

# Midcoast Community Council

An elected Municipal Advisory Council to the San Mateo County Board of Supervisors

Serving 12,000 coastal residents

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## **Via Hand Delivery / E-Mail**

December 24, 2009

Camille Leung  
Project Planner  
County of San Mateo  
455 County Center, 2nd Floor  
Redwood City, CA 94063

Re: Draft Environmental Impact Report for Big Wave Wellness Center and Office Park

Dear Ms. Leung:

As the elected representative advisers to the San Mateo County Board of Supervisors on behalf of the residents of the unincorporated Midcoast communities of Montara, Moss Beach, Miramar, El Granada, and Princeton-By-The Sea, Midcoast Community Council (MCC) respectfully submits this letter containing comments on the Draft Environmental Impact Report (DEIR) circulated by San Mateo County for the proposed Big Wave Wellness Center and Office Park Project ("Big Wave" or "Project") prepared by Christopher A. Joseph & Associates ("Consultant") dated October 2009.

In creating this DEIR comment letter we considered input from the community in the form of letters, online comments and numerous public meetings. We supplemented this community feedback with our own research and review, much of which centered on issues core to our charter, including the applicability of the LCP, Coastal Act, General Plan, and San Mateo County zoning regulations.

We support the clear consensus that more needs to be done to support the needs of the developmentally disabled. We applaud projects that incorporate green technology and building practices as a way of minimizing negative environmental impacts.

The purpose of CEQA is to make the public aware of the environmental impacts of a project, the alternatives, and the mitigations to lessen any impacts. We begin by noting some significant missed opportunities in building public awareness of the proposed project and its potential environmental impacts as outlined in the draft DEIR. While the missed opportunities do not in any way diminish the comments received, it leads to the project not having received the fullest extent of public review.

In addition, responsible agencies representing the community were excluded from the initial process as well as the original distribution of the document.

MCC, a seven-member council, in charge of its own research and commentary requested and received a single copy of the 2,200+ page DEIR to share among council members and with the public. The public's ability to review the DEIR was severely impaired by the general unavailability of copies and confusion over the missing Chapter N.<sup>1</sup>

### **Conclusions:**

The DEIR as circulated is incomplete, shifting, contradictory, open-ended and so poorly organized as to deprive the public of its sole opportunity to comment on the merits of the project and its potential impacts.

The DEIR is misleading and overly conclusory. As drafted, the DEIR is inadequate due, among other failings, to numerous errors, omissions, contradictions, unfounded assumptions and inadequate analysis. It leaves crucial mitigation measures to future studies, which is not permitted under CEQA.

The site is unsuitable for this project.

The mitigation measures outlined in the DEIR are incomplete and/or inadequate.

We recommend that this DEIR be substantially reworked and reformatted to include the missing data, finish all the necessary investigations, correct the faulty assumptions, properly analyze the new information and then be recirculated to better serve its intended purpose under CEQA.

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<sup>1</sup> One benefit from public review was the discovery of a missing chapter: On November 4, 2009 a member of the public discovered that Chapter N: Utilities & Service Systems which includes sewer, water, solid waste and energy was missing from the DEIR. This critical chapter was omitted from the version circulated to the public at the remote Half Moon Bay Library, the Board of Supervisors, and the reviewing agencies. On or about November 10, 2009 the MCC was able to procure the missing Chapter N.

## **Substantive Analysis:**

### **I. THE DEIR'S DESCRIPTION OF THE PROJECT IS INADEQUATE.**

While extensive detail is not necessary, CEQA mandates that an EIR describe a proposed project with sufficient detail and accuracy to permit informed decision-making. While further review for Coastal Act compliance occurs under public scrutiny provided under the Coastal Development Permit review process, continuing after the end of the DEIR the DEIR provides for review of issues that fall outside of the Coastal Act. As the DEIR supplies information critical to a Coastal Development Permit review, we note it failed to meet the requirements of the Coastal Act section 30006, which states "that the public has a right to fully participate in decisions affecting coastal planning, conservation and development," and section 30012, which states that an educated and informed citizenry is "necessary to protect California's finite natural resources." Further, recent case law holds that the County (as lead agency) is not precluded from taking longer than one year from the date of filing a project application to finalize and certify an EIR project application that may not have been well enough defined 'to provide meaningful information for environmental assessment.' *Schellinger Brothers v. City of Sebastapol* 2009 Cal. App. LEXIS 1928 (Cal. App. 1st Dist. Dec. 2, 2009)

#### ***How does the existing DEIR meet the requirements of Coastal Act section 30006 and 30012?***

Critical to any EIR is its analysis of the potentially significant impacts that the project under review could have on the environment. Indeed, when such impacts have been identified, a public agency cannot approve the project as proposed. The procedures required by CEQA, Public Resources Code § 21000 *et seq.*, are specifically "intended to assist public agencies in systematically identifying" a project's significant effects and mitigation measures to avoid those effects or reduce them to levels of insignificance. This identification and mitigation of a proposed project's impacts is thus one of the central purposes of CEQA.

#### ***How does the existing DEIR meet the requirements CEQA, Public Resources Code § 21000?***

The DEIR fails adequately to discuss the Project's full range of impacts on traffic safety; on emergency access for the site and its neighbors in the event of tsunami, earthquake, or other disaster; on proper sewage disposal; water supply and treatment, on biological resources; on the natural landscape; and on views from Highway 1, a scenic corridor and other vantage points. Further, the DEIR repeatedly and erroneously concludes that various impacts identified as significant would be rendered insignificant by ill-defined or undefined mitigation measures whose detailed formulation depends on future studies, permit waivers and information not provided in the DEIR and whose effectiveness, because of their vague nature, is impossible to judge. CEQA does not permit such

reliance on future studies and analyses as a basis for concluding in an EIR that a project will not have significant environmental impacts. *Sundstrom v. County of Mendocino*, 202 Cal.App.3d 296, 306-09 (1988)..

***Where is the discussion of the projects full range of impacts on traffic safety and emergency access?***

***What are the mitigation measures that would reduce the significant impacts to "less than significant" based on known information (not on future studies)?***

Further, third parties consulted in preparation of the DEIR report that findings of "no significant impact" or "less than significant impact" grossly mischaracterize their responses. For example, according to an article published by Montara Fog on December 14, 2009, Paul Cole, Assistant Fire Chief, Coastside Fire Protection District stated that his response to a survey was mischaracterized in the DEIR by the consultant writing the report. See Exhibit "B" (Fire Chief: Big Wave report mischaracterizes impacts upon fire services, incorporated here by reference).

***Are third party responses accurately reflected in the DEIR?***

## **II. SCENIC RESOURCES**

Prior to its recent conversion to agriculture, the project site was a natural, open space landscape adjacent to the Fitzgerald Marine Reserve and Mavericks (world class big-wave surf break). It is near the trail head to the Peninsula Open Space Trust trail system and is adjacent to a protected estuary notable as a nesting and migration point for sea birds. The proposed project is also within the broader context of a visitor serving, working harbor, and harbor of refuge - one of the last of its kind in California. Building the proposed Project would result in the wholesale alteration of this landscape and the natural community it supports, and in the process destroy the site's scenic character. The site is in both state and locally-identified scenic corridors, views to the Pacific from southbound Highway 1. It also provides a habitat for several endangered or sensitive species of animal life.

The proposed Project is significantly out of scale with nearby development and is therefore inconsistent with LCP Policies 8.5, 8.12, 8.18, 8.30, 8.32, 11.4 and 11.15.

