

3.12 Hazards and Hazardous Materials

This section describes the hazards and hazardous materials issues associated with construction and operation of the Willow Village Master Plan Project (Proposed Project). The issues discussed below include potential exposure to hazardous materials in the soil, soil gas, and groundwater; wildland fire hazards; emergency response and evacuation plans; and aviation hazards. The *Environmental Impacts* section defines the criteria of significance and identifies potential Project impacts and mitigation measures related to hazards and hazardous materials.

The term *hazardous material* is defined in this section as any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety if released into the workplace or the environment.¹

Issues identified in response to the Notice of Preparation (NOP) (Appendix 1) were considered in preparing this analysis. The hazard-related issue that was identified during the NOP comment period pertains to toxic release sites. This issue is addressed below.

Existing Conditions

Environmental Setting

Conditions at the Project Site and offsite improvements at the Willow Road Tunnel site are discussed separately below.

Subsurface Hazardous Materials'

Project Site History and Corrective Actions

Main Project Site (Menlo Science and Technology Park)

Cornerstone performed a Phase I Environmental Site Assessment (ESA) for the main Project Site, which revealed two recognized environmental conditions (RECs),² four controlled recognized environmental conditions (CRECs),³ and eight historic recognized environmental conditions (HRECs).⁴ These are discussed following this site history, below.

The main Project Site was developed in 1947 by Hiller Aircraft Corporation for helicopter testing and manufacturing. Manufacturing activities took place primarily in the southwest portion of the main Project Site, with engineering and testing in the northeast portion. During manufacturing operations, volatile

¹ Abbreviated from California Health and Safety Code Section 25501.

² The presence or likely presence of hazardous substances or petroleum products on the site 1) due to any release to the environment, 2) under conditions indicative of a release to the environment, or 3) under conditions that pose a material threat of a future release to the environment.

³ A recognized environmental condition that has been addressed to the satisfaction of the applicable regulatory agency with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls or restrictions.

⁴ A past recognized environmental condition that has been addressed to the satisfaction of the applicable regulatory agency or has met the unrestricted use criteria established by the applicable regulatory agency without subjecting the site to required controls or restrictions.

organic compounds (VOCs) were reportedly discharged to a concrete sump located on Parcel H (990–998 Hamilton Avenue, Building H, MPK 59) in the southern portion of the main Project Site, an area where a metal plating shop was located.

From the late 1950s to the late 1960s, Lockheed Corporation leased three buildings at the main Project Site for development of the CORONA surveillance satellite program. In 1959, the main Project Site and adjacent unincorporated lands were annexed by the City of Menlo Park (City). The following year, Hiller Aircraft Corporation, along with the main Project Site, was acquired by Electric Auto-Lite Company, which was then acquired by Allied Signal, Inc. In 1964, Maryland-based Fairchild Stratos Corporation (Fairchild) purchased the main Project Site, with the intention of continuing the manufacture of helicopters. However, by 1974, Fairchild ceased making helicopters and began leasing properties to various tenants. In 1979, Lincoln Properties purchased the site and began redeveloping it as the “Lincoln Willow Business Park” (Business Park). In the following years, former Hiller buildings were demolished, and new buildings were constructed.

In 1990, a preliminary investigation detected concentrations of VOCs in soil and groundwater along the southern portion of Parcel H, the area where the former metal plating shop was located. Remedial investigations were initiated to characterize the extent of VOCs in soil and groundwater caused by the release of solvents into a subgrade concrete sump, which subsequently leaked. Trichloroethylene (TCE) was detected at concentrations of up to 23,000 micrograms per liter in the source area. Subsequent investigations were conducted to determine the extent of groundwater contamination. Samples were collected through the use of monitoring wells, hydropunches, and borehole grabs. The samples revealed that the lateral and vertical extent of the VOCs was defined and limited to the “A-zone”, a water-bearing zone that extends to depths of approximately 36 feet below grade. The “B-zone” is approximately 34 to 60 feet below grade.

In the 1990s, the groundwater VOC plume extended northward from the source area to the northern boundary of the main Project Site. The plume was defined by two characteristic areas. The first area was defined as the former metal plating shop; the second area was defined as the remainder of the Business Park. The greatest concentrations were shown to be limited to the metal plating shop.⁵ In 1992, the concrete sump at the former plating shop was removed. Soils surrounding the sump were excavated and a dual-phase soil vapor extraction (SVE) and groundwater extraction system was put into operation. The SVE system successfully treated the elevated VOC concentrations in the vadose zone soils near the former concrete sump;⁶ VOC concentrations in groundwater also were reduced. Between 1990 and 1999, periodic groundwater monitoring was performed at the main Project Site.

In 1993, EKI Environment & Water, Inc. (EKI), an environmental engineering services firm, performed an investigation that detected oil and grease at a concentration of 410 milligrams per kilogram (mg/kg) in a soil sample taken near a transformer station on the east side of Building R (1370–1378 Willow Road, Building R, MPK 54) in the southwest portion of the main Project Site. The sample was not analyzed for polychlorinated biphenyls (PCBs), a common contaminant in transformer oil.⁷

In 1995, the San Francisco Bay Regional Water Quality Control Board (RWQCB) issued Cleanup Order No. 95.086, which stated “a limited non-attainment zone (NAZ) is appropriate for the site. Within this area, pollution concentrations may exceed relevant water quality objectives, but properly contained and

⁵ Cornerstone Earth Group. 2020. *Soils Management Plan and Air Monitoring Plan Vapor Intrusion Mitigation Plan Summary Letter: Willow Village, Menlo Park, CA*. May 21.

⁶ Ibid.

⁷ Cornerstone Earth Group. 2019. *Phase I Environmental Site Assessment, Menlo Science and Technology Park Willow Road, Hamilton Avenue, and Hamilton Court, Menlo Park, California*. August 16

managed...will be protective of water quality outside the NAZ as well as public health and the environment at all surface locations.” The San Francisco Bay RWQCB stated that the groundwater contamination was adequately defined at the main Project Site and limited to the shallow A-zone. (VOC contamination was not detected in the B-zone.) The order stated that groundwater still contained elevated levels of VOCs but concluded that the risk could be managed by implementing deed restrictions on land uses, a long-term monitoring program, and a contingency plan if additional remediation was found to be necessary.⁸

PCBs in soil mounds at the northern boundary of Parcel E were identified during two sampling events conducted by EKI during 1994 and 1995. Fifty-six cubic yards of soil were excavated and removed. In a 1995 statement regarding the PCB-affected soil, the San Mateo County Department of Environmental Health (DEH) wrote that “[I]t appears that all soil samples were determined to be below the 1 parts per million (ppm) action level for PCBs. It is also understood that this area is zoned commercial, will be graded and paved, and that no further development will be made in this excavation area.” In a 1997 letter, the San Francisco Bay RWQCB concurred with the DEH’s conclusion that no further action was necessary for this site, given its current commercial land use.⁹

In January 1996, covenant and environmental restrictions (deed restrictions) were placed on the main Project Site, prohibiting the pumping of groundwater, except for remediation or as otherwise authorized by the RWQCB, and requiring preparation of a health and safety plan prior to the commencement of any subsurface activities, among other stipulations. In September, the DEH issued a letter regarding soil that had been affected by total petroleum hydrocarbons (TPHs) on Parcel F-2 (1050–1098 Hamilton Court, Building F-2) and Parcel H in the southern portion of the main Project Site, stating that the remaining soil contamination was not expected to be a significant risk to human health or the environment and that no further action was required, with the understanding that the area would be covered by asphalt.¹⁰ The San Francisco Bay RWQCB approved termination of the SVE at the site in December 1996.¹¹ However, the deed restrictions remained in place.¹²

In 1998, AMB Property Corporation purchased the main Project Site from Lincoln Properties. The following year, the Proposal for the Termination of Groundwater Monitoring Program and Case Closure was submitted by EKI, which noted that VOC concentrations were below contaminant monitoring standards, concentrations detected in monitoring wells had been stable or decreasing for 4 of the past 8 years, monitoring well samples suggested that no significant VOC sources remained in the Parcel H non-attainment area, and data indicated that remedial actions had been successful. In July 1999, the San Francisco Bay RWQCB granted “no further action” status, and the network of monitoring wells was removed and destroyed.¹³

In 2007, a 15,000-gallon diesel underground storage tank (UST) and a second 15,000-gallon UST used for water storage were removed from Parcel B (1200–1240 Hamilton Court, Building B) in the southeasternmost portion of the main Project Site. The DEH issued a letter that required additional groundwater sampling downgradient from the USTs. Soil and groundwater samples were collected and

⁸ Cornerstone Earth Group. 2020. *Soils Management Plan and Air Monitoring Plan Vapor Intrusion Mitigation Plan Summary Letter: Willow Village, Menlo Park, CA*. May 21.

⁹ Cornerstone Earth Group. 2019. *Phase I Environmental Site Assessment, Menlo Science and Technology Park Willow Road, Hamilton Avenue, and Hamilton Court, Menlo Park, California*. August 16.

¹⁰ Ibid.

¹¹ Cornerstone Earth Group. 2020. *Soils Management Plan and Air Monitoring Plan Vapor Intrusion Mitigation Plan Summary Letter: Willow Village, Menlo Park, CA*. May 21.

¹² Additional cleanup would be necessary at the main Project Site for residential and other non-commercial uses.

¹³ Ibid.

analyzed in April 2008. TPH as diesel, benzene, toluene, ethylbenzene, xylenes, and methyl tert-butyl ether (MTBE) were not detected in the soil or groundwater samples. A closure letter was not found in DEH files; however, the USTs are not listed in the leaking UST database. The sampling data indicate that no further work appears to be required.¹⁴

In 2015, Peninsula Innovation Partners, LLC (a subsidiary of Meta Platforms, Inc. [Meta]) purchased the main Project Site, and a Phase I ESA and soil vapor quality evaluation were completed.¹⁵ Vapor probes detected halogenated VOCs in soil vapor above residential and commercial environmental screening levels (ESLs)¹⁶ in some portions of the main Project Site. TPH as gasoline was also detected in soil vapor samples above residential ESLs. Benzene concentrations exceeded commercial and residential ESLs in most soil vapor samples. The 2015 ESA identified six RECs, four CRECs, and seven HRECs. In 2016, Cornerstone collected soil vapor samples from areas near the foundations of seven existing onsite buildings, concluding that affected soil vapor may still be emanating from the former metal plating shop. Indoor and outdoor air samples were also collected. Some indoor samples exceeded residential ESLs for concentrations of TCE and tetrachloroethylene (PCE). In 2017, Cornerstone performed additional indoor air quality investigations, which indicated that the residual chemicals that may be present in groundwater and soil vapor were not present at sufficient concentrations to pose a significant health risk to occupants.¹⁷

In 2017, a soil vapor and groundwater quality investigation conducted by Cornerstone found that VOC concentrations in groundwater exceeded the maximum containment levels for drinking water. Several soil vapor samples detected VOC concentrations that exceeded the then-current residential and commercial ESLs. That same year, Cornerstone conducted a supplemental Phase II investigation of the site that included exploratory borings and groundwater samples. Soil quality appeared similar to that in 1999 when the San Francisco Bay RWQCB provided regulatory closure. The VOC groundwater plume appeared to be localized on the site.

In 2018, Peninsula Innovation Partners, LLC, entered into a voluntary cleanup agreement that called for California Department of Toxic Substances Control (DTSC) oversight. Prior reports that documented soil, soil vapor, and groundwater studies were provided to DTSC for review, along with the Vapor Intrusion Mitigation Plan (VIMP). Cornerstone noted that “no further action” status was granted by the San Francisco Bay RWQCB in 1999 because the conditions for site investigation, remediation, and monitoring required by San Francisco Bay RWQCB Order No. 95-086 had been met. Cornerstone concluded that residual groundwater and soil contamination would be managed through protocols presented in a Soil Management Plan (SMP). Potential vapor intrusion from VOCs would be managed through the protocols presented in a VIMP. A Work Plan was provided that called for resampling groundwater at the main Project Site to reconfirm the trend of decreasing VOC concentrations in groundwater.

¹⁴ Cornerstone Earth Group. 2019. *Phase I Environmental Site Assessment, Menlo Science and Technology Park Willow Road, Hamilton Avenue, and Hamilton Court, Menlo Park, California*. August 16.

¹⁵ Ibid.

¹⁶ Environmental Screen Levels (ESLs) established by the San Francisco Bay Regional Water Quality Control Board (January 2019) are used to screen sites for potential human health concerns where releases of hazardous chemicals have occurred. ESLs are risk-based concentrations derived from standardized equations combining exposure information assumptions with toxicity data. Under most circumstances, the presence of a chemical at concentrations below the corresponding screening level can be assumed not to pose a significant health risk.

