

Initial Study 1125 O'Brien Drive Project



Prepared by:
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Prepared for:
City of Menlo Park

July 2021

1125 O'BRIEN DRIVE PROJECT INITIAL STUDY

PREPARED FOR:

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Acronyms and Abbreviations

AB	Assembly Bill
ABAG	Association of Bay Area Governments
ADA	Americans with Disabilities Act
APN	assessor’s parcel number
BART	Bay Area Rapid Transit
Basin Plan	San Francisco Bay Basin (Region 2) Water Quality Control Plan
Bay	San Francisco Bay
Bayfront Park	Bedwell Bayfront Park
BMPs	best management practices
BRA	biological resources assessment
CalRecycle	California Department of Resources Recycling and Recovery
Caltrans	California Department of Transportation
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFR	Code of Federal Regulations
CGS	California Geological Survey
City	City of Menlo Park
CNDDDB	California Natural Diversity Database
CNEL	community noise equivalent level
ConnectMenlo	City of Menlo Park General Plan and M-2 Area Zoning Update
CRHR	California Register of Historical Resources
CRHR	California Register of Historical Resources
CSD	City School District
cy	cubic yards
dB	decibel
dba	A-weighted decibels
DPR	Department of Park and Recreation
EIR	environmental impact report
EPA	U.S. Environmental Protection Agency
ESA	Endangered Species Act
ESMP	Environmental Site Management Plan
EV	electric vehicle

FAR	floor area ratio
Farmland	Prime Farmland, Unique Farmland, or Farmland of Statewide Importance
FTE	full-time equivalent
gsf	gross square feet
HCP	habitat conservation plan
HVAC	heating, ventilation, and air-conditioning
I-280	Interstate 280
in/sec	inch per second
in/sec	inch per second
kW	kilowatt
L_{dn}	day-night level
LEED	Leadership in Energy and Environmental Design
L_{eq}	equivalent sound level
L_{max}	maximum sound level
L_{min}	minimum sound level
LS	Life Sciences
LS-B	Life Science-Bonus
LT	long term
M-2	General Industrial
MBTA	Migratory Bird Treaty Act
mgd	million gallons per day
mgY	million gallons per year
min	minimum
MMRP	mitigation monitoring and reporting program
MPFPD	Menlo Park Fire Protection District
MPPD	Menlo Park Police Department
MRZ	Mineral Resource Zone
NAHC	Native American Heritage Commission
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
NWIC	Northwest Information Center
O	Office
PCE	Peninsula Clean Energy
Peninsula	San Francisco Peninsula
PG&E	Pacific Gas & Electric
ppd	pounds per day
PPV	peak particle velocity

PPV	peak particle velocity
PRC	Public Resources Code
Project	1125 O'Brien Drive Project
Project Sponsor	O'Brien Drive Portfolio, LLC
Qaf	fine-grained alluvium
Qam	medium-grained alluvium
Qm	Bay Mud
Qu	Holocene and Pleistocene alluvial and basin deposits, undivided
R-MU	Residential-Mixed Use
R&D	research and development
Refuge	Don Edwards San Francisco Bay National Wildlife Refuge
RWQCB	Regional Water Quality Control Board
sf	square foot
SFPUC	San Francisco Public Utilities Commission
Shoreway	Shoreway Environmental Center
SR	State Route
SSC	Species of Special Concern
ST	short term
SUHSD	Sequoia Union High School District
SVCW	Silicon Valley Clean Water
SWPPP	stormwater pollution prevention plan
TDM	Transportation Demand Management
TIA	Transportation Impact Assessment
TMDLs	total maximum daily loads
USTs	underground storage tanks
UWMP	Urban Water Management Plan
VEC	vapor encroachment condition
VES	vapor encroachment screening
VMT	vehicle miles traveled
WRA	WRA, Inc.
WSA	Water Supply Assessment
WSCP	Water Shortage Consistency Plan
WTP	water treatment plant
WWTP	wastewater treatment plant

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1. Introduction

Project Overview

O'Brien Drive Portfolio, LLC (Project Sponsor), is proposing to construct an approximately 131,825-gross-square-foot (gsf) building for research-and-development (R&D) uses as well as accessory office uses associated with life sciences, along with a 500-square-foot (sf) chemical storage area, roof terrace, and ground-floor commercial space, as part of the 1125 O'Brien Drive Project (Proposed Project). The Project site, in the existing Menlo Park Labs campus, includes three single-story buildings (located at 1105, 1125, and 1165 O'Brien Drive), totaling approximately 38,911 gsf. The Project Sponsor would demolish the existing buildings and merge the underlying parcels, as well as an adjacent drainage ditch parcel, into one lot, tentatively addressed as 1125 O'Brien Drive; this combined parcel is referred to as Parcel 1 or the Development Lot. In addition, the Project site includes a 1.68-acre parcel adjacent to Parcel 1, which is currently developed with an approximately 20,955 gsf, single-story building at 1 Casey Court, referred to as Parcel 2 or the Accessory Parking Lot. The existing building would be demolished as part of the Proposed Project.

