
1 Executive Summary

1.1 Introduction

The California Environmental Quality Act (CEQA) requires that local government agencies, before taking action on projects over which they have discretionary approval authority, consider the environmental consequences of such projects. An environmental impact report (EIR) is a document designed to provide the public and local and state governmental agency decision makers an analysis of potential environmental consequences of a project to support informed decision making.

The City of Menlo Park (City) prepared this Draft EIR to provide the public and responsible agencies information about the potential adverse impacts on the local and regional environment associated with implementation of the 123 Independence Drive Residential Project (project or proposed project). This Draft EIR was prepared pursuant to CEQA, codified at California Public Resources Code Section 21000 et seq., and the CEQA Guidelines in the California Code of Regulations, Title 14, Section 15000 et seq.

CEQA requires EIRs to include a brief summary of a project and its environmental consequences. This section provides a summary of the Draft EIR for the project. The summary must include each significant impact with proposed mitigation measures and alternatives that would reduce or avoid that effect; areas of controversy known to the lead agency, including issues raised by agencies and the public; and issues to be resolved, including the choice among alternatives and whether or how to mitigate the significant effects (14 CCR 15123). In accordance with these requirements, this section provides a summary of the project and project impacts, lists mitigation measures and alternatives, describes areas of known controversy, and discusses issues to be resolved.

1.2 Project Location

The approximately 8.15-acre project site (355,185 square feet on Assessor's Parcel Numbers [APNs] 055-236-140, 055-236-180, 055-236-240, 055-236-300, and 055-236-280) is located in the Bayfront Area of the City. The Bayfront Area is generally bounded by San Francisco Bay to the north; Redwood City to the west; East Palo Alto to the southeast; and Bay Road and the Menlo Park neighborhoods of Belle Haven, Flood Triangle, Suburban Park, and Lorelei Manor to the south. The Bayfront Area has historically been developed with industrial, warehousing, and office uses.

Locally, the project site extends northwest from the intersection at Independence Drive and Chrysler Drive, and a portion of the site is bound on the north by Constitution Drive. The site is north of US 101, south of Bayfront Expressway (State Route 84), and east of Marsh Road. Flood Slough is approximately 884 feet (270 meters) northwest of the project site; Ravenswood Slough is 0.5 miles (798 meters) east of the project site.

1.3 Project Objectives

The primary objectives sought by the project are as follows:

- Provide a mix of housing types.
- Help the City and region achieve a better jobs/housing ratio by replacing office space with housing.

- Provide a pedestrian connection between Constitution Drive and Independence Drive to improve pedestrian circulation in the area.
- Alleviate traffic by providing housing close to a jobs center and public transit such as buses and shuttles.
- Develop the site at a sufficient density and intensity to provide the City with community benefits, including affordable housing.
- Provide enough market-rate residential units to have an economically viable and feasible project.
- Provide for-rent and for-sale affordable housing, where the for-sale affordable housing is organized to permit the use of tax-exempt bond financing.
- Support the City’s sustainability goals by complying with the Building Energy Efficiency Standards in the California Building Code (Title 24, Parts 6 and 11) and local energy efficiency requirements and contributing to reduced mobile emissions by siting residential uses in a job-rich area.
- Provide residential and recreational uses in the Bayfront Area consistent with the City’s General Plan policies that promote residential development in the area.

1.4 Project Description

Project Summary

The proposed project would include demolition of five existing office and industrial buildings (a total of approximately 129,511 square feet of building space with a footprint of 103,900 square feet); alteration of the existing parcel boundaries to create five new lots, including four building lots (A, B, C, and D) and one open space lot (Lot 1); construction of 116 for-sale townhomes and 316 rental apartments, along with associated parking and landscaping; and provision of a wide pedestrian walkway (referred to in the site plans and throughout this EIR as a “paseo”) from Constitution Drive to Independence Drive. The complete plan set for the proposed project is provided in Appendix B.

The townhomes would be constructed on the southern half of the project site, adjacent to Independence Drive, to be located on Lots B, C, and D. These lots would contain a total of 116 three-story townhomes with one- or two-car garages that would be oriented to public streets, internal streets, and internal pedestrian pathways. On Lot A, which would comprise the northern portion of the project site, a five-story apartment building would be constructed fronting on Constitution Drive. This building would include 316 apartments providing approximately 224,863 gross square feet of residential uses. The ground floor level of the apartment building would also include a leasing office, two mail rooms, a co-working space, a pet spa, and two lobbies. The second floor would include a fitness room and clubhouse. The third floor would include an approximately 648-square-foot amenity space, for which the specific use or function has not yet been defined. The fifth floor would include an approximately 588-square-foot lounge. Parking for residents would be provided in a parking structure located interior to the building, with one level of parking on the ground-floor level and one level below grade. Two interior courtyards would be placed at the second-floor level, above the parking structure. See Table 3-1 for a list of the proposed project land uses.

Project Construction

If approved, construction of the project is anticipated to begin in 2023 and would occur over a 50-month period in a single, continuous building phase. It is anticipated that the project would be under construction with simultaneous activity on each of the residential lots. Construction staging would take place within the confines of each respective

component; however, if a portion of the project is not under construction, that component would be used for staging, which would include material and equipment storage, and construction trailer parking.

Demolition activities are anticipated to occur over a 13-week period. Site preparation and grading would occur over a 10-week period. Exterior work, such as foundation installation, building construction, and architectural coating, is expected to occur over a 3.75-month period (which would be from September 2024 through May 2028 if demolition begins in September 2023). Paving of the entire site would occur over a 2-month period after the initial exterior work is completed and concurrent with early stages of building construction (generally between November 2024 and January 2025 based on the anticipated September 2023 start of demolition). Residential buildings would be occupied by the end of 2028.

Construction fencing would be installed around the perimeter of the entire project site during construction to prevent pedestrian and non-construction-related vehicle access. As aspects of the project are completed, the construction fencing may be reduced to encompass only the parts of the site that remain under construction.