***How does the DEIR account for LCP policies 8.5, 8.12, 8.18, 8.30, 8.32, 11.4 and 11.15 on community character and design?***

The building floor area at 225,000 sq. ft. (5+ acres) is many times larger than any existing building in not only the harbor area, but all of unincorporated coastal San Mateo County. The proposed Project is three stories and 50 feet in height. The height of the proposed office complex buildings is nearly double that allowed for neighboring structures. The proposed building will substantially block views to the harbor and ocean from southbound Highway One. The following sections of this finding detail the existing

character of the Princeton area, the LCP policies and ordinances directed to maintaining that character, specific instances where the project is inconsistent with the LCP and the potential of cumulative impacts.

***How does this project meet the design review requirement that all projects be in scale with their surroundings?***

### **Existing Princeton Character and Public Views**

Princeton is a small coastal community zoned primarily for protected Waterfront ("W"), Coastside Commercial Recreation ("CCR"), and Light Industrial ("M1") uses to support its function as a working harbor and visitor serving center for natural scenic resources like Mavericks, the Fitzgerald Marine Reserve, and the Peninsula Open Space Trust (POST) trails system. Harbor facilities are utilitarian in appearance reflecting a "working" commercial fishing character of the small port. Buildings in the harbor area are small, constructed of wood or cement block, and simply designed. Most of the buildings are single story (16 feet in height), although there are also two story buildings located near the harbor entrance. Parking areas for fishermen, recreational boaters and visitors, consume most of the developed harbor. The subdivided portion of Princeton, northwest of the harbor, is developed in a variety of marine-related uses on small lots (boat repair shops, open boat storage, mostly one-story enclosed storage buildings and a sprinkling of older, mostly one-story grandfathered small homes). Directly behind the harbor and across Capistrano Road, a small visitor-serving district is developing. The mostly one-story restaurants and Inn are immediately accessible from the sidewalk along Capistrano Road which curves along the shoreline. The individual buildings reflect disparate architectural designs, but are similar in scale ranging from ±920 sq/ ft. (Barbara's Fish Trap) to 7,000 sq/ ft. (Half Moon Bay Brewery). Heights of the existing buildings are from ±16 feet (single story) to 28 feet (maximum). Streets and parking lots serving this area are also small scale. Parking areas, consistent with the adopted design standards, are small and landscaped to avoid the appearance of large paved areas. The interesting variety of buildings, the curvilinear, landscaped road treatment and the easy accessibility to the small businesses encourage and offer the coastal visitor a less structured experience than that available in larger scale, planned urban waterfront developments like Jack London Square in Oakland, Huntington Harbor in Orange County, or Seaport Village in San Diego.

Views from southbound Highway One to the harbor and the sea are currently continuously available from about one mile north of Capistrano Road. Existing visitor serving uses are located west of this view corridor and most of the harbor development, while visible from the highway, is at a lower elevation. Southbound travelers are afforded a view of the harbor – ship masts, the breakwaters and the sea beyond. This provides a clear visual link between the public travelling Highway One and the activities of the harbor and ocean.

LCP policies preclude the proposed development to the extent these compromise public views. The LCP and incorporated documents contain substantial policy direction on the issues of appropriate scale for new coastal development and on view protection. Taken

together, the policies clearly indicate that the small scale of the coastal communities is a special characteristic worthy of preservation and that the retention of scenic views is also important. The proposed project is in conflict with the policy direction cited in the preceding section of this recommendation. The development is inconsistent with LCP regulations relevant both to the scale of new projects and to those regarding the preservation of views. These include:

#### 8.12(c)

Locate and design new development and landscaping so that ocean views are not blocked from public viewing points such as public roads and publicly-owned lands.

#### 8.28. Definition of Scenic Corridors

Define Scenic Corridors as the visual boundaries of the landscape abutting a scenic highway and which contain outstanding views, flora, and geology, and other unique natural or man-made attributes and historical and cultural resources affording pleasure and instruction to the highway traveler.

#### 8.30 Designation of County Scenic Roads and Corridors

- a. Expand existing County Scenic Corridors to include the visual limits of the landscape abutting the scenic road.
- b. Designate County Scenic Roads and Corridors as shown on the Scenic Roads and Corridors Map for the Coastal Zone. These are: Coast Highway north of Half Moon Bay city limits (State Route 1), Half Moon Bay Road (State Route 92), La Honda Road (State Route 84), Higgins-Purisima Road, Tunitas Creek Road, Pescadero Road, Stage Road, Cloverdale Road, and Gazos Creek Road (Coast Highway to Cloverdale Road).

#### 8.32 Regulation of Scenic Corridors in Urban Areas

- a. Apply the regulations of the Design Review (DR) Zoning Ordinance.
- b. Apply the design criteria of the Community Design Manual.
- c. Apply specific design guidelines for Montara, Moss Beach, El Granada, Princeton-by-the-Sea, Miramar, San Gregorio, and Pescadero as set forth in Urban Design Policies of the LCP.

Further, the Community Design Manual and Montara-Moss-Beach-El Granada Community Plan both call for view preservation.

### **Community Design Manual**

- Views should be preserved by limiting structure height. Introduced vegetation should be located so as to not block views from uphill structures or views from scenic corridors and vista points.
- Public views within and from scenic corridors should be protected and enhanced, and development should not be allowed to significantly obscure, detract from or negatively affect the quality of these views. Visual screening or increased setbacks may be used to mitigate such impacts.
- Structures should be located to retain views of prominent scenic features, i.e., bodies of water, mountains, valleys, etc.

- Trees and vegetation may be selectively pruned or removed at the end of view corridors to enhance scenic vistas.

### **Montara-Moss-Beach-El Granada Community Plan**

- Preserve and protect scenic vistas of ocean, beaches and mountains for residents of the community.

The visual impact analysis of the project did not include erection of story poles to allow accurate representation of the size and scale of the project in its location from every relevant vantage point. Lack of story poles is compounded by the inaccurate renderings of the proposed office buildings. See Exhibits "C" and "D" (Laslo Vespremi's renderings of the actual size of the Project and Len Erickson's Nov. 18 Planning Commission Comments.)

***How can the visual impact analysis be corrected to allow adequate mitigations to make the size and scale mitigations relevant?***

***How is the size and scale of the project consistent with design review standards and the Community Plan as it has been incorporated into the LCP?***

### **III. LAND USE AND PLANNING**

The small coastal community of Princeton contains a variety of land uses. Pillar Point Harbor provides support facilities for the locally important commercial fishery as well as for the many recreational boaters. The Harbor District is currently considering plans for additional development which will include more commercial fishing facilities, dry boat storage and more visitor-serving uses, i.e., restaurants, shops, and pedestrian promenades. West of the main harbor, in the old subdivided part of Princeton, is an area largely devoted to warehouses, boat yards and some marine related commercial uses. North of the harbor facilities, across and along Capistrano Road, a small visitor-serving area is slowly developing. Uses include restaurants, a deli and an 11 unit Bed and Breakfast Inn. As the LCP was being written, there were two objectives in mind relevant to land use for Princeton. One purpose was to provide adequate on-shore sites for development supportive of commercial fishing and recreational activities. Land within and west of the harbor was, therefore, designated for marine related uses (i.e., boat yards, chandleries, storage). It was also recognized that Princeton had substantial potential as an attractive destination for visitors to the coast, thus the second objective was to strengthen and define a visitor serving area near the harbor.