The Proposed Project would add a five-story R&D/office building on Parcel 1. Approximately 249 surface parking stalls would be provided as part of the Proposed Project, with 89 stalls located in a surface parking lot west of the proposed building and an additional 160 parking stalls located on Parcel 2. The Proposed Project represents 71,959 net new gsf of R&D space and 89 net new parking spaces. The roof of the proposed building would have an approximately 6,600 sf roof deck with landscaped areas and seating for use by employees of the Menlo Park Labs campus. The Project site would continue to be accessible from two driveways on O'Brien Drive as well as one on Casey Court. The primary entrance/exit for employees would be at the southwest corner of the Project site. In addition, a secondary driveway would be provided in the northeast portion of the Project site, and a curb cut out would be included at the front of the proposed building on O'Brien Drive. The Project site would also be accessible to bicyclists and pedestrians from planned bicycle lanes and sidewalks along O'Brien Drive. In addition, bicycle and pedestrian connections and linkages are proposed as part of a separate project along the entire length of O'Brien Drive from Willow Road to University Avenue.

The Project site is within the City of Menlo Park (City) General Plan and M-2 Area Zoning Update (ConnectMenlo) study area and, therefore, within the scope of the programmatic ConnectMenlo environmental impact report (EIR). As discussed in more detail below, in accordance with the requirements outlined in Section 15168 of the California Environmental Quality Act (CEQA) Guidelines, this Initial Study has been prepared to disclose the relevant impacts and mitigation measures covered in the ConnectMenlo EIR and discuss whether the Proposed Project is within the parameters of the ConnectMenlo EIR.

Purpose of This Initial Study

This Initial Study has been prepared by the Proposed Project's lead agency, the City, in conformance with the provisions of CEQA and 14 California Code of Regulations, Chapter 3 (CEQA Guidelines). The lead agency is the public agency with principal responsibility for carrying out or approving a project. Environmental checklists, as included in this Initial Study, are to be completed for all projects that are

subject to environmental review under CEQA. The information, analysis, and conclusions contained in the environmental checklist form the basis for deciding whether an EIR, a negative declaration, or a mitigated negative declaration should be prepared. Where only certain topic areas warrant analysis in an EIR, the document is referred to as a Focused EIR.

ConnectMenlo EIR

The Project site is within the ConnectMenlo study area. ConnectMenlo, which updated the City's General Plan Land Use and Circulation Elements and rezoned land in the M-2 Area, now referred to as the Bayfront Area, was approved on November 29, 2016. It serves as the City's comprehensive and long-range guide to land use and infrastructure development. ConnectMenlo's Land Use Element identifies an allowable increase in net new development potential of up to 2.3 million gsf for non-residential uses, up to 4,500 residential units, and up to 400 hotel rooms in the Bayfront Area.

Because the City's General Plan is a long-range planning document, the ConnectMenlo EIR was prepared as a Program EIR, pursuant to CEQA Guidelines Section 15168. Once a Program EIR has been certified, subsequent activities within the program must be evaluated to determine whether additional CEQA review is needed. However, if the Program EIR addresses a program's effects in adequate detail, subsequent activities could be found to be within the Program EIR's scope, and additional environmental review may not be required, unless one of the thresholds for subsequent environmental review is met (CEQA Guidelines Section 15168[c]). When a Program EIR is relied on for subsequent activities, the lead agency must incorporate feasible mitigation measures into subsequent activities as well as the alternatives developed in the Program EIR (CEQA Guidelines Section 15168[c][3]). If a subsequent activity would have effects that are not within the scope of a Program EIR, the lead agency must prepare a new Initial Study, leading to a negative declaration, a mitigated negative declaration, or an EIR (CEQA Guidelines Section 15168[c][1]). Because the Proposed Project's location and development parameters are consistent with ConnectMenlo, the ConnectMenlo Program EIR serves as the environmental analysis for some of the effects of the Proposed Project (i.e., is incorporated by reference pursuant to Sections 15150, 15130, and 15183), whereas those areas identified in this Initial Study as subject to significant effects will receive additional environmental review.

Section 15168(d) of the CEQA Guidelines provides for simplifying the preparation of environmental documents by incorporating by reference analyses and discussions. Where an EIR has been prepared or certified for a program or plan, the environmental review for a later activity consistent with the program or plan should be limited to effects that were not analyzed as significant in the prior EIR or that are susceptible to substantial reduction or avoidance (CEQA Guidelines Section 15152[d]). By tiering from the ConnectMenlo EIR, the environmental analysis for the Proposed Project relies on the ConnectMenlo EIR for the following:

- A discussion of general background and setting information for environmental topic areas,
- Overall growth-related issues,
- Issues that were evaluated in detail in the ConnectMenlo EIR for which there is no significant new information or change in circumstances that would require further analysis,
- Assessment of cumulative impacts, and
- Incorporating mitigation measures adopted by the ConnectMenlo EIR.

This Initial Study has been prepared to evaluate the potential environmental impacts of the Proposed Project and determine what level of additional environmental review is appropriate. In accordance with the requirements outlined in Section 15168 of the CEQA Guidelines, this Initial Study has been prepared to disclose the relevant impacts and mitigation measures covered in the ConnectMenlo EIR and discuss whether the Proposed Project is within the parameters of the ConnectMenlo EIR. Consistent with the 2017 settlement agreement (discussed below) and the findings in this Initial Study, an EIR will be prepared for impacts that need further discussion and/or mitigation beyond that provided in the ConnectMenlo EIR. This is discussed in more detail in Chapter 3, *Environmental Checklist*.

