

# GATEWAY OF THE PACIFIC 4 DENSITY TRANSFER PROJECT

Final Supplement Environmental Impact Report  
SCH # 2008062059

Prepared for  
City of South San Francisco

May 2022



# GATEWAY OF THE PACIFIC 4 DENSITY TRANSFER PROJECT

Final Supplement Environmental Impact Report  
SCH # 2008062059

Prepared for  
City of South San Francisco

May 2022

550 Kearny Street  
Suite 800  
San Francisco, CA 94108  
415.896.5900  
esassoc.com



Bend	Oakland	San Diego
Camarillo	Orlando	San Francisco
Delray Beach	Pasadena	San Jose
Irvine	Petaluma	Sarasota
Los Angeles	Portland	Seattle
Mobile	Sacramento	Tampa

D202101143.00

# TABLE OF CONTENTS

## Gateway of the Pacific 4 Density Transfer Project Final Supplemental Environmental Impact Report

<b>Chapter 1, Introduction and List of Commenters</b> .....	<b>1-1</b>
1.1 Purpose of this Document .....	1-1
1.2 Summary of Proposed Project .....	1-1
1.3 Project Actions.....	1-4
1.4 Organization of the Final EIR.....	1-5
1.5 Public Participation and Review.....	1-6
1.6 List of Commenters.....	1-6
<b>Chapter 2, Comments and Responses</b> .....	<b>2-1</b>
2.1 Introduction .....	2-1
<b>Chapter 3, Mitigation Monitoring and Reporting Program (MMRP)</b> .....	<b>3-1</b>
3.1 Introduction .....	3-1
3.2 Mitigation Measures.....	3-1
3.3 MMRP Components .....	3-1

### List of Tables

Table 1-1 Comment Letters Regarding the Draft SEIR.....	1-7
Table 3-1 Mitigation Monitoring and Reporting Program .....	3-3

# CHAPTER 1

---

## Introduction and List of Commenters

### 1.1 Purpose of this Document

This document includes all agency and public written comments received on the Draft Supplemental Environmental Impact Report (Draft SEIR, SCH # 2008062059) for the Gateway of Pacific (GOP) 4 Density Transfer Project. No changes in the text of the Draft SEIR are necessary or appropriate.

Written comments were received by the City of South San Francisco during the public comment period from January 26, 2022 through March 14, 2022. This document includes written responses to each comment received on the Draft SEIR. This Final SEIR document has been prepared in accordance with the California Environmental Quality Act (CEQA) and together with the Draft SEIR (and Appendices) constitutes the EIR for the GOP 4 project that will be used by the decision-makers during project hearings. The responses and text changes correct, clarify, and amplify text in the Draft SEIR, as appropriate. These changes do not alter the conclusions of the Draft SEIR.

### 1.2 Summary of Proposed Project

#### Project Location

The GOP 4 site is located in the City of South San Francisco, approximately 1.5 miles north of San Francisco International Airport (SFO) and approximately 10 miles south of downtown San Francisco. The City of South San Francisco is located on the San Francisco Bay plain and the northern foothills of the Coastal range. The City is located along major transportation routes including US 101, Interstate 380 (“I-380”), Interstate 280 (“I-280”), and the Union Pacific Railroad.

The GOP 4 project is the fourth phase of the GOP Master Plan project, which is located within the larger Gateway Specific Plan area and East of 101 Sub-area. The GOP Master Plan area consists of approximately 23 acres of land and is bounded by Oyster Point Boulevard on the north, Gateway Boulevard on the west, a narrow band of vacant land to the east, and a hotel to the south. The GOP Master Plan area is developed with office, warehousing and research and development (“R&D”) uses.

The GOP 4 site itself is 4.8 acres in size and is generally located in the northeastern portion of the GOP Master Plan area, south of buildings housing R&D uses located at 180 and 200 Oyster Point Boulevard, which are located outside the GOP Master Plan area. The site is presently developed with two one-story buildings, a Federal Express (FedEx) distribution center (900 Gateway

Boulevard) totaling 50,000 sf and an abandoned office building (850 Gateway Boulevard) totaling approximately 19,300 sf.

## Background

In February 2010, the City certified an EIR, adopted certain findings under CEQA, and approved the Gateway Business Park Master Plan project and a Precise Plan for Phase 1. Other approvals included related General Plan and zoning changes, and a Development Agreement. Specifically, the environmental effects of the project were analyzed in the EIR (State Clearinghouse Number 2008062059) that was certified on February 10, 2010 (City Council Resolution 18-2010) (“2010 EIR”). In addition, a Mitigation Monitoring and Reporting Program (“MMRP”) and a statement of overriding considerations for the project were adopted at the same time. The master plan project involved the phased removal and replacement of existing buildings on the 22.6-acre site, construction of five to six new buildings, and construction of two to four parking structures, in up to five phases. The plan would have developed the site with a Floor Area Ratio (FAR) of 1.25, which would have resulted in approximately 1,230,570 square feet (sf) of building space.

In April 2013, the City approved modifications to the Gateway Business Park Master Plan project and the Precise Plan for Phase 1 (City Council Resolution 44-2013). The City found that the modifications were within the scope of the 2010 EIR and re-certified that EIR (City Council Resolution 43-2013). As it considered the modifications to that project, the City re-adopted the CEQA findings, the MMRP and the statement of overriding considerations. The modifications included more flexibility in phasing, a new amenity building in Phase 1, a First Amendment to the Development Agreement, and minor changes to on-site circulation. The overall development standards and FAR of 1.25 did not change. These modifications were reflected in a revised Master Plan, which was renamed as the GOP Master Plan, and a revised Precise Plan for GOP 1. Phase 1 has since been constructed.

