of facilities and improvements identified below for the purposes of upgrading Poletti Way sidewalk to a

Class I shared-use bicycle and pedestrian pathway between the Caltrain Station at East Grand Avenue, and the street's northern terminus as identified in the *Active South City: Bicycle and Pedestrian Master Plan* (currently in draft form), or if said Master Plan is in the process of being amended or updated at the time of the first building permit for the project, then the project shall instead provide a fair-share contribution in an equivalent amount towards improvements and upgrades of equivalent design and purpose, as determined by the City's Chief Planner in his reasonable discretion. The Gateway Property Owners Association is currently in the process of dedicating the Poletti Way right-of-way to the City and the dedication is expected to be completed by the end of 2020. The improvement will include curb ramps, curb and gutter, signage, markings, and other changes necessary to meet Caltrans and City of South San Francisco Class I bikeway standards. Specific improvements will include upgrades at vehicular crossings (such as driveways and minor streets) to provide 10-foot minimum wide barrier-free accessible ramps that permit direct, two-way bicycle and pedestrian travel. Adequate warning and regulatory signage and markings will be provided to alert road users of potential conflicts per the *California Manual on Uniform Traffic Control Devices* (CAMUTCD). Existing pavement conditions will be assessed and reconstructed if necessary, per City of South San Francisco standards. The project's obligation to pay a fair share contribution toward this improvement is contingent upon the City (i) adopting a final *Active South City Bicycle and Pedestrian Master Plan* that includes the improvement, or City approval of a plan for improvements of equivalent design and purpose; (ii) acquiring any necessary right of way; and (iii) implementing a program that will require fair share contributions from others in the East of 101 area that will benefit from the improvement.

- The project shall provide a fair share contribution toward the City's cost of facilities and improvements identified below for the purposes of extending Class II bicycle lanes on Gateway Boulevard between East Grand Avenue and Oyster Point Boulevard, assuming 1,100 linear feet of frontage. This improvement will include striping new bicycle lanes and restriping existing lanes. Extending bicycle lanes will support enhanced bicycle access from south of the project site as identified in the *Active South City: Bicycle and Pedestrian Master Plan* (currently in draft form). If said Master Plan is in the process of being amended or updated at the time of the first building permit for the project, then the project shall instead provide a fair-share contribution in an equivalent amount towards improvements and upgrades of equivalent design and purpose, as determined by the City's Chief Planner in his reasonable discretion.
- The project shall participate in first-/last-mile shuttle program(s) to Caltrain, BART, and the ferry terminal. Shuttles may be operated by Commute.org and/or a future East of 101 transportation management agency. The project may provide an on-site loading zone for potential future private shuttles or pick-up/drop-off operations; however, public shuttle shall utilize on-street shuttle stops located adjacent to the project site in order to minimize

additional travel time for shuttles. Southbound shuttles on Gateway Boulevard shall use the existing shuttle stop at the intersection of Gateway Boulevard and the Gateway Business Park driveway (approximately 500 feet south of the project site) or the project may construct a new southbound shuttle stop along the project frontage on Gateway Boulevard. A new shuttle stop shall accommodate small shuttles and larger buses and shall be designed in close coordination with the City and the shuttle operators taking into consideration planned roadway improvements, other new developments, and rider needs. Northbound shuttles on Gateway Boulevard shall use the future shuttle stop at the Gateway Business Park driveway (directly across the street from the project site) as proposed as part of the Gateway of Pacific project.

- The project shall provide a more direct connection to on-street shuttle stops by adding directional curb ramps and high visibility crosswalks at the northern leg of the Gateway Boulevard / Gateway Business Park driveway / Project driveway intersection. Since no crosswalk current exists across the northern leg of this intersection, the project shall review existing intersection signal timing and adjust if necessary, to accommodate the new pedestrian phase. Add high-visibility crosswalks on the south side of the Oyster Point Boulevard / Gateway Boulevard intersection (southern and eastern legs of the intersection) to improve access to shuttle stops on Oyster Point Boulevard.

Finding: With Implementation of Mitigation Measure TR-1, the proposed project impact to local transit or shuttle service would be less than significant, and the proposed project would not conflict with adopted plans and programs.

Significant and Unavoidable Impacts

A significant and unavoidable impact is an impact that cannot be mitigated to a less than significant level if the project is implemented, because no feasible mitigation has been identified. Except for the impacts described below, all significant impacts associated with the proposed project would be reduced to a less than significant level with incorporation of mitigation measures identified in the Final EIR. The project would result in the following significant unavoidable impacts. The City has determined that the impacts identified below are acceptable because of overriding economic, social, or other considerations, as described in this Statement of Overriding Considerations.

