
5 Effects Found Not to be Significant

Section 15128 of the California Environmental Quality Act (CEQA) Guidelines requires that an environmental impact report (EIR) briefly describe potential environmental effects that were determined not to be significant and, therefore, were not discussed in detail in the EIR. This section provides a summary of the environmental resource areas for which the 123 Independence Drive Residential Project (project) is expected to have no impact or a less than significant impact without implementation of mitigation measures. The reasons for these less-than-significant impact or no impact determinations are discussed herein.

5.1 Aesthetics

The project site is within a portion of the City known as the Bayfront Area. The area is zoned as Residential Mixed-Use Bonus (R-MU-B) and is not part of a scenic vista. Existing development on site and in the vicinity limits the opportunity for views of scenic vistas from street-level public viewing areas. Therefore, the proposed project will not interfere with views of any designated scenic vistas. Additionally, there are no eligible or officially designated state scenic highways in the immediate project area.

Construction activities would gradually change the aesthetics of the site through tree removal, grading, installation of new surfaces and landscaping, and construction of new structures, fencing and lighting. Construction related impacts would be limited to the duration of construction and would not conflict with any regulations governing scenic quality outlined in the Menlo Park General Plan or the Menlo Park Municipal Code. Building design and development plans would comply with all requirements under Municipal Code Section 16.45 for Residential Mixed Use (R-MU) zoned districts as well as the policies outlined in General Plan Goals LU-1, LU-6, and OSC-1. This includes requiring connectivity through street and paseo requirements, building mass and scale (including upper story step backs), public and private open space, screening of utilities, trash, and storage areas, and control of light spillover would ensure a consistent and high-quality design throughout the Bayfront Area and compliance of all regulations.

The proposed project would be required to comply with the City's architectural control process, ensuring that the proposed project would comply with existing design standards, including standards related to light and glare. This process would ensure that the proposed design, construction materials, and lighting would be consistent with area practices and that the proposed lighting would be directed downward so as not to spill over on adjacent properties. Therefore, the proposed project's impacts related to scenic vistas, scenic resources, and light and glare would cumulatively have a **less than significant impact** on aesthetic resources at the project site and **less than cumulatively considerable impact** on visual conditions in the project area.

5.2 Agricultural and Forestry Resources

According to the California Department of Conservation, the project site is categorized as urban and built-up land, and does not consist of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland). There is no Farmland within at least 5 miles of the project site (DOC 2020). Adjacent land uses include a variety of offices, commercial business parks, and public facilities. The project site currently supports office and light industrial uses and has not been used for agricultural uses since the 1960s. Construction of the project with new residential and office uses would not result in the conversion of Farmland to non-agricultural uses.

The project site is zoned Residential Mixed-Use Bonus (R-MU-B) and is not zoned for agricultural use (City of Menlo Park 2016). The project site is not located on lands enrolled in a Williamson Act contract (DOC 2016), and surrounding land entirely consists of urban built-up land. Therefore, the project would have no impact associated with existing agricultural zoning or a Williamson Act contract. Additionally, the proposed project would not 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]) because the project site is an urban developed parcel.

There are no forest or woodland resources located on or near the project site, and thus the project would not result in the conversion of forestland to non-forest use. The City does not contain land zoned for timberland production nor does the Menlo Park Zoning Map identify any areas zoned for Timberland Production (City of Menlo Park 2016). Therefore, the project would have **no impact** associated with forestland conversion, forestland, or timberland.

5.3 Energy

Implementation of the project would increase the demand for electricity at the project site and gasoline and diesel consumption in the project area during construction and operation relative to existing uses. Because the existing uses at the project site use natural gas and the new buildings that would be constructed at the project site would be all-electric, the project would reduce the demand for natural gas. Construction-related energy usage will be temporary and substantially less than that required for project operation. Project operation would require electricity for multiple purposes including, but not limited to, building heating and cooling, lighting, appliances, and electronics. The project would implement energy-saving designs in compliance with state regulations, policies in the General Plan and the Green Building Ordinance of the City's Municipal Code, which includes the City's Reach Code. These design features would include all electric buildings, on-site solar photovoltaic arrays, electric vehicle charging stations, bicycle and pedestrian facilities, recycled water for irrigation, and use of native/adapted species in landscaping to reduce irrigation needs.