The proposed project is located adjacent to Pillar Point Harbor. The harbor is public, operated by the San Mateo Harbor Commission. Facilities include fuel docks, fish buying and freezing operations, a boat launch ramp, parking and Harbor District offices. Limited visitor serving uses include restaurants, shops and a fish market. The harbor has 311 berths, of these more than 50% are used by commercial fishermen; the remainder are leased by recreational boaters. Pillar Point Harbor is the only port between San Francisco and Moss Landing in Monterey County, which provides extensive support facilities needed by commercial fishermen. Although there is substantial recreational use of the harbor, the character of the port is more closely identified with a working, fishing port

than with those marinas largely inhabited by pleasure craft. As such, the commercial fishing industry is a significant factor in the Midcoast economy. The Harbor District is currently developing plans to provide expanded facilities for commercial fishermen and to improve truck access from fish unloading areas on the end of the pier to Highway One. Other marine-related facilities are also planned, as are some additional visitor-serving uses.

In an effort to comply with Coastal Act mandates to 1) protect commercial fishing and 2) provide adequate visitor serving uses, the Certified LCP balanced these two potentially conflicting requirements by the selection of land use designations and by encouraging uses directly supportive of commercial and recreational boating in the area nearest the harbor. In order to accommodate the needs of commercial fishermen and other boaters, most of the old small lot subdivided portion of Princeton is designated for marine-related industrial uses. This marine related industrial use is perhaps doubly appropriate in that much of the land in this zoning district is also in the airport approach zone and thus less suitable for uses which would concentrate people. Visitor serving uses are also adequately provided for in the plan. LCP Policy 12.3 encourages development which is directly supportive of commercial fishing and recreational boating on land zoned for commercial recreation located within one half mile of the harbor.

***How does this project further the Coastal Act mandated goals of protecting commercial fishing and providing visitor serving facilities?***

**Waterfront Zoning ("W")**

The Waterfront District that the Wellness Center is sited on was established to provide priority and support for visitor serving and marine-related employment for this special location. This includes the marine related trades, working harbor employment, mixed with local and visitor enjoyment of the harbor and all of the surrounding natural resources (Mavericks, POST, Whale Migration, etc.).

SECTION 6285.0. PURPOSE. The purposes of the Waterfront District are to:

1. Provide a "working waterfront" area intended primarily for the location of marine related trades and services and manufacturing land uses that support commercial fishing and recreational boating activities.
2. Accommodate a compatible mix of recreational, resource management and waste management land uses.
3. Protect the functional and economic viability of the "working waterfront" area by restricting incompatible land uses.
4. Support and strengthen the Coastside economy by providing trade and employment opportunities.
5. Encourage architectural design and site planning that will, as much as possible, enhance the appearance of a "working waterfront."
6. Implement the policies of the San Mateo County General Plan, especially those concerning protection and development of coastal resources.



## SECTION 6286.0. DEFINITIONS.

### 1. Aquaculture (6.05.10)

The cultivation and husbandry of aquatic organisms, including but not limited to fish, shellfish, mollusks, crustaceans, kelp and algae.

### 2. Aquacultural Processing Facilities (6.05.20)

Facilities for the processing, storing, packaging, and shipping of aquacultural products. Existing aquacultural processing facilities may be used for agricultural

Recognizing the limited area available for all this, Chapter 18.5 "W" added this need based zoning. Years of time, effort, research, and work were put into this process, the results of which are now finally visible. The proposed development seeks a Use Permit to change the intent of the "W" District claiming Chapter 24.

The proposed Wellness Center on the southern parcel is not a permitted use in the Waterfront zoning district. The project proponents have applied for a Use Permit under Section 6500 (D) (3) of the zoning regulations, which allows a Sanitarium in any zoning district subject to issuance of a Use Permit but only if it is needed and no other suitable location has been identified.

Section 6500, When Coastal Use Permit may be issued:

(d) Location of the following uses in any district, within the Urban Areas of the Coastal Zone, when found to be necessary for the public health, safety, convenience or welfare:

### 3. Sanitarium

- ***There is no reference to a medical establishment in the DEIR nor is a medical establishment permitted in W zoning.***
- ***There is no permitted use for a Condo Complex as an addition to a sanitarium***
- ***The developer's economic analysis looks at residential condos, but there is no reference to a sanitarium.***

The Project proposes to include residential housing for 20 caretakers for the developmentally disadvantaged adult clients among the projects 70 residential units. The only permitted residential use in the Waterfront zoning district is caretaker quarters with limited floorspace, governed by an overall quota based on a percentage of total developed parcels within the zoning district. A recent San Mateo County lottery assigned parcels a ranked priority as new caretaker quarter allocations become available.

***How many caretaker quarters allocations does the Wellness Center parcel currently have as an entitlement?***

***Does the County anticipate a secondary market in caretaker quarters development rights, such that the Wellness Center could acquire additional development rights from other property owners?***

***How can residential use for live-in staff be reconciled with the restrictions of the Waterfront zoning district other than by use of caretaker quarters allocations?***

***The Midcoast LCP Update proposes to increase the percentage of caretaker quarters allowed in this zoning district. The DEIR fails to analyze the potential impacts of this increase in residential housing as part of the project.***

The Waterfront Zoning District, with its necessary connection between the use and and ocean and it's limitations on residential uses, was established to protect the limited local coastal resources from exactly this type of development. There is no explanation anywhere in the DEIR for why this type of development needs to be on this specific location nor is there a justification provided for granting a use permit in a sensitive natural habitat area.

***What amendments, exclusions and waivers will be needed to allow this use?***

Further, section 30255 of the Coastal Act defines priority of coastal-dependent developments as follows:

Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.

Section 30101 of the Coastal Act further specifies that "Coastal-dependent development or use" means any development or use which requires a site on, or adjacent to, the sea to be able to function at all while section 30101.3 indicates that "coastal-related development" means any use that is dependent on a coastal-dependent development or use. (Added by Ch. 1090, Stats. 1979.)

Lastly, section 30601 indicates that the following categories of developments require a coastal development permit from Commission:

"Prior to certification of the local coastal program and, where applicable, in addition to a permit from local government pursuant to subdivision (b) or (d) of Section 30600, a coastal development permit shall be obtained from the commission for any of the following:

(1) Developments between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance.

(2) Developments not included within paragraph (1) located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, stream, or within 300 feet of the top of the seaward face of any coastal bluff.

Section 30222.5 Oceanfront lands; aquaculture facilities; priority

(3) All designated and required areas (including the proposed site)

“Oceanfront land that is suitable for coastal dependent aquaculture shall be protected for that use, and proposals for aquaculture facilities located on those sites shall be given priority, except over other coastal dependent developments or uses. (Added by Ch. 1486, Stats. 1982.)”

The Wellness Center includes businesses such as catering, dog grooming, sports facilities, theater, counseling facilities, native plant nursery, vegetable and meat processing, office space for various BW enterprise businesses, and various events.

***How is the Wellness Center consistent the “W” zoning?***

***What traffic impacts will these uses have? What parking will be necessary for guests, residents and staff?***

***How were the water and sewer needs calculated relative to the proposed operations of the Wellness Center?***

### **Light Industrial Zoning (M1)**

This area is zoned for light industrial and, unlike “W”, is designated for businesses that do not need to be immediately adjacent to the sea to function.

Although businesses like welding and fabrication shops, boat builders, and similar are expected and allowed to have adjoining offices, there is no provision under M1 for “commercial offices” or otherwise, and certainly not an enormous commercial office complex as indicated in the DEIR. Further, the parking specified for the DEIR is calculated under “light industrial” use, yet nowhere in the renderings, specifications, or economic analysis is light industrial use contemplated. Note that the renderings do not show a single loading dock, roll up door, truck parking area, forklift area, or any other feature associated with light industrial use.

While it is true that M1 includes a laundry list of specifically permissible uses (including offices) this is only true when it is read on its own. When read together with the LCP, it appears that the clustering of office buildings is specifically discouraged, hence the notion that a complex comprised entirely of offices does not fall under M1 permitted zoning. This make sense, because single offices, where for example administrative or research functions are carried out in connection with light industrial work are allowed, but an office with no light industrial function, is generally not (see the specific exclusion of doctors and dentists) and certainly nothing in the LCP indicates that isolating these offices in a common parcel/parcels is appropriate as the LCP seems to encourage offices to be mixed in with surrounding businesses/industry.

