Midcoast Community Council

Response to Cypress Point Draft EIR

Project Title: Cypress Point Affordable Housing Community Project
(SCH# 2022120189)

9/21/23

Attention of:

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Executive Summary of MCC Response to DEIR

This Project would be the largest and most disruptive construction in the recent history of the MCC. We have received an overwhelming number of comments from local residents, with many suggestions and findings of fact based on decades of experience in the neighborhood. As a result, we have commented at length on the DEIR, with many questions, and many DEIR statements flagged as INCOMPETE, INACCURATE, or INADEQUATE. We have also provided results from our research and discussions with geologists, consulting engineers, local agencies, and findings provided by longtime, concerned local residents. We conclude that this Project's costs and risks exceed its benefits to the community, and that better alternatives are available.

However, we recognize the California RHNA and County imperatives to add housing. Said housing should not just benefit the builders. The housing needs to benefit new residents without threatening the safety and sustainability of the current community. Therefore, we describe numerous studies and mitigations which should lessen, if not preclude, the risks and harms attendant to this Project. The Project as it stands has safety issues affecting new and current residents that cannot be mitigated. In addition, the Project has the potential to hinder response times of Coastside Fire Station 44 affecting all Coastside residents and visitors alike. We have provided a Prerequistes section which details additional mitigation efforts and the required timing in order to avoid harms to the Community.

A background concern is the problem already demonstrated by the County's and MidPen's project at Moonridge. There, a disadvantaged community was placed in a flood plain without adequate parking. We do not want a repeat of the same mistakes here, yet the analyses provided in this DEIR are using estimates of traffic, vehicles, and storms which are unrealistic - and thus inaccurately assessing impacts.

In follow-up to this Draft Response to the DEIR, we will distribute copies to all affected local agencies, asking them to confirm, correct, or augment any of our findings which relate to them. When we get replies, we will distribute an updated version of this Response to all concerned.

Below, we provide research, comments and questions on each section of the DEIR, organized with the same section titles and numbers as the DEIR.

We look forward to a mutual understanding of, and resolution of, the concerns expressed herein.

DEIR Executive Summary, and Chapter 1 - Introduction

The most significant statement in the EIR, mentioned at the end of Chapter 1.3, is also tucked away in page 428 of 432 section 5.3 "Significant Unavoidable Environmental Effects." This section states: CEQA guidelines section 15126.2(c) requires that EIR provide a discussion of significant impacts that

cannot be mitigated to a level of insignificance without imposing an alternative design, their implications, and the reasons why the Project is proposed, notwithstanding their effect. Based on an environmental impacts analysis the Project would have 4 significant unavoidable impacts associated with transportation. (The statements below are taken directly from EIR)

- The Project's daily home-based vehicle miles traveled (VMT) per capita by resident would be above the VMT Threshold for the Bay Area regional average, the County average, and the coastal transportation analysis zone average. *VMT impact would remain significant and unavoidable with mitigation.*
- The Project would also cumulatively contribute to a significant cumulative transportation impact related to VMT. *Impacts remain significant and unavoidable.*
- There are transportation related hazards on Hwy 1 including lack of sidewalks, lack of crossing opportunities, high speed traffic, vegetation and roadway design that limits visibility or safe lines-of-sight, and limited lighting. *In the Project site, pedestrians and bicyclists currently travel along Hwy 1 or cross Hwy 1 at unsignalized intersections in Moss Beach…identified hazards due to lack of facilities, line-of-sight deficiencies and traffic speeds.* The Project's pedestrian safety impact would remain significant and unavoidable with mitigation.
- The Project would also cumulatively contribute to a significant cumulative transportation impact related to hazards. *Impacts would remain significant and unavoidable.*

In accordance with CEQA 15093 if an EIR demonstrates that implementation of a proposed project would cause significant and unavoidable impacts, the lead agency must issue a *Statement of Overriding Considerations* before approving the Project to provide specific reasons to support its action. The County is the lead agency.

1 - Question #1: How will the county decide if meeting RHNA requirements for affordable apartment rentals is more important than the transportation hazards and hazards to human health and safety that the Project will contribute to? What reviewable documentation and public comment period will be provided for that effort?

Executive Summary: ES-30:

Population and Housing:

INCORRECT: The DEIR states that this is less than significant unplanned growth. These new residents will be approximately 10% of the current population of 3,440 persons in Moss Beach, per US census 2020. An increase in population of 359 new adults is substantial. Extensive New infrastructure is needed to support Cypress Point residents, as is covered in Transportation and Utilities, below. The roadway expansion and multiple traffic signal installations, bicycle and walking paved pathways, and multiple highway crossings will forever change the corridor from scenic to urban.

Note that our population estimate differs from that stated in the DEIR because we have observed Moonridge occupancy and parking, and we utilize a more realistic dwelling unit classification.

Chapter 2. Project Description

In Chapter 2.1, Overview, it is stated that *"the intention of the Project sponsors and the County of San Mateo is to improve the jobs/housing in balance and jobs/housing fit by providing preference for those who live or work on the San Mateo Coast."* This is reiterated in section 2.4, Project Objectives, and

again in section 2.5.1, Proposed Local Resident Selection, however no strategy or plan is presented for how MidPen will actively promote, give preference to, and ensure local residents and workers apply and are approved.

2.5 - Question #1: Where is it stated in the DEIR how the County and MidPen will ensure this preference is promoted and implemented?

2.5 - Question #2: If not addressed in the EIR, the question is, how will the County and MidPen actively promote, give preference to, and ensure local applicants?

2.5 - Question #3: What audit and enforcement exists to preclude short term rentals like AirBnB or new non-local people from living there?

In section 2.5.2.2 Community Building and Amenities, it states, *"Three areas of synthetic turf between Building A and Building B and adjacent to the community building to the east and south would provide areas for outdoor recreation (Figure 2.5-10)."* Synthetic turf is an unsustainable material that contributes to microplastic pollution of the soil and water as it breaks down, and it releases chemicals from the material as well as absorbs other chemicals, exposing children, adults and pets…etc. (Refer to the MCC presentation on synthetic turf here.) MWSD at a 9/7/23 meeting raised concerns that 'crumpled tires' could be used in synthetic turf and it results in pollution runoff. They noted that Montara Creek is an ASBS/ESHA/Critical Coastal Area and would be affected by runoff from the Cypress Point Project. (see map below). The proper turf would be recycled cork.

2.5 - Question #4: What are the runoff implications from the synthetic turf planned?

2.5 - Question #5: What are the turf specifications and studies of long term impact?

Use this CCC map viewer:
https://coastalcomm.maps.arcgis.com/apps/webappviewer/index.html?id=5c058197e99948c4aa309cb6f522518c
https://wildlife.ca.gov/Conservation/Marine/MPAs
Critical Coastal Areas …
https://wildlife.ca.gov/Conservation/Marine/MPAs/Montara-Pillar-Point

2.5 - Question #6: Will the Project utilize native plants only? The DEIR seems to imply that non-natives could be used.

2.5 - Question #7: If native plants that are drought tolerant are used, why is irrigation being installed for a drought tolerant landscape?

2.5 - Question #8: Can rain barrels, which the County generally recommends to all residents, be utilized in this development Project to capture roof runoff for irrigation purposes, as a better alternative to water conservation? If not, why not. Further note: most local residents do NOT water our yards - certainly not regularly. Why should this Project be allowed to create extra water demand beyond essential needs?

2.5 - Question #9: How is this extra water consumption to be tiered in pricing by MWSD to account for the extra cost of using the airport wells *(the County is paid for flow used there)* which this development will trigger much earlier than with only the existing population and water usage patterns? Or will existing residents all have their water costs rise and their water quality decline because of this Project?

3.1 Aesthetics

Objective 5 states: “Provide low-income housing in a community that respects the coastal character of the region.”

The Project as proposed is significantly out of character with the existing neighborhood. The proposed Project’s boring. simple, and repetitive design does not blend with the rich and wide variety of character and colors in the existing surrounding community structures. It has a “Mass production” look and feel; it needs to vary at least the colors of buildings to fit in with community heterogeneity. We have concerns that the proposed Cypress Point Project violates Midcoast design review standards.

3.1 - Question #1: How does removing 190 heritage trees to construct large buildings, 3 so large they resemble a motel or barracks, remain in keeping with coastal character? The surrounding neighborhood has only single-family homes. There are no large apartment buildings or town homes anywhere in Moss Beach..

AES-1 The Project does have a significant impact on scenic vista views as 3 very large buildings proposed are shaped like barracks. Considering that most all homes in Moss Beach are single family, any large apartment complex, especially one with very long continuous buildings, is out of character for the area. Currently MidPen believes that it will take at least 10 years for new plantings to begin to partially obscure view of some buildings. The upper portions of buildings would remain in view regardless of plantings.

3.1 - Question #2: If new plantings do not take hold after 190 heritage trees are removed how can the impact to aesthetics not be significant? Would the Project not create aesthetic shock for at least a decade?

AES-3 and AES7- Scenic Quality of neighborhood would be forever changed by large, out of scale buildings. If Connect the Coastside is completed the entire town of Moss Beach would be urbanized and views forever changed. Trees and shrubs are being considered for removal for road and walkway improvements. The entire corridor would go from a scenic lush landscape of vegetation to roadway, traffic lights, pedestrian and bicycle paths which would have lasting aesthetic impacts.

AES -4 Question #3 The Project will create a new source of substantial light or glare which would affect day or nighttime view wouldn’t it? It is disingenuous at best to say the Project has less than significant impact. Currently there is no lighting on this site impacting the night sky. Cypress Point will create substantial light generation from all buildings, windows, pathways, roadways, and parking lots that circle the development. The light will be very impactful to the night sky. Furthermore, any traffic lights proposed at California and 16th Street with pedestrian crossings will have to be illuminated. Neighbors will have to endure light sources at a very disruptive level from the development and Highway1 that they do not currently have.

16th Street is particularly troubling for new lighting as Montara Creek is on the other side of the street which will become illuminated thus disturbing mating and migration patterns of endangered species, various native animals, and migratory birds. Trees and plants grow differently when artificial light envelopes them. This will have a tremendous negative impact aesthetically as well as environmentally.

Thus, there is strong community concern that this Project will create excessive light and destroy the view of the night sky. Residents do not want a “Wal-Mart parking lot” or “Campus Lighting” to destroy their night views and affect wildlife in the area. This has become a matter of great sensitivity since the County failed to require Dark Skies lighting in the El Granada fire station, and has failed to take steps to enforce the non-compliance there.

Strong language on minimizing light pollution must be a pre-condition of approval for this Project. The recognized global authority on light pollution, Dark Sky International (DarkSky.org), has outlined why this is important:

LIGHT POLLUTION DEVASTATES WILDLIFE.
Plants and animals depend on Earth’s daily light and dark cycle to govern life-sustaining behaviors. Research shows that artificial light at night has adverse and even deadly effects on many species.

LIGHT POLLUTION WASTES ENERGY AND MONEY.
As much as 50% of outdoor lighting is wasted, which increases greenhouse gas emissions, contributes to climate change, and renders us all more energy-dependent.

LIGHT POLLUTION ROBS US OF OUR HERITAGE.
Our ancestors experienced a night sky that inspired science, religion, philosophy, art, and literature. Now, millions of children across the globe will never know the wonder of the Milky Way.

LIGHT POLLUTION CAN MAKE YOU LESS SAFE.
There is no clear scientific evidence that increased outdoor lighting deters crime. Poor outdoor lighting can decrease personal safety by making victims and property more visible to criminals.

LIGHT POLLUTION MAY HARM YOUR HEALTH.
Studies suggest that artificial light at night negatively affects human health by increasing our risks for obesity, sleep disorders, depression, diabetes, breast cancer, and more.

Developed jointly by DarkSky and the Illuminating Engineering Society, the following five simple principles for responsible outdoor lighting show how you can protect nocturnal wildlife, be a good

neighbor, and preserve the night sky.

This topic has been extensively researched and presented to the MCC 7/12/23 by Dr. Travis Longcore

Figure 1 - Dark Sky Principles

on “Ecological Light Pollution”, who provided these references:

1. Recent presentation for Caltrans: https://youtu.be/9W50NRq-PWM?list=PL2wehjQAfiNFcYBIWQC7xhRplerqYijGh
2. Presentation for Santa Clara Valley Audubon: https://youtu.be/uXEBf28i7_A
3. Light pollution and birds: https://youtu.be/4jIIfcmKhsM?t=825
4. International Dark Sky Week 2022: https://youtu.be/eUz4ogibrIY

In addition, he helped create a Best Practices code in the Street Lighting Master Plan for Salt Lake City

https://www.slc.gov/utilities/wp-content/uploads/sites/22/2021/03/SLC-Lighting-MP_vs.10.pdf

In particular, the pole lights shown in a CDRC review shed light widely and do not adhere to Dark Skies standards. We require Dark Skies standards be utilized on this Project, and all new construction.

3.1 - Question #4: Will the County require the Project to vary the building colors and/or styles to mesh with the existing neighborhood aesthetic?

3.1 - Question #5: Inadequate lighting mitigation has been identified. Will the County require the Project to comply with the 5 principles for responsible lighting as outlined by the International Dark Skies Association? See above chart

3.2 Air Quality

INADEQUATE: AQ-4 and Impact C- AQ-1Air Quality Impact

The Project's vehicle traffic will cause significantly more carbon and exhaust to be deposited in the air as cars back up in traffic throughout the neighborhood because all cars will have to exit Carlos, Stetson, and Kelmore Streets, backlogging at Hwy 1 while awaiting turns there and negatively impacting clean air in the neighborhood.

Regarding MM-AQ-2a, Implement BAAQM:
3.2 - Question #1: BMPs: Watering of exposed surfaces to control dust and diesel exhaust, to occur twice per day, will generate runoff into the soil and water. **Can this impact be mitigated or controlled to prevent toxic runoff from watering of exposed surfaces containing known toxins (lead, asbestos, fuels, etc.) from entering soil, the creek, and the ocean? How will we know this damage has been prevented?**

3.2 - Question #2: Regarding MM-AQ-2b, Use of Low Diesel Particulate Matter Exhaust Construction Equipment: The DEIR in this section states that prior to construction, MidPen shall develop a plan for mitigation to bring the cancer risk below BAAQMD thresholds. When will this plan be completed and how will it be shared with the public? What is the specific plan to bring cancer risk due to diesel particulate matter exhaust below BAAQMD thresholds?

3.2 - Question #3: How is implementation of best management practices for MM-AQ-2a and 2b ensured?

3.3 Biological Resources

According to the Center for Biological Diversity Critical habitat includes specific areas within a species current range that have physical or biological features essential for the conservation of the species. Critical habitat must include all areas deemed important to a species survival or recovery whether the species currently resides in those areas, historically resided in those areas, uses those areas for movement or needs them for any reason.

The EIR provides for some protections for endangered plants and animals however **incorrectly** identified location of red legged frogs. Please request the video of Joe LeClare that states red legged frogs are in the Moss Beach corridor. Also, Ann Rothman identified habitat in front of Moss Beach Post Office at Highway 1 and Carlos Streets which was acknowledged by the previous Board of Supervisors.

California Red Legged Frog population has declined by 90%. Threats of habitat loss due to urban development is a major contributor to population loss. The frog is gone from 70% of its former range. The only large breeding populations left are on the coast from San Mateo County to San Luis Obispo counties. The species is now extinct in the Central Valley and almost completely extirpated from the Sierra Nevada according to the center for biological diversity.

Species often migrate and vegetation grows differently at different times of the year. The red legged frog may make overland excursions up to 1 mile though upland habitats in wet weather and can disperse up to 2 miles from breeding ponds. CA red legged frogs breed from November to April.

- See study published in Journal of Herpetology, Vol. 41, No. 2, pp. 276-286, 2007 Copyright 2007

Society for the Study of Amphibians and Reptiles website khornsloughctp.org titled California Red-Legged Frog (Rana draytonii) Movement and Habitat Use: Implications for Conservation by Gary M. Fellers and Patrick M Kleeman for more complete information. Red legged frogs have been identified in the Moss Beach corridor around the proposed development per Joe LaClair when he presented Connect the Coastside to the MCC. *(Video on file available for view upon request)*

Photos of Red-Legged Frog Habitat Moss Beach

Figure 2 - Frog migratory area

Figure 3 - Reg Legged Frog Habitat

In section 2.5.2.2 Community Building and Amenities, it states, “Three areas of synthetic turf between Building A and Building B and adjacent to the community building to the east and south would provide areas for outdoor recreation (Figure 2.5-10).” Synthetic turf is an unsustainable material that contributes

to microplastic pollution of the soil and water as it breaks down, and it releases chemicals from the material as well as absorbs other chemicals, exposing children, adults and pets…etc. MWSD in its 9/7/23 meeting raised concerns that 'crumpled tires' could be used in synthetic turf and it results in pollution runoff. They noted that Montara Creek is an ASBS/ESHA/Critical Coastal Area and would be affected by runoff from the Cypress Point Project.
CCC map viewer:
https://coastalcomm.maps.arcgis.com/apps/webappviewer/index.html?id=5c058197e99948c4aa309cb6f522518c
https://wildlife.ca.gov/Conservation/Marine/MPAs
Critical Coastal Areas …
https://wildlife.ca.gov/Conservation/Marine/MPAs/Montara-Pillar-Point

Note that drainage from Carlos and Steston drains direct to the ocean:

Figure 4 - Moss Beach drain to ocean

We also have concerns that the stormwater management for the Project is inadequate to prevent significant pollution and disruption of the natural environment in Montara Creek and downstream in the James V. Fitzgerald Area Of Special Biological Significance, shown on the map below.

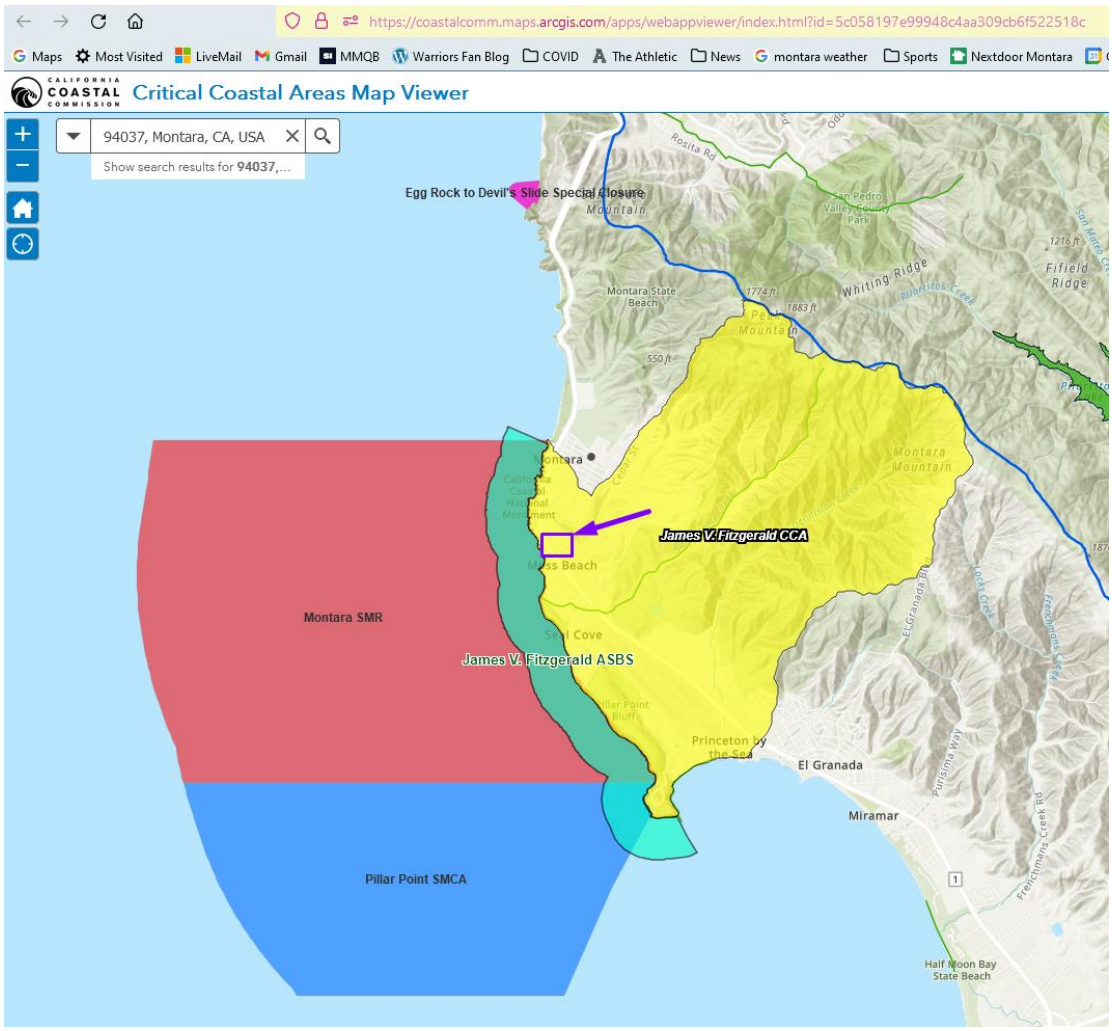


Figure 5 - Protected Areas near the Project

An experienced community member states:

"Of particular concern is the plan's excessive tree and vegetation removal, which violates Midcoast design review standards described in Section 6565.20 (C) "Integrate Structures with the Natural Environment" ("disturb as little vegetation as possible, with priority placed on retaining healthy, native species and those trees that are heritage or significant trees by definition.")

This plan would permanently convert a forest of more than 160 significant- and heritage-size native Monterey pine and Monterey cypress into structures and parking lots. The environmental consultants hired by the developers understate this destruction. They call these trees invasive because they were not present around the turn of the 20th century, but the trees are well within their historic native ranges that have fluctuated widely due to human and natural causes. These consultants have gone so far as to characterize the parcel as "invasive grasslands" which is obviously not true if they need to cut down 160 large trees. It is in fact a forest that is home to a diverse ecology of native plants, fungi, and wildlife including: osoberry, Henderson's angelica, California beeplant, yerba buena, California mugwort, pink cudweed, California coffeeberry, beach and wood strawberry, California blackberry, Pacific sanicle, sticky monkeyflower, Pacific aster, coyote brush, red flowering currant, arroyo willow, yarrow, trillium, several species of mycorrhizal mushrooms including king bolete and giant cypress agaricus. This forest

is habitat for California red legged frogs, coast garter snakes, great horned owls, red tailed hawks, migratory birds, gray foxes, coyotes, mule deer and other native wildlife.

The developers' environmental consultants fail to even acknowledge the presence of these native species. To move forward without an independent EIR would be profoundly irresponsible. To pave over so much native wildlife habitat in such close proximity to the California coast at this point is history is unconscionable. Actions such as these have environmental impacts far beyond our own lives - all future generations lose a piece of natural heritage that we were born with."

3.3 - Question #1- Was the entirety of the site evaluated for the presence of endangered species? Note that species often migrate during the year. What time of the year was this evaluated and where is this documented?

3.4 Geology and Soils

This section was reviewed together with Appendix F - Geotechnical Investigation. We conducted an informal review with a UCS geologist.