2017 Settlement Agreement

On December 29, 2016, the City of East Palo Alto filed suit to challenge certification of the ConnectMenlo EIR. The City of East Palo Alto alleged that the City of Menlo Park did not comply with CEQA because the EIR underestimated the amount of new employment and failed to adequately analyze the traffic impacts that would result from the development under ConnectMenlo. To resolve litigation, the City of Menlo Park and the City of East Palo Alto entered into a settlement agreement. The key terms of the settlement agreement are as follows:

- *Reciprocal Environmental Review for Future Development Projects.* Menlo Park will prepare an EIR for any project located in an Office (O), Life Science (LS), or Residential Mixed-Use (R-MU) district that (i) exceeds 250,000 net new square feet and requires a use permit, (ii) that proposes bonus-level development, (iii) that proposes a master plan project, or (iv) that may have a significant environmental impact. Menlo Park may, with the exception of housing and traffic, which were the focus of East Palo Alto's challenge, simplify the environmental review for future development projects by incorporating analysis and discussions from the ConnectMenlo EIR, pursuant to CEQA Guidelines Section 15168(d). East Palo Alto will prepare an Initial Study for future development projects located within its city limits to determine the appropriate level of environmental review and will conduct that review, which can be simplified by incorporating by reference analysis and discussions from its general plan update, referred to as Vista 2035.
- *Reciprocal Traffic Studies and Fair-Share Mitigation Fees.* Menlo Park and East Palo Alto will work together to ensure that future development projects' potentially significant traffic impacts on the other jurisdiction will be analyzed and mitigated. Accordingly, a development project in one jurisdiction that has a significant impact on an intersection in the other jurisdiction will be required to pay a fair-share mitigation impact fee to the affected jurisdiction.¹
- *Reciprocal Study of Multiplier Effect.* When preparation of an EIR is required, as described above, Menlo Park or East Palo Alto, as applicable, will conduct a Housing Needs Assessment, which, to the extent possible, will include an analysis of the multiplier effect on indirect and induced employment by the specific development project and its relationship to the regional housing market and displacement.²

¹ Although intersection level-of-service (LOS) impacts are no longer considered environmental impacts under CEQA, a Transportation Impact Assessment (TIA) will be conducted for the Proposed Project. The EIR will use vehicle miles traveled (VMT) as the threshold of significance. An intersection LOS analysis will be provided for informational purposes in the TIA, which will be an appendix to the EIR.

² Nothing in the settlement agreement was intended to suggest that the analysis of the multiplier effect for indirect and induced employment is required by CEQA because CEQA studies only environmental impacts, not social or economic impacts. A Housing Needs Assessment is currently being prepared for the Proposed Project, separate from the CEQA process.

Pursuant to the settlement agreement in the 2017 *City of East Palo Alto v. City of Menlo Park* case, certain topics have been identified as needing further environmental review. Although noted in this Initial Study, these topics will be analyzed in the EIR.

Project Information

1. **Project Title:**

1125 O'Brien Drive Project

2. **Lead Agency Name and Address:**

City of Menlo Park
Community Development Department
701 Laurel Street
Menlo Park, CA 94025

3. **Contact Person and Phone Number:**

David Hogan, Contract Planner – (650) 330-6702

4. **Project Location:**

1105, 1135, and 1165 O'Brien Drive and 1 Casey Court, Menlo Park, CA 94025

5. **Project Sponsor's Name and Address:**

O'Brien Drive Portfolio, LLC
c/o Tarlton Properties
1530 O'Brien Drive
Menlo Park, CA 94025

6. **General Plan Designation:**

Life Science-Bonus (LS-B)

7. **Description of Project:**

Please refer to Chapter 2, *Project Description*.

8. **Surrounding Land Uses and Setting:**

The Project site, located north of US 101 on the Menlo Park Labs campus, comprises a variety of life science and biotech companies. The Project site is bounded by the Hetch Hetchy right-of-way, which is owned by the San Francisco Public Utilities Commission, to the north; O'Brien Drive to the east and south; and a warehouse to the west adjacent to Kelly Court. In addition, Dura-Foam Roofing and a small private school are slightly north of the Project site. Farther north, beyond the campus, are the inactive Dumbarton Rail Corridor and State Route 84. Neighborhoods in East Palo Alto are east and south of the Project site. A Menlo Park neighborhood, Belle Haven, is west of the Project site, across Willow Road.

9. **Other Public Agencies Whose Approval May Be Required (e.g., permits, financing approval, participation agreement), Potential Responsible Agencies, and Trustee Agencies:**

- Bay Area Air Quality Management District
- California Department of Transportation
- California Regional Water Quality Control Board, San Francisco Bay Region/San Mateo Countywide Water Pollution Prevention Program
- City/County Association of Governments
- San Mateo County Transportation Authority
- Menlo Park Fire Protection District
- San Mateo County Environmental Health Division
- West Bay Sanitary District
- Native American Heritage Commission
- San Francisco Public Utilities Commission

10. **Have California Native American tribes that are traditionally and culturally affiliated with the Project area requested consultation, pursuant to Public Resources Code Section 21080.3.1? If so, has consultation begun?**

The Native American Heritage Commission (NAHC) was contacted and asked to provide a list of local California Native American tribes with cultural affiliation to the Proposed Project's geographic location in order to determine whether tribal cultural resources are present at the Project site. The NAHC responded on September 20, 2019, stating that a search of the Sacred Lands File identified sensitive areas in the vicinity of the Project site. In addition, the NAHC provided a list of seven Native American contacts.

On April 20, 2021, letters with details regarding the Proposed Project and a location map were sent by email to all seven individuals mentioned above. The letters explicitly stated that they represented formal notification of a proposed project, as required under CEQA—specifically, Public Resources Code Section 21080.3.1 and Chapter 532 of the Statutes of 2014 (Assembly Bill 52). To date, no responses have been received.