In July 2018, the City approved a Second Amended and Restated Development Agreement (“Second Amendment”) (Ordinance No. 1559-2018). The Second Amendment recognizes a lot line adjustment that had previously adjusted the property line between Phases 1 and 2, recognized the current ownership of the various parcels that comprise the GOP Master Plan area, allocated responsibility for compliance with the conditions of approval and mitigation measures separately among each phase, and clarified that the requirement for a replacement childcare facility on the site be triggered upon occupation of 750,000 sf of gross floor area within the GOP Master Plan area. The City determined that no additional environmental review was required for the Second Amendment.

In December 2018, the City approved Precise Plans for Phases 2 and 3 of the GOP Master Plan project (Planning Commission Resolution 2835-2018). The Planning Commission determined that Phases 2 and 3 were within the scope of the 2010 EIR and adopted an Addendum (Planning Commission Resolution 2834-2018) (“2018 Addendum”) to the previous analysis. The Precise Plans provided detailed development plans that implemented the already-approved GOP Master Plan project. Phases 2 and 3 are currently under construction.

In July 2020, the City approved a Precise Plan for Phase 4 of the GOP Master Plan project, as well as a Use Permit for the adjacent project at 475 Eccles Avenue to the west, which is now known as GOP 5 (Planning Commission Resolution No. 2859-2020 and City Council Resolution No. 119-2020). The Precise Plan for the GOP 4 project provided detailed development plans that implemented the already-approved GOP Master Plan project. The GOP 4 project included two five-story buildings with R&D uses totaling 226,000 sf and a six-story parking structure, with a partial floor on the sixth level, in the northeastern portion of the GOP Master Plan area. The Planning Commission determined that Phase 4 was within the scope of the 2010 EIR and 2018 Addendum, and adopted another Addendum (Planning Commission Resolution No. 2858-2020) (“2020 Addendum”) to the previous analysis. Construction of GOP 4 has not commenced.

The Use Permit for the GOP 5 project integrated the adjacent project at 475 Eccles Avenue into a campus that would include both the GOP Master Plan and GOP 5 projects. The GOP 5 project includes the site of some former rail spurs that previously separated the GOP Master Plan area from the 475 Eccles site, which will be converted into a publicly-accessible multi-use path connecting Oyster Point Boulevard with Forbes Boulevard, and providing pedestrian connections within the campus.

## Project Characteristics

### Previously Approved Project

As discussed above, the approved GOP 4 project included two five-story buildings totaling 226,000 sf and a five-story parking structure. One building would be located on the northern portion of the site and the other building would be located on the southern portion of the site with the parking structure located to the east. Both the northern and southern buildings were approximately the same size with each totaling about 113,000 sf. The two structures were also each 98 feet above the average level of the highest and lowest points on the lot. A total of 531 parking spaces would be provided in a six-level parking structure (five full floors and a partial level on the sixth floor). The project would have employed approximately 603 workers. The envelope of the buildings consisted of a high-quality curtain-wall system with energy-efficient glazing and accents of metal panels, wood and concrete.

### Modified Project

The site of the former rail spurs on the GOP 5 site is 2.76 acres or 120,221 sf in size. Based on an allowed FAR of 1.0 for R&D establishments permitted by the City’s General Plan, a total of 120,221 sf of R&D use could be developed on this portion of the GOP 5 site. The proposed GOP 4 Density Transfer project would transfer this space from the GOP 5 site to the GOP 4 site. The developable space would be added to the northern building on the GOP 4 site as four additional floors. The portion of the GOP 5 site encompassing the rail spurs would then be deed restricted to not allow any of the density transferred to GOP 4 site to be constructed on the rail spur property. The additional space would employ an additional 321 workers. The additional square footage would be parked at 2 spaces per 1,000 sf, which would be accommodated by adding 2.5 floors to the previously-approved parking structure; a total of approximately 240 new parking spaces would be provided.

As revised, the northern building on the GOP 4 site would total nine floors and reach a height of 178 feet above the average level of the highest and lowest points on the lot. The northern structure would include about 233,300 sf of space. The height and size of the southern building would remain the same. The parking structure would also now be eight levels in height and include 771 parking spaces.

The approved architectural scheme of the buildings would be extended to the new floors, without any substantive changes in architecture. The modified GOP 4 project also includes a generator yard at ground level in the landscaped area on the northwest side of the GOP 4 parking structure. In exchange for reducing current density at the rail spurs to zero, the overall FAR of the GOP Master Plan area would increase from 1.25 to 1.37 with the addition of the space associated with the proposed project.

### 1.3 Project Actions

Approval of the GOP 4 Density Transfer project is anticipated to require, but may not be limited to, the following City actions:

- Certify EIR to verify that the EIR was completed in compliance with the requirements of CEQA, that the decision-making body has reviewed and considered the information in the EIR, and that the EIR reflects the independent judgement of the City of South San Francisco;
- Adopt a MMRP, which specifies the methods for monitoring mitigation measures required to eliminate or reduce the project's significant effects on the environment; and
- Adoption of Findings of Fact and a Statement of Overriding Considerations.
- Amend General Plan to allow a density transfer. Specifically, add text to the notes in General Plan FAR tables 2.2-1 and 2.2-2 that apply to the Business Commercial land use. The notes would be amended to add the following underlined text:

The Gateway Business Park Master Plan and the Oyster Point Specific Plan are permitted to develop up to a FAR of 1.25 with a TDM, and are allowed to develop additional density to the extent such density would otherwise be available on immediately adjacent property that is (a) subject to an FAR limitation of 1.25 or less; (b) part of the same research & development campus; and (c) deed-restricted to preclude development of the transferred FAR;

BMR also seeks an amendment to the text on pages 2-21 to 2-22 of the General Plan currently published on line, as follows:

The Gateway Business Park Master Plan area, comprising several parcels on 22.6 acres at the southeast corner of Gateway Boulevard and Oyster Point Boulevard, is permitted to develop up to a FAR of 1.25 and is allowed to develop additional density in limited circumstances as provided in Tables 2.2-1 and 2.2-2.