Greenhouse Gasses (GHGs)

Impact GHG1-B: The proposed project would generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment during operation.

Implement **Mitigation Measure TR-1, First- and Last-Mile Strategies**, described above and

Mitigation Measure GHG-2: Operational GHG Reduction Measures:

The project sponsor shall:

- Plant 44 additional trees on existing surface parking lots; and
- Install 28 more electric vehicle (EV) charging spots than required by the 2019 Building Code.

Finding: The proposed project would result in a net loss of trees, reducing carbon sequestration in the land use sector. Implementation of Mitigation Measure GHG-2 , Operational GHG Reduction Measures, would plant additional trees on existing surface parking lots, but would still result in a net loss of trees. In addition, the proposed project would not achieve the 16.8 percent vehicle miles traveled (VMT) per service population reduction target. The proposed project would be subject to regulatory programs related to fuel and vehicle efficiency as well as vehicle electrification. In addition, implementation of Mitigation Measure TR-1, First and Last Mile Strategies, would contribute a fair share towards funding the design and construction of off-site improvements to support the proposed project's first- and last-mile transit connection strategies, which are necessary to support reductions in the number of trips made by automobile. These improvements include fair-share contributions towards the City's cost of upgrading sidewalks, upgrading and extending bicycle and pedestrian pathways, providing a more direct connection to on-street shuttle stops, participating in first/last shuttle programs, and striping unmarked crosswalks contributing to bicycle and pedestrian infrastructure.

However, the lead agency cannot determine with certainty that implementation of Mitigation Measure TR-1 would reduce the proposed project's VMT to a less-than-significant level because there are a range of GHG reductions associated with the measures in TR-1, making precise quantification of reductions difficult. Consequently, although emissions from the stationary-source, area, energy, waste, and water sectors would generally be consistent with the Bay Area Air Quality Management District's (BAAQMD's) stationary threshold or the scoping plan and regulatory programs, land use and mobile-source emissions from the proposed project would not be consistent with the scoping plan measures outlined to reduce GHG emissions consistent with the State's goals. Therefore, operational GHG impacts would be significant and unavoidable with mitigation.

Impact GHG-2: The proposed project would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

Implement **Mitigation Measure TR-1, First- and Last-Mile Strategies, and Mitigation Measure GHG-2: Operational GHG Reduction Measures**, described above.

Finding: Stationary-source emissions would be below BAAQMD's stationary-source threshold.

In addition, the proposed project would achieve U.S. Green Building Council Leadership in Energy and Environmental Design (LEED) Gold certification and implement sustainability measures, such as waste diversion programs and water reduction measures, consistent with the 2017 scoping plan. This would reduce GHG emissions and associated impacts from area energy, water, and waste sources to less-than-significant levels. These reductions would help the State meet its GHG reduction goals. However, the proposed project would not be consistent with the scoping plan's overall goal of avoiding losses in carbon sequestration, given the net tree loss despite implementation of Mitigation Measure GHG-2. In addition, implementation of Mitigation Measure TR-1 would reduce mobile-source emissions during operation but would not reduce emissions enough to meet the 16.8 percent VMT per service population reduction target developed by CARB. Therefore, the GHG impacts of the proposed project would be significant and unavoidable with mitigation because the project would not be consistent with State goals to reduce GHG emissions.

Transportation and Circulation

Impact TR-1: Existing home-based work (HBW) vehicle miles traveled (VMT) per employee in the travel demand model transportation analysis zone (TAZ) that encompasses the project result in greater than 16.8 percent below the regional average HBW VMT per employee under Existing Plus Project and Cumulative Plus Project conditions.

Implement **Mitigation Measure TR-1: First- and Last-mile Strategies**, described above.

Finding: The project would generate approximately 16.2 HBW VMT per employee under existing conditions, which is greater than the per-employee significance threshold of 11.8 HBW VMT (based on a VMT rate of a reduction of 16.8 percent below the regional average of 14.2 HBW VMT per employee). Therefore, the project would have a significant impact on VMT under existing plus project conditions. Under cumulative conditions, the project would generate approximately 14.0 HBW VMT per employee, which is greater than the per-employee significance threshold of 12.1 HBW VMT (based on a VMT rate 16.8 percent below the regional average of 14.6 HBW VMT per employee). Therefore, the project would have a significant impact on VMT under cumulative plus project conditions. Mitigation Measure TR-1 would support and enhance the effectiveness of the project's last-mile transit connection strategies, but would be unlikely to substantially reduce HBW VMT per- employee, and would aid in reducing project auto travel demand. It is appropriate mitigation under both the existing plus project and cumulative plus project conditions; however, its effectiveness is unknown and is unlikely to reduce the project's HBW VMT by 27 percent (i.e., the amount needed to reduce the project's HBW VMT per employee of 16.2 to the 11.8 threshold, to reach a less-than-significant level). Therefore, this impact would be significant and unavoidable with mitigation.