¹⁷ Cornerstone Earth Group. 2019. *Phase I Environmental Site Assessment, Menlo Science and Technology Park Willow Road, Hamilton Avenue, and Hamilton Court, Menlo Park, California*. August 16.

In 2019, Cornerstone prepared another Phase I ESA for the main Project Site¹⁸ to update the prior 2015 ESA. After reconnaissance at the main Project Site and a review of regulatory database reports and available information, as well as previously prepared reports, Cornerstone identified the following RECs in its Phase I ESA:

- Soil, soil vapor, and groundwater at the main Project Site have been affected by past commercial/industrial uses. Localized soil, soil vapor, and groundwater contamination remains onsite. Deed restrictions have been established that specify several requirements that pertain to development.
- Affected sediments may remain in portions of the storm drain system that were not previously sampled or cleaned. Sediments within the storm drain system should be property managed during redevelopment activities.

The 2019 Phase I ESA¹⁹ also identified the CRECs listed below. Residual contaminant concentrations associated with the CRECs remain in place at the main Project Site. The associated San Francisco Bay RWQCB and/or DEH closure letters stipulate various restrictions or are contingent upon the affected areas remaining as paved, commercial property:

- In 1990, VOCs were detected in soil and groundwater from a solvent release at a former metal plating shop used by Fairchild Hiller (Parcel H). Several associated investigations subsequently were conducted to evaluate soil and groundwater quality and remedial measures were implemented. Residual VOC concentrations remain in soil, soil vapor, and groundwater at the main Project Site.
- TPH-affected soil was previously identified on Parcel F-2 and adjacent portions of Parcel H. This TPH-affected soil remains onsite. Similar TPH concentrations were reported in soil on Parcel M (1376 and 1374 Willow Road, Building M-1 and M-2, MPK 55) in the southeast portion of the main Project Site during facility closure activities conducted in 1999 on behalf of a former tenant (Advanced Metal Components, Inc.). During sampling by Cornerstone in 2017, TPH as diesel concentrations that exceeded the San Francisco Bay RWQCB's Tier 1 ESL were identified on Parcels F-2 and H. The TPH concentrations detected in soil sampled on Parcel M did not exceed the Tier 1 ESLs.
- PCB-affected soil was previously excavated from Parcel E (1003–1005 Hamilton Court, Building E, MPK 46) in the northern portion of the main Project Site. Residual PCB-affected soil remains onsite. PCBs were detected in six of 40 samples analyzed.
- A diesel UST was removed from the onsite Menlo Industrial Pump Station in 1992. Residual concentrations of TPH as diesel reportedly remain in soil near the former UST locations. Except for a notification requirement, the DEH closure letter did not stipulate specific restrictions. It is anticipated, however, that the residual affected soil will require proper management if disturbed during future development activities. Diesel- and oil-range petroleum hydrocarbons were not detected in groundwater samples collected from nearby borings in 2017.

¹⁸ Cornerstone Earth Group. 2019. *Phase I Environmental Site Assessment, Menlo Science and Technology Park Willow Road, Hamilton Avenue, and Hamilton Court, Menlo Park, California*. August 16.

¹⁹ Ibid.

The 2019 Phase I ESA²⁰ also identified the following HRECs:

- Former Hiller facilities are labeled on a 1964 facility map as “fuel storage” (at one location) and “gasoline pump underground” (at three locations). Soil and groundwater quality at these locations was evaluated by Cornerstone in 2017 (report issued in February 2018); no significant impacts were identified.
- In 1993, oil and grease were detected at a concentration of 410 mg/kg in a soil sample collected near a transformer station on the east side of Building R. This sample was not analyzed for PCBs, a common contaminant in transformer oil. Additional soil sampling near the transformer station was conducted by Cornerstone in 2018. Detected PCB concentrations in soil did not exceed residential screening criteria.
- During prior studies, sediments within storm drains at the main Project Site (parcels formerly occupied by Membrane Technologies, Raychem, and Rod-L Electronics) were identified as affected, mainly with TPH and metals. The identified affected drains and catch basins reportedly were cleaned.
- Facility closure activities conducted at former Raychem facilities at Building M-1, M-2, and G (980 Hamilton Avenue, Building G, MPK 56) involved the collection of soil and groundwater samples as well as the removal of affected soil from a sump on the east side of Building M. Significant concentrations of residual remaining contaminants do not appear to have been identified.
- Facility closure activities conducted at the former Northwood facility at Building K-1 (940 Hamilton Court, MPK 51) involved the collection of soil and groundwater samples as well as the removal of affected soil. Significant concentrations of residual remaining contaminants do not appear to have been identified.
- Facility closure activities conducted at the former Federal Express facility at Building K-2 (960 Hamilton Court, MPK 53) involved the collection of soil samples. Total recoverable petroleum hydrocarbons were reported in one soil sample. VOCs and ethylene glycol were not detected. Contaminants were not detected in samples from 16 subsequent borings, with the exception of TPH in one soil sample.
- EKI reportedly provided oversight of closure activities at Chemetal (Building H) that involved soil and groundwater sampling as well as excavation of affected soil and concrete. A 1995 DEH letter confirms that the Chemetal facility met the cleanup requirements.
- In 2007, two USTs were removed from Parcel B. These USTs are not listed in the leaking UST database. Prior sampling data as well as recent sampling by Cornerstone in 2018 indicate that no further work appears to be required.

Hamilton Avenue Parcels North and South

Hamilton Avenue Parcel North: 871–899 Hamilton Avenue (Belle Haven Retail Center)

Cornerstone performed a Phase I ESA²¹ for Hamilton Avenue Parcel North, at 871–899 Hamilton Avenue (currently the Belle Haven Retail Center). The Phase I ESA revealed no RECs. No environmental liens were discovered for the site. Hamilton Avenue Parcel North previously consisted of undeveloped land that was used for hay cultivation, cattle grazing, and agricultural operations. This site was developed with residential uses in the 1940s. By 1961, the site included a contractor’s storage yard and a

²⁰ Ibid.

²¹ Cornerstone Earth Group. 2019. *Phase I Environmental Site Assessment, Belle Haven Retail Center, 871–899 Hamilton Avenue, Menlo Park, California*. June 16.

commercial building. The Lefholz Construction Company occupied the site from at least 1969 to 1971. The Menlo Park City Housing Department occupied Hamilton Avenue Parcel North from 1973 to 1977. A City Youth Service Center was located on the site from 1976 to 1980. The Big Six Domino Club was located on the site from 1988 to 1996.²²

In 1995, a Phase I ESA with visual asbestos reconnaissance was prepared for Hamilton Avenue Parcel North. At that time, 871 Hamilton Avenue was a card club. In 1998, the San Mateo County Health Services Agency issued a business closure report for the commercial building at 871 Hamilton Avenue.²³ This commercial building, constructed in 1976, contained a hydraulic lift, which was removed in 1998 under San Mateo County oversight. The DEH issued a letter regarding the lift, stating that no further action was required. A soil sample collected below the lift to a depth of approximately 9 feet was analyzed. Total recoverable petroleum hydrocarbons were detected at an amount below the San Francisco Bay RWQCB's current Tier 1 ESL.²⁴ The commercial building was subsequently demolished to construct the current Belle Haven Retail Center.

In 1998, fill material was imported to the site and stockpiled. Fill samples were collected and analyzed. Xylene and total petroleum hydrocarbons as diesel (TPHd) were identified in the samples but at concentrations that did not exceed the San Francisco Bay RWQCB's Tier 1 ESLs.²⁵ In 1999, a Phase I ESA (Proposed Belle Haven Retail Center, 871 Hamilton Avenue) was prepared.²⁶ In 2002, 871 Hamilton Avenue was inspected in association with the Residential Lead-Based Paint Hazard Reduction Act of 1992. No violation occurred.²⁷

Hamilton Avenue Parcel North: 1401 Willow Road (Jack in the Box Restaurant)

Cornerstone performed a Phase I ESA for Hamilton Avenue Parcel North at 1401 Willow Road (currently a Jack in the Box restaurant). This Phase I ESA revealed one HREC (discussed below).²⁸

Hamilton Avenue Parcel North at 1401 Willow Road previously consisted of undeveloped land that was used for hay cultivation, cattle grazing, and agricultural operations. The site was developed in 1964 with a commercial building that was occupied by Parisian Bakery (an affiliate of Colombo Bakery). In 1986, a 2,000-gallon gasoline UST was removed from the site. Soil and groundwater tests detected total petroleum hydrocarbons as gasoline (TPHg), benzene, toluene, ethylbenzene, and xylenes (BTEX). A groundwater monitoring well was installed within the backfill in 1992. Soil and groundwater samples did not detect TPHg or BTEX compounds. Quarterly groundwater monitoring of the well conducted from 1992 to 1993 revealed no or very low concentrations of TPHg or BTEX. During the last two 1993 monitoring events, TPHg and BTEX were not detected in groundwater. In 1994, an additional well was installed 5 feet north of the former UST excavation. Soil and groundwater samples did not detect TPHg or BTEX. The DEH issued a "no further action" letter. The case was closed in 1994 and the monitoring wells were destroyed.²⁹ The building was leased to St. Chocolate, Inc., in 1987 and the Desert [*sic*] Factory in the mid-1990s. The building was demolished in 1998. The existing building, occupied by Jack

²² Ibid.

²³ Ibid.

²⁴ Ibid.

²⁵ Ibid.

²⁶ Ibid.

²⁷ Ibid.

²⁸ Cornerstone Earth Group. 2018. *Phase I Environmental Site Assessment, 1401 Willow Road, Menlo Park, California*. April 23.

²⁹ Ibid.

in the Box, was constructed in 1999. In 2016 and 2018, no violations were reported by the DEH during inspections.

No RECs were identified in the ESA. However, Cornerstone identified one HREC:

- A 2,000-gallon gasoline UST was removed from the site in 1986. Residual concentrations of petroleum hydrocarbons were detected in groundwater within the UST excavation but were not detected in most samples subsequently collected from nearby monitoring wells and soil borings. The DEH issued a “no further action” letter on August 15, 1994, indicating that no further work was required.

Hamilton Avenue Parcel South: 1399 Willow Road (Chevron Gas Station)

Cornerstone performed a Phase I ESA for Hamilton Avenue Parcel South at 1399 Willow Road (currently a Chevron gas station). The Phase I ESA revealed one REC (discussed below).³⁰

Hamilton Avenue Parcel South previously consisted of undeveloped land that was used for hay cultivation, cattle grazing, and agricultural operations. The site was developed by the late 1930s with several small structures, providing church, retail, grocery, restaurant, and residential uses in the following decades. By 1991, the prior structures were removed. The site remained undeveloped until, in 1999, a permit was granted to construct the existing service station, car wash, and food market and install two gasoline USTs with capacities of 15,000 and 20,000 gallons. In 2008, soil samples were collected from native soil beneath the gasoline dispensers. TPHg, benzene, and ethylbenzene were detected at low concentrations that did not exceed residential screening criteria. However, MTBE was detected at levels that exceeded the San Francisco Bay RWQCB’s Tier 1 ESLs. Further soil and groundwater samples were analyzed, and no fuel oxygenate constituents were detected. The DEH issued a 2009 letter, stating that, based on sampling results, the agency would not open the site as a Groundwater Protection Program case or require any additional investigation or remedial action.³¹ In 2015, additional fuel storage system upgrade activities were completed and soil and groundwater sampling was conducted. Analysis of the samples taken from below the gasoline dispensers detected TPHg and BTEX at low concentrations that did not exceed residential screening criteria. TPHg and BTEX were not detected in excavated soil or in groundwater. Inspections conducted by DEH between 2000 and 2020 did not identify any violations.³²

Given the double-wall construction and age of the USTs, as well as the results of prior sampling, the USTs appear to have low potential with respect to affecting the site. However, Cornerstone identified one REC:

- Soil adjacent to structures that are painted with lead-containing paint can become affected with lead as a result of the weathering and/or peeling of painted surfaces. Soil near wood-framed structures also can be affected by pesticides that were used historically to control termites. There is potential for residual lead and pesticide concentrations to remain in onsite soil resulting from prior onsite structures.

³⁰ Cornerstone Earth Group. 2020. *Phase I Environmental Site Assessment, 1399 Willow Road, Menlo Park, California*. October 13.

³¹ Ibid.

³² Ibid.

