INITIAL STUDY AND NEGATIVE DECLARATION

401 E MILLBRAE AVE OUTDOOR ADVERTISING DISPLAY SIGN PROJECT

PREPARED FOR:

CITY OF MILLBRAE

COMMUNITY DEVELOPMENT DEPARTMENT
621 MAGNOLIA AVENUE
MILLBRAE, CA 94030

PREPARED BY:

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INTRODUCTION TO THIS DOCUMENT

This document serves as the Initial Study and Negative Declaration (IS/ND) for the proposed Project, prepared in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Sections 1500 et seq.).

Per CEQA Guidelines (Section 15070), a Negative Declaration can be prepared to meet the requirements of CEQA review when the Initial Study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment.

This document is organized in three sections as follows:

- Introduction and Project Information. This section introduces the document and discussed the project description including location, setting, and specifics of the lead agency and contacts.
- Negative Declaration. This section proposes findings that would allow adoption of this document as the CEQA review document for the proposed project.
- Initial Study Checklist. This section discusses the CEQA environmental topics and checklist questions.

PUBLIC REVIEW

The Initial Study and proposed Negative Declaration will be circulated for a 30-day public review period. Written comments may be submitted to the following address:

Christine di Iorio
Community Development Director
621 Magnolia Avenue
Millbrae, CA 94030
Phone: 650.259.2383

Adoption of the Negative Declaration does not constitute approval of the project itself, which is a separate action to be taken by the approval body. Approval of the project can take place only after the Negative Declaration has been adopted.

PROJECT INFORMATION

1.	**Project Title:**	401 E. Millbrae Avenue Outdoor Advertising Display Sign
2.	**Lead Agency:**	Christine di Iorio Community Development Director City of Millbrae Community Development Department 621 Magnolia Avenue Millbrae, CA 94030 Phone: 650.259.2383
3.	**Project Location:**	401 East Millbrae Avenue in the City of Millbrae (APN 024-370-070), on the paved area adjacent to channelized Cowan Canal near U.S. 101 in Millbrae.
4.	**Project Applicant's Name and Address:**	Jeff McCuen OUTFRONT Media 1695 Eastshore Hwy Berkeley, CA 94710 510 559-1135
5.	**General Plan Designation:**	No designation
6.	**Zoning:**	Not Zoned

7. Site and Vicinity: The regional location is shown in **Figure 1** and the existing site is shown on **Figure 2** (pages 7 and 9). The Project site is located on City property within the paved area next to the channelized Cowan Canal at 401 E. Millbrae Avenue.

The Project site is adjacent to the Millbrae Avenue off-ramp from northbound U.S. 101. The Millbrae/Burlingame city border is located to the southeast in the center of the Cowan Canal. Developed commercial properties extend to the northwest and southeast along U.S. 101 including various hotels to the north and mixed commercial, light industrial, and restaurant uses to the southeast. A similar mix of commercial, light industrial and restaurant uses extends across U.S. 101 to the south and west.

Cowan Canal is one of two main arteries that carry storm water from the city of Millbrae to the San Francisco Bay. It runs in an open concrete channel northeast to the Bay, approximately 0.3 miles from the Project site. The project is proposed on the concrete surface adjacent to the channel near where the channel enters a culvert to flow under U.S. 101.

San Francisco International Airport is located just over 0.25 miles to the northeast.

The closest residential areas are Roblar Avenue homes over 1,800 feet to the northeast in Millbrae and Dufferine Avenue homes over 2,600 feet to the southeast in Burlingame. Other residential uses in Millbrae and Burlingame extent to the east, southeast and northeast farther away.

8. Project Description:

<u>LED Outdoor Advertising Display</u>

The Project involves construction and operation of one new double-sided Outdoor Advertising Display Sign (OAD) located in Millbrae, California. The proposed OAD site plan is shown on Figure 3 (page 11).

A “digital OAD” consists of display surfaces that support an image generated by rows of light emitting diodes (LED).

Operational details provided by the applicant include the following:

- The new proposed OAD will be supported by a pole with a decorative cover 12’ wide and reaching a maximum height of 58’. The Millbrae logo will be displayed on the top 8’, above the display faces described below. Immediately below the display faces on the pole cover will be hotel signage consisting of the word “Hotels” below which are changeable internally illuminated signs for area hotels. The design of the OAD is shown in **Figure 4** (page 13).
- The digital display faces of the proposed OAD will be measure 14’ tall by 48’ wide situated in a “v” shape. One side of the digital face will direct advertising towards the northbound direction of the U.S. 101 freeway. The other digital face will direct advertising towards the southbound direction of the U.S. 101 freeway. The top of the display faces will reach 50’ high. See **Figure 3** and **4** showing the site plan and design of the OAD (pages 11 and 13).
- The OAD will display static images that change advertisement every 8 seconds. The images change without dissolve or flashing, simply a static image in place for 8 seconds changing to another static image. The digital display copy is changed remotely via a computer interface connected to a network operating center that manages content and monitors performance of all displays.
- Brightness of each digital display: Lighting levels on each face of the digital OAD will not exceed 0.3 foot candles over ambient levels, as measured using a foot candle meter at a 250’ distance according to the guidelines of the Outdoor Advertising Association of America (OAAA). Alternatively, if measured with a spot photometer at 50 to 200 feet, the maximum light level would be a comparable 30 Nits.
- Each display has a light sensing device that automatically adjusts the brightness based on ambient (surrounding) light conditions. This feature is especially important at dusk and dawn, cloudy and raining days. There is also back-up software in the event a sensor fails.
- LED lighting has a directional nature with a projected viewing angle values of ± 30° vertically and ± 60° horizontally. As is standard for LED OADs, shaders will be located above each row of LEDs to prevent light from projecting upward into the sky.

<u>Construction of the OAD</u>

The following information regarding the process involved in installing a digital OAD is based on discussions with the applicant and has taken into account details of the soil characteristics at the site. The construction would be subject to the Building Code, and a Building Permit would be required for construction activities. The construction is expected to span approximately 3 weeks and proceed as described below.

1. Excavate one 52’ drilled footing.
2. Set and pout lower 48’ column with concrete inspection.
3. Install upper 42’column and weld to lower via splice connection with welding inspection.
4. Assemble support for display faces and install to column with bolting inspection.
5. Assemble and install display faces.
6. Install pole cover.
7. Clean site.

The site will be accessed through the parking lot of the Aloft Hotel (per agreements) including temporary removal then replacement of approximately 40' of fencing at the boundary and usage of nearby parking stalls.

Construction activities are proposed to occur outside of the nesting season for local and migratory birds (which is January to August). However, per construction details for the project, if the construction schedule changes such that activities will occur during the nesting season, a biologist shall conduct a pre-construction nesting bird survey in the vicinity of the site within 15 days of the start of construction activities and implement appropriate buffers for any discovered nesting birds.

9. **Required Approvals**: Approval of the Project will require from the City of Millbrae, a Sign Ordinance amendment, Sign Permit, Design Review, and a Use Permit. Additionally, the following reviews and approvals would be required:

Appropriate clearance through Caltrans is also required for highway-oriented signs.

FAA review of a structure within 2 miles of the airport.

Construction activities will require appropriate administrative permits.

The City and applicant will also enter into a lease agreement for location of the OAD on City property.

Sign Ordinance Amendment Specifics

The Sign Ordinance (specifically Section 10.10.350 of the Millbrae Municipal Code) would be revised as follows to specify that signs constructed on City property, such as the OAD proposed, are otherwise exempt from specifications of the sign ordinance. Deletions are shown in ~~strikeout~~ and additions are underlined.

10.10.350 Exempt signs.

~~Unless otherwise noted, t~~ The class of signs set forth in this section are exempt from the ~~application, sign permit and fee requirements for signs, provided the exempt sign conforms to the~~ standards specified in this chapter. This section shall not exempt such signs from other provisions of this code which require building or electrical permits.

B. Any ~~Public~~ Signs Erected and Maintained by Public Authority or any third party authorized by the Public Authority on property owned or controlled by the Public Authority (Commercial or Noncommercial). Notwithstanding this exemption, Commercial/Noncommercial freestanding signs larger than eight square feet in area or four feet high to be placed on property owned or controlled by the Public Authority ~~are subject to~~ shall be granted a sign permit~~, design review~~ and a use permit, provided that the planning commission determines through a design review that: (i) such signs satisfy Section 10.05.2520D of the Code; and (ii) the location, number, size, scale, design, lighting, materials and colors of such signs harmonize with and are compatible with the immediate surroundings of such signs.

10. **Regulatory Provisions:** The following regulations are applicable to installation of OADs and compliance has been assumed in analysis of this Project.

Federal

The Federal Highway Beautification Act of 1965 (23 U.S.C. 131) provides for control of outdoor advertising, including removal of certain types of signs, along the interstate highway system. The Act is enforced by the Federal Highway Administration (FHWA).

As part of its enforcement effort, FHWA has entered into agreements regarding the Act with state departments of transportation. The agreements with California are described under the State provisions, below.

State

The California Department of Transportation (Caltrans) is involved in the control of "off-premise" displays along state highways. Such displays advertise products or services of businesses located on property separate from the display. The proposed OAD is an off-premise display.

California has entered into two agreements with FHWA as part of the implementation of the Highway Beautification Act: one dated May 29, 1965, and a subsequent agreement dated February 15, 1968. The agreements generally provide that the State will control the construction of all outdoor advertising signs, displays and devices within 660 feet of the interstate highway right-of-way. The agreements provide that such signs shall be erected only in commercial or industrial zones and are subject to the following restrictions:

- No signs shall imitate or resemble any official traffic sign, signal or device, nor shall signs obstruct or interfere with official signs;
- No signs shall be erected on rocks or other natural features;
- Signs shall be no larger than 25 feet in height and 60 feet in width, excluding border, trim and supports;
- Signs on the same side of the freeway must be separated by at least 500 feet; and
- Signs shall not include flashing, intermittent or moving lights, and shall not emit light that could obstruct or impair the vision of any driver.