Feasibility of Project Alternatives

The Draft EIR included several project alternatives. The City hereby concludes that the Draft EIR sets forth a reasonable range of alternatives to the proposed project so as to foster informed public participation and informed decision making. The City finds that the alternatives identified and described in the Draft EIR were considered and further finds two of them to be infeasible for the specific economic, social, or other considerations set forth below pursuant to CEQA Guidelines Section 21081.

In addition to the project, the following alternatives were evaluated in the Draft EIR, and are more fully described in Chapter 5 of the Draft EIR.

Alternative A: No Project Alternative

The CEQA Guidelines stipulate that an EIR specifically include a “No Project” alternative. The purpose in including a No Project Alternative is to allow decision-makers to compare the impacts of approving the project with the impacts of not approving the project.

Under Alternative A: No Project Alternative, the existing land uses and site conditions at the project site would not change. The existing six-story, approximately 170,235-square-foot office building on the project site would remain, as would the existing surface parking, which has approximately 558 parking spaces. There would be no tree removal. Under Alternative A, the FAR at the project site would remain at 0.53. Alternative A would not preclude potential future development of the project site with a range of land uses that are permitted at the project site.

Findings

This environmental analysis assumes that the existing structure, surface parking lot, and existing uses on the project site would not change and that the existing physical conditions, as described in detail for each environmental topic in Chapter 4 of the DEIR, Environmental Setting, Impacts, and Mitigation, would remain the same. If Alternative A were implemented, none of the impacts associated with the proposed project as described in Chapter 4 of the DEIR would occur. However, development and growth would continue within the vicinity of the project site as reasonably foreseeable future projects are approved, constructed, and occupied. These projects could contribute to cumulative impacts in the vicinity, but under Alternative A, land use activity on the project site would not contribute to these cumulative impacts beyond existing levels. No mitigation measures would be required for Alternative A. Alternative A would not be a feasible alternative, as it would not meet any of the basic project objectives.

Alternative B: Reduced Surface Parking Lot Demolition Alternative

Alternative B: Reduced Surface Parking Lot Demolition Alternative would demolish a smaller part of an existing surface parking lot at the project site, resulting in the same building as the proposed project but with a reduced area for parking, streetscape, and landscape improvements

compared to the proposed project in the northern portion of the project site. Alternative B would redevelop approximately half of the existing surface parking lot in the northern portion of the project site with new parking, landscaping, trees, pedestrian entryway elements, and streetscape features compared to the proposed project, which would redevelop the entire surface parking lot. The other half of the existing surface parking lot would remain under Alternative B with the exception of possible asphalt resurfacing and new striping for the parking spaces. It is anticipated that the portion of the existing surface parking lot that would remain includes approximately 46 parking spaces compared to the 21 parking spaces that would be constructed in this area under the proposed project (refer to Figure 3- 4 in Chapter 3, Project Description, of the DEIR). The 376 existing parking spaces in the rectangular parking lots in the southern portion of the project site would be included in this alternative, as with the project. Thus, this alternative would result in approximately 25 more parking spaces than the proposed project, for a total of approximately 443 parking spaces compared to the 418 parking spaces proposed under the project. Overall, Alternative B would involve a slightly reduced development area compared to the project. Site access and circulation would be similar to the proposed project.

Findings

Since Alternative B would develop the same square footage and provide additional parking spaces than the proposed project, Alternative B would not result in reduced VMT impacts. Transportation and GHG impacts related to VMT would be significant and unavoidable, as with the proposed project. Since Alternative B is a slightly reduced construction program, slightly less demolition and construction would occur in the northern portion of the site, impacts that were found to be less than significant with mitigation for the proposed project related to air quality, biological resources, cultural resources, energy, geology and soils, noise, and transportation would be less than significant with mitigation, with slightly reduced impacts compared to the proposed project. Alternative B would only meet the project objectives to a lesser or partial extent, and is not a feasible alternative.