Please refer to Section V, *Cultural Resources*, and Section XVIII, *Tribal Cultural Resources*, for more details.

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2. Project Description

O'Brien Drive Portfolio, LLC (Project Sponsor), is proposing to construct an approximately 131,825-gross-square-foot (gsf) building for research-and-development (R&D) uses as well as surface parking on two parcels as part of the 1125 O'Brien Drive Project (Proposed Project). The proposed building would be located on a site consisting of three separate legal lots (1105, 1135, and 1165 O'Brien Drive), plus an adjacent lot with a drainage ditch, that would be merged into one lot (Parcel 1 or the Development Lot). In addition, surface parking for the building would be provided on the adjacent lot at 1 Casey Court (Parcel 2 or Accessory Parking Lot). Parcel 1, which is 2.44 acres and part of the Menlo Park Labs campus, is currently developed with three single-story buildings totaling approximately 38,911 gsf. Parcel 2 is 1.68 acres and currently developed with an approximately 20,955 gsf, single-story building that would be demolished as part of the Proposed Project. In total, the Project site is 4.12 acres. The Proposed Project represents net new 71,959 sf of R&D space and 89 net new parking spaces.

The Proposed Sponsor would demolish the existing buildings and construct a new 131,825 gsf, five-story building that would include R&D uses; office uses associated with the primary R&D uses; a 500-square-foot (sf) chemical storage area, also associated with the primary R&D uses; and ground-floor commercial space. The roof of the building would have a 4,400 sf paved deck with seating areas and 2,200 sf of landscaping, for a total area of approximately 6,600 sf. The exterior of the Development Lot would feature an entry plaza, a shuttle stop, bioretention areas, and two driveways from O'Brien Drive. The Proposed Project would provide a total of 249 parking stalls, with approximately 89 stalls in a surface accessory parking lot west of the building and an additional 160 parking stalls on Parcel 2.

Project Location and Setting

Project Location

The Project site is north of US 101 in the city of Menlo Park (as shown in Figure 2-1). The site is bounded by the Hetch Hetchy right of way, which is owned by the San Francisco Public Utilities Commission, to the north; O'Brien Drive to the east and south; and a warehouse to the west adjacent to Kelly Court. In addition, Dura-Foam Roofing and Wund3rSCHOOL/Open Mind School, a small private school, are north and east of the Project site on O'Brien Drive. Farther to the north, beyond the campus, are the inactive Dumbarton Rail Corridor, State Route (SR) 84, tidal mudflats and marshes along San Francisco Bay (Bay), the Don Edwards San Francisco Bay National Wildlife Refuge (Refuge), and Ravenswood Slough. Farther to the east (across University Avenue) and south (beyond O'Brien Drive) are the neighborhoods of East Palo Alto. Included in these neighborhoods, the closest of which is 300 feet from the Project site, are mainly single-family residences, along with multi-family residential buildings, neighborhood-serving retail, Cesar Chavez Elementary School, the 4 Corners Civic Hub (including the East Palo Alto Library, city hall, and post office), Costaño School and San Francisco 49ers Academy, and Jack Farrell Park.

The Belle Haven neighborhood of Menlo Park is west of Willow Road, approximately 0.25 mile from the Project site. The Belle Haven neighborhood features a mix of uses, including churches, Menlo Park Fire Station No. 77, single-family residences, multi-family residential buildings, and institutional buildings. A neighborhood-serving retail center is located at the corner of Hamilton Avenue and

Willow Road. The Belle Haven neighborhood's institutional and park uses include Beechwood School, Belle Haven Elementary School, the Belle Haven Pool, Belle Haven Youth Center, Onetta Harris Community Center, Menlo Park Senior Center, the Boys and Girls Club, Hamilton Park, Karl E. Clark Park, the Belle Haven Community Garden, and Kelly Park. The Onetta Harris Community Center and Menlo Park Senior Center are proposed to be redeveloped into a new multi-generational facility that will incorporate the current Onetta Harris Community Center, Menlo Park Senior Center, Belle Haven Youth Center (child care), Belle Haven Pool, and a branch library.

Regional highways that provide access to the Project site include US 101, approximately 0.5 mile to the south, and SR 84, which is across the Dumbarton Rail Corridor and to the north. The Menlo Park Caltrain station is approximately 2.3 miles southwest of the Project site; the Palo Alto Caltrain station is approximately 2.4 miles south of the Project site, providing weekday service from San Francisco to Gilroy and weekend service from San Francisco to San José. Existing bus routes serve Newbridge Street and Bay Road south of the Project site and Willow Road west of the Project site.

Project Site Setting

The Menlo Park Labs campus is home to a variety of life science and biotech companies. The entire Menlo Park Labs campus, with approximately 1.7 million gsf of space within its buildings, includes landscaping, surface parking lots, onsite food services, and recreational facilities for tenants.³ Transportation is provided for tenants throughout the campus by Menlo Park Rides, which offers bike-share, shuttle, and car-share services as well as electric-vehicle (EV) charging stations. Shuttle services are provided to/from San Francisco, the Union City Bay Area Rapid Transit (BART) station, the Millbrae BART/Caltrain station, and the Palo Alto Caltrain station.⁴