Groundwater Quality

Main Project Site

Groundwater levels beneath the main Project Site range from 7 to 9 feet below the ground surface (bgs). As discussed in the site history, above, the main Project Site contains a groundwater VOC plume that originated from an area in the vicinity of a former metal plating shop. In the 1990s, a groundwater extraction system was put into operation and periodic groundwater monitoring was performed. In 1995, the San Francisco Bay RWQCB issued Cleanup Order No. 95-086, stating that the groundwater contamination was contained and that risks could be managed through deed restrictions, monitoring, and a contingency plan for remediation. The groundwater contamination remains onsite. Deed restrictions prohibit the pumping of groundwater, except for remediation purposes, unless authorized by the San Francisco Bay RWQCB.

Hamilton Avenue Parcels North and South

Groundwater levels beneath Hamilton Avenue Parcels North and South range from 8 to 10 feet bgs. Phase I ESAs varied in their assessment of groundwater contamination at the three included sites. At the Belle Haven Retail Center at Hamilton Avenue Parcel North, groundwater levels range from 8 to 10 feet bgs. The Phase I ESA found no issues related to groundwater.³³ At the service station at Hamilton Avenue Parcel South, groundwater samples were collected in the vicinity of the dispensers and analyzed.³⁴ No contaminants were detected above screening criteria.³⁵

At the Jack in the Box Restaurant, groundwater was tested and monitored for contaminants after the 1986 removal of a gasoline UST.³⁶ TPHg, benzene, toluene, and xylenes were detected in the 1986 groundwater sample. In 1992, a monitoring well was installed. Analysis of groundwater from the well did not detect high levels TPHg or BTEX. In 1994, another monitoring well was installed and groundwater samples taken. Analysis of the samples did not detect TPHg or BTEX. The case was closed, DEH issued a “no further action” letter, and the monitoring wells were destroyed in 1994.

Soil Quality and Soil Vapor

Main Project Site

As discussed above under *Site History and Corrective Actions*, VOCs have been detected in soil underlying the main Project Site, including the location of the former metal plating shop (Parcel H) and Parcels F-2 (1050–1098 Hamilton Court, Building F-2). More than 100 exploratory borings have been advanced and soil samples analyzed since 1990, before and after remediation efforts. In November 2017 and October 2019, Cornerstone collected and analyzed 148 soil samples and found site soil quality similar to the condition reported in 1999 when the San Francisco Bay RWQCB provided regulatory closure.³⁷ Analysis

³³ Cornerstone Earth Group. 2019. *Phase I Environmental Site Assessment, Belle Haven Retail Center, 871–899 Hamilton Avenue, Menlo Park, California*. June 16.

³⁴ Cornerstone Earth Group. 2020. *Phase I Environmental Site Assessment, 1399 Willow Road, Menlo Park, California*. October 13.

³⁵ Ibid.

³⁶ Cornerstone Earth Group. 2018. *Phase I Environmental Site Assessment, 1401 Willow Road, Menlo Park, California*. April 23.

³⁷ Cornerstone Earth Group. 2019 (updated 2020). *Supplemental Phase II Investigation, Menlo Science and Technology Park, Willow Road, Hamilton Avenue and Hamilton Court, Menlo Park, California*. December 12, 2019 (updated November 11, 2020).

of soil samples detected TPH as diesel, TPH as oil, and polycyclic aromatic hydrocarbons (PAHs). No samples exceeded commercial screening levels. However, one sample revealed TPH as diesel at 1,200 mg/kg, which is equal to its commercial screening level (1,200 mg/kg), and some samples exceeded residential screening levels. However, the samples that exceed residential screening levels were collected in what appears to be fill material; deeper samples did not exceed residential screening levels of TPH or PAHs, indicating the impacts do not appear to extend beyond the fill.³⁸

Based on data obtained from prior studies, low concentrations of residual contaminants remain in soil, soil vapor, and groundwater.³⁹ The primary cause of the contamination was the placement of solvents into a subgrade concrete sump that subsequently leaked into the soil and groundwater. Previously completed remedial actions included removing the concrete sump in 1992, excavating soils surrounding the sump, and installing an SVE and groundwater extraction system. The SVE system successfully treated VOC concentrations in soil near the former sump, and VOC concentrations in groundwater have been likewise reduced. In 1999, “no further action” status was granted by the San Francisco Bay RWQCB. However, because a change in land use from commercial to residential is planned, subsequent studies were completed to determine whether remaining contaminant levels are acceptable for residential use. The studies concluded that contaminants have continued to reduce in concentration over time and that the “no further action” status is appropriate for continued commercial use but further mitigation is needed to develop the main Project Site safely for residential use.

The following VOCs are present in groundwater and considered chemicals of concern at the main Project Site:⁴⁰

- TCE
- PCE
- Cis-1,2 dichloroethene
- Vinyl chloride
- Benzene

Other chemicals of concern in areas of localized soil include the following contaminants:⁴¹

- TPH
- PCBs
- Metals such as lead
- Benzo(a)pyrene

Because of the contaminants, covenant and environmental restrictions (deed restrictions) were filed with San Mateo County in 1996 for each affected parcel.⁴² The deed restrictions noted that groundwater at the site contained residual hazardous substances, which appeared to be limited to the water-bearing zone encountered between 9 and 36 feet bgs. Before dewatering, approval from appropriate agencies (e.g., DTSC, the San Francisco Bay RWQCB, and/or DEH) must be obtained.

³⁸ Cornerstone Earth Group. 2020. *Soils Management Plan and Air Monitoring Plan Vapor Intrusion Mitigation Plan Summary Letter: Willow Village, Menlo Park, CA*. May 21.

³⁹ Cornerstone Earth Group. 2021. *RAW Summary letter, Residential/Shopping District, Willow Village, Menlo Park, CA*. Proposal No. 254-11-20.

⁴⁰ Ibid.

⁴¹ Ibid.

⁴² Ibid.

Hamilton Avenue Parcels North and South

As discussed above under *Site History and Corrective Actions*, total recoverable petroleum hydrocarbons were detected in soil underlying Hamilton Avenue Parcel North, at the location of the former commercial building at 871 Hamilton Avenue. However, the amount of contamination in the soil samples taken from beneath a hydraulic lift location at the former building was below the San Francisco Bay RWQCB's Tier 1 ESL.⁴³ In 1986, a 2,000-gallon gasoline UST was removed from Hamilton Avenue Parcel North at 1401 Willow Road. Petroleum hydrocarbons were not detected in most soil boring samples and the case was closed in 1994.⁴⁴

As discussed above under *Site History and Corrective Action*, soil samples taken from below the gasoline dispensers at Hamilton Avenue Parcel South detected low concentrations of TPHg and BTEX, which did not exceed residential screening criteria.⁴⁵

Although no soil vapor samples were taken at Hamilton Avenue Parcels North and South, no offsite spill incidents have been reported that would significantly affect soil vapor.^{46,47,48}

Naturally Occurring Asbestos

Chrysotile and amphibole asbestos occur naturally in certain San Francisco Bay Area settings, most commonly in ultramafic rocks such as serpentinite.⁴⁹ Construction activities such as grading can generate asbestos-containing dust, exposure to which can result in lung cancer, mesothelioma, and asbestosis. The main Project Site is not underlain by ultramafic rock.⁵⁰ All of the sites (i.e., main Project Site, Hamilton Avenue Parcels North and South, Willow Road Tunnel site) are approximately 6.5 miles from the nearest outcrop of any rock type typically associated with naturally occurring asbestos. Therefore, the potential for naturally occurring asbestos to be present at the Project Site is low.⁵¹

Hazardous Building Materials

Hazardous building materials, as described in the *Regulatory Setting* section, could pose a health risk to construction workers and the public if not handled and disposed of properly. These materials include asbestos-containing building materials and lead-based paints.

⁴³ Cornerstone Earth Group. 2019. *Phase I Environmental Site Assessment, Belle Haven Retail Center, 871–899 Hamilton Avenue, Menlo Park, California*. June 16.

⁴⁴ Cornerstone Earth Group. 2018. *Phase I Environmental Site Assessment, 1401 Willow Road, Menlo Park, California*. April 23.

⁴⁵ Cornerstone Earth Group. 2020. *Phase I Environmental Site Assessment, 1399 Willow Road, Menlo Park, California*. October 13.

⁴⁶ Cornerstone Earth Group. 2018. *Phase I Environmental Site Assessment, 1401 Willow Road, Menlo Park, California*. April 23.

⁴⁷ Cornerstone Earth Group. 2020. *Phase I Environmental Site Assessment, 1399 Willow Road, Menlo Park, California*. October 13.

⁴⁸ Cornerstone Earth Group. 2019. *Phase I Environmental Site Assessment, Belle Haven Retail Center, 871–899 Hamilton Avenue, Menlo Park, California*. June 16.

⁴⁹ Cornerstone Earth Group. 2020. *Geotechnical Consultation, Willow Village Expansion Feasibility Study*. October 15.

⁵⁰ Ibid.

⁵¹ Cornerstone Earth Group. 2019. *Preliminary Geotechnical Investigation Update, Willow Village*. June 20.

Main Project Site

As shown in Table 2-1 in Chapter 2, *Project Description*, the existing buildings on the main Project Site were built prior to 1981; therefore, asbestos-containing building materials may be present in the structures. Although the Consumer Product Safety Commission banned the use of lead as an additive in paint in 1978, given the age of the building, lead-based paints may be present.⁵² Lead-based paints and other hazardous materials that would be considered universal wastes during demolition activities may be present in the buildings.

Hamilton Avenue Parcels North and South

As also shown in Table 2-1 in Chapter 2, *Project Description*, all existing buildings on the Hamilton Avenue Parcels were built after 1981; therefore, it is unlikely that the building materials contain asbestos. The Consumer Product Safety Commission banned the use of lead as an additive in paint in 1978, therefore, given the age of the buildings, lead-based paint is not likely to be present.^{53,54,55}

Radioactive Materials

No radioactive material has been reported as having been located on the main Project Site or Hamilton Avenue Parcels North and South.

Offsite Improvements

Willow Road Tunnel Site

Soil and groundwater contamination exist at the offsite improvement location where the Willow Road Tunnel would surface at Meta's West Campus (EnviroStor ID #60001437, 312–314 Constitution Drive). The site is a voluntary cleanup location. Contaminants of concern are 1,1-dichloroethane, arsenic, chlorobenzene, PCBs, and total chromium (1:6 ratio, CR VI:CR III).

The Willow Road Tunnel site is on the eastern portion of an 82-acre property that was owned and operated by Raychem,⁵⁶ a materials science company that developed and supplied products for aerospace, automotive, construction, electronics, electrical power, and telecommunication industries. The Willow Road Tunnel site is part of an area known as Expanded Area 6, or the ChemPlant. Area 6 previously included a hazardous waste transfer depot, an Omega wastewater treatment system, several solid waste management units, a process wastewater sump, a Thorminol heater/Dowtherm boiler, and five buildings.

Known contaminants of concern in soil, soil vapor, and groundwater include PCBs, PAHs, VOCs, and TPHs.⁵⁷ Between 2000 and 2007, several Interim Remedial Measures (IRMs) were completed. Work plans with removal action goals were submitted to and approved by DTSC. After each IRM, a completion report

⁵² Cornerstone Earth Group. 2019. *Phase I Environmental Site Assessment, Menlo Science and Technology Park, Willow Road, Hamilton Avenue, and Hamilton Court*. August 16.

⁵³ Cornerstone Earth Group. 2019. *Phase I Environmental Site Assessment, Belle Haven Retail Center, 871–899 Hamilton Avenue, Menlo Park, California*. June 16.

⁵⁴ Cornerstone Earth Group. 2020. *Phase I Environmental Site Assessment, 1399 Willow Road, Menlo Park, California*. October 13.

⁵⁵ Cornerstone Earth Group. 2018. *Phase I Environmental Site Assessment, 1401 Willow Road, Menlo Park, California*. April 23.

⁵⁶ Cornerstone Earth Group. 2021. *Phase I Environmental Site Assessment, Willow Tunnel Construction Zone and Laydown Areas, Willow Road and Hamilton Avenue, Menlo Park, California*. Project Number 254-11-26. December 21.

⁵⁷ Ibid.

was submitted to DTSC. The work included decommissioning and demolishing former buildings, removing aboveground chemical storage tanks and waste storage tanks, excavating and disposing of contaminated soil, and capping PCB-affected soil that remained in place.