1.5 Discretionary Actions and Use of This EIR

City Approvals

As lead agency for consideration of the proposed project, the City would be responsible for many of the approvals required for project development. As part of the approval process, the Menlo Park Planning Commission would be required to exercise its independent review to determine whether to certify this EIR as adequate under CEQA, adopt CEQA findings and a Mitigation Monitoring and Reporting Program, and to approve the requested Use Permit, Architectural Control, Below Market Rate Housing Agreement, and Heritage Tree Removal Permit. Approval of the Vesting Tentative Subdivision Map would be at the discretion of the City Council. Brief descriptions of each of these discretionary approvals are provided in Chapter 2.

In addition, a Housing Needs Assessment and a Fiscal Impact Analysis have been prepared for informational purposes. Finally, to qualify for bonus-level development within the R-MU-B zoning district, the proposed project would be required to complete an appraisal process to identify the required value of the community amenities and a financial analysis of the sponsor's proposed community amenities to determine the value of the amenities proposed.

Responsible, Trustee, and Reviewing Agencies

This EIR will be used by responsible agencies and trustee agencies and other reviewing agencies that may have some approval authority or non-approval input related to the proposed project (i.e., to issue a permit), as listed below. The project sponsor would obtain all permits, as required by law.

The project would require the following approvals from other agencies and service districts:

- **Bay Area Air Quality Management District:** Job Number (J) Permit for asbestos removal during demolition; permits for on-site generators, boilers, and other utility equipment
- **California Department of Transportation:** Review of traffic circulation effects and consultation on potential traffic improvements that may affect state highway facilities, ramps, and intersections
- **California Regional Water Quality Control Board/San Mateo Countywide Water Pollution Prevention Program:** Approval of National Pollutant Discharge Elimination System permit for stormwater discharge

- **City/County Association of Governments of San Mateo County:** Review of potential effects on Routes of Regional Significance
- **Menlo Park Fire Protection District:** Residential Site Plan Review
- **Menlo Park Municipal Water:** Approval of water hookups
- **PG&E:** Approval of connection permits
- **San Mateo County Environmental Health Services Division:** Review of on-site generators
- **San Mateo County Transportation Authority:** Review of potential effects on public transit
- **San Mateo County Water Pollution Prevention Program:** C.3 and C.6 Development Review Checklist
- **West Bay Sanitary District:** Approval of wastewater hookups

1.6 Summary of Impacts

Table 1-1 presents a summary of the environmental impacts that could result from the project, mitigation measures, and the level of significance of the impact after implementation of the mitigation measures.

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
Aesthetics			
Impact 4.1-1: Would the project have a substantial adverse effect on a scenic vista?	No Impact	No mitigation measures are required.	N/A
Impact 4.1-2: Would the project substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	No Impact	No mitigation measures are required.	N/A
Impact 4.1-3: In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	Less than Significant	No mitigation measures are required.	N/A
Impact 4.1-4: Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Less than Significant	No mitigation measures are required.	N/A
Impact 4.1-5: Would the project have a cumulative effect on aesthetic resources?	No Impact	No mitigation measures are required.	N/A
Air Quality			
Impact 4.2-1: Would the project conflict with or obstruct implementation of the applicable air quality plan?	Less than Significant	No mitigation measures are required.	N/A
Impact 4.2-2: Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the Project	Potentially Significant	MM 4.2a Fugitive Dust Reduction The project shall implement the following during construction:	Less than Significant Impact with Mitigation Incorporated

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
<p>region is non-attainment under an applicable federal or state ambient air quality standard?</p>		<ol style="list-style-type: none"> 1. All exposed surfaces (e.g., parking/staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. 2. All haul trucks transporting soil, sand, or other loose material off site shall be covered. 3. All visible mud or dirt track-out onto local roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. 4. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph). 5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. 6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. 7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. 	

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		<p>8. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.</p>	
<p>Impact 4.2-3: Would the project expose sensitive receptors to substantial pollutant concentrations?</p>	<p>Potentially Significant</p>	<p>MM 4.2b Construction Equipment Emissions Reductions</p> <p>To reduce the potential for TAC emissions, specifically diesel particulate matter (DPM) as a result of construction of the project, the applicant shall:</p> <p>a. Prior to the start of construction activities, the project applicant, or its designee, shall ensure that all 50-horsepower or greater diesel-powered equipment is powered with California Air Resources Board (CARB)-certified Tier 4 Final engines or better. Such equipment shall be outfitted with Best Available Control Technology (BACT) devices including, but not limited to, a CARB-certified Level 3 Diesel Particulate Filters (DPFs). Additionally, the City shall include this requirement in applicable bid documents, and successful contractor(s) must demonstrate the ability to supply compliant equipment prior to the commencement of the grading activity. A copy of each unit's certified tier specification and CARB or Bay Area Air Quality Management District (BAAQMD) operating permit (if applicable) should be available upon request at the time of mobilization of each applicable unit</p>	<p>Less than Significant Impact with Mitigation Incorporated</p>

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		<p>of equipment. The City should require periodic reporting and provision of written documentation by contractors to ensure compliance, and conduct regular inspections to the maximum extent feasible to ensure compliance.</p> <p>In the event that the City finds that Tier 4 Final construction equipment is not feasible pursuant to California Environmental Quality Act Guidelines Section 15364, the project representatives or contractors must provide written documentation supported by substantial evidence that is reviewed and approved by the City before using other technologies/strategies. Before an exemption may be considered by the City, the applicant shall: (1) be required to demonstrate that two construction fleet owners/operators in the Bay Area region were contacted and that those owners/operators confirmed Tier 4 Final equipment could not be located within the Bay Area region; and (2) the proposed replacement equipment has been evaluated using the California Emissions Estimator Model or other industry standard emission estimation method and documentation provided to the City to confirm the project-generated emissions do not exceed applicable BAAQMD mass daily thresholds of significance.</p> <p>Alternative applicable strategies may include, but would not be limited to, Tier 4 Interim construction equipment and/or reduction in the</p>	