The Development Lot (Parcel 1) includes the existing buildings at 1105, 1135, and 1165 O'Brien Drive (Table 2-1). The three single-story buildings, with a maximum height of 20 feet, are located on two properties (assessor's parcel number [APN] 055-433-320 and APN 055-433-330). An adjacent property to the west (APN 055-433-350) with an approximately 20-foot-wide drainage ditch that runs from storm drains in East Palo Alto is also part of the Development Lot. In total, the Development Lot has a lot area of 2.44 acres (106,355 sf). Two of the existing office/R&D buildings total approximately 26,911 gsf; the third existing office/warehouse building totals approximately 12,000 gsf, resulting in a total existing floor area ratio (FAR) of approximately 37 percent across the three buildings. The buildings are surrounded by surface parking lots with 98 uncovered stalls. Minimal decorative landscaping is included at the front entries to the buildings and along the O'Brien Drive frontage. In addition, the Proposed Project includes development of a second parcel (Accessory Parking Lot or Parcel 2) located at 1 Casey Court (APN 055-433-180). This parcel would be used for surface parking. In total, the Accessory Parking Lot has an area of approximately 1.68 acres (73,000 sf). The existing office/warehouse building on the parcel totals approximately 20,955 gsf and has a FAR of approximately 29 percent and a height of approximately 19.2 feet. The Accessory Parking Lot currently has onsite surface parking with 44 uncovered stalls. Minimal landscaping exists on the property.

³ Tarlton Properties. 2021. *Menlo Park Labs – About*. Available: <https://tarlton.com/properties>. Accessed: April 29, 2021.

⁴ Tarlton Properties. 2021. *Menlo Park Rides*. Available: <https://www.menloparkrides.com/>. Accessed: July 22, 2019.



ICF Graphics 00089-18 (6/24/21) AB



Figure 2-1
Project Location
1125 O'Brien Drive Project

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Table 2-1. Existing Buildings at the Project Site

Project Site	Use	Date Constructed	Building Area
Development Lot/Parcel 1			
1105 O'Brien Drive	Office/Warehouse	1962	12,000 gsf
1135 O'Brien Drive	Office/R&D	1963	16,835 gsf
1165 O'Brien Drive	Office/R&D	1960-1965	10,076 gsf
Accessory Parking Lot/Parcel 2			
1 Casey Court	Office/Warehouse	1974-1981	20,955 gsf

Source: Tarlton Properties and DES Architects + Engineers, 2020.

The existing Project site has approximately 91 employees at Parcel 1⁵ and approximately 52 employees at Parcel 2,⁶ a total of 143 employees.

Zoning

The Project site was historically zoned General Industrial (M-2), which permitted office and general industrial uses, such as warehousing, manufacturing, printing, and assembling. In 2016, the Project site's zoning was changed to Life Science, Bonus (LS-B) as part of the City of Menlo Park (City) General Plan and M-2 Area Zoning Update (referred to as ConnectMenlo). The updated zoning created three new zoning districts (Office [O], Residential-Mixed Use [R-MU], and Life Sciences [LS]) and established standards for new projects, including Transportation Demand Management (TDM) requirements and restrictions regarding height, density, land use, sustainability, circulation, and open space. The base-level zoning standards allow a FAR of up to 55 percent for life science uses and a height of up to 35 feet. However, the updated zoning establishes bonus-level standards, with a FAR of up to 125 percent for life science uses and an additional FAR of 10 percent for commercial uses, and a maximum height of up to 110 feet, in exchange for the provision of community amenities, which are selected from the list of potential options identified through community outreach and adopted by resolution of the Menlo Park City Council.

Project Objectives

This Initial Study addresses the physical impacts of the Proposed Project, as required by the California Environmental Quality Act (CEQA). The Project Sponsor and City have identified the following objectives, which are relevant to the physical impacts considered in this document:

- To build a new cutting-edge life science building that will cater to the Bay Area and Stanford entrepreneurial community, as well as life sciences companies both regionally and nationally.
- To develop an environmentally sustainable, high-quality aesthetic facility with the flexibility to accommodate a single life science tenant or meet the needs of multiple tenants.

⁵ Based on the Project Sponsor's estimate of one employee per 400 gsf for the 26,911 gsf of R&D space at 1135 O'Brien Drive and 1165 O'Brien Drive plus one employee per 400 gsf for the 1,750 gsf of R&D space and one employee per 500 gsf for the 10,250 gsf of warehouse space at 1105 O'Brien Drive.

⁶ Based on the Project Sponsor's estimate of one employee per 500 gsf for the 20,955 gsf of warehouse space and 2019 California Building Code data for occupant loads.

- To create a project that grows a broad socioeconomic base of jobs as well as a business-to-business tax base for the City of Menlo Park.
- To develop space that will accommodate life science employees and jobs in the new Life Sciences district.
- To provide community amenities for surrounding neighborhoods consistent with ConnectMenlo goals and policies.
- To achieve Leadership in Energy and Environmental Design (LEED) Gold certification or equivalent.