Upon completion of the IRMs, a Final Remediation Action Plan (RAP) and Remedial Design and Implementation Plan (RDIP) were subsequently prepared and approved by DTSC.⁵⁸ As required by the RAP and RDIP, approximately 43,000 tons (or 25,000 cubic yards) of impact soil were excavated and transported to permitted disposal facilities. In general, Remedial Action Levels (RALs) were achieved, but four isolated areas, conservatively estimated at 740 cubic yards of affected soil, remained. Three of four locations at which affected soil was left in place are located on or immediately adjacent to the Willow Road Tunnel site. These sites are described as Remedial Excavation No. 25, adjacent to Pacific Gas and Electric Company (PG&E) tower; Remedial Excavation No. 26, adjacent to PG&E tower; and Remedial Excavation No. 27, at water/fire line. A Soil Removal Completion Report was approved by DTSC in September 2014.

The remaining contaminated soil is not likely to pose a significant threat to human health in a commercial setting.⁵⁹ A Site Management Plan (SMP) was prepared in March 2015 that describes required protocols for management of residual contaminants in soil, soil vapor, and groundwater at the site. If soil near the three locations where affected soil was left in place at the Willow Road Tunnel site is to be disturbed, DTSC, the U.S. Environmental Protection Agency (EPA), and the environmental consultant are to be notified and worker access restricted, as required by the SMP.

Because residual chemicals remain at the site, DTSC determined that a land use covenant and agreement to restrict site uses were necessary for the protection of human health and the environment.⁶⁰ Accordingly, a Land Use Covenant (LUC) restricting use of the property, was made between TE Connectivity, of which Raychem is now a part of, and DTSC in January 2007. This LUC is binding upon all owners of the land, their heirs, successors, and assignees. This LUC, which must be incorporated by reference in all deeds and leases for any portion of the property, allows commercial and industrial uses but not residential, hospital, school, and daycare uses, as required by DTSC.⁶¹ The 2007 LUC was amended in August 2012 to allow activities that may disturb or adversely affect the integrity of the engineered cap but only with the written approval of DTSC and EPA.

No hazardous building materials would remain at the Willow Road Tunnel site after demolition of structures with the IRMs discussed above under *Subsurface Hazardous Materials*.⁶²

Other Offsite Improvements

Other offsite improvement locations include the roundabout at the Hetch Hetchy right-of-way; underground utility lines along Hamilton Avenue, Bayfront Expressway, and University Avenue; the PG&E Ravenswood substation and associated utilities lines; and various intersection improvements. All locations are within urbanized areas that have been previously disturbed. Aside from the voluntary

⁵⁸ Ibid

⁵⁹ Ibid.

⁶⁰ Ibid.

⁶¹ Other prohibited activities include raising cattle, growing food crops, or producing agricultural products; drilling for drinking water, oil, or gas; extracting groundwater for purposes other than groundwater monitoring, site remediation, or construction dewatering; conducting any activity that would disturb the engineered cap without written approval from DTSC and EPA; and conducting any activity that would interfere with the operation and maintenance of groundwater monitoring wells without written approval from DTSC.

⁶² Cornerstone Earth Group. 2021. *Environmental Summary, Willow Tunnel Construction Zone, Menlo Park, California*. Proposal No. 245-11-20. June 28.

cleanup sites at the main Project Site and the Willow Village Tunnel site, there are no federally or state-listed cleanup sites or known subsurface hazardous materials within 0.25 mile of proposed offsite improvements.^{63,64}

Schools

A search for public and private schools within 0.25 mile of the main Project Site and Hamilton Avenue Parcels North and South found three schools in the area, with grades ranging from kindergarten (K) to Grade 12 (see Table 3.12-1).⁶⁵ The Mid-Peninsula High School is approximately 0.02 mile south of the main Project Site. The Open Mind School/Wund3rSCHOOL is approximately 0.07 mile south of the main Project Site. César Chávez Ravenswood Middle School is approximately 0.20 mile southeast of the main Project Site. In addition, several public and private schools are within 0.25 mile of proposed offsite improvements that could require ground disturbance;⁶⁶ these offsite improvements are considered part of the Proposed Project. Costaño Elementary School in East Palo Alto is immediately adjacent to a potential offsite PG&E line under University Avenue. Belle Haven School in Menlo Park is immediately adjacent to the intersection of Chilco Street and Hamilton Avenue, an area where underground utility line construction could occur. Beechwood School is also within 0.15 mile of this intersection.

Table 3.12-1. Schools within 0.25 Mile of Proposed Project Construction

Type	Address	Grade	Type
Within 0.25 Mile of Project Site			
Mid-Peninsula High School	1340 Willow Road (Menlo Park)	9–12	Private
Open Mind School/Wund3rSCHOOL	1215 O'Brien Drive (Menlo Park)	K–12	Private
César Chávez Ravenswood Middle School	2450 Ralmar Avenue (East Palo Alto)	6–8	Public
Within 0.25 Mile of Offsite Improvements			
Costaño Elementary School	2695 Fordham Street (East Palo Alto)	K–5	Public
Belle Haven School	415 Ivy Drive (Menlo Park)	K–5	Public
Beechwood School	50 Terminal Avenue (Menlo Park)	K–8	Private

Aviation Hazards

The nearest public use airport to the main Project Site and Hamilton Avenue Parcels North and South is Palo Alto Airport, which is 2.15 miles to the southeast. According to the Comprehensive Land Use Plan adopted by the Santa Clara County Airport Land Use Commission, the Project Site is not within the airport influence area for Palo Alto Airport.⁶⁷ In addition, no private airstrips have been mapped within 2 miles of the Project Site.

⁶³ Department of Toxic Substances Control. 2022. *EnviroStor Database*. Available: <https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=Menlo+Park>. Accessed on February 6, 2022.

⁶⁴ State Water Resources Control Board. 2022. *GeoTracker*. Menlo Park, CA. Available: <https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=menlo+park>. Accessed: March 16, 2022.

⁶⁵ National Center for Education Statistics. 2021. *School Search Tool for Public and Private Schools*. Available: <http://nces.ed.gov/ccd/schoolsearch/>. Accessed: April 26, 2021.

⁶⁶ Schools that may be close to proposed intersection improvements that involve surface work, such as restriping intersections or turn lanes or coordinating traffic signals, are not considered in this analysis because of the limited ground disturbance.

⁶⁷ Santa Clara County Airport Land Use Commission. 2021. *Comprehensive Land Use Plan, Santa Clara County, Palo Alto Airport*. Adopted: November 19, 2008. Amended: November 16, 2016. Available: <https://www.sccgov.org/sites/dpd/Commissions/ALUC/Pages/ALUC.aspx>. Accessed: April 26, 2021.

Wildland Fire Hazards

The California Department of Forestry and Fire Protection (CAL FIRE) has mapped Very High Fire Hazard Severity Zones in San Mateo County to help responsible local agencies, such as the Menlo Park Fire Protection District, identify measures to reduce the potential for loss of life, property, and resources from wildland fire. CAL FIRE has determined that there are no Very High Fire Hazard Severity Zones in the vicinity of the main Project Site or Hamilton Avenue Parcels North and South.⁶⁸

Regulatory Setting

The proper management of hazardous materials is a common concern for all communities. Beginning in the 1970s, governments at the federal, state, and local levels became increasingly concerned about the effects of hazardous materials on human health and the environment. Numerous laws and regulations were developed to investigate and mitigate these effects. As a result, the storage, use, generation, transport, and disposal of hazardous materials are highly regulated by federal, state, and local agencies. These agencies, as well as the laws, regulations, and programs they administer, are summarized below.

Federal and State Regulations

Hazardous Materials Management. The U.S. Environmental Protection Agency (EPA) is the lead agency with responsibility for enforcing federal laws and regulations that govern hazardous materials that can affect public health or the environment. The major federal laws and regulations pertaining to the management of hazardous materials on the Project Site are the Resource Conservation and Recovery Act (RCRA) and Toxic Substances Control Act (TSCA).

In 1976, RCRA was enacted to provide a general framework for EPA to regulate hazardous waste from the time it is generated until its ultimate disposal. In accordance with RCRA, facilities that generate, treat, store, or dispose of hazardous waste are required to ensure that the wastes are properly managed from “cradle to grave” by complying with the federal waste manifest system. In California, DTSC administers the RCRA program. One of the requirements for an RCRA-permitted facility is to implement a “corrective action program” and investigate and remediate any releases of hazardous wastes at the facility under the supervision of DTSC. As a result, DTSC has supervised the investigation and cleanup of contaminated soil and groundwater at the Project Site, as discussed in the *Environmental Setting*, above.

In 1976, the TSCA was enacted to provide EPA with the authority to regulate the production, importation, use, and disposal of chemicals that pose a risk to public health and the environment. The TSCA also gives EPA the authority to regulate the cleanup of sites that have been contaminated with PCBs, such as the Project Site.

Worker Health and Safety. The Occupational Health and Safety Administration (OSHA) is the federal agency with responsibility for enforcing and implementing federal laws and regulations pertaining to worker health and safety. OSHA’s Hazardous Waste Operations and Emergency Response regulations

⁶⁸ California Department of Forestry and Fire Protection. 2007. *San Mateo County Fire Hazard Severity Zones in SRA*. Adopted by CAL FIRE on November 7, 2007. Available: https://osfm.fire.ca.gov/media/6802/fhszs_map41.pdf. Accessed: April 26, 2021.

require training and medical supervision for workers at hazardous waste sites.⁶⁹ Additional regulations have been developed regarding exposure to lead⁷⁰ and asbestos⁷¹ to protect construction workers. State worker health and safety regulations related to construction activities are enforced by the California Division of Occupational Safety and Health, known as Cal/OSHA. These regulations include requirements regarding protective clothing and training and limits on exposures to hazardous materials. Cal/OSHA also enforces occupational health and safety regulations specific to lead and asbestos investigation and abatement. These regulations equal or exceed their federal counterparts.

Hazardous Building Materials

Hazardous materials are commonly found in building materials that may be affected during demolition and renovation activities. The proper management of hazardous building materials, in accordance with various regulations, is described below.

Asbestos-Containing Building Materials. Exposure to asbestos, a state-recognized carcinogen, can result in lung cancer, mesothelioma (i.e., cancer of the linings of the lungs and abdomen), or asbestosis (i.e., a scarring of lung tissue that results in constricted breathing). Asbestos-containing building materials, such as thermal system insulation, surfacing materials, and asphalt and vinyl flooring, may be present in buildings constructed prior to 1981.⁷² Therefore, workers who conduct asbestos abatement must be trained in accordance with state and federal OSHA requirements. The National Emissions Standards for Hazardous Air Pollutants (NESHAP) require the removal of potentially friable (i.e., crushable by hand) asbestos-containing building materials prior to building demolition or renovation. The Bay Area Air Quality Management District (BAAQMD) oversees the removal of regulated asbestos-containing building materials. All friable asbestos-containing building materials or non-friable asbestos-containing building materials that may be damaged must be abated prior to demolition in accordance with applicable requirements. Friable asbestos-containing building materials must be disposed of as asbestos waste at an approved facility. Non-friable asbestos-containing building materials may be disposed of as non-hazardous waste at landfills that accept such wastes.

Lead-Based Paint. Exposure to lead, a state-recognized carcinogen, can result in stomach and lung cancer and impair nervous, renal, cardiovascular, and reproductive systems. Although lead-based paint in residential structures was banned in 1978, this restriction did not apply to commercial and industrial buildings; therefore, any commercial or industrial building, regardless of construction date, could have surfaces that have been coated with lead-based paint.⁷³ Loose and peeling lead-based paint must be disposed of as a state and/or federal hazardous waste if the concentration of lead equals or exceeds applicable waste thresholds. State and federal OSHA regulations require a supervisor who is certified with respect to identifying existing and predictable lead hazards to oversee air monitoring and other protective measures during demolition activities in areas where lead-based paint may be present. Special protective measures and notification of Cal/OSHA are required for highly hazardous construction tasks related to lead, such as manual demolition, abrasive blasting, welding, cutting, or torch burning, where lead-based paint is present.

⁶⁹ Code of Federal Regulations, Title 29, *Labor*, Section 1910.120, Hazardous Waste Operations and Emergency Response.

⁷⁰ Code of Federal Regulations, Title 29, *Labor*, Section 1926.62, Lead.

⁷¹ Code of Federal Regulations, Title 29, *Labor*, Section 1926.1101, Asbestos.

⁷² California Code of Regulations, Title 8, *Industrial Relations*, Section 5208, Asbestos.

⁷³ Department of Toxic Substances Control. 2006. *Interim Guidance Evaluation of School Sites with Potential Soil Contamination as a Result of Lead from Lead-Based Paint, Organochlorine Pesticides from Termiticides, and Polychlorinated Biphenyls from Electrical Transformers*. June 9 (revised). Available: https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/Guidance_Lead_Contamination_050118.pdf. Accessed: May 9, 2021.