***How is the creation of a large office complex consistent with the M1 zoning?***

The LCP additionally encourages that M1 zoning in close proximity to the water is to be used for aquaculture related uses.

As can be seen, the LCP, implementing ordinances and incorporated documents contain substantial policy direction on the issues of appropriate scale for new coastal development and on view protection. Taken together, the policies clearly indicate that the small scale of the coastal communities is a special characteristic worthy of preservation and that the retention of scenic views is also important. The proposed project is in conflict with the policy direction cited in the preceding section of this recommendation. The development is inconsistent with LCP regulations relevant both to the scale of new projects and to those regarding the preservation of views.

### **Project Scale**

The proposed development is massive and vastly out of scale with existing structures in the area. Although the zoning ordinance allows a much higher structure, the LCP requires that any development maintain community character by being of comparable scale, size, and design. In this case, the community has indicated clearly in the LCP that a continuation of small scale development is desired in Princeton. The proposed project is designed in a much larger scale than nearby existing structures and no efforts have been made to modulate the facades of the buildings and provide for varied rooflines in order to visually reduce mass.

As such, the size and scale of the proposed Office Park is out of character with its surroundings. Buildings of this size and mass are unprecedented on the Midcoast. Zoning Regulations Section 6565.7 requires the design of the structure be in harmony with the shape, size and scale of adjacent building in the community. On one side it abuts the W/DR light industrial Princeton area, where buildings are all less than 36 ft tall. On the other side the proposed project abuts a residential community of one-story manufactured homes. The proposed 3-story 50-ft buildings that loom over Pillar Ridge would dwarf not only its neighbors, but all other buildings on the Midcoast.

The structure still has a floor area of ±270,000 (almost six acres) and heights in excess of 50 feet. The building is thus 10-12 times larger than that of the largest existing structure in the area. The height is two or three times that of other development in Princeton and Moss Beach. Grading plans which have not been specified in the DEIR could elevate finished grade by five feet or higher further exacerbating the height differential. Put another way, virtually all of the existing buildings in the harbor would fit within the footprint of this structure if constructed.

### ***What is actual amount of grading?***

### ***What will the finished elevation be relative to the current natural grade?***

This building will dwarf the existing structures nearby and structurally dominate the area. It thus cannot be found that the project, as analyzed in this DEIR, is consistent with the continuation of the small scale character anticipated in the LCP for Princeton.

(LCP Policy 1.5, 8.5, 8.12, 11.15; Design Review Ordinance Sec. 6268. 6265.16(1)(12)(15); Community Design Manual pg. 18, 26; Montara-Moss Beach-El Granada Community Plan Goals and Policies).

Alternate locations exit on the more urban San Francisco/San Mateo bayside. It has many areas where large scale development like this project would be entirely appropriate. If the special character of Princeton is, however, to be retained, as required by the LCP, projects of this size must be considered inappropriate.

The self-contained nature of the project and the placement of uses is also at odds with the human scale character of Princeton. As indicated earlier, existing structures are readily accessible to people walking along Capistrano Road.

The uses are pedestrian-oriented and no one business can be considered a destination by itself. As proposed, the project is, therefore, inconsistent with previously cited LCP Policies that require small scale, pedestrian oriented development. Lastly, the massive parking lot is inconsistent with the maintenance of the small scale area of Princeton and with the specific standards found in the Community Design Manual and the Design Review Ordinance. Both of these regulatory mechanisms require that parking areas be integrated into the site and relate to the structures they serve. The Community Design Manual offers a set of drawings which indicate proper and improper placement of parking areas. See Exhibit "I." As proposed, the projects parking arrangement falls into the latter category and is therefore inconsistent with Certified LCP policies and regulations relevant to the design of parking areas.

***How does the DEIR address the discrepancy of scale between the project and its surroundings?***

***How is this project consistent with regard to LCP Policy 1.5, 8.5, 8.12, 11.15; Design Review Ordinance Sec. 6268. 6265.16(1)(12)(15); Community Design Manual pg. 18, 26; Montara-Moss Beach-El Granada Community Plan Goals and Policies?***

## **Locating and Planning New Development**

The small coastal community of Princeton contains a variety of land uses. Pillar Point Harbor provides support facilities for the locally important commercial fishery as well as for the many recreational boaters. The Harbor District is currently considering plans for additional development which will include more commercial fishing facilities, dry boat storage and more visitor-serving uses, *i.e.*, restaurants, shops, and pedestrian promenades. West of the main harbor, in the old subdivided part of Princeton, is an area largely devoted to warehouses, boat yards and some marine related commercial uses. North of the harbor facilities, across and along Capistrano Road, a small visitor-serving area is slowly developing. Uses include restaurants, a deli and an 11-unit Bed and Breakfast Inn. When the LCP was in preparation, there were two objectives in mind relevant to land use for Princeton. One purpose was to provide adequate on-shore sites

for development supportive of commercial fishing and recreational activities. Land within and west of the harbor was, therefore, designated for marine related uses (i.e., boat yards, chandleries, storage). It was also recognized that Princeton had substantial potential as an attractive destination for visitors to the Midcoast, thus the second objective was to strengthen and define a visitor serving area near the harbor

***How is the project consistent with the land use designation as outlined in the Certified LCP?***

**Subdivision, Special Use Permits and Grandfathering**

The Planning applications mention a request for subdivision, but there is no justification provided for this request. Is it for each of the office buildings? There is also no justification offered as to why the natural condition of the terrain would justify the issuance of a special use permit. Further, grandfathering this project is inapplicable and patently unfair as it would place developments completed many years ahead of Big Wave under more stringent requirements than Big Wave, which, owing to its phased development, would not be completed for many years to follow. The DEIR is both contradictory and exceedingly vague on the time frame from ground breaking to conclusion of the project. Further, it is patently inappropriate to grandfather a use that itself is inappropriate as the wetlands which had an unpermitted well drilled and then were plowed over to create agricultural land, did not create an opportunity to grandfather in anything but a wetlands-appropriate use.

There are alternate locations more appropriately suited to a development of this size with this huge variety of dissimilar uses in Pacifica and Half Moon Bay.

**IV. Critical Coastal Area – Fitzgerald Marine Reserve**

The Big Wave Project site is located within the Fitzgerald Marine Reserve (FMR) Critical Coastal Area boundary. The James Fitzgerald Marine Reserve watershed <http://www.abag.ca.gov/cca/fitzgerald.html> is one of three Critical Coastal Areas currently being studied. The FMR is designated as an Area of Special Biological Significance and therefore receives special protection under the California Ocean Plan.

Association of Bay Area Governments, (ABAG) has formed a partnership with the San Francisco Estuary Institute <http://www.sfei.org/>, the California Coastal Commission <http://www.coastal.ca.gov/rps/cca-rps.html> and the Bay Conservation and Development Commission <http://www.bcdc.ca.gov/> in a pilot project to evaluate three critical coastal areas and their respective watersheds, and to provide technical assistance to local governments, non-governmental organizations and others involved in controlling land based sources of pollution entering these special areas of the California coast.

Since 1983, the Ocean Plan has prohibited the discharge of both point and nonpoint source waste to ASBS, unless the State Water Board grants an exception. Exceptions can be granted if special protections are followed. The special protections require maintenance of natural water quality and monitoring to demonstrate this. How will point and nonpoint source waste be monitored?