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		<p>number and/or horsepower rating of construction equipment, if appropriate.</p> <p>The construction contractor(s) shall maintain equipment maintenance records for the construction portion of the project. All construction equipment must be tuned and maintained in compliance with the manufacturer's recommended maintenance schedule and specifications. Upon request for inspection, construction contractor(s) shall make available all maintenance records for equipment used on site within one business day (either hardcopy or electronic versions).</p>	
Impact 4.2-4: Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	Less than Significant	No mitigation measures are required.	N/A
Impact 4.2-5: Would the project have a cumulative effect on air quality resources?	Potentially Significant	MM 4.2a MM 4.2b	Less than Significant Impact with Mitigation Incorporated
Biological Resources			
Impact 4.3-1: Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	Potentially Significant	MM 4.3a Pre-construction Surveys for Bat Roosts. To the extent practicable, demolition of existing structures should occur outside the bat maternity season when dependent young would be present, which generally occurs from April to September in California. Prior to the removal of trees or the demolition of buildings, a bat survey shall be performed by a qualified bat biologist no more than 3 days prior to the start of construction activities. A qualified bat biologist shall have at least 2 years of experience	Less than Significant Impact with Mitigation Incorporated

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		<p>conducting bat surveys that resulted in detections for relevant species, such as pallid bat and Townsend’s big-eared bat, with verified project names, dates, and references, and experience with relevant equipment used to conduct bat surveys. The survey should include a determination on whether active bat roosts are present on or within 50 feet of the project site. The survey shall include a visual inspection of potential roosting features (e.g., cavities, crevices in wood and bark, exfoliating bark, suitable canopy for foliage roosting species, attics, eaves).</p> <p>If no evidence of bat roosting is found, the project sponsor shall complete the following:</p> <ul style="list-style-type: none"> ▪ Submit a memorandum prepared by the biologist who completed the survey describing survey methods, conditions, and results of the survey. ▪ No further action is required if the trees and buildings are removed prior to the next breeding season (the following April). ▪ If demolition is not completed by the following April, a new bat survey shall be completed by a qualified biologist no more than three days prior to any further demolition or tree removal. <p>If the survey identifies active bat roosts, or buildings scheduled for demolition, or trees scheduled for removal as potential bat habitat, demolition and tree removal may not begin, or resume, and the project sponsor shall complete the following:</p>	

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		<ul style="list-style-type: none"> ▪ Retain a qualified biologist to conduct an evening visual emergence survey of the source building(s) from 0.5 hours before to 1 or 2 hours after sunset for a minimum of 2 nights, using night-vision goggles and/or passive acoustic detectors/monitoring equipment to assist in species identification. ▪ If roosting is found to occur on site, the project sponsor and qualified biologist must prepare an appropriate bat eviction and exclusion plan which will recognize maternity and winter roosting seasons as vulnerable seasons for bats, and require exclusion outside of these times, for example, dates generally between March 1 and April 15 or September 1 and October 15 are suitable times for exclusion; identify suitable areas for excluded bats to disperse or require installation of appropriate dispersal habitat, such as artificial bat houses, prior to project activities, and include an associated management and monitoring plan with implementation and funding; and include a requirement that exclusion materials shall be re-evaluated for effectiveness by the qualified biologist up to 2 weeks prior to building demolition. Locations and procedures for the implementation of bat boxes shall be determined by a qualified biologist and consultation with the California Department of Fish and Wildlife to reduce the likelihood of mortality of the evicted bats. 	

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		<ul style="list-style-type: none"> ▪ If maternity roosts are identified during the maternity roosting season (between the months of April and September), avoid all disturbance to such roosts until a qualified biologist has determined the young bats are no longer roosting. ▪ If a female or maternity colony of bats is found on the project site, construction activities shall be conducted outside of the maternity roost season (after September 1 and before April 15), if feasible. ▪ If an active maternity roost is documented on-site and the project cannot be conducted outside of the maternity roosting season, a qualified biologist shall implement a construction-free buffer zone around the active roost to ensure the continued success of the colony. Such buffer zones may include a construction-free barrier of 200 feet from the roost. If implementing a construction-free buffer during the maternity roosting season is not feasible for the project, then bats shall be excluded from the site after September 1 and before October 15, and/or after March 1 and before April 15, to prevent the formation of maternity colonies. Non-breeding bats shall be safely evicted under the direction of a qualified biologist. 	

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		<ul style="list-style-type: none"> - If the qualified biologist identifies potential bat habitat trees, then tree trimming and tree removal shall not proceed unless the following occurs: (1) a qualified biologist conducts night emergence surveys or completes visual examination of roost features that establishes absence of roosting bats or (2) tree trimming and tree removal occurs only during seasonal periods of non-breeding bat activity, from approximately March 1 through April 15 and September 1 through October 15, and tree removal occurs using the two-step removal process. Two-step tree removal shall be conducted over two consecutive days. The first day (in the afternoon), under the direct supervision and instruction by a qualified biologist with experience conducting two-step tree removal, limbs and branches shall be removed by a tree cutter using chainsaws only; limbs with cavities, crevices or deep bark fissures shall be avoided. The second day the entire tree shall be removed. 	
<p>Impact 4.3-2: Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</p>	No impact	No mitigation measures are required.	N/A
<p>Impact 4.3-3: Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to,</p>	No impact	No mitigation measures are required.	N/A

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			
Impact 4.3-4: Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Potentially Significant	MM 4.3b Pre-construction Survey for Nesting Birds. If project construction activities are scheduled to occur during the nesting season (March 1 to August 31), a pre-construction nesting bird survey should be conducted by a qualified biologist within 7 days prior to construction activities to determine if any native birds are nesting on or near the project site (including a 250-foot buffer for raptors). If any active nests are observed during surveys, a suitable avoidance buffer will be determined by the qualified biologist based on species, location and planned construction activity. These nests would be avoided until the chicks have fledged and the nests are no longer active as determined by the qualified biologist.	Less than Significant Impact with Mitigation Incorporated
Impact 4.3-5: Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Less than Significant	No mitigation measures are required.	N/A
Impact 4.3-6: Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	No Impact	No mitigation measures are required.	N/A
Impact 4.3-7: Would the project have a cumulative effect on biological resources?	No Impact	No mitigation measures are required.	N/A