Appendix F - Geotechnical Investigation report is from 6/28/22.
INCOMPLETE: Pg 11: *The Project site is not located within a zone of liquefaction potential on the map titled Earthquake Zones of Required Investigation, Montara Mountain Quadrangle, dated April 4, 2019, and shown on Figure 4.*
QuakeMap App Site: https://maps.conservation.ca.gov/cgs/eqzapp/app/

^^ Per review with UCS geologist this comment is true but a little misleading - see screenshot below. The property IS in a landslide zone at the northern boundary of the parcel. While that is different from a liquefaction zone, the landslide risk is likely more prevalent given stormwater conditions on the Midcoast.

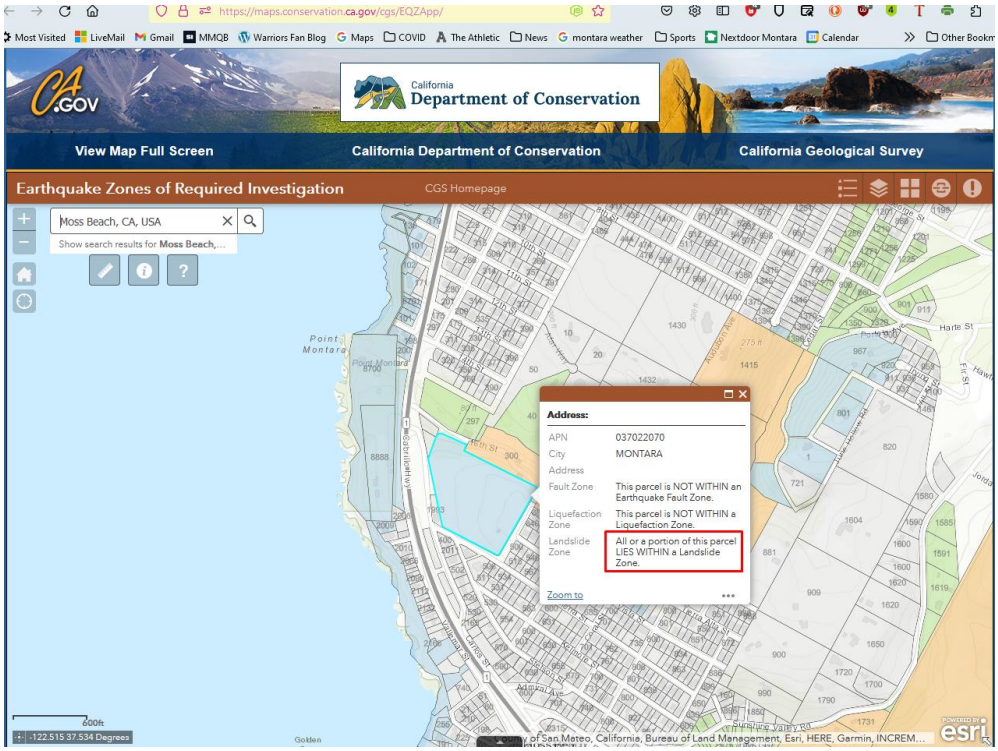


Figure 6 - Geologic Hazards on Project site

Also relevant to the overall safe use and operation of the site are the following:

A. Maps.conservation.ca.gov published September 23, 2021 shows potential fault/earthquake risk – map not published in the EIR. The black fault line runs right through the Project site.

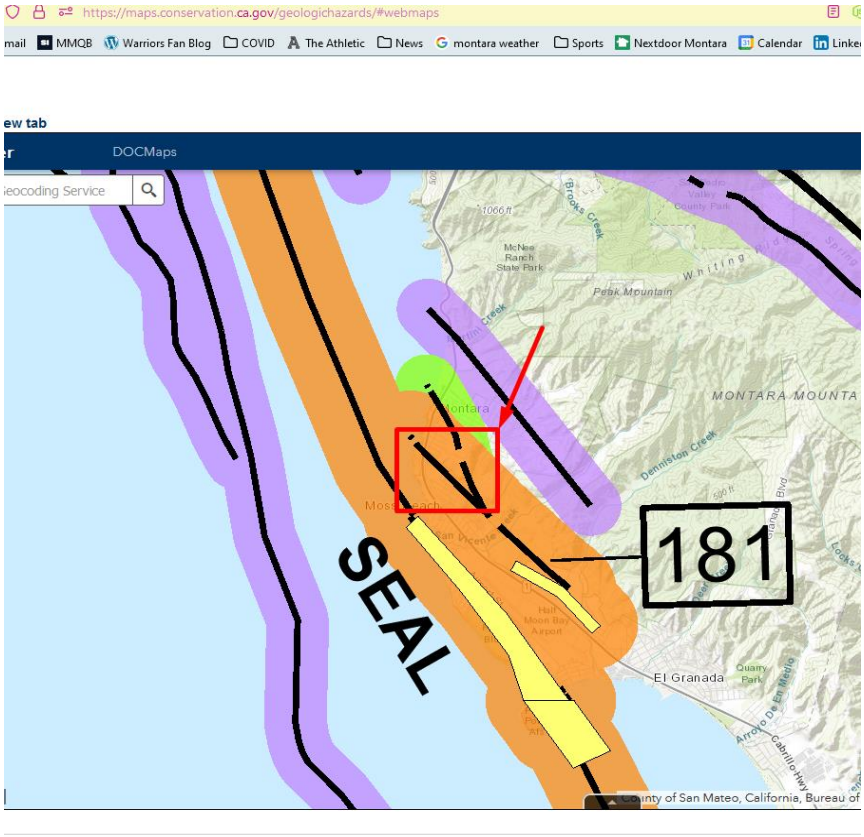


Figure 7 - Earthquake faults near the Project

There are several earthquake liquefaction zones nearby, which could impact access to/from the site:

1. 16th Street is in an earthquake liquefaction zone.
2. Sunshine Valley Road up to Etheldore is in an earthquake liquefaction zone.
3. South end of Moss Beach Hwy 1 at San Vicente Creek and Etheldore St is also in an earthquake liquefaction zone.

Per CGS geologist, the two faults in the area were removed from active status in the late 80's but are now being re-evaluated. It is clear that the site borders current Liquefaction Zones. However the State IS RE-REVIEWING this area for fault potential and re-evaluating the San Gregorio fault zone, but the study will take about another year to complete.

QuakeMap App Site: https://maps.conservation.ca.gov/cgs/eqzapp/app/

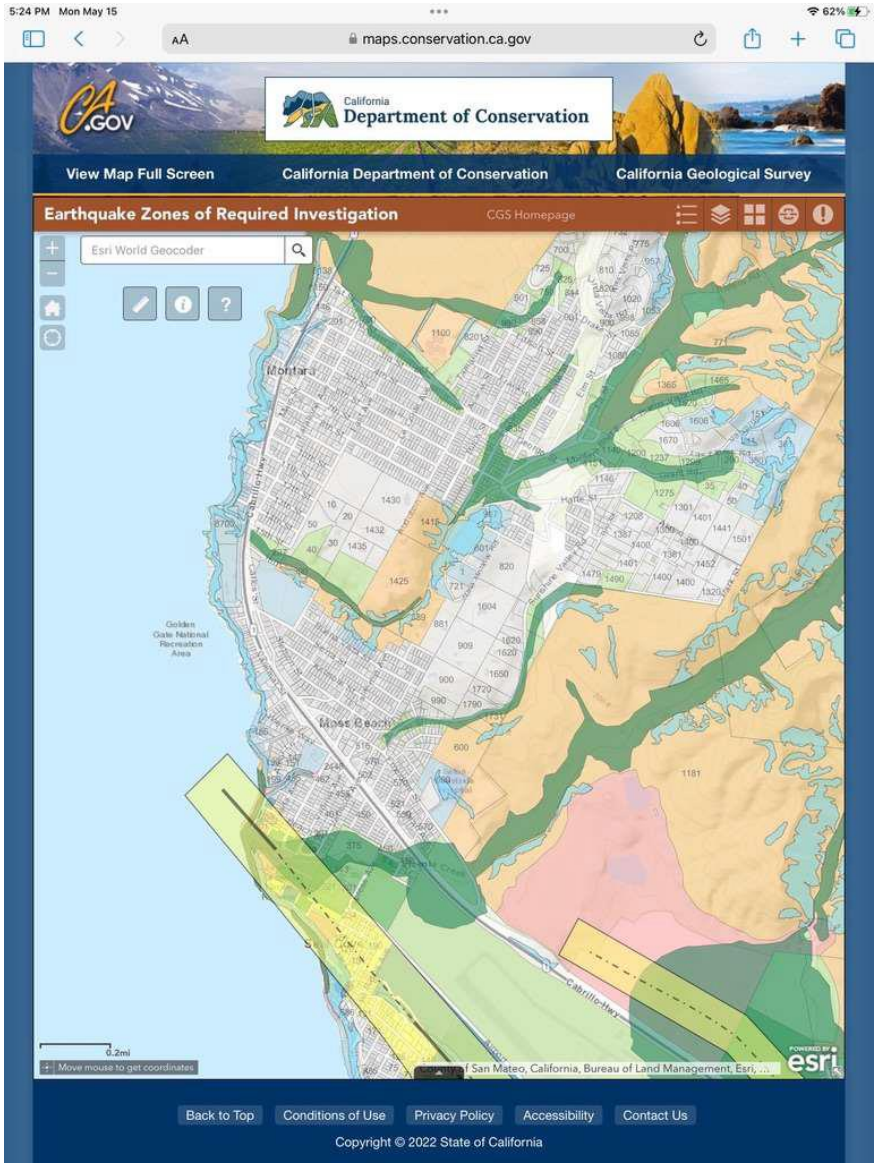


Figure 8 - Faults and Liquefaction near the Project

INCOMPLETE: The Geotechnical report is from a reputable firm, but the report is signed/stamped by 2 Geotechnical Engineers, NOT a Geologist. Need a GEOLOGIST to sign. Apparently, SMC has no County geologist.
The DEIR would not have gotten this far in other counties, e.g. Santa Cruz, without a geologist sign off.
Re: lack of Geologist's stamp on Rockridge report:

"The section title 'geologic hazard evaluation' and 'subsurface conditions' is where the CEG would directly be involved. Perhaps Rockridge consulted with a geologist, but since it's not stamped by a CEG its impossible to know.o

A separate report is not necessary, but I've seen it completed as two separate reports as well. (Geologic Hazards investigation (or evaluation) and Geotechnical Investigation)"

NOTE: a geologist did stamp the AEI 2017 report on lead and wells.

The concern is "shallow landsliding going into creek within 50 years. Piering of foundations is not necessary - unless close to slope edge."

3.4 - Question #1: Given the updated information above and this missing geologic certification, will the County engage a certified geologist to assess the Project based on current information, and support AT LEAST the conclusions in sections titled 'geologic hazard evaluation' and 'subsurface conditions' ? If not, why not?

Comments from related Appendix F

INCOMPLETE: *"Structural design loads were not available at the time this report was prepared. Based on our experience with similar buildings we estimate the buildings will impose an average building pressure of 300 pounds per square foot (psf)."*
3.4 - Question #2: How can this report be accurate when those factors are not known? What will the County do to re-evaluate this factor after design loads are known?

3.4 - Question #3: *"one of the proposed boring locations (Boring B-1) could not be accessed with the track-mounted drill rig."* Why? Because the site was too steep? Trees? Is the reason for, and the fact of, omission significant to this DEIR? Why or why not?

Appendix F, Pg 5: *"Notable hydrophilic plants (pampas grass) are abundant on the eastern part of the lower terrace; these pampas grass likely grows where surface run off from the relatively steeper and impermeable upper terrace accumulates within the relatively thicker soil and low-angle down-slope terrace deposits"* This observation has implications for the design of stormwater management on the Project site and will be discussed in section 3.7 Hydrology..

3.4 - Question #4: *"however, the second well could not be located. It is not known whether either of these wells was properly abandoned in accordance with local regulations."* What actions are planned to locate the 2nd well and ensure it is properly abandoned?

3.4 - Question #5: Fig 2A shows 4 seepage locations, primarily on southwest side - This contradicts the statement in other parts of the DEIR that drainage will be into Montara Creek at the NE,

and implies the Project instead could result in more runoff into SW roads and properties, exacerbating excessive unmanaged stormwater there, and increasing risks to those properties and to San Vicente Creek to the South. **What is the County going to do to assess and prevent those increased risks and damages, or to compensate property owners for them?**

INCORRECT: Pg 11 5.2.5 - "we conclude the potential for landsliding at the site under both static and seismic conditions is low because of the lack of evidence of historic slope instability on the site, the high shear strength of the soil and weathered bedrock underlying the site and the apparent absence of any significant seepage on the slope faces."
This observation is contradicted by newer maps presented above showing the landslide zone on the north edge of the Project site. To resolve this, a certified geologist should review and sign the report, or modify the findings.

INCOMPLETE: Pg 14 7.1 "compacted to at least 92 percent relative compaction" "Subgrade soil or general fill consisting of clean sand or gravel (defined as soil with less than five percent fines by weight) should be compacted to at least 95 percent relative compaction. Soil subgrade for vehicular pavements should be compacted to at least 95 percent relative compaction and be non-yielding."

3.4 - Question #6: how will this compaction be audited mid-construction? After construction? What remediation is planned if this is found to NOT be done? How and who is funding that auditing and remediation?

3.4 - Question #7: In general, how will the County audit and ensure that recommendations and specifications are complied with? Who will report the results of those audits how and to whom?

INCOMPLETE: Pg17 - description of drainage layer and drain pipes.
3.4 - Question #8: Where is it specified in the DEIR that these stormwater designs are adequate?
RESPONSE FROM PLANNING:
The information you are inquiring about was submitted as part of the 2022 CDP application and can be found on the Cypress Point Project's webpage:
https://www.smcgov.org/planning/cypress-point-affordable-housing-community-project-2022-cdp-application

Specifically:
Document 11 - Hydro-modification management memo (prepared by BKF Engineering)
Document 10 - Bio Sizing Calculations

The drainage control features are shown on pages C6 an C7 of the Project plans (Document 6):

Page C6 shows locations of Bioretention areas
Page C7 shows details of the biorention areas (including cross sections)

3.5 Greenhouse Gas Emissions and Climate Change

INCORRECT/INCOMPLETE: We find the estimates of greenhouse gasses derived from the Project underestimated for these reasons:

1. The number of cars is underestimated
2. The number of delivery and service vehicles serving the residents is not included in the estimates
3. Without parking for delivery and service vehicles, they will leave their engines running while delivering, thus increasing emissions.
4. The number of trips required to procure basic services is underestimated, due to using an outdated and inappropriate classification for these apartments.
5. The distance of trips to procure goods and services is underestimated - 8+ miles in either direction to Half Moon Bay or Pacifica.

The cumulative effect of these errors and omissions will be a significant increase in GHG emissions, to an unknown level without further study. We request a workshop with the transportation consultants to review their derivation of these estimates, including reviewing the span of relevant apartment classifications in the ITE Trip Generation Handbook, both version 9 (used in this analysis) and version 11 (the newer version available a year BEFORE this traffic study was produced) so that we can understand the impacts of the assumptions underlying the traffic analysis.

3.5 - Question #1: Will the County provide a workshop with the MCC and the transportation consultant as described above, before finalizing the EIR?

The obvious issue is impacts from traffic during and after construction.

INACCURATE: In section 3.5.5 Impacts and Mitigation Measures, the DEIR mentions that the Project would remove approximately 295 trees, including approximately 190 Significant or Heritage Trees, and that the Project would plant approximately 190 trees throughout the Project site. At a time when forest fires in the County have released large amounts of carbon from burned, dead and dying trees, as well as the removal of trees under the guise of fire resiliency plans, and the number of trees that fell during last season's storms, it would seem that adding more trees to that already increasing carbon deficit should at least require the Project to calculate the carbon emission and loss of carbon storage from the removal of 295 trees and coastal scrub in a regionally cumulative calculation. Planting new trees won't replace an equivalent amount of carbon storage for decades, as young trees don't sequester the same amount of carbon as a mature tree. Therefore according to the CalEEMod used which predicts 4.42 metric tons of carbon per acre per year that would be accumulated above- and below-ground, this would be 44.2 metric tons over 10 years that will be lost at a minimum, assuming all newly planted trees survive and thrive to maturity.

-**Q2: Additionally, how long does it take for "significant" conifer trees to reach maturity at a level at which equivalent carbon storage is replaced?**
-Q3: Why is the cumulative impact not considered and mitigated for, and what is the threshold for what is considered significant?
-Q4: If any offset is assumed, where is the calculation for how that offset is achieved in the near term?
-Q5:How will the County monitor the impact on the climate of losing carbon storage?

Impact GHG-3: Result in the loss of forestland or conversion of forestland to non-forest use, such that it would release significant amounts of GHG emissions, or significantly reduce GHG sequestering?
We note that in section 3.5.3, Thresholds of Significance, that although biogenic CO2 emissions can be quantified, the County has not adopted quantitative project-level significance thresholds for GHG emissions applicable to individual projects. Given the County has recently lost and continues to lose significant amounts of carbon sequestration - specifically from trees, we ask the County to begin accounting for this impact, as it currently does for buildings, transportation, and agriculture. We request that cumulative, County-wide GHG emissions from tree removal be added to the GHG section of the DEIR, to answer the question of significance and impact on County carbon emissions and how it will be mitigated.

3.5 - Question #6: This DEIR emphasizes that GHG emissions are cumulative in nature and require cumulative analysis, thus why are cumulative impacts in this area omitted?

Impact GHG-6: Place structures within an anticipated 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, or that would impede or redirect flood flows? (No Impact)

> **"**Most of the Project site is located outside a Federal Emergency Management Agency flood hazard zone. A small portion of the site along the northern boundary lies within the flood hazard Zone X associated with Montara Creek. However, the water surface elevation in Montara Creek is approximately 100 feet below the portion of the site planned for development. Although flood frequency and intensity could increase under future climate change conditions, given the topography, it is unlikely that the proposed Project would impede anticipated 100-year flood flows during the potentially more frequent and severe flood events. No proposed structures would be located within the current 100-year flood hazard area, and while there is uncertainty regarding how future flooding may impact Montara Creek, the clustering of the proposed housing would likely ensure that if flood waters rise to meet the Project site, there would be an adequate setback resulting in further avoidance of anticipated flood hazards."

3.5 - Question #7: Given that the County relies on insufficient storm metrics - as discussed under Section 3.7, Hydrology - this statement is likely unsupported by current climate data. What 100-year rainfall storm (in inches per 24 hour and peak hour rainfall) was used in supporting the above statement?

3.5 - Question #8 Does the EIR consider the extra VMT that all existing Moss Beach residents and visitors will face due to the closure of Carlos St? All traffic heading north will now have to head south toward Etheldore before turning north, and the traffic will wait there, burning fuel, until openings appear in the traffic.

3.6 Hazards and Hazardous Materials

The Cypress Point Project site was a former WWII military training facility, using top secret drones, and anti-aircraft munitions with no history of appropriate environmental assessment or cleanup. In addition, it has been essentially abandoned for the last 60 years and has been subjected to decades of illegal dumping of appliances, furniture, motor oil, diesel fuel and trash. The site also lies directly above Montara Creek, which drains into the federally protected Fitzgerald Marine Reserve.

In last December's PC meeting on this Projects EIR scope, residents pointed out the inadequacy of the previous limited studies that assessed hazardous materials at this site - studies that were used to justify the zoning change. At that time, we also recommended a more robust study for the EIR that would better evaluate toxic contaminants exposure and risk to current and future residents. We were led to believe and had assumed that such a study would be undertaken as part of the EIR. Unfortunately, no such study was done. Instead, the DEIR proposes that a construction contractor will somehow take care of any hazardous materials, with no protocol or plan provided. This does not give the community confidence that the site will be appropriately cleaned up or that hazardous materials can be removed safely.

As further evidence, there is also a letter in 1989 to the property owner from a contractor who found asbestos on the site and notified the owner. Residents have also reported seeing fragments of asbestos on the site. Yet no testing for asbestos has been done - only for lead. In fact, the AEI report in Appendix H says "AEI did not observe building components likely to contain suspect asbestos containing materials during the site reconnaissance."

In addition, the EIR's proposed storm drainage system design is undersized for today's climate and thus risks additional soil erosion and site runoff of any site hazardous materials into Montara Creek and the Fitzgerald Marine Reserve.

INCOMPLETE: We therefore request that the County require additional soils studies before accepting this EIR, both for the presence of asbestos, and at depths matching the excavation and pile-driving expected during construction.

Hazardous materials

1) 3.6.1.3.1 hazardous materials databases (page 214 of pdf)

According to the DEIR, the site is not listed in the SWRCB or the CA dept of toxic substances control database.

3.6 - Question #1: Question: has anyone from either agency been invited to examine the findings from the surface and subsurface investigations that have been done on this site? If not, why not?

2) Draft site management plan (page 215)

According to the DEIR, there is a stormwater plan for this Project.

3.6 - Question #2: Has this plan been released for public review? How were we notified? What is the timeline for releasing the plan for public review?

3) Limited Phase II subsurface investigation (page 215)

Paragraph 1: "None of the detected chemicals were found to exceed their respective RWQCB ESLs and EPA RSLs except for lead detected within surface soils at two locations and arsenic detected at 1.5 feet below ground surface (bgs) at one location."

So, the results of subsurface investigation identified multiple locations with unsafe levels of lead, and one location with unsafe levels of arsenic.

3.6 - Question #3: Why is all unsafe soil not being fully removed before moving forward with the Project?

Paragraph 2: "Additional laboratory analyses were run on soil samples obtained from 1.5 feet bgs to assess the vertical extent of lead-impacted soils at these two locations. Analytical results for the soil samples at 1.5 feet bgs showed lead concentrations below RWQCB and EPA screening levels."

3.6 - Question #4: What is the evidence that suggests that the presence of safe levels of lead and/or arsenic below a certain depth obviates the need to do anything to deal with unsafe levels of these compounds above that depth?

Paragraph 3: "Arsenic was detected at one location, but the detection is representative of naturally occurring asbestos and the concentration was typical for this type of soil found within the San Francisco Bay Area."

3.6 - Question #5: If arsenic was in fact detected in the soil, all of the unsafe soil should be removed. Why has removing this unsafe soil not been included as a mandatory condition of allowing this Project to move forward?

3.6 - Question #6: Secondly, if asbestos, which is a completely different thing, has *also* been detected in the soil, why has removing that soil also not been included as a mandatory condition of allowing the Project to move forward? Saying asbestos also exists somewhere else is irrelevant.

3.6 - Question #7: Thirdly, the soil sampling has not been done properly; sampling should occur everywhere there will be any construction, including retention ponds, sidewalks, parking, roads, buildings, etc. Why has a complete set of soil samples not been collected and analyzed?

Note the 1984 letter to owner from contractor warning of asbestos at this link.

Another point on asbestos. In the 2 reports cited in the DEIR Appendices H and I, which were also used to justify the zoning change, the potential presence of asbestos was not even acknowledged *(based on a word search of both documents)*. Page 1 of the first report shows a project summary checklist, where the chosen check box for “asbestos” is “no further action”, based on an initial walk through of the property. The site’s remaining building foundations are extensively littered with broken pieces of

building materials from the 1940s and 50s, including ceiling and floor tiles, wiring insulation and concrete - all clearly visible. How could these materials NOT contain asbestos?! The omission of asbestos from further consideration appears purposeful. The fact that MidPen and the County are "resting their case" on hazardous materials by proposing no new studies further feeds a suspicion that the County's approach to environmental assessment for this Project appears to be "don't look, don't find".