Universal Wastes. Universal wastes include a wide variety of hazardous wastes that are commonly produced in households and businesses. For example, universal wastes include electrical transformers, fluorescent lighting equipment, electrical switches, heating/cooling equipment, and thermostats that contain hazardous materials such as PCBs, diethylhexyl phthalate, mercury, and other metals. The disposal of these materials is regulated under the California Universal Waste Rule, which is less stringent than most other federal and state hazardous waste regulations. To manage universal waste in accordance with the streamlined requirements for the state, generators must relinquish the waste to a universal waste transporter, another universal waste handler, or a universal waste destination facility.

Naturally Occurring Asbestos

The California Air Resources Board (CARB) has adopted the Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations, which requires construction and grading projects to implement best available dust mitigation measures where naturally occurring asbestos rock is likely to be encountered. CARB defines “asbestos-containing material” as any material that has an asbestos content of 0.25 percent or greater. In accordance with Title 17 of the California Code of Regulations, Section 93105, construction projects greater than 1 acre in size must prepare and submit an Asbestos Dust Mitigation Plan to BAAQMD for review and approval. The Asbestos Dust Mitigation Plan must indicate how construction and grading operations will minimize emissions and ensure that no equipment or operation will emit visible dust across the property line. Upon completion of construction activities, disturbed surfaces must be stabilized (e.g., with vegetative cover or pavement) to prevent visible emissions of asbestos-containing dust caused by wind speeds of 10 miles per hour or more. BAAQMD must also be notified at least 14 days prior to any construction or grading in areas with naturally occurring asbestos rocks.

Hazardous Materials Release Sites

In California, EPA has granted most enforcement authority regarding federal hazardous materials regulations to the California Environmental Protection Agency (CalEPA). Under the authority of CalEPA, the State Water Resources Control Board (State Water Board) and DTSC are responsible for overseeing remediation at contaminated soil and groundwater sites. The provisions of Government Code Section 65962.5, also known as the Cortese List, require the State Water Board, DTSC, the California Department of Health Services, and the California Department of Resources Recycling and Recovery to submit information to CalEPA regarding sites that were associated with solid waste disposal, hazardous waste disposal, and/or hazardous materials releases.

Hazardous Materials Transportation

In 1990 and 1994, the Hazardous Material Transportation Act was amended to strengthen regulations for protecting life, property, and the environment from the inherent risks of transporting hazardous material. Furthermore, the U.S. Department of Transportation (USDOT) developed hazardous materials regulations regarding classification, packaging, transport, and handling as well as regulations regarding employee training and incident reporting.⁷⁴ The transport of hazardous materials is subject to both RCRA and USDOT regulations. The California Highway Patrol, the California Department of Transportation (Caltrans), and DTSC are responsible for enforcing federal and state regulations pertaining to the transport of hazardous materials. If a discharge or spill of hazardous materials occurs during transportation, the transporter is required to take appropriate immediate action to protect human health and the environment (e.g., notify local authorities and contain the spill); the transporter is also responsible for cleanup.⁷⁵

⁷⁴ Code of Federal Regulation, Title 49, *Transportation*, Parts 171–180.

⁷⁵ California Code of Regulations, Title 22, *Social Security*, Section 66260.10 et seq.

Sources of Drinking Water

According to the State Water Board's Source of Drinking Water Policy (Resolution 88-63), all groundwater in the state is considered to be suitable, or potentially suitable, for municipal or domestic water supplies, except under the following conditions:

- Total dissolved solids (TDS) exceed 3,000 milligrams per liter, and the RWQCBs⁷⁶ do not reasonably expect the water source to supply a public water system; or
- There is contamination, either by natural processes or by human activity (unrelated to the specific pollution incident), that cannot reasonably be treated using either best management practices or the best economically achievable treatment practices; or
- The water source does not provide enough water to supply a single well that would be capable of producing an average sustained yield of 200 gallons per day.

Wildland Fire Protection

In accordance with California Public Resource Code Sections 4201–4204 and Government Code Sections 51175–51189, CAL FIRE has mapped areas of significant fire hazard according to fuels, terrain, weather, and other relevant factors. These zones, referred to as Fire Hazard Severity Zones, represent risks associated with wildland fires. Fire Hazard Severity Zones mapped by CAL FIRE for state and local responsibility areas are classified as either “medium,” “high,” or “very high,” based on fire hazards; however, the law requires only identification of Very High Fire Hazard Severity Zones in local responsibility areas. Wildland-Urban Interface Areas, as designated by local agencies, are also classified as Fire Hazard Severity Zones.

Local

Hazardous and Acutely Hazardous Emissions

BAAQMD oversees the protection of air quality in the San Francisco Bay Area Air Basin, which includes the Project Site. Hazardous and acutely hazardous emissions during construction (e.g., from demolition of buildings containing asbestos) and facility operations (e.g., from diesel generators) are subject to health risk assessment regulations and permitted conditions of operation to protect nearby sensitive receptors.

Hazardous Materials Management

In California, hazardous waste and materials handling are regulated under the Unified Program. The Unified Program consolidates the administrative requirements, permits, inspections, and enforcement activities for the following existing programs, as established by five different state agencies:

- Hazardous Waste Generator and Tiered Permitting Program (Health and Safety Code [H&SC] Chapter 6.5)
- Underground Storage Tank Program (H&SC Chapter 6.7)
- Aboveground Petroleum Storage Tank Program (H&SC Chapter 6.67)
- California Accidental Release Prevention Program (H&SC Chapter 6.95)
- Hazardous Materials Release Response Plan and Inventory Program (H&SC Chapter 6.95)
- Hazardous Material Management Plan and Hazardous Material Inventory Statement Program (California Fire Code and H&SC Chapter 1)

⁷⁶ There are nine RWQCBs that enforce the State Water Board's statewide policies.

The Unified Program requires facilities to properly manage hazardous materials and disclose information regarding such materials to minimize the risk of a hazardous materials release and improve emergency response actions in the event of a release. Although CalEPA oversees the entire program, local government agencies, known as Certified Unified Program Agencies (CUPAs), implement and enforce the elements of the Unified Program. In the city of Menlo Park, the DEH is the CUPA with responsibility for administering the Unified Program.

Emergency Response and Evacuation

In November 2021, the City adopted the local Annex to the County of San Mateo 2021 Multi-jurisdictional Local Hazard Mitigation Plan. The Hazard Mitigation Plan assesses a full range of natural disasters and the City's response through disaster planning.⁷⁷ The City developed the Emergency Operation Plan to prepare for responses to emergency situations that could result from natural disasters or technological incidents.⁷⁸ The Menlo Park Police Department (MPPD) is the city's primary agency for establishing emergency evacuation routes, which generally consist of the city's major arterial streets (US 101, Interstate 280, State Routes 82 and 84).

Menlo Park Fire Protection District, District Fire Prevention Code

The City of Menlo Park has adopted the 2019 California Fire Code, California Code of Regulations, Title 24, Part 9, except to the extent that portions of the California Fire Code may be added, deleted, modified, or amended by Section 6 (Local Amendments) of the District Fire Prevention Code. Pursuant to Title 24 of the California Code of Regulations (California Building Standards Code, or CBSC) and California Health and Safety Code Section 138369 et seq., a fire protection district may adopt a fire prevention code by reference and also establish more stringent local building standards related to fire and safety than those set forth in the CBSC.

City of Menlo Park General Plan

The following policies and programs from the City of Menlo Park Open Space, Conservation, Noise, and Safety Elements of the City General Plan, adopted May 21, 2013, that have been adopted to avoid or mitigate an environmental impact apply to the Proposed Project:

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

Policy S1.1: Location of Future Development. Permit development only in those areas where potential danger to the health, safety, and welfare of the residents of the community can be adequately mitigated.

Policy S1.3: 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 uses.

Policy S-1.5 New Habitable Structures. Require that all new habitable structures incorporate adequate hazard mitigation measures to reduce identified risks from natural and human-caused hazards.

⁷⁷ City of Menlo Park. 2021. *Annex to 2021 Multi-jurisdictional Local Hazard Mitigation Plan*. October.

⁷⁸ City of Menlo Park. 2014. *Emergency Operations Plan*. Available: <https://www.menlopark.org/DocumentCenter/View/815/Emergency-Operations-Plan?bidId>. Accessed: May 9, 2021.

Policy S1.10: Safety Review of Development Projects. Continue to require hazard mitigation, crime prevention, fire prevention, and adequate access for emergency vehicles in new development.

Policy S1.16: Hazardous Materials Regulations. Review and strengthen, if necessary, regulations for the structural design and/or uses involving hazardous materials to minimize risk to local populations. Enforce compliance with current state and local requirements for the manufacture, use, storage, transport, and disposal of hazardous materials and the designation of appropriate truck routes in Menlo Park.

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

Program S1.J: Require Health and Safety Plan for Hazardous Materials. Require preparation of health and safety plans to protect the general public and all workers in construction areas from potentially hazardous materials. The plans 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 plans shall include items such as spill prevention, cleanup, and evacuation procedures and help protect the public and workers by providing procedures and contingencies to reduce exposure to hazardous materials.

Program S1.K: Track Remediation Needs for Existing Known Hazardous Soils and Other Hazardous Materials. Monitor remediation of existing known hazards, such as contaminated soils, and cleanup of leaking or abandoned underground storage tanks.

ConnectMenlo General Plan Update. The following policies of ConnectMenlo, adopted November 29, 2016, that have been adopted to avoid or mitigate environmental impacts apply to the Proposed Project:

Policy LU-2.3: Mixed-Use Design. Allow mixed-use projects with residential units if the project design addresses potential compatibility issues such as traffic, parking, light spillover, dust, odors, and the transport and use of potentially hazardous materials.

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.

Environmental Impacts

This section describes the impact analysis related to hazardous materials. It describes the methods used to determine the impacts of the Proposed Project and lists the thresholds used to conclude whether an impact would be significant. Measures to mitigate (i.e., avoid, minimize, rectify, reduce, eliminate, or compensate for) significant impacts accompany each impact discussion as warranted.

Thresholds of Significance

In accordance with Appendix G of the CEQA Guidelines, the Proposed Project would have a significant effect if it would result in any of the conditions listed below.

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- Create a significant hazard to the public or the environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment.
- Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school.
- Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment.
- For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area.
- Impair or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

Methods for Analysis

As described above under *Regulatory Setting*, the use of hazardous materials is subject to numerous laws and regulations. In most cases, the laws and regulations pertaining to hazardous materials management minimize risks to human health and the environment. The impact analysis identifies areas where impacts related to the use of hazardous materials during Project construction and operation would be subject to applicable laws and regulations.

To assess the Proposed Project's potential to create a significant hazard for the public or environment related to subsurface hazardous materials, the impact analysis considers the potential pathways through which exposure to hazards could occur, based on the following reports:

- Phase I Environmental Site Assessment, Menlo Science and Technology Park, Willow Road, Hamilton Avenue, and Hamilton Court by Cornerstone (2019)
- Phase I Environmental Site Assessment, Belle Haven Retail Center, 871–899 Hamilton Avenue by Cornerstone (2019)
- Phase I Environmental Site Assessment, 1399 Willow Road by Cornerstone (2020)
- Phase I Environmental Site Assessment, 1401 Willow Road by Cornerstone (2018)
- Supplemental Phase II Investigation, Menlo Science and Technology Park, by Cornerstone (2018)
- Supplemental Phase II Investigation, 1601 Willow Road, by Cornerstone (2020)
- Environmental Summary, Willow Tunnel Construction Zone, by Cornerstone (2021)
- Phase I Environmental Site Assessment, Willow Tunnel Construction Zone and Laydown Areas (2021)

- Soil Management Plan and Air Monitoring Plan Vapor Intrusion Mitigation Plan Summary Letter by Cornerstone (2020)
- Removal Action Workplan (RAW) Summary Letter, Residential/Shopping District, Willow Village, by Cornerstone (2021)

Summary of Analysis in the ConnectMenlo EIR

The ConnectMenlo EIR analyzed the impacts below that would result from implementing the updates to the Land Use and Circulation Elements and the M-2 Area Zoning Update.⁷⁹

- Impacts related to the routine transport, use, or disposal of hazardous materials were analyzed in the ConnectMenlo EIR as Impact HAZ-1 (pages 4.7-18 to 4.7-21) and determined to be less than significant. Future development involving the routine transport or use of hazardous materials as part of the operational phase or temporary transport or use during the construction phase would be subject to a variety of local, state, and federal regulations. Future development that would use hazardous materials or generate hazardous waste would be regulated pursuant to federal, state, regional, and local laws. In addition, City General Plan goals, policies, and programs would minimize potential hazardous materials impacts that could result from routine transport, use, and disposal. No mitigation was required.
- Impacts as a result of reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment were analyzed in the ConnectMenlo EIR as Impact HAZ-2 (pages 4.7-21 to 4.7-23). Future development under ConnectMenlo, as part of the City's approval process, would be required to comply with existing federal, state, regional, and local laws. In addition, City General Plan goals, policies, and programs would minimize potential hazardous materials impacts that could result from reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Impacts were determined to be less than significant, and no mitigation was required. However, implementation of Mitigation Measures HAZ-4a and 4b would further reduce impacts from sites with known hazardous material contamination (see discussion of Mitigation Measures HAZ-4a and 4b, below).
- Impacts related to hazardous emissions or the handling of hazardous or acutely hazardous materials near schools were analyzed in the ConnectMenlo EIR as Impact HAZ-3 (pages 4.7-23 to 4.7-24). The impacts were found to be less than significant because hazardous materials would be stored, used, and handled according to existing federal, state, and local regulations. Similarly, hazardous materials emissions would be subject to existing federal, state, and local regulations. For any future public schools that would receive state funding for acquisition or construction, DTSC's School Property Evaluation and Cleanup Division would assess, investigate, and clean up the proposed school sites. City General Plan policies and Zoning Ordinance requirements would minimize potential hazardous materials impacts that could result from storing, using, or handling hazardous materials or from generating emissions from hazardous materials. No mitigation was required, although implementation of Mitigation Measures HAZ-4a and 4-b would further reduce impacts from sites with known hazardous material contamination (see discussion of Mitigation Measures HAZ-4a and 4b, below).