Project Characteristics

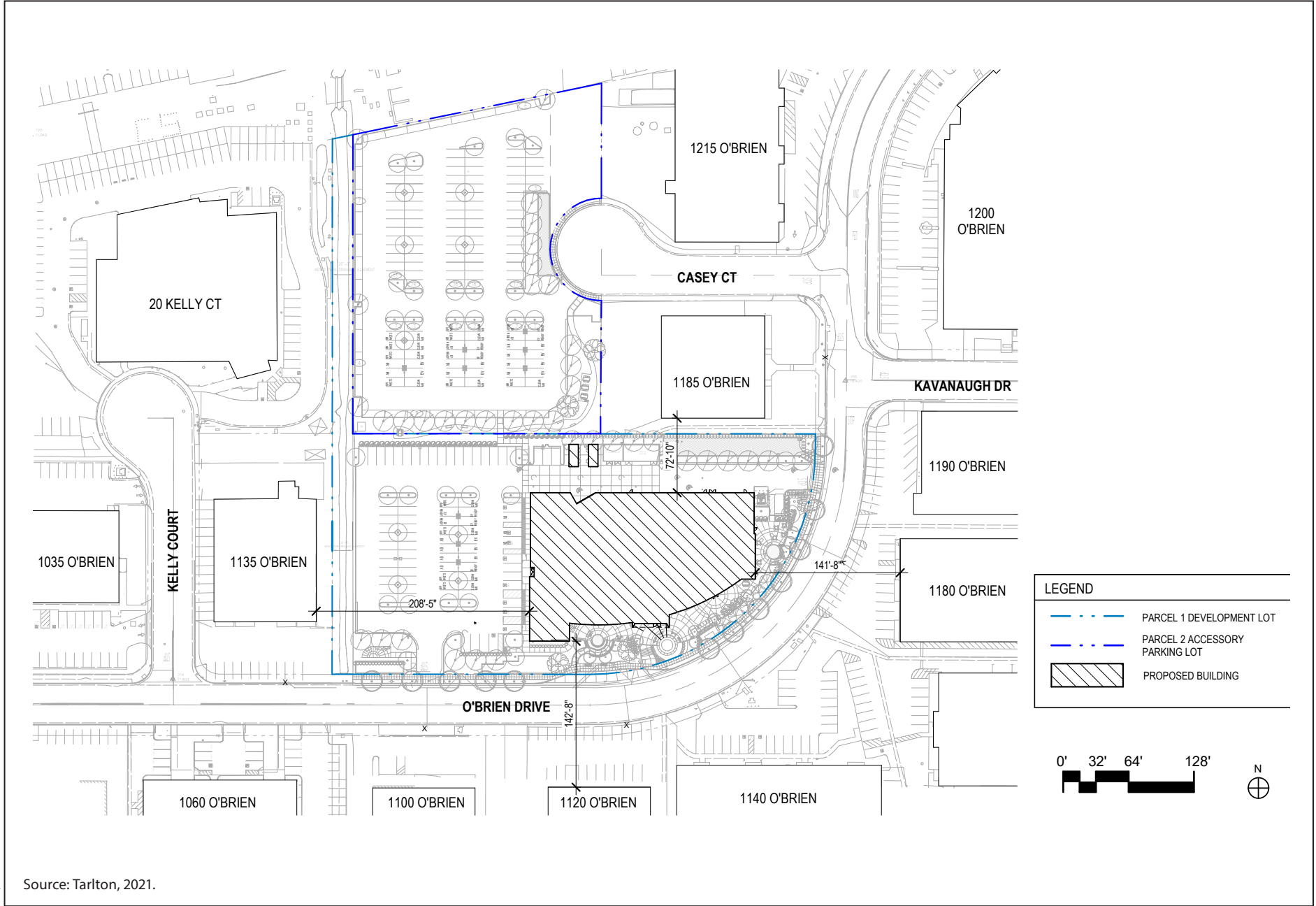
Land Use and Zoning

The Project Sponsor would construct an approximately 131,825 gsf building on the 2.44-acre Development Lot under the new zoning and density bonus standards. The building would include R&D space for a speculative tenant and a café. Figure 2-2 depicts the proposed site plan. As mentioned above, the Project site was rezoned LS-B in 2016 through the ConnectMenlo process. At the base level, the average height and maximum height are 35 feet; the maximum FAR is 55 percent. At the bonus level, the zoning ordinance allows a FAR of up to 125 percent (plus 10 percent for commercial use) and a maximum height of 110 feet in exchange for community benefits. The Proposed Project would have a combined FAR of 125 percent; the maximum height of the proposed building would be approximately 87 feet. The average building height would be 59.9 feet. Therefore, the Proposed Project would require the Project Sponsor to provide community benefits in exchange for bonus-level development. Table 2-2, below, compares the allowed development under LS zoning for both the base level and bonus level as well as development proposed under the Proposed Project.

Proposed Development

The Proposed Project would involve demolition of four buildings and construction of a 131,825 gsf R&D building, which would be designed with the flexibility to accommodate a single R&D/life science tenant or meet the needs of multiple tenants. The building would be oriented in an east-west direction, with the southern frontage along O'Brien Drive being the front façade. The entry lobby, with a 2,659 gsf "grab and go" café, would be on the ground floor, at the center of the south elevation. In addition, a 500 sf chemical storage area would be provided north of the R&D building, in the truck dock/loading area. The main lobby and the first floor would be more than 2 feet above the base flood elevation, as required by the LS zoning district. No basement would be constructed.

To the west of the R&D building would be 89 surface parking stalls, along with access to an additional 160 surface parking stalls on the adjacent Accessory Parking Lot. Access to parking would be provided from O'Brien Drive via a driveway in the southwest corner of the Project site and from Casey Court in the eastern portion of the parcel. Up to 249 surface stalls would be provided as a part of the Proposed Project. A sidewalk would connect the two parking lots.



Source: Tarlton, 2021.