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
Cultural Resources			
Impact 4.4-1: Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	No Impact	No mitigation measures are required.	N/A
Impact 4.4-2: Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	Potentially Significant	<p>MM 4.4a Extended Phase I Investigation</p> <p>Prior to issuance of a demolition permit, the City shall verify that the project sponsor has retained a qualified archaeologist, meeting the Secretary of the Interior’s Professional Qualification Standards, to develop and implement an Extended Phase I Archaeological Assessment of the project site to test for buried archaeological deposits to the depth of the project’s grading, trenching, and excavation. This Extended Phase 1 Assessment shall include subsurface testing of the project site through mechanical trenching to allow the archaeologist to observe subsurface conditions and locate any buried cultural deposits, features or artifacts. Following demolition of existing buildings and removal of pavement and other impervious surfaces at the project site and prior to commencement of grading, trenching, and excavation, the Extended Phase I Assessment shall be completed, and the archaeologist shall document any findings and subsurface conditions in an Extended Phase 1 report which shall be submitted to the City. If the Extended Phase I Investigation identifies archaeological resources, the archaeologist shall evaluate the find to determine its significance under CEQA (14 CCR 15064.5[f]; Public Resources Code Section 21082), consistent with MM-4.4b.</p>	Less than Significant Impact with Mitigation Incorporated

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		<p>MM 4.4b Unanticipated Discovery of Archaeological Resources</p> <p>In the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities for the proposed project, all construction work occurring within 50 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior’s Professional Qualification Standards, can evaluate the significance of the find and determine whether or not additional study is warranted. Construction activities may not resume in the area immediate to the discovery until authorized by the archaeologist. Depending upon the significance of the find under CEQA (14 CCR 15064.5[f]; Public Resources Code Section 21082), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work such as preparation of an archaeological or tribal cultural treatment plan, testing, or data recovery would be warranted. Examples of treatment for archaeological resources, in no order of preference, may include, but are not limited to, any of the following: (1) avoiding the resource, (2) establishing a permanent conservation easement over the resource, (3) capping or covering archaeological site with a layer of soil before building on the site, and (4) having parks, greenspace, or other open space incorporate the archaeological site. Excavation and curation shall be the last considered treatment for archaeological resources.</p>	

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
Impact 4.4-3: Would the project disturb any human remains, including those interred outside of dedicated cemeteries?	Less than Significant	No mitigation measures are required.	N/A
Impact 4.4-4: Would the project have a cumulative effect on cultural resources?	Less than Significant	MMs 4.4a and 4.4b as listed above.	Less than Significant Impact with Mitigation Incorporated
Energy			
Impact 4.5-1: Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	Less than Significant	No mitigation measures are required.	N/A
Impact 4.5-2: Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	Less than Significant	No mitigation measures are required.	N/A
Impact 4.5-3: Would the project have a cumulative effect on energy resources?	Less than Significant	No mitigation measures are required.	N/A
Geology and Soils			
Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:			
a. Impact 4.6-1: Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	No Impact	No mitigation measures are required.	N/A
b. Impact 4.6-2: Strong seismic ground shaking?	Less than Significant	No mitigation measures are required.	N/A
c. Impact 4.6-3: Strong seismic-related ground failure, including liquefaction?	Less than Significant	No mitigation measures are required.	N/A
d. Impact 4.6-4: Landslides?	Less than Significant Impact	No mitigation measures are required.	N/A

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Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
<p>Impact 4.6-5: Would the project result in substantial soil erosion or the loss of topsoil?</p>	<p>Less than Significant Impact</p>	<p>No mitigation measures are required.</p>	<p>N/A</p>
<p>Impact 4.6-6: Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?</p>	<p>Potentially Significant</p>	<p>MM 4.6a Prior to issuance of a grading permit, the project developer shall submit to the City an analysis prepared by a qualified geotechnical consultant regarding the effects of dewatering on nearby buildings and the proposed design of the shoring and dewatering systems and confirming that the geotechnical aspects of the proposed shoring system meets the Geotechnical Investigation requirements. The analysis shall demonstrate that the shoring and dewatering systems minimize the amount of dewatering required and that dewatering will not result in structural damage to improvements on adjacent properties. If the estimated settlements are not acceptable, the dewatering and shoring system shall include measures to reduce settlement, such as installing a secant pile or continuous soil-cement mix wall to shore the excavation as well as cut off lateral groundwater flow, thus reducing the amount of dewatering required from within the excavation.</p> <p>MM 4.6b Prior to issuance of a grading permit, the City shall ensure that the proposed grading and construction schedule provides for fill placement to occur a minimum of 3 months prior to foundation installation, consistent with the recommendations provided in the Geotechnical Investigation prepared for the project by Rockridge Geotechnical.</p>	<p>Less than Significant Impact with Mitigation Incorporated</p>

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
Impact 4.6-7: Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial direct or indirect risks to life or property?	No Impact	No mitigation measures are required.	N/A
Impact 4.6-8: Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	No Impact	No mitigation measures are required.	N/A
Impact 4.6-9: Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Potentially Significant	<p>MM 4.6c</p> <p>In the event that fossils or fossil bearing deposits are discovered during ground-disturbing activities, excavations within a 50-foot radius of the find shall be temporarily halted or diverted. Ground disturbance work shall cease until a City-approved qualified paleontologist determines whether the resource requires further study. The paleontologist shall document the discovery as needed (in accordance with Society of Vertebrate Paleontology standards [Society of Vertebrate Paleontology 1995]), evaluate the potential resource, and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction activities are allowed to resume at the location of the find. If avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of construction activities on the discovery. The excavation plan shall be submitted to the City of Menlo Park for review and approval prior to</p>	Less than Significant Impact with Mitigation Incorporated

