

## 4.8 Hazards and Hazardous Materials

The following analysis evaluates impacts related to potential exposure to hazards and hazardous materials associated with implementation of the proposed 123 Independence Drive Residential Project (project; proposed project).

As discussed in Chapter 2, Introduction, and Chapter 4, Environmental Analysis, two Notices of Preparation (NOPs) were circulated for this environmental impact report (EIR), one in January and February 2021, and one in September and October 2021. No comments were received in response to either NOP addressing hazards and hazardous materials, other than potential health risks due to air pollution for schools located in the project vicinity. Health risks associated with air pollution are addressed in Section 4.2, Air Quality. Both NOPs and the comments received in response to them are provided in Appendix A of this EIR.

The primary sources reviewed to prepare this section include the ConnectMenlo General Plan Update (City of Menlo Park 2016a), the ConnectMenlo General Plan Update EIR (City of Menlo Park 2016b), and the Phase I Environmental Site Assessments (ESA) prepared in 2021 for the project site (Appendix F2).

### 4.8.1 Environmental Setting

#### Site Location

The approximately 8.15-acre project site (355,185 square feet on Assessor's Parcel Numbers 055-236-140, 055-236-180, 055-236-240, 055-236-300, and 055-236-280) is located in the Bayfront Area of the City of Menlo Park (City), as shown in Figure 3-1, Project Location. The adjacent land uses include a variety of offices, commercial business parks, and public facilities along Constitution Drive and Chrysler Drive. A mix of commercial businesses, including several buildings housing offices of Facebook, are located south of the project site along Independence Drive, as shown in Figure 3-2, Project Vicinity. At the time environmental review for the proposed project commenced, several commercial buildings and hotels were under construction between Constitution Drive and Bayfront Expressway, west of Chrysler Drive.

#### Soils and Surface Water

A review of the U.S. Department of Agriculture Soil Survey for the project area and the soils in the vicinity of the project site are classified as Urban Land-Orthents (USDA 2021). The Urban Land Orthents designation indicates that 65 percent of the original soils have been disturbed or covered by paved surfaces, buildings or other structures, 30 percent consist of orthents and similar soils, and 4 percent consists of minor components. The nearest surface water to the proposed project site is the Ravenwood Slough, located approximately 960 feet to the north.

#### Surrounding School and Airport Land Uses

The project site is located within the Ravenswood City School District and the Sequoia Union High School District. Several other school districts serve other portions of Menlo Park. The closest schools to the project site are TIDE Academy, part of the Sequoia Union High School District located approximately 0.2 miles southeast; Beechwood School (a private school) located approximately 0.5 miles southeast; Belle Haven Elementary School approximately 1 mile southeast; Encinal Elementary School approximately 1.5 miles southwest, Laurel Elementary Lower Campus approximately 1.2 miles southeast, Mid-Peninsula High School approximately 1.5 miles east, and Peninsula School approximately 1.3 miles southeast.

Palo Alto Airport, a general aviation field that is owned and operated by the City of Palo Alto, is within 5 miles of the project site (City of Palo Alto 2021). The Comprehensive Land Use Plan for the Palo Alto Airport describes the Airport Influence Area (AIA) as an area within which all development must be evaluated by local agencies to determine how the Comprehensive Land Use Plan may affect proposed development (Santa Clara County ALUC 2020). The AIA includes the areas surrounding the airport that are affected by noise, height, and safety issues. The AIA for the Palo Alto Airport is defined as the portion of Palo Alto east of US 101 (i.e., from US 101 to San Francisquito Creek along the Palo Alto city boundary, to Charleston Slough, to Barron Creek, then back to US 101). For structures with a height of 500 feet or greater, the AIA includes all of Santa Clara County. The project site does not lie within the AIA.

San Carlos Airport, a community airport located near the San Francisco Bay owned by San Mateo County, is located approximately 5 miles northwest of the project site. According to the Airport Comprehensive Land Use Plan for San Carlos Airport, the project site is outside the AIA (CCAG 2015; County of San Mateo 2021b).

### Existing Site Conditions

Phase I ESAs were previously prepared in 2015 and 2016 for three of the project site parcels: 130 Constitution Drive (PES 2016), 123 and 125 Independence Drive (AEI 2015), and 127 Independence Drive (PES 2015b). In February 2021, a new Phase I ESA was prepared to evaluate the entirety of the project site including 119 Independence Drive, 123-125 Independence Drive, 127 Independence Drive, 1205 Chrysler Drive, and 130 Constitution Drive. Information provided below regarding previous and current conditions is sourced from the Phase I ESA prepared in February 2021 (Appendix F2).

Aerial photographs from 1943 and 1958 show the proposed project site as vacant land that was likely in agricultural use (grass and/or grain farming), and there is a potential that agricultural chemicals such as pesticides, herbicides, and fertilizers were used on site. The existing industrial buildings on site were constructed circa 1960/1961 which indicates there is a potential for each building to contain lead-based paint (LBP) and asbestos-containing materials (ACMs). Further, many of the building occupants over time have carried out industrial processes, warehousing, installation and use of underground storage tanks (USTs), and other activities that involved use and/or storage of various chemicals which could be present within on-site soils (Appendix F2, AEI 2015, PES 2015b, PES 2016).

### Phase I Environmental Site Assessments

The Phase I ESA completed in February 2021 was prepared for the entirety of the proposed project site, which comprises five individual parcels. Findings of the 2021 Phase I ESA identified hazardous material use and storage limited to small quantities of chemicals as well as surface soil staining at the project site. Further, the presence of volatile organic compounds (VOCs), primarily trichloroethene (TCE) and vinyl chloride, were documented in groundwater and soil vapor beneath the project site. While no evidence of USTs or above-ground storage tanks are present, there were two USTs near the northwestern project boundary that have been removed but represent a recognized environmental condition (REC) due to documented groundwater impacts and lack of site closure documentation. The ESA also indicates the potential presence of LBPs and ACMs due to the age of on-site structures as well the potential for residual chemicals (i.e., pesticides, herbicides, etc.) to be present as a result of past agricultural uses at the site (Appendix F2).

The following discussion provides a summary of site conditions as described in the 2021 Phase I ESA, which incorporates summaries of the findings of earlier ESAs for each of the parcels comprising the project site.

### 119 Independence Drive

The 2021 Phase I ESA discusses that the 2015 ESA for 119 Independence Drive (western portion of the project site) identified two RECs at the subject property. RECs included concentrations of TCE within groundwater beneath the site, and USTs that had been previously removed from the northwest portion of the adjoining property (123-125 Independence Drive) as well as constituents detected in soil samples taken from the site during UST removal. Due to the property's previous agricultural uses, pesticides, herbicides, arsenic, and lead were identified as potential environmental concerns. Further, the 2015 ESA indicated there was potential soil contamination north of the on-site building as well as the potential presence of LBP and ACMs due to the age of the on-site building (Appendix F2).