The proposed project would be subject to and would comply with, at a minimum, the California Building Energy Efficiency Standards (24 CCR, Part 6) and the California Green Building Standards Code (CALGreen) Title 24 Part 11 Tier 2 voluntary efficiency measures. The project would have at least 75 percent of its construction and demolition waste diverted from landfills. In addition, the project is subject to the City's reach code ordinance which requires new residential projects be built "all-electric." See Chapter 3, Project Description, Section 3.4 for a full list of green building components incorporated into the project design to minimize energy consumption. The proposed project is consistent with state goals (as reflected in bills such as Senate Bills 375 and 743) to respond to housing demand by building housing near job centers, which results in more efficient use of energy. The project is in a robust job center and would help balance the jobs with housing. Providing needed housing close to jobs rather than in other locations, such as the Central Valley, reduces fuel use. Energy consumption associated with the proposed project would not be considered inefficient, wasteful, or unnecessary thus impacts would remain **less than significant**.

Although project development would result in the use of renewable and non-renewable resources during construction and operation, which could limit future availability of non-renewable energy sources, the use of such resources would be on a relatively small scale, consistent with growth expectations for the service areas, and would be reduced by energy-saving practices. Construction activities related to the project would consume petroleum-based fuels, however, consumption of such resources would be temporary and would cease upon the completion of construction. In addition, cumulative projects in the city would be required to meet or exceed the Title 24 building standards, including complying with the City's Reach Code, further reducing the inefficient use of energy. Therefore,

the project's contribution would not be cumulatively considerable and cumulative impacts related to the use of energy would be **less than significant** and **less than cumulatively considerable**.

5.4 Greenhouse Gas Emissions

The proposed project was analyzed against the Bay Area Air Quality Management District's Thresholds description approach to determining whether a project's greenhouse gas (GHG) contribution would be cumulatively considerable and was determined to be within the applicable emission limits. Estimated annual project-generated GHG emissions, as shown in Table 4.7-5, would be approximately 1,420 metric tons of CO₂ equivalent (MT CO₂e) per year as a result of project operations only. After summing the amortized project construction emissions, total GHGs generated by the project would be approximately 1,629 MT CO₂e per year. Emissions from the existing land uses are estimated to be approximately 1,005 MT CO₂e per year. As such, implementation of the project would result in net annual operational GHG emissions of 624 MT CO₂e per year. Additionally, the project would comply with recent revisions to the Menlo Park Municipal Code Chapter 12.16, which would require electricity as the only fuel source for newly constructed residential buildings. It would also comply with the current Building Energy Efficiency Standards (Title 24) at the time of construction, which include robust requirements for energy efficiency; the buildings would be more energy efficient than the existing buildings.

The proposed project is consistent with the Metropolitan Transportation Commission's and Association of Bay Area Government's Plan Bay Area 2050 goal of reducing GHG emissions associated with transportation. Operation of the project would provide housing for an estimate of 1,110 residents (assuming 2.57 persons per household), allowing them access to nearby transit services and pedestrian and bicycle facilities. The project would result in the development of uses and growth that are consistent with the City's General Plan and zoning designations and consistent with Plan Bay Area 2050 growth projections.

Overall, the project would be consistent with the Menlo Park 2030 Climate Action Plan, the state GHG Scoping Plan, Plan Bay Area 2050, Senate Bill 32, and Executive Order S-3-05 by being consistent with vehicle miles traveled (VMT) reduction strategies and policies, increasing the use of alternative fueled vehicles, and implementing energy efficiency strategies. The project would not conflict with any plans adopted with the purpose of reducing GHG emissions; therefore, the project's impacts with respect to GHG emissions would be **less than significant** and **less than cumulatively considerable**.

5.5 Hydrology and Water Quality

The proposed project would be required to comply with Chapter 7.42 of the City's Municipal Code as well as General Plan Policies OSC-5.1, S-1.26, and S-1.27, and the City's Storm Water Management Program. This would include incorporating on-site stormwater treatment measures into the site design and preparing a stormwater pollution prevention plan prior to the start of construction. These measures would identify and limit pollutants in the form of hazardous materials or sediment that would be produced during construction. Construction related pollutants would be limited to the duration of construction. Once the project is operational, it is not expected to release a substantial number of pollutants due to the residential nature of the project.

The project site is within an area considered at risk of future sea-level rise. The project would import fill material sufficient to ensure that the final floor elevation of all proposed ground-level residential units would be at least 2 feet above the 5-foot FEMA floodplain, per the requirements of Menlo Park Municipal Code Section 16.45.130(4), Municipal Code Chapter 12.42 Flood Damage Prevention, and General Plan Policy S-1.28. Additionally, project

designs would integrate a new drainage system to manage stormwater within the project site and the project would not alter drainage patterns outside of the site. Currently, there are no stormwater treatment measures at the project site. The project would comply with all applicable water quality regulations by incorporating on-site stormwater treatment measures into the design and the project would reduce the extent of impervious surfaces at the project site. Thus, the proposed project would improve water quality and reduce runoff compared to the existing conditions and cumulatively have a **less than significant** impact on hydrological and water quality at the project site and **less than cumulatively considerable impact** on hydrology and water quality in the project area.