Alternative C: Reduced Building Footprint Alternative

Alternative C: Reduced Building Footprint Alternative would construct a building that is the same height as the proposed project with the same ratio of office, R&D, and retail (i.e., café and fitness center) uses, but with a reduced building footprint and approximately 25 percent less total square footage. Alternative C includes a total of 156,600 square feet compared to 208,800 square feet under the proposed project. The site plan for this alternative would otherwise be similar to the proposed project, and site access and circulation would be similar to the proposed project. Alternative C would include the same overall pedestrian and landscape improvements to the site as the proposed project. Thus, it is anticipated that the amount of pervious surface under this alternative would be similar to the proposed project. Overall, Alternative C would involve a similarly sized development area compared to the project even though the building footprint would be reduced because it is anticipated that additional site improvements (e.g., landscaping

and hardscaped areas) would be constructed around the perimeter of the building. In addition, Alternative C would require the removal of 175 existing trees, as with the proposed project. Construction Activities for Alternative C would be similar to the proposed project, with a substantially shorter construction schedule and less ground disturbance than the proposed project.

Findings

Since Alternative C would be a smaller project compared to the proposed project, it would have fewer employees and would generate trips compared to the proposed project. However, it would not substantially reduce the average HBW VMT per employee compared to the proposed project. Transportation and GHG impacts related to VMT would be significant and unavoidable, as with the proposed project. Since Alternative C is a substantially reduced construction program, impacts that were found to be less than significant with mitigation for the proposed project related to air quality, biological resources, cultural resources, energy, geology and soils, noise, and transportation would be less than significant with mitigation, with slightly reduced impacts compared to the proposed project. Alternative C would only attain the project objectives to a lesser or partial extent compared to the proposed project, and is not a feasible alternative.

Environmentally Superior Alternative

The CEQA Guidelines state that an EIR shall identify an environmentally superior alternative. If the environmentally superior alternative is the “No Project” alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives (Section 15126.6(e)(2)). In general, the environmentally superior alternative minimizes adverse impacts to the environment, while still achieving the basic project objectives. Identification of the environmentally superior alternative is an informational procedure and the alternative selected may not be the alternative that best meets the goals or needs of the City. Alternative A, the No Project Alternative, would not result in any change to existing environmental conditions.

Alternative B and Alternative C would result in the same significant and unavoidable impacts with mitigation related to transportation and circulation and GHG emissions because neither alternative would reduce the average HBW VMT per employee. Among the alternatives to the project, Alternative B would offer a lower level of impact by reducing the site-specific impacts that would be less than significant with mitigation. Specifically, Alternative B would require less ground disturbance and fewer tree removals, which would reduce impacts to biological resources, cultural resources and tribal resources, and geology and soils (paleontology) to a greater extent than Alternative C. Therefore, Alternative B is the environmentally superior alternative. Alternative B would also meet more of the project objectives compared to Alternative C, although it would not meet all of the project objectives and it would only partially meet some of the project objectives, as it does not maximize the opportunity for new R&D uses and jobs in the East of 101 area, and is a less viable alternative to the proposed project.

Statement of Overriding Considerations

CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a project against its unavoidable risks when determining whether to approve a project. If the specific economic, legal, social, technological or other benefits of the project outweigh the unavoidable adverse environmental effects, those effects may be considered acceptable (CEQA Guidelines Section 15093(a)). CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are not avoided or substantially lessened. Those reasons must be based on substantial evidence in the Final EIR or elsewhere in the administrative record (CEQA Guidelines Section 15093(B)). The proposed project would result in significant unavoidable impacts related to greenhouse gas emissions and transportation. No feasible mitigation measures have been identified that would reduce this impact to a less than significant level. This significant unavoidable impacts are identified and discussed in these Findings. The City further specifically finds that the significant unavoidable impact to greenhouse gas emissions and transportation are outweighed by the proposed project's benefits and is acceptable in light of the benefits of the project, based on the findings below:

- The City has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the project, as described above.
- All mitigation measures recommended in the Final EIR have been incorporated into the project and will be implemented through the MMRP, incorporated by reference herein.
- In accordance with CEQA Guidelines Section 15093, the City has, in determining whether or not to approve the project, balanced the economic, legal, social, technological, and other benefits, including region-wide or statewide environmental benefits of the project against these unavoidable environmental risks, and has found that the benefits of the project outweigh the unavoidable adverse environmental effects. The following statements specify the reasons why, in the City's judgment, the benefits of the project outweigh its unavoidable environmental risks. The City also finds that any one of the following reasons for approval cited below is sufficient to justify approval of the project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City will stand by its determination that each individual reason is sufficient. The substantial evidence supporting the City Findings and the benefits described below can be found in the Record of Proceedings.