Graphics ... 00390.19 (6/23/21) AB



Figure 2-2
Proposed Site Plan
 1125 O'Brien Drive Project

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Table 2-2. Allowed and Proposed Development at the Project Site

	LS Zoning Requirements (Base Level)	LS Zoning Requirements (Bonus Level)	Proposed Development
Site Area	25,000 sf (minimum [min.]) 100 feet x 100 feet (min)	25,000 sf (minimum [min.]) 100 feet x 100 feet (min)	106,358 sf (Lot 1) 73,180 sf (Lot 2) 179,538 (Total)
Floor Area Ratio	55% (+10% commercial)	125% (+10% commercial)	124% (131,825 sf) ^a
Maximum Height ^b	35 feet (+10 feet, flood zone)	110 feet (+10 feet, flood zone)	100.75 feet ^c
Average Height ^{b,d}	35 feet (+10 feet, flood zone)	67.5 feet (+10 feet, flood zone)	60.58 feet
Open Space ^e	35,908 sf min (20% of total)	35,908 sf min (20% of total)	39,306 sf (21.8% of total)
Public Open Space ^f	17,954 sf min (10% of total)	17,954 sf min (10% of total)	19,399 sf (10.8% of total)

Source: Tarlton Properties and DES Architects + Engineers, 2021.

Notes:

- a. Although the building site includes Parcels 1 and 2, the FAR calculated here for the development uses Parcel 1. No structures would be located on Parcel 2. However, Parcel 2 would include 11,500 sf of open space and 4,780 sf of public open space; these numbers are included in the open space totals for the Proposed Project.
- b. Properties within the flood zone or subject to flooding and sea-level rise are allowed a 10-foot increase in average height and maximum height.
- c. Does not include parapet or mechanical equipment.
- d. Height is defined as average height of all buildings on one site where a maximum height cannot be exceeded.
- e. Open space calculations are based on the square footage of the Project site and not on the new building area.
- f. Public open space area is also included in open space totals.

The R&D building would have a footprint of approximately 26,056 sf, or approximately 24.5 percent of the Development Lot. Table 2-3 and Figures 2-3 and 2-4 summarize the usable building area.

Table 2-3. Proposed Useable Building Areas

	R&D Building
R&D	124,821 gsf
Café	2,659 gsf
Chemical Storage (exterior)	500 gsf
Bicycle Storage	775 gsf
Roof Stairs/Elevator/Storage	3,070 gsf
Total Building Area	131,825 gsf

Source: Tarlton Properties and DES Architects + Engineers, 2021.

Site Access, Circulation, and Parking

Access and Circulation. The Project site would be accessible from two driveways on O'Brien Drive as well as a driveway on Casey Court. In addition, a curb cut would be included at the front of the proposed building on O'Brien Drive, allowing drivers in vehicles, including shuttles, to drop off and pick up passengers. The primary entrance/exit for employees would be at the west side of the new building, in the area where vehicles would access the parking lot. Additional parking would be accessible from the driveway on Casey Court. A secondary driveway would be provided in the northeast portion of the Development Lot, mainly for service vehicle access. A truck loading dock would be on the northwest side of the building but screened from the street by vegetation. It is anticipated that a maximum of three truck deliveries would be made per weekday. Service vehicles would travel north through the Project site, turn east at the service driveway, then exit at the driveway in the northeast corner of the Project site.

The Project site would also be accessible to bicyclists and pedestrians via existing sidewalks and planned bicycle lanes along O'Brien Drive. No additional bicycle or pedestrian connections or linkages are proposed as part of the Proposed Project.

Emergency Access. Emergency access to the Project site would be provided at the parking lot entrance in the southwest portion of the Project site. Emergency vehicles would travel north through the Project site, turn east at the parking lot, then exit at the service driveway in the northeast corner of the Project site. In addition, emergency vehicles would have access to the curb cut at the front of the proposed building; a staging area would occur on the south side of the building along O'Brien Drive. Two existing fire hydrants, which would remain under the Proposed Project, are located along O'Brien Drive. One additional fire hydrant would be located on O'Brien Drive at the entrance to the driveway in the northeast portion of the Project site. A fire department connection is proposed on O'Brien Drive in front of the main entrance to the building.

Parking. As stated above, the Project site currently includes surface parking with 142 uncovered stalls, all of which would be removed as part of the Proposed Project. Parking would be provided onsite in the form of surface parking. The parking would be available to new tenants of the proposed building. In total, 249 new parking spaces would be provided at the Project site, including seven Americans with Disabilities Act- (ADA-) compliant spaces on Parcel 1 adjacent to the building. Table 2-4 summarizes the proposed parking at the Project site.

Table 2-4. Proposed Parking

	Parking Spaces
Development Lot/Parcel 1	89
Standard	68
EV/EV Ready	5
Clean Air Vehicles	9
ADA	7
Accessory Parking Lot/Parcel 2	160
Standard	136
EV/EV Ready	8
Clean Air Vehicles	16
Total	249

Source: Tarlton Properties and DES Architects + Engineers, 2021.



1 LEVEL 1

2 LEVEL 2

BUILDING AREAS LEGEND

R&D AREA	LONG-TERM BIKE STORAGE
CAFE	CHEMICAL STORAGE
LANDSCAPE	OUTDOOR ROOF DECK
ROOF STORAGE	ROOF STAIRS & ELEVATOR
NOT INCLUDED IN FAR	MECHANICAL SHAFT

AREAS NOT INCLUDED IN FAR

LEVEL 1 TRASH ENCLOSURE	324 SF
LEVEL 1 GENERATOR ENCLOSURE	647 SF
LEVEL 1 BIKE STORAGE	575 SF
LEVEL 2 OPEN LOBBY AREA	996 SF
LEVEL 2 MECHANICAL SHAFTS	355 SF
LEVEL 3 MECHANICAL SHAFTS	355 SF
LEVEL 4 MECHANICAL SHAFTS	355 SF
LEVEL 5 MECHANICAL SHAFTS	355 SF
MECHANICAL PENTHOUSE	1,683 SF
MECHANICAL EQUIPMENT	10,736 SF
OPEN ROOF	9,955 SF
TOTAL:	26,336 SF