3.6 - Question #8: What is the County's plan to do an adequate analysis of asbestos levels at the entirety of this site? If there is no plan to do so, how is this justified?

Lead found in surface soils and arsenic 1.5 ft below ground were found.

3.6 - Question #9: Was the soil sampling complete? Because pile drivers will disrupt and remove soils deep in the site shouldn't deep soil evaluations be required to be performed? If not, why not?

4) Additional Subsurface Investigation and Water Well Evaluation – February 20, 2018 (page 216)

Paragraph 2: *"To determine the extent of the lead-impacted soil, six shallow borings were drilled during this investigation...Results showed concentrations of lead that were below applicable RWQCB ESLs except for one of the six locations."*

Again, a boring revealed unsafe levels of lead.

3.6 - Question #10: Why has removal of all soil containing unsafe levels of lead not been established as a condition for allowing the Project to move forward?

"Because of this outlier, a statistical analysis was performed to establish a representative site-wide background concentration for lead, as well as to evaluate its potential human health risk in shallow soils. The calculated 95% adjusted gamma upper confidence limits for lead in shallow soils is 42.04 milligrams per kilogram, which is below its applicable RWQCB ESLs for both residential and construction worker scenarios. The investigation concluded that the lead concentrations in Havel soils across the site do not pose a significant potential human health risk relative to the planned development."

3.6 - Question # 11: So, in total *three* borings have been now identified as showing unsafe levels of lead. What is the County's plan for communicating to the public that it is the position of the County that since the average level of lead is safe, we can ignore three distinct specific locations where the levels are clearly unsafe?

Competing expert opinion: Lead contamination and impact on local health and Montara Creek and downstream:
https://mcusercontent.com/edbf90919b7ad45df3149d938/files/d48e0505-545c-400c-8e75-ee569ccc4392/SWAPE_Comments_MidPen_Cypress_Point_4.9.2020_1_.pdf

Related concerns for this topic from: Appendix J - Draft Site Management Plan

“The SMP has been developed to address worker protection and environmental concerns during construction activities at the Site.”

3.6-J - Question #12: Why is this report still DRAFT? How can EIR be assessed if this is not complete?

“Based on the local site topography, the direction of groundwater flow is inferred to generally flow to the west-southwest, except for a northerly flow direction inferred along the north property boundary into the drainage adjacent to 16th Street.”
^^ Note that this disagrees with the drainage assessment in the EIR which points only to the Creek and 16th. However it agrees with local resident observations of excess stormwater on Carlos and Stetson Streets.

3.6 - Question #13: *“However, the horizontal extent of lead-impacted soils at these two locations is undefined Further delineation of shallow lead-impacted soils was recommended and will be investigated during the Second Quarter of 2016 in accordance with MidPen Housing Corporation’s request.”* **What were the results of this investigation and why are they not disclosed here?**

3.6 - Question #14: *“2.1 Planned Development ‘____ ( ) will be constructed for residential land use. Proposed excavation depths will be approximately ___ feet bgs.’”* **? Why is this not updated for known 2023 plans?**

3.6 - Question #15: How will the day by day and ending conditions be monitored to assess the effectiveness of the SMP? Who oversees AEI or its agents to ensure they are complying with this SMP?

3.6 - Question #16: 3.2.3.5 Storm Water Control Plan
Why is this not known now, and included in Appendices as part of the EIR for review?

3.6 - Question #17: What reporting mechanism will be provided with what frequency and to whom?

“If on-site re-use of potentially contaminated soil is desired, soil samples shall be collected from such soil and analyzed for the COPC. If the COPC is detected, whether above or below regulatory agency screening levels, further investigation of such soils may be performed as determined by the Owner in coordination with the Environmental Consultant. For soils considered for re-use, if the COPC is detected below the applicable ESL, re-use of the soil may be deemed appropriate, at the discretion of the Owner. ”

3.6 - Question #18: This is unacceptable without independent oversight - who will do it and how?

3.4.4 Import Fill
“To minimize the potential introduction of contaminated fill onto the Site, AEI recommends that all selected sources of import fill have adequate documentation or certification to verify that the fill source is appropriate for the Site. Documentation”

3.6 - Question #19: Why not require advance testing of soil imports? How control to ensure that only tested and approved soil is delivered to the site?

Table 2.7-1 requires the following permit from the Bay Area Regional Water Quality Control Board - National Pollution Discharge Elimination System Permit with storm water pollution prevention plan.

3.6 - Question #20: Where is this permit available for review by the MCC so we may complete our evaluation of the EIR, including the storm water pollution prevention plan?

3.6 - Question #21: If all Key contacts are affiliated with the Owner, how can we ensure accuracy and objectivity of the findings and coping actions?

In summary, we request development of a more robust hazardous material testing plan for the entire Project site based on a DTSC or SFRWQCB protocol, preferably with oversight by one of those agencies. The plan must consider sampling locations and bore depths based on site history and possible migration of contaminants, taking into account potential migration pathways including leaching through the soil column, transport by air, and groundwater flow. This plan must require broader testing for likely contaminants throughout the site, including asbestos (from floor/ceiling tiles, electrical conduit, coatings, concrete), lead (from paint, leaded gasoline, pipes, ammunition), VOCs (volatile organic compounds from cleaning solvents), TPH (total petroleum hydrocarbons from fuels), PCBs (polychlorinated biphenyls from electrical equipment, motor oil, insulation, paint, floor finish), dioxins/furans (from waste incineration, burning fuels) and CAM17 metals.
We also request that the County require development of a new site mitigation plan that will provide public confidence that all hazardous materials will be removed safely without risk to current local residents and that the site will be safe for housing development. This should include a detailed plan for how construction contractors will assess and remove hazardous materials, including how they will utilize local streets for safe transport. Note that to minimize neighborhood exposure to noise, dust, and hazardous materials, trucks should arrive and depart via 16th and Carlos St to the Project entrance. See also comments on tight turns and steep road grades elsewhere in these comments.

Note also comments below in Hydrology requiring development of a more robust site stormwater drainage system that can handle more significant and realistically expected storm events, in order to reduce soil erosion and prevent contamination risk to local waters.

There are additional concerns related to the landslide zone at the north edge of the Project. There are longstanding resident comments about *"black material oozing alongside the south side of 16th street"* which people worried were toxics from the WWII top secret drone and anti-aircraft site. This relates to more stormwater runoff, which is expected to drain that way and accelerate whatever is causing that seepage - and - to the potential for 16th street to also be blocked by a landslide. Further, that side was the one where the County did NOT sample for toxics - and it must be assessed.

There were a number of concerns raised by an organization "Midcoast ECO", which questioned similar issues and the inadequacy of the soil sampling pattern and depth. We share those concerns.

3.6 - Question #22: How can we obtain a copy of the County's responses to Midcoast ECO's DEIR comments and questions?

5) 3.6.1.5 Emergency Evacuation and Response (page 218)

With this Project, the County is compounding an already unacceptable evacuation risk in the Midcoast which has five (5) major disaster vulnerabilities on the Midcoast: sea level rise, flooding, tsunami, wildfire, and earthquakes. Montara is already rated the 14th worst evacuation situation in the state. See also the discussion of evacuation issues in section 3.12, and related suggestions and questions.

Note also that the San Mateo County Sheriff covers from Montara to the Santa Cruz border and does not regularly staff the Moss Beach substation. Sheriff deputies regularly patrol their entire region. It is possible for them to be in a remote location like Pescadero responding to an incident and have to come all the way back to Moss Beach 34 miles away.

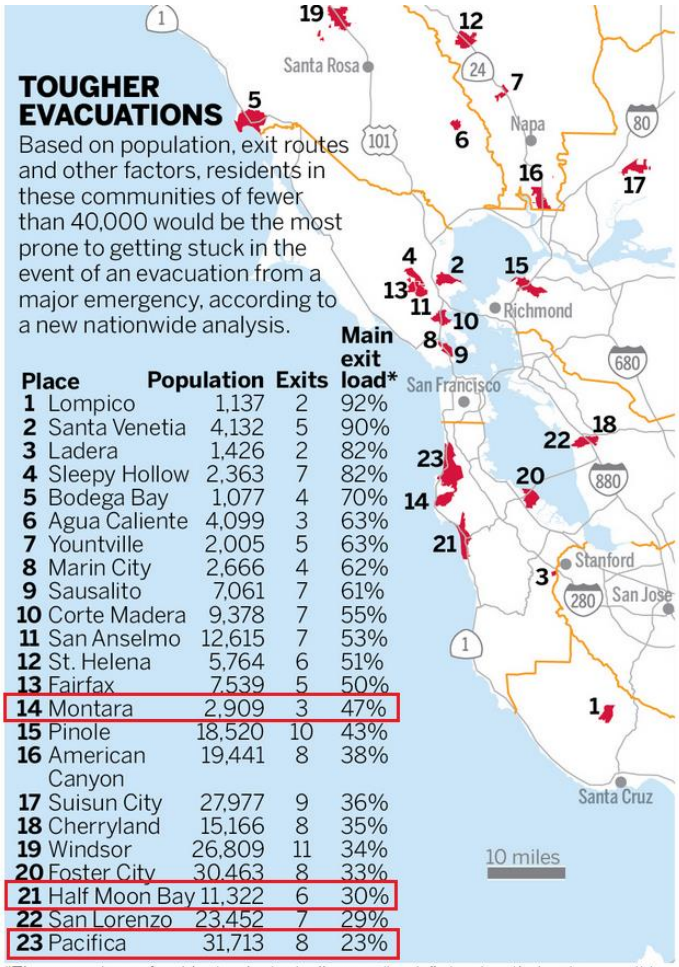
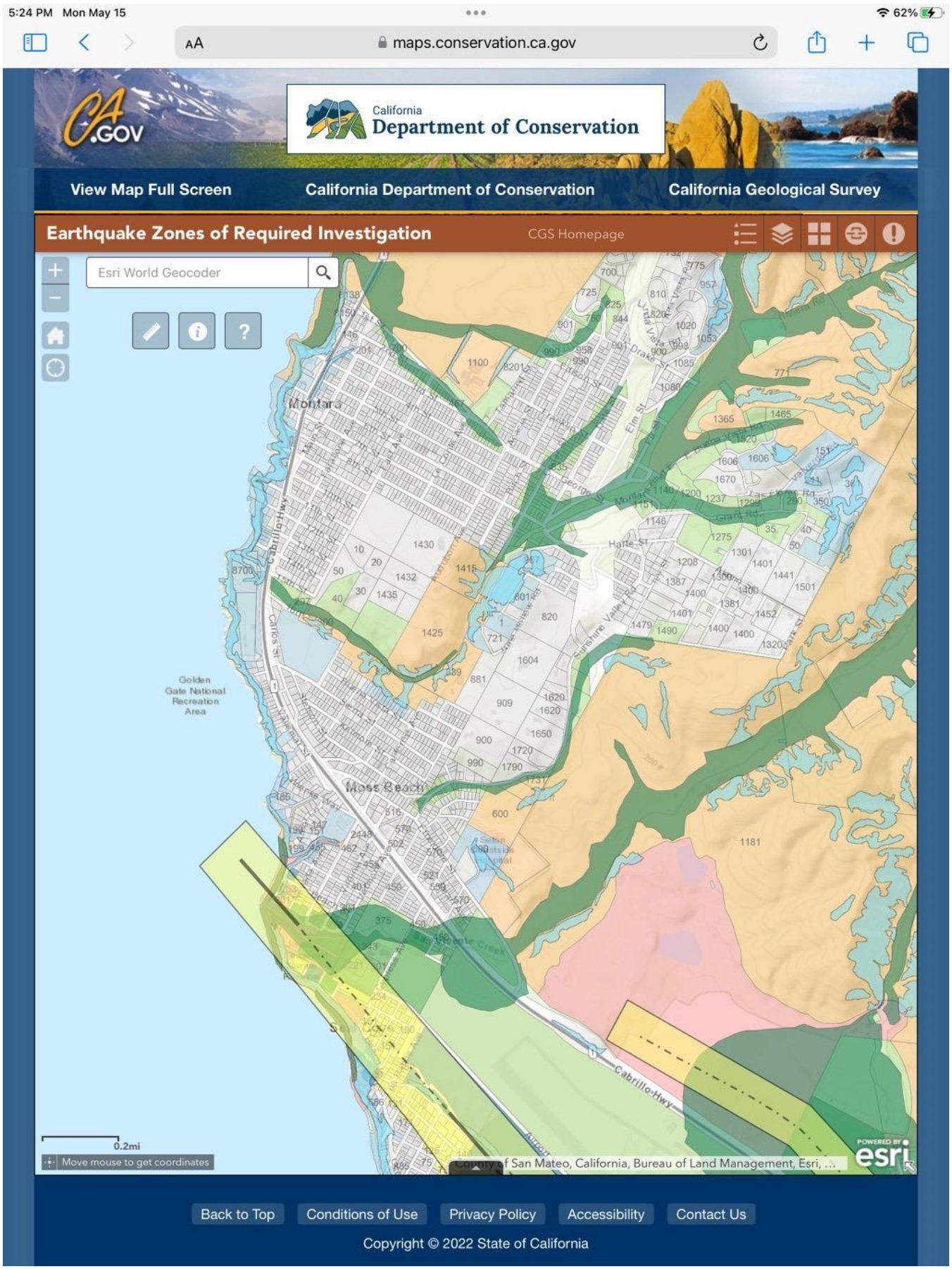


Figure 9 - Evacuation Hazard Ratings

In addition, several of the local streets around the Project sites are in earthquake liquefaction zones. 16th Street is in an earthquake liquefaction zone. Sunshine Valley Road up to Etheldore is in an earthquake liquefaction zone. The south end of Moss Beach Hwy 1 at San Vicente Creek and Etheldore St is also in an earthquake liquefaction zone. Finally, Hwy 1 Devil's Slide, Montara is an earthquake liquefaction zone.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Montara
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Figure 10 - Liquefaction Zones Near the Project

Road failures during an earthquake, and if it is combined with wildfire or flooding could prove catastrophic and deadly to residents of Moss Beach and Montara needing to evacuate Southern CA saw flooding and an earthquake happen simultaneously during Tropical storm Hilary August 21, 2023.

No formal evacuation plan is in place for the development or the coast. Per the DEIR, "Evacuation routes are not specifically identified in San Mateo County. The County General Plan states that “the County does not actively promote the preparation of disaster response plans for major fires that specify evacuation routes, identify areas that may be isolated, and define reconstruction policies.”

The part of this that makes sense is that depending upon the disaster, residents will need to relocate to different areas (high for tsunami, presumably closer to water for wildfire). However, failing to develop and publicize contingency plans for a suite of known problems, is planning to fail.

Without mitigating this risk, the County is adding potential victims to the next disaster, and worsening, not resolving, a longstanding major hazard in the Midcoast.

3.6.1.5 - Question #23: Has the County evaluated this new NIST Guidance: NIST Issues New Guidance for Emergency Response During Wildfires? What changes from that Guidance would affect the design of the Project? For example, would two (2) methods of resident ingress/egress be required?

3.6.1.5 - Question #24: The County has analyzed a small evacuation scenario for the residents of the Project. The full evacuation route would include migration to Pacifica or Half Moon Bay in some cases. Will the County analyze the full evacuation route impact of the Project upon all residents - not just those in the Project before deciding upon this Project? If it will not assess the adequacy of risk prevention in a suite of comprehensive evacuation scenarios, why not?

See also the discussion of Evacuation and Fire Fighting response difficulties in Section 3.12 below.

3.6.2.3.6 SAN MATEO COUNTY GENERAL PLAN (page 225)

See section "8.32 Overcoming Constraints to Development": "Encourage efficient and effective infrastructure (e.g., water supply, wastewater, roads) necessary to serve the level of development allowable within urban areas."

3.6 - Question #25: This Project will strain the water supply and the roads, and will exacerbate an already bad stormwater situation. Thus, the Project is not consistent with this aspect of the County's General Plan. Why is the Project being pushed forward when the Project clearly contravenes an important aspect of the County General Plan?

3.6.3 *Thresholds of Significance*
3.6 - Question #26: “Would the Project impair implementation of or physically interfere with adopted emergency response plan or emergency evacuation plan? “

Incomplete EIR

3.6 - Question #27: *Where* is the study of traffic and parking impact on emergency response and local evacuation plan with Coastside Fire Department 44?

There is no evidence that Coastside Fire Department 44 has been consulted regarding emergency response. Kelmore Street has never been studied. Coastside Fire Department travels down Stetson and Kelmore Streets connecting with California Ave during emergency response. No evaluation of how the development could add additional traffic that would impede fire response has been completed. Why?

3.6 - Question #28: The list (page 230 of the pdf) states: *"Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?"* **Since there is no evacuation plan, access to the only road out is through a chokepoint, and the area carries non-trivial wildfire risk, the answer to that question is "Yes", which means "the Project would be considered to have a significant effect on hazards and hazardous materials". Why has the Project not received this designation?**

Here is the picture of Cypress Pt. contained in the DEIR:

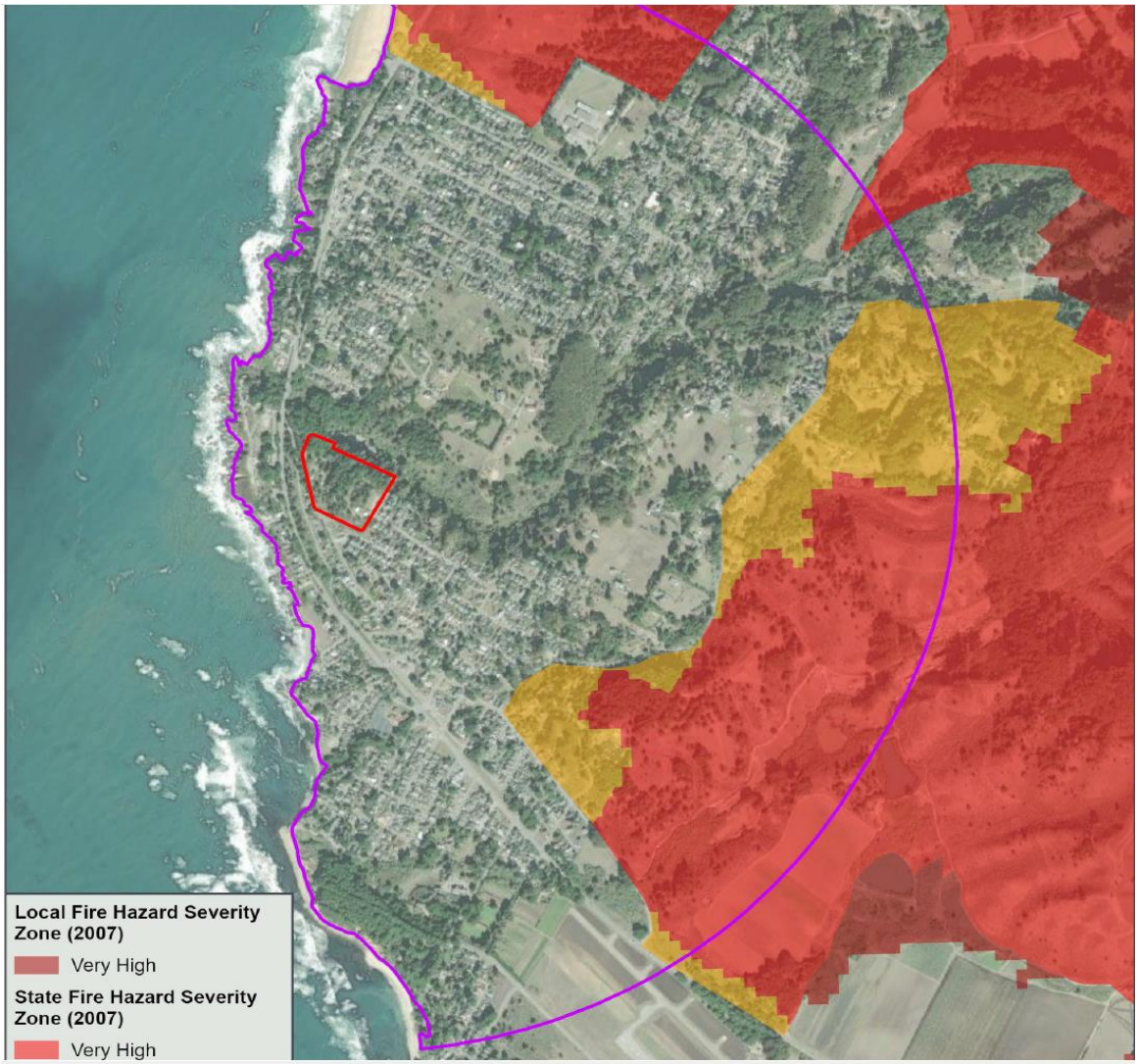

Figure 11 - Proximity of Fire Hazard Zones

Now here is an aerial view of Lahaina, Maui:

Figure 12 - Lahaina, Maui Map

Lahaina was also not designated a “very high, high, or moderate fire hazard severity zone”. Like Cypress Point, it just happened to be surrounded by a fire hazard on one side, the ocean on the other, and only one meaningful road out in the event of an emergency. In the case of Cypress Point, even going into the ocean to escape a potential fire, as some Lahaina residents did, is not feasible, given the state of the shoreline, the temperature of the water, and the local wave action. What is the plan to communicate to the residents of this proposed development that no plan exists to evacuate them safely in the event of a fire?

3.7 Hydrology and Water Quality

INACCURATE/INADEQUATE: HYD-3 impact - “no mitigation required”

The County and MidPen have already demonstrated their inability to provide adequate stormwater management for complexes like the proposed Cypress Pt. Project. At Moonridge, routine annual flooding became disastrous and unmitigated in the New Year’s Storm of 2023, flooding residents out of their homes. Drainage holes on medians and in yards were totally inadequate. Yet, downstream from Moonridge, Ocean Colony experienced NO drainage problems in this same storm, having created AND

MAINTAINED a drainage system since the late 70's. Ocean Colony proves this can be done properly. Moonridge proves the County and MidPen do not know how to do it.

Before substantiating our claim that the stormwater mitigation proposed for Cypress Point is inadequate, we first provide some information on conditions in the Project area:

Currently, according to local residents who provide the following information, the Project site serves as an "ad hoc stormwater retention basin", which reaches 2 feet of depth near the MWSD water tanks during storms. A longtime resident's description of the drainage is as follows:
*"**Area from the crest of Buena Vista to the Carlos exit.***

*Blue lines illustrate water run off directions. Downhill slope is **right to left** through Cypress Point Project. Primary final drainage exit is at the Carlos exit. There is severe road erosion all along the road that runs in front of the water towers due to volume of water run-off every winter. The upper hill run-off joins the Carlos and upper streets draining on to Highway 1. Result is often seen as water rushing out of the Carlos St exit and soil/rock deposits on the road. Additional drainage from Buena Vista goes down Lincoln St toward the creek or open area. Result is a large water pool in the open area that flows down the side road; or into the creek. Additional pooling occurs right of the two water towers. All runoff drains into the ocean. "*

Figure 13 - Moss Beach Drainage Pattern

Almost all runoff from the property flows into Montara Creek and subsequently into the Fitzgerald Marine Reserve. It only seems prudent that a large earth-moving project like this should require a robust plan to control stormwater runoff and provide reasonable assurance that development will not make the situation worse.