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		implementation, and all construction activity shall adhere to the recommendations in the excavation plan (ConnectMenlo EIR MM CULT-3).	
Impact 4.6-10: Would the project make a cumulatively considerable contribution to a significant cumulative impact related to geology, soils, seismicity, or paleontological resources?	Potentially Significant	MMs 4.6a, 4.6b, and 4.6c as listed above.	Less than Significant Impact with Mitigation Incorporated
Greenhouse Gas Emissions			
Impact 4.7-1: Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Less than Significant	No mitigation measures are required.	N/A
Impact 4.7-2: Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Less than Significant	No mitigation measures are required.	N/A
Impact 4.7-3: Would the project have a cumulative effect on greenhouse gas emissions?	Less than Significant	No mitigation measures are required.	N/A
Hazards and Hazardous Materials			
Impact 4.8-1: Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Less than Significant	No mitigation measures are required.	N/A
Impact 4.8-2: Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Potentially Significant	MM 4.8a Construction at the sites of any site in the City with known contamination, shall be conducted under a project-specific Environmental Site Management Plan (ESMP) that is prepared in consultation with the Regional Water Quality Control Board (RWQCB) or	Less than Significant Impact with Mitigation Incorporated

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		<p>the Department of Toxic Substances Control (DTSC), as appropriate. The purpose of the ESMP is to protect construction workers, the general public, the environment, and future site occupants from subsurface hazardous materials previously identified at the site and to address the possibility of encountering unknown contamination or hazards in the subsurface. The ESMP shall summarize soil and groundwater analytical data collected on the project site during past investigations; identify management options for excavated soil and groundwater, if contaminated media are encountered during deep excavations; and identify monitoring, irrigation, or other wells requiring proper abandonment in compliance with local, State, and federal laws, policies, and regulations (ConnectMenlo EIR MM HAZ-4a) The ESMP shall include measures for identifying, testing, and managing soil and groundwater suspected of or known to contain hazardous materials.</p> <p>The ESMP shall: (1) provide procedures for evaluating, handling, storing, testing, and disposing of soil and groundwater during project excavation and dewatering activities, respectively; (2) describe required worker health and safety provisions for all workers potentially exposed to hazardous materials in accordance with State and federal worker safety regulations; and (3) designate personnel responsible for implementation of the ESMP.</p> <p>MM 4.8b</p> <p>For those sites throughout the city with potential residual contamination in soil, gas, or groundwater</p>	

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		<p>that are planned for redevelopment with an overlying occupied building, a vapor intrusion assessment shall be performed by a licensed environmental professional. If the results of the vapor intrusion assessment indicate the potential for significant vapor intrusion into an occupied building, project design shall include vapor controls or source removal, as appropriate, in accordance with regulatory agency requirements. Soil vapor mitigations or controls could include vapor barriers, passive venting, and/or active venting. The vapor intrusion assessment and associated vapor controls or source removal can be incorporated into the ESMP required under MM 4.8a. (ConnectMenlo EIR MM HAZ-4b).</p> <p>MM 4.8c</p> <p>Prior to commencement of any demolition or construction activities, the project applicant shall prepare a Hazardous Materials Health and Safety Plan that identifies required practices and procedures to protect the general public and construction workers from potentially hazardous materials and accidental release of hazardous materials. The practices and procedures shall include spill prevention, cleanup and evacuation procedures as well as procedures to be followed in the event that previously undiscovered hazardous materials are encountered during construction. The Hazardous Materials Health and Safety Plan shall demonstrate compliance with California Code of Regulations, Title 8, Chapter 4: Subchapter 4: Construction Safety Orders; Subchapter 5: Electrical Safety Orders; and Subchapter 7: General Industry</p>	

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		<p>Safety Orders as well as California Health and Safety Code, Section 25100 et seq.: Hazardous Waste Control Act.</p> <p>The Hazardous Materials Health and Safety Plan shall also include provisions for completion of a comprehensive survey within each existing building to identify asbestos-containing materials (ACM) and lead-based paints (LBP) prior to any demolition activities and shall define procedures for managing demolition activities such that ACM and LBP are not released into the air and worker exposure to ACM and LBP is avoided. These procedures shall be sufficient to ensure that demolition of buildings containing ACM and/or LBP and disposal of these materials will be conducted in accordance with local, state, and federal regulations, including the U.S. Environmental Protection Agency’s (EPA’s) Asbestos National Emissions Standards for Hazardous Air Pollutants, the California Occupational Safety and Health Administration’s Construction Lead Standard (8 CCR 1532.1), California Department of Toxic Substances Control, EPA requirements for disposal of hazardous waste, and Bay Area Air Quality Management District (BAAQMD) Regulation 11, Hazardous Pollutants Rule 2: Asbestos Demolition, Renovation And Manufacturing. At least 10 days prior to demolition, the project applicant and/or construction contractor shall submit an Asbestos Notification to BAAQMD and obtain an Asbestos Demolition/Renovation job number. Disposal of any ACM and/or LBP found on the site shall be carried out by a contractor trained and qualified to conduct lead- or asbestos-related construction work and in</p>	

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		accordance with the appropriate state and federal standards to ensure that these materials are not released into the air in the project vicinity.	
Impact 4.8-3: Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Potentially Significant	MM 4.2b as listed above.	Less than Significant Impact with Mitigation Incorporated
Impact 4.8-4: Would the project 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, would it create a significant hazard to the public or the environment?	No Impact	No mitigation measures are required.	N/A
Impact 4.8-5: For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	No Impact	No mitigation measures are required.	N/A
Impact 4.8-6: Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	No Impact	No mitigation measures are required.	N/A
Impact 4.8-7: Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	No Impact	No mitigation measures are required.	N/A
Impact 4.8-8: Would the project have a cumulative effect on hazards or hazardous materials?	Less than Significant	No mitigation measures are required.	N/A

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
Hydrology and Water Quality			
Impact 4.9-1: Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	Less than Significant	No mitigation measures are required.	N/A
Impact 4.9-2: Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	Less than Significant	No mitigation measures are required.	N/A
Impact 4.9-3: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site?	No Impact	No mitigation measures are required.	N/A
Impact 4.9-4: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?	No Impact	No mitigation measures are required.	N/A
Impact 4.9-5: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would create or contribute runoff water which would exceed the capacity of	No Impact	No mitigation measures are required.	N/A