- Repeal of Gateway Specific Plan as it may be considered outdated and because the relevant components of the Specific Plan have already been incorporated into the applicable zoning district regulations. Barring repeal, amend Gateway Specific Plan to allow a transfer of density from adjacent property into the Specific Plan area;

- Amend Gateway Specific Plan Zoning District regulations to allow transfer of density from an adjacent zoning district;
- Amend GOP Master Plan to allow a transfer of density from an adjoining property;
- Modify GOP 4 Precise Plan to incorporate an additional 120,221 square feet, with four additional floors on the GOP 4 North building, and 2.5 additional floors on the parking structure. Undergo associated design review;
- Amend Development Agreement for the GOP Master Plan to encompass the above approvals.

The proposed project would be anticipated to include, but may not be limited to, the following actions by entities other than the City:

- Notice of Proposed Construction and Alteration and Federal Aviation Administration Determination per Code of Federal Regulations Title 14, Part 77.9.

## 1.4 Organization of the Final EIR

The Final EIR is organized as follows:

**Chapter 1 – Introduction and List of Commenters:** This chapter summarizes the projects under consideration and describes the contents of the Final SEIR. This chapter also contains a list of all of the agencies or persons who submitted comments on the Draft SEIR during the public review period, presented in order by agency, organization, individual and date received.

**Chapter 2 – Comments and Responses:** This chapter contains the comment letters received on the Draft SEIR followed by responses to individual comments. Each comment letter is presented with brackets indicating how the letter has been divided into individual comments. Each comment is given a binomial with the letter number appearing first, followed by the comment number. For example, comments in Letter 1 are numbered 1-1, 1-2, 1-3, and so on. Immediately following the letter are responses, each with binomials that correspond to the bracketed comments.

If the subject matter of one letter overlaps that of another letter, the reader may be referred to more than one group of comments and responses to review all information on a given subject. Where this occurs, cross-references to other comments are provided.

Some comments that were submitted to the City do not pertain to substantial environmental issues or do not address the adequacy of the analysis contained in the Draft SEIR. Responses to such comments, though not required, are included to provide additional information. When a comment does not directly pertain to environmental issues analyzed in the Draft SEIR, does not ask a question about the adequacy of the analysis contained in the Draft SEIR, expresses an opinion related to the merits of the proposed project, or does not question an element of or conclusion of the Draft SEIR, the response notes the comment and may provide additional information where appropriate. Comments, including any that express opinions about the merits or specific aspects of the proposed project, are included in the Final SEIR for consideration by the decision-makers.

**Chapter 3 – Mitigation Monitoring and Reporting Program:** This chapter contains the Mitigation Monitoring Plan (MMRP) to guide the City in its implementation and monitoring of measures adopted in the SEIR, and to comply with the requirements of Public Resources Code Section 21081.6(a).

## 1.5 Public Participation and Review

The City of South San Francisco has complied with all noticing and public review requirements of CEQA for the proposed project. This compliance included notification of all responsible and trustee agencies and interested groups, organizations, and individuals that the Draft SEIR was available for review. The following list of actions took place during the preparation, distribution, and review of the Draft SEIR:

- A Notice of Preparation (NOP) for the EIR was filed with the State Clearinghouse on November 16, 2021. The official 30-day public review comment period for the NOP ended on December 20, 2021 (SCH# 2008062059). The NOP was distributed in particular to governmental agencies, organizations, and persons interested in the GOP 4 project. The City sent the NOP to agencies with statutory responsibilities in connection with the GOP 4 project with the request for their input on the scope and content of the environmental information that should be addressed in the EIR. Though no tribes have submitted requests for notice under Public Resources Code § 21080.3.1(b), the NOP was sent to relevant tribes.
- A Notice of Completion (NOC) and copies of the Draft SEIR were distributed to the Office of Planning and Research on January 26, 2022 to those public agencies that have jurisdiction by law with respect to the GOP 4 project, or which exercise authority over resources that may be affected by the GOP 4 project, and to other interested parties and agencies as required by law. The comments of such persons and agencies were sought.
- An official 45-day public comment period for the Draft SEIR was established. The public comment period began on January 26, 2022 and ended on March 14, 2022.
- A Notice of Availability (NOA) of the Draft SEIR was emailed to all interested groups, organizations, and individuals who had previously requested notice in writing on January 26, 2022. The NOA stated that the City of South San Francisco had completed the Draft SEIR and that it was available for public review either online at <https://weblink.ssf.net>, and in printed form at the offices of the City's Planning Division at 315 Maple Avenue, South San Francisco, California 94083. The notice also indicated that the official 45-day public review period for the Draft SEIR would end on March 14, 2022.
- A public notice was posted in the office of the San Mateo County Clerk on January 27, 2022.

## 1.6 List of Commenters

The City of South San Francisco received two (2) comment letters during the comment period on the Draft SEIR for the proposed project. Table 1-1 below indicates the numerical designation for each comment letter, the author of the comment letter, and the date of the comment letter.