Alternative reference Map:

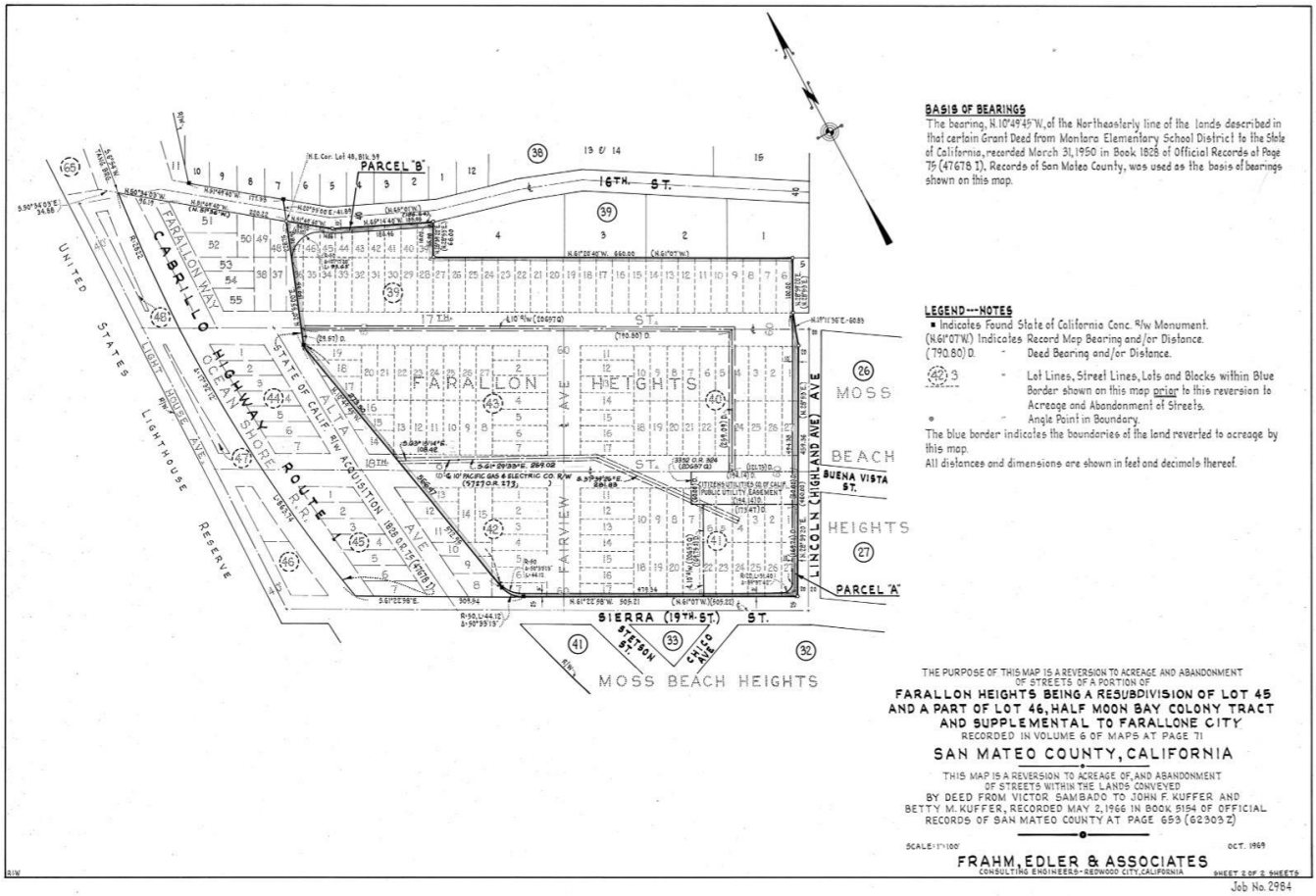

Figure 14 - 1969 Map of Project Site - Street Names

Another nearby resident notes:
"The water that flows down Buenavista flows out onto Carlos and follows the downward slope along the east side of Carlos towards 16th and the creek, making a mess. Also, historically the water pools a lot between the proposed entrance to the site and along that north end of Carlos where they plan to construct two large buildings. By the way, a dry picture of Buenavista down from the water storage tanks will show a significant gully that gives an idea of how much water flows down ….

There are two storm water receptors on the east corners of Carlos/Sierra Streets that say they flow to the ocean - they receive some of the water that comes down Sierra and nothing from this site — except for January '23 when a bit of the excessive water from the site flowed over my driveway wall and onto the [Carlos] street, first time in our 33 yrs here. And some of the water could flow down the embankment that runs in front of my house and down to the highway — that area is primed for slides and has many trees vulnerable to falling onto the highway, certainly came close this winter." In fact, closer to 16th street, <u>trees did fall onto Highway 1, blocking half the road on 12/31/22</u>.

Appendix F, Pg 5: *"Notable hydrophilic plants (pampas grass) are abundant on the eastern part of the lower terrace; these pampas grass likely grows where surface run off from the relatively steeper and impermeable upper terrace accumulates within the relatively thicker soil and low-angle down-slope terrace deposits"* This observation has implications for the design of stormwater management on the

Project site, because it demonstrates the land currently serves as a retention pond, mitigating and holding the runoff which would otherwise deluge downhill residences on Carlos, and Highway 1..

3.7 - Question #1: What are the implications of existing stormwater accumulation and pampas grass for the design of the Project complex and stormwater mitigations therein?

We shall answer this question for the County, in the following discussion.

The important observation is that this land buffers what would otherwise be an immediate, direct runoff of stormwater. The implication for this Project is that it must not only sequester the added runoff created by over 140,000 sq ft of new impermeable surfaces, but also continue the sequestration performed by the existing land condition, otherwise significant runoff can jeopardize neighbors and the roads below, likely increasing I&I to a sewer plant already exceeding capacity the past two Decembers *(See also comments on Section 11, Utilities)*, and flooding Montara Creek.

The feasibility of controlling stormwater runoff is highly questionable, certainly on the Midcoast. An SSMP study performed by the County[1] documents the inability of Green Infrastructure (GI) approaches to stormwater management to handle storms such as those now annual on the Midcoast. It appears that the GI approach to stormwater management is proposed for this Project. In that study, the Design Storm assumed was 5.03 inches for a 100-year storm. The modeling shows that for that level of storm **only 3.3% of runoff would be captured**. That is clearly unacceptable control for the safety of the neighborhood, for Highway 1, and likely for the water quality in Montara Creek and the Fitzgerald Marine Reserve, where the water would be discharged, a region which is an ASBS, an ESHA, and a CCA.

Table 1-5. Projected climate impact on cumulative subwatershed precipitation depth

Region	Scenario	6-hour Precipitation Depth (in.) by Return Period					
		2-yr	5-yr	10-yr	25-yr	50-yr	100-yr
Ocean	Historical	1.76	2.18	2.49	2.91	3.24	3.56
	Median (RCP 8.5)	1.96	2.51	3.00	3.76	4.38	5.03
Bayside	Historical	1.58	1.96	2.23	2.60	2.88	3.15
	Median (RCP 8.5)	1.73	2.20	2.63	3.28	3.81	4.38
Countywide	Historical	1.69	2.09	2.39	2.79	3.10	3.40
	Median (RCP 8.5)	1.87	2.39	2.86	3.58	4.16	4.78

Already 6, 7 and 8" storms in Midcoast

Figure 15 - SSMP Design Storms

[1] Climate Adaptation Risk Analysis for the San Mateo Countywide - Sustainable Streets Master Plan Technical Memorandum https://ccag.ca.gov/wp-content/uploads/2021/02/Appendix-A-SSMP-Climate-Change-Report-FINAL.pdf

Table 2-3. Runoff captured by GI in the bayside subwatersheds

Climate Change		6-hour Runoff Depth (in.) by Return Period					
Model	**Implementation Scenario**	**2-yr**	**5-yr**	**10-yr**	**25-yr**	**50-yr**	**100-yr**
Runoff Depth Captured by GI		0.040					
Historical	Runoff Depth	0.97	1.30	1.56	1.90	2.17	2.44
	% Capture	4.1%	3.0%	2.5%	2.1%	1.8%	1.6%
Median (RCP 8.5)	Runoff Depth	1.10	1.53	1.94	2.56	3.07	3.62
	% Capture	3.6%	2.6%	2.0%	1.5%	1.3%	1.1%
Runoff Increase		***0.133***	***0.225***	***0.375***	***0.657***	***0.895***	***1.19***
GI offsets the impact of climate change by		***29.9%***	***17.6%***	***10.5%***	***6.0%***	***4.4%***	***3.3%***

Figure 16 - Degree of Runoff captured by SMC planned stormwater standards

Even more alarming is that the County SSMP analysis UNDERSTATES the stormwater burden in the Moss Beach Area. That study assumes a climate change path of RCP 8.5, and we are already tracking slightly WORSE than that *("Although these are estimated future trajectories, comparisons to actual emissions levels at the time of the IIASA study suggest that observed emissions have been outpacing the RCP 8.5 scenario (Figure 1-7)."*[2] Further, empirical experience in the Midcoast shows that we have already experienced a number of 6" to 8" 24-hour storms.[3] Thus, a correct analysis would use a storm of at least that size, and the stormwater capture ratio would be even lower, perhaps 1 or 2%.

PDS-based precipitation frequency estimates with 90% confidence intervals (in inches)[1]

Duration	Average recurrence interval (years)									
	1	2	5	10	25	50	100	200	500	1000
24-hr	**2.11** (1.91-2.38)	**2.66** (2.41-3.00)	**3.41** (3.07-3.86)	**4.03** (3.60-4.60)	**4.90** (4.23-5.79)	**5.59** (4.72-6.74)	**6.30** (5.20-7.80)	**7.05** (5.65-8.98)	**8.11** (6.23-10.8)	**8.95** (6.64-12.3)

Figure 17 - Design Storms for Moss Beach per 2019 Drainage Manual

The County standards in the 2019 Draft Drainage Manual are even more deficient, because they consider a design storm as a "90% 10-year return storm" of about 4.03" in 24 hours (table shown above). If you are protected from a 4" storm 90% of the time each year, then the compound probability of protection over a decade is only 34.9%, and that is only 'protection' from a 4" storm. What is required on the Midcoast is protection from at least 6", and possibly 8", storms[4] so that we do not repeat the New Years' Storm disaster where people were crushed and flooded out of their homes and Hwys 1, 92, and 84 were blocked by water and road damage.

[2] Section 1.3.1 page 9 of the SSMP cited above.
[3] And that observation is confirmed by the data on the NOAA site: https://hdsc.nws.noaa.gov/pfds/pfds_map_cont.html?bkmrk=ca

[4] MWSD FEMA application detailing recent storm sizes: https://www.coastsidebuzz.com/wp-content/uploads/2023/01/MWSD_FEMA_applic_2022_relocateWaterSewer.pdf

It appears this level of risk tolerance by the Planning Department is driven by this guidance in the C.3 Regulated Projects Guide:

> Stormwater treatment measures on regulated projects[17] are sized to treat runoff from ***relatively small sized storms*** that comprise the vast majority of storms. The intent is to treat most of the stormwater runoff, recognizing that it would be infeasible to size stormwater treatment measures to treat runoff from large storms that occur every few years. (See Section 5.6 for more information on how stormwater treatment

Figure 18 - Excerpt from C.3 Regulated Projects Guide

The logic behind that conclusion of "infeasible" is that it would be too EXPENSIVE to fully control the stormwater risk, which allows developers higher returns and forces everyone else to take the increased risk to health, safety and the environment.[5] Clearly another feasible alternative is to NOT BUILD a project if it cannot mitigate risk to a reasonable level of safety, expressed (as is done for tsunamis and earthquakes) as a compound probability over time. Given that the Midcoast, with the cumulative impact of years of permitting impermeable surfaces without added stormwater management capacity, together with Climate Change, is already experiencing major threats to homes, health and safety, we have passed a tipping point and we can no longer accept low levels of protection from modest storms. We require significant protection from major storms.

And that protection has been proven possible, in the Ocean Colony HOA of Half Moon Bay, constructed in the late '70's and early 80's. That neighborhood, in spite of being downstream from the flooded Moonridge MidPen complex, received no damage from the New Years storm of '23. This proves that it IS FEASIBLE to design and maintain a stormwater management system which handles Midcoast storms at their current levels.

The County's own SSMP analysis[6] shows that the Moss Beach area has the highest precipitation values in the County. As a result, a much more robust stormwater capture and management infrastructure must be included in this Project, and it must provide stormwater protection for the levels of storms that already occur, otherwise the County is allowing MidPen to risk the health and safety of the Moss Beach neighborhood, and of the sensitive habitats downstream of the Project (see map below).

[5] One resident on 2nd street Montara claims she had to spend $100,000 to protect her home from stormwater there, and yet the County has just approved additional dwellings upstream of her - using only the 2019 Draft Drainage Manual as requirements.

[6] Figure 1-8, pg. 11 of the SSMP cited above.

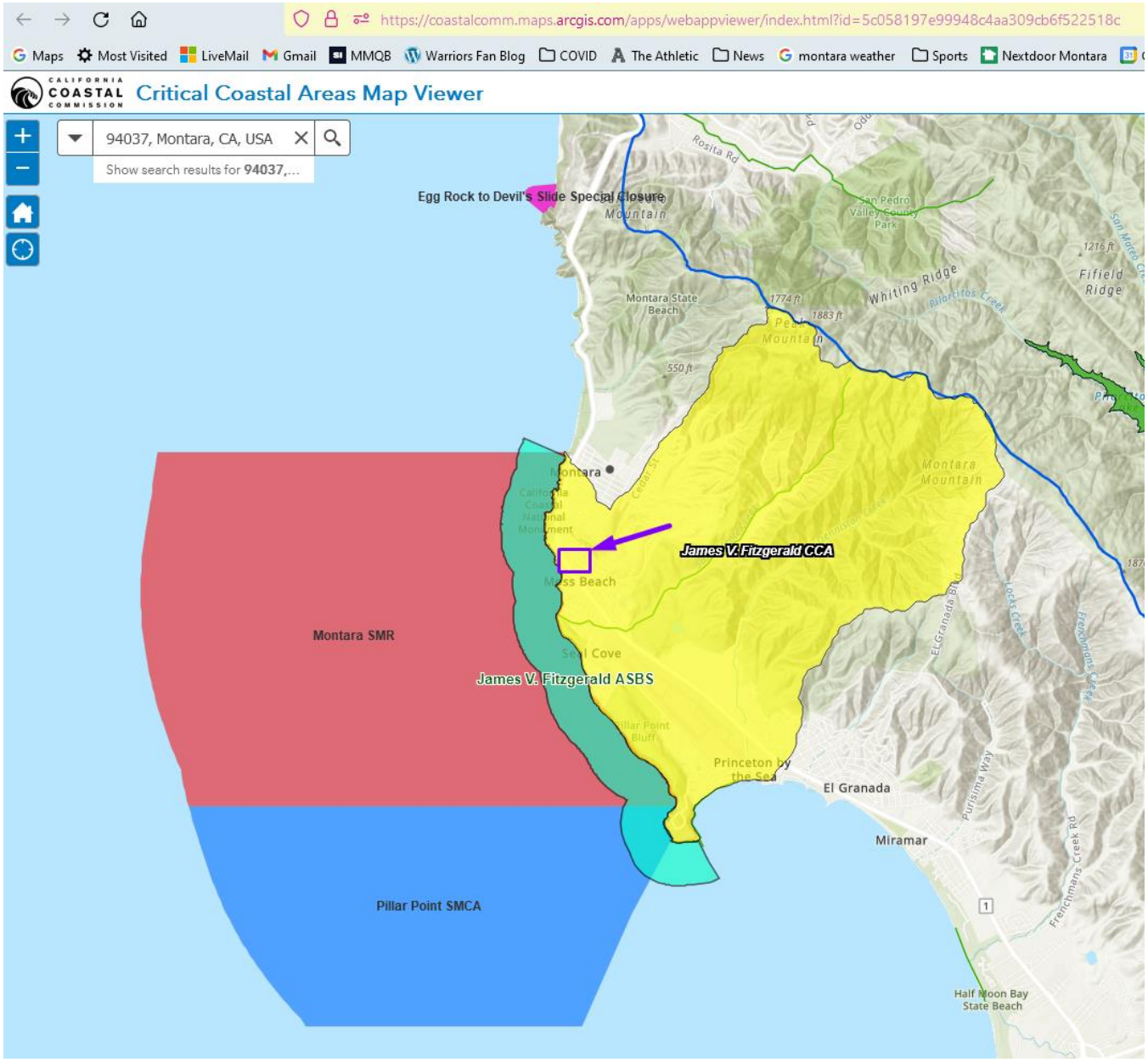

Figure 19 - Project in relation to Protected Areas

More specific comments and questions follow:

When we asked Planning where the design details for the stormwater systems - illustrated in the DEIR but not specified in detail, we received this reply indicating additional information:

Email from Schaller

The information you are inquiring about was submitted as part of the 2022 CDP application and can be found on the Cypress Point Project's webpage:

https://www.smcgov.org/planning/cypress-point-affordable-housing-community-project-2022-cdp-application

Specifically:

Document 11 - Hydro-modification management memo (prepared by BKF Engineering)

^^ https://www.smcgov.org/media/131276/download?inline=

The goal of the HM program is to control the n post-project flow to match pre-project runoff flow rate and duration from 10 percent of the pre-project 2-year peak flow up to the pre-project 10-year peak flow.

Document 10 - Bio Sizing Calculations https://www.smcgov.org/media/131271/download?inline=

^^ *3 basins totalling 142,258 sq ft of impervious space*

The drainage control features are shown on pages C6 an C7 of the Project plans (Document 6):

https://www.smcgov.org/media/131226/download?inline=

Page C6 shows locations of Bioretention areas

Page C7 shows details of the biorention areas (including cross sections)

3.7 - Question #2: How, when and where were the size the runoff currently in effect measured?

3.7 - Question #3: In sizing and designing stormwater management for the Project, how does the County justify the use of storms much less than those experienced in Moss Beach in recent years, and the increased risks to the neighborhood and adjacent natural resources?

INCOMPLETE: *"Stormwater runoff is assumed to percolate onsite and excess runoff flows northwest to Carlos St. …"* As described by the resident map above, the Project site ALSO receives substantial stormwater from uphill residences and a 'watershed' comprised of the uphill neighborhood. The Project property is thus an essential safety buffer, preventing further damages downhill and downstream.

Thus, the answer to question *3.7 - Question #1: What are the implications of existing stormwater accumulation and pampas grass for the design of the Project complex and stormwater mitigations therein?...*
…is that the Project must NOT ONLY retain runoff created onsite (eg. from the additional 140,000 feet of impermeable surfaces), BUT ALSO continue to perform its current essential buffering function to meet the demands of current storm levels. Failure to anticipate and design for this dual responsibility of the stormwater system risks repeating the flooding so apparent in MidPen's Moonridge project.

3.7 - Question #4: Will the County require redesign of the stormwater management systems in the Project to protect against storms already experienced in the area in the past decade, and to continue to provide the stormwater retention available from the Project site in its current, unbuilt condition? Or will the County risk repeating the inadequate stormwater management so apparent in the MidPen Moonridge development?

3.7 - Question #5: When the stormwater runoff from the Project proves unacceptably dangerous in coming years, what remediation and restitution will be available, and how will it be funded?

INCORRECT: 3.7.1.4 *"Besides the approximately 11-acre project site, an additional 1 acre of off-site runoff drains through the Project site and contributes to the overall tributary drainage area."* As shown by the maps and resident comments above, the additional drainage area is much larger than the Project site, not merely 1 acre.

INCOMPLETE: 3.7.1.5 *"The project site is located on a bluff at an elevation between 95 feet above mean sea level (amsl) and 205 feet amsl. The bluffs and elevation in the Project site protect the development from damage by tsunamis."*

Impact HYD-4 INCOMPLETE: Note that even if the site survives tsunami, access via Hwy 1 north and south will both be cut, so the site itself is not sufficient consideration for the scope of this risk. https://www.conservation.ca.gov/cgs/tsunami/maps

Further tsunamis are relevant in our Midcoast region per this article: https://www.mercurynews.com/2022/01/15/tsunami-advisory-issued-for-bay-area-following-volcanic-eruption/
Finally, the height of tsunami reaches 98 to 133 feet in just this century: https://www.sciencealert.com/watch-this-is-how-big-a-tsunami-can-get-explained-by-science

INACCURATE: Impact HYD-4: "The geology of the site is not susceptible to landslides or mudflow." The site shows clearly as containing landslide risk on a UCGS map:

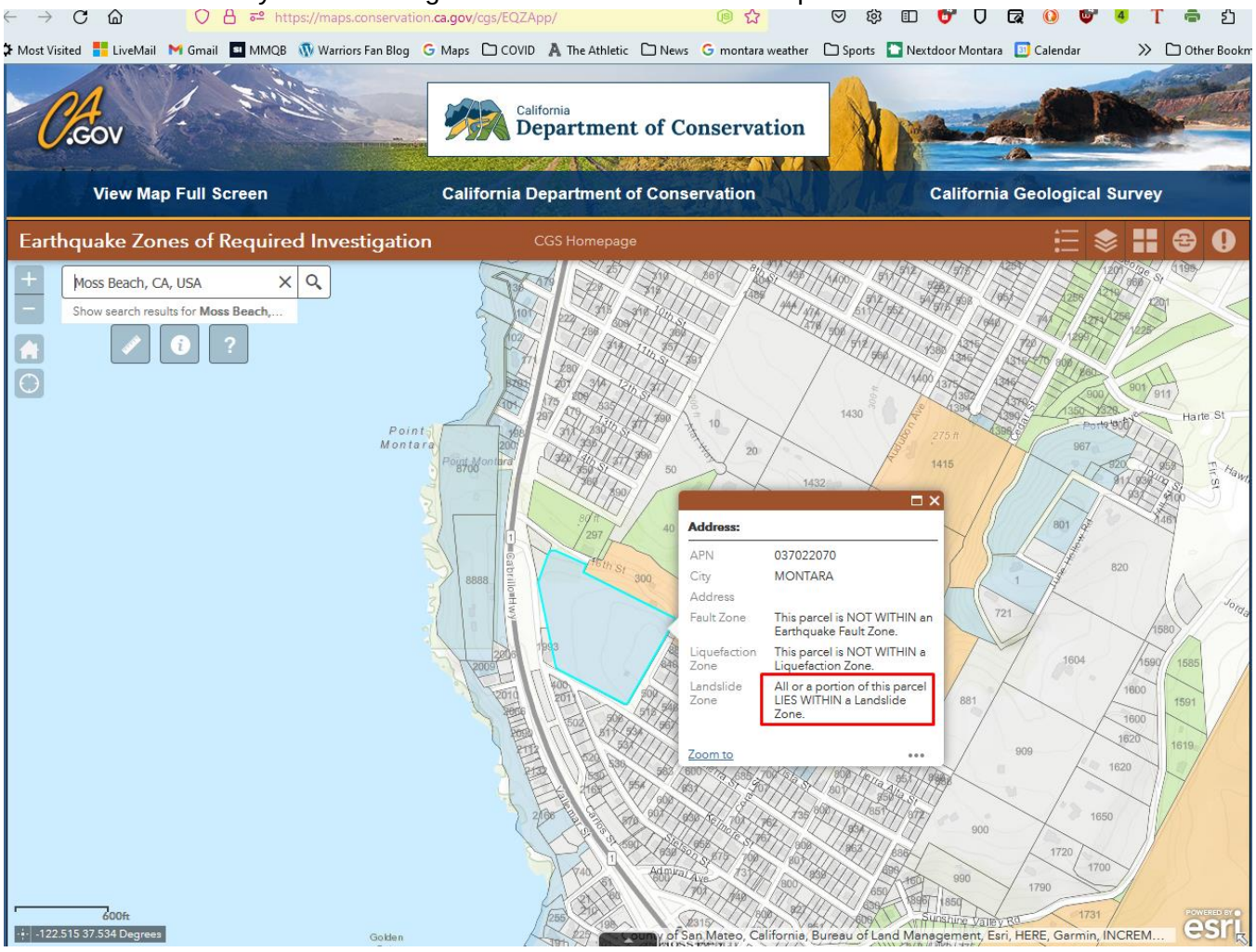

Figure 20 - Geologic Hazards on Project Site

INCOMPLETE 3.7.2.1.1: *"The project site does not contain any aquatic resources which are anticipated to meet the criteria of waters of the state regulated under the Porter-Cologne Water Quality Control Act and/or Section 401 of the CWA."* - but downstream of the Project site is a protected marine preserve which already fails water quality standards and would become even worse with runoff from this Project, both asbestos during construction and residential pollution from the added impermeable surfaces.