**Protection of Pillar Point Marsh is one of the stated policies of San Mateo County's Local Coastal Program**

(See Exhibits "E, F, G , H, I, J respectively" and incorporated here by reference).

Exhibit E: Fitzgerald Marine Reserve Historical Ecology  
[http://www.sfei.org/cca/Docs/phase2HE/Fitzgerald\\_MarineReserve\\_CCA\\_lowres\\_v3.pdf](http://www.sfei.org/cca/Docs/phase2HE/Fitzgerald_MarineReserve_CCA_lowres_v3.pdf)

Exhibit F: Areas of Special Biological Significance:  
<http://www.cacoastkeeper.org/document/aquagems-report.pdf>

Exhibit G: Big Wave Project Site and Surrounding Park Lands MAP:  
[http://coastsider.com/images/uploads/2009/bigwave\\_neighbors.pdf](http://coastsider.com/images/uploads/2009/bigwave_neighbors.pdf)

Exhibit H: Fitzgerald Marine Reserve Watershed MAP:  
[http://www.sfei.org/cca/Maps/FitzgeraldStudyArea\\_Final.pdf](http://www.sfei.org/cca/Maps/FitzgeraldStudyArea_Final.pdf)

Exhibit I: Midcoast Urban Footprint and Protected Open Space  
<http://www.abag.ca.gov/pdfs/Impervious.pdf>

Exhibit J: CCA #29  
[http://www.coastal.ca.gov/nps/Web/cca\\_pdf/sfbaypdf/CCA29FitzgeraldMarineReserve.p  
df](http://www.coastal.ca.gov/nps/Web/cca_pdf/sfbaypdf/CCA29FitzgeraldMarineReserve.pdf)

***Will the septic systems for this project increase the e-coli loads already existing in the harbor?***

***Will the change to the runoff patterns affect the oxygen levels in the harbor?***

***Will the runoff from this project affect the permitted abalone projects in the harbor?***

***Will there be restrictions on the use of pesticides, herbicides and fertilizers to prevent contaminants from entering the marsh and harbor?***

***Will there be monitoring to ensure any restrictions if they are required?***

***Who will enforce these protections to the harbor and marsh?***

***How will the following pollutants be prevented from contaminating the Pillar Point Marsh?***

- **Fertilizers, herbicides, and insecticides from agricultural lands and residential areas**
- **Oil, grease, and toxic chemicals from urban runoff and energy production**
- **Sediment from the construction sites**
- **Salt from irrigation practices**
- **Bacteria and nutrients from pet wastes, and faulty septic-systems**

## **V. HAZARDS (Earthquake, Tsunami, Sea Level Rise, and Airport)**

### **Tsunami and Sea Level Rise**

LCP Hazard Maps indicate that this site is subject to Tsunami inundation. The sea level rise inundation area is identical to the tsunami inundation area and is based on elevation.

LCP Hazard Policy 9.3 requires that new development proposed in areas subject to tsunami inundation comply with Section 6326.2 of the Resource Management Zoning Ordinance. This section of the Code provides the following criteria regarding development in tsunami areas.

**SECTION 6326.2 TSUNAMI INUNDATION AREA CRITERIA.** The following criteria shall apply within all areas defined as Tsunami Inundation Hazard Areas:

(a) The following uses, structures, and development shall not be permitted: publicly-owned buildings intended for human occupancy other than park and recreational facilities; schools, hospitals, nursing homes, or other buildings or development used primarily by children or physically or mentally infirm persons.

(b) Residential structures and resort developments designed for transient or other residential use may be permitted under the following circumstances:

1. The applicant submits a report prepared by a competent and recognized authority estimating the probable maximum wave height, wave force, run-up angle, and level of inundation in connection with the parcel or lot upon which the proposed development is to be located.
2. No structure covered by this section shall be allowed within that portion of the lot or parcel where the projected wave height and force is fifty (50) percent or more of the projected maximum, unless: (a) the highest projected wave height above ground level at the location of the structure lies less than six (6) feet, (b) no residential floor level is less than two (2) feet above that wave height, and (c) the structural support is sufficient to withstand the projected wave force.
3. No structure covered by this section shall be allowed within that portion of the lot or parcel where the projected wave height and force is less than fifty (50) percent of the projected maximum unless the requirements of subsection b, 2), (a), and (c) are



satisfied and the residential flood level is at least one (1) foot above the highest projected level of inundation.

There are a large number of tsunami reports and maps documenting the vulnerability of this site to tsunamis. One report, prepared by Woodward-Clyde Consultants in March 1989, indicates that a 100-year tsunami will affect lands at elevation 12.3 or lower in the vicinity of the harbor. A 500-year tsunami will flood lands at 21.5 elevations or lower. A recent grand jury report (Tsunami Alert and Evacuation on the San Mateo County Coast, 2007) caused the recent County installation of an audible tsunami warning system.

As indicated in the geotechnical report prepared by Harding-Lawson Associates, in order to avoid inundation of the habitable floors of the project, the parcel will be filled to achieve a finish grade of substantially higher than it is now. This would likely be accommodated by the placement of fill. The Woodward-Clyde report indicates that the upper three to five feet of soil on the site is highly expansive. Soils of this type shrink when dry and expand when wet causing problems for rigid structural elements and paving. This soils characteristic will be mitigated by excavation of the expansive soil, moisture conditioning it and replacing the material in properly compacted lifts.

The geotechnical report and ABAG interactive site indicate that the site has a high potential for liquefaction during an earthquake. Geotechnical maps prepared by the County indicate that the nearest fault is the Seal Cove Fault.

***What tsunami mitigations are anticipated to protect the project and its water, wastewater, and stormwater systems from damage or destruction by tsunami inundation? In particular what protections will be used to protect the harbor from a wastewater system failure in a tsunami?***

***As the anticipated life of this project includes the probability of flooding due to sea level change, what mitigations are proposed to protect the water supply from salt water intrusion? What mitigations are proposed to ensure the septic systems continue to function?***

***As there geotech report anticipates substantial fill, the DEIR should document how the changed circumstances from the fill will affect the ground water runoff and the health of the marsh and wetlands.***

***Will the structures need to be raised above the existing ground level to be protected from the tsunami and sea level change threats? How will this affect the final scale of the structures in relation to the height of existing structures in Princeton and Moss Beach? Any height depiction and analysis should include the additional height needed for this mitigation.***

***How will the entire population of Princeton, Pillar Ridge, Seal Cove, the proposed Big Wave office park and sanitarium evacuate in the event of an earthquake or tsunami emergency?***

***How will the current emergency evacuation route (one exit onto Highway 1 and no traffic light at Cypress and Highway 1) be adequate in the event of an earthquake or tsunami emergency?***

## **Earthquake**

San Mateo County coastside evacuation routes will be negatively impacted by the additional traffic the Big Wave project would bring to the Princeton-By-The-Sea and Seal Cove areas. The Big Wave project would also add additional traffic to Highway 1 evacuation routes. All traffic in Princeton, Pillar Ridge, Seal Cove, the proposed Big Wave office park and sanitarium must evacuate on Cypress Ave. and Highway 1 in the event of a earthquake or tsunami.

Emergency evacuation has not been adequately mitigated in the DEIR. This area is subject to emergency tsunami evacuation. **The evacuation route is up Airport St., to Cypress Ave, to Highway 1.** The existing roads and intersection with Highway 1 are completely inadequate to handle the number of evacuees from the site. It is also questionable as to whether Highway 1 could handle the additional number of cars evacuating the Big Wave site.

The San Gregorio fault is onshore in the vicinity of the Big Wave project. The fault system goes by various names, Hosgri (south) San Gregorio (center) and Seal Cove (north), depending on what section is being discussed. The proposed Big Wave project site is 500 feet from the Seal Cove earthquake fault.

