

## EXHIBIT C

### FINDINGS CONCERNING INFEASIBILITY OF ALTERNATIVES

CEQA provides that decision-makers should not approve a project as proposed if there are feasible alternatives or feasible mitigation measures that would substantially lessen the significant impacts of the project (CEQA Section 21002). The EIR identified feasible mitigation measures that would reduce most of the potentially significant impacts to less than significant, as further set forth in the Exhibit A findings above. However, the following impacts in the EIR remain significant after mitigation (i.e., significant and unavoidable) and no feasible mitigation or project alternative is identified to reduce impact to less than significant:

**NOISE-1** **Impact.** Typical daytime student activities at the proposed school would create noise levels that exceed Foster City  $L_{max}$  and  $L_5$  thresholds at two sensitive receptors immediately adjacent to the Project site.

**NOISE-2** **Impact.** Equipment used during Project construction would generate excessive groundborne vibration with severe, albeit temporary, effects on a group of residential properties as close as 40 feet from the site of construction.

In compliance with CEQA, the following findings address whether there are any feasible alternatives or any additional feasible mitigation measures available that would reduce the significant and unavoidable impacts identified in the EIR for the Project to less than significant.

### FINDINGS CONCERNING ALTERNATIVES

CEQA requires that an EIR "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project ..." (CEQA Guidelines Section 15126.6(a)). "If a project alternative will substantially lessen the significant environmental effects of a proposed project, the decision-maker should not approve the proposed project unless it determines that specific economic, legal, social, technological, or other considerations, ... make the project alternative infeasible." (CEQA Sections 21002 and 21081(a)(3), and CEQA Guidelines Section 15091(a)(3).) The Board hereby makes these findings with respect to alternatives.

The Project objectives are set forth in Chapter 3 of the Draft EIR. Alternatives are identified and analyzed in Chapter 5 of the Draft EIR and include the required No Project Alternative, an Alternative Site Layout Alternative, and a Reduced Future Capacity Alternative. Each of the alternatives was assessed for each resource topic and compared to potential Project impacts. As further set forth below, the San Mateo-Foster City School District Board of Trustees (Board) has considered the alternatives identified and analyzed in Chapter 6 of the Draft EIR and finds them to be infeasible for specific economic, social, or other considerations pursuant to CEQA Sections 21002 and 21081(a)(3), and CEQA Guidelines Section 15091(a)(3). For CEQA purposes, "feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, technological, and legal factors. (CEQA Section 21061.1, CEQA Guidelines Section 15364.)

### **Alternative #1: No Project Alternative**

CEQA Guidelines Section 15126.6(e) requires that a "No-Project" alternative be evaluated as part of an EIR. 1. Under the No Project Alternative, no actions to improve the site would be taken, and the site would remain in its current condition. The existing structures and uses of the Charter Square Shopping Center would remain the same and no school would be constructed.

By eliminating all demolition and construction, the No Project Alternative would eliminate all the noise-related significant and unavoidable impacts of the Project. The No Project Alternative would not create any new significant impacts. However, the District finds this alternative infeasible because it would be inconsistent with all of the Project's objectives. This alternative would not result in a new elementary school in Foster City.

**Finding:** The Board considered the No Project Alternative and declines to adopt it because it is inconsistent with the Project objectives and is infeasible for the specific educational, social, demographic or other considerations described above, as supported by the administrative record for the Project.

### **Alternative #2: Alternative Site Layout**

Under the Alternative Site Layout Alternative, the footprint of the school buildings would be rotated along the north-south axis and shifted to the west, so that the multipurpose room and classrooms would abut the western property line. While this Alternative would achieve most of the seven Project Objectives listed in the EIR, it would not achieve, to the degree of the Project, the objective of being a good neighbor to adjacent neighborhoods by locating the buildings closest to the streets and minimizing neighborhood traffic impacts. This alternative was found to result in more severe aesthetic and noise impacts than the proposed Project. Each of these is an environmental impact that would reduce the ability of the Project to achieve positive integration into surrounding neighborhoods.

**Finding:** The Board considered the Alternative Site Layout Alternative and declines to adopt it because it would result in increased environmental impacts that are directly related to neighborhood compatibility, a Project Objective identified in the EIR, as supported by the administrative record for the Project.

### **Alternative #3: Reduced Future Capacity Alternative**

Under the Reduced Future Capacity Alternative, the proposed Project would not include the five classrooms for the Annex and future enrollment, and as such the school would accommodate a maximum of 430-470 students. Development under this alternative would result in a slightly smaller physical footprint than that of the Project. However, the significant-but-mitigable impacts related to air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, and noise, and significant-and-unavoidable impacts related to noise caused by the Project would be comparable under this alternative. This alternative would fail to fully achieve the three Project Objectives relating to additional enrollment capacity and the resulting need for new elementary school in Foster City. Under this alternative, overcrowding at the three existing elementary schools in Foster City would not be fully addressed, future enrollment growth would remain unaddressed, and future Foster City students would remain in need of critical school facilities.

**Finding:** The Board considered the Reduced Future Capacity Alternative and declines to adopt it because it is inconsistent with the Project objectives and is infeasible for the specific educational, social, demographic or other considerations described above, as supported by the administrative record for the Project.

#### **Alternatives Considered but Rejected for Further Analysis**

Section 5.2 in the Draft EIR identifies two alternatives that were considered but were determined to not even be potentially feasible. As such, the Draft EIR was not required to analyze them further. The Expand Capacity at Existing Schools Alternative would lead to further overcrowding at at-capacity schools, the Reduce Enrollment of the Proposed School Alternative would restrict the proposed school's ability to fulfill its primary role of helping to serve existing and new students, and the Alternative Location Alternative would lead to further delays in school development.

**Finding:** The Board considered the above alternatives but declines to adopt them as they were not shown to be potentially feasible.