3.7 - Question #6: Given that a geologist has not signed off on the hazards for the Project, will the County require retention of an independent consultant jointly approved by the MCC to ensure that the risks identified in the Hydrology and Geology sections of this report are properly mitigated?

INCORRECT: 3.7.2.1.2: *"The requirements will implement any relevant water quality control plans that have been adopted and must take into consideration the beneficial uses to be protected and the water quality objectives reasonably required for that purpose (Article 4, Section 13263)"* - While this is a statement of the regulatory setting, requirements do not implement anything. They may set boundaries, but the Project and/or its subsequent auditing and enforcement govern implementation. The lack of County enforcement of building codes and regulations in several Midcoast projects concerns us that the Project, which is much larger than any recent building, will result in unmitigated harms.

3.7.2.2.4: PREREQUISITE TO CONSTRUCTION: "Water level data for these basins will be available to the public through online portals"

3.7 - Question #7: How will the water level data be validated and how and when will the portals be operational for the public?

3.7.2.2.5: CLARIFY: *"In 2012, the Ocean Plan authorized the SWRCB to grant an exception to the Ocean Plan provisions prohibiting waste discharge to ASBS when the SWRCB determines that the exception will not compromise protection of ocean waters for beneficial uses and where the public interest will be served."*

3.7 - Question #8: Which public interest dominates: new residents, or all existing residents and visitors?

PREREQUISITE: use SMC General Plan to require: "Policy 15.47 Review Criteria for Locating Development in Areas of Special Flood Hazard: o a. Wherever possible, retain natural floodplains and guide development to areas outside of areas of special flood hazard.o b. When development is proposed in areas of special flood hazards, require any structure to be safely elevated above the base flood elevation and not contribute to the flooding hazard to surrounding structures."

3.7 - Question #9: What auditing process exists now, and going forward, to ensure that the Project will not contribute to the flooding hazard for surrounding structures?

3.7.2.3.5 PREREQ: from Fitzgerald plan *"Discharges may occur only during the wet weather season (October 1 through April 30) and must 1) be composed of only stormwater, 2) be free of pollutants, and 3) must not alter natural ocean water quality in the ASBS. • All new point source discharges into the ASBS shall either be retained on-site or treated on-site before entering a County storm drain."*

3.7 - Question #10: What auditing process exists now, and going forward, to ensure that the Project will not degrade water quality in Montara Creek and/or the ASBS? *[Note: RCD is not currently monitoring the creek outfall per recent MWSD board meeting.]*

Note the MWSD FEMA report from August, 2022: https://www.coastsidebuzz.com/wp-content/uploads/2023/01/MWSD_FEMA_applic_2022_relocateWaterSewer.pdf

a. This last year for example, rainfall intensities of 8 to 12 inches per hour happened with storm events of 5 to 8 inches in a day (see Picture 7).
b. Picture 7: Cumulative rain events. Notice 2022 storms were 3, 5 and even 8 inches per event with 12 inches per hour intensity, far higher than the last two years shown which are more incremental storms of 1 or 2 inches (as was the case historically).
c. These high intensity rain events used to be considered 20 year or even 100-year events, but have happened 5 times in within the last approximately five years, with three significant events this year alone.

Note further that this report was prepared BEFORE THE New Years storms of 2023.

INCOMPLETE: 3.7.4.1: *"The project would increase impervious surfaces on-site by approximately 143,254 square feet." "With inclusion of the above cited regulatory requirements, implementation of the Project would not violate any water quality standards or waste discharge requirements, and impacts would be less than significant."* The BKF study looks at attenuating 2 yr. and 10 yr. storms, not the major storms that provide real risk to the community, as was strongly demonstrated in January, 2023. While the risks from those small storms may not be significant, lived experience in the community shows that the risks from real storms have been significant, with homes flooded and trees crushing homes in Moss Beach forcing residents to move out.

3.7 - Question #11: Will the County assess the real risks posed by the size of storms experienced in Moss Beach in recent years[7], or will it avoid assessing those risks and let the residents find out (and pay) for themselves? If and when the County assesses those larger storm risks, will it change the Project stormwater management designs to mitigate those, or persist with ameliorating the tiny storms which current regulations require?

INCOMPLETE: Impact HYD-2: *"because some of the runoff from the site would be retained in bioretention ponds that would facilitate recharge, a reduction in the amount of pervious area on-site would not substantially interfere with groundwater recharge. The impact on groundwater recharge would be less than significant."*

3.7 - Question #12: Where is the study that shows the retention ponds would be sufficient, and under what design storm conditions? The footnotes cite a BKF study from 2018, but the links on the CDP website include a 2022 BKF simulation which speaks to simulating runoff, but not groundwater recharge.

INCOMPLETE: HYD-3 and HYD-7: The 'less than significant' finding in these Impacts relies on Result in increased impervious surfaces and associated increased runoff - relying upon (242) BKF Engineers, 2018. No more than 25-year storm events.

[7] MWSD FEMA application detailing recent storm sizes: https://www.coastsidebuzz.com/wp-content/uploads/2023/01/MWSD_FEMA_applic_2022_relocateWaterSewer.pdf

INADEQUATE: This source: https://www.smcgov.org/planning/surface-water-drainage-review relies upon a DRAFT drainage manual that was never approved, and relies on a 90% 10 year storm of ~4 inches. It uses 10-year design storm for one (1) hour! At this site: https://hdsc.nws.noaa.gov/pfds/pfds_map_cont.html?bkmrk=ca that is only 0.876" of rainfall. Compare that to the 12" per hour cited by the MWSD engineer, above.

3.7 - Question #13: Will the County update the 2019 Draft Drainage Manual to real world values appropriate to the Midcoast, and employ it in assessing the Project? If not, why not?

3.8 Land Use and Planning

LCP 1.19 Section h states that lack of adequate water supply and wastewater facilities shall be grounds for denial of development applications.
During winter storms last year SAM flooded and had to be shut down resulting in sewage backing up and a major pipe burst in Montara resulting in raw sewage entering the ocean violating the clean water act. . The rate payers of Moss Beach and Montara must pair for repair if FEMA doesn't approve a grant request. SAM needs extensive upgrading. The addition of hundreds of new residents has the potential to overwhelm SAM Sewer Authority MidCoast with catastrophic results. The intertie pipeline system is not adequate to prevent sewage overflow as stated in LCP policy 1.23(a). Inaccurate EIR. Montara Water and Sewer District lawsuit proves this. Further evaluation of the impact of Cypress Point on SAM's ability to provide safe reliable service needs immediate attention.

Well destruction was undertaken in 2018 as reported by AEI in Appendix L.

3.8 - Question #1: Why was that well destruction done before this Project was approved? Who paid for that effort, and how much? Can you provide written authorization from the property owner to demonstrate that this was legally performed?

3.9 Noise

We offer the following comments on the impact of noise from the Project:

1. Construction days and times are too much to expose residents to non-stop noise from 7am until 6pm Monday-Friday and 9am-5pm Saturday.
2. No construction should be allowed on weekends and daily start time should be 8am to 5pm so as not to interfere with meal times and children trying to go to school. Proper sleep is extremely important at all ages but especially for children, the chronically ill, and elderly.
3. Cumulative and repetitive noise most negatively impacts children, elderly and those with chronic health problems. Noise is linked to increases in blood pressure, heart rate and breathing rates all causing significant health risks.
4. According to the CDC noise above 70dB over a prolonged period may start to damage your hearing. Loud noise above 120dB can cause immediate harm to your ears. At 80-85 decibels you can damage hearing within 2 hours According to OSHA exposure to 80 decibels or greater for 15 minutes a day can lead to long term hearing loss.

5. Mitigation is not adequate as proposed. Instead, mitigation should require MidPen to install noise barriers around the construction site. Sound curtains can be attached to fencing to provide a barrier. Various sound barrier products can be found online.
6. Noise levels are predicted to be between 74 to 88dB per day with pile drivers producing 105dBs.

3.9 - Question #1: Will the County commit to requiring Noise Barriers be installed around the entire construction site to protect residents and wildlife from potential long term hearing loss? If not, why not?

3.10 Transportation

Transportation issues in the area of the Project have been known for a long time, and are the subject of long-running, persistent, and thus far failed attempts to get State and/or local government to address them. The Project makes no effort to address any of these issues, simply leaving them unmitigated and assuming that perhaps in the future State or local government will address them, despite a clear track record of failure on this point. The Project's addition of hundreds of new residents to the area will only greatly exacerbate the existing traffic and safety issues, and therefore the Project should not proceed until the existing traffic and safety issues have been mitigated.

Following is a discussion of specific known traffic and safety issues related to the Project, and our related questions to be addressed:

Kelmore Street was completely left out of any analysis even though it runs parallel to Stetson St and is expected to get just as much use. It needs to be included in any transportation study. At the Moss Beach Fire Station 44 the street splits into Stetson on the right and Kelmore on the left with both roads equally utilized and both would be adversely affected by additional traffic conditions. (3.10.1.1.1) It is included in the 300ft Notification Map presented at CDP Design Review Meeting. Kelmore street has no stop sign at the end of the street at California.

3.10 - Question #1: Why is Kelmore St. omitted from study?

If Carlos St becomes 1 way and the road begins to back up cars will be diverted to Kelmore as well as Stetson. **This traffic will pass directly in front of the fire station and potentially interfere with fire response**. Stetson and Kelmore Streets have 2-way traffic on narrow roadways. If the streets become filled with parked cars there will be no way to pull over to get out of the way of the fire trucks. Furthermore, at peak travel times California Avenue will back up and thus so will Stetson and Kelmore. There simply isn't enough room for the fire trucks to exit the neighborhood quickly thus increasing response times and potentially causing life threatening situations.

Similarly, if there is an **evacuation of the neighborhood the fire trucks will be trapped as well as residents who have driveways that go up hillsides**. They will not be able to exit their properties as cars exit Cypress Point and make their way down Carlos, Kelmore and Stetson Streets.

Carlos and California Avenue have hills with greater than **8% slope** making them impossible for use by wheelchair-bound or mobility-challenged individuals. There is no way for anyone in a wheelchair to access the bus stop at Etheldore St due to the hills.

SamTrans on demand is not operating in Moss Beach at this time. Sam Trans will have to depend on county funding to expand services to Moss Beach. In order to serve farm workers, it will have to be available before sunrise and after dusk.

Connect the Coastside application for grant funding does not include the entirety of Carlos St. Funding will only study the feasibility of connecting Carlos to 16th Street however the earthquake liquefaction zone designation at 16th Street may make road improvements and walking paths unsafe. Further evaluation will be needed. If improvements can't be made Cypress Point mitigation will be void.

MM-TR-4a, b, c – pg. 37 of 432. Mitigation remains significant and unavoidable.
INCOMPLETE: The number of residents proposed by MidPen does not utilize the 2+1 rule which allows 2 adults per bedroom plus 1. It should be expected this will happen as other rental sites have seen this rule utilized. That brings the number of residents and to 359 not the 213 that MidPen is calculating.

Resident comment:
"Issues with Street Parking: *In a previous email I sent pictures of MidPen's Moonridge development, which clearly exceeds the parking allocated and fills the surface streets with cars. I'm not sure how to present this in a meeting, but I think at the Design Meeting they even said "Go look at Moonridge" as if that was a positive thing - it clearly shows well more than 2 cars per household."*

The number of parking places at 142 is underestimated for the number of adults that could occupy the units as well as visitors and delivery services. There are no designated motorcycle parking spaces, vehicle loading, or drop-off spaces planned - AMAZON, etc.!? Further, the need for delivery services will be increased due to distance from services; caregivers, dog walkers/groomers/trimmers, etc. Note that **the County and MidPen have already demonstrated their inability to size parking for complexes like the proposed Cypress Pt. Project.** At Moonridge, 250 cars are routinely parked on both sides of the access road at 10:30-11:30am on a weekday Wednesday (note: this is SEPARATE and DISTANT from a parking lot at the head of Miramontes Point Road made available for Ritz workers)

Also, traffic is underestimated due to using outdated version of traffic manual and the wrong apartment code - residents must travel 8 mi. In each direction for services; *"The Affordable Housing land use rates are based on a low number of observations (6 and 8 respectively) so may not necessarily be appropriate to use here. However, combined with other evidence that residents of affordable housing typically drive less (i.e., generate fewer driving trips) than market-rate residents, the 9th Edition rates already used appear to be appropriate in comparison to more recent data. The trip generation analysis is based on the 9th Edition rates."* We submit that with 8 miles in either direction to services, there is no justification for assuming lower driving rates. In fact, those residents are unlikely to have work-from-home internet-based jobs and must physically travel to employers more than seniors or white-collar employees.

3.10 - Question #2: May the MCC have a working session with the consultants involved in this study to understand and sensitivity test the parking, occupancy, and travel assumptions behind this traffic analysis?

INCOMPLETE: The multimodal trail is not funded or included in the next grant request, thus suggesting people will walk or bike to work or amenities is not realistic. In order to access food shopping, one must drive to Pacifica or Half Moon Bay. Most residents on the coast must travel to the peninsula for medical and dental care as well as hospital tests. Moss Beach is a car dependent community. There is no on demand Sam Trans. Uber and Lyft are fee for service with limited and sporadic service on the coast.

There is no school bus service. How do kids get to Farallone north of site, with Carlos closed and nothing more than a dirt trail from 16th Street to 14th Street alongside Hwy 1?. The walk to Farallone View consists of incomplete sidewalks, unsafe crossings for children trying to walk to school with near-miss accidents regularly occurring. See the prior MCC analysis of Farallone School traffic risks.

3.10 - Question #3 How will children get to Farallone View safely? How are assumptions about school trips accounted for in the transportation analysis?

The EIR specifically states that Carlos @ Highway 1 would be closed for non-emergency traffic. But the traffic study does not include this closure in its study or calculations. It therefore does not account for the extra cars from the existing residents that would be driving down Carlos, Stetson, Sierra, and Kelmore Streets (because they must exit town via California or Etheldore). It also does not account for the Etheldore Apartments (8 units, 16 parking spaces) and San Mateo County Sheriff substation on California Street which adds additional street parking and potential impediments to police response times.

<u>Comments from a concerned resident:</u>
The EIR (pg. 300) states, "Carlos Street is an approximately 20- to 28-foot-wide, two-lane street".
I measured the street near the blind corners at 13-feet wide. It's barely wide enough for one car and as we know has no sidewalks. Granted, the county could expand the road by 7-15 feet by forcing all the homes to make new driveways etc, and/or build the hillside near Highway 1, and pave it all to make it 28-feet wide, add a bike lane, sidewalks etc. All this could take decades and there's no plan or budget to do so. To add the traffic, they expect and leave it to chance to fix it some day is just irresponsible. Also, I'd imagine the various coastal branches might have some say in ruining such a beautiful corridor that took 100-years to evolve but that's assuming they have any teeth to do so.

Figure 21 - Narrow width of Carlos St., Moss Beach

Also, in the "Connect the Coastside" plan R10 it suggests making Carlos 1-way in the future. This would help solve the problem of Carlos being narrow, but would vastly increase the amount of traffic on Stetson and Kelmore Streets making those far more dangerous.

3.10 - Question #4: How do they expect restrictions on Carlos Street, with the added Project traffic, to impact the surrounding neighborhood? Was 1-way traffic on Carlos with a closed intersection at 16th street analyzed in the DEIR?

INCOMPLETE: Most all of the streets in and around the Project have slopes greater than 8%. Carlos Street and California Ave have greater than 8% grade slopes making them impossible for use by wheelchair bound individuals. Section 3.101.1.2 does not mention the lack of ADA compliance thus inaccurate/incomplete EIR.

Resident comment: "Issues with Stetson Street and California Ave. Note: some of this applies to Kelmore and Sierra Streets as well, but Stetson has the fire station and a 4-way stop at the end of an extremely steep hill. Cars can be heard struggling to make it uphill when they come to a stop at Stetson. When it rains car wheels spinning and sliding is common.

Since Stetson St and Kelmore St. have parking on both sides of the road, fire trucks have issues driving past cars coming the opposite direction. It's common to see delivery vehicles partially or completely blocking the road from traffic. The 4-way stop at California is especially problematic (see photo Stetson-California.jpg). The hill is approximately a 17degree grade and is often wet. It was witnessed by a resident a Fedex Freight (extra-large delivery vehicle) slip down the hill last week when it couldn't make the turn. Cars constantly spin their tires here trying for traction - I can hear them all day and night from my house."

3.10 - Question #5: Why was this not stated in EIR and mitigation for steep roads included?

Figure 22 - Example of Fire Truck access difficulty

INCOMPLETE/INADEQUATE: We find no solutions proposed to the problems described by residents below:
“The intersection of Stetson and California is also nearly impossible to see down the hill when making a right turn onto California.”

“Due to the small size of the intersection and the hill, it's difficult for large vehicles turning left as at the top. They must swing out around other traffic if there's room. The fire truck often gets stuck here. There will also be considerable traffic queues at rush hour, both on the hills, on Stetson and at the highway entrances.”

Consultation with Coastside Fire should be conducted to evaluate risks to the neighborhood.
“Issues with Stetson Street, and how it may be impacted by the closure of Carlos@Hwy 1 and an additional 473 round trips through this neighborhood, along with the potential for 100s more parked cars along all the streets requires consultation with Coastside Fire Station 44 personnel . The fire trucks cannot make a left turn even with emergency access at Carlos/Hwy 1 unless major upgrades are made by CalTrans, so they will always be relying on California Ave for the foreseeable future. **Red lanes need to be painted** to prevent parking in areas that could hinder turning radius of fire apparatus and fire hydrant access. “

Issues with Uncontrolled and Driveways. There are approximately 20 intersections in the vicinity of California Ave that have no stop signs or markings in their intersections. These function today due to the very low traffic through the neighborhood. These will all become busier and will need to be assessed.

“Along all of the roads surrounding and adjacent to Cypress Point are driveways where cars back directly onto the street, often already with visibility issues Additional parked as well as moving vehicles will create significant hazards potentially leading to drastic increase in car accidents and car-to-pedestrian incidents. There may also need to be more Fire Lanes added which will reduce available parking spots.”

3.10 - Question #6: Will the County provide a working session with the Fire Department to assess the impacts and mitigations required before adding traffic from the Project to this neighborhood?

INCORRECT/INCOMPLETE: We find the estimates of vehicles, and their impact on traffic and parking derived from the Project underestimated for these reasons:

a. The number of cars is underestimated, and thus the parking space requirements.

b. The number of delivery and service vehicles serving the residents is not included in the estimate.

c. Without parking for delivery and service vehicles, they will leave their engines running while delivering, thus increasing emissions.

d. The number of trips required to procure basic services is underestimated, due to using an outdated and inappropriate classification for these rural (not suburban) apartments.

e. The distance of trips to procure goods and services is underestimated - 8+ miles in either direction to Half Moon Bay or Pacifica.

The cumulative effect of these errors and omissions will be a significant increase in GHG emissions, to an unknown level without further study. We request a workshop with the transportation consultants to review their derivation of these estimates, including reviewing the span of relevant apartment classifications in the ITE Trip Generation Handbook, both version 9 (used in this analysis) and version 11 (the newer version available a year BEFORE this traffic study was produced) so that we can understand the impacts of the assumptions underlying the traffic analysis.

3.10 - Question #7: Will the County provide a workshop with the MCC and the transportation consultant as described above, before finalizing the EIR?

The development proposes an additional 71 residences with approximately 213 occupants. The evacuation modeling platform only considers vehicle counts and not occupancy. Publicly available data indicates recent trends in cars per capita range from 0.8 to 0.9 in the country, depending on specific year. This model assumes 0.85 cars per resident. It does not account for possible differences in cars per capita in situations such as affordable or senior housing. Thus, the issue for comment is residences 8 miles in either direction from services and, for most, work implies cars per resident must be higher.

3.10 - Question #8: What will County/MidPen do to ensure the extra cars have on-premise parking that doesn't obstruct already narrow neighboring roads? When the parking does overflow, what will County/MidPen do to fix the problem, and in what timeframe? Who will bear the costs of that remediation?

3.10.2.2 (p304) "The proposed project would add traffic to SR-1 at Carlos Street, which is a location with a known line-of-sight safety traffic safety concern."
3.10 - Question #9: Why is this known safety concern not being mitigated as a condition of allowing development in this area?

<u>3.10.2.5.1 Local Coastal Program (p312)</u>

LCP Policy 2.52 (Traffic Mitigation for all Development in the Urban Midcoast) requires applicants for new development that generates any net increase in vehicle trips on SR-1 and/or SR-92 to develop and implement a traffic impact analysis and mitigation plan and to submit the traffic impact analysis and mitigation plan and associated analyses and implementation measures prior to the approval of any Coastal Development Permit application that triggers this requirement. Furthermore, it includes subsection (a) which suggests TDM measures set forth by C/CAG to offset new traffic generated by a project to the extent feasible. The 2023 Cypress Point TIA and the C/CAG TDM Checklist for a Residential (Multi-Family) Land Use: Small Project meet this requirement (see EIR Appendix Q [2023 Cypress Point TIA] and Appendix 9 of the 2023 TIA [C/CAG TDM Checklist]).

Furthermore, "the C/CAG TDM Checklist for a Residential (Multi-Family) Land Use: Small Project meet this requirement" means no one has done a TDM analysis specific to this Project; they are just using some boilerplate thing that C/CAG came up with for "small residential projects" generally.

3.10 - Question #10: Why has a TDM analysis specific to this Project not been done?

LCP Policy 2.53 (Transportation Management Plan) required the County to develop a comprehensive transportation management plan to address the cumulative traffic impacts of residential development, including single-family, two-family, multi-family, and second dwelling units, on roads and highways in the entire Midcoast, including the City of Half Moon Bay. Plan elements include a cumulative traffic analysis based on LCP buildout and an evaluation of the feasibility of developing an in-lieu fee traffic mitigation program and the expansion of public transit, including buses and shuttles. See below for a discussion of the Connect the Coastside: The San Mateo County Midcoast Comprehensive Transportation Management Plan (Connect the Coastside).