5.6 Land Use and Planning

The proposed project would not construct any barriers or new roads that could physically divide the existing and planned residential and mixed-use land uses in the project vicinity; and it would not impede pedestrian, bicycle, or vehicle movement in the Bayfront Area. The proposed project would support non-motorized travel by including a publicly accessible paseo and park that would contribute to the interconnectedness of the mixed-use community envisioned for the Bayfront Area. Furthermore, the residential uses proposed under the proposed project would be consistent with the land use and zoning designations for the project site and would be compatible with the other planned residential and mixed-use development in the vicinity. The proposed project is consistent with the Menlo Park General Plan and would comply with all policies outlined in the City of Menlo Park Municipal Code, as shown in Table 4.10-1, General Plan Use and Housing Consistency. Thus, the project would have a **less than significant** project-specific impact and **less than cumulatively considerable impact** related to land use and planning.

5.7 Mineral Resources

As outlined in the ConnectMenlo EIR, industrial-scale solar salt production from sea water has occurred in the vicinity of Menlo Park since the 1800s (City of Menlo Park 2016). The nearest salt ponds are located directly adjacent to the west of the City in Redwood City. Ongoing salt production operations would not be affected by the proposed project given that it is outside of the project area. According to the Update of Mineral Land Classification: Aggregate Materials in the South San Francisco Bay Production-Consumption Region from the Division of Mines and Geology, which provides information on the availability of aggregate deposits in the region, the project site is located in an area where little likelihood exists for the presence of significant mineral resources (DOC 1996). As such, implementation of the project would not 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. Therefore, the project would have **no impact** associated with the loss of availability of a known mineral resource.

5.8 Population, Employment, and Housing

The proposed project would develop 432 new residential units in the Bayfront Area of the City of Menlo Park. The project's contribution of 432 residential units would accommodate approximately 1,110 residents, representing 9.6 percent of the new residential units planned for and anticipated under the ConnectMenlo General Plan Update. This increase in housing for the Bayfront Area complies with the General Plan Goals and the ConnectMenlo EIR. The project would dedicate 17 percent of the residential units to be Below-Market Rate units. Construction of the project would add jobs to the local construction/labor sector for the duration of the development. Once operational, there would be a limited number of on-site workers associated with property management and maintenance. It is assumed that the workers employed during project operation would live within the local region and would not contribute to local housing demands within the City (Appendix I1). As such, an increase in housing demand resulting

from the project is not expected and the project would not indirectly induce substantial unplanned population growth. Therefore, the project would be consistent with previously contemplated and planned growth in the Bayfront Area and would not indirectly or directly result in substantial unplanned population growth during construction and/or operation. The project's impacts related to population and housing would be **less than significant and less than cumulatively considerable**.

5.9 Public Services

The proposed project would adhere to state and City requirements, as well as the Menlo Park Fire Protection District (MPFPD) permitting process, to ensure that the project design provides for sufficient emergency access and equipment (e.g., hydrants). The project would result in an increase in population within the project site, decreasing the nominal ratio of MPFPD firefighters to residents and Menlo Park Police Department (MPPD) officers to residents. However, it would not require the MPFPD or MPPD to expand their current service boundaries and would not require construction of new fire protection or police facilities. The project site is located within the Ravenswood City School District and the Sequoia Union High School District and would generate approximately 242 new students within each district. This increase in students may require expansion of school facilities, which would be addressed through payment of the adopted school impact fees. While the proposed project would result in an increase in approximately 1,110 residents, the site design would include one open space lot (Lot 1), consisting of 0.59 acres, which would provide passive recreation opportunities and a community gathering space for residents. Therefore, the increase in population due to the development of the project is not anticipated to increase the use of parks and recreational resources such that substantial physical deterioration would occur. Impacts to surrounding schools, police and fire facilities, and parks would be **less than significant and less than cumulatively considerable**.

5.10 Utilities and Service Systems

The proposed project's Water Budget Summary (Appendix K1) identifies that the project would require 16.94 million gallons of water annually. This demand is consistent with and within the estimated demand evaluated in the ConnectMenlo EIR and the associated Water Supply Evaluation. Additionally, implementation of the proposed project would not prompt a need to expand treatment facilities or regional water system conveyance and storage facilities to meet its demand.