California regulates outdoor advertising in the Outdoor Advertising Act (Business and Professions Code, Sections 5200 et seq.) and the California Code of Regulations, Title 4, Division 6 (Sections 2240 et seq.), which incorporate the Federal Highway Beautification Act by reference. Caltrans enforces the law and regulations. Caltrans requires applicants for new outdoor lighting to demonstrate that the owner of the parcel consents to the placement of the sign, that the parcel on which the sign would be located is zoned commercial or industrial, and that local building permits are obtained and complied with. A digital OAD is identified as a "message center" in the statute, which is an advertising display where the message is changed more than once every two minutes, but no more than once every four seconds. (Business and Professions Code, Section 5216.4)

In brief, off-premises changeable electronic variable message signs (CEVMS) adjacent to controlled routes shall incorporate standards pertaining to:

1. Duration of Message
2. Transition Time
3. Brightness
4. Spacing
5. Locations

Most importantly as a result of FHWA recommendations, to ensure driver safety, no off-premise advertising OAD operators presently use moving displays or less than a 4 second duration time between messages.

Some freeways are classified as "landscaped freeways." A landscaped freeway is defined as one that is now, or may in the future be, improved by the planting of lawns, trees, shrubs, flowers or other ornamental vegetation requiring reasonable maintenance on one or both sides of the freeway (Government Code §5216). Off-premise displays are not allowed along landscaped freeways except

when approved as part of Relocation Agreements pursuant to §5412 of the Outdoor Advertising Act. It appears the Project site is not within a segment of U.S. 101 that is considered a classified landscaped freeway, though such a determination would be made during the approval process with Caltrans.[1]

The Outdoor Advertising Act contains a number of provisions relating to the construction and operation of OADs:

- The sign must be constructed to withstand a wind pressure of 20 pounds per square feet of exposed surface (§5401);
- No sign shall display any statements or words of an obscene, indecent or immoral character (§5402);
- No sign shall display flashing, intermittent or moving light or lights (§5403(h));
- Signs are restricted from areas within 300 feet of an intersection of highways or of highway and railroad right-of-ways, but a sign may be located at the point of interception, as long as a clear view is allowed for 300 feet, and no sign shall be installed that would prevent a traveler from obtaining a clear view of approaching vehicles for a distance of 500 feet along the highway (§5404); and,
- Message center signs may not include any illumination or message change that is in motion or appears to be in motion or that change or expose a message for less than four seconds. No message center sign may be located within 500 feet of an existing OAD, or 1,000 feet of another message center display, on the same side of the highway (§5405).

Additional restrictions on outdoor signage are found in the California Vehicle Code. Section 21466.5 prohibits the placing of any light source "…of any color of such brilliance as to impair the vision of drivers upon the highway." Specific standards for measuring light sources are provided. The restrictions may be enforced by Caltrans, the California Highway Patrol or local authorities. Modern signs such as the one proposed have been designed to comply with applicable restrictions.

[1] California Department of Transportation, July 13, 2011, *Classified "Landscape Freeways"*, available at http://www.dot.ca.gov/hq/LandArch/lsfwy/pdf/class_ls_fwy.pdf.

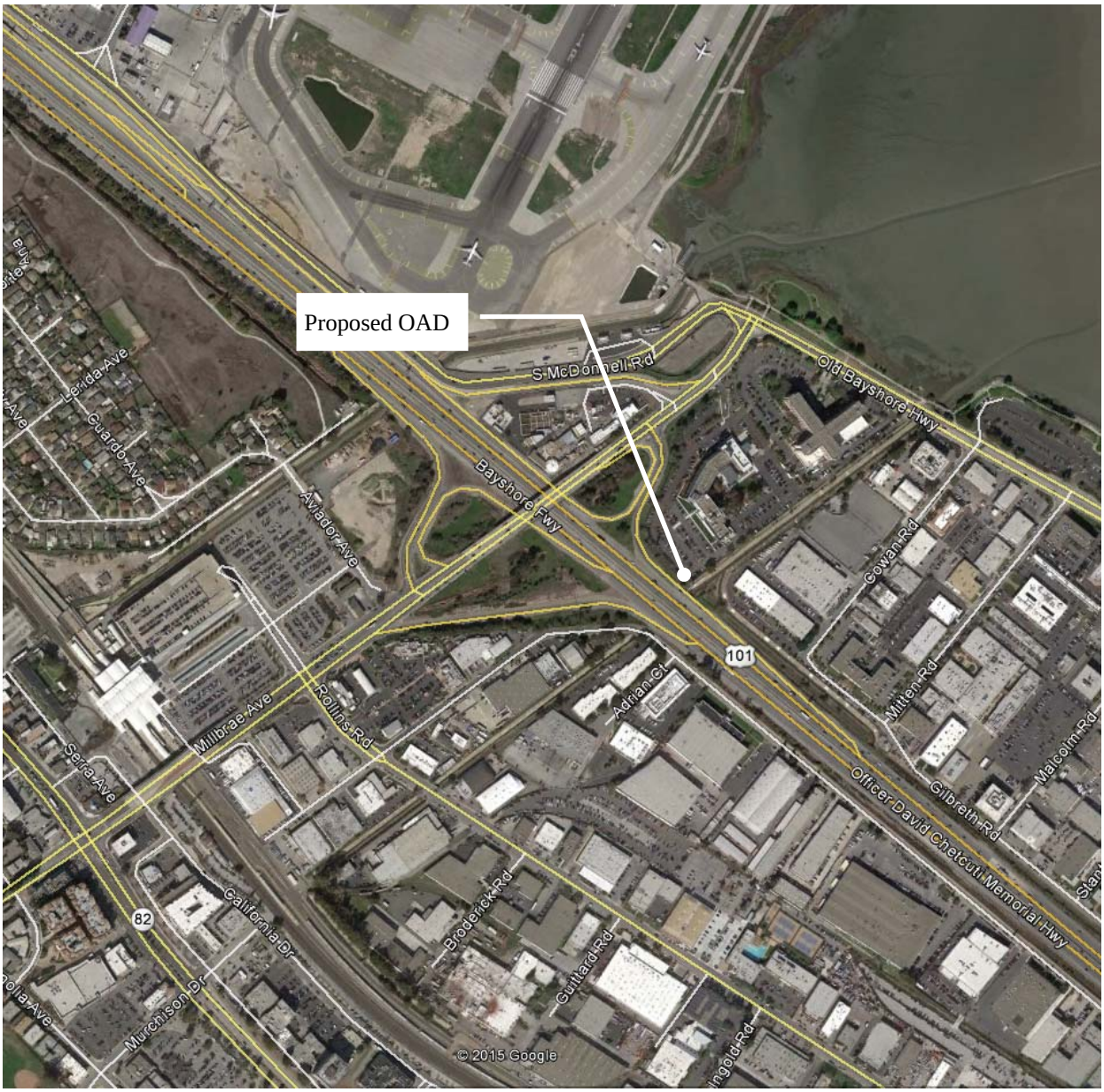

Figure 1: Project Location

Source: Google Inc., Google Earth imagery date 2/23/2014, with project location noted by Lamphier-Gregory.

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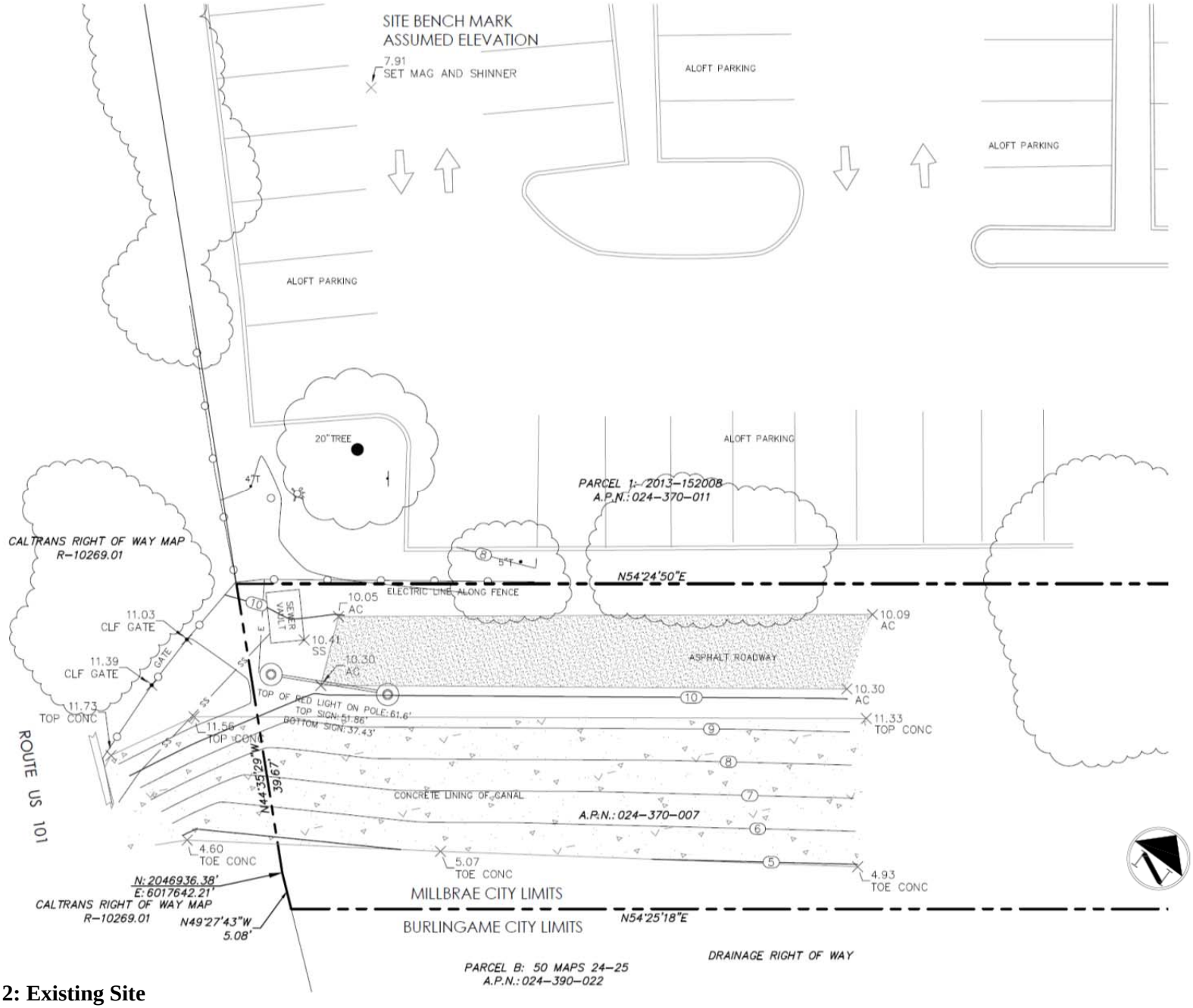