Given that this Project by itself adds 200-359 people to the Midcoast, which only has 12,000 people on it, and only 3,500 in Moss Beach, that is a wholly inadequate approach. What gives this Project the right to simply pass off its requirement of a detailed transportation plan to "Connect the Coastside", when that Project itself is not funded and any potential mitigations or improvements under that name are as yet hypothetical/aspirational?

3.10 - Question #11: Why is this Project being combined into "Connect the Coastside" and without any analysis of the marginal impact of this Project on the overall traffic situation on the Midcoast?

The LCP generally states that prior to approval of a CDP the traffic impact analysis and mitigation plan must include: 1) traffic mitigation measures (to the extent feasible), 2) enough information for the County to assess if the proposed mitigation measures offset new vehicle trips generated by the Project to the extent feasible, and 3) the Project's cumulative impacts combined with other reasonably foreseeable future projects. In addition to roadway-related LCP policies, the County's LCP identifies the California Coastal Trail, a continuous interconnected public trail system along the coastline, as a means of encouraging active transportation.

None of (1), (2), or (3) have been done, so either this DEIR should explicitly claim that no mitigation is feasible, or the analysis is incomplete. Pointing to the Coastal Trail as a mitigation is a nonstarter since (a) it doesn't exist yet in the vicinity of this Project, and (b) this is a low-income housing project, and low-income people are not going to bike the tens of miles every day in bad weather that it would take to get themselves to any reasonably foreseeable job locations. This DEIR is just name-dropping projects and calling that a traffic analysis.

3.10 - Question #12: Why is this Project being allowed to proceed when it is completely failing its obligations under the LCP?

3.10.3.2.2 (p318) states: "The County's interim changes from LOS to VMT also include a list of project types that are exempt from detailed quantitative VMT analysis if County screening criteria are met. One such screening criterion is for projects that provide 100% affordable housing. Per the County's interim guidance, 100% affordable housing projects typically generate lower VMT than market-rate housing if on an infill site in an urban/suburban area of the county."

Reactions: (1) in the end, this Project will just fall back on "we're exempt" as the excuse for not having done any meaningful analysis of the traffic impact of this Project, and (2) "100% affordable housing

projects typically generate lower VMT than market-rate housing if on an infill site in an urban/suburban area of the county" is a completely bogus assumption that is clearly just being asserted without evidence in an effort to expedite the production of affordable housing, impacts be damned.

3.10 - Question #13: Where is the publicly available research that supports the assertion that "100% affordable housing projects typically generate lower VMT than market-rate housing if on an infill site in an urban/suburban area."? And how is that urban/suburban classification justified for a location 8 miles from services in either direction without frequent transit options?

3.10.3.2.2 (p319): "If a project would add fewer than 500 daily trips or 100 peak hour trips, an analysis is generally not required. Because the proposed Project would generate fewer than 500 daily trips and fewer than 100 peak hour trips, it is not subject to the County's Transportation Impact Study (TIS) requirements (County TIS)."

That this Project would generate fewer than 100 peak hour trips is asserted without any evidence that we can identify, and given that there will be 150-200 adults in this complex, the lack of evidence points to incompleteness of analysis.

3.10 - Question #14: Where is the publicly available analysis that substantiates the claim that the Project would generate "fewer than 100 peak hour trips" and how do those assumptions mesh with the reality of the location?

3.10.3.3 (p320): "As discussed in Section 3.10.3.3, under Impact TR-3 and Impact TR-4, the site plan shows adequate site access and on-site circulation and has been reviewed by both the County Department of Public Works and the Coastside Fire District. These agencies have concluded that the proposed driveway(s) and on-site loop road comply with their respective policies and requirements."

3.10 - Question #15: Where is the written analysis and endorsement of this Project provided by Coastside Fire, including an analysis on response times?

3.10.3.3 (p321): "The results of the intersection LOS analysis show that the added project trips would degrade the LOS at the study intersections (all unsignalized) in the vicinity of the Project site identified by the County for the traffic operations analysis under the County's LCP (see Figure 3.10-1):

1. State Route 1 and 14th Street
2. State Route 1 and 16th Street
3. State Route 1 and Carlos Street
4. Carlos Street and Sierra Street
5. Sierra Street and Stetson Street
6. State Route 1 and Etheldore Street/Vallemar Street
7. State Route 1 and California Avenue/Wienke Way
8. Carlos Street and California Avenue
9. California Avenue and Etheldore Street
10. California Avenue and Stetson Street"

3.10 - Question #16: Why is the Project being allowed to proceed without any mitigation of TEN different negatively impacted locations?

Table 3.10-4: Project Trip Generation (pg. 325)
The calculation in the table uses the 2012 ITE #220 number of 6.65 daily trips per dwelling unit * 71 units = 473 daily trips. This is below the 500 daily trip threshold which would render the Project "subject to the County's Transportation Impact Study (TIS) requirements (County TIS)."

However, the ITE #220 numbers have been updated since 2012, and the 2018 number looks like 7.32 daily trips per dwelling unit, which would mean that the Project generates 7.32*71 = 520 daily trips, which DOES render the Project "subject to the County's Transportation Impact Study (TIS) requirements (County TIS)."

3.10 - Question #17: What in the law allows the Project to use outdated numbers to skirt statutory requirements? Why is the Project being allowed to proceed without doing the transportation impact analysis that the correct numbers would require?.

Table 3.10-6: Project Trip Generation (pg. 325)

Based on the above, project-related traffic contributions are projected to result in the need to assess roadway modifications that could improve operations at the following intersections under existing and cumulative plus project conditions:
• SR-1 and 16th Street (No. 2)
• SR-1 and Carlos Street (No. 3)
• SR-1 and Etheldore Street/Vallemar Street (No. 6)
• SR-1 and California Avenue/Wienke Way (No. 7)

3.10 - Question #18: Why is this Project being allowed to move forward before the "roadway modifications that could improve operations at the following intersections under existing and cumulative plus project conditions" are completed?

As stated on page 319, "If a project would add more than 500 daily trips or 100 peak hour trips, the County defines a minimum acceptable design intersection level of service as LOS C, with no individual movement operating at less than LOS D. The requirements state that on occasion, LOS D may be allowed for peak periods." Thus, given the recalculated 532 daily trips, the minimum LOS of LOS C applies, and the listed intersections above fall below that level once the Project is factored in.

3.10 - Question #19: Why is this Project being allowed to proceed when it causes local traffic conditions to fail the "minimum acceptable design intersection level"?

Pg. 328: "The C/CAG TDM Checklist measures and additional mitigation would reduce the vehicle trip generation and reduce the effect to the extent feasible; however, the level of vehicle trip generation reduction cannot be measured. Thus, implementation of MM-TR-4c would be expected to reduce project-related vehicle trips to the extent feasible but is not expected to offset all project-related vehicle additions at the SR-1 intersections with 16th, Carlos, and Etheldore streets and California Avenue. As such, the less than desired LOS at these intersections may remain."

It appears that there's a checklist of things, and we have no way of measuring if any of them will work

Thus, as far as the Project is concerned, everything is as good as “is feasible”. Yet our intersections will still have “less than desired LOS”.

3.10 - Question #20: Why is the Project being allowed to proceed if “less than desired LOS at these intersections may remain”?

Conclusions, pg. 328

“The C/CAG TDM Checklist measures that would be implemented as part of the proposed project and the mitigation measures identified for the proposed project’s CEQA-related impacts on VMT and as a result of exposure of future residents to roadway-related hazards, e.g., additional TDM measures, would shift a share of future residents from driving to alternative modes or reduce the demand for travel, thus addressing, in part and to the extent feasible, the incremental increase in project-related trips to the roadway network”

Reaction: So, since the future residents will be exposed to “roadway-related hazards” it will “shift a share of future residents from driving to alternative modes”, and THAT’S how this project plans to mitigate “to the extent feasible” “the incremental increase in project-related trips to the roadway network”. Vehicular traffic will be higher than stated and/or more residents will be exposed as bicyclists or pedestrians to an even more hazardous Moss Beach corridor.

3.10 - Question #21: Note that we had a resident killed on a bicycle in the Moss Beach corridor last fall. Why is being exposed to “roadway-related hazards” considered an acceptable means of trying to shift people away from using cars? And why is it considered likely that residents needing to travel 8 miles with, for example, groceries, will use bicycles instead of cars in the rain?

Conclusions, pg. 328: “As further noted under Impact TR-3, the County can establish conditions of approval which would require the Project sponsor to contribute funds proportional to the Project’s impact to offset the costs of implementing improvements at affected locations with traffic impacts.”

Yes, the County should require the developer to contribute to the cost of the roadway improvements that are going to be required in part because of this Project. And the Project should not move forward until those improvements are in place, or at least under construction.

3.10 - Question #22: Why has the County not required “the Project sponsor to contribute funds proportional to the Project’s impact to offset the costs of implementing improvements at affected locations with traffic impacts”?

Conclusions, pg. 334

Table 3.10-7: Range of Potential VMT Reductions

“All units are affordable except the building manager unit. The maximum percent reduction is applied.” “The proposed TDMs would achieve a total trip reduction of 26% and would meet C/CAG requirements to include measures that achieve a minimum trip reduction target of 25% based on project type, size, and location.”

Also, “A quantitative VMT analysis was conducted to be conservative and to determine if the affordable housing characteristics of the proposed Project, the Local Preference Agreement, and the various TDM measures would reduce VMT to a less-than-significant level. The VMT analysis was informed by the most recent version of the CAPCOA Handbook.344 The Caltrans TDM+ Tool was used to estimate potential VMT reductions for the TDM measures.345 As shown in Table 3.10-7, 100% affordable housing may have a 28.6% reduction in VMT compared with market-rate housing.”

We are not given visibility into the analysis that was completed; it’s just asserted that the TDM stuff will produce a 26% reduction, which is conveniently just above the required threshold of a 25% reduction. And the 28.6% reduction assumes the complex is 100% affordable. The Project is not, if the building manager unit is not “affordable”. Also, the footnote 345 link to the tool that was supposedly used to come up with this analysis is a dead link.

3.10 - Question #23: Where is a working link to the tool that was used to generate these numbers? What is the justification for the 26% reduction number?

IMPACT TR-3/4 (pages 336-342):
If the County is unable to fund the completion of the intersection improvement, as proposed by the Moss Beach/SR-1 Project, this impact would remain significant and unavoidable.

INCOMPLETE: The Project just assumes the unsafe intersections will eventually be fixed by CalTrans/the County, so if that is the approach, then the Project should not proceed until the unsafe intersections are actually fixed.

3.10 - Question #24: Why is the Project being allowed to proceed with such significant impacts?

3.10.3.3.2 Parking assessment (p344): “the proposed project would provide 142 parking spaces. Therefore, the proposed project would provide 15 more parking spaces than required.”

INADEQUATE: County zoning regulations are weak; 142 spots most likely is not enough to cover the residents, let alone any guest or delivery parking. This is going to spill over into the neighborhood for sure, as it has at Moonridge.

3.10.3.3.2 Parking assessment (p345): “The land use in the ITE manual that is the most similar to the proposed project is the Low/Mid-Rise Apartment (LU 221) since the Apartment (LU 220) is not available.”

3.10 - Question #26: Why is the LU 220 data not available? The ITE 220 “Apartment” data was used in the “daily trips” calculations earlier, so why is the Project using inconsistent methodologies?

IMPACT C-TR-2 (pg. 347)
“The proposed, in combination with other past, present, and reasonably foreseeable future projects, would result in a cumulatively considerable transportation impact related to VMT and consistency with State CEQA Guidelines Section 15064.3(b). (Significant and Unavoidable with Mitigation)”

INACCURATE: “As discussed under Impact TR-2, although the proposed project would be screened from detailed VMT analysis based on classification as an affordable housing project on an urban infill site, a quantitative analysis prepared to be conservative showed that it would result in a significant and unavoidable project-level impact because it would exceed the calculated daily average VMT threshold for a residential project even with implementation of mitigation.”

But the Project is not 100% affordable unless the building manager unit qualifies as affordable or is exempt. Unless the proposed project passes this test, it is not, in fact, screened from detailed VMT analysis. Also, the site is not “urban”. Residents will be 8 miles in either direction from normal urban services. Classifying the site as “urban” leads to a mis-statement of both VMT and parking impacts.

3.10 - Question #27: Is the Building Manager unit affordable, or exempt from affordability requirements? Provide documentation to support your response.
3.10 - Question #28: If the answer to Q27 above is No, why is the Project being allowed to proceed without a detailed VMT analysis, since it’s not 100% affordable?
3.10 - Question #29: An essential aspect of traffic systems Coastside is to provide visitor access to the Coast. Where is the assessment of the cumulative traffic impacts from the Project, as well as Big Wave, a new hotel in Montara, and other large impending projects upon driving times, emissions, and coastal access for visitors and residents alike? How can this EIR be complete without such an analysis?

3.11 Utilities and Service Systems

Five major utilities are worth mentioning in this DEIR: water, sewer, electricity, telecommunications, and stormwater. In this DEIR response, stormwater is covered in detail under section 3.7 Hydrology. There are current and potential future capacity and reliability problems with all these services on the Midcoast, which have implications for this Project and for which we request thorough study and implementation of mitigations to ensure the health and safety of existing, as well as new, residents.

A. Water Supply:

The local water agency, Montara Water and Sanitary District (MWSD), is a standalone water supplier with no connection to the Hetch Hetchy system serving San Mateo, Santa Clara and parts of Alameda Counties via BAWSC/SFPUC. As such it is uniquely vulnerable to drought and other supply disruptions. The property owners own the water system in Moss Beach and Montara, acquired and funded by a surcharge on their property taxes for over 20 years.

While water agencies typically prepare updated Urban Water Management Plans every 5 years, MWSD’s most recent Water System Master Plan is 2017, which raises concerns about the adequacy of water supplies under drought stress. In particular, during the last drought, the main supply from the Alta Vista well went from providing on average 24 year old water (as it percolates from surface to underground reservoir) to over 3,000 year old water, according to a report and presentation (slide 11) by Balance Hydrologics.[8] As a result, MWSD had to curtail normal pumping at that well until the return of rainy years to replenish it. The alternative water supply from airport wells is lower quality, and requires expensive treatment to remove Nitrates (presumably from the adjacent farms’ fertilizer). In

[8] Table 4, pdf page 47/241. Note the other wells with thousand+ year-old water as well.

addition, MWSD must pay the County for use of that water, whereas the Alta Vista well is a freely developed source. The result is that as additional population is added, all MWSD ratepayers face higher water rates at lower quality - most especially during a drought period.

Thus a reasonably foreseeable impact of this Project is reduced water security for all MWSD ratepayers, and higher costs for the available water. There are, however, mitigations the County can take to reduce those risks, and costs.

One mitigation would be for the County to agree to not charge MWSD for use of the Airport wells, so that existing ratepayers are not harmed by the additional population created by this Project. Those wells involve additional expenses in capital, treatment, and fees which should not be subsidized by existing ratepayers when demands require their use.

Another mitigation would be to support MWSD's efforts to obtain the lands, or at least the water rights, to the Martini Creek Bypass, currently owned by Caltrans. In prior years, Caltrans had been willing to transfer this land to MWSD - where it might obtain additional wells. For some reason, the County blocked this effort; there was a series of contentious emails between MWSD and County legal staff on this matter. If the County supported and facilitated this transfer, MWSD might be able to mitigate (at some cost) the decreased water security stemming from this Project, and from other population-increasing projects impending on the Midcoast.

Below are additional comments and questions on the issues related to Water Supply and MWSD's role in serving the Project.

1. OBSOLETE: "Production records between 2004 and 2016 show…" Why is the County relying on water system data which is 7 years out of date? Hydrologist data from 2018-19 shows stress on the Alta Vista well and 3,000 year-old water in the 3rd year of drought. MWSD had to cut back on Alta Vista Well use until it could replenish in rainy years.
2. INCOMPLETE IMPACT: "Montara Creek is the MWSD's surface water source" What does the Project do to this water quality? Has this reliance been confirmed with MWSD as still current/true? Note that this statement contradicts statements in XXX of the DEIR that the tanks adjacent to the Project will be used for potable and fire-fighting water. "Untreated surface water is diverted from Montara Creek through a 6-inch diameter pipeline and is stored in a 77,000-gallon concrete raw water storage tank that allows for the settling of initial sediment and suspended solids. After approximately 15 hours of detention time, the surface water is conveyed to the Alta Vista Water Treatment Plant. Presently, the Alta Vista Water Treatment Plant as a rated operating capacity of 75 gpm. Treated water is stored in the 462,000-gallon Alta Vista Treatment Tank No. 1 or 500,000-gallon Alta Vista Treatment Tank No. 2 and then conveyed to the potable water distribution system."
3. INCOMPLETE: The DEIR makes no mention of the inadequate pressure in Moss Beach hydrants - 39% of nodes. [9]
4. OBSOLETE/INCOMPLETE: The DEIR states "To date, MWSD complies with regulations related to water storage requirements and has sufficient storage to serve both existing customers and up to 1,000 new water service connections." >> That should say: "As of June, 2017…", and be updated to reflect 6 years of additional population and climate changes.

[9] per page 106 of 2017 MWSD Water System Master Plan

5. INCORRECT: The MWSD water tanks adjacent to the Project are too low in elevation to provide either potable or firefighting water. A new connection will be required to establish sufficient pressure, or pumps with sufficient backup power must be installed, so that those tanks will function as mentioned for the Project during the power outages common to the Midcoast. It would appear dangerously counter-productive to install tanks of fossil fuels on the site near the WUI wildfire hazard, in order to make those water supplies reliable.
6. INCOMPLETE: Due to the increasing population from the Project, MWSD will be required to draw more often from the Airport wells, which provide lower quality water and higher cost of use. There is an added cost of using Airport Wells passed on to MWSD rate payers when Alta Vista has to be reduced in use. This will negatively impact all current ratepayers. Why should MWSD rate payers have to be burdened with higher rates due to the increased stress on existing well system created by this Project? Will the County agree to waive fees on MWSD water usage paid for airport well water?
7. INCOMPLETE: Montara Creek is a MWSD surface water source. It is adjacent to the landslide portion of the Project, with potential to damage that creek if the construction, building weights, or stormwater runoff from the Project change current water flows.
8. INCORRECT: There seems to be a misunderstanding regarding the use of MWSD tanks in 2.5.7.1. Per that section: *"The project site is served by the MWSD. The project would extend water lines to new project facilities for potable water and fire water supply, as well as for irrigation of landscaping. The proposed water line would extend from the existing MWSD tanks along the existing 10-foot ROW along the eastern and northern parts of the Project. New domestic water and fire water lines would be located in the access loop and parking areas, with individual connections to each building."* However, those tanks are at or below grade from the buildings in the proposed Project. Per our conversation with MWSD, there would be little to no useful pressure from those tanks for use by the Project. As the DEIR relies on those tanks for in-building fire sprinklers, this issue needs to be resolved in writing with MWSD.

3.11 A - Question # 1: Will the County require MWSD to provide an updated Master Plan so the assessments relied upon for the Project are current and complete? And will the County agree to await a more current Master Plan from MWSD before reaching conclusions on this Project?
3.11 A - Question # 2: Will the County require a survey of local hydrant pressure near the Project?
3.11 A - Question # 3: Does MWSD agree with the DEIR regarding the use of the water tanks near the Project? If not, is the Project prepared to pay for the additional infrastructure - in perpetuity - required to service the Project?
3.11 A - Question # 4: Will the County agree to support MWSD's acquisition and water rights use on the Caltrans Martini Creek Bypass in order to offset the risks to water security posed by the Project
3.11 A - Question # 5: If the County requires use of the MWSD water tanks to serve the Project, will it pay in perpetuity for the additional costs required to install, operate, and maintain pumps and backup power supplies to make those wells reliably functional?
3.11 A - Question #6: Montara Creek is a MWSD surface water source and adjacent to the landslide area of the Project. Will the County study and obtain from MWSD a "hold harmless" opinion to document that Cypress Point Project drainoff will not degrade water quality in that stream?
3.11 A - Question #7: Has the County received written agreement from both MWSD that water from the on-site MWSD tanks could serve the purposes required and stated in this DEIR? If so, please provide a copy.

3.11 A - Question #8: If those MWSD tanks are in fact not at sufficient elevation for purpose here, what alternative arrangements will the County make to secure the water supply at pressure, and will the County or the Project fund that additional infrastructure, in perpetuity, so that existing ratepayers are not disadvantaged by the Project?

B. Sewer System

The Sewer Authority Midcoastside system has already exceeded its design capacity during wet weather storms each of the past two Decembers, and come close several other times. Sewer system overflows have been numerous, with the spill in Jan. '23 being 3 to 4 million gallons due to an overstressed intertie pipeline system. SAM has a long history of SSOs, most of which have been directly attributable to failing infrastructure. A total of 101 SSOs occurred in the SAM service area from January 2011 to May 2017. See Midcoast ECO's SAM Status Update and SAM/MWSD Flow Analysis Report – March 7, 2018 for details. The previous largest of these spills (344,000 gal in March 2017) resulted in a $300,000 fine and regulatory enforcement action by the San Francisco Regional Water Quality Control Board (RWQCB) directing SAM to complete replacement of the Intertie Pipeline System (IPS) and add more sewage storage capacity in order to reduce excessive wet weather flow into the SAM treatment plant. IPS sections 1-3 were replaced in 2018 and SAM also initiated a preventative maintenance program. Wet weather sewage storage capacity was also increased from 200,000 gallons to 400,000 gallons next to the Portola Pump Station in 2021. This storage capacity, along with the 434,000 gallon capacity of the Walker tank at the Montara Pump Station, allows SAM greater flexibility in regulating flow into the plant from GCSD and MWSD. However, since HMB has no storage capacity and they have routinely averaged more than 60% of the total sewage flow into SAM, the risk of overflows during significant storm events remains high. On October 25, 2022, the Portola tanks were filled to within 6 inches of overflowing during a significant storm event. Furthermore, from June 2017 to December 2022, there were 28 additional SSOs that spilled a total of over 10,000 gallons of raw sewage with less than half of that volume recovered.

The plant has indeed been challenged to the point of catastrophic failure on at least two occasions in the last two years. In December 2021, a storm caused an overflow at the plant, which nearly shorted out the entire electrical building. On December 31, 2022, a major storm event caused Pilarcitos Creek to flood into the plant, resulting in a partial shutdown and near total failure (details in this article). Flow was stopped from GCSD and MWSD, which caused an overflow of the Walker tank in Montara and sewage overflow into the ocean for several hours. The next day, major breaks in the IPS in Moss Beach produced additional SSOs of an estimated 3 to 4 million gallons. The associated costs for these

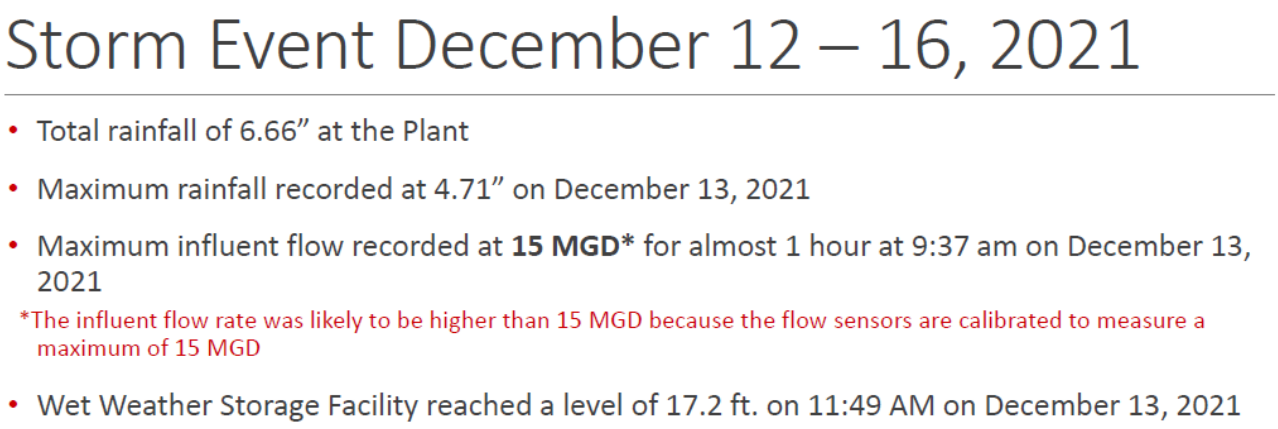

Figure 23 - SAM Board Presentation on Dec. 2021 storm

unplanned emergency repairs have already exceeded $1 million as of the beginning of 2023 and the risks for further impacting events remain. Fines by the RWQCB remain to be determined.