Based on the water demand and supply projections in the Urban Water Management Plan, Menlo Park Municipal Water (MPMW) has sufficient water in normal water years to meet projected demand through 2040, including increased demand created by the proposed project. However, MPMW could experience water shortages at single dry years and in all years of a multiple dry year cycle. To address this, MPMW would implement the Water Shortage Contingency Plan as presented in the Urban Water Management Plan. Any shortages in multiple dry years would be managed through demand reductions, supply augmentations, and other policy actions that would reduce water usage.

With a total indoor water use budget of 16.16 million gallons per year (0.044 million gallons per day [mgd]) (Appendix K1), and a typical wastewater generation rate equal to 90 percent of the indoor water use, the project would be expected to generate 0.039 mgd of wastewater. This increase in wastewater generation would not be considered a substantial increase for the Silicon Valley Clean Water's Wastewater Treatment Plan relative to the treatment capacity of approximately 71 mgd.

The project would connect to existing storm drain networks along the project site frontages. Implementation of biotreatment measures and connection into the City's existing stormwater network would not require additional expansion, construction, or relocation of stormwater facilities as a result of the proposed project.

Electricity is currently used by the existing buildings within the project site. As discussed previously, the project would incorporate several measures to minimize electricity use. The project would include undergrounding the existing overhead electrical lines within the project site and would not require expansion of electrical supplies or infrastructure.

The proposed project would connect into existing telecommunication infrastructure within and adjacent to the site and would not require additional expansion, construction, or relocation of telecommunications.

The project would implement project-specific zero-waste management plans (one for the townhomes and one for the apartment building, Appendices K2 and K3, respectively). The zero waste management plans outline specific measures incorporated in the project to reduce, recycle, and compost waste from demolition, construction, and operational phases of the project to ensure compliance with the City's waste reduction targets. The solid waste generated by the project would not require expansion of existing solid waste disposal facilities.

Thus, the project would not require expansion or new development of any utilities and service systems and the project-specific and cumulative impacts would be **less than significant**.

5.11 Wildfire

The ConnectMenlo EIR determined that the Bayfront Area, which includes the project site, does not contain areas of moderate, high, or very high Fire Hazard Severity for the Local Responsibility area, nor does it contain any areas of moderate, high, or very high Fire Hazard Severity for the State Responsibility Area (SRA) (City of Menlo Park 2016). Areas in the western portion of Menlo Park contain high Fire Hazard Severity Zones (FHSZ). These ratings do not extend to the project site

As such, the project site is not in or near land classified as a Very High FHSZ, and impacts associated with wildfire in or near SRAs or lands classified as Very High FHSZs are not anticipated. Notwithstanding, as discussed in Section 5.8, Hazards and Hazardous Materials, the project would not significantly affect emergency response or evacuation activities, and the project would not conflict with or impair implementation of the City's emergency operations plans. Therefore, impacts associated with adopted emergency response plans or evacuation plans would be less than significant.

The project site is located in a highly urbanized area and is not surrounded by woodlands or vegetation that would provide fuel load for wildfires. The project site is not located within or near SRAs or lands classified as Very High FHSZs. The project site is located in an area that is generally flat, lacking any steep slopes, and characterized as predominantly urban and industrial; these factors are not typically associated with the uncontrolled spread of wildfire. Therefore, impacts associated with the spread of wildfire would be **less than significant** and **less than cumulatively considerable**.

5.12 References Cited

CAL FIRE (California Department of Forestry and Fire Protection). 2020. "Fire Hazard Severity Zone Viewer." Accessed October 2020. <https://egis.fire.ca.gov/FHSZ/>.

DOC (California Department of Conservation). 2016. "State of California Williamson Act Contract Land."

DOC. 1996. Update of Mineral Land Classification: Aggregate Materials in the South San Francisco Bay Production-Consumption Region. DMG Report 96-03.

CDOC. 2021. "California Important Farmland Mapper." Accessed February 2021. <https://maps.conservation.ca.gov/DLRP/CIFF/>.

City of Menlo Park. 2016. *ConnectMenlo*: General Plan Land Use and Circulation Elements and M-2 Area Zoning Update EIR. Draft. SCH No. 2015062054. Prepared by PlaceWorks for the City of Menlo Park. June 1, 2016. <https://beta.menlopark.org/Government/Departments/Community-Development/Planning-Division/Comprehensive-planning/ConnectMenlo/Environmental-Impact-Report>.

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