⁷⁹ City of Menlo Park. 2016. *ConnectMenlo: General Plan Land Use and Circulation Elements and M-2 Zoning Update for the City of Menlo Park*. June 1. Prepared by PlaceWorks, Berkeley, CA. Menlo Park, CA. Available: <https://www.menlopark.org/1013/Environmental-Impact-Report>. Accessed: March 19, 2021.

- Impacts related to a project location on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, thereby creating a significant hazard for the public or the environment, were analyzed in the ConnectMenlo EIR as Impact HAZ-4 (pages 4.7-24 to 4.7-26). The impacts would be significant because a number of hazardous materials sites in the city are listed on databases compiled pursuant to Government Code Section 65962.5. Future development would be required to comply with federal, state, regional, and local laws and regulations. City General Plan policies described for Impact HAZ-1 and HAZ-2 would minimize potential impacts. However, hazardous materials are known to be present in sites in the study area that may be redeveloped as part of ConnectMenlo, in areas where, because of past land uses, the direct contact, inhalation, or ingestion of hazardous materials could cause adverse health effects for construction workers and future site users. Implementation of ConnectMenlo Mitigation Measures HAZ-4a and HAZ-4b would reduce the impacts to less than significant. Mitigation Measure HAZ-4a requires construction at the sites with known contamination to be conducted under a project-specific Environmental Site Management Plan (ESMP) prepared in consultation with the RWQCB or DTSC, as appropriate. Mitigation Measure HAZ-4b requires, for sites with potential residual contamination in soil, gas, or groundwater and plans for redevelopment that include an overlying occupied building, a vapor intrusion assessment 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, the project must include vapor controls or source removal, as appropriate, in accordance with regulatory agency requirements.
- Impacts related to a project location within an airport land use plan or within 2 miles of a public airport or public use airport, potentially resulting in a safety hazard, were analyzed in the ConnectMenlo EIR as Impact HAZ-5 (page 4.7-27). The impacts would be less than significant because no portions of the city are within airport safety zones for Palo Alto Airport; the study area is more than 2 miles from San Francisco International Airport, San Carlos Airport, and Moffett Federal Airfield and would not have an adverse effect on aviation safety or flight patterns. No mitigation was required.
- Impacts related to interference with an adopted emergency response plan or emergency evaluation plan, or impairment of such plans, were analyzed in the ConnectMenlo EIR as Impact HAZ-7 (pages 4.7-27 to 4.7-29). The impacts would be less than significant because the development would comply with City General Plan goals, policies, and programs that require local planning and development decisions to consider impacts on the environment related to an adopted emergency response plan. No mitigation was required.
- Impacts related to exposing people or structures to a risk of loss, injury, or death involving wildfire were analyzed in the ConnectMenlo EIR as Impact HAZ-8 (pages 4.7-29 to 4.7-30). The impacts would be less than significant because future development under ConnectMenlo, as part of the City's project approval process, would be required to comply with existing regulations. Specifically, all development in the study area would be constructed pursuant to the California Building Code, California Fire Code, Menlo Park Fire Protection District Code. City General Plan policies and Menlo Park Municipal Code requirements would minimize potential impacts related to wildfire hazard. No mitigation was required.

Impacts Not Evaluated in Detail

Cortese List Sites. The Cortese List is a compilation of several different lists of hazardous material release sites that meet criteria specified in Section 65962.5 of the California Government Code. Although there are documented releases of hazardous materials on the Project Site, as discussed in further detail below, there are no hazardous materials release sites on the Project Site that meet the criteria for inclusion on

the Cortese List. Therefore, the Proposed Project would have no impact related to development on a hazardous materials release site included on the Cortese List, and this impact is not evaluated further.

Upset and Accident Conditions Involving Hazardous Materials – Naturally Occurring Asbestos.

Previous geotechnical investigations performed for the Proposed Project have determined that the Project Site, including the offsite Willow Road Tunnel site, is not underlain by ultramafic rock associated with naturally occurring asbestos. The nearest outcrop of any rock type associated with naturally occurring asbestos is approximately 6.5 miles from the Project Site.⁸⁰ Therefore, the potential for encountering naturally occurring asbestos during Project construction is low, and ground disturbance would have *no impact* on human health.

Airport Hazards. The Project Site is approximately 2.15 miles northwest of the nearest public use airport, Palo Alto Airport. It is not within the airport influence area, and Project structures would not be considered a potential obstruction to aircraft that use Palo Alto Airport. Therefore, the Proposed Project would have no impact on the navigable airspace of an airport land use plan or areas within 2 miles of a public airport or public use airport, and this impact is not evaluated further.

Wildland Fires. There are no CAL FIRE–mapped Very High Fire Hazard Severity Zones in the vicinity of the Project Site. The Project Site is generally bounded by the currently inactive Dumbarton Rail Corridor to the north, an existing life science complex to the east (Menlo Park Labs Campus), the San Francisco Public Utilities Commission Hetch Hetchy right-of-way to the south, and Willow Road and residential uses to the west. Therefore, the Project Site is not mapped in or adjacent to a Very High Fire Hazard Severity Zone. The Proposed Project would have no impact related to wildland fire hazards. This impact is not evaluated further.

Impacts and Mitigation Measures

Impact HAZ-1: Routine Hazardous Materials Use. The Proposed Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. (LTS)

Project construction activities are expected to involve the routine transport, use, and disposal of hazardous materials (e.g., motor fuels, paints, oils, and grease) that could pose a significant threat to human health or the environment if not properly managed. Although small amounts of these materials would be transported, used, and disposed of during Project construction, these materials are typically used in construction projects and are not considered acutely hazardous. Workers who handle hazardous materials are required to adhere to OSHA and Cal/OSHA health and safety requirements. In addition, in order to comply with deed restrictions filed with San Mateo County on January 23, 1996, the Project's Certified Industrial Hygienist (CIH) will prepare Health and Safety Specifications (HS Specifications), which shall meet applicable federal and Cal/OSHA requirements. The HS Specifications will provide general protocols and guidelines to general contractors about informing personnel of potential chemical hazards associated with the work activities to be performed.⁸¹ The HS Specifications will be submitted to DTSC and DEH. Each contractor will be responsible for the health and safety of his or her own employees, and each contractor will be responsible for developing his or her own health and safety plan, incorporating, at a minimum, the protocols presented in the HS Specifications. The general

⁸⁰ Cornerstone Earth Group. 2020. *Preliminary Geotechnical Investigation Update, Willow Village, Willow Road, Hamilton Avenue, and Hamilton Court, Menlo Park, California*. May 27. Project Number 254-11-7.

⁸¹ Cornerstone Earth Group. 2021. *RAW Summary Letter, Residential/Shopping District, Willow Village, Menlo Park, CA*. Proposal No. 254-11-20.

contractors' health and safety plan will establish health and safety protocols for his or her own personnel as well as the subcontractor's personnel in accordance with 1) federal and state OSHA standards, 2) the HS Specifications to be developed by the Project CIH, and 3) the SMP. The general contractor and his or her subcontractors will be required to implement, at the minimum, the Project CIH's HS Specifications for worker training and personal protective equipment (PPE), based on the level of expected contact with constituent of concern-affected materials associated with workers' activities.

Hazardous materials must be transported to and from the main Project Site, Hamilton Avenue Parcels North and South, the Willow Road Tunnel site, and offsite infrastructure locations in accordance with RCRA and USDOT regulations and disposed of in accordance with RCRA regulations at a facility that is permitted to accept the waste.

Because compliance with existing regulations is mandatory, and compliance with deed restrictions would require preparation of HS Specifications, as described above, Project construction is not expected to create a significant hazard to public health or the environment through the routine transport, use, or disposal of hazardous materials.

During operation, it is anticipated that the Proposed Project would involve the use of hazardous materials that are typical in residential and commercial uses (e.g., solvents, cleaning agents, paints, petroleum fuels, propane, batteries, etc.). These would be used in small, localized amounts. As described above, routine transport, use, and disposal of hazardous materials are subject to federal and state regulations. On the local level, the DEH is the CUPA that implements regulatory programs for sites that routinely use hazardous materials to ensure safe storage, management, and disposal of such materials in accordance with the Unified Program. Because compliance with existing laws, regulations, and CUPA programs is mandatory, Project operations are not expected to create a significant hazard to public health or the environment through the routine transport, use, or disposal of hazardous materials. As a result, impacts related to the routine transport, use, or disposal of hazardous materials during Project construction and operation would be *less than significant*.

Impacts related to potential accidental releases of hazardous materials during routine and non-routine activities are discussed under Impact HAZ-2, below.

Impact HAZ-2: Upset and Accident Conditions Involving Hazardous Materials. The Proposed Project could 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. (LTS/M)

Potential accident conditions resulting in the release of hazardous materials used in general construction, operation, and building demolition activities, as well as potential upset conditions involving the disturbance of contaminated groundwater, soil, and soil gas, are discussed below.

Accidental Hazardous Materials Releases during Construction and Operation

The accidental release of hazardous materials during Project construction and operation activities could pose a significant threat to human health or the environment. The use of hazardous materials would be subject to existing hazardous materials laws, regulations, and CUPA programs described above under *Regulatory Setting*. Adherence to these standards would also reduce the potential for an accidental release. In addition, a Stormwater Pollution Prevention Plan (SWPPP) must be prepared and implemented during Project construction for coverage under the Construction General Permit, in accordance with the requirements of the State Water Board. As described in Section 3.11, *Hydrology and Water Quality*, the

SWPPP requires implementation of best management practices for hazardous materials storage and soil stockpiles, inspections, maintenance, employee training, and the containment of releases to prevent runoff to stormwater collection systems or waterways. Because compliance with existing regulations would be mandatory, accidental hazardous materials releases during construction and operation would have a ***less-than-significant impact*** on human health and the environment.

Accidental Hazardous Materials Releases during Building Demolition

The Proposed Project would include demolition of all buildings, as well as landscaping, on the main Project Site as well as demolition of development on Hamilton Avenue Parcel South and targeted demolition on Hamilton Avenue Parcel North. Demolition associated with the Proposed Project could result in the release of hazardous building materials into the environment.

The buildings at the main Project Site were built prior to 1981; therefore, asbestos-containing building materials may be present in these structures. Buildings at Hamilton Avenue Parcels North and South were constructed during the 1990s and therefore are unlikely to contain asbestos-containing building materials. Lead-based paint and other hazardous materials, which would be considered universal wastes during demolition, could be present in buildings that would be demolished under the Proposed Project. The removal of hazardous building materials prior to demolition is governed by federal as well as state laws and regulations. An asbestos survey is required by local authorities and NESHAP, which requires the removal of potentially friable asbestos-containing building materials prior to building demolition or renovation that may disturb asbestos-containing building materials. Workers who conduct abatement and demolition activities associated with hazardous building materials must be trained in accordance with state and federal OSHA requirements. Hazardous building materials removed during demolition must be transported in accordance with USDOT regulations and disposed of in accordance with RCRA regulations and/or the California Universal Waste Rule at a facility that is permitted to accept the wastes. Because compliance with existing laws and regulations would be mandatory, the Proposed Project would have a ***less-than-significant impact*** on human health and/or the environment related to asbestos-containing building materials, lead-based paint, or other common hazardous materials during building demolition.