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			
Impact 4.9-6: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows?	Less than Significant	No mitigation measures are required.	N/A
Impact 4.9-7: In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?	Less than Significant	No mitigation measures are required.	N/A
Impact 4.9-8: Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Less than Significant	No mitigation measures are required.	N/A
Impact 4.9-9: Would the project have a cumulative effect on hydrology or water quality resources?	No Impact	No mitigation measures are required.	N/A
Land Use and Planning			
Impact 4.10-1: Would the project physically divide an established community?	No Impact	No mitigation measures are required.	N/A
Impact 4.10-2: Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	Less than Significant Impact	No mitigation measures are required.	N/A
Impact 4.10-3: Would the project make a cumulatively considerable contribution to a significant cumulative impact related to land use and planning?	Less than Significant	No mitigation measures are required.	N/A

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
Noise			
<p>Impact 4.11-1: Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</p>	<p>Potentially Significant Impact</p>	<p>MM 4.11a</p> <p>Project applicants shall minimize the exposure of nearby properties to excessive noise levels from construction related activity through CEQA review, conditions of approval and/or enforcement of the City's Noise Ordinance. Prior to issuance of demolition, grading, and/or building permits for development projects, a note shall be provided on development plans indicating that during ongoing grading, demolition, and construction, the property owner/developer shall be responsible for requiring contractors to implement the following measures to limit construction related noise:</p> <ul style="list-style-type: none"> ▪ Construction activity is limited to the daytime hours between 8:00 a.m. to 6:00 p.m. on Monday through Friday, as prescribed in the City's municipal code. ▪ All internal combustion engines on construction equipment and trucks are fitted with properly maintained mufflers, air intake silencers, and/or engine shrouds that are no less effective than as originally equipped by the manufacturer. ▪ Stationary equipment such as generators and air compressors shall be located as far as feasible from nearby noise-sensitive uses. ▪ Stockpiling is located as far as feasible from nearby noise-sensitive receptors. ▪ Limit unnecessary engine idling to the extent feasible. ▪ Limit the use of public address systems. 	<p>Less than Significant Impact with Mitigation Incorporated</p>

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		<ul style="list-style-type: none"> ▪ Construction traffic shall be limited to the haul routes established by the City of Menlo Park. <i>(Modified ConnectMenlo MM NOISE-1c)</i> <p>MM 4.11b Construction Noise Control Plan</p> <p>The project sponsor shall develop a noise control plan for construction at the project site. The plan shall require compliance with Section 8.06 of the Menlo Park Municipal Code and include measures to ensure compliance with the 60 dBA L_{eq} limit during the hours of 7:00 a.m. to 8:00 a.m. and the 50 dBA L_{eq} limit during the hours of 10:00 p.m. to 7:00 a.m. In addition, the plan shall include measures to ensure that construction noise will not result in a 10 dB increase over the ambient noise level at nearby sensitive receptors (i.e., Hotel Nia).</p> <p>The plan shall specify the noise-reducing construction practices that will be employed to reduce noise from construction activities in Menlo Park and shall demonstrate that compliance with these standards will be achievable. The measures specified by the project sponsor shall be reviewed and approved by the City prior to issuance of building permits. Measures to reduce noise may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> ▪ The noise control plan shall demonstrate that noise levels during construction on the project site will meet the standards of this mitigation measure at sensitive receptors while those receptors are in use. 	

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		<ul style="list-style-type: none"> ▪ The noise control plan shall demonstrate that any construction activities taking place outside of normal construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday shall comply with the 60 dBA L_{eq} limit during the hours of 7:00 a.m. to 8:00 a.m. and the 50 dBA L_{eq} limit during the hours of 10:00 p.m. to 7:00 a.m. ▪ The plan shall demonstrate that that combined construction noise would not result in a 10 dBA increase over the ambient noise level at nearby sensitive receptors. ▪ The contractor shall ensure that construction equipment will be equipped with mufflers. In addition, construction equipment must use the best available noise control techniques (e.g., improved mufflers, intake silencers, ducts, engine enclosures, acoustically attenuating shields, shrouds) on equipment and trucks used for project construction. ▪ All construction activities shall be conducted only at an adequate distance, or otherwise shielded with sound barriers, as determined in the noise control plan, from noise- sensitive receptors when working outside the normal construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday to ensure compliance with the Menlo Park Municipal Code and this mitigation measure. 	

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		<ul style="list-style-type: none"> ▪ Stationary construction noise source with the potential to generate noise levels exceeding the applicable thresholds, shall be located at an adequate distance, or otherwise shielded with temporary sound barriers, from sensitive receptors to ensure compliance with the Menlo Park Municipal Code and this mitigation measure. ▪ Temporary noise barriers (height to be determined) shall be installed around construction on the project site to reduce construction noise from equipment used outside the normal construction hours of 8:00 a.m. to 6:00 p.m. on weekdays. The installation of barriers would help reduce overall construction noise to less than 50 dBA L_{eq} for work occurring between 6:00 a.m. and 7:00 a.m. and 60 dBA L_{eq} for work occurring between 7:00 a.m. and 8:00 a.m., as measured at the applicable property lines of the adjacent uses, such that a 10 dB increase over ambient would not occur at nearby sensitive land uses. However, confirmation of the noise reduction would be required (per the last bullet of this measure, below). If the project sponsor can demonstrate, through an acoustical analysis, that construction noise would not exceed the allowable limits during non-exempt hours, as measured at the applicable property lines of the adjacent uses without barriers, then temporary noise barriers shall not be required. 	

