

# Addendum to the Environmental Impact Report for the Millbrae General Plan

## Introduction

This document is an Addendum to the Environmental Impact Report (EIR) prepared for the Millbrae 2040 General Plan (State Clearinghouse No. 2021120052), which was certified by the City of Millbrae in December 2022 (Certified EIR). In accordance with the California Environmental Quality Act (CEQA), this Addendum analyzes proposed modifications (the Modified Project) to the General Plan Final Document approved in 2022 (the Approved Project) and demonstrates that all of the potential environmental impacts associated with the proposed modifications would be within the envelope of impacts already evaluated in the Certified EIR.

## CEQA Authority for Addendum

CEQA establishes the type of environmental documentation required when changes to a project occur after an EIR is certified. Specifically, Section 15164(a) of the CEQA Guidelines states that:

*The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.*

Section 15162 of the CEQA Guidelines requires a Subsequent EIR when an MND has already been adopted or an EIR has been certified and one or more of the following circumstances exist:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
  - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
  - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;

- c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Likewise, California Public Resources Code (PRC) Section 21166 states that unless one or more of the following events occur, no subsequent or supplemental environmental impact report shall be required by the lead agency or by any responsible agency:

- Substantial changes are proposed in the project which will require major revisions of the environmental impact report;
- Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report; or
- New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

As demonstrated by the analysis herein, the Modified Project would not result in any new additional significant impacts, nor would it substantially increase the severity of previously anticipated significant impacts. Rather, all of the impacts associated with the Modified Project are within the envelope of impacts addressed in the Certified EIR and do not constitute new or substantially increased significant impact. Based on this determination, the Modified Project does not trigger the requirements for preparation of a Subsequent or Supplemental EIR pursuant to Section 15162 of the CEQA Guidelines.

## **Overview of Approved Project**

The Millbrae City Council approved the final Millbrae 2040 General Plan document and accompanying EIR in December 2022. The Millbrae 2040 General Plan is a long-range plan that guides decision-making and establishes rules and standards for new development and city improvements. It reflects the community's vision for the future and is intended to provide direction through the year 2040.

## **Proposed Modification to Project**

The proposed General Plan Land Use text amendment is a minor amendment clarifying that life science uses are allowed as under the General Commercial land use designation for properties located east of Highway 101. The uses supported in the general commercial land use designation will include life sciences, laboratory, technology, biotechnology, or research and development uses. Laboratory use will be limited to Biosafety Levels 1 and/or 2 only. Any use containing Biosafety Level 2 is subject to review and approval of a Conditional Use Permit.

## **Analysis of Proposed Modifications**

The proposed modifications would clarify that life science uses are allowed uses in the General Commercial land use designations for lots in eastern Millbrae. The specific amendment area is for commercial land use designated lots located east of Highway 101 and west of Old Bayshore Highway. The amendment would not result in either a safety hazard nor excessive noise for people residing or working in the immediate area, as the use is already allowed in the area adjacent of the proposed amendment area. The amendment would not cause significant environmental impact due to a conflict in land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect as the proposed amendment would conform to the City General Plan and all impacts will be within the range of those identified in the Final EIR. No modifications to the existing development standards are proposed as part of this amendment, and thus the amendment will not result on any additional impacts or effects other than those described in the Final EIR.

The General Plan Certified EIR analyzed environmental impacts anticipated from the build out of the City of Millbrae, which included an evaluation of hazardous uses within the Plan Area. The amendment to the General Plan will not introduce any new environmental impacts that were not contained in the analysis of the General Plan EIR. The amendment to the General Plan does not result in changes in the project which will require major revisions of the environmental impact report as development standards will remain the same and the amendment will not introduce new environmental impacts not evaluated in the EIR. Further, as the development standards are not being amended, there are no substantial changes that are expected to occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report. Lastly, there is no known new information that would affect the analysis of the previously-certified EIR.

Per the Airport Land Use Compatibility Plan (ALUCP) for the environs of SFO, hazardous uses up to Biosafety Level 2 are allowed in Compatibility Zone 3. The amendment area is partially located within Compatibility Zone 3. Each individual development project that includes hazardous uses of Biosafety Level 2 in the amended area would be evaluated through additional environmental analysis and consistency with the General Plan EIR as part of the Conditional Use Permit process in regards to hazardous materials and any other environmental concerns.

The General Plan Final EIR identified potential impacts and unavoidable significant effects of development in the Plan Area. As all of the impacts would be within the envelope of impacts identified in the Certified EIR, no additional environmental analysis pursuant to Section 15162 of the CEQA Guidelines is necessary.