### 123 and 125 Independence Drive

Also in 2015, a Phase I ESA was prepared for the property located at 123 and 125 Independence Drive (AEI 2015). Findings from this ESA indicated the presence of a regional groundwater plume containing TCE that has impacted shallow groundwater as well as potential presence of LBPs and ACMs due to the age of the on-site structure.

The 2015 ESA reported that two gasoline USTs were removed from the subject property in 1985. The USTs were 8,000 gallons and 1,000 gallons in size and located to the northwest of the subject property building. Documents indicate the USTs were empty at the time of the tank removal. A groundwater sample was collected from the down-gradient end of the tank pit. The tank pit was reportedly backfilled with excavated soil, except for the most heavily contaminated portions, which were set aside to "air-dry." A product line was still attached to one of the tanks, which severed when the tank was pulled. A small amount of product drained into the pit. The pit was reportedly skimmed before it was filled. The groundwater sample collected from the pit contained 93 parts per million of gasoline. The groundwater sample was not analyzed for any other contaminants, including benzene, toluene, ethyl benzene, and xylenes, and no other sampling was conducted, including the collection of soil samples from the tank excavation or from beneath the dispensers, located to the northeast of the tanks. No closure letter from the County was on file at the SMCEHD, nor was there any documentation indicating further investigations needed to be conducted regarding the former USTs (AEI 2015). This is considered an REC due to the lack of a closure letter and the potential for soil contamination to have occurred during removal of the USTs (Appendix F2),

### 1205 Chrysler Drive

A Phase 1 ESA was also prepared for the 1205 Chrysler property in 2015 (PES 2015). The report documented regional TCE impacts to groundwater and potential TCE vapor intrusion, the presence of asbestos-containing materials (ACM), and the potential presence of LBP. No RECs were identified. The 2021 ESA reports that this property was subject to soil and groundwater analysis in 2002 under the DTSC's Brownfields and Environmental Restoration Program (Cleanup Program) to investigate the presence of TCE in the groundwater. As discussed further under the GeoTracker heading below, soil and groundwater sampling and analysis demonstrated that the property was highly unlikely to be the source of TCE in the groundwater and that no soil remediation was required. The RQWCB concurred with these findings and issued a No Further Action letter for this site in 2002 (Appendix F2).

### 127 Independence Drive

A Phase I ESA was prepared for 127 Independence Drive in 2016 (PES 2015b). Findings of this ESA indicated chemical use on site and the presence of isopropyl alcohol, acetone, methanol, hydrochloric acid, and germicidal detergents, all of which appeared to be stored correctly. No RECs were identified for the subject property; however, as previously described for the 123 and 125 Independence Drive properties, the regional TCE plume was noted to

be impacting shallow groundwater within the area. Due to the age of on-site structures, the ESA identified the potential for presence of LBPs and ACMs (Appendix E)

### 130 Constitution Drive

In 2016, a Phase I ESA was also prepared for the property located at 130 Constitution Drive (PES 2016). Findings of the report indicated on-site soil staining, the presence of the regional TCE groundwater plume, potential presence of LBP, and concentrations of vinyl chloride in exceedance of vapor intrusion risk. ACM was also identified at the property; however, it is managed under an operation and maintenance plan (Appendix E4, PES 2016)

### Cortese List

The Hazardous Waste and Substances Sites (Cortese) List is a planning document that provides information about the location of hazardous materials release sites. Government Code section 65962.5 requires the California Environmental Protection Agency to develop an updated Cortese List at least annually. The Department of Toxic Substance Control's (DTSC) is responsible for a portion of the information contained in the Cortese List. Specifically, DTSC's Brownfields and Environmental Restoration Program (Cleanup Program) EnviroStor database which includes information on hazardous waste and the status of remediation. The State Water Resources Control Board's (SWRCB) GeoTracker database includes information on underground storage tanks and solid waste disposal facilities and any associated contamination.

### GeoTracker

As noted in the discussion of ESAs prepared for the project site, the SWRCB's GeoTracker database identifies a closed Cleanup Program Site in the southeastern portion of the project site, at 1205 Chrysler Drive associated with former tenants of that property, Krebs Engineers, who occupied the site from 1969 to 1995. In 1997 the SMCEHD notified Krebs Engineers that records showed a potential release of hazardous materials from the site that required investigation and potential clean up. Soil and groundwater sampling was conducted by E2C pursuant to an approved Work Plan for Groundwater Investigation. Based on the soil and groundwater sampling and analysis, E2C concluded that the property was highly unlikely to be the source of TCE in the groundwater and that no soil remediation was required based on the low contaminant concentrations in the soil. The RQWCB concurred with E2C's findings and issued a No Further Action letter for this site in 2002 (Appendix E).

The GeoTracker database identifies an active Cleanup Program Site approximately 300 feet west of the project site, located at the Menlo Portal project site at 115 Independence Drive and 104-110 Constitution Drive. Potential contaminants of concern at this site include arsenic, benzene, dichloroethane, diesel, gasoline, petroleum, and vinyl chloride. The site was formerly used for component manufacturing by Electro Nuclear Laboratories from 1974 to 1975, then occupied by semiconductor manufacturing companies, including Raychem corporation. The site was redeveloped in 2021 including one residential use building and one commercial building. Vapor intrusion was found to be a potentially significant hazard to the Menlo Portal project, which was mitigated by building design and import of clean soil covering the site to a depth of 3 feet (Appendix E). Vapor intrusion was found to be the primary concern associated with redevelopment of the Menlo Portal site. Due to the proximity of the 123 Independence project site to this site and the inferred groundwater flow direction, the VOC concentrations found in the soil and groundwater at the Menlo Portal site is considered a significant environmental condition for the proposed project. Regional groundwater flow is generally to the north towards the San Francisco Bay, however groundwater monitoring at 120 Constitution Drive has shown that groundwater flow fluctuates from north to southeast due to tidal influences typical of the Bay fringe (Appendix E).

The GeoTracker database identifies a second active Cleanup Program Site approximately 0.3 miles east of the project site, located at the Menlo Uptown project site at 141 Jefferson Drive (RWQCB 2021). A Phase II ESA was prepared for that site in 2018. As part of that effort, soil samples were collected, analyzed, and found to contain concentrations of metals, VOCs, organochlorine pesticides, and petroleum hydrocarbons. All of the concentrations were below the environmental screening levels for residential land use. Groundwater and soil vapor samples were also collected and found to contain both VOCs and petroleum hydrocarbons above residential environmental screening levels (LSA 2019). The ESA analysis found that the VOC concentrations encountered at the site were not indicative of widespread or significant contamination. Further, the Menlo Uptown site is cross-gradient from the 123 Independence site (meaning that groundwater is likely to flow from the 123 Independence site towards the Menlo Uptown site) and thus the proximity of the 123 Independence project site to the Menlo Uptown project site is not considered to present any significant environmental conditions for the proposed project.