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		<ul style="list-style-type: none"> ▪ The effectiveness of noise attenuation measures shall be monitored by taking noise measurements at nearby noise-sensitive land uses during construction activities to ensure that the project is not causing an increase over ambient levels greater than 10 dB and compliance with the 50 and 60 dBA L_{eq} standards, which apply outside the construction exception hours of 8:00 a.m. and 6:00 p.m. Monday through Friday. 	
Impact 4.11-2: Would the project result in generation of excessive groundborne vibration or groundborne noise levels?	Less than Significant	No mitigation measures are required.	N/A
Impact 4.11-3: Would the project result in cumulatively considerable noise impacts?	Potentially Significant	MMs 4.11a and 4.11b as listed above.	Less than Significant Impact with Mitigation Incorporated
Population and Housing			
Impact 4.12-1: Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	Less than Significant	No mitigation measures are required.	N/A
Impact 4.12-2: Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	No Impact	No mitigation measures are required.	N/A
Impact 4.12-3: Would the project have a cumulative effect on housing and/or population resources?	Less than Significant	No mitigation measures are required.	N/A

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
Public Services			
Impact 4.13-1: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:			
Fire protection?	Less than Significant	No mitigation measures are required.	N/A
Police protection?	Less than Significant	No mitigation measures are required.	N/A
Schools?	Less than Significant	No mitigation measures are required.	N/A
Parks?	Less than Significant	No mitigation measures are required.	N/A
Other public facilities?	Less than Significant	No mitigation measures are required.	N/A
Impact 4.13-2: Would the project increase the use of existing neighborhood or regional parks, or other recreational facilities requiring the construction of new parks?	Less than Significant	No mitigation measures are required.	N/A
Impact 4.13-3: Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	Less than Significant	No mitigation measures are required.	N/A
Impact 4.13-4: Would the project contribute to a cumulative increase in demand for fire services, which could result in the need to construct new fire facilities?	Less than Significant	No mitigation measures are required.	N/A
Impact 4.13-5: Would the project contribute to a cumulative increase in demand for police services, which could result in the need to construct new police facilities?	No Impact	No mitigation measures are required.	N/A
Impact 4.13-6: Would the project contribute to a cumulative increase in demand for schools, which could result in the need to construct of new school facilities?	No Impact	No mitigation measures are required.	N/A

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
Impact 4.13-7: Would the project contribute to a cumulative increase in demand for parks or other recreational/public facilities, which could result in the need to construct new parks or facilities?	No Impact	No mitigation measures are required.	N/A
Transportation			
Impact 4.14-1: Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	Less than Significant	No mitigation measures are required.	N/A
Impact 4.14-2: Would the project exceed an applicable VMT threshold of significance?	Less than Significant	No mitigation measures are required.	N/A
Impact 4.14-3: Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Less than Significant	No mitigation measures are required.	N/A
Impact 4.14-4: Would the project result in inadequate emergency access?	Less than Significant	No mitigation measures are required.	N/A
Impact 4.14-5: Would the project have a cumulative effect on transportation resources?	Less than Significant	No mitigation measures are required.	N/A
Tribal Cultural Resources			
Impact 4.15-1: Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or	Potentially Significant	MM 4.15a Unanticipated Discovery of Tribal Cultural Resources. In the event that resources with potential to meet the definition of a “Tribal Cultural Resource” (archaeological sites, features, or artifacts of Native American origin or association) are exposed during construction activities, the City shall be immediately	Less than Significant Impact with Mitigation Incorporated

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
<p>object with cultural value to a California Native American tribe, and that is:</p> <ul style="list-style-type: none"> • Listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code Section 5020.1(k); or • A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. 		<p>notified and all construction work occurring within 50 feet of the find shall immediately stop until the find is assessed by a qualified archaeologist. A report documenting the resource assessment shall be submitted to the City. The City shall review this information to assess if the resource has potential to meet the definition of a Tribal Cultural Resource and, if appropriate, contact and/or provide a designated individual the authority to notify traditionally and culturally affiliated Native American tribes. The tribes shall be provided a reasonable time to provide comment and recommend treatment of the find. The City shall review these recommendations and, if they are confirmed to be reasonable and appropriate, they shall be implemented by the contractor. All management strategies shall occur in compliance with cultural resources mitigation and pertinent regulatory conditions. Treatment for tribal cultural resources would be consistent with PRC Section 21084.3(b), which recommends: (1) avoidance and preservation of the resources in place, including planning and construction to avoid the resources and protect the cultural and natural context, or planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria; (2) treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including the following: (a) protecting the cultural character and integrity of the resource, (b) protecting the traditional use of the resource, and (c) protecting the confidentiality of the resource;</p>	

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		(3) permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places; or (4) protecting the resource.	
Impact 4.15-2: Would the project make a cumulatively considerable contribution to a significant cumulative impact related to tribal cultural resources?	Less than Significant	No mitigation measures are required.	N/A
Utilities and Service Systems			
Impact 4.16-1: Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects for the following resources?			
Water treatment?	Less than Significant	No mitigation measures are required.	N/A
Wastewater conveyance and treatment?	Less than Significant	No mitigation measures are required.	N/A
Stormwater management	Less than Significant	No mitigation measures are required.	N/A
Electrical supply?	No Impact	No mitigation measures are required.	N/A
Telecommunications?	Less than Significant	No mitigation measures are required.	N/A
Impact 4.16-2: Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	Less than Significant	No mitigation measures are required.	N/A
Impact 4.16-3: Would the project result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	Less than Significant	No mitigation measures are required.	N/A

Table 1-1. Summary of Project Impacts

Impacts	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
Impact 4.16-4: Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Less than Significant	No mitigation measures are required.	N/A
Impact 4.16-5: Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	No Impact	No mitigation measures are required.	N/A
Impact 4.16-6: Would the project have a cumulative effect on utilities and/or service systems resources?	Less than Significant	No mitigation measures are required.	N/A

1.7 Alternatives to the Project

Section 15126.6(a) of the CEQA Guidelines states that an EIR shall describe “a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project,” as well as provide an evaluation of “the comparative merits of the alternatives.” Under CEQA Guidelines Section 15126.6(a), an EIR does not need to consider alternatives that are not feasible, nor does it need to address every conceivable alternative to the project. The range of alternatives “is governed by the ‘rule of reason’ that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice” (14 CCR 15126.6[f]).