Figure 2: Existing Site

Source: Chappell Surveying Services for the applicant, dated 3/30/15

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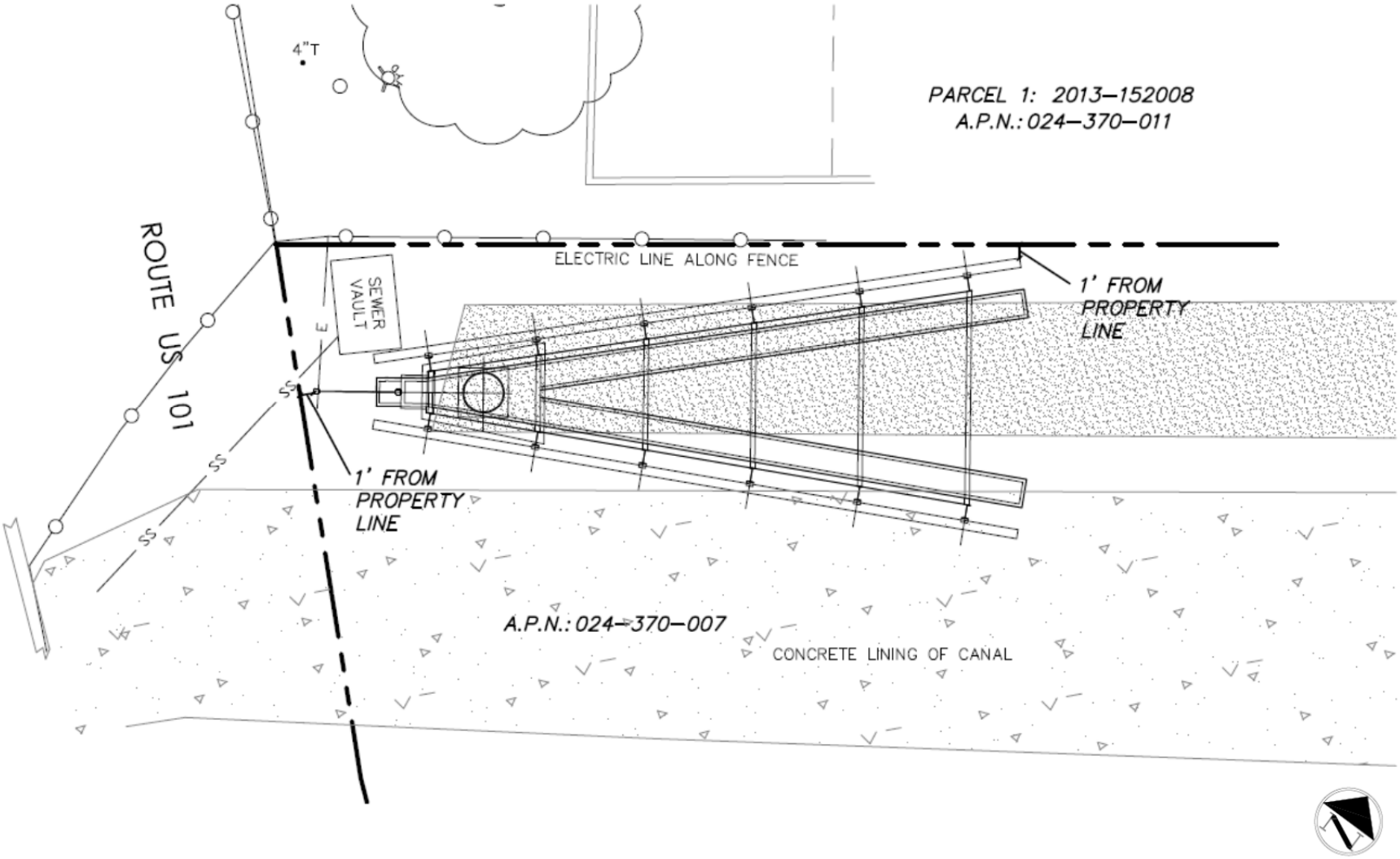

Figure 3: Proposed OAD Site Plan

Source: Chappell Surveying Services for the applicant, dated 3/30/15

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Figure 4: Proposed OAD Design

Source: Equity Sign Group for the applicant, dated 6/5/15

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NEGATIVE DECLARATION

PROJECT DESCRIPTION, LOCATION, AND SETTING

This Negative Declaration has been prepared for the 401 E. Millbrae Avenue OAD Project in Millbrae, CA. See the Introduction and Project Information section of this document for details of the Project.

PROPOSED FINDINGS

The City of Millbrae has determined that the proposed Project will not have a significant effect on the environment. If this Negative Declaration is adopted by the City of Millbrae, the requirements of CEQA will be met by the preparation of this Negative Declaration and the Project will not require the preparation of an Environmental Impact Report. This decision is supported by the following findings:

a. The Project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels or threaten to eliminate a plant or animal community. It does not reduce the number or restrict the range of a rare or endangered plant or animal. It does not eliminate important examples of the major periods of California history or pre-history, since there is no identified area at the Project site which is habitat for rare or endangered species, or which represents unique examples of California history or prehistory. The Project does not have any significant, unavoidable adverse impacts.

b. The Project does not involve impacts which are individually limited but cumulatively considerable in the context of continued growth and development in the City of Millbrae.

c. The Project does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

INITIAL STUDY

An Initial Study Checklist is attached, which details analysis and conclusions by environmental topic areas.

INITIAL STUDY CHECKLIST

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors marked with an "X" (☒) below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agricultural and Forest Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology/Soils
☐ Greenhouse Gas Emissions	☐ Hazards/Hazardous Materials	☐ Hydrology/Water Quality
☐ Land Use/Planning	☐ Mineral Resources	☐ Noise
☐ Population/Housing	☐ Public Services	☐ Recreation
☐ Transportation/Traffic	☐ Utilities/Service Systems	
☐ Mandatory Findings of Significance		

LEAD AGENCY DETERMINATION

On the basis of this initial evaluation:

☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature — Date: 6/17/15

Christine di Iorio, Community Development Director

EVALUATION OF ENVIRONMENTAL EFFECTS

The Checklist portion of the Initial Study begins below, with explanations of each CEQA issue topic. Four outcomes are possible, as explained below.

1. A "no impact" response indicates that no action that would have an adverse effect on the environment would occur due to the Project.
2. A "less than significant" response indicates that while there may be potential for an environmental impact, there are standard procedures or regulations in place, or other features of the Project as proposed, which would limit the extent of this impact to a level of "less than significant."
3. Responses that indicate that the impact of the Project would be "less than significant with mitigation" indicate that mitigation measures, identified in the subsequent discussion, will be required as a condition of Project approval in order to effectively reduce potential Project-related environmental effects to a level of "less than significant."
4. A "potentially significant impact" response indicates that further analysis is required to determine the extent of the potential impact and identify any appropriate mitigation. If any topics are indicated with a "potentially significant impact," these topics would need to be analyzed in an Environmental Impact Report.

Note that this document indicates that no environmental topics would be considered to be "potentially significant" or require mitigation measures.

1. AESTHETICS Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			☒	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			☒	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			☒	

a) Scenic Vistas. **Figures 5** and **6** show the proposed OAD added to existing views from northbound U.S. 101. The site and surrounding area is predominately developed with commercial and light industrial uses. While the OAD would be visible from both near and far locations, the site is not a scenic resource or vista area, and the Millbrae General Plan does not identify scenic corridors. The Project is located on a flat area near the highway with no substantial views of the Bay from or across the site. The Project would have a ***less than significant impact*** on scenic vistas.

b) Scenic Highways. Neither the U.S. 101 nor CA 82 are designated or eligible State Scenic Highways in the vicinity of the Project [2] and the Millbrae General Plan does not identify scenic corridors or roadways.[3] The Project would have ***no impact*** on a state scenic highway or scenic resources viewable from such a highway.

c) Visual Character. The proposed digital OAD site is located along a freeway in an area characterized largely by commercial and light industrial uses.

The new OAD would be visible primarily to drivers along U.S. 101 as well as adjacent and across-highway industrial, hotel, and commercial uses. It is expected the OAD would be visible in some mid- and long-range views from farther commercial and residential areas that are high enough to have views across the area. The vicinity where the OAD is proposed already supports some highway-oriented on-site signage, OADs, and roadway signage. The proposed OAD is not inconsistent with the character of the area in which it is proposed.