**TABLE 1-1**  
**COMMENT LETTERS REGARDING THE DRAFT SEIR**

<b>Letter #</b>	<b>Entity</b>	<b>Author(s) of Comment Letter/e-mail</b>	<b>Date of Comment Letter/e-mail</b>
1	Caltrans	Mark Leong	March 14, 2022
2	SFO	Nupur Sinha	March 14, 2022

# CHAPTER 2

---

## Comments and Responses

### 2.1 Introduction

This section contains the comment letters that were received on the Draft SEIR. Following each comment letter is a response by the City intended to supplement, clarify, or amend information provided in the Draft SEIR or refer the reader to the appropriate place in the document where the requested information can be found. Comments that are not directly related to environmental issues may be discussed or noted for the record.

# California Department of Transportation

DISTRICT 4  
OFFICE OF TRANSIT AND COMMUNITY PLANNING  
P.O. BOX 23660, MS-10D | OAKLAND, CA 94623-0660  
[www.dot.ca.gov](http://www.dot.ca.gov)



March 14, 2022

SCH #: 2008062059  
GTS #: 04-SM-2021-00419  
GTS ID: 24810  
Co/Rt/Pm: SM/101/22.7

Billy Gross, Principal Planner  
City of South San Francisco  
Economic and Community Development Department  
315 Maple Street  
South San Francisco, CA 94080

## Re: Gateway of the Pacific (“GOP”) 4 Density Transfer Project Draft Supplemental Environmental Impact Report (Draft SEIR)

Dear Billy Gross:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the GOP 4 Density Transfer Project. We are committed to ensuring that impacts to the State’s multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system. The following comments are based on our review of the January 2022 Draft SEIR.

### Project Understanding

The project would transfer up to 120,221 square feet of development potential from undeveloped adjacent property to expand one of the buildings approved for Phase 4 of the GOP 4 by that amount, to be configured in four additional floors. The project also proposes the addition of 240 parking stalls. The project is located roughly 0.4 miles southeast of the United States Route (US)-101/ Oyster Point Boulevard interchange in South San Francisco.

1-1

### Travel Demand Analysis

With the enactment of Senate Bill (SB) 743, Caltrans is focused on maximizing efficient development patterns, innovative travel demand reduction strategies, and multimodal improvements. For more information on how Caltrans assesses Transportation Impact Studies, please review Caltrans’ Transportation Impact Study Guide ([link](#)).

1-2

Billy Gross, Principal Planner  
March 14, 2022  
Page 2

Caltrans commends the Lead Agency regarding the proposed First-and Last-Mile transit connections and active transportation improvements. This project potentially supports the State's goals to reduce greenhouse gas emissions and improve multimodal transportation options for land use development.

↑  
1-2  
cont.

The project VMT analysis and significance determination are undertaken in a manner consistent with the Office of Planning and Research's (OPR) Technical Advisory.

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, or for future notifications and requests for review of new projects, please email [LDR-D4@dot.ca.gov](mailto:LDR-D4@dot.ca.gov).

Sincerely,



MARK LEONG  
District Branch Chief  
Local Development Review

c: State Clearinghouse

---

**Letter 1**      **Mark Leong, California Department of Transportation (Caltrans)**  
**Response**    **March 14, 2022**

---

- 1-1      The comment provides a summary of the proposed project. No further response is required.
- 1-2      The comment states that the project potentially supports the State’s goals to reduce greenhouse gas emissions and improve multimodal transportation options for land use development, and that the project’s analysis of Vehicle Miles Traveled and significance determination were undertaken in a manner consistent with the *Technical Advisory on Evaluated Transportation Impact in CEQA* prepared by the California Office of Planning and Research. The comment does not assert any inadequacies in the analysis included in the Draft SEIR. No further response is required.



San Francisco International Airport

March 14, 2022

TRANSMITTED VIA E-MAIL and U.S. MAIL  
billy.gross@ssf.net

Billy Gross, Principal Planner  
City of South San Francisco  
Department of Economic and Community Development  
315 Maple Street  
South San Francisco, California 94080

**Subject: Draft Supplemental Environmental Impact Report Comments: GOP Density Transfer Project, South San Francisco**

Dear Mr. Gross:

San Francisco International Airport (SFO or the Airport) staff have reviewed the Draft Supplemental Environmental Impact Report (Draft SEIR) for the Gateway of the Pacific (GOP) 4 Density Transfer Project (the Proposed Project), located in the City of South San Francisco's Gateway Specific Plan area and East of 101 sub area, as described in the Draft SEIR. We appreciate this opportunity to provide comments on the Draft SEIR.

According to the Notice of Availability for the Draft SEIR, the Proposed Project is located at 850 and 900 Gateway Boulevard, southeast of the intersection of Gateway Boulevard and Oyster Point Boulevard, in the City of South San Francisco. The Proposed Project includes transfer of up to 120,221 square feet of development potential from undeveloped adjacent property (at GOP 5) and use it to expand one of the buildings approved for Phase 4 of the Gateway Business Park Master Plan Project (GOP 4). GOP 4 was originally approved by the South San Francisco Planning Commission in 2020 for two five-story buildings (at an elevation of 137 feet as defined from the origin of the North American Vertical Datum of 1988 [NAVD88]) and a six-story parking structure. The Proposed Project would include expansion of the GOP 4 North building by four floors, for a total of nine floors estimated at an elevation of 201 feet NAVD88.<sup>1</sup>

2-1

The Proposed Project site is inside Airport Influence Area B as defined by the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport* (SFO ALUCP). The Proposed Project site would be located outside the 65 decibel (dBA) Community Noise Equivalent Level (CNEL) contour and the Safety compatibility zones, and therefore would not appear to be inconsistent with the Noise and Safety Compatibility policies adopted in the SFO ALUCP.