There is a closed Cleanup Program Site at 4040 Campbell Avenue, approximately 1,500 feet south of the project site. TCE and other VOCs were identified in soil and groundwater at this property. VOCs and petroleum hydrocarbons were used in previous operations at this location and were released from an oil-water separator. Remediation was completed and the property received case closure from the RWQCB. However, groundwater at this property was measured to flow north to northwest, thus the property is up-gradient of the 123 Independence project site, and the VOC-impacted groundwater has the potential to migrate beneath the project site. Therefore, the VOC-impacted groundwater is considered a significant environmental condition for the proposed project.

There are several other historical cleanup sites in the project vicinity, with the nearest being the Moreing Company (1998), 120 Constitution Drive, immediately west of the project site; and Bay Associated (1999), 1150 Chrysler Drive, immediately east of the project site. These cases involved leaking USTs that discharged gasoline contaminants to the groundwater. Both cases are closed and do not appear to present any significant environmental concerns for the proposed project (Appendix F2, RWQCB 2021).

### EnviroStor

A review of the DTSCs Envirostor did not reveal a history of hazardous waste releases or documented environmental contamination within 1,000 feet of the project site. The nearest cleanup sites include Menlo Park Sanitation, approximately 0.5 miles north of the project site at 1700 Marsh Road Extension, requiring no further action as of 1985; Menlo Park Proposed School, approximately 0.2 miles east of the project site at 150 Jefferson Drive, requiring no further action as of 2016; and Menlo Tech Site Cleanup Evaluation, approximately 0.3 miles east of the project site at 188 Constitution Drive, referred to the Regional Water Quality Control Board in 2020 (DTSC 2021).

### Wildland Fires

According to the California Department of Forestry and Fire Protection's (CAL FIRE) Fire and Resource Assessment Program, the project area is within a Local Responsibility Area (LRA) because it is within the city limits and served by the Menlo Park Fire Department and designated Non-Very High Fire Hazard Severity Zone (CAL FIRE 2008). Therefore, the risk of wildfire at the project site is considered very low. Further, the ConnectMenlo General Plan Update indicates that there are no areas of moderate, high, or very high Fire Hazard Severity within the city or the LRA, (City of Menlo Park 2016b).

## 4.8.2 Regulatory Framework

### Federal Regulations

#### U.S. Environmental Protection Agency

The U.S. Environmental Protection Agency (EPA) was established in 1970 to consolidate in one agency a variety of federal research, monitoring, standard-setting, and enforcement activities to ensure environmental protection. The EPA's mission is to protect human health and to safeguard the natural environment—air, water, and land—upon which life depends. The EPA works to develop and enforce regulations that implement environmental laws enacted by Congress, is responsible for researching and setting national standards for a variety of environmental programs, and delegates to states and tribes the responsibility for using permits and for monitoring and enforcing compliance. Where national standards are not met, the EPA can issue sanctions and take other steps to assist the states and tribes in reaching the desired levels of environmental quality.

#### Federal Toxic Substances Control Act/Resource Conservation and Recovery Act/Hazardous and Solid Waste Act

The Federal Toxic Substances Control Act (1976) and the Resource Conservation and Recovery Act of 1976 (RCRA) established a program administered by the EPA to regulate the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA was amended in 1984 by the Hazardous and Solid Waste Act, which affirmed and extended the “cradle-to-grave” system of regulating hazardous wastes.

#### Comprehensive Environmental Response, Compensation, and Liability Act/Superfund Amendments and Reauthorization Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as “Superfund,” were enacted by Congress on December 11, 1980. This law (42 USC 103) provides broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA establishes requirements concerning closed and abandoned hazardous waste sites, provides for liability of persons responsible for releases of hazardous waste at these sites, and establishes a trust fund to provide for cleanup when no responsible party can be identified. CERCLA also enables the revision of the National Contingency Plan. The National Contingency Plan (Title 40, Code of Federal Regulations [CFR], Part 300) provides the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, and/or contaminants. The National Contingency Plan also established the National Priorities List. CERCLA was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986.

#### Clean Water Act/Spill Prevention, Control, and Countermeasure Rule

The Clean Water Act (33 USC 1251 et seq., formerly known as the Federal Water Pollution Control Act of 1972) was enacted with the intent of restoring and maintaining the chemical, physical, and biological integrity of waters of the United States. As part of the Clean Water Act, the EPA oversees and enforces the Oil Pollution Prevention regulation contained in 40 CFR 112, which is often referred to as the “SPCC rule” because the regulations describe the requirements for facilities to prepare, amend, and implement spill prevention, control, and countermeasure (SPCC) plans. A facility is subject to SPCC regulations if a single oil storage tank has a capacity greater than 660 gallons, or the total aboveground oil storage capacity exceeds 1,320 gallons, or the underground oil storage capacity exceeds 42,000 gallons, and if, due to its location, the facility could reasonably be expected to discharge oil into or upon the “navigable waters” of the United States.

## Other Regulations

Other federal regulations overseen by the EPA relevant to hazardous materials and environmental contamination include 40 CFR Parts 100 to 149 – Water Programs, 40 CFR Parts 239 to 259 – Solid Wastes, and 40 CFR Parts 260 to 279 – Hazardous Waste. These regulations designate hazardous substances under the Clean Water Act; determine the reportable quantity for each substance that is designated as hazardous; and establish quantities of designated substances equal to or greater than the reportable quantities that may be discharged into waters of the United States.

## Occupational Safety and Health Administration

The Occupational Safety and Health Administration’s (OSHA) mission is to ensure the safety and health of U.S. workers by setting and enforcing standards; providing training, outreach, and education; establishing partnerships; and encouraging continual improvement in workplace safety and health. The OSHA staff establishes and enforces protective standards and reaches out to employers and employees through technical assistance and consultation programs. OSHA standards are listed in 29 CFR 1910.

## State Regulations

### Hazardous Waste Control Act

The Hazardous Waste Control Act created the state hazardous waste management program, which is similar to but more stringent than the federal RCRA program. The act is implemented by regulations contained in Title 26 CCR, which describes the following required aspects for the proper management of hazardous waste:

- Identification and classification
- Generation and transportation
- Design and permitting of recycling, treatment, storage, and disposal facilities
- Treatment standards
- Operation of facilities and staff training
- Closure of facilities and liability requirements

These regulations list more than 800 materials that may be hazardous and establish criteria for identifying, packaging, and disposing of such waste. Under the Hazardous Waste Control Act and Title 26, the generator of hazardous waste must complete a manifest that accompanies the waste from generator to transporter to the ultimate disposal location. Copies of the manifest must be filed with the California Department of Toxic Substances and Control (DTSC). It is anticipated waste associated with building demolition would be required to comply with this Act.