Additionally, the City will review the proposed design as part of the entitlement approval process. Blockage of nearby Aloft Hotel signage would not be a CEQA impact, but will be considered with the project review process, including additional visual modeling.

Therefore, given the context of the proposed OAD, the impact related to degrading visual character would be considered ***less than significant***.

d) Light and Glare. Digital OADs rely on LED technology to display messages on a lit screen. The lighting is designed to make the message displays visible to passing motorists.

[2] California Department of Transportation, State Scenic Highway Mapping System, http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm

[3] City of Millbrae, November 24, 1998, The General Plan, p. 2-50.

Figure 5: View from Northbound U.S. 101, Existing
Source: Outfront Media

Figure 6: View from Northbound U.S. 101, with Proposed OAD
Source: Outfront Media

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The brightness of the LED display on the OAD face is subject to adjustment based on ambient conditions monitored by light sensors. The display, for example, is brighter in the daytime than in darkness and responds to changes in the ambient light conditions. Restrictions on digital OADs, imposed and enforced by Caltrans, preclude lighting that is so directed or intense that it could blind or confuse drivers, or create conditions that make recognition of the roadway or official signage difficult.

Caltrans has imposed these restrictions for traffic safety reasons, and they are discussed in more detail in the Transportation section. The resulting controls, however, effectively regulate light and glare to ensure that the operation of any digital OAD does not create a substantial new source of light or glare.

The OADs would also comply with guidelines of the Outdoor Advertising Association of America (OAAA). These guidelines specify that lighting levels from a digital OAD will not exceed 0.3 foot candles over ambient levels, as measured using a foot candle meter at a pre-set distance based on the size of the OAD face. For a 14' by 48' OAD, this would be 250 feet.[4] It is anticipated that the illuminance would be negligible beyond 500 feet.[5]

The Illuminating Engineering Society of North America (IESNA) Lighting Handbook 10th Edition recommendations are in units of "nits," which are appropriate when light is being bounced off a surface, as is the case with a conventional OAD, but is not the case with a digital OAD. With assumptions about content, "nits" and foot candles can be converted for comparison of digital illuminance to conventional OAD luminance. Conversion of nits using conservative assumptions (80% reflectance) and IESNA Handbook recommendations for bright surrounds results in recommendations of 0.256 foot candles at 250 feet. This is similar to digital OAD-specific recommendations of 0.3 foot candles.[6]

The value of 0.3 foot candles is utilized here because, while relatively low, it is practical to measure with a handheld light meter and therefore to verify following installation and during operation. This 0.3 foot candle level would be perceptible, but at the low end, to the human eye, over ambient light on a surface. It would be equivalent to average residential street illumination provided by low wattage street lights (i.e., similar to ambient conditions in the vicinity). Alternatively, a handheld photometer can be used to measure the sign brightness without the need to turn off the sign. A measurement of 300 Nits or less at 50 to 200 feet on a photometer would be comparable the above foot candle measurements on a light meter.

There are no residences within 500 feet of the proposed OAD, at which point the increases in illuminance would be negligible. Illuminance increases at closer commercial uses would be consistent with the existing urban conditions. This includes illuminance levels at the nearby hotels, the closest portion of which is located about 200 feet from the proposed OAD, but outside of the viewing angle of the directional LEDs (at an approximately 90° angle from the surface of the display face). The proposed OAD lighting levels, which comply with relevant guidelines, will be at these low levels and potential impacts related to light and glare would be ***less than significant***.

[4] According to *OAAA Methodology to Determine OAD Luminance Levels*, provided by Clear Channel.

[5] OAAA prepared by Light Sciences Inc., November 29, 2006, *Comparison of Digital and Conventional OADs*.

[6] OAAA prepared by Light Sciences Inc., November 29, 2006, *Comparison of Digital and Conventional OADs*.

2. AGRICULTURE AND FORESTRY RESOURCES In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production(as defined by Government Code section 51104(g))?				☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?				☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				☒

a-e) Agriculture and Forestry Resources. The Project site is located in a developed urban area adjacent to a highway. No part of the site is zoned for or currently being used for agricultural or forestry purposes or is subject to the Williamson Act. There would be ***no impact*** to agriculture and forestry resources as a result of this Project.

3. AIR QUALITY Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			☒	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			☒	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			☒	
d) Expose sensitive receptors to substantial pollutant concentrations?			☒	
e) Create objectionable odors affecting a substantial number of people?			☒	

a) Air Quality Plan. The Project site is subject to the Bay Area Clean Air Plan, first adopted by the Bay Area Air Quality Management District (BAAQMD) (in association with the Metropolitan Transportation Commission and the Association of Bay Area Governments) in 1991 to meet state requirements and those of the Federal Clean Air Act. As required by state law, updates are developed approximately every three years. The plan is meant to demonstrate progress toward meeting the ozone standards, but also includes other elements related to particulate matter, toxic air contaminants, and greenhouse gases. The latest update to the plan, which was adopted in September 2010, is called the Bay Area 2010 Clean Air Plan.

A project would be judged to conflict with or obstruct implementation of the regional air quality plan if it would be inconsistent with regional growth assumptions or implementation of control strategies. The Project would have no effect on growth of population or vehicle travel and the Clean Air Plan does not recommend measures directly applicable to this type of use. The Project, therefore, would be generally consistent with the Clean Air Plan and have a ***less than significant*** impact in this regard.

b-c) Air Quality Standards/Criteria Pollutants. Ambient air quality standards have been established by state and federal environmental agencies for specific air pollutants most pervasive in urban environments. These pollutants are referred to as criteria air pollutants because the standards established for them were developed to meet specific health and welfare criteria set forth in the enabling legislation and include ozone (O_3) precursors (NOx and ROG), carbon monoxide (CO), and suspended particulate matter (PM_{10} and $PM_{2.5}$). The Bay Area is considered "attainment" for all of the national standards, with the exception of ozone. It is considered "nonattainment" for State standards for ozone and particulate matter.

Past, present and future development projects contribute to the region's adverse air quality impacts on a cumulative basis. By its very nature, air pollution is largely a cumulative impact. No single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project's contribution to the cumulative impact is considerable, then the project's impact on air quality would be considered significant.[7]

BAAQMD's updated CEQA Guidelines including thresholds of significance were adopted on June 2, 2010. On March 5, 2012, the Alameda County Superior Court issued a judgment finding that

[7] BAAQMD, May 2012, *California Environmental Quality Act Air Quality Guidelines*, p. 2-1.

BAAQMD had failed to comply with CEQA when it adopted its 2010 Thresholds. The court did not determine whether the Thresholds were valid on the merits, but found that the adoption of the Thresholds was a project under CEQA. The court issued a writ of mandate ordering BAAQMD to set aside the Thresholds and cease dissemination of them until BAAQMD had complied with CEQA. The case continues to make its way through the courts.

The 2010 Thresholds are more conservative than the previous 1999 version and have been used in this analysis for a conservative determination of impact significance. These thresholds are average daily emissions of 54 pounds per day or 10 tons per year of NOx, ROG or $PM_{2.5}$ and 82 pounds per day or 15 tons per year of PM_{10}.

Air quality impacts fall into two categories: short-term impacts that would occur during construction of the Project and long-term impacts due to Project operation.

Construction Emissions

BAAQMD presents screening criteria in their CEQA Guidelines that identify project sizes by type that could have the potential to result in emissions over threshold levels. For example, this table includes a construction-period criteria pollutant screening level of 114 single family dwelling units or 277,000 square feet of retail uses.[8] While construction of OADs is not specifically listed on this screening table, it can be reasonably concluded from a comparison to the entries on this table that the minimal construction activities required for this Project, spanning only three weeks, would be well below threshold levels.

The project has very limited ground disturbance so would not be a significant potential source of fugitive dust and will comply with applicable regulations regarding construction vehicle idling times (maximum of 5 minutes as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]).

Operational Emissions

Similar to the analysis for construction-period impacts above, the Project was compared to BAAQMD screening criteria for operational pollutants. As it relates to operational pollutants, this table includes screening levels of 325 single family dwelling units or 99,000 square feet of regional shopping center uses.[9] These example uses would utilize over 1,000,000 kilowatt-hours (kWh) per year.[10]

The applicants provided actual electricity usage for a similar Outdoor Advertising Displays of theirs. The average annual usage of about 6,542 kWh, or less than one one-hundredth of the emissions of a project that would be expected to have emissions above threshold levels.

While operation of digital OADs is not specifically listed on this screening table, it can be reasonably concluded from a comparison to the BAAQMD screening table that operational emissions resulting from this Project would be well below threshold levels.

Additionally, BAAQMD presents as screening criteria for carbon monoxide impacts traffic-based criteria. As operation of the proposed Project would not impact traffic levels, the Project would be below carbon monoxide threshold levels.

Therefore, the Project impact related to operational pollutant emissions would be ***less than significant***.

d) <u>Sensitive Receptors</u>

For the purpose of assessing impacts of a proposed Project on exposure of sensitive receptors to risks and hazards, the threshold of significance is exceeded when the project-specific cancer risk exceeds

[8] BAAQMD, May 2011, *California Environmental Quality Act Air Quality Guidelines*, pp. 3-2 to 3-3.

[9] BAAQMD, May 2011, *California Environmental Quality Act Air Quality Guidelines*, pp. 3-2 to 3-3.

[10] Calculated using energy utilization rates from BAAQMD's Greenhouse Gas Model (BGM).

10 in one million, the non-cancer risk exceeds a Hazard Index of 1.0, or $PM_{2.5}$ concentrations exceed 0.3 micrograms per cubic meter. Examples of sensitive receptors are places where people live, play or convalesce and include schools, hospitals, residential areas and recreation facilities.