2-2

As described in Exhibit IV-17 of the SFO ALUCP (see Attachment), the critical aeronautical surfaces at the Proposed Project location would be at an elevation of between approximately 510 and 540 feet NAVD88. Thus, the estimated maximum elevation of the Proposed Project (201 feet NAVD88) would be below the

2-3

<sup>1</sup> The total proposed elevation of GOP 4 North was not provided in the Draft SEIR. The proposed elevation was calculated by assuming 16 feet per floor, based on the GOP 4 Precise Plan (available online at: <https://ci-ssf-ca.legistar.com/LegislationDetail.aspx?ID=4605845&GUID=169A73FE-0F56-4B24-8B15-05740E1C5112>). The original plan for GOP 4 North was for an elevation of 137 feet NAVD88. An additional four floors would add 4 x 16 feet (or 64 feet) for a total of 201 feet NAVD88.

Billy Gross, City of South San Francisco  
March 14, 2022  
Page 2 of 2

critical aeronautical surfaces and the Proposed Project would not appear to be incompatible with the Airspace Compatibility Policies of the SFO ALUCP, subject to the issuance of a Determination of No Hazard from the Federal Aviation Administration (see below) for any proposed structures and determinations from the City/County Association of Governments of San Mateo County as the designated Airport Land Use Commission.

↑  
2-3  
cont.

This determination does not negate the requirement for the Proposed Project sponsor to undergo Federal Aviation Administration review as described in 14 Code of Federal Regulations Part 77 for both (1) the permanent structures and (2) any temporary cranes or other equipment taller than the permanent buildings which would be required to construct those structures.

↑  
2-4

Due to the proximity of the Proposed Project to the Airport and certain aircraft procedures from Runway 10L-28R, Airspace Protection Policies (AP-1 through AP-4) from the SFO ALUCP is enclosed as reminders of incompatible site characteristics, especially as it pertains to solar panels building materials/features that reflect and create bright lights/glare.

↑  
2-5

\* \* \*

The Airport appreciates your consideration of these comments. If I can be of assistance, please do not hesitate to contact me at (650) 821-6678 or at nupur.sinha@flysfo.com.

Sincerely,

Nupur Sinha  
Director of Planning and Environmental Affairs  
San Francisco International Airport  
P.O. Box 8097  
San Francisco, California 94128

Attachment

cc: Susy Kalkin, ALUC  
Audrey Park, SFO

and associated with human disease of varying severity.

- b. Biosafety Level 3 practices, safety equipment, and facility design and construction are applicable to clinical, diagnostic, teaching, research, or production facilities in which work is done with indigenous or exotic agents with a potential for respiratory transmission, and which may cause serious and potentially lethal infection.
- c. Biosafety Level 4 practices, safety equipment, and facility design and construction are applicable for work with dangerous and exotic agents that pose a high individual risk of life-threatening disease, which may be transmitted via the aerosol route and for which there is no available vaccine or therapy.

## 4.5 Airspace Protection

The compatibility of proposed land uses with respect to airspace protection shall be evaluated in accordance with the policies set forth in this section. These policies are established with a twofold purpose:

1. To protect the public health, safety, and welfare by minimizing the public's exposure to potential safety hazards that could be created through the construction of tall structures.
2. To protect the public interest in providing for the orderly development of SFO by ensuring that new development in the Airport environs avoids compromising the airspace in the Airport vicinity. This avoids the degradation in the safety, utility, efficiency, and air service capability of the Airport that could be caused by the attendant need to raise visibility minimums, increase minimum rates of climb, or cancel, restrict, or redesign flight procedures.

### 4.5.1 FEDERAL REGULATIONS REGARDING TALL STRUCTURES

14 Code of Federal Regulations (CFR) Part 77, *Safe, Efficient Use and Preservation of the Navigable Airspace*, governs the FAA's review of proposed construction exceeding certain height limits, defines airspace obstruction criteria, and provides for FAA aeronautical studies of proposed construction. **Appendix F** describes the FAA airspace review process and the extent of FAA authority related to airspace protection.

### 4.5.2 PART 77, SUBPART B, NOTIFICATION PROCESS

Federal regulations require any person proposing to build a new structure or alter an existing structure with a height that would exceed the elevations described in CFR Part 77, Subpart B, Section 77.9, to prepare an FAA Form 7460-1, *Notice of Proposed Construction or Alteration*, and submit the notice to the FAA. The regulations apply to buildings and other structures or portions of structures, such as mechanical equipment, flag poles, and other projections that may exceed the aforementioned elevations.

**Exhibit IV-10** depicts the approximate elevations at which the 14 CFR Part 77 notification requirements would be triggered; see **Exhibit IV-11** for a close-up view of the northern half and **Exhibit IV-12** for a close-up view of the southern half of the area. These exhibits are provided for informational purposes only. Official determinations of the areas and elevations within which the federal notification requirements apply are subject to the authority of the FAA. The FAA is empowered to require the filing of notices for proposed construction based on considerations other than height. For example, in some areas of complex airspace and high air traffic volumes, the FAA may be concerned about the potential for new construction of any height to interfere with electronic navigation aids. In these areas, the FAA will want to review all proposed construction projects.