Economic Benefits

- The Project helps advance South San Francisco's economic development goals of enhancing the competitiveness of the local economy, and maintaining a strong and diverse revenue and job base.
- One of the City's main economic development goals is to support the growth and

sustainability of the biotechnology industry cluster in the East of 101 Area, home to more than 200 of the most innovative biotechnology companies in the world. The City has been, and continues to be purposeful about planning for growth of the biotechnology industry by providing city services and infrastructure, enabling this industry to expand and to attract more biotechnology companies to the area. The project at 751 Gateway Boulevard aims to promote these goals and plans by providing an additional 208,800 sq. ft. of new R&D / office space.

- The project will expand the R&D / office land use development, a high priority land use in the City, in the East of 101 Area and in proximity to similar uses.
- The project is expected to provide for and generate substantial revenues for the City in the form of one-time and annual fees, taxes, exactions and other fiscal benefits.
- The project will support local and regional sustainability goals by expanding the employment base.
- The Project will generate revenues to the City of South San Francisco from impact fees and capital facilities charges that the City assesses on new construction, and will also generate construction use taxes that accrue to the City of South San Francisco and the County of San Mateo.

Social Benefits

- The project is designed to take advantage of and promote the use of alternative modes of transportation other than single-occupancy vehicles trips, as is consistent with the City's TDM Ordinance. The project would promote public transit, bicycling, walking, and trips made through other modes by adopting a TDM Plan that provides incentives for those modes. The TDM Plan will also provide technological solutions (such as low or zero emission vehicles) and seek to eliminate trips (e.g., via telecommute options).
- The project includes the construction of a new pedestrian amenities and connections on-site and within the Gateway campus, as well as pedestrian improvements on Gateway Boulevard. The improved sidewalk along Gateway Boulevard includes landscaping amenities, and will provide an improved connection to the Caltrain station and shuttle stops. The improved pedestrian connection will help to improve the pedestrian environment in the East of 101 area, and also improve the appearance of this section of Gateway Boulevard.
- In addition, the project would pay a fair share towards install a new bike lane along the Gateway Boulevard frontage of the project site, thus creating a necessary link between existing bicycle facilities and proposed facilities connecting to the South San Francisco Caltrain Station to the south.
- The project seeks to redevelop an underutilized parking with a high-quality R&D building, with open space and landscaping amenities designed throughout the project site.

- Project components—including the building, open space, and landscaping—have been designed with sustainability as a priority, and the project will also comply with the Climate Action Plan.

Conclusion

After balancing the specific economic, legal, social, technological, and other benefits of the project alternatives, the City of South San Francisco has determined that the unavoidable adverse environmental impact identified may be considered acceptable due to the specific considerations listed above which offset the unavoidable, adverse environmental impact that will be caused by implementation of the proposed project.

Recognizing that a significant and unavoidable impact will result from implementation of the project, the City adopts this Statement of Overriding Considerations. Having adopted all feasible mitigation measures and recognizing the significant and unavoidable impact, the City hereby finds that each of the separate benefits of the project, as stated herein, is determined to be unto itself an overriding consideration, independent of other benefits, that warrants approval of the proposed project and outweighs and overrides its unavoidable significant effect, and thereby justifies the approval of the project.

Conclusion: No Recirculation of the Draft EIR is Required

The changes and new information provided in the Final EIR consist of clarifications of the Draft EIR analysis and do not include identification of new significant impacts associated with the project or mitigation measures, or new project alternatives or mitigation measures that warrant consideration.

The City of South San Francisco finds that the new information added in the Final EIR merely clarifies, amplifies, or makes insignificant modifications to an adequate EIR and is not “significant” within the meaning of CEQA Guidelines section 15088.5. The City of South San Francisco further finds that incorporating the new information does not deprive the public of a meaningful opportunity to comment on the project or its effects, and that no information has been added to the Final EIR that would warrant recirculation pursuant to Public Resources Code section 21092.1. Finally, the City of South San Francisco has reviewed and considered comments made after the Final EIR was issued and finds that those comments do not present significant new information within the meaning of CEQA Guidelines section 15088.5 or otherwise warrant recirculation of the Final EIR pursuant to Public Resources Code section 21092.1. These findings are based on all the information presented in the Final EIR and the record of proceedings.