## California Environmental Protection Agency

The California EPA was created in 1991 and unified California’s environmental authority in a single cabinet-level agency and brought the California Air Resources Board, State Water Resource Control Board, Regional Water Quality Control Board, CalRecycle, DTSC, Office of Environmental Health Hazard Assessment, and Department of Pesticide Regulation under one agency. These agencies were placed within the California EPA “umbrella” for the protection of human health and the environment and to ensure the coordinated deployment of state resources. Their mission is to restore, protect, and enhance the environment and to ensure public health, environmental quality, and economic vitality.

## Department of Toxic Substances and Control

DTSC, a department of California's EPA, is the primary agency in California for regulating hazardous waste, cleaning up existing contamination, and finding ways to reduce the amount of hazardous waste produced in the state. DTSC regulates hazardous waste primarily under the authority of the federal RCRA and the California Health and Safety Code (primarily Division 20, Chapters 6.5 through 10.6, and Title 22, Division 4.5). Other laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning.

United States Code 65962.5 (commonly referred to as the Cortese List) includes DTSC-listed hazardous waste facilities and sites, U.S. Department of Health Services lists of contaminated drinking water wells, sites listed by the State Water Resource Control Board as having UST leaks or a discharge of hazardous wastes or materials into the water or groundwater, and lists from local regulatory agencies of sites with a known migration of hazardous waste/material.

## California Office of Emergency Services

To protect public health and safety, and the environment, the California Office of Emergency Services is responsible for establishing and managing statewide standards for business and area plans relating to the handling and release, or threatened release, of hazardous materials. The Office of Emergency Services requires that basic information on hazardous materials handled, used, stored, or disposed of (including location, type, quantity, and health risks) be available to firefighters, public safety officers, and regulatory agencies. Typically, this information should be included in business plans to prevent or mitigate damage to the health and safety of persons and the environment from the release or threatened release of these materials into the workplace and environment. These regulations are covered under Chapter 6.95 of the California Health and Safety Code, Article 1 – Hazardous Materials Release Response and Inventory Program (Sections 25500 to 25520) and Article 2 – Hazardous Materials Management (Sections 25531 to 25543.3).

## California Occupational Safety and Health Administration

California OSHA is the primary agency responsible for worker safety in the handling and use of chemicals in the workplace. The California OSHA standards are generally more stringent than federal regulations. The employer is required to monitor worker exposure to listed hazardous substances and notify workers of exposure (8 CCR 337–340). The regulations specify requirements for employee training, availability of safety equipment, accident-prevention programs, and hazardous substance exposure warnings.

## California Highway Patrol

A valid Hazardous Materials Transportation License, issued by the California Highway Patrol, is required by the laws and regulations of State of California Vehicle Code Section 3200.5 for transportation of either:

- Hazardous materials shipments for which the display of placards is required by state regulations
- Hazardous materials shipments of more than 500 pounds, which would require placards if shipping greater amounts in the same manner

Additional requirements on the transportation of explosives, inhalation hazards, and radioactive materials are enforced by the California Highway Patrol under the authority of the State Vehicle Code.



## Asbestos-Containing Materials Regulations

State agencies, in conjunction with the federal EPA and OSHA, regulate removal, abatement, and transport procedures for ACMs. Releases of asbestos from industrial, demolition, or construction activities are prohibited by these regulations, which define practices and procedures that must be followed to reduce the risk of release. Medical evaluation and monitoring is required for employees performing activities that could expose them to asbestos. In addition, federal, state, and local agencies must be notified prior to the onset of demolition or construction activities with the potential to release asbestos.

## Lead-based Paint Regulations

California OSHA's Lead in Construction Standard is contained in Title 8, Section 1532.1 of the California Code of Regulations. The regulations address the following areas: permissible exposure limits; exposure assessment; compliance methods; respiratory protection; protective clothing and equipment; housekeeping; medical surveillance; medical removal protection; employee information, training, and certification; signage; record keeping; monitoring; and agency notification.

## Regional and Local Regulations

### San Mateo County Health System Department

#### San Mateo County Environmental Health Division

The County of San Mateo Environmental Health Division (SMCEHD) provides services to ensure a safe and healthy environment in San Mateo County through education, monitoring, and enforcement of regulatory programs and services for the community. Their services include restaurant and housing inspection, household hazardous waste and medical waste disposal, water protection and water quality monitoring, pollution prevention, and other regulatory activities and services. The SMCEHD conducts inspections, surveillances, or monitoring, or other purposes to protect the present and future public health and safety and the environment as provided in Chapter 6.5 and 6.8 of the California Health and Safety Code and Chapter 4 of Division 7 of the Water Code.

#### Local Oversight Program

The SMCEHD has been contracted by the state as the Local Oversight Program Agency with jurisdiction within the City. The objective of the Local Oversight Program Agency is to identify and oversee the investigation and remediation of UST petroleum release sites within its jurisdiction. Pursuant to Health and Safety Code Section 25297.1, work performed by the Local Oversight Program Agency shall be consistent with cleanup standards specified by the SWRCB. Corrective action shall comply with all applicable waste discharge requirements, state policies for water quality control, State and Regional Water Board water quality control plans, Health and Safety Code Chapters 6.7, and Chapters 16 of Title 23, California Code of Regulations.

## 2021 Multijurisdictional Local Hazard Mitigation Plan

In partnership with 36 local governments and special districts, San Mateo County prepared a Multijurisdictional Local Hazard Mitigation Plan (LHMP) that assesses hazard vulnerabilities and identifies mitigation actions to reduce the level of injury, property damage, and community disruption that might otherwise result from such events. The LHMP addresses natural and human-caused hazards, including flooding, drought, wildfire, landslides, severe weather, terrorism, cyber threats, pandemic, and the impact of climate change on hazards, as well as other hazards.

The Multijurisdictional LHMP is presented in two volumes—Volume 1 contains area-wide risk assessments and mitigation actions, and Volume 2 provides a dedicated annex for each planning partner to present jurisdiction-specific components (County of San Mateo 2021a).

The Menlo Park annex of the LHMP identifies the most prevalent hazards in the City, particularly the Bayfront Area, as flooding, sea level rise, earthquakes, and liquefaction. It recognizes that actions and strategies contained in the City's adopted Emergency Operation Plan and Climate Action Plan contribute to mitigating the risks and planning for emergency response. The City provides emergency notifications to residents by providing information on the City website and social media and through participation in the countywide San Mateo County Alert system that provides emergency notifications via voice calls, SMS texts, and email. The City also uses Zonehaven, which is an evacuation platform connected to the San Mateo County Alert system (County of San Mateo 2021a).