The FAA has developed an on-line tool for project sponsors to use in determining whether they are required to file a Notice of Proposed Construction or Alteration. Sponsors of proposed projects are urged to refer to this website to determine whether they are required to file Form 7460-1 with the FAA:

<https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredToolForm>

#### 4.5.3 AIRSPACE MAPPING

Part 77, Subpart C, establishes obstruction standards for the airspace around airports including approach zones, conical zones, transitional zones, and horizontal zones known as “imaginary surfaces.” **Exhibit IV-13** depicts the Part 77 Civil Airport Imaginary Surfaces at SFO. The imaginary surfaces rise from the primary surface, which is at ground level immediately around the runways. The surfaces rise gradually along the approach slopes associated with each runway end and somewhat more steeply off the sides of the runways. The FAA considers any objects penetrating these surfaces, whether buildings, trees or vehicles travelling on roads and railroads, as obstructions to air navigation. Obstructions may occur without compromising safe air navigation, but they must be marked, lighted, and noted on aeronautical publications to ensure that pilots can see and avoid them.

Close-up views of the north and south sides of the Part 77 surfaces are provided in **Exhibit IV-14** and **Exhibit IV-15**, respectively. Additionally, **Exhibit IV-16** provides an illustration of the outer approach and transitional surfaces located on the southeast side of the Part 77 surfaces.

Together with its tenant airlines, SFO has undertaken a mapping effort to illustrate the critical aeronautical surfaces that protect the airspace required for multiple types of flight procedures such as those typically factored into FAA aeronautical studies, as shown on **Exhibit IV-17** and **Exhibit IV-18**. These aeronautical surfaces include those established in accordance with FAA Order 8260.3B, *U.S. Standard for Terminal Instrument Procedures (TERPS)*, and a surface representing the airspace required for One-Engine Inoperative (OEI) departures from Runway 28L (to the west through the San Bruno Gap).<sup>16</sup> The exhibits depict the lowest elevations from the combination of the OEI procedure surface and all TERPS surfaces. The surfaces are defined with Required Obstacle Clearance (ROC) criteria to ensure safe separation of aircraft using the procedures from the underlying obstacles. Any proposed structures penetrating these surfaces are likely to receive Determinations of Hazard (DOH) from the FAA through the 7460-1 aeronautical study process. These surfaces indicate the maximum height at which structures can be considered compatible with Airport operations.

<sup>16</sup> See Appendix F, Section F.3.2 for a discussion of one-engine inoperative procedures.



**Exhibit IV-19**, which is provided for information purposes only, depicts a profile view of the lowest critical airspace surfaces along the extended centerline of Runway 10L-28R – the TERPS Obstacle Departure Procedure (ODP) surface, representing standard all-engines departures, and the approximate OEI surface developed by SFO through independent study in consultation with the airlines serving SFO. The exhibit also shows the terrain elevation beneath the airspace surfaces and various aircraft approach and departure profiles, based on varying operating assumptions. The exhibit illustrates a fundamental principle related to the design of airspace protection surfaces. The surfaces are always designed below the actual aircraft flight profile which they are designed to protect, thus providing a margin of safety. Note that the ODP climb profile is above the ODP airspace surface, and the OEI climb profile is above the OEI airspace surface.

#### 4.5.4 AIRSPACE PROTECTION POLICIES

The following airspace protection policies (AP) shall apply to the ALUCP.

##### **AP-1 COMPLIANCE WITH 14 CFR PART 77, SUBPART B, NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION**

###### **AP-1.1 Local Government Responsibility to Notify Project Sponsors**

Local governments should notify sponsors of proposed projects at the earliest opportunity to file Form 7460-1, *Notice of Proposed Construction or Alteration*, with the FAA for any proposed project that would exceed the FAA notification heights, as shown approximately on Exhibit IV-10. Under Federal law, it is the responsibility of the project sponsor to comply with all notification and other requirements described in 14 CFR Part 77. This requirement applies independent of this ALUCP.

###### **AP-1.2 FAA Aeronautical Study Findings Required Before Processing Development Application**

The sponsor of a proposed project that would exceed the FAA notification heights, as shown approximately on Exhibit IV-10, shall present to the local government permitting agency with his or her application for a development permit, a copy of the findings of the FAA's aeronautical study, or evidence demonstrating that he or she is exempt from having to file an FAA Form 7460-1. It is the responsibility of the local agency to consider the FAA determination study findings as part of its review and decision on the proposed project.

##### **AP-2 COMPLIANCE WITH FINDINGS OF FAA AERONAUTICAL STUDIES**

Project sponsors shall be required to comply with the findings of FAA aeronautical studies with respect to any recommended alterations in the building design and height and any recommended marking and lighting of their structures for their proposed projects to be deemed consistent with this ALUCP.

**AP-3 MAXIMUM COMPATIBLE BUILDING HEIGHT**

In order to be deemed consistent with the ALUCP, the maximum height of a new building must be the lower of (1) the height shown on the SFO critical aeronautical surfaces map (Exhibits IV-17 and IV-18), or (2) the maximum height determined not to be a “hazard to air navigation” by the FAA in an aeronautical study prepared pursuant to the filing of Form 7460-1.

For the vast majority of parcels, the height limits established in local zoning ordinances are lower than the critical airspace surfaces. In those cases, the zoning district height regulations will control. Compliance with the zoning district height and the SFO critical aeronautical surfaces map, however, does not relieve the construction sponsor of the obligation to file a FAA Form 7460-1 *Notice of Proposed Construction or Alteration*, if required, and to comply with the determinations resulting from the FAA’s aeronautical study.

For a project to be consistent with this ALUCP, no local agency development permits shall be issued for any proposed structure that would penetrate the aeronautical surfaces shown on Exhibits IV-17 and IV-18 or the construction of which **has not** received a Determination of No Hazard from the FAA, or which would cause the FAA to increase the minimum visibility requirements for any instrument approach or departure procedure at the Airport.