A brief overview of each alternative selected for analysis is provided below. Chapter 7, Alternatives, provides additional description of each alternative and presents analysis comparing the impacts of each alternative to those of the proposed project.

1. **Alternative 1: No Project/No Development Alternative.** This alternative assumes no development would occur, and the site would remain in its current condition. The existing commercial buildings would remain untouched and multi-use residential buildings would not be constructed.
2. **Alternative 2: Mixed-Use Alternative.** The Mixed-Use Alternative (Alternative 2) would be similar to the originally proposed project design but would modify the original project design to introduce a retail land use component within the project site and increase the number of dwelling units. This alternative would include demolishing existing site buildings and constructing 316 rental apartments within one 5-story building, 67 3-story townhomes, approximately 81,500 square feet of office space and 8,500 square feet of retail, a neighborhood park, common areas, and associated parking.
3. **Alternative 3: Base-level Development Alternative.** The Base-level Development Alternative would involve reduced development compared to the proposed project. This alternative would include demolition of existing site buildings, and construction of both residential apartments and townhomes with a reduced number of residential units. With less developed building space, this alternative would also allow for increased open space compared to the proposed project.

Environmentally Superior Alternative

Each alternative is compared to the proposed project and discussed in terms of its potential adverse effects on the environment. This analysis demonstrates that the Base-Level Alternative (Alternative 3) would result in similar and/or less adverse impacts associated with construction and operation compared to the proposed project. Thus, Alternative 3 is identified as the environmentally superior alternative. Specifically, this alternative would reduce construction-related air quality impacts, would slightly reduce the potential to uncover cultural resources during construction, would generate less noise during construction and operation, and would reduce demands for public services, recreation, and utilities. However, this alternative would not fully achieve the project objectives to provide a sufficient density and intensity of housing in order to best achieve a better jobs/housing ratio at the project site; would provide fewer affordable housing units than the proposed project, both in terms of absolute numbers of units as well as the percentage of affordable units relative to the total development; and would be less effective at helping to alleviate traffic because it would provide fewer residential units close to a jobs center.

1.8 Areas of Controversy/Issues to Be Resolved

As discussed in Chapter 2, Introduction, and Section 4.0, Environmental Analysis, two Notices of Preparation (NOPs) were circulated for this EIR, one in January and February 2021, and one in September and October 2021. Written comments received in response to each NOP identify the potential areas of controversy and project issues to be resolved. Both NOPs and the comments received in response to them are provided in Appendix A of this EIR. A summary of these written comment letters is provided in Table 1-2.

Table 1-2. Summary of Notice of Preparation Comments

Commenter	Date	Summary of Environmental Issues Raised
State Agency		
California Department of Fish and Wildlife	February 2, 2021	<ul style="list-style-type: none"> ▪ A complete project description is necessary to adequately evaluate potential impacts to fish and wildlife resources, including building heights/widths, sources of light and glare, stormwater or effluent drainage outlet systems, and fencing details. ▪ Existing vegetation and buildings within the project site could support nesting birds and bats, specific recommendations for mitigation measures are provided.
California Department of Transportation	February 8, 2021, and October 8, 2021	<ul style="list-style-type: none"> ▪ Potential increases in vehicle miles traveled (VMT) could occur. ▪ If a significant increase in VMT occurs, mitigation should support use of transit and active transportation modes and should include a Transportation Demand Management Program. ▪ Potential adverse effects to pedestrian, bicycle, and transit travel modes could occur. ▪ Project-generated travel demand may warrant new transit facilities.
Native American Heritage Commission	January 11, 2021, and September 13, 2021	<ul style="list-style-type: none"> ▪ A cultural resources assessment, records search, and Native American notification is warranted.
Local Agency		
Sequoia Union High School District	February 8, 2021, and October 11, 2021	<ul style="list-style-type: none"> ▪ Potential air quality impacts to local schools could occur. ▪ Potential noise impacts to local schools could occur. ▪ Potential adverse effects to pedestrian and bicycle safety, particularly for school-related travel, could occur. ▪ Potential adverse effects to school bus routes and safety of students traveling by vehicle and bus could occur. ▪ District's ability to serve project-specific and cumulative population increases and potential need for expanded or new school facilities is a concern. ▪ The potential for project-specific and cumulative growth to adversely affect public infrastructure that serves local schools is a concern.
Matthew Zeto, Chief Officer for Sequoia Union	January 25, 2021	<ul style="list-style-type: none"> ▪ Potential project-specific and cumulative air quality, noise, and transportation effects on students at local schools could occur.

Table 1-2. Summary of Notice of Preparation Comments

Commenter	Date	Summary of Environmental Issues Raised
High School District		
Individuals		
Conroy, Dorothy	January 25, 2001	<ul style="list-style-type: none"> ▪ Potential contribution to greenhouse gas emissions, which can be reduced with on-site solar generation, could occur. ▪ Adverse air quality effects due to tree removal could occur. ▪ Adverse effects due to increased water consumption, particularly in drought conditions, could occur. ▪ The need for meaningful green space should be addressed.
DeCardy	January 25, 2021	<ul style="list-style-type: none"> ▪ Potential adverse cumulative transportation effects could occur.
Fry, Patti	September 16, 2021	<ul style="list-style-type: none"> ▪ Potential for light, noise, windows, and household pets to affect wildlife in the Baylands and Bedwell Bayfront Park is a concern.
Jones, Pam	January 25, 2001, and September 27, 2021	<ul style="list-style-type: none"> ▪ Potential effects to Native American resources could occur. ▪ Potential adverse cumulative transportation effects on residential neighborhoods could occur. ▪ The Housing Needs Assessment should reflect consideration of SB 1000 Environment Justice Element and the Investment/Disinvestment Facebook Housing Study. ▪ The Housing Needs Assessment should consider potential displacement of existing residents. ▪ Appropriate numbers of Below Market Rate (BMR) units should be provided.
Novello, Kim	January 25, 2021	<ul style="list-style-type: none"> ▪ The need for adequate open space and vegetation should be addressed.

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