### City of Menlo Park General Plan

The City's General Plan (specifically the Land Use Element, Open Space/Conservation Element, Noise Element, and Safety Element) contains general goals, policies, and programs that would require local planning and development decisions to consider impacts on hazards and hazardous materials.

#### Land Use Element

GOAL LU-1: Promote the orderly development of Menlo Park and its surrounding area.

Program LU-1.C: *Infill Development Streamlined Review*. Establish Zoning Ordinance provisions to streamline review of infill development through “uniformly applicable development policies or standards” (per CEQA Guidelines Section 15183.3) that reduce potential adverse environmental effects, such as: regulations governing grading, construction activities, storm water runoff treatment and containment, hazardous materials, and greenhouse gas emissions; and impact fees for public improvements, including safety and law enforcement services, parks and open space, and transit, bicycle, and pedestrian infrastructure

GOAL LU-7: Promote the implementation and maintenance of sustainable development, facilities and services to meet the needs of Menlo Park's residents, businesses, workers, and visitors

Policy LU-7.7: *Hazards*. Avoid development in areas with seismic, flood, fire and other hazards to life or property when potential impacts cannot be mitigated.

#### Open Space and Conservation Element

Goal OSC-5: Ensure healthy air and water quality

OSC 5.3: *Development in Industrial Areas*. Evaluate development projects in industrial areas for impacts to air and water resources in relation to truck traffic, hazardous materials use and production-level manufacturing per the California Environmental Quality Act (CEQA) and require measures to mitigate potential impacts to less than significant levels.

## Safety Element

Goal S-1: Assure a Safe Community. Minimize risk to life and damage to the environment and property from natural and human-caused hazards, and assure community emergency preparedness and a high level of public safety services and facilities.

Policy S-1.3: Hazard Data and Standards. Integrate hazard data (geotechnical, flood, fire, etc.) and risk evaluations into the development review process and maintain, develop and adopt up-to-date standards to reduce the level of risk from natural and human-caused hazards for all land use.

Policy S1.5: New Habitable Structures. Require that all new habitable structures to incorporate adequate hazard mitigation measures to reduce identified risks from natural and human-caused hazards.

Policy S1.17: Potential Exposure of New Residential Development to Hazardous Materials. Minimize risk associated with hazardous materials by assessing exposure to hazardous materials of new residential development and sensitive populations near existing industrial and manufacturing areas. Minimize risk associated with hazardous materials.

Policy S1.18: Potential Hazardous Materials Conditions Investigation. Continue to require developers to conduct an investigation of soils, groundwater and buildings affected by hazardous-material potentially released from prior land uses in areas historically used for commercial or industrial uses, and to identify and implement mitigation measures to avoid adversely affecting the environment or the health and safety of residents or new uses.

Policy S1.19: Disposal of Existing Hazardous Materials on Sites Planned for Housing. Continue to require that sites planned for housing be cleared of hazardous materials (paint, solvents, chlorine, etc.) and the hazardous materials disposed in compliance with State and Federal laws.

Policy S1.37: Emergency Connectors and Evacuation Routes. Maintain a system of emergency connectors and evacuation routes as part of the City's disaster planning.

Program S1.D: Require Early Investigation of Potential Hazard Conditions. Require that potential geologic, seismic, soils, and/or hydrologic problems confronting public or private development be thoroughly investigated at the earliest stages of the design process, and that these topics be comprehensively evaluated in the environmental review process by persons of competent technical expertise.

Program S1.J: Require Health and Safety Plan for Hazardous Materials. Require the preparation of health and safety plans to be used to protect the general public and all workers in construction areas from potentially hazardous materials. The plan shall describe the practices and procedures to protect worker health in the event of an accidental release of hazardous materials or if previously undiscovered hazardous materials are encountered during construction. The plan shall include items such as spill prevention, cleanup and evacuation procedures. The plan will help protect the public and workers by providing procedures and contingencies that will help reduce the exposure to hazardous materials.

## City of Menlo Park Emergency Operations Plan

The City of Menlo Park 2014 Emergency Operations Plan (EOP) describes how the City will manage and coordinate resources and personnel responding to a range of “extraordinary” emergency situations including natural disasters and technological incidents. The operational concepts reflected in the EOP focus on potential large-scale disasters which can generate unique situations requiring expanded emergency responses. It uses principles from the Federal National Incident Management System, the California Standardized Emergency Management System, and the Incident Command System to ensure a comprehensive and effective strategy for providing a coordinated and efficient response to major emergencies. The EOP defines emergency response phases and emergency levels; specifies policies and general procedures, including protocols for communication between emergency service providers and for communication with the public; defines and delegates tasks for emergency staff; and provides for coordination of planning efforts. (City of Menlo Park 2014).

## Menlo Park Hazardous Materials Waste Disposal

Household hazardous waste is waste that is toxic, corrosive, flammable, or reactive based on its chemical properties and such materials must be disposed of properly to minimize environmental hazards. This includes common household items such as aerosol cans, automotive fluids, batteries, cleaners, fluorescents (compact and tubes), insecticides, paint, solvents, and thinner. The Public Recycling Center at the Shoreway Environmental Center accepts household hazardous waste for free. Items such as batteries, fluorescent lighting tubes, cooking oil, latex paint, used motor oil, used oil filters, antifreeze, and electronics can be dropped off at this location. In addition, City residents may also drop off household hazardous waste at the San Mateo County Household Hazardous Waste facility free of charge by appointment. In partnership with the County, the City also periodically holds Household Hazardous Waste Collection Events, allowing residents to drop-off household hazardous waste at local temporary collection sites (City of Menlo Park 2022b).

City residents in single-family homes can place Menlo Park residents in single-family homes in the ReThink Waste service area can place household batteries and cell phones in a clear zip lock bag and place it on top of their garbage cart for pickup on their regular collection day. In multifamily housing, Recology San Mateo will provide a free collection bin for household batteries and cell phones (City of Menlo Park 2022a).

### 4.8.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts from hazards and hazardous materials are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to hazards and hazardous materials would occur if the project would:

- 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 0.25 mile of an existing or proposed school.