The Project itself is not considered a sensitive receptor and operation of the Project would not be considered a source of hazardous emissions. However, construction activity that uses traditional diesel-powered equipment results in the emission of diesel particulate matter, which is considered a toxic air contaminant and potential health risk. The generation of these emissions would be temporary, confined to the construction-period of a few active days at each site.

BAAQMD provides a document titled Screening Tables for Air Toxics Evaluation during Construction to estimate the potential for significant air quality health risk impacts associated with construction activity based on general project characteristics, such as type and size, utilizing worst-case and conservative assumptions. The table is not intended to be used for projects substantially different from the described residential, commercial and industrial projects.[11] However, a brief comparison of the BAAQMD Screening Table to Project characteristics is used to analyze the health risk impacts. The smallest projects identified in the Screening Table include construction of a 5 unit residential project on 1.7 acres and construction of a 5,000 square foot commercial project on 0.2 acres. The screening table reports that under worst-case conditions, there is the potential for significant health risk if a sensitive receptor is located within 95 or 100 meters (up to 328 feet) of such a construction site.

The nearest sensitive receptor to the Project site is over 1,800 feet away. Additionally, BAAQMD Screening Tables for Air Toxics Evaluation use a two-year construction period for screening purposes, the shortest period they recommend with the health risk modeling. While it is inappropriate to use this table to quantify an approximate risk for such a different project than those listed, it is reasonable to conclude that emissions and the resultant health risks from an exposure period of only a few weeks would be substantially less than emissions over a 2 year period. The health risk models and methods are not considered accurate for such short durations as the construction-period of this Project.

Given the distance to sensitive uses and that the exposure duration would be shorter than that able to be accurately modeled as well as substantially shorter than projects in BAAQMD's Screening Table, it can reasonably be assumed that the potential health risk from construction-period emissions would be ***less than significant***.

e) Objectionable Odors. Operation of the OAD would not result in objectionable odors. During construction, diesel-powered vehicles and equipment would create odors that some may find objectionable. However, these odors would be temporary and not likely to be noticeable much beyond the Project site's boundaries. Therefore, the potential for objectionable odor impacts is considered ***less than significant***.

[11] BAAQMD, May 2010, *Screening Tables for Air Toxics Evaluation During Construction*, Version 1.0.

4. BIOLOGICAL RESOURCES Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			☒	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?			☒	
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			☒	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			☒	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				☒

a-c) Special Status Species and Habitat and Wetlands.

The Project site is located within a paved area within a large complex of developed commercial properties that extend to the northwest and southeast and across the highway to the west. Only minimal landscaping exists in this developed area, consisting primarily of non-native grasses and ornamental trees.

Cowan Canal, a major component of the city's stormwater system, runs in a fully lined open concrete canal adjacent to the project site to the southeast.

Direct Effects of OAD Installation

Due to the highly disturbed nature of the Project site and the immediately surrounding vicinity, it is extremely unlikely that any special-status species would occur on the Project site. The vast majority of plant and animal species occurring in such areas are very common species associated with urban, developed, and ruderal conditions throughout the San Francisco Bay area. The Millbrae General Plan and associated EIR did not identify any sensitive species or habitat at or adjacent to the Project site.

No special-status plant or wildlife species are expected to occur within the Project area. The only wildlife species that may be using habitats in the immediate vicinity of the Project site during construction are common birds that are locally and regionally abundant. Project effects on these species will not be significant under the CEQA.

While no special-status bird species are expected to nest close enough to the Project site to be disturbed by Project construction, all native bird species that occur in the Project area are protected from take by the Federal Migratory Bird Treaty Act and the California Fish and Game Code.

Abandonment of an active nest as a result of Project construction activities could be considered a take under the Fish and Game Code. Construction is expected to occur outside of the breeding season (January through August), and per construction contracts, would perform a nesting bird survey if the construction schedule is changed such that activities occur in the nesting season.

The impact related to direct effects on special-status species and habitats would be ***less than significant***.

Indirect Effects of Illuminance on Off-Site Areas

Some animals are sensitive to light cues, which influence their physiology and shape their behaviors, particularly during breeding season. Artificial lighting may indirectly impact mammals and birds by increasing the nocturnal activity of predators and/or causing avoidance of well-lit areas resulting in a net loss of habitat availability and quality.

Areas surrounding the Project site are primarily developed urban and ruderal habitats that do not support sensitive species that might be significantly impacted by illuminance from the proposed LED OAD.

Light from currently existing sources illuminates areas adjacent to the Project site to a considerable extent, including light from roadway signage and signals, other signs and OADs, and street and parking lot lights. LED lighting has a directional nature and the projected viewing angle values for the proposed OAD are ± 30° vertically and ± 60° horizontally. Light overflow from the OAD toward the Bay would be negligible due to its location behind the OAD LED faces. The illuminance from the front of the OAD faces would dissipate such that illuminance beyond 100 feet would be minimal and that beyond 500 feet negligible, so farther habitat would be unaffected.

Therefore, the LED OAD is not expected to substantially increase the amount of illuminance currently experienced by sensitive habitats (and the species inhabiting them). The indirect impact of illuminance from the OAD on sensitive habitats and species is ***less than significant***.

d) Wildlife Corridors. The physical structure of the OAD itself would not impact the movement of any wildlife species. However, avian flight behavior could be impacted by artificial illuminance. The primary way in which the luminance of a digital OAD might impact the movements of birds in the Project area is through the disorientation of nocturnally migrating birds. However, the characteristics of the OAD and behavior of migrating birds minimize the likelihood of such disorientation, as described below.

Because the area surrounding the OAD is heavily urbanized, and the area toward which the OAD faces does not support large numbers of seabirds or shorebirds, substantial numbers of birds are not expected to be using a flight corridor through the OAD viewing angle.

The directional nature of LED lighting and the projected viewing angle values of ± 30° vertically and ± 60° horizontally suggest that the viewing angle of the OAD will be narrow enough to preclude attracting migrating birds. Shaders located above each row of lights will prevent light from projecting upward into the sky. As a result, birds flying more than 30° above the center of the OAD's beam angle will not be affected by light from the OAD.

However, even if birds are flying in front of the OAD and lower than usual (such as due to inclement weather conditions), fixed, unchanging light, is the type of light that appears to be most attractive to birds. The LED display on the OAD faces would be changed every 8 seconds from a static image to a static image, resulting in a changing light source. Colors and patterns of color on the OAD would thus be changing, and birds flying near the OAD would not perceive it as a fixed, unchanging light, that attract and disorient birds.

Given that there are no bird habitats in the vicinity of the viewing angle of the OAD, the changing images that will be displayed on the LED OAD, the narrow viewing angle, and the use of shaders to prevent light from projecting upward into the sky, the Project's impacts on avian flight behavior would be ***less than significant***.

d) Local Policies and Ordinances.

There are no other local policies or ordinances related to biological resources applicable to the Project, which does not propose any tree removal. The Project would have ***no impact*** in respect to conflicts with local policies and ordinances.

e) Habitat Conservation Plan. There is no Habitat Conservation Plan applicable to the Project site. Therefore, the Project would have ***no impact*** in this regard.

5. CULTURAL RESOURCES Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in Public Resources Section 15064.5?			☒	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Public Resources Section 15064.5?			☒	
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			☒	
d) Disturb any human remains, including those interred outside of formal cemeteries?			☒	

a–d) Historic, Archaeological and Paleontological Resources and Human Remains. The Project site is previously disturbed and there are no known resources at the site. A records search performed by the Northwest Information Center (included as Attachment D) confirmed there are no known cultural resources on the site and the potential for unrecorded resources is considered low.

Construction of the Project involves minimal ground disturbance. In the unlikely event archaeological or paleontological resources or human remains are discovered on site, these resources would be handled according to applicable regulations (Public Resources Code Sections 21083.2, 21084.1, 5097.98, 15064.5(d) and/or Section 7050.5 of the Health and Safety Code). This is standard procedure for any project in California, so the impact is considered ***less than significant***.

6. GEOLOGY AND SOILS Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42)				☒
ii) Strong seismic ground shaking?			☒	
iii) Seismic-related ground failure, including liquefaction?			☒	
iv) Landslides?				☒
b) Result in substantial soil erosion or the loss of topsoil?			☒	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			☒	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			☒	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				☒

a, c, d) <u>Seismic Hazards, Unstable or Expansive Soils.</u>

This section is based on a Geotechnical Investigation prepared for the City of Millbrae by Michelucci & Associates, Inc. in June 2006 (available at the City's Planning Department for review) and the City of Millbrae General Plan, Safety Element, including Map 8-2: Geotechnical and Flood Hazards.

The San Francisco Bay Area is a seismically active region and the structure is likely to encounter strong seismic ground shaking during its lifetime. The site includes area built on fill over soft marsh deposits at the bay margin known as Bay Mud. Bay Mud soils could compress or subside.

The San Andreas Fault is located about 2.4 miles from the site, within about 2 miles are traces of the Serra Fault. There would be no impact related to rupture of a known earthquake fault.

The Project is located in a relative flat area with no slopes that could be considered a landslide risk. There would be no impact related to landslides.

There are no recognized unique geologic features or physical features that would be affected by the construction of the proposed Project.

The Project requires building permits and will be required to be constructed to the current building code standards including consideration of soil, geologic, and seismic conditions based upon a geotechnical report prepared by a certified professional.

Therefore, impacts related to seismic hazards and unstable or expansive soils would be ***less than significant***.

b) Soil Erosion. The Project would not involve grading and only relatively minimal ground disturbance. The Project would not involve changes in topography or soil erosion. The impact related to soil erosion would be ***less than significant***.

e) Septic Tanks. The Project would not include the use of septic tanks and associated disposal facilities. Therefore, the Project would have ***no impact*** in this regard.