Exhibit I: Map of the Peninsula showing major faults:

<http://pubs.usgs.gov/of/2005/1127/chapter8.pdf>

The Big Wave project is within one kilometer of the onshore portion of the Seal Cove fault. The Big Wave project is in a 1997 UBC Zone That is the highest seismic hazard zone in the UBC.

This San Gregorio fault system has not been studied that extensively, because it is mostly off shore and relatively sparsely populated. Slip rate is estimated at 5mm per year with 350 and 680-year historic slips. USGS consensus is 330-year average major earthquake period with a 1.7M slip. With accumulated stress an earthquake in the larger San Andreas system could trigger an earthquake on the Seal Cove fault. The San Gregorio fault is listed in the USGS database of potential source over Magnitude 6. Exhibit J: USGS Table A-1. Database of Potential Sources for Earthquakes Larger than Magnitude 6 in Northern California: [http://quake.usgs.gov/prepare/ncep/a\\_andreas.html](http://quake.usgs.gov/prepare/ncep/a_andreas.html)

The potential hazards of locating multi-story buildings on a site with high potential for liquefaction, seismic amplification, tsunami inundation and debris flow would put people working at the proposed Office Park and developmentally and physically disabled people living at the proposed Sanatorium at significant risk. Evacuation is not an option in an earthquake. Theoretically a building frame with piles, pad and even potentially rollers or

isolation could be designed to survive the amplified seismic accelerations, but the occupants may be thrown about so violently and hit by debris that they may not survive.

Exhibit K: CA.gov Emergency Information

Earthquake and Tsunami Info and Maps: <http://myhazards.calema.ca.gov/>  
\_(type in the Big Wave Project zip code, 94038 to see the hazard and inundation areas)

Exhibit L: USGS Tsunami Preparedness Videos:

West Coast:

[http://www.youtube.com/watch?v=9E7NAmejiVE&feature=player\\_embedded](http://www.youtube.com/watch?v=9E7NAmejiVE&feature=player_embedded)

Northern California:

<http://www.youtube.com/watch?v=-FqXV5M8yos>

Exhibit M: Half Moon Bay Tsunami Brochure:

[http://www.half-moon-bay.ca.us/Tsunamis\\_Brochure.pdf](http://www.half-moon-bay.ca.us/Tsunamis_Brochure.pdf)

Exhibit N: Seven Principles for Planning and Designing for Tsunami Hazards:

[http://www.oes.ca.gov/Operational/OESHome.nsf/PDF/Tsunamis,%20Designing%20for%20/\\$file/DesignForTsunamis.pdf](http://www.oes.ca.gov/Operational/OESHome.nsf/PDF/Tsunamis,%20Designing%20for%20/$file/DesignForTsunamis.pdf)

Exhibit O: Grand Jury Report - Summary of Tsunami Alert and Evacuation On the San

Mateo County Coast: <http://www.millennium->

[ark.net/NEWS/06\\_Earth\\_Changes/061129.CA.Tsunami.Report.pdf](http://www.millennium-ark.net/NEWS/06_Earth_Changes/061129.CA.Tsunami.Report.pdf)

The large population anticipated to occupy the structures will need to be evacuated in the event of a major earthquake in the area. The DEIR does not comment on the likelihood of the severe damage to the pavement on Airport St.

***What escape routes will be used in the event Airport St.. is rendered undriveable?***

***If the earthquake disables the water supply from the well, what is the emergency supply?***

***How long will this be available?***

## **Half Moon Bay Airport**

Half Moon Bay Airport provides a variety of emergency services and response functions including: Air-Ambulance and Medivac flights; law enforcement and homeland security patrols; Coast Guard sea rescue operations; and use as a disaster relief staging site for the airlifting of emergency supplies in the event that roads are closed during a disaster or emergency. Half Moon Bay is an active airport, with approximately 80 based aircraft, over 60,000 annual operations and several aviation related businesses.

A portion of the project site appears to be within the Approach Protection Zone (APZ) for Half Moon Bay Airport as designated in the San Mateo County Comprehensive Airport Land Use Plan (CALUP).

The CALUP recommends against residential uses and business uses within the APZ. Protecting people and property on the ground from the potential consequences of near-airport aircraft accidents is a fundamental land use compatibility-planning objective. While the chance of an aircraft injuring someone on the ground is historically quite low, an aircraft accident is a high consequence event. To protect people and property on the ground from the risks of near-airport accidents, some form of restrictions on land use are essential. The two principal methods for reducing the risk of injury and property damage on the ground are to limit the number of persons in an area and to limit the area covered by occupied structures. This should be addressed in the Draft Environmental Impact Report.

State Public Utilities Code Section 2165g prohibits structural hazards near airports. In accordance with Federal Aviation Regulation, PartTT "Objects Affecting Navigable Airspace" a Notice of Proposed Construction or Alteration (Form 7460-1) may be required by the Federal Aviation Administration (FAA). Form 7460-1 is available on-line <http://forms.faa.gov/forms/faa7460-1.pdf> and should be submitted electronically to the FAA.

Business and Professions Code Section I 1010 and Civil Code Sections I102.6, I103.4, and 1353 address buyer notification requirements for lands around airports and are available at: <http://www.leginfo.ca.gov/calaw.html>. Any person who intends to offer subdivided lands, common interest developments and residential properties for sale or lease within an airport influence area is required to disclose that fact to the person buying the property.

The protection of airports from incompatible land use encroachment is vital to California's economic future, Half Moon Bay Airport is an economic asset that should be protected through effective airport land use compatibility planning and awareness. Although the need for compatible and safe land uses near airports is both a local and State issue, airport staff, airport land use commissions and airport land

Use compatibility plans are key to protecting an airport and the people residing and working in the vicinity of an airport. Consideration given to the issue of compatible land uses in the vicinity of an airport should help to relieve future conflicts between airports and their neighbors.

Further, the DEIR must look at the impact on airports current and future operations and should not penalize the airport. The County has responsibility to ensure compatible land uses under both the quit claim deed from the Federal Government and the FAA airport improvement funds.

Of note, the proposed project is located within several safety zones for runway 30 that should preclude residential development. Additionally, the approach Protection Zone overlies a portion of the property and the State recommends limiting development to

one dwelling per 10-20 acres. This precludes any of the proposed 45 residential units in this area. Finally, as the majority of the property is within the traffic pattern zone which allows residential but discourages schools, day care, and nursing homes. Residential development should not be permitted and the County should identify a more compatible use for this property.

Exhibit P: C/CAG Airport Land Use Committee (ALUC) Special Meeting CCAG 4-09:  
<http://www.ccag.ca.gov/pdf/aluc/043009%20ALUC%20minutes.pdf>

The school site owned by Cabrillo Unified School District was deemed by the school board to be unfit to build a new school on because of the hazards from air traffic due to its proximity to the airport. This site is only a few hundred feet from the end of the runway.

Air traffic at the airport has been reduced over the past decades, however, the Airport Master Plan anticipates increases in the air traffic load. Further, the airport anticipates significant commercial airport related projects by the airport that may further increase air and other traffic.

***What mitigations are anticipated to ensure the operation of the airport with full occupation of the sanatorium and commercial office spaces?***

***Will the aviation easement be sufficient protection for the airport?***

Richard Newman, ALUC Chairperson expressed his concern about the placement of the proposed buildings opposite the approach area to Runway 30 at Half Moon Bay Airport, in reference to wind impacts. He described a similar existing situation at San Carlos Airport where wind blows between two buildings that are located opposite of the approach area to the runway and the increased wind velocity created by the proximity of the buildings makes for an unsafe condition for a light aircraft at slow speed for landing.