**AP-4 OTHER FLIGHT HAZARDS ARE INCOMPATIBLE**

Proposed land uses with characteristics that may cause visual, electronic, or wildlife hazards, particularly bird strike hazards, to aircraft taking off or landing at the Airport or in flight are incompatible in Area B of the Airport Influence Area. They may be permitted only if the uses are consistent with FAA rules and regulations. Proof of consistency with FAA rules and regulations and with any performance standards cited below must be provided to the Airport Land Use Commission (C/CAG Board) by the sponsor of the proposed land use action.

Specific characteristics that may create hazards to aircraft in flight and which are incompatible include:

- (a) Sources of glare, such as highly reflective buildings or building features, or bright lights, including search lights or laser displays, which would interfere with the vision of pilots making approaches to the Airport.
- (b) Distracting lights that that could be mistaken by pilots on approach to the Airport for airport identification lighting, runway edge lighting, runway end identification lighting, or runway approach lighting.
- (c) Sources of dust, smoke, or water vapor that may impair the vision of pilots making approaches to the Airport.
- (d) Sources of electrical interference with aircraft or air traffic control communications or navigation equipment, including radar.
- (e) Land uses that, as a regular byproduct of their operations, produce thermal plumes with the potential to rise high enough and at sufficient velocities to interfere with the control of aircraft in

flight. Upward velocities of 4.3 meters (14.1 feet) per second at altitudes above 200 feet above the ground shall be considered as potentially interfering with the control of aircraft in flight.<sup>17</sup>

(f) Any use that creates an increased attraction for wildlife, particularly large flocks of birds, that is inconsistent with FAA rules and regulations, including, but not limited to, FAA Order 5200.5A, *Waste Disposal Sites On or Near Airports*, FAA Advisory Circular 150/5200-33B, *Hazardous Wildlife Attractants On or Near Airports*, and any successor or replacement orders or advisory circulars. Exceptions to this policy are acceptable for wetlands or other environmental mitigation projects required by ordinance, statute, court order, or Record of Decision issued by a federal agency under the National Environmental Policy Act.

#### 4.5.5 iALP AIRSPACE TOOL

In consultation with C/CAG, SFO developed the iALP Airspace Tool, a web-based, interactive tool to evaluate the relationship of proposed buildings with the Airport's critical airspace surfaces. The iALP Airspace Tool is designed to assist planners, developers, and other interested persons with the implementation of the airspace protection policies of the SFO ALUCP. The tool helps users determine: (1) the maximum allowable building height at a given site, and/or (2) whether a building penetrates a critical airspace surface, and by how much, given the proposed building height.

A more detailed description of the iALP Airspace Tool and a tutorial explaining how to use it is presented in **Appendix J**. Use of this tool, however, does not relieve a project sponsor of the duty to comply with all federal regulations, including the obligation to file Form 7460-1, Notice of Proposed Construction or Alteration, with the FAA.

<sup>17</sup> This is a threshold established by the California Energy Commission in its review of power plant licensing applications. See *Blythe Solar Power Project: Supplemental Staff Assessment, Part 2*, CEG-700-2010-004REV1-SUP-PT2, July 2010. California Energy Commission. Docket Number 09AFC-6, p. 25. This criterion is based on guidance established by the Australian Government Civil Aviation Authority (Advisory Circular AC 139-05(0), June 2004). The FAA's Airport Obstructions Standards Committee (AOSC) is studying this matter but has not yet issued specific guidance.

**Letter 2            Nupur Sinha, San Francisco International Airport (SFO)**  
**Response            March 14, 2022**

---

- 2-1            The comment provides a summary of the proposed project. In addition, the comment estimates that the elevation of the north building on the GOP 4 site under the modified project would be 201 feet North American Vertical Datum (NAVD) 88. Various methodologies have been used to determine height. The Supplemental Draft EIR estimated a height to the top of the parapet of 178 feet above the average of the highest and lowest points on the lot. BKF Engineering subsequently provided a correlation between the building height above ground level to Mean Sea Level for the Project's submittal to the Airport Land Use Commission, which determined that the top of the parapet will be 201 feet AMSL, and the top of the mechanical screen/mechanical penthouse will be 217 feet AMSL. Ground level elevation at the building was determined to be equivalent to about 39 feet AMSL. These elevations utilize the National Geodetic Vertical Datum (NGVD) 29, which is generally accepted as equivalent to elevations above MSL in the San Francisco Bay Area and as the acceptable datum for use in requesting an FAA obstruction determination. The commenter is referencing elevations based upon NAVD 88, which is approximately 2.8 feet lower than NGVD 29 at the project site, resulting in a building elevation approximately 2.8 feet lower. The difference between the measurements resulting from these two methodologies is not material. The GOP 4 North building will be shorter than GOP 1, and approximately the same height as GOP 2. As the commenter notes, the critical aeronautical surfaces at the project site would be at an elevation between approximately 510 and 540 feet NAVD 88, which is several hundred feet above the tallest portion of GOP 4 regardless how it is measured. The comment does not assert any inadequacies in the analysis included in the Draft SEIR. No further response is required.
- 2-2            The comment states that the proposed project does not appear to be inconsistent with the Noise and Safety Compatibility policies adopted in the *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport* (SFO ALUCP). The comment does not assert any inadequacies in the analysis included in the Draft SEIR. No further response is required.
- 2-3            The comment states that the proposed project does not appear to be incompatible with the Airspace Compatibility policies of the SFO ALUCP, subject to the issuance of a Determination of No Hazard from the Federal Aviation Administration (FAA) and determinations from the San Mateo County Airport Land Use Commission. The comment does not assert any inadequacies in the analysis included in the Draft SEIR. No further response is required.
- 2-4            The comment states that the proposed project will be required to undergo FAA review as described in 14 Code of Federal Regulations Part 77, which is correct. The

comment does not assert any inadequacies in the analysis included in the Draft SEIR. No further response is required.