7. GREENHOUSE GAS EMISSIONS Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			☒	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				☒

a) Greenhouse Gas Emissions. BAAQMD has determined that greenhouse gas (GHG) emissions and global climate change represent cumulative impacts. BAAQMD does not have an adopted threshold of significance for construction-related GHG emissions. The operational threshold of 1,100 metric tons carbon dioxide equivalent (CO_2e) per year was used for both construction-period and operational period for a conservative analysis.

BAAQMD's GHG Emissions Model includes a GHG emission factor of 804.54 lbs of CO2 per megawatt-hour of electricity usage. (Other GHGs would have a negligible contribution to overall GHG levels from energy usage, so were not calculated here.) The annual average usage, based upon the energy usage for another LED Outdoor Advertising Display provided by the applicant, is 6,542 kWh. This results in emissions of 2.38 metric tons CO2 per year. This is well below the threshold level of 1,100 metric tons.

BAAQMD does not suggest a threshold for assessment of construction-period GHG emissions impacts or provide a screening level at which to compare projects. However, with a construction period of only a few weeks, construction-period GHG emissions would be minimal and would add a negligible amount to the lifetime operational GHG emissions discussed above.

Therefore, the Project impact related to GHG emissions would be ***less than significant***.

b) Greenhouse Gas Reduction Plans. The Project is not located in a community with an adopted qualified GHG Reduction Strategy, so consistency with such a plan cannot be analyzed. GHG emissions associated with the development of the proposed Project were analyzed per the BAAQMD May 2012 CEQA Air Quality Guidelines. BAAQMD's thresholds and methodologies take into account implementation of state-wide regulations and plans, such as the AB 32 Scoping Plan and adopted state regulations such as Pavley and the low carbon fuel standard. Therefore, there would be ***no impact*** in relation to consistency with GHG reduction plans.

8. HAZARDS AND HAZARDOUS MATERIALS Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			☒	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			☒	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			☒	
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				☒

a, b) Hazardous Materials. Digital OADs are designed to withstand wind forces as required by state law, and are subject to building permit requirements that ensure compliance with applicable building and electrical codes. Soil conditions are identified and considered in the design of such structures. No hazardous materials are emitted during operation of the OAD.

Project operations are not expected to create a significant hazard through the routine transport, use or disposal of hazardous materials. It is assumed that any materials used during construction activities or for maintenance of the OAD that would be considered hazardous would be utilized in compliance with applicable regulations. It is also noted that state and Federal laws require proper handling, use and disposal of hazardous materials. These same laws and regulations require the prevention and reduction of injury to people and the environment in the event of an accidental release. Consequently, there are no reasonably foreseeable operational upset or accidental conditions that would involve a significant release of hazardous materials into the environment.

Electronic components of the OAD may contain materials considered “e-waste” when disposed of due to potentially hazardous metals, flame retardants, and other chemicals. The operator is required to follow applicable regulations regarding proper disposal and/or recycling, as appropriate, as components are replaced or removed over time.

With compliance with applicable regulations, the impact relating to use or upset of hazardous materials at this site would be ***less than significant***.

c) Hazardous Materials Near Schools. No school is located within one-quarter mile of the Project site. No hazardous materials with the potential for release during operation would be handled on or emitted from the site. The Project would represent ***no impact*** relative to the potential exposure of students at nearby schools to hazardous materials at the Project site.

d) Hazardous Material Site. The Project site is not included on a list of hazardous materials sites.[12] There is ***no impact*** in this regard.

e, f) Airport Hazards. The closest airport is the San Francisco International Airport, located just over 0.25 miles to the northeast. The Project site is constrained by height and use restrictions in the airport land use plan. The plan limits height of structures at the Project site to less than 161 feet in elevation. [13] The proposed OAD would rise a maximum of 58 feet above a site approximately 9 feet above mean sea level. The OAD height would be below applicable height restrictions.

Additionally, the OAD would not be considered a hazard to air navigation as it would not generate smoke or rising columns of air, would not attract large concentrations of birds, would not generate electrical interference that would interfere with aircraft communications or aircraft instrumentation, would not reflect sunlight, and would not direct steady or flashing lights toward aircraft. [14]

The Federal Aviation Administration completed an aeronautical study of the proposed Project and issues a Determination of No Hazard to Air Navigation (available for review at the Millbrae Planning Department).

There are no other airports, either public or private, within the vicinity of the Project. There would be a ***less than significant*** impact related to airport hazards.

g) Emergency Response Plan. The Project would not alter traffic patterns and would not impair implementation of any adopted emergency response plan or emergency evacuation plan. Therefore, the Project would have ***no impact*** in this regard.

h) Wildland Fire. The Project site is located in an urbanized area removed from areas typically subject to wildland fire. Therefore, the Project would have ***no impact*** related to wildland fire.

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[12] http://www.calepa.ca.gov/sitecleanup/corteselist/ Envirostar and Geotracker databases accessed on 06/08/2015.

[13] City/County Association of Governments of San Mateo County, December 1996, *San Mateo County Comprehensive Airport Master Plan*, Map SFO-4.

[14] Ibid, p.V.-19.

9. **HYDROLOGY AND WATER QUALITY** Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Result in a significant increase in pollutant discharges to receiving waters (marine, fresh, and/or wetlands) during or following construction (considering water quality parameters such as temperature, dissolved oxygen, turbidity, and typical stormwater pollutants, e.g., heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash?			☒	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			☒	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				☒
d) Substantially increase the rate or amount of surface runoff (e.g., due to due to increased impervious surfaces) in a manner which would result in flooding on- or off-site (i.e. within a watershed)?				☒
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems due to changes in runoff flow rates or volumes?				☒
f) Result in an increase in any pollutant for which a water body is listed as impaired under Section 303(d) of the Clean Water Act?			☒	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				☒
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?				☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				☒
j) Inundation by seiche, tsunami, or mudflow?			☒	

a, f) Water Quality and Pollutants. Operation of the Project does not involve the use of water or generation of waste water. Construction activities, such as drilling a hole for the foundation and pouring concrete, have the potential to impact water quality through increased sediment loads in runoff. Fuel, oil, grease, solvents, and other chemicals used in construction activities have the potential to create toxicity problems if allowed to enter a waterway. Construction activities are also a source of various other materials including trash, soap, and sanitary wastes.

Construction activities at the Project site would be limited to a few weeks for installation. Potential impacts would be minimal, and compliance with City and State regulations would reduce any potential impacts to surface water and drainage to a ***less than significant*** level.

b) The proposed Project is not expected to involve substantial excavation that would impact groundwater. If dewatering activities are determined to be required, any dewatering activities associated with the proposed Project must comply with the General Construction Permit and requirements established by the San Francisco Bay Regional Water Quality Control Board to ensure that such activities would not result in substantial changes in groundwater flow or quality.

Following construction, the Project would not substantially change impervious surface area and would not have a substantial impact on groundwater recharge.

Therefore, the proposed Project would have a ***less than significant*** impact on groundwater.

c-e, g-i) Runoff, Drainage and Flooding. The Project would not require service for water. Existing drainage at each site would be maintained, and no increases in stormwater would result. The Project is located outside of a 100 year flood zone, but adjacent to a culvert with a 1% annual chance that flood flows could not be contained[15] but does not consist of housing or present a risk for flooding or redirection of flood flows. Therefore, there would be no impacts related to runoff, drainage or flooding.

j) Inundation. Project site elevations are approximately 9 feet above mean sea level. The Project site is not considered at risk for tsunami inundation.[16] Climate change induced sea level rise is estimated at up to 17 inches by 2050 and 69 inches by 2100.[17] Therefore, the site is not in danger of inundation from a tsunami or climate change induced sea level rise. Further, the site is not located near an inland body of water, nor is it located adjacent to a soil slope susceptible to rapid mass wasting or mudflows. Therefore, there would be a ***less than significant*** impact due to inundation by seiche, tsunami, mudflow or sea level rise.

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[15] Federal Emergency Management Agency (FEMA), October 16, 2012, Flood Insurance Rate Map (FIRM), Map Number 06081C0132E, Panel 132 of 510, Zone X.

[16] California Emergency Management Agency, June 15, 2009, Tsunami Inundation Map for Emergency Planning, San Mateo Quadrangle, available at

http://www.conservation.ca.gov/cgs/geologic_hazards/Tsunami/Inundation_Maps/Pages/Statewide_Maps.aspx.

[17] Bay Conservation and Development Commission, adopted Oct 6, 2011, *San Francisco Bay Plan*.

10. LAND USE AND PLANNING Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community?				☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			☒	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				☒

a) Physical Division of a Community. The Project site is within developed industrial and commercial area near a highway. The OAD would not involve any physical changes that would have the potential to divide the established community. Thus, the Project would have ***no impact*** concerning community division.

b) Conflict with Land Use Plan. The City of Millbrae has determined that the current language for Exempt signs in the Sign Ordinance needs amendment with the proposed OAD. Therefore, the OAD would require a Sign Ordinance amendment. The Project will comply with Outdoor Advertising Association of America guidelines to minimize light (see the Aesthetics section for additional detail) and applicable highway safety regulations (see the Transportation section for additional detail) to minimize hazards. Therefore, assuming approval of the Sign Ordinance amendment and other required approvals, the Project would have a ***less than significant impact*** with regard to land use plan conflicts.

c) Conflict with Conservation Plan. The Project site is not subject to a conservation plan. It is surrounded by urban development and has been designated for such land use for a considerable period of time. The Project would, therefore, have ***no impact*** in relation to this topic.