***Will changes to wind patterns caused by the Big Wave buildings and how those changes will affect airplane takeoff and landing patterns be addressed in the DEIR?***

***Will this include changes to noise levels in the surrounding neighborhoods, particularly Moss Beach, Seal Cove and El Granada?***

## **VI. TRAFFIC AND PARKING**

Under the Summary of Project features is this claim: "Reduced traffic on Hwy 1." This statement contradicts DEIR Table 7.1.2, which estimates 3,787 car trips per day, all of which would add to traffic on Hwy 1 as well as on narrow access roads in Princeton and Moss Beach.

In the Bay Area, residents from as far away as the central valley commute into office parks, and the suggestion that a large office park in a fairly remote location would

alleviate traffic, is unrealistic. Some coastside residents may work at the new office park, but even coastal residents would have to use Hwy 1 to get there. The addition of 225,000 sq. ft. of office space to the coast would undoubtedly draw commuters from other parts of the Bay Area. A project of this size would have significant effects on traffic through Devil's Slide (tunnel) and already congested Hwy 92 as well. Business parks located near transit hubs (BART) or existing commute routes can arguably reduce traffic, but large business parks located in remote locations do not.

Further the applicant asks for a parking exception (1 space per 250 sq ft, instead of 1 space per 200 sq ft) based on being located next to public transit. It cites other cities in San Mateo County, with public transit, which allow a lower number. The other cities in San Mateo County are all more urban, with a different level of public transportation compared to the rural Midcoast. Other cities in San Mateo County have other public transportation options (BART, Caltrain, park & ride), and public parking facilities, which are not available on the Midcoast. What the office park site also lacks, is overflow. If the parking on-site is full, there are no other lots nearby. By looking at the site map (Figure 1.3.1) it is clear that there is no ability to expand on-site parking in the future. Barring any serious mitigation measures for parking, we suggest that the existing (1 space per 200') parking requirement is reasonable.

DEIR Table 7.2.2 (page 61) suggests a mix of uses (40% office, 25% research, 15% storage, 20% manufacturing) which require different parking components. The proposed buildings, however, are all office buildings, and while they could be used for a lesser use, they all could also be used as the highest use, which is for General Office. If built, it would be difficult for the County to enforce this proposed mix of uses. If there is more demand for General Office space, then the required parking spaces would be seriously insufficient.

[Indented sections taken from Pillar Ridge Home Owners Letter]

One of the major problems with the Project is its lack of direct access to major roads, as noted in the letter from Pillar Ridge Homeowners Association. This is a major deficiency in the DEIR for an adequate assessment of traffic impacts. Instead, the DEIR glosses over this, "Access to the project site is provided via Route 1, Capistrano Rd., and Airport St." ignoring that Capistrano Road doesn't come anywhere near Airport Street. The DEIR goes on to state, "Other local roadways in the project vicinity include: Cypress, Prospect ... Broadway ... and Cornell, which are two-lane residential roadways." These roads are not just incidental, but are a necessary part of the tortuously indirect route to the project site - winding through the marine industrial maze of Princeton, or in the case of Cypress, a narrow rural lane without signal, leading to residential neighborhoods and coastal visitor destinations. The Project proposes to flood these narrow secondary marine- and visitor-serving streets with through traffic totally unrelated to Coastal Act priority uses. Pillar Ridge Homeowners Association Big Wave Project DEIR comment 11

A key point not mentioned in the DEIR is that two narrow street segments and potential bottlenecks, Cypress in the north and Prospect in the south, provide the

only access to all the area between San Vicente and Denniston Creeks, including Princeton, Coastal Trail and Mavericks beach parking, Pillar Ridge and Seal Cove residential neighborhoods, and the Big Wave site. Also not discussed in the DEIR is that Airport/Cypress and Prospect/Capistrano are tsunami evacuation routes.

***How will the Wellness Center residents be evacuated in an emergency?  
How will the 800 Big Wave Project employees and cars affect these  
emergency routes at critical times?***

Prospect/Capistrano is a narrow, often congested bottleneck, a visitor destination, and the route of the California Coastal Trail where bikes must share the road. If and when the economy improves, the large new hotel and shopping mall on Capistrano will add significantly to this congestion. The Capistrano/Hwy 1 intersection has been enlarged, but 2-lane Capistrano is no wider than it ever was.

***Should the narrow winding scenic Capistrano harbor route and a tangle of  
marine industrial Princeton streets be the through route to a huge  
commercial complex having no relation to coastal use?***

The intersection at the west end of Prospect (at Broadway) can be confusing because the through route to Harvard is offset. Most people use Harvard in their route through Princeton (which the traffic counts bear out indirectly) but Project traffic analysis maps erroneously show Harvard does not connect to Airport St. and none of the traffic projections include it. This lack of local knowledge puts into doubt the projections of the traffic analysis.

The Cypress/Hwy 1 intersection is covered in the Traffic Analysis, but Cypress itself is a very narrow rural street with no sidewalks and a steep crown dropping off to deep roadside ditches forcing pedestrians and bicyclists to share the narrow road. Dramatically increasing traffic here will increase danger.

The community of Pillar Ridge has only one road entering Airport St. The tsunami escape route is to turn left onto Airport St.

***How will the many cars with 5 exits from the Big Wave Project affect our  
safety and ability to turn left onto Airport St..?***

The DEIR should weigh the Project impacts on the adequacy of the narrow congested road segments as safe emergency routes, for fire, police, ambulance, and disaster evacuation.

There will be significant construction traffic which should be analyzed, particularly the route for large trucks. Geotechnical studies may yet determine that significantly more removal and replacement of soil may be necessary to engineer the Project building pads and parking lots.

The traffic analysis does not include traffic generated by public use of the 5,326 sf Community center, pool, fitness center, commercial laundry, various Big Wave commercial/retail businesses in the Wellness Center, and special events. Proposed parking exception and charging for parking in Big Wave lots will impacts streets with more on-street parking.

Impact Trans-1 Intersection LOS Report states project would add approximately 2,123 daily trips to roads in the vicinity. This figure has been reduced from the 3,787 daily trips predicted in the June 2008 Traffic Report, and is based on a new arbitrary and unenforceable allocation of mixed uses in the Office Park. Nevertheless, Cypress/Hwy 1 east-bound left turn LOS "F" is still predicted, with no improvements possible other than signalization. When Hwy 1 is busy, local drivers know they can give up trying to turn left onto Hwy 1 at Cypress, and turn right instead, then get in left turn lane at Marine, circle around on Etheldore, re-entering Hwy 1 with a right turn. Because of the narrowness of Cypress St., this option is not possible if two cars are already waiting and blocking the road. Dramatically increasing traffic exiting Cypress will leave everybody waiting. As people wait, looking for an opening, they can get frustrated and take risks. The local practice of turning left by turning right may have skewed traffic counts during peak hours.

***How much additional degradation will the construction trucks cause to Airport Street, Cypress Street and the road in Princeton?***

***Will there be mitigation fees to fund the repair of these critical roadways? If not, why not? How will these repairs be funded?***

### **Mitigation Measure Trans-1:**

Traffic roundabout should be considered as well as signalization at Cypress in the recirculated DEIR or as part of this one. They are used by Caltrans in many very busy locations to keep traffic moving. Consider the significant impact on Hwy 1 traffic flow caused by another signal. Consider that safe crossings would be more useful in the commercial section of Moss Beach instead of this outlying intersection. Traffic mitigation should be implemented before construction beings. Proposed signalization could take 10 years even with the shortest construction estimate, or be put off indefinitely:

- *following project occupancy (3 – 15 years or more),*
- *applicant submit bi-annual report regarding need for signal (min 2 yrs),*
- *pay fair share for signal within 5 yrs of date of report*

The project mitigations should consider having the project install what ever mitigations are needed at Cypress and Highway One prior to start of construction. The County can create a funding agreement that allows the reimbursement of the cost of the roundabout or stop light at that intersection and other necessary traffic



mitigations to the project by future development that would need to pay traffic mitigation fees.