- D. Be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment.
- E. Be located within an airport land use plan, be within two miles of a public airport, and would result in a safety hazard or excessive noise for people residing or working in the project area.
- F. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- G. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.
- H. Result in cumulative impacts related to hazards and hazardous materials,

## 4.8.4 Impacts and Mitigation Measures

### Methodology

The following reports and data sources document potentially hazardous conditions at the project site and were reviewed for this analysis:

- Available literature, including documents published by federal, state, County, and City agencies,
- 119, 123-125, and 127 Independence Drive, 1205 Chrysler Drive, and 130 Constitution Drive Phase I ESA prepared by PES in February 2021 (Appendix F2),
- 123 and 125 Independence Drive Phase I ESA prepared by AEI Consultants in January 2015,
- 127 Independence Drive Phase I ESA prepared by PES Environmental October 2015,
- 130 Constitution Drive Phase I ESA prepared by PES Environmental in January 2016, and
- California Environmental Protection Agency's Cortese List Database (SWRCB 2021 and DTSC 2021)

Project construction and operation were evaluated against the hazardous materials information gathered from these sources to determine whether any risks to public health and safety or other conflicts would occur. Further, this analysis assumes project compliance with federal, state, and local regulations governing hazards and hazardous materials.

### Project Impacts

**Impact 4.8-1**                      Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Project implementation involves demolition of existing on-site structures and construction of new residential development and associated amenities. Building debris would be removed from the site and transported to the Shoreway Environmental Center for recycling and disposal. As discussed below under Impact 4.8-2, demolition of existing buildings could result in release of hazardous materials (e.g., asbestos or lead paint) into the environment. However, project construction would be short-term and would not result in the long-term routine transport of hazardous materials.

Project construction activities would involve the temporary storage, use, and transport of hazardous materials (e.g., fuels, lubricants, paint, solvents, cleaners). Transportation of hazardous materials on area roadways is regulated

by the California Highway Patrol and California Department of Transportation, whereas use of these materials is regulated by DTSC, as outlined in CCR Title 22. The City and any construction contractors would be required to use, store, and transport hazardous materials in compliance with federal, state, and local (i.e., general plan policies) regulations during construction. Specifically, general plan policies S-1.16 and S-1.19, further described in Section 4.8.2, Regulatory Framework, reinforce compliance with federal and state requirements governing use, storage, transportation, and disposal of hazardous materials. The ConnectMenlo EIR found that compliance with regulatory requirements would ensure that construction projects would not cause significant impacts associated with use, transport, and storage of hazardous materials (City of Menlo Park 2016b). Any disposal of hazardous materials would occur in a manner consistent with applicable regulations and at an appropriate off-site disposal facility. In addition, San Mateo County Environmental Services shall be notified, as the designated CUPA, if evidence of previously undiscovered soil or groundwater contamination (e.g., stained soil, odorous groundwater) is encountered during project construction and ground-disturbing activities. Compliance with existing regulations that govern the transportation of hazardous materials and the use and disposal of such materials would minimize the potential for the proposed project to result in spills or leaks that could create a significant hazard to the public or the environment, and that if spills or leaks do occur, they are properly and promptly cleaned up and the materials disposed of at an appropriate waste-handling facility.

The project would construct residential buildings and associated site improvements. The ConnectMenlo EIR determined that these types of land uses typically do not involve transport, use, or disposal of significant quantities of hazardous materials (City of Menlo Park 2016b). Generally, small quantities of household hazardous materials, such as paints, cleaning chemicals, and fertilizers, would be used for routine maintenance and landscaping. As discussed in Section 4.8.2, the City and County provide residents with several methods for properly disposing of household hazardous waste. Any storage or use of hazardous materials by the property manager for the proposed apartment building during operation of the project would be required to comply with appropriate regulatory agency standards designed to avoid releases of hazardous materials.

Because construction and operation of the project would comply with existing hazardous materials regulations, impacts related to creation of significant hazards to the public through routine transport, use, disposal, and risk of upset would not occur. Therefore, this impact would be **less than significant**, consistent with the findings of the ConnectMenlo EIR.

### Mitigation Measures

No mitigation measures are required.

Impact 4.8-2                      Would the project 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?

Project implementation would involve demolition of existing on-site buildings and construction of new residences, associated parking, and landscaping. Earth moving activities associated with project construction could result in disturbance of known hazardous materials and conditions within the project site. Further, building demolition could result in release of ACM and LBP from some of the existing structures. This could expose construction workers and site neighbors to hazards associated with airborne asbestos and lead.

Compliance with federal and state requirements governing hazardous materials as well as local regulations and policies (i.e., general plan policies) described in Section 4.8.2 would ensure that construction activities would not

disturb or otherwise release any existing hazardous conditions at the site. Specifically, compliance with general plan policies S1.17, S1.18, and S1.19 would reduce risks associated with hazardous material exposure through site-specific assessment, soil, groundwater, and building investigations, as well as site clearing and appropriate disposal of known hazardous materials. Further, General Plan Program S1.J commits the City to requiring preparation and implementation of a Hazardous Materials Health and Safety Plan which would outline practices and procedures to protect worker health in the event of accidental hazardous material release as well as spill prevention, cleanup, and evacuation procedures.

As required by policy S-1.18, a Phase I ESA was prepared for the project site, as discussed in Section 4.8.1. The ESA identified two RECs at the project site, including the presence of TCE, vinyl chloride, and other VOCs in groundwater and soil vapor and two USTs that were previously removed from the project site and have not undergone appropriate closure protocols with SMCEHD or DTSC. The ESA also identified several other environmental concerns, including potential presence of residual agricultural chemicals, documented and potential presence of ACM in the existing buildings, potential presence of LBP in the existing buildings, and staining on the asphalt surface in the vicinity of hazardous materials storage at 119 Independence Drive and 130 Constitution Drive.

Because two RECs and several other environmental concerns have been identified within the project site, project implementation could result in the release of hazardous materials during demolition due to potential upset and/or accident conditions. Impacts would be **potentially significant**.

### Mitigation Measures

The ConnectMenlo EIR identified Mitigation Measures (MMs) HAZ-4a and HAZ-4b, which are presented below as MMs 4.8a and 4.8b, to reduce impacts associated with potential exposure to hazardous soil vapor and groundwater conditions during project construction and operation. These mitigation measures are applicable to the proposed project. In addition, MM 4.8c implements General Plan Program S1.J by requiring preparation of a Hazardous Materials Health and Safety Plan and specifies that this plan must include provisions for conducting surveys to identify ACM and LBP and ensuring compliance with applicable state and federal regulations. Implementation of these measures would ensure that potential impacts of the proposed project due to the RECs identified for the project site and demolition of buildings that may contain ACM and LBP would be reduced to a **less-than-significant** level, consistent with the findings of the ConnectMenlo EIR.