Accidental Hazardous Materials Releases during Disturbance of Subsurface Hazardous Materials

As described below, previous investigations have identified potential contaminants of concern in groundwater, soil, and soil gas, which could have potentially significant health effects on future users of the Project Site if not properly managed.

Groundwater Quality

As described in the *Environmental Setting*, Cornerstone's 2019 ESA states that VOCs detected in groundwater as a result of solvent releases from the former metal plating shop on the main Project Site remain at the site. The State Water Board found that groundwater contamination was stable and adequately confined at the main Project Site to the shallow A-zone and that the contamination risk could be managed through deed restrictions, long-term monitoring, and a contingency plan for remediation, if necessary. The groundwater underlying the main Project Site is not considered a potential source of drinking water. Water for the Proposed Project would be provided by the Menlo Park Municipal Water District. Therefore, the ingestion of contaminated groundwater is not considered as a potential exposure pathway on the Project Site for any users (e.g., construction workers, residents, commercial workers, hotel patrons, visitors). Although contaminated groundwater exists at the offsite improvement location where the Willow Road Tunnel would surface at the West Campus, groundwater underlying the Willow Road Tunnel site is not considered a potential source of drinking water. Therefore, the ingestion of

contaminated groundwater is not considered a potential exposure pathway at the Willow Road Tunnel site for construction workers.

Ground-disturbing activities associated with construction could expose construction workers to contaminated groundwater at the main Project Site and Willow Road Tunnel site. Project excavation would extend to a depth of approximately 20 feet bgs for utilities and 30 feet bgs for the Willow Road Tunnel. The depth to groundwater ranges from 7 to 10 feet bgs. Groundwater contamination remains at the main Project Site and the Willow Road Tunnel site, as discussed above under *Existing Conditions*; therefore, construction workers could come into direct contact with contaminated groundwater during Project excavation and dewatering. However, deed restrictions on the main Project Site require preparation of a Health and Safety Plan (HSP; discussed in detail below under *Soil Quality*) before subsurface activities can proceed.^{82,83} Deed restrictions at the Willow Road Tunnel site require the Project Sponsor to coordinate with DTSC, the San Francisco Bay RWQCB, and/or DEH to obtain approval to proceed with dewatering prior to commencement of construction.⁸⁴ Therefore, a Phase I ESA has been prepared for the main Project Site and the Willow Road Tunnel site where the tunnel would emerge on the West Campus. The impact on construction workers and the environment at these locations would be **less than significant**. However, groundwater contamination in the Dumbarton Rail Corridor and within the Willow Road right-of-way has not been characterized by a Phase I ESA. Therefore, the impact on construction workers and the environment at these locations would be **potentially significant**.

Ground-disturbing activities associated with construction are unlikely to expose construction workers to contaminated groundwater at Hamilton Avenue Parcels North and South. No significant contamination has been recorded at 871–899 Hamilton Avenue or 1399 Willow Road.^{85,86} The DEH issued a closure letter regarding cleanup involving a leaking underground storage tank at 1401 Willow Road.⁸⁷ The impact at this site on construction workers and the environment would be **less than significant**.

It is unlikely that contaminated water would be encountered during Project operations at the main Project Site because of restrictions on groundwater pumping. Furthermore, groundwater contamination has been characterized at the main Project Site in a Phase I ESA. The impact on commercial workers, residents, hotel patrons, and visitors at the main Project Site would be **less than significant**. Because contamination at Hamilton Avenue Parcels North and South has been cleaned up and the case has been closed, the impact would be **less than significant**. In addition, users at the Willow Road Tunnel site, either where the tunnel would emerge on the West Campus or within the Dumbarton Rail Corridor, would not be exposed to contaminated groundwater because of restrictions on groundwater pumping and because the area would be paved. The impact on tunnel users would be **less than significant**.

⁸² Cornerstone Earth Group. 2020. *Soils Management Plan and Air Monitoring Plan Vapor Intrusion Mitigation Plan Summary Letter: Willow Village, Menlo Park, CA*. May 21.

⁸³ Cornerstone Earth Group. 2021. *RAW Summary Letter, Residential/Shopping District, Willow Village, Menlo Park, CA*. Proposal No. 254-11-20.

⁸⁴ Cornerstone Earth Group. 2021. *Phase I Environmental Site Assessment, Willow Tunnel Construction Zone and Laydown Areas, Willow Road and Hamilton Avenue, Menlo Park, California*. Project Number 254-11-26. December 21.

⁸⁵ Cornerstone Earth Group. 2019. *Phase I Environmental Site Assessment. Belle Haven Retail Center, 871 – 899 Hamilton Avenue, Menlo Park, California*. Project Number 254-11-21. June 10.

⁸⁶ Cornerstone Earth Group. 2020. *Phase I Environmental Site Assessment. 1399 Willow Road, Menlo Park, California*. Project Number 254-54-1. October 13.

⁸⁷ Cornerstone Earth Group. 2018. *Phase I Environmental Site Assessment. 1401 Willow Road, Menlo Park, California*. Project Number 254-11-15. April 23.

Soil Quality

Main Project Site. As described in the *Environmental Setting*, Cornerstone's recent soil investigations indicate that TPH and PAHs are still present in soil underlying the main Project Site. Although no samples detected concentrations that exceeded commercial screening levels, some samples exceeded residential screening levels. However, deed restrictions on the main Project Site that require preparation of a Health and Safety Plan would protect construction workers from being affected by contaminated soil. A RAW has been prepared to evaluate potential measures to facilitate planned future residential use while protecting the health of future occupants and users. The RAW will be subject to DTSC review and approval. This RAW will identify appropriate action alternatives for soil removal. These action alternatives will be documented through an SMP that will include site control procedures to control the flow of personnel and vehicles in and out of the site; vapor monitoring during the removal of underground utilities or other underground features and significant soil disturbance; protocols for the removal of affected soil, including confirmation samples from known areas where affected soil will be over-excavated or protected for subsequent removal prior to initiating mass grading; procedures to minimize dust and stormwater runoff; decontamination procedures; perimeter air quality monitoring during any activity that substantially disturbs soil; measures to reduce potential soil vapor and groundwater migration through trench backfill and utility conduits, and protocols to evaluate groundwater discharges and disposal alternatives during dewatering.

The Project Sponsor will be required to provide contractors and their subcontractors with a copy of the SMP and VIMP for construction activity that involves subsurface disturbance (e.g., mass grading, foundation construction, excavation, utility trenching). In addition, the environmental professional will prepare a report that documents compliance with the SMP within 90 days of completing associated construction activities and submit the report to DTSC. In addition, the RAW will require development and implementation of a site-specific HSP, which will provide general protocols and guidelines to general contractors. The HSP will inform construction personnel of potential chemical hazards associated with the work activities to be performed and be submitted to the DTSC, San Francisco Bay RWQCB, and DEH prior to commencement of work.

The RAW also describes a voluntary VIMP, which will identify the mitigation measures that will be implemented to eliminate potential vapor intrusion concerns at future buildings. The VIMP will assess the vapor intrusion pathway, describe the proposed vapor mitigation system, provide construction-related quality control measures to confirm that the vapor mitigation system is installed in accordance with design requirements, and describe pre-occupancy monitoring to demonstrate that the vapor mitigation system is effective in helping to prevent vapor intrusion. A Vapor Intrusion Implementation Report will be provided to DTSC. A long-term Operation, Maintenance, and Monitoring Plan will be prepared and issued to DTSC after submittal of the Vapor Intrusion Implementation Report.

With adherence to requirements of the RAW, the impact on construction workers at the main Project Site would be ***less than significant***.

It is unlikely that contaminated soil will be encountered during Project operations at the main Project Site because the RAW calls for removing contaminated soil. The impact on commercial workers, residents, hotel patrons, and visitors at the main Project Site and would be ***less than significant***.

Hamilton Avenue Parcels North and South. Ground-disturbing activities associated with construction are unlikely to expose construction workers to contaminated soil at Hamilton Avenue Parcels North and South. Contamination has not been recorded at 871–899 Hamilton Avenue or 1399 Willow Road.^{88,89} The DEH has

⁸⁸ Cornerstone Earth Group. 2019. *Phase I Environmental Site Assessment. Belle Haven Retail Center, 871–899 Hamilton Avenue, Menlo Park, California*. Project Number 254-11-21. June 10.

⁸⁹ Cornerstone Earth Group. 2020. *Phase I Environmental Site Assessment. 1399 Willow Road, Menlo Park, California*. Project Number 254-54-1. October 13.

issued a closure letter regarding cleanup involving a leaking underground storage tank at 1401 Willow Road.⁹⁰ Therefore, the impact on construction workers at Hamilton Avenue Parcels North and South would be **less than significant**.

Willow Road Tunnel Site. Contaminated soil and soil vapor exist at the offsite improvement location where the Willow Road Tunnel would surface at the West Campus. In addition, contaminated soil and soil vapor could exist at the offsite improvement location where the Willow Road Tunnel would cross under the Dumbarton Rail Corridor and Willow Road. Deed restrictions at the north entrance to the Willow Road Tunnel site require written approval from DTSC and EPA before any activities that may disturb or adversely affect the integrity of the engineered cap, such as ground disturbance during construction, may proceed. Deed restriction requirements would reduce the risk of exposure for construction workers. However, deed restrictions at the Willow Road Tunnel site do not detail restrictions on soil disturbance, should any occur. Instead, DTSC and EPA must provide written approval, which has not yet been provided. In order to provide approval, thorough characterization, as part of a Phase I ESA, of the contaminants currently in the soil at the Willow Road Tunnel site is needed. Therefore, a Phase I ESA has been prepared for the Willow Road Tunnel site where the tunnel would emerge on the West Campus (north portal); the south portal of the tunnel is covered by the Phase I ESA for the main Project Site. The impact on construction workers and the environment would be **less than significant**. However, a Phase I ESA has not been prepared for areas within the Dumbarton Rail Corridor or within the Willow Road right-of-way at the Willow Road Tunnel site, which are under the jurisdiction of San Mateo County Transit District (SamTrans) and Caltrans, respectively. Therefore, the impact on construction workers and the environment would be **potentially significant**.

Users at the Willow Road Tunnel site would not be exposed to contaminated soil because the area would be paved. The impact on tunnel users during Project operation would be **less than significant**.

Soil Gas Quality

As described above in the *Environmental Setting*, an analysis of air samples taken at the main Project Site and the Willow Road Tunnel site found concentrations of VOC vapor, which, in some samples, exceeded current residential and/or commercial ESLs, with the greatest concentrations occurring in the vicinity of the VOC groundwater plume. However, with adherence to requirements of the RAW, impacts on the health of construction workers, commercial workers, residents, visitors, hotel patrons, and others from the intrusion of soil vapor into buildings on the main Project Site would be **less than significant**.

Because soil gas contamination has been characterized through a Phase I ESA for the Willow Road Tunnel site where the tunnel would emerge on the West Campus, it was determined that impacts would be **less than significant**. However, because contamination has not been characterized through a Phase I ESA for areas within the Dumbarton Rail Corridor and within the Willow Road right-of-way at the Willow Road Tunnel site, the impact is considered **potentially significant**.

There is no record of soil gas contamination at Hamilton Avenue Parcels North and South, although there is a record of soil contamination; the impact would be **less than significant**.

Summary of Findings

At the main Project Site, requirements of the RAW would be adhered to prior to and during construction under the Proposed Project; therefore, impacts would be **less than significant**.

⁹⁰ Cornerstone Earth Group. 2018. *Phase I Environmental Site Assessment. 1401 Willow Road, Menlo Park, California*. Project Number 254-11-15. April 23.

The impact at Hamilton Avenue Parcels North and South would be ***less than significant***.

As described above, the following conditions associated with hazardous materials could be potentially significant hazards for construction personnel, future users of the Project Site, and/or the environment:

- Soil and groundwater contamination at the Willow Road Tunnel site could have a potentially significant impact on the health of construction workers.

Main Project Site. As discussed above under Impact HAZ-1, deed restrictions were filed in 1996 at the main Project Site that prohibit the pumping of groundwater and stipulate that HS Specifications must be prepared and submitted to the State Water Board prior to the commencement of any subsurface activities. HS Specifications would inform the general contractor's health and safety plans, which would provide general protocols and guidelines regarding potential chemical hazards associated with work activities at the main Project Site. To assist in compliance with the requirements, and facilitate safe redevelopment of the site, the owner (Peninsula Innovation Partners, LLC) entered into a voluntary cleanup agreement that called for DTSC oversight. In addition, DTSC required preparation of the RAW⁹¹ before ground disturbance at the main Project Site to comply with the deed restrictions. The required RAW will evaluate potential measures proposed with site development plans, with the goal of facilitating planned future residential use while protecting the health of future occupants and users. Proposed mitigation includes development and implementation of the items discussed below.