11. MINERAL RESOURCES Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				☒

a, b) Mineral Resources. The site contains no known mineral resources and has not been delineated as a locally important mineral recovery site on any land use plan.[18] The Project would have ***no impact*** with regard to mineral resources.

[18] U.S. Geological Survey, 2005, Mineral Resources Data System: U.S. Geological Survey, Reston, Virginia. Available through: http://tin.er.usgs.gov/mrds/

12. NOISE Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				☒
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			☒	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				☒
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			☒	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, exposure of people residing or working in the project area to excessive noise levels?				☒
f) For a project in the vicinity of a private airstrip, exposure of people residing or working in the project area to excessive noise levels?				☒

a-d) Excessive Noise or Vibration. Noise impacts resulting from construction depend on the noise generated by various pieces of construction equipment, the timing and duration of noise generating activities, and the distance between construction noise sources and noise sensitive receptors. Construction noise impacts primarily occur when construction activities occur during noise-sensitive times of the day (early morning, evening, or nighttime hours), the construction occurs in areas immediately adjoining noise sensitive land uses, or when construction durations last over extended periods of time (typically greater than one year).

Significant noise impacts do not normally occur when standard construction noise control measures are enforced, and when the duration of the noise generating construction period at a particular receiver or group of receivers is limited to one construction season or less. In this case, the construction period would span only a few weeks. Reasonable regulation of the hours of construction, as well as regulation of the arrival and operation of heavy equipment and the delivery of construction material, are necessary to protect the health and safety of persons, promote the general welfare of the community, and maintain the quality of life.

Millbrae restricts construction activities to the hours of 7:30 a.m. to 7:00 p.m. on weekdays, 8:00 a.m. to 6:00 p.m. on Saturdays, and 9:00 a.m. to 6:00 p.m. Sunday and holidays (Millbrae Municipal Code section 9.05.020). Construction activities will comply with the regulations.

Operation of a digital OAD does not produce substantial levels of vibration or noise.

Impacts from noise and vibration generated by the construction and operation of the OAD are ***less than significant***.

e-f) Airport Noise. An OAD is not a noise sensitive use. Therefore, the Project would result in ***no impact*** under this criterion.

13. POPULATION AND HOUSING Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				☒

a-c) Substantial Population Growth. The proposed Project would not induce population growth and would displace neither existing housing nor people. Therefore, there would be ***no impact*** in this regard.

14. PUBLIC SERVICES Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services?	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Fire protection.				☒
b) Police protection.				☒
c) Schools.				☒
d) Parks.				☒
e) Other public facilities.				☒

a-e) Public Services. The proposed Project would not increase the demand for public services. Therefore, there would be ***no impact*** in this regard.

15. RECREATION Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.				☒
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.				☒

a-b) Recreation. The proposed Project would not construct or increase the use of recreational facilities. Therefore, there would be ***no impact*** in this regard.

16. TRANSPORTATION Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?				☒
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			☒	
e) Result in inadequate emergency access?				☒
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				☒

a-c, f) Vehicle and Air Traffic and Alternative Transportation. The operation of digital OADs would not result in any increase in vehicle trips or changes in air traffic patterns or alternative transportation. Traffic generated for construction would be minimal in both level and duration. There would be ***no impact*** in this regard.

d) Hazards. The Project proposes to construct and operate one double-sided digital OAD directed for visibility from U.S. 101.

Digital OADs employ LED technology and allow for periodic changes in display. The capability of digital OADs to present changing images has raised concerns regarding the effect of such signage on traffic safety. The primary concern has been effects on driver attention, but concerns have also been raised regarding the potential for such signage to produce light of such intensity or direction that it could interfere with driver vision.

FHWA has addressed signage issues in general, and digital signs in particular. As part of its agreement with various states pursuant to the Highway Beautification Act, for example, FHWA has confirmed that no sign is allowed that imitates or resembles any official traffic sign, and that signs may not be installed in such a manner as to obstruct, or otherwise physically interfere with an official traffic sign, signal, or device, or to obstruct or physically interfere with the vision of drivers in approaching, merging or intersecting traffic. These provisions may be enforced by the FHWA, but the agreement with the State of California also requires Caltrans to enforce these provisions.

The FHWA agreement with California includes specific provisions regarding the brightness of signage:

Signs shall not be placed with illumination that interferes with the effectiveness of, or obscures any official traffic sign, device or signal; shall not include or be illuminated by flashing, intermittent or moving lights (except that part necessary to give public service information such as time, date,

temperature, weather or similar information); shall not cause beams or rays of light to be directed at the traveled way if such light is of such intensity or brilliance as to cause glare or impair the vision of any driver, or to interfere with any driver's operation of a motor vehicle. (Agreement dated February 15, 1968)

The FHWA has responded to the development of signs that present changing messages, either mechanically or digitally, with an interpretation of its agreements with the states pursuant to the Highway Beautification Act. The FHWA discussed "changeable message signs" in a Memorandum dated July 17, 1996, concluding that a state could reasonably interpret the provisions of its agreement with the FHWA "…to allow changeable message signs… The frequency of message change and limitation in spacing for these signs should be determined by the State."

On September 25, 2007, the FHWA again issued a Memorandum on the subject of off-premises changeable electronic variable message signs, or CEVMS. The Memorandum stated that proposed laws, regulations and procedures that allowed CEVMS subject to acceptable criteria would not violate the prohibition on "intermittent" or "flashing" or "moving" signs as used in the state agreements. The Memorandum identified "ranges of acceptability" relating to such signage, as follows:

- Duration of message: Duration of display is generally between 4 and 10 seconds; 8 seconds is recommended;
- Transition time: Transition between messages is generally between 1 and 4 seconds; 1 to 2 seconds is recommended;
- Brightness: The sign brightness should be adjusted to respond to changes in light levels;
- Spacing: Spacing between the signs should be not less than the minimum specified for other OADs, or greater if deemed required for safety;
- Locations: Location criteria are the same as for other signage, unless it is determined that specific locations are inappropriate.

The Memorandum also referred to other standards that have been found helpful to ensure driver safety. These include a default designed to freeze the display in one still position if a malfunction occurs; a process for modifying displays and lighting levels where directed by Caltrans to assure safety of the motoring public; and requirements that a display contain static messages without movement such as animation, flashing, scrolling, intermittent or full-motion video. Manufacturers and operators of digital OADs currently use a full-black screen in the event of a malfunction.

In addition to the provisions of the Highway Beautification Act (23 U.S.C. §131) and the FHWA memoranda discussed above, the State of California has adopted the Outdoor Advertising Act (Business and Professions Code §§5200 et seq.) and regulations implementing its provisions (California Code of Regulations, Title 4, Division 6, §§2240 et seq.). These include provisions that deal specifically with "message centers," which are defined as "…an advertising display where the message is changed more than once every two minutes, but no more than once every four seconds." (§5216.4)

Consistent with the memoranda executed pursuant to the Highway Beautification Act, the Outdoor Advertising Act provides that message center displays that comply with its requirements are not considered flashing, intermittent or moving light. (§5405(d)(1)) The requirements provide that such signs must not display messages that change more than once every four seconds, and that no message center may be placed within 1,000 feet of another message center display on the same side of the highway.

The California Vehicle Code regulates the brightness of OAD lighting. Vehicle Code §21466.5, which identifies the applicable standard, may be enforced by Caltrans, the California Highway Patrol, or local authorities. Vehicle Code §21467 provides that each prohibited sign, signal, device or light is a public nuisance and may be removed without notice by Caltrans, the California Highway Patrol or local authorities.

Caltrans requires that any person engaged in the outdoor advertising business must obtain a license from Caltrans and pay the required fee. (§5300) No person may place any advertising display in areas subject to Caltrans authority without having a written permit from Caltrans. (§5350)

These provisions of law and regulation effectively regulate sign location and brightness to ensure that digital OADs will not be located in such a manner as to create hazards due to lighting conditions themselves. Digital OADs are equipped with sensors that modify the brightness of the sign in response to ambient lighting conditions, thus ensuring that the brightness of the display in evening, nighttime or dawn conditions does not present a traffic hazard.

As digital OAD technology has developed, the issue has been raised as to whether digital OADs themselves, regardless of compliance with such operating restrictions, present a distraction to drivers and thereby create conditions that could lead to accidents. FHWA has monitored the issue closely, and released its report updating the agency's view of the issues and research. The report is titled: "The Effects of Commercial Electronic Variable Message Signs (CEVMS) on Driver Attention and Distraction: An Update."[19]

The FHWA report reviews all available research on the issue to addressed the basic research question of whether operation of a CEVMS along the roadway is associated with a reduction of driving safety for the public. The report identified three fundamental methods for answering this question: (1) whether there is an increase in crash rates in the vicinity of CEVMS, (2) whether there is an increase in near-crashes, sudden braking, sharp swerving and other such behaviors in the vicinity of CEVMS, and (3) whether there are excessive eye glances away from the roadway in the vicinity of CEVMS.

The report discusses existing literature and reports of studies, key factors and measures relating to CEVMS and effects on traffic, and recommends a study approach. An extensive bibliography is included in the report. The report does not purport to provide guidance to states on the control of CEVMS. The report confirmed that there have been no definitive conclusions about the presence or strength of adverse safety impacts from CEVMS. Similarly, a study performed under the National Cooperative Highway Research Program (NCHRP), Project 20-7 (256) titled "Safety Impacts of the Emerging Digital Display Technology for Outdoor Advertising Signs" (NCHRP Report) reviewed existing literature. Both reports agreed that digital OADs should be regulated as a means of protecting the public interest. A subsequent FWHA report titled "Driver Behavior in the Presence of Commercial Electronic Variable Message Signs (CEVMS)" confirmed through a study using an eye-tracking system that the percentage of time that drivers dedicated to the road ahead was not significantly affected by the presence of CEVMS. [20]

Various restrictions have been identified in reports that relate to the location and operation of digital OADs that seek to reduce safety concerns. These relate to brightness, message duration and message change interval, OAD location with regard to official traffic control devices, roadway geometry, vehicle maneuver requirements at interchanges (i.e., lane drops, merges and diverges), and specific constraints on the placement and operation of such signs. Regulation of operations could include, for example, the time any single message may be displayed, the time of message transition, brightness of the sign and controls that adjust brightness based on the ambient light environment, and design and placement that ensures that the sign does not confuse drivers, or create dangerous glare.