**MM 4.8a** Construction at the sites of any site in the City with known contamination, shall be conducted under a project-specific Environmental Site Management Plan (ESMP) that is prepared in consultation with the Regional Water Quality Control Board (RWQCB) or the Department of Toxic Substances Control (DTSC), as appropriate. The purpose of the ESMP is to protect construction workers, the general public, the environment, and future site occupants from subsurface hazardous materials previously identified at the site and to address the possibility of encountering unknown contamination or hazards in the subsurface. The ESMP shall summarize soil and groundwater analytical data collected on the project site during past investigations; identify management options for excavated soil and groundwater, if contaminated media are encountered during deep excavations; and identify monitoring, irrigation, or other wells requiring proper abandonment in compliance with local, State, and federal laws, policies, and regulations. (ConnectMenlo EIR MM-HAZ-4a)

The ESMP shall include measures for identifying, testing, and managing soil and groundwater suspected of or known to contain hazardous materials. The ESMP shall: (1) provide procedures

for evaluating, handling, storing, testing, and disposing of soil and groundwater during project excavation and dewatering activities, respectively; (2) describe required worker health and safety provisions for all workers potentially exposed to hazardous materials in accordance with State and federal worker safety regulations; and (3) designate personnel responsible for implementation of the ESMP.

MM 4.8b For those sites throughout the city with potential residual contamination in soil, gas, or groundwater that are planned for redevelopment with an overlying occupied building, a vapor intrusion assessment shall be performed by a licensed environmental professional. If the results of the vapor intrusion assessment indicate the potential for significant vapor intrusion into an occupied building, project design shall include vapor controls or source removal, as appropriate, in accordance with regulatory agency requirements. Soil vapor mitigations or controls could include vapor barriers, passive venting, and/or active venting. The vapor intrusion assessment and associated vapor controls or source removal can be incorporated into the ESMP required under MM 4.8a. (ConnectMenlo EIR MM HAZ-4b)

MM 4.8c Prior to commencement of any demolition or construction activities, the project applicant shall prepare a Hazardous Materials Health and Safety Plan that identifies required practices and procedures to protect the general public and construction workers from potentially hazardous materials and accidental release of hazardous materials. The practices and procedures shall include spill prevention, cleanup and evacuation procedures as well as procedures to be followed in the event that previously undiscovered hazardous materials are encountered during construction. The Hazardous Materials Health and Safety Plan shall demonstrate compliance with California Code of Regulations, Title 8, Chapter 4: Subchapter 4: Construction Safety Orders; Subchapter 5: Electrical Safety Orders; and Subchapter 7: General Industry Safety Orders as well as California Health and Safety Code, Section 25100 et seq.: Hazardous Waste Control Act.

The Hazardous Materials Health and Safety Plan shall also include provisions for completion of a comprehensive survey within each existing building to identify asbestos-containing materials (ACM) and lead-based paints (LBP) prior to any demolition activities and shall define procedures for managing demolition activities such that ACM and LBP are not released into the air and worker exposure to ACM and LBP is avoided. These procedures shall be sufficient to ensure that demolition of buildings containing ACM and/or LBP and disposal of these materials will be conducted in accordance with local, state and federal regulations, including the U.S. Environmental Protection Agency's (EPA's) Asbestos National Emissions Standards for Hazardous Air Pollutants, the California Occupational Safety and Health Administration's Construction Lead Standard (8 CCR 1532.1), California Department of Toxic Substances Control and EPA requirements for disposal of hazardous waste, and Bay Area Air Quality Management District (BAAQMD) Regulation 11, Hazardous Pollutants Rule 2: Asbestos Demolition, Renovation And Manufacturing. At least 10 days prior to demolition, the project applicant and/or construction contractor shall submit an Asbestos Notification to BAAQMD and obtain an Asbestos Demolition/Renovation job number. Disposal of any ACM and/or LBP found on the site shall be carried out by a contractor trained and qualified to conduct lead- or asbestos-related construction work and in accordance with the appropriate state and federal standards to ensure that these materials are not released into the air in the project vicinity.



Impact 4.8-3                Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?

As noted in Chapter 3, Project Description, implementation of the project would involve demolition of existing buildings and construction of new residences, associated parking, and landscaping. Several schools are located near the project site, with the nearest school being the TIDE Academy, located approximately 0.2 miles to the southeast. Other schools in the vicinity of the project site include Belle Haven School, approximately 1 mile to the southeast; Beechwood School, approximately 0.5 miles to the southeast; and Menlo-Atherton High School, located approximately 1.7 miles south. The site of the Menlo Park Community Campus is also located approximately 0.5 miles to the southeast.

Operation of the project would be similar to other residential uses in the project area. Once operational, the project would not utilize hazardous or acutely hazardous materials beyond those normally associated with residential development (i.e., household cleaners, landscaping products). Thus, project operation would not result in hazardous emissions, materials, or substances within the vicinity of the existing schools.

Construction of the project would be similar to other redevelopment projects in the vicinity. As described in Impacts 4.8-1 and 4.8-2, any use, storage, transport, and/or disposal of hazardous materials would occur in compliance with local, state, and federal regulations during construction. Further, project buildout would require preparation and implementation of a Hazardous Materials Health and Safety Plan, as required by MM 4.8c, consistent with General Plan Program S1.J. The health and safety plan must include best practices and procedures related to spill prevention, cleanup, and evacuation procedures during construction.

As discussed in Section 4.2, Air Quality, a Health Risk Assessment (HRA) was prepared to evaluate the potential for project construction to cause a significant “incremental cancer risk,” which is the net increased likelihood that a person continuously exposed to concentrations of toxic air contaminants (TACs) resulting from a project over a 9-year, 30-year, and 70-year exposure period would contract cancer. In addition, some TACs have non-carcinogenic effects. TACs that would potentially be emitted during construction activities would be diesel particulate matter emitted from heavy-duty construction equipment and heavy-duty trucks.

As shown in Table 4.2-8, the results of the HRA demonstrate that the TAC exposure from construction diesel exhaust emissions would result in an on-site cancer risk above the 10 in 1 million threshold for the project. The Chronic Hazard Index for the project would be less than one and the maximum PM<sub>2.5</sub> concentration would be 0.19 micrograms per cubic meter (µg/m<sup>3</sup>). Based on these results, the HRA concludes that TAC emissions from construction activities associated with the project may expose sensitive receptors to substantial pollutant concentrations of TACs and would result in a potentially significant impact. The HRA results identify TAC exposure at and immediately adjacent to the project site. TAC exposure would be less at sites that are not immediately adjacent, such as at the TIDE Academy and other schools located further from the project site. However, there is a potential for students and employees at TIDE Academy to be exposed to hazardous TAC emissions. Thus, this impact is considered **potentially significant**.

### Mitigation Measures

As discussed in Section 4.2, the impact associated with TAC exposure at and immediately adjacent to the project site would be reduced to a less than significant level with implementation of MM 4.2b, which establishes minimum specifications for construction equipment to reduce TAC emissions. Implementation of MM 4.2b would also reduce the project impact of causing hazardous emissions within 0.25 miles of an existing school.