- 2-5 The comment references Airspace Protection Policies (AP-1 through AP-4) from the SFO ALUCP. The Project has been submitted to the Airport Land Use Commission for a review of consistency with the SFO ALUCP. The comment does not assert any inadequacies in the analysis included in the Draft SEIR. No further response is required.

# CHAPTER 3

---

## Mitigation Monitoring and Reporting Program (MMRP)

### 3.1 Introduction

Public Resources Code section 21081.6 and section 15097 of the California Environmental Quality Act (CEQA) Guidelines require public agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a mitigated negative declaration or specified environmental findings related to environmental impact reports.

The following is the Mitigation Monitoring and Reporting Program (MMRP) for the Gateway of the Pacific (GOP) 4 Density Transfer project. The intent of the MMRP is to track and successfully implement the mitigation measures identified within the GOP 4 Density Transfer Project Draft Supplemental Environmental Impact Report (SEIR) prepared for the GOP 4 Density Transfer project.

### 3.2 Mitigation Measures

The mitigation measures are taken from the GOP 4 Density Transfer Project Draft SEIR prepared for the GOP 4 Density Transfer project and are assigned the same number as in those documents. The following MMRP describes the actions that must take place to implement each mitigation measure for the expansion proposed by the GOP 4 Density Transfer Project, the timing of those actions, and the entities responsible for implementing and monitoring the actions. The GOP 4 Precise Plan, as amended by the GOP 4 Density Transfer Project, remains subject to the MMRP attached to Planning Commission Resolution No. 2858-2020 (which adopted an Addendum for the original GOP 4 Precise Plan).

### 3.3 MMRP Components

The components of the attached table, which contains applicable mitigation measures, are addressed briefly, below.

**Impact:** This column summarizes the impact stated in the GOP 4 Density Transfer Project Draft SEIR prepared for the GOP 4 Density Transfer project.

**Mitigation Measure:** All mitigation measures identified in the GOP 4 Density Transfer Project Draft SEIR are presented and numbered accordingly.

**Time Frame/Monitoring Milestone:** Implementation of the action must occur prior to or during some part of project approval, project design or construction or on an ongoing basis. The timing for each measure is identified.

**Responsible Monitoring Party:** This item identifies the entity that will undertake the required action.

**TABLE 3-1  
MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)**

Impact	Mitigation Measure	Timing	Monitoring Party
<b>Environmental Impact Report</b>			
<b>4.1 Transportation and Circulation</b>			
<p><b>Impact 3.1-2:</b> The proposed project would conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision b) related to VMT.</p>	<p><b>Mitigation Measure 3.1-1: First- and Last-Mile Transit Connections and Active Transportation Improvements</b></p> <p>First- and last-mile transit connections and active transportation improvements are likely to yield the greatest VMT reductions. These measures would not only serve the density transfer project but also the entire GOP Master Plan area and all of the existing and planned development in the area. Thus, the new VMT generated by the project would be partially offset by reductions in VMT for other development. The following mitigation measures support and enable the first-and last-mile non-auto commute strategies in the GOP Master Plan TDM Plan. The mitigation measures described below are appropriate under both existing plus project conditions and cumulative plus project conditions.</p> <p>A) The project applicant has acquired the rail spur property adjacent to the GOP 4 site and shall use it to connect the GOP Master Plan area with the 475 Eccles site, which is currently referred to as GOP Phase 5, approved for two office/R&amp;D buildings totaling 262,287 square feet and one parking structure. The applicant proposes to develop the rail spurs into a publicly accessible multi-use path connecting Oyster Point Boulevard with Forbes Boulevard, with pedestrian amenities, all to implement the City’s draft “rails to trails” plan. A grand staircase allowing access from the lower elevation of the GOP Master Plan area to the higher elevation of the 475 Eccles site is also proposed. The applicant shall construct these improvements. This multi-use path shall connect to Class II bicycle lanes on Oyster Point Boulevard and to the multi-use trail on Forbes Boulevard.</p> <p>B) The applicant shall construct crossings at the northern and southern ends of the multi-use path required by paragraph (a) above, at Forbes Boulevard and Oyster Point Boulevard, in the configuration determined necessary by the City Engineer for bicycle access from those streets to the multi-use path.</p> <p>C) The applicant shall use good faith efforts to obtain all approvals and consent required to install the improvements required by paragraphs (a) and (b) above, including the use of any necessary land owned by the applicant or its affiliates. Each improvement shall be constructed by the later of (i) issuance of the first certificate of occupancy for any portion of the 120,221 square-foot expansion in GOP 4, or (ii) such time as public agencies have granted all necessary approvals for the mitigation improvement and the applicant has been given the right to construct on any land owned by others that is necessary for the mitigation improvement.</p>	<p>Prior to the issuance of first occupancy permit; or such time as public agencies have granted all necessary approvals for the mitigation improvement and the applicant has been given the right to construct on any land owned by others that is necessary for the mitigation improvement.</p>	<p>City of South San Francisco Public Works Department</p>
<p><b>Impact 3.1-5:</b> Implementation of the proposed project, in combination with other development, could contribute to cumulative conditions where VMT per capita or VMT per employee could exceed 85 percent of the 2040 cumulative Bay Area-wide regional average daily VMT per employee.</p>	<p>Implement <b>Mitigation Measure 3.1-1.</b></p>	<p>Prior to the issuance of first occupancy permit; or such time as public agencies have granted all necessary approvals for the mitigation improvement and the applicant has been given the right to construct on any land owned by others that is necessary for the mitigation improvement.</p>	<p>City of South San Francisco Public Works Department</p>