Restrictions on digital OADs contained within the Outdoor Advertising Act and enforced by Caltrans regulate many of the conditions that have been identified as relevant to traffic safety. Caltrans regulates the location and size of each proposed digital OAD through its application process as well as the distance between such signs. California statutory provisions regulate brightness of displays.

[19] U.S. Department of Transportation Federal Highway Administration, *The Effects of Commercial Electronic Variable Message Signs (CEVMS) on Driver Attention and Distraction: An Update*, February 2009, Publication no. FHWA-HRT-09-018. Available at http://www.fhwa.dot.gov/real_estate/cevms.pdf.

[20] U.S. Department of Transportation Federal Highway Administration, *Driver Visual Behavior in the Presence of Commercial Electronic Variable Message Signs (CEVMS)*, March 2011, Publication no. FHWA-HEP-11-014. Available at http://www.fhwa.dot.gov/real_estate/oac/visual_behavior_report/review/cevms2.pdf.

Through state law and the Vehicle Code, such signage would be prohibited from displaying flashing lights or images.

It should be noted that there are various individual studies supporting conflicting conclusions regarding the safety of digital OADs and incidence of driver distraction. This analysis has been performed utilizing state and federal published studies and adopted regulations as the best information available at this time. For preparation of their report, the FHWA reviewed all other available reports to make their conclusions.

With compliance with applicable regulations, the impact related to traffic hazards would be ***less than significant***.

e) Inadequate Emergency Access. The proposed digital OAD would be located outside travelled portions of the roadway and would present no obstacles to emergency access. The Project would have ***no impact*** with regard to inadequate emergency access.

The OAD would have the capacity to display official messages regarding emergencies, and could perform as part of the emergency response system, thus resulting in beneficial impacts.

17. UTILITIES AND SERVICE SYSTEMS Would the project	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				☒
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				☒
g) Comply with federal, state, and local statutes and regulations related to solid waste?				☒

a-g) Utilities. The proposed OAD would require electrical service. Providing such service through extension of existing electrical service in the vicinity would not result in any significant effects.

The Project would not generate any wastewater or require a supply of potable water. Construction and operation of the digital OAD would not require other utility services, and would not affect drainage.

Installation of the proposed OAD would require coordination with various other utility companies via the Underground Service Alert (USA) to prevent conflicts with subterranean utilities. There would be ***no impact*** on utility services.

Energy: The annual average usage, based upon that for a double-sided LED Outdoor Advertising Display of the same size as the current proposal, is 6,542 kWh. For a comparison, this equates to the annual electricity usage of just over 1 single family home (calculated using BAAQMD's GHG Emissions Model rate of 6,047 kWh annual electricity usage per home).

The digital OAD installed and operated as part of the Project would use electrical energy, and would be constructed pursuant to current electrical codes, including Title 24. These standards would ensure that electrical energy would be used efficiently. The GHG emissions associated with this energy demand are addressed in Item 7, Greenhouse Gas Emissions. The underlying question as to whether digital OADs are an effective or desirable use of electrical energy is a policy question that may be considered in the Project review process, but any environmental effects are ***less than significant***.

18. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			☒	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)			☒	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			☒	

a) Environmental Quality. The Project would not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, or threaten to eliminate a plant or animal community. The Project would not impact rare or endangered wildlife species, or eliminate important examples of the major periods of California history or prehistory.

b, c) Cumulative Impacts and Adverse Effects on Human Beings. Caltrans limits OADs to one every 500 linear feet along the length of the highway and digital OADs to every 1,000 linear feet, which leaves the possibility that additional OADs could be added along U.S. 101 in the vicinity. This has the potential to result in additional cumulative aesthetics impacts. Any additional OADs, whether digital or conventional, would be required to undergo Design Review and City approval processes. While the specific location of future OAD proposals cannot be known at this point, it can be concluded that specifics of impacts to views would be considered for each proposed location. Therefore, the Project's contribution to cumulative impacts in relation to aesthetics would be considered less than significant.

The Project otherwise does not have individually limited but cumulatively considerable adverse impacts and would not involve substantial adverse effects on human beings, either directly or indirectly.

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510-535-6690

City of Millbrae
This document was prepared in consultation with Deborah Nelson, Project Manager, City of Millbrae.

SOURCES

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ATTACHMENT A

Northwest Information Center Records Search Results

CALIFORNIA HISTORICAL RESOURCES INFORMATION SYSTEM

ALAMEDA
COLUSA
CONTRA COSTA
DEL NORTE
HUMBOLDT
LAKE
MARIN
MENDOCINO
MONTEREY
NAPA
SAN BENITO
SAN FRANCISCO
SAN MATEO
SANTA CLATA
SANTA CRUZ
SOLANO
SONOMA
YOLO

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June 5th, 2015 NWIC File No.: 14-1712

Rebecca Gorton
Lamphier-Gregory, Inc.
1944 Embarcadero
Oakland, CA 94606

Re: Record search results for the proposed 401 E. Millbrae Avenue project

Dear Ms. Gorton,

Per your request received by our office on June 5th, 2015, a records search was conducted for the above referenced project by reviewing pertinent Northwest Information Center (NWIC) base maps that reference cultural resources records and reports, historic-period maps, and literature for San Mateo County. Please note that use of the term cultural resources includes both archaeological resources and historical buildings and/or structures.

Review of this information indicates that there have been five cultural resource studies that covered approximately 100% of the 401 E. Millbrae Avenue project area (Basin Research Associates 2002, S-26298; Busby 2001, S-24987; Chavez and Hupman 1990, S-12201; Kaptain 2009, S-38063; Scott 1974, S-4885). This project area contains no recorded archaeological resources. The State Office of Historic Preservation Historic Property Directory (OHP HPD) (which includes listings of the California Register of Historical Resources, California State Historical Landmarks, California State Points of Historical Interest, and the National Register of Historic Places) lists no recorded buildings or structures within or adjacent to the proposed project area. In addition to these inventories, the NWIC base maps show no recorded buildings or structures within the proposed project area.

At the time of Euroamerican contact the Native Americans that lived in the area were speakers of the Ramaytush Ohlone/Costanoan language, part of the Utian language family (Levy 1978:485-486). There are no Native American resources in or adjacent to the proposed project area referenced in the ethnographic literature.

Based on an evaluation of the environmental setting and features associated with known sites, Native American resources in this part of San Mateo County have been found marginal to the San Francisco Bay, on the banks and mid-slope terraces above seasonal and perennial waterways and within Holocene age landforms. The 401 E. Millbrae Avenue project area is marginal to the Bay within a historical wetland and is

composed of artificial fill to a depth of 5 to 20 feet. Given the dissimilarity of one or more of these environmental factors, there is a low potential for unrecorded Native American resources to be within the proposed project area.

Review of historical literature and maps gave no indication of historic-period activity within the 401 E. Millbrae Avenue project area. With this in mind, there is a low potential for unrecorded historic-period archaeological resources in the proposed 401 E. Millbrae Avenue project area.

The 1896 and 1915 San Mateo USGS 15-minute topographic quadrangles and the 1956 Montara MTN USGS 7.5-minute topographic quadrangle all fail to depict any buildings or structures within the 401 E. Millbrae Avenue project area; therefore, there is a low possibility of identifying any buildings or structures 45 years or older within the project area.

RECOMMENDATIONS:

1) There is a low possibility of identifying Native American and historic-period archaeological resources and further study is not recommended at this time.

2) We recommend you contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. For a complete listing of tribes in the vicinity of the project, please contact the Native American Heritage Commission at 916/373-3710.

3) If the proposed project area contains buildings or structures that meet the minimum age requirement, prior to commencement of project activities, it is recommended that this resource be assessed by a professional familiar with the architecture and history of San Mateo County. Please refer to the list of consultants who meet the Secretary of Interior's Standards at http://www.chrisinfo.org.

4) Review for possible historic-period buildings or structures has included only those sources listed in the attached bibliography and should not be considered comprehensive.

5) If archaeological resources are encountered **during construction,** work should be temporarily halted in the vicinity of the discovered materials and workers should avoid altering the materials and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations. Project personnel should not collect cultural resources. Native American resources include chert or obsidian flakes, projectile points, mortars, and pestles; and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic-period resources include stone or adobe foundations or walls; structures and remains with square nails; and refuse deposits or bottle dumps, often located in old wells or privies.

6) It is recommended that any identified cultural resources be recorded on DPR 523 historic resource recordation forms, available online from the Office of Historic Preservation's website: http://ohp.parks.ca.gov/default.asp?page_id=1069

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the California Historical Resources Information System (CHRIS) Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

Thank you for using our services. Please contact this office if you have any questions, (707) 588-8455.

Sincerely,

Lacey Klopp

Lacey Klopp
Researcher

LITERATURE REVIEWED

In addition to archaeological maps and site records on file at the Northwest Information Center of the Historical Resources Information System, the following literature was reviewed:

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**Note that the Office of Historic Preservation's *Historic Properties Directory* includes National Register, State Registered Landmarks, California Points of Historical Interest, and the California Register of Historical Resources as well as Certified Local Government surveys that have undergone Section 106 review.