MM 4.2a The project must implement MM 4.2b, as presented in Section 4.2. No additional mitigation measures are required.

Impact 4.8-4 Would the Project be located on a site that is included on a list of hazardous material 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?

As discussed in Section 4.8.1, Environmental Setting, and Impact 4.8-2, the Phase I ESA for the project identifies two RECs and several other environmental concerns related to hazardous materials and project implementation could cause a significant hazard to the public or the environment if those concerns are not appropriately managed as required under MMs 4.8a, 4.8b, and 4.8c, as identified above. However, the SWRCB GeoTracker website does not identify any active hazards or contamination related to USTs or solid waste disposal facilities within the project site or surrounding area (SWRCB 2021). Further, DTSC's Envirostor website also does not identify any hazards related to any cleanup sites within the project site (DTSC 2021). As such, the project site is not included on a list of hazardous-materials sites compiled pursuant to Government Code Section 65962.5 (Cortese List) and **no impact** would occur.

### Mitigation Measures

No mitigation measures are required.

Impact 4.8-5 Would the Project be located within an airport land use plan, be within two miles of a public airport, and would the Project result in a safety hazard or excessive noise for people residing or working in the Project area?

As described in Section 4.8.1, Environmental Setting, the project site is located within 5 miles of the Palo Alto airport; however, it is not within the airport's Comprehensive Land Use Plan AIA. The project site is also outside of the San Carlos Airport AIA which is located approximately 5 miles north. As such, project implementation would not result in an aviation related safety or noise hazard for people residing or working in the project area. **No impact** would occur.

### Mitigation Measures

No mitigation measures are required.

Impact 4.8-6 Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The project involves construction and operation of residential uses and associated site improvements. The project would place new residents within an area subject to potential emergency conditions, such as flooding and earthquakes, but would not exacerbate the potential for such conditions to occur and would not create potential for any new emergency conditions to occur.

Further, the project would not modify any public streets. Vehicular access to the proposed apartment building would be provided from a single driveway on Constitution Drive. The townhomes would be accessed from one driveway on Chrysler Drive and two driveways on Independence Drive. There are no emergency evacuation routes defined in the City's EOP, however, as discussed in Section 4.14, the Transportation Impact Analysis for this project found that the project would have minimal effects on vehicular queuing and all queues are expected to be within all available

storage lengths (Appendix J1). As discussed in Section 4.11 Noise, the ConnectMenlo EIR includes MM NOISE-1c, which requires that construction traffic use haul routes approved by the City. This would ensure that construction traffic does not interfere with emergency response and evacuation routes.

Therefore, the project would not impair implementation of or require amendment of the LHMP or EOP and **no impact** related to impairment or interference of an adopted emergency response or evacuation plan would occur.

### Mitigation Measures

No mitigation measures are required.

**Impact 4.8-7**                      Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

As noted above, the City does not contain areas of moderate, high, or very high Fire Hazard Severity for the LRA. As such, the project site is not located within a high or moderate fire hazard severity zone. The project would involve residential development on a site that is surrounded by urban development within the City and would be served by existing City fire protection services. Buildout of the project would comply with existing regulations related to fire safety, including the California Building Code, California Fire Code, and the Menlo Park Fire Protection District Code. Therefore, the project would not expose people or structures to increased risks related to wildland fires and **no impact** related to risk, loss, or injury involving wildfires would occur.

### Mitigation Measures

No mitigation measures are required.

### Cumulative Impacts

**Impact 4.8-8**                      Would the Project result in cumulative impacts related to hazards and hazardous materials or emergency response and evacuation?

#### Hazards

Effects associated with exposure to physical hazards is a site-specific environmental concern. Introduction of new land uses to a project vicinity generally does not exacerbate the potential for physical hazards to occur. The project site is neither included on a list of hazardous-materials sites compiled pursuant to Government Code Section 65962.5 (Cortese List), nor located within an AIA, nor located within an area of moderate, high, or very high Fire Hazard Severity. Thus, there are no cumulative environmental effects associated with physical hazards to which the project could contribute.

#### Hazardous Materials

The cumulative context for hazardous materials is considered local, generally limited to the project site, properties within 1,000 feet of the project site, and properties with contaminated groundwater that are upgradient of the site. Though some hazardous materials releases can cover a large area and interact with other releases (e.g., atmospheric contamination, contamination of groundwater aquifers), incidents of hazardous materials contamination are typically isolated to a small area, such as leaking underground storage tank sites or release of contaminants at individual businesses. Because of this, isolated areas of contamination typically do not interact in a cumulative manner with other sites of hazardous materials contamination.

The project involves construction and operation of residential uses and associated site improvements. The proposed land use is consistent with the site's land use and zoning designations as adopted under ConnectMenlo. The ConnectMenlo EIR found that with implementation of MMs 4.8a and 4.8b (ConnectMenlo EIR MMs HAZ-4a and HAZ-4b), there would be no significant cumulative impacts associated with hazards and hazardous materials.

While it is possible that construction activities associated with project development could result in the accidental disturbance and/or release of hazardous materials, implementation of MMs 4.8a, 4.8b, and 4.8c would provide for appropriate remediation and treatment of any contamination within the bounds of the project site prior to and during project construction. These MMs would therefore ensure that the project would not create a new potential cumulative hazardous material impact. Further, the project would not create a new site of contamination or contribute substantially to a hazardous condition in the general project area.

Future projects within the area could add uses that may use, store, and/or generate hazardous materials. However, these projects would be subject to the same hazardous materials laws and regulations as the project and would be required to implement project-specific mitigation consistent with applicable laws and regulations to reduce any significant hazards and hazardous materials impacts. Any hazardous materials stored on site (at the project site and related sites) would be used/stored in compliance with applicable federal and state laws related to the storage of hazardous materials, thereby limiting their potential contribution to less than cumulatively considerable, similar to the proposed project. Therefore, cumulative hazardous materials impacts would be **less than significant**, consistent with the findings of the ConnectMenlo EIR.

### Emergency Response and Evacuation

The project involves construction and operation of residential uses and associated site improvements. The proposed land use is consistent with the site's land use and zoning designations as adopted under ConnectMenlo. As discussed in Chapter 4 Environmental Analysis, this project would result in the number of new dwelling units in the Bayfront Area exceeding the amount evaluated in the ConnectMenlo EIR; however, as discussed in Impact 4.8-6, the proposed project would not affect or alter any public streets and would not create traffic volumes and patterns that would interfere with regional and local emergency response and evacuation plans. Therefore, cumulative emergency response and evacuation impacts would be **less than significant**, consistent with the findings of the ConnectMenlo EIR.

### Mitigation Measures

No additional mitigation measures are required.

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