In addition, the I&I from the MWSD and GCSD service areas came within 6" of overflowing the recently

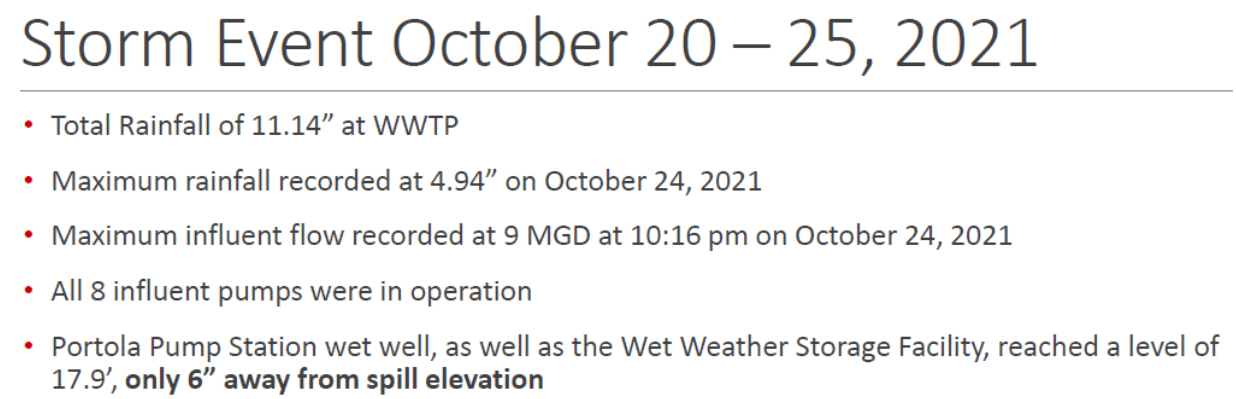

Figure 24 - SAM Board Presentation on Oct., 2021 storm

expanded wet weather storage in Burnham Strip on Oct. 25, 2021. This Project will directly impact that storage facility and the IPS; it is reasonably foreseeable that the Project will necessitate additional WWS before occupation commences or else the remaining 6" will be consumed and sewer system overflows will occur in El Granada. Such extra WWS will require a GCSD land lease, and disrupt their plans for a community center.

The SAM plant has sufficient capacity during DRY weather conditions. The problems occur during WET weather, when inadequate stormwater management creates I&I throughout the collection systems feeding the plant. One example is stormwater flow down Stetson, adjacent to the Project site, which

runs into a storm drain and then, uncontained by pipes or culverts, runs through the property at 2015 Carlos St. and lands directly on a sewer manhole cover, and drains down Carlos to Etheldore, flooding that intersection rapidly during rainstorms.

As stated by the MWSD sewer engineer:

"These are pictures taken by SAM staff the morning of March 12, '23. Storms flooded north Moss Beach, and the landscape in that area does not appear to have any organized way to manage water accumulation and flow. Excessive water accumulation negatively impacted traffic safety, the MWSD sewer system, private yards and homes….

Other problems existed across HWY 1 where the water needs to flow under the Highway in culverts which have become plugged and overwhelmed several times... Areas along Carlos Street have had significant flooding that negatively impacted the Sheriff station, traffic safety, many other businesses, ***and the MWSD sewer system in that area, causing overwhelming infiltration which added extra water pressure in the sewer pumping system and contributed to significant extra stresses in the IPS pipeline SAM owns. This water backing up the neighborhoods ultimately has to be treated and pumped out the SAM sewer plant, a function for which the sewer system was not designed to handle."***

Addition of this Project will further stress the SAM system, past a tipping point, into failure unless mitigations are made to prevent this Project from increasing the burdens on the SAM plant.

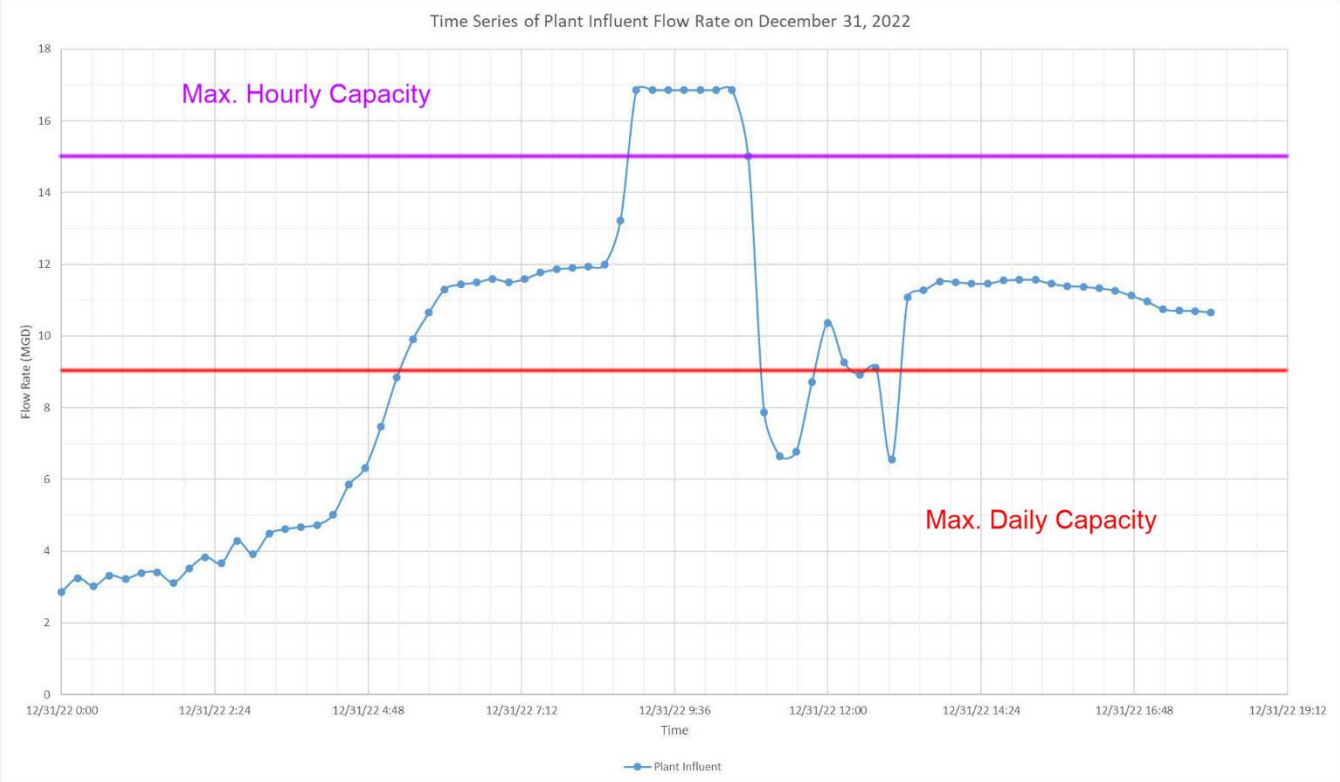

Figure 25 - Sewer Plant Over Capacity 12/31/22

Further, according to a San Mateo County Sea-level Rise Vulnerability Assessment from 2018, the SAM sewage treatment plant is highly vulnerable to sea level rise and creek backup and is subject to ground water infusion in the event of flooding. Inundation would likely cause a loss of service. For these reasons, the plant's adaptive capacity was rated as "low". And this is part of what we witnessed on 12/31/23 when the creek overflowed.

Expert testimony on this matter also states that:

"MidPen's wastewater analysis fails to evaluate the impact on wastewater treatment facility capacity of the proposed MidPen project in combination with the second units contemplated in the LCP and the impact of adding these additional ADU's"

In conclusion, the sewer system capacity in Moss Beach, El Granada, and the SAM plant downstream, are insufficient to accommodate the additional WET weather burdens on the system from the Project. The SAM plant has exceeded its permitted maximum design capacity in storms the past two Decembers, in one case for days. Further study, design, and system additions will be required, and those studies must be endorsed by MWSD and SAM (and likely also GCSD). There will also be questions about the initial and perpetual costs of any added sewer-related infrastructure required for the Project, and ensuring that the funding thereof does not burden existing, only new, residents.

3.11 - B Q1: Will the County require a study of appropriate additional wet weather storage, then funding, on the IPS to avoid future spills in El Granada? If not, how will the County "hold harmless" the community from the additional financial and physical risks posed by the Project?
3.11 - B Q2: Will the County require a study of the causes of I&I in the SAM system, and the causes of the 3 to 4 million gallon sewer spill in Moss Beach in Jan. '23., and then design, funding, and construction of system enhancements to prevent the Project from repeating similar spills in the future? If not, how will the County "hold harmless" the community from the additional financial and physical risks posed by the Project?

C. Stormwater System

The MCC has documented numerous damages from stormwater on the Midcoast, and a lack of appropriate stormwater risk management by the County. A complete report on these issues will be forthcoming. For this DEIR response, those issues are contained in the Hydrology section of this document.

D. Electrical Power

Electrical power on the Midcoast is plagued with outages which occur every year, and in some instances last for a week. This may affect the health and safety of the Project's residents, depending upon the availability of backup power sources and the need for medical supplies (e.g. oxygen generators, refrigeration). We are also concerned that the power grid here is overstressed, and will be further degraded by the addition of 71 more families, en masse.

3.11 - D Q1: What steps will the County fund and implement to improve the reliability and sufficiency of electrical power Midcoast, and avoid additional degradation in services stemming

from the Project's additional residences? Will the County present an analysis from a certified engineer, and agreed by PG&E, that sufficient reliable power can be provided and maintained?
3.11 - D Q2: There is currently no natural gas infrastructure on the Project site. Will all heating/cooling be electric? Will there be backup generation? What kind? Will those generators include fossil fuels, thus adding to the risk of fire spread?

E. Telecommunications

The Midcoast has inadequate telecommunications in several dimensions: coverage, speed, cost and reliability. The details are contained in this MCC report distributed 4/26/23. While we are trying to get the County to help us start a local Community Broadband Network (request of 7/26/2023), we have been unsuccessful. Part of this issue stems from the unreliability of the electrical system Midcoast, and part due to the configurations of the oligopoly providing telecommunications - which, among other drawbacks, lacks sufficient battery and backup power.

We mention this because the health and safety of a dense new complex of residences can be at greater risks for health and safety (esp. evacuation) when power and telecommunications again fail.

3.11 - E Q1: Will the County agree to fund the Community Fiber Feasibility Study per the request of 7/26/23, so that we can advance toward a robust telecommunications network?
3.11 - E Q2: What other steps will the County fund and implement to improve telecommunications and avoid additional degradation in services stemming from the Project's additional residences?

3.12 Wildfire (with Residential Fire And Evacuation)

Our comments in this section include the concerns about both Wildfire and protection from normal dwelling/structure fires, including comments on Appendix N, plus related Evacuation risks.

Figure 26 - Cause of Wildfire Increase

This Project is being developed in the Wildland Urban Interface (WUI) which is well-documented as a cause of the increase in wildfire damage throughout the state. This Project poses increased wildfire risks to the entire neighborhood which are not mitigated. In fact, the most obvious mitigation strategy is the one being ignored by this Project: *"Zoning commissions and planning boards have got to stop building subdivisions in landscapes they know from the get-go are high-severity fire zones. If we could get them to do that, we'd have the most effective mitigation strategy, which is not to put people in the way."*

The Project is situated within 0.5 miles of a High Fire Hazard Severity Zone, and 0.6 miles of a Very High Fire Hazard Severity Zone [2007 Map , Figure 4 of EIR Appendix N. As has been shown in the Paradise and Oakland Hills fires, and attested by CalFire Chief Ralph Sampson at an MCC meeting in 2019, winds blow burning embers several miles and cause fires which spread so rapidly people cannot outrun them, as once again demonstrated in Lahina, Maui. In fact, the most damaging fires derive from WIND, not ground fuel excess. Per this study, traditional/conventional approaches (e.g. fuel reduction) and fire fighting equipment don't work. 90% of wildfire damage is done in only 10% of fires – the wind-driven ones… Note the immense difference in damage shown on Table 1 of that study.[2]

Table 1 Selected California, USA, wildfires, from 2003 to 2018, interpreted as fuel-dominated vs. wind-dominated (Data from California Department of Forestry and Fire Protection's Fire and Resource Assessment Program, http://www.frap.fire.ca.gov/)

From: Twenty-first century California, USA, wildfires: fuel-dominated vs. wind-dominated fires

Year	Fire name	County	Month	SA[a] (days)	Area (ha)	Cause	Lives lost (*n*)	Structures destroyed (*n*)
Fuel-dominated fires								
2007	Marble Cone	Monterey	Jul		72 000	Lightning	0	0
2012	Rush	Lassen	Aug		110 000	Lightning	0	1
2013	Rim	Stanislaus	Aug		104 200	Campfire	0	112
2015	Rough	Fresno	Jul		61 400	Lightning	0	4
Wind-dominated fires								
2003	Cedar	San Diego	Oct	3	109 00	Flares	15	2 720
2007	Witch	San Diego	Oct	2	80 200	Powerline[b]	2	1 265
2017	Tubbs	Sonoma	Oct	2	14 900	Powerline	22	5 643
2017	Thomas	Ventura	Dec	10	114 000	Powerline	2	1 063
2018	Woolsey	Ventura	Nov	2	39 000	Powerline	3	1 643
2018	Camp	Butte	Nov	2	62 000	Powerline	88	18 804

[a]Number of days of Santa Ana winds

[b]State and federal agencies use this designation for electric line failures from various causes

Figure 27 - Wind-driven Fires Dominate Damages

The greatest wildfire risk in this region is from Diablo Winds from the NE, and there are several lessons from the 1991 Oakland Fire which apply to this proposed Project. The proposed buildings are near numerous stands of trees, including a continuous 'speartip' of trees extending NE from the Project into a Very High Fire Hazard Severity Zone. In the event of a canopy fire, the embers could be carried on a "ladder" of flammable trees into the complex - they would not even have to blow the 3 to 5 miles as was documented in the Paradise fire. A review of the FEMA after-action report on the 1991 Oakland Hills fire, the Paradise fire, and the CZU lightening fire last year indicate that the MidCoast faces similar high wildfire risks, but with less evacuation and shelter options, and a similar lack of fuel reduction preparation. Analysis of historical wind data shows that it is virtually certain we will have a Diablo wind in our region every year[10], and it is most likely to occur on fall days when wildfire risk is highest.

A state fire planning document warned in 2005 that Paradise risked an ember firestorm akin to the one that ripped through Berkeley and Oakland 14 years earlier. The "greatest risk" was an "east wind" fire, the document said, "the same type of fire that impacted the Oakland / Berkeley Hills during the Oct. 20, 1991, firestorm" that killed 25 people. A year later, the Butte County grand jury warned that the town faced disastrous consequences if it did not address the capacity limits of its roads. But Butte County supervisors and planners **rejected the panel's call for a halt to growth until the evacuation problem was met** – which sounds a lot like Connect The Coastside and the Half Moon Bay LCLUP, ignoring the issue, as well as this Project proposal.

In the Paradise wildfire, *"the homes were the fuel"*. Look at the picture below from the Paradise fire. The green trees (those not eucalyptus) survived while the homes were wiped out. Yet our County

[10] https://www.coastsidebuzz.com/diablo-winds-a-recurring-danger/

continues to approve construction of additional ADU's and dense affordable housing complexes like Big Wave and Cypress Point, which decrease defensible space between residences and increase the likelihood that wildfires cannot be suppressed.

The Kilcrease Circle community in Paradise, California, USA, devastated by the Camp Fire, surrounded by green forest with canopies largely untouched by fire. (DigitalGlobe, a Maxar company satellite image from Nov 2018, used by permission; https://digitalglobe.app.box.com/s/um30g59f92yx0sit0c07p7gremd7r1vj)

Figure 28 - Paradise, CA - 'The Homes Were The Fuel'

Our request is that we not ignore these lessons from the recent past, in an era of increasing climate crisis, as just happened in Maui[11].

The focus of the DEIR on Wildfire risk is about the development itself not the impact on the surrounding neighborhood. The need for evacuation is discussed in terms of exiting the development and ability of 1st responders to enter the development. There is no discussion of how the surrounding neighborhoods would be impacted by an evacuation. Neighbors could find themselves trapped in their driveways. There is no discussion of how fleeing cars from the development would potentially hinder or outright block fire response from Coastside Fire Station 44. Cypress Point would add to the significant strain on the evacuation and response roadway system.

Although the development itself is not in a high fire danger zone, the entire roadway north on Highway 1 from Montara mountain is in a very high fire danger zone. El Granada is surrounded by very high fire danger. Highway 92 is also in a very high fire danger zone. Eucalyptus tower adjacent to the

[11] A terrifying fire struck Maui in 2018. Officials were warned of a repeat.

Maui County vowed to enhance fire safety after a near-deadly 2018 blaze, but little changed, according to an investigation by The Post. https://wapo.st/3QQI5wW

Hwy 1 only evacuation route at Frenchman's Creek, Medio in Miramar, and Hwy 1 north of the Lantos Tunnel. It is possible that both roadways become blocked when a natural disaster fells those trees, and evacuation and response may be impossible for critical hours.

3.12 - Question #1: Will the County now require an evacuation simulation which includes all current neighborhoods and residences and normal visitor traffic loads, as well as the added population and vehicles from the Project? If not, how does the County justify the failure to assess this risk comprehensively?

Without proper internet connectivity all communication can fail as it did this winter making it impossible for even 1st responders to communicate with the outside. What happened in Lahaina can easily happen here on the coast. Without adequate and reliable communications services - as documented in this MCC report - the Midcoast remains significantly vulnerable. Zone Haven and County Emergency services rely on internet and cell service to notify residents who are registered. The MCC has proposed a Community Fiber Network based on California's Middle Mile Broadband Initiative, and has the endorsement of local agencies and the City of Half Moon Bay (letter of April 26, 2023). We have requested seed funding from the County (letter of July 26, 2023).

3.12 - Question #2: Will the County agree to the MCC's request for seed funding for a Community Broadband Network as partial mitigation to the evacuation risks in the Midcoast exacerbated by the Project?

The water hookup for fire-fighting water storage (FFWS) is supposedly sufficient for the development according to the EIR but we find no calculations, nor endorsement from CalFire or the CFPD regarding this matter. Note that the MWSD FFWS was calculated about a decade ago, based oin the requirements to fight a 2 hour 'design fire' in a single-family residence. The Project contains several much larger buildings, supporting up to four (4) families each in a dense configuration. The potential for fire spread between dwellings and between buildings is much greater. Informal calculations done by CalFire for the Big Wave project showed a need for 600,000 gallons of FFWS.

3.12 - Question #3: Where are the calculations from CFPD regarding the amount of pressure and duration required for the Project? What FFWS at elevation does this require?

3.12 - Question #4: Will the County require that this additional FFWS be added PRIOR TO construction of the Project? If not, why not?

3.12 - Question #5: Will the County require that this additional FFWS be paid for - in perpetuity - by the Project, so as not to burden existing ratepayers who otherwise would not require it? If not, why not?

As noted elsewhere in this DEIR response, 39% of the MWSD hydrants in Moss Beach were below standard in 2017. They were, however per CalFire, legal for a single-family dwelling 2 hour "design fire". The two lowest pressure hydrants - barely sufficient for a single-family dwelling - were the two hydrants closest to the proposed Project. An April, 2019 survey of all MWSD hydrants based on CalFire records thru 2018 showed that - in spite of a requirement that they be tested every 10 years - 90% of MWSD hydrants had not been tested in that period. In other words, instead of testing 10% of

hydrants each year, only 1% of hydrants were being tested. This raises concerns about the fire suppression capabilities and safety for the Project and the neighboring Moss Beach residents.

3.12 - Question #6: Has more recent testing been conducted on Moss Beach hydrants, and what are the implications for fire-fighting in the Project, or the vicinity of Moss Beach in the event a fire spreads from the complex?

3.12 - Question #7: Will the County (or CFPD) require new hydrants proximate to the Project? What pressure will be required for what duration for hydrants identified as relevant to Moss Beach fire suppression?

Given these concerns, even a nearby fire station cannot properly suppress a fire if the water and pressure are not available. The most recent ISO report rating the Fire District which we have seen is from 2018. This report should be updated and provided for review as part of this DEIR. Since it is unclear whether Fire Fighting is a "Utility" we raise this concern in this Wildfire section.

3.12 - Question #8: Will the County procure a much more recent ISO report as part of the EIR evaluation for this Project? If not, why not?

INCORRECT: There seems to be a misunderstanding regarding the use of MWSD tanks in 2.5.7.1. Per that section: *"The project site is served by the MWSD. The project would extend water lines to new project facilities for potable water and fire water supply, as well as for irrigation of landscaping. The proposed water line would extend from the existing MWSD tanks along the existing 10-foot ROW along the eastern and northern parts of the Project. New domestic water and fire water lines would be located in the access loop and parking areas, with individual connections to each building."* However, those tanks are at or below grade from the buildings in the proposed Project. Per our conversation with MWSD, there would be little to no useful pressure from those tanks for use by the Project. As the DEIR relies on those tanks for in-building fire sprinklers, this issue needs to be resolved in writing with MWSD.

3.12 - Question #9: Has the County received written agreement from both MWSD and CalFire that water from the on-site MWSD tanks could serve the purposes required and stated in this DEIR? If so, please provide a copy.

3.12 - Question #10: If those tanks are in fact not at sufficient elevation for purpose here, what alternative arrangements will the County make to secure the water supply at pressure, and will the County or the Project fund that additional infrastructure, in perpetuity, so that existing ratepayers are not disadvantaged by the Project?

3.12 - Question #11: How can 359 new residents all being forced down to California Ave, potentially blocking Coastside Fire Station 44 (Stetson St) and San Mateo County Sheriff substation on California Avenue, not be a hazard even studied in the EIR?

3.12 - Question #12: Why is there no analysis of potential increases in response times of fire and police being required by the County? Or included in the EIR?