The RAW, would include measures that call for monitoring soil contamination and soil vapor, removing contaminated soil, providing guidance to contractors, and reporting results to DTSC; providing protocols and guidelines for contractors who work with contaminated soil and groundwater; and providing guidelines for implementing a vapor management system, monitoring its performance, and reporting to DTSC on outcomes. These measures would ensure that construction workers would be protected during the construction phase, no contaminated soil would remain that could affect project users during the operation period, and soil vapor would not affect residents. Furthermore, the RAW would ensure that contaminated groundwater would not have a route that could affect project users during operation, including commercial workers, residents, hotel patrons, visitors, and other users. All components of the RAW would be approved by DTSC before construction begins at the main Project Site. Because the RAW has not yet been approved by DTSC, impacts at the main Project Site would be ***potentially significant***.

Hamilton Avenue Parcels North and South. No groundwater, soil, or soil vapor contamination has been identified at the 871–899 Hamilton Avenue site or 1399 Willow Road site. Contamination at the 1401 Willow Road has been cleaned up. The case was closed by DEH. Therefore, the impact at Hamilton Avenue Parcels North and South would be ***less than significant***.

Willow Road Tunnel Site. Deed restrictions for the Willow Road Tunnel site were filed in 2007 and amended in 2012 to prohibit certain land uses in order to protect human and environmental health from residual onsite contamination. The LUC allows, with written approval from DTSC and EPA, activities that may disturb or adversely affect the integrity of the engineered cap. Because a Phase I ESA has been prepared for the Willow Road Tunnel site and the main Project Site (north and south portals) where the tunnel would emerge, impacts on construction workers and the environment at these sites would be ***less than significant***. However, because a Phase I ESA has not been prepared for areas within the Dumbarton Rail Corridor or within the Willow Road right-of-way at the Willow Road Tunnel site, the impact on

⁹¹ Cornerstone Earth Group. 2020. *Soils Management Plan and Air Monitoring Plan Vapor Intrusion Mitigation Plan Summary Letter: Willow Village, Menlo Park, CA*. May 21.

construction workers and the environment at this site is considered ***potentially significant***. Because the Willow Road Tunnel would be paved, during Project operation, users of the Willow Road Tunnel site would not be exposed to contaminated soil or groundwater. The impact would be ***less than significant***.

MITIGATION MEASURES. Implementation of ConnectMenlo EIR Mitigation Measure HAZ-4a and Mitigation Measure HAZ-2.1 would characterize soil contamination where the Willow Road Tunnel would go under the Dumbarton Rail Corridor and Willow Road. In addition, ConnectMenlo EIR Mitigation Measure HAZ-4a would require development and implementation of a Project-specific ESMP, which would provide procedures for evaluating, handling, storing, testing, and disposing of soil and groundwater during excavation and dewatering activities; describe required worker health and safety provisions for all workers who could be exposed to hazardous materials; and designate the personnel responsible for implementation of the ESMP. With implementation of ConnectMenlo EIR Mitigation Measure HAZ-4a and Mitigation Measure HAZ-2.1, the impact at the Willow Village Tunnel site within the Dumbarton Rail Corridor would be ***less than significant with mitigation***.

HAZ-4a: (ConnectMenlo EIR) Environmental Site Management Plan.

Construction of any site in the City with known contamination shall be conducted under a Project-specific Environmental Site Management Plan (ESMP) 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 address the possibility of encountering unknown contamination or hazards in the subsurface. The ESMP shall summarize soil and groundwater analytical data collected on the 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 wells that require proper abandonment in compliance with local, state, and federal laws, policies, and regulations.

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 excavation and dewatering activities, respectively; 2) describe required worker health and safety provisions for all workers who could be exposed to hazardous materials, in accordance with state and federal worker safety regulations; and 3) designate the personnel responsible for implementation of the ESMP.

HAZ-2.1: Phase I Environmental Site Assessment for the Willow Road Tunnel under Dumbarton Rail Corridor and Willow Road.

For the offsite improvement in the area where the Willow Road Tunnel passes under the Dumbarton Rail Corridor and Willow Road, a Phase I ESA shall be performed by a licensed environmental professional. The Phase I ESA shall identify RECs at the site and indicate whether a Phase II ESA is required in order to evaluate contamination at the site.

Impact HAZ-3: Exposure to Schools. The Proposed Project would not emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school. (LTS/M)

The handling or emission of hazardous or acutely hazardous materials near schools must consider potential health effects on children, who are considered sensitive receptors. There are three schools within 0.25 mile of the main Project Site and Hamilton Avenue Parcels North and South: Mid-Peninsula High School, the Open Mind School/Wund3rSCHOOL, and César Chávez Ravenswood Middle School. There are no schools within 0.25 mile of the Willow Road Tunnel site.

As discussed above under *Subsurface Hazardous Materials*, VOCs were detected in soil and groundwater from a release at a former metal plating shop, which was located on Parcel H at the southern portion of the main Project Site and close to Mid-Peninsula High School and the Open Mind School/Wund3rSCHOOL. As discussed above under Impact HAZ-1, deed restrictions at the main Project Site were filed in 1996 that prohibit the pumping of groundwater and stipulate that HS Specifications must be prepared and submitted to the RWQCB prior to the commencement of any subsurface activities. In addition, DTSC requires a RAW to be prepared and approved by DTSC before the commencement of construction. The RAW would include specifications for a SMP, HSP, and VIMP. The SMP would require protocols and other requirements to be implemented during the removal of contaminated soil. By controlling soil contamination and soil vapor contamination, the safety of the construction site and residential uses during Project operation would be ensured. The HSP would provide general protocols and guidelines to general contractors. These would inform construction personnel of potential chemical hazards associated with the work activities to be performed. The VIMP would provide requirements for a vapor mitigation system to minimize soil vapor emissions; any such emissions during the Project operation would be appropriate for a residential environment.

Offsite construction work could occur within 0.25 mile of Costañó Elementary School in East Palo Alto as well as the Belle Haven School and Beechwood School in Menlo Park. The upsizing and placement of utility lines within existing rights-of-way and improvements within intersections would result in temporary construction impacts. No federally or state-listed cleanup sites or known subsurface hazardous materials are identified within 0.25 mile of proposed offsite improvements in hazardous materials databases.^{92,93} However, contamination has been documented at the Willow Road Tunnel site. Accordingly, offsite utility work could encounter hazardous materials or contaminated groundwater. Therefore, impacts on schools would be ***potentially significant***.

MITIGATION MEASURES. Implementation of ConnectMenlo EIR Mitigation Measure HAZ-4a and Mitigation Measure HAZ-2.1 would characterize soil contamination where the Willow Road Tunnel would go under the Dumbarton Rail Corridor and Willow Road. In addition, ConnectMenlo EIR Mitigation Measure HAZ-4a would require development and implementation of a Project-specific ESMP, which would provide procedures for evaluating, handling, storing, testing, and disposing of soil and groundwater during excavation and dewatering activities; describe required worker health and safety provisions for all workers who could be exposed to hazardous materials; and designate the personnel responsible for implementation of the ESMP. With implementation of ConnectMenlo EIR Mitigation Measure HAZ-4a and Mitigation Measure HAZ-2.1, the impact at the Willow Village Tunnel site within the Dumbarton Rail Corridor would be ***less than significant with mitigation***.

⁹² Department of Toxic Substances Control. 2022. *EnviroStor Database*. Available: <https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=Menlo+Park>. Accessed: February 6, 2022.

⁹³ State Water Resources Control Board. 2022. *GeoTracker*. Menlo Park, CA. Available: <https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=menlo+park>. Accessed March 16, 2022.

HAZ-4a: (ConnectMenlo EIR) Environmental Site Management Plan.

HAZ-2.1: Phase I Environmental Site Assessment for the Willow Road Tunnel under Dumbarton Rail Corridor and Willow Road.

Impact HAZ-4: Impairment of Emergency Response or Evacuation Plans. The Proposed Project would not impair implementation of or physically interfere with an adopted emergency response or evacuation plan. (LTS)

As discussed in Section 3.3, *Transportation*, the Proposed Project would result in a general increase in vehicle traffic in the vicinity of the Project Site. Menlo Park Fire Protection District Station 77, located at 1467 Chilco Street, is expected to serve the Project Site. The driving distance to the main Project Site from Station 77 is approximately 0.6 mile. The Proposed Project would not inhibit emergency access to the Project Site or materially affect emergency vehicle response calls from of the station. Development of the Project Site, and associated increases in vehicle, bicycle, and pedestrian travel, would not substantially affect emergency vehicle response times or access to other buildings and land uses in the area, including hospitals.

The Proposed Project would be designed and built according to local fire district standards and the CBSC. The Proposed Project would provide emergency vehicle access within the main Project Site along Willow Road via Main Street, West Street, Center Street, and Park Street; along O'Brien Drive, extending to Main Street; and from Adams Court, at the intersection with East Loop Road. Although some of the interior streets would be privately owned, an Emergency Vehicle Access Easement would be in place along the full perimeter of the Campus District and on Main Street, East Loop Road, and North Loop Road. Final Emergency Vehicle Access Easements would be subject to review and approval by the Menlo Park Fire Protection District and the City.

In November 2021, the City adopted a Local Hazard Mitigation Plan Annex.⁹⁴ As described in adopted plans, the MPPD is responsible for coordinating emergency response and evacuation procedures in the event of a major disaster. As discussed in Section 3.3, *Transportation*, the Proposed Project would have a **less-than-significant impact** with respect to emergency access and would not result in the impairment of emergency response or evacuation plans.

Cumulative Impacts

Impact C-HAZ-1: Cumulative Hazards and Hazardous Materials Impacts. Cumulative development would not result in a significant cumulative impact from hazards and hazardous materials, and the Proposed Project would not be a cumulatively considerable contributor to any significant cumulative impact. (LTS/M)

Summary of Analysis in the ConnectMenlo EIR

The ConnectMenlo EIR analyzed the potential for cumulative impacts that could result from implementing the updates to the Land Use and Circulation Elements and the M-2 Area Zoning Update in combination with other past, present, and reasonably foreseeable future projects in Impact HAZ-9 (page 4.7-30). The ConnectMenlo EIR considered the effects of the ConnectMenlo project combined with effects of past, present, and reasonably foreseeable development on adjacent land in the cities of Palo

⁹⁴ City of Menlo Park. 2021. *Annex to 2021 Multi-jurisdictional Local Hazard Mitigation Plan*. October.

Alto, East Palo Alto, Atherton, Redwood City and Portola Valley, and unincorporated San Mateo County. The ConnectMenlo EIR determined that, through compliance with existing local, regional, state, and federal regulations and safety plans, as well as Mitigation Measures HAZ-4a and HAZ-4b, cumulative impacts associated with hazards and hazardous materials would be less than significant with mitigation.

Cumulative Impacts with the Proposed Project

Consistent with the ConnectMenlo EIR, the geographic context for cumulative hazards and hazardous materials impacts with the Proposed Project includes development in the ConnectMenlo study area in combination with impacts from development on adjacent land in the cities of Palo Alto, East Palo Alto, Atherton, Redwood City, and Portola Valley as well as unincorporated San Mateo County. As noted in Chapter 3, *Environmental Impact Analysis*, of this EIR, in addition to buildout considered in the ConnectMenlo EIR, the cumulative scenario for this EIR also includes the additional unrestricted units at 123 Independence Drive and proposed development in East Palo Alto that previously was subject to a moratorium.

As with the Proposed Project, the 123 Independence Drive project and other projects in the vicinity would be required to comply with existing local, regional, state, and federal regulations as well as safety plans. Hazardous materials would be managed in accordance with existing regulatory requirements, which would reduce the risk of hazardous materials emissions and/or accidental releases that could affect receptors outside work areas. In addition, all projects in the Bayfront area in Menlo Park with known hazardous materials would be required to comply with ConnectMenlo EIR Mitigation Measures HAZ-4a, thereby reducing impacts to less than significant.

The Proposed Project would not result in a substantial change in the ConnectMenlo project and would not cause new or substantially more severe significant impacts related to hazards and hazardous materials. Therefore, the Proposed Project would not be a cumulatively considerable contributor to a significant cumulative impact regarding hazards and hazardous materials. Consistent with the conclusions in the ConnectMenlo EIR, the cumulative impact of the Proposed Project and other past, present, and reasonably foreseeable future projects with respect to hazards and hazardous materials would be ***less than significant with mitigation***. No additional mitigation measures would be required.