## **Impact Trans-2 Hazards**

Airport St. should rightly be considered a bicycle thread of the CA Coastal Trail, as it provides access to coastal trailheads, and a connection from Princeton waterfront to the north portion of the Fitzgerald Marine Reserve while avoiding Hwy 1. The Project would significantly increase bike hazards on this route and offers no mitigation.

Airport St. is a narrow rural road with unimproved shoulders and open roadside drainage, except for the widened portion with sidewalk in front of Pillar Ridge and other development to the north of the Project site. Residents of Pillar Ridge walk and bike along this road to jobs and school. Mothers with children in strollers use the edge of the pavement. There is no room to safely pass bikes in the road without pulling into the opposite traffic lane. This situation has only been tolerable due to the relatively light traffic and lack of obstructions along the shoulder.

To this already potentially hazardous route the Project would add many more cars, 8 driveway/fire road connections and probably lots of on-street parking overflow. The proposed walking trail along Airport St. would be an improvement for pedestrians (in that limited area only) but is marred by the many driveways to be crossed and the meager road-encroaching creek crossing. Bicyclists will naturally want to retreat from the increased road hazards to the safety of the walking trail, making it a 2-way multi-use trail. What will happen at the bottleneck at the creek crossing and at the many driveways to the Project? Although the Airport St. designated bike route is touted as a transportation asset, the DEIR states, "No bicycle lanes are located adjacent to the project ..." like that's a good thing they don't have to worry about.

### ***What about the safety impacts on the whole north end of Airport St., Cypress, and Princeton streets, with all the same increased traffic but no pedestrian/bike improvements?***

During the lengthy construction period, pedestrian and bike safety conditions on Airport St. would be much worse. The walking trail should be constructed first. Better yet, would be a multi-use trail on the east side of Airport St., or a widened road with dedicated bike lanes.

There is no provision for turnouts for the proposed new bus stop to serve the Project.

Are all 5 driveways plus 3 fire roads really necessary or advisable for this Project? Pillar Ridge has only one road out, LaGranada. It's easy to imagine how difficult it might be to turn left onto Airport from LaGranada if lots of cars are leaving the Office Park and driving north at the same time, as would happen on a daily basis,

and most importantly, in an emergency situation. Pillar Ridge Homeowners Association Big Wave Project DEIR comment 13

### **Impact Trans-5 Parking**

June 2008 Traffic Report (Jan. '09 Facilities Plan Draft 2):  
Alternative 1: 156,000 sf Class A office space: 3,028 daily trips  
Alternative 2: 225,000 sf Class A office space: 3,787 daily trips

June 2009 Traffic Report (Oct. '09 DEIR) uses same traffic counts from Jan '07 but calculates daily trips from new chart of arbitrary and unenforceable mix of uses (office, R&D, mfg, storage):  
"Mixed use" office park 225,000 sf: 2,123 daily trips

By applying sq.ft. use allotment (90,000 general office, 56,250 R&D, 33,750 storage, 45,000 light mfg),  
225,000 office space becomes 158,513 equivalent office space for purposes of specifying daily trips and parking requirements.

County Parking Ordinance:  
225,000 sf office space requires 1125 parking spaces  
158,513 sf equivalent office space requires 737 parking spaces  
Parking exception request results in 635 parking spaces

Any attempt to reduce impacts from proposed parking exception by restricting use of the lot will put parked cars along the street, contributing to unsafe conditions for bicyclists and pedestrians on narrow road. SamTrans has repeatedly tried to discontinue existing limited bus service and will certainly not be increasing it. School hour buses are overloaded with school children. Section Impact Trans-6 says the project would not generate a need for additional transit service.

The Project has conveniently and dramatically reduced its parking requirement by calling office buildings mixed use. There has been no change in building design to accommodate the mixed use. The County acknowledges they don't have the resources to monitor the proportion of uses. No further reduction in parking requirements should be allowed. Consider the situation around the Ritz-Carlton in HMB which didn't plan for enough employee parking.

### **Impact Trans-6 Transit service**

Project Objective: "To take advantage of existing public transportation routes to provide access to and from the project site ..." The DEIR states transit service is minimal, but the project would not generate a need for additional service. Project assumes 5% transit mode share, and adding 15 new AM/PM riders. Project proposes to develop bus stops but provides no turnout.

The project site is in a remote area with bare bones bus route with small size shuttle type buses packed with school kids due to no school bus. SamTrans

recently was on the verge of eliminating the route altogether, not for the first time. It is unlikely that highly paid employees would want to accommodate their schedules to the widely spaced and limited hours of available transit. It is unlikely that employees would drive crowded Hwy 1 and then park at the harbor to take a shuttle bus the last mile of their commute just because the Project doesn't provide enough parking.

## **VII. FINANCIAL FEASIBILITY**

The DEIR makes assumptions about the economic viability of various project alternatives without supporting economic data.

The economic data contained in the Plan is dated 2007 and the economy has changed radically in the last two years. There is a good possibility that the data is optimistic and outdated. Many counties require a feasibility study as part of the EIR. We strongly recommend that peer review and independent analysis be required. Currently there is a 20.5% vacancy rate of unoccupied office space in San Mateo County. The developer is proposing to double the amount of office space on the coast and in an area that does not have good highway access and is remote to goods and services. Nearby commercial space at the Oceana mall is not leased out.

## **VIII. Alternate Uses for Sanatorium**

***The residential units are for low income and ultra-low income – by whom and how will compliance with this requirement be determined?  
How long will this requirement be maintained?***

It is standard for low income housing to have government enforced restrictions that maintain the availability of the project for at least 20 years.

***What other uses can this structure be put to if it is not maintained as a sanatorium with caretakers quarters?***

It appears that these units could easily be converted to a residential stay facility for the business park, residential condos, or a visitor serving hotel facility. The DEIR should analyze these and other alternate uses, their impacts and mitigations.

***Further, if a common developer is providing a commitment to following the development scheme identified in this DEIR, why is subdivision being requested?***

***Given that subdivision is being requested, what safeguards/restrictions, if any, will be put in place to assure conformance with the uses set forth in this DEIR when ownership transfers?***

## **IX. THE DEIR'S ALTERNATIVES ANALYSIS IS INADEQUATE.**

CEQA and the State Guidelines interpreting it require agencies to consider in EIRs a "range of reasonable alternatives" to a proposed project and to "evaluate [their] comparative merits." Guidelines § 15126(d); Pub. Res. Code § 21100.

Before wading deeper into details of how to fit a swimming pool, buildings, parking lots, basketball court, and storage facilities onto this environmentally sensitive, geologically hazardous site, San Mateo County's Planning Department should first apply the policies of the Midcoast LCP to the proposed use for the project site and determine whether *any* configuration of a 225,000 sq/ft commercial complex is suitable for the site. We submit that that inquiry would usefully direct the Big Wave Project's future efforts to a suitable site elsewhere.

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The MCC appreciates the opportunity to comment on this project DEIR and looks forward to continued involvement in the public process.

Thank you for your consideration.

Sincerely,

**[SIGNED]**

Neil Merrilees  
Chair, Midcoast Community Council

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### **Attachment:**

Exhibit P: C/CAG Airport Land Use Committee (ALUC) Special Meeting CCAG 4-09  
[CCAG 4-09 Big wave airport.pdf](#)