Appendix N of EIR: Wildfire and Evacuation Route Assessment

INCOMPLETE: The evacuation analysis in Appendix B of Appendix N considers only evacuating residents of Moss Beach to a site in Half Moon Bay. There are two major omissions in this analysis. First, in any major disaster it is extremely likely that residents of ALL the surrounding communities would be affected, or at least panicked or concerned enough to try to leave. Omitting traffic from Montara, El Granada, Miramar, Princeton with its tourists, and northern portions of HMB such as Frenchman's Creek is not a realistic scenario. Those vehicles were not considered in these simulations. Second, the number of cars exiting the Project is wildly understated based on the evidence at MidPen's Moonridge affordable housing complex, where 250 vehicles are routinely parked on Miramontes Point Rd. at 11am on a Wednesday[12]. When a realistic number of cars and parking spaces is established for the Project, this number needs to be employed in a re-analysis.

Note also that this analysis assumes Hwy 1 is open. As shown elsewhere in this reply there are tsunami zones both north and south of the Project which cross Hwy 1, so the road would clearly not be open then. Further, as mentioned elsewhere in this reply, portions of Hwy 1 and surrounding roads are in earthquake and/or liquefaction zones, which would likely result in some closures in event of a serious earthquake. Finally, Hwy 1 was closed or impeded during the storms of Jan. 2023 as follows:

1. North of Lantos tunnel from falling trees
2. South of Lantos tunnel from a van-sized boulder
3. In southern Montara near 16th street by a mudslide (half the Highway blocked)
4. In Moss Beach by two mudslides
5. On Hwy 1 across from the HMB airport by a "lake" of water stretching from nearby farms.

It is in that context that we ask question 3.12 - Question #1 above, most urgently.

INADEQUATE/INACCURATE: The DEIR comments that *"These roads can support weight loads of fire apparatus and allow for access from all directions."* The condition of the emergency responder route through back roads to Lincoln St. appears inadequate in speed, distance, and reliability. Per residents, the route to that Lincoln far corner is circuitous and inefficient when seconds matter. If you need multiple trucks, there needs to be a more straightforward 2nd entrance/exit to the Project. Lincoln, Sierra and Buena Vista are all non-county roads paved by homeowners, so no weight limit has been tested. No drainage is provided. The exit from Lincoln would be gravel and prone to flood onto a non-county road also with no maintenance. In sum, the emergency access road on Lincoln doesn't make sense unless Lincoln is connected directly to Sierra. Another alternative would be a 2nd entrance

[12] Observed and counted twice. Street parking is the overflow not parked in the spaces provided in the Moonridge spaces.

connected directly to Sierra near Stetson.

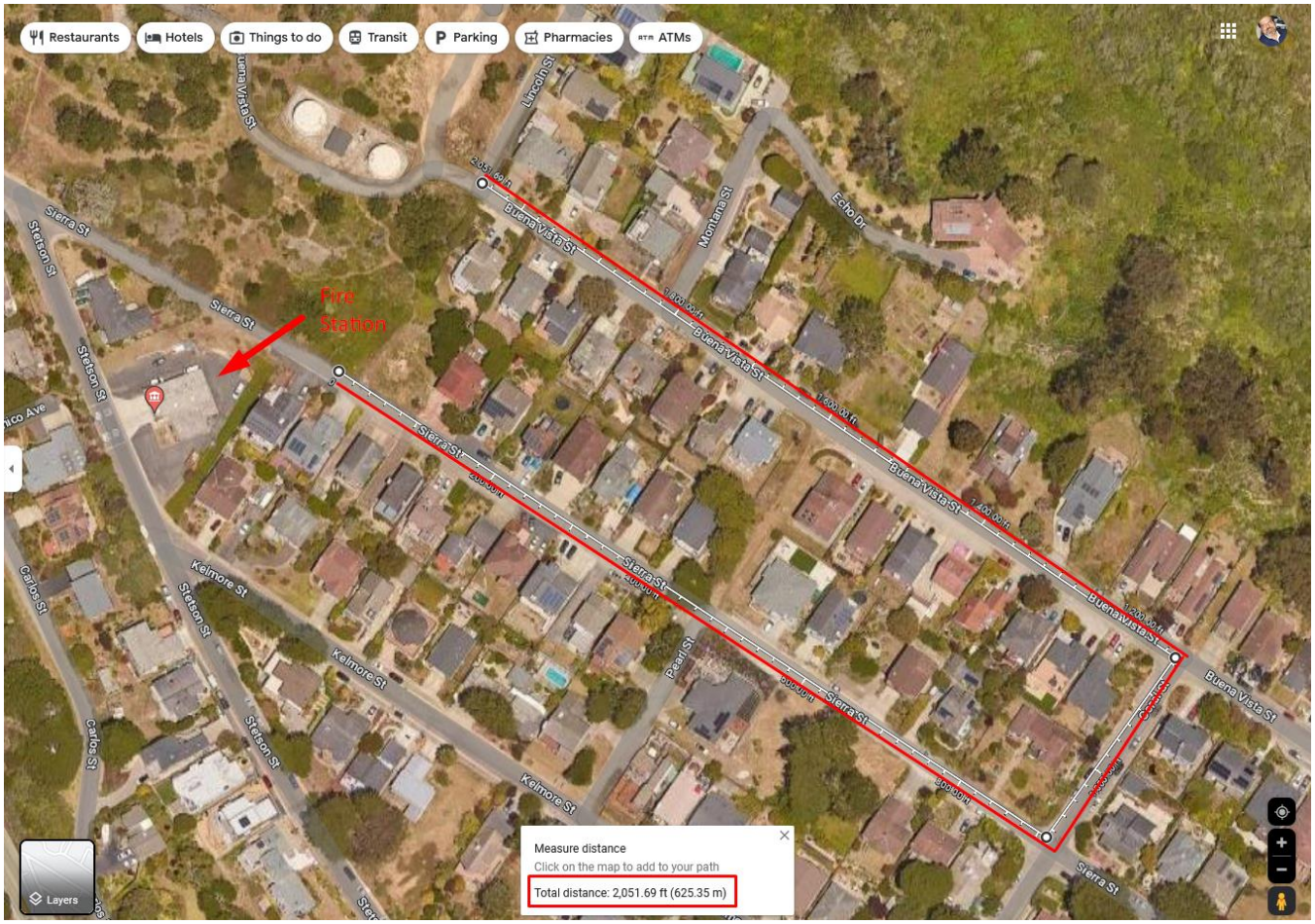

Figure 29 - Excessive Turns and Distance for Fire Response

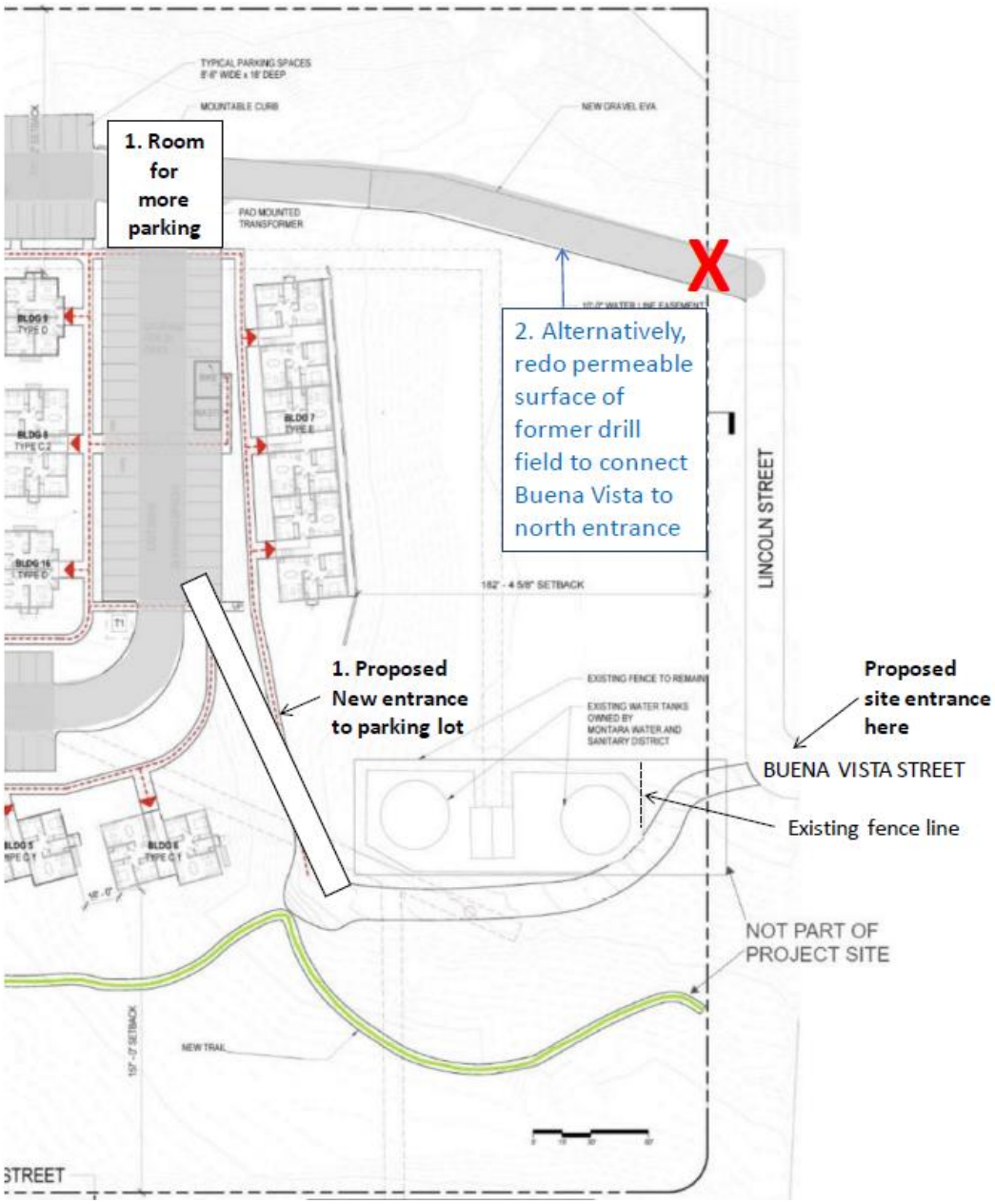

Figure 30 - Alternative Fire Truck Entrances

Note that fire trucks already have difficulty navigating the roads in Moss Beach (photo below) and that Carlos in only 13' wide. With implementation of the County's Complete Streets standards, adding a sidewalk and bike lane, Carlos will be even narrower and will be forced to be a 1-way street. Note also that Carlos St. has a 8° grade and California St has 15-17°grades, which already cause delivery trucks

and other large vehicles to slip.

Figure 31 - Fire Truck Difficulty Navigating Near Project Site

Given the above difficulties, it would appear that allowing NORTH flow on Carlos to Hwy 1 is the safest, fastest route to respond to fires in Montara from the Stetson fire house. These road conditions also suggest that all trucks entering and exiting the Project should carry debris (and associated noise) North to Hwy 1, before turning on the Hwy to their dump site destinations. Given that those trucks and fire engines are slow to accelerate and the curve on Hwy 1 semi-blind, a traffic sensitive signal should be installed there BEFORE construction starts, so that construction vehicles can ingress and egress safely without disturbing the neighborhood or colliding with highway traffic speeding around that curve.

Figure 32 - Carlos Too Narrow for Fire Trucks and Complete Streets

3.12 - Question #13: What testing has been done on the complete proposed back entrance for second responders? Have road weight limits been confirmed? Has turning radius, reportedly difficult now for delivery trucks much shorter than fire engines, been tested? Please provide copies of the testing reports, if they have been conducted.
3.12 - Question #14: Is the County prepared to take responsibility for those roads, upgrade them to County standards, and provide drainage and road safety markings?
3.12 - Question #15: Why doesn't the Project instead provide either a more direct road into the Project from Sierra, or connect Lincoln to Sierra - which would save over 2,000 feet of driving and 3 or 4 right angle turns? Even better, why doesn't the Fire Station open a driveway to the north, directly to Sierra, so that it can avoid an additional 2 more turns and 500 more feet? See map below.

3.12 - Question #16: Will the County require a signal at 16th & Carlos on Hwy 1 as a precondition to beginning Project construction. If not, why not?
3.12 - Question #17: Will the County design Carlos as one-way to the North up to the Project driveway, and then 2-way from the driveway north to Hwy 1 as a precondition to Project completion and occupancy? If not, why not?

The Midcoast has sirens but they are only for tsunamis.

3.12 - Question #18: Once wifi/cell service is out, how do residents know to evacuate? How will the many beach visitors know what sirens mean and where to go? What fail-safe signage can be deployed where to instruct visitors and drivers?

3.12 - Question #19: Will the County commit to upgrading to a system of sirens with backup power with different alerts for different reasons - prior to occupation of the Project, and post signs and provide training so that those warnings have recognizable meaning to all, especially when power and telecommunications are disabled? If not, why not?

Chapter 4. Alternatives Analysis

The Midcoast community has significant resistance to the Project. In part this stems from the benefits of the Project applying to new residents, the builders, and the County, but not to existing residents. In part this stems from resident concerns about actual harms to health, safety, and livability of current residents and visitors (such as increased evacuation risks). There are additional concerns about increased costs and decreased security and sustainability stemming from the addition of population to an infrastructure over-burdened at present, and fresh in the memories of people flooded and crushed out of their homes in the New Years' storm of 2023.

Of the major alternatives discussed, a No Project alternative would avoid more stress on water supplies and the sewer system, reduce danger from WUI wildfires, and allow the site to continue to perform its function as an imperfect, but useful, stormwater retention basin. We understand that this would not meet State RHNA objectives or goals for more affordable rentals.

Keeping the Project in the location as designed, but restricting it to Seniors or the Disabled, would appear to reduce some of the traffic burdens - and would certainly reduce the risks of off-street parking blocking evacuation and emergency services. It should be possible under that scenario to avoid the blockage of Carlos St. headed north for most of a decade, because resident trips would more likely be via mass transit options like shuttle buses. However, the lack of a full service 24-hour medical facility on the Coast might make this option too dangerous for the potential residents. The other risks and harms described above would remain.

Moving the Project to El Granda, especially if it were focused on school, hotel, and harbor worker rentals, would avoid most of the traffic and some of the parking burdens, because those residents would be in close proximity to their jobs. A Local Worker Housing facility - assuming it is legal and enforceable to limit residents thereto - would also solve problems with attracting and retaining good employees for those employers. Pending further study, this alternative would also reduce much of the stormwater concerns, especially in Moss Beach and downstream at the Fitzgerald Marine Reserve. It

would still require additional Wet Weather Storage on the SAM IPS, and the same level of mitigation to resolve the overflows at the SAM plant, and the concerns about wildfire and water supply would remain.

Moving the Project to Half Moon Bay would also markedly reduce traffic burdens, because a full suite of services and transit options is available there - instead of being 8 miles away. A HMB location would also not increase evacuation hazards or WUI wildfire risks, as much as would the above approaches. A HMB location would provide the most potential for new residents to be integrated into a vibrant community. The concerns about burdens on stormwater and the sewer system would likely remain, because HMB is a primary cause of I&I at the SAM plant.

But there are more considerations to a No Project alternative. If the County is going to spend $25 million and more, then we should consider the opportunity cost of other projects which would provide more benefit and less harm to existing residents.

Other Alternatives:

- A Midcoast Community center
- Relocating the Moss Beach firehouse, with multiple driveways for access
- An improved stormwater retention pond in Moss Beach
- A Neighborhood Park
- Designing and creating the missing stormwater management system Midcoast
- Emergency helicopter pad
- More education funding for Cabrillo School district
- Funding for mental health and/or CARES programs to improve police response effectiveness.

Finally, there is a Postpone Project alternative. Delay all construction until the infrastructure issues are proven upgraded and sufficient. Help MWSD obtain more water supplies. Ensure Cal Trans actually completes the traffic, bus, bicyclist, and pedestrian safety measures all the way to the school in Montara, meaning the Connect the Coastside project. Design and build a stormwater management system on the Midcoast, and prove it can handle the New Climate Reality. Ensure the SAM system no longer has capacity and reliability issues. Do not consider this Project until that is finished. At that time we can assess what size of a population increase would be safe and sustainable for this neighborhood.

Chapter 5. Other CEQA Considerations

5.1.2 Economic Expansion or Growth

2019 census data is used for this analysis yet 2020 data is available. According to datausa.io There was a decline in jobs by 5% from 2019 to 2020. The site also revealed that most adults drive alone to work with a commute time of 31 minutes. This is longer than the Average American worker.

5.1.2 - Question #1: Why wasn't the most up to date census data used? What are the implications for this DEIR of doing so?

5.3 Significant Unavoidable Environmental Effects

We concur with the DEIR that 4 significant transportation impacts cannot be mitigated. We view this Project as worsening an already dangerous traffic situation, and expanding the danger into the back streets of Moss Beach, beyond the already-deadly corridor on Hwy 1.

Considering that there was no evaluation presented of the proposed Project on Fire and medical response times for Station 44, and no evaluation of the following items is included in the EIR: cumulative traffic flow and delays through surrounding Streets, car emissions impact on neighbors, noise, possible impedance of exiting one's property, nor a full-scale simultaneous evacuation in an emergency, we must conclude that this DEIR is dangerously incomplete at this time. Note that the Project's traffic estimates expect increased traffic via alternative modes, and must include the increased number of school children. The potential for more traffic injuries or loss of life, permanent disability due to lack of timely health care response, and congestion preventing timely evacuation or emergency response all argue against the Moss Beach location for this Project.

We are also concerned that failure to address reasonably foreseeable safety concerns described above in this response can lead to severely negative outcomes for residents and lawsuits against the County and MidPen. There are better ways to spend this money and avoid both risks and lawsuits.

In the event that the County considers a Statement of Overriding Considerations before approving the Project - to provide the specific reasons to support its action, we maintain that concerns related to the benefits of adding more affordable corporate rentals must be weighed against the safety, costs, and livability risks for thousands of existing nearby community members detailed above.

Further, there is a presumption that adding more affordable corporate rentals has some material Social Justice benefits. Putting lower income residents atop a toxic WWII weapons site, with the potential for flooding, 8 miles in either direction from important services, near a WUI wildfire risk, with only a one-way steep road for evacuation, does not seem proper treatment for the new, or existing, residents of Moss Beach.

As we know, the level of wealth and income disparity in this country has never been greater since we started measuring it with the advent of the Income Tax in 1913. People cannot afford housing, throughout the country, and especially here. And people cannot afford housing because they do not make enough money.

People do not make enough money because the drive for corporate profit motivates off-shoring jobs for cheaper labor elsewhere, promotes automation to eliminate workers with benefits, and exploits immigrant labor when they cannot get rid of the workers by other means. People do not make enough money because the interests of Capital have dominated Labor since about 1970, when the income and wealth gap - which had shrunk due to unionization and the growth of home ownership - started growing again. Capital owns the businesses, gets favorable tax breaks, and buys the votes of our officials through campaign financing.

The Affordable Housing Industrial Complex gets 9% real estate investment tax credits together with Government subsidies, thus providing high returns to wealthy investors, while perpetuating corporate rentals instead of offering home ownership. This very successful compact between a social program and tax incentives has been one of the reasons Wealth Inequality has grown since 1970. But to truly address the root causes of inequality we need to change factors well beyond providing more rentals: liveable wages, tax codes, campaign financing, and others.

So, as you consider whether to burden Moss Beach and the Midcoast with a panoply of Cypress Point risks and costs, using our tax dollars to enrich the already wealthy, be aware that this housing is driven by profiteering Capital. Projects like these will widen, not reduce, the yawning chasm of Wealth Inequality in the U.S. There will be no Equity In Housing, until there is Equity In Housing, FOR THE RESIDENTS.

We ask the Planning Commission to bear in mind the continuing societal damage done by this increasing concentration of wealth, while it also considers the tangible harms stemming from the Project, and to insist that whatever is approved fully protects the Midcoast from further risks and costs - in advance and in perpetuity. Do not be deceived into thinking this Project is solely advancing Social Justice. This Project has a mix of impacts: providing new rentals, enriching investors, and threatening residents with risks to safety and sustainability. Please ensure that your decisions balance these competing interests fairly, so that we don't lose another friend to traffic death.

Accountability

The Midcoast has experienced a series of problems where the County has failed to hold builders and property owners to code standards. This includes excessive lighting at the El Granada Fire Station, walking rights of way in El Granada, building codes in Montara, and more. A project of this magnitude has the potential to fail to live up to promises in many dimensions. With this Project, those failures will be dozens of times the impact of traditional single-family dwelling violations. The MCC requests a stringent method of auditing compliance, the funding to do so, and funds for remediation and/or restitution when violations are found. In commercial contracts it is standard practice to have contractors fund performance bonds to pay for remediation and/or restitution for violations of their contract *[see recent contracts at SAM and MWSD with equipment and construction contractors]*.

Questions:

1. **How will the County enforce provisions of the EIR when MidPen violates them?**
2. **Who will perpetually audit MidPen regarding ongoing performance issues, like runoff?**
3. **Who will fund those audits, in perpetuity?**
4. **What will be the revenue sources, funds warehousing, financial controls, and audit procedures for the funds required to mitigate and restitute for violations?**

Your attention to these critical accountability issues is vital to ensure that the conclusions presented in the final EIR are valid, and that the health and safety of community residents, visitors and wildlife are protected, in perpetuity.

Project Prerequisites

This section lists the actions, studies and mitigation actions requested by the MCC prior to approval of this Project (or any similar project) for construction.

A. Prior To Construction of Any Project

1. Completion of a stormwater analysis and system redesign to account for the already-experienced levels of rainfall in Moss Beach, and the pre-existing site runoff now mitigated by the site.
2. Certification of the ‘geologic hazard evaluation’ and ‘subsurface conditions’ assessment by a registered geologist.
3. Completion of a re-assessed traffic study utilizing apartment dwelling codes appropriate for an eight-mile commute to work or to obtain services.
4. Completion of an updated traffic impact study on response times for police and fire, including during an evacuation situation (using realistic vehicle counts).

5. Completion of a re-assessed parking requirements to incorporate the findings from #2 above and the delivery services now prevalent for work-at-home and senior populations
6. Completion of a more thorough soil hazards analysis … [see comments from MidcoastECO]
7. Establish water quality monitoring at mouth and upstream in Montara Creek at least one full year before construction begins in order to establish baseline for hazardous materials known to have been present at the Project site.
8. Study and Expansion of sewer system, including more Wet Weather Storage on SAM IPS to meet increased flows, avoidance of I&I, and possible plant improvements.
9. MidPen shall develop a plan for mitigation to bring the cancer risk below BAAQMD thresholds
10. Documentation of how accountability will be enforced, including the methods by which plans will be audited for successful completion, by which failures will be remedied, by which damages from failures will be restituted to affected parties, and how the funding for these steps is to be provided.
11. An estimate of the additional costs which current residents will be absorbing as a result of this Project. Form a work group with the MCC and local agencies, collect the cost of impacts, forecast costs over the life of the assets affected, and document the cost burdens.
12. Caltrans completes the traffic, bus, bicyclist, and pedestrian safety measures, substantially meaning the Connect the Coastside project, which they claim will be finished by 2030.
13. Installation of Complete Streets infrastructure in Moss Beach streets for safe travel to/from Hwy 1 (including sidewalks, bike lanes, and handicapped access).
14. An audit of the Project, and remediation as necessary, to ensure a project complies with Dark Sky International lighting standards.
15. An ongoing audit and reporting mechanism to ensure that residents continue to meet the criteria for residence.