R&D/OFFICE AREAS BY TYPE (FAR)

LEVEL 1 R&D AREA	22,932 SF
LEVEL 1 CHEMICAL STORAGE	500 SF
LEVEL 2 R&D AREA	24,967 SF
LEVEL 3 R&D AREA	25,899 SF
LEVEL 4 R&D AREA	25,899 SF
LEVEL 5 R&D AREA	25,899 SF
ROOF STAIRS & ELEVATOR	2,034 SF
ROOF STORAGE	1,036 SF
TOTAL:	129,166 SF

COMMERCIAL AREAS BY TYPE (FAR)

LEVEL 1 CAFE	2,659 SF
TOTAL:	2,659 SF

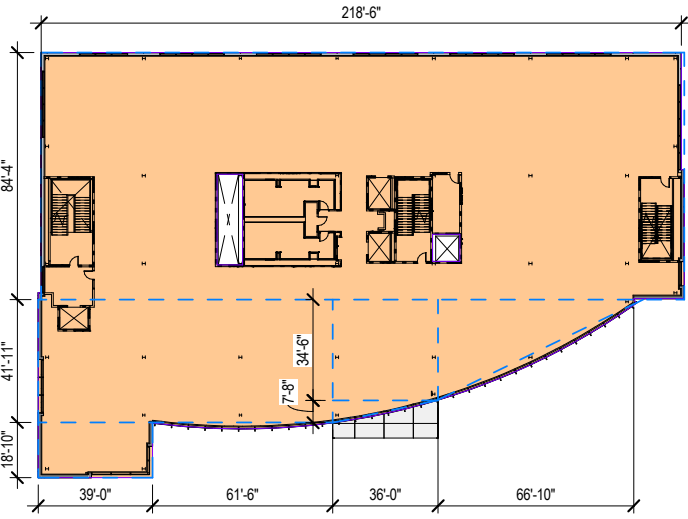
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Source: Tarlton, 2021.



Figure 2-3
Proposed 1125 O'Brien Building Floor Plan (Levels 1 and 2)
 1125 O'Brien Drive Project

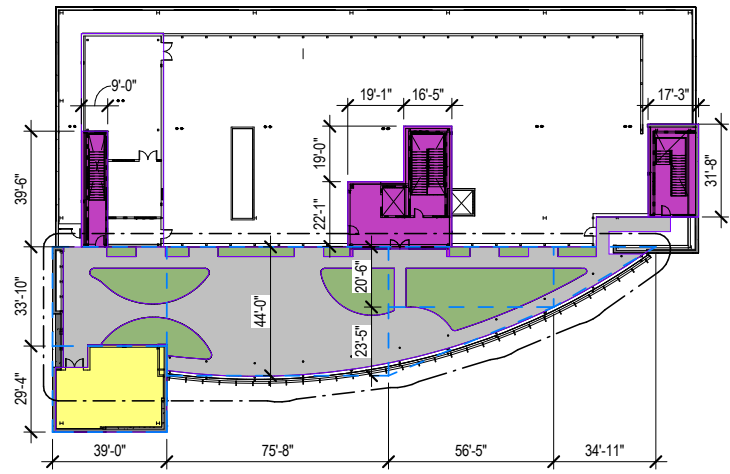
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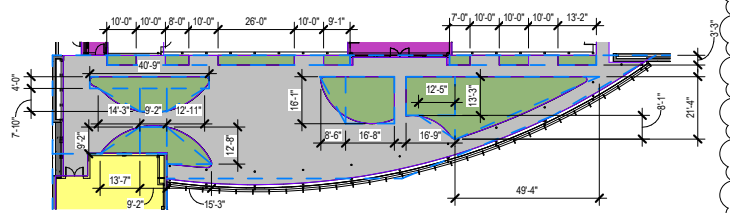
1 LEVELS 3-5

OUTDOOR ROOF DECK AREAS

CIRCULATION:	1,966 SF
LANDSCAPE:	2,095 SF
SEATING/ OPEN AREA:	2,434 SF
TOTAL:	6,608 SF



2 ROOF



3 ROOF - LANDSCAPE AREAS

BUILDING AREAS LEGEND

 R&D AREA	 LONG-TERM BIKE STORAGE
 CAFE	 CHEMICAL STORAGE
 LANDSCAPE	 OUTDOOR ROOF DECK
 ROOF STORAGE	 ROOF STAIRS & ELEVATOR
 NOT INCLUDED IN FAR	 MECHANICAL SHAFT

AREAS NOT INCLUDED IN FAR

LEVEL 1 TRASH ENCLOSURE	324 SF
LEVEL 1 GENERATOR ENCLOSURE	647 SF
LEVEL 1 BIKE STORAGE	575 SF
LEVEL 2 OPEN LOBBY AREA	996 SF
LEVEL 2 MECHANICAL SHAFTS	355 SF
LEVEL 3 MECHANICAL SHAFTS	355 SF
LEVEL 4 MECHANICAL SHAFTS	355 SF
LEVEL 5 MECHANICAL SHAFTS	355 SF
MECHANICAL PENTHOUSE	1,683 SF
MECHANICAL EQUIPMENT	10,736 SF
OPEN ROOF	9,955 SF
TOTAL:	26,336 SF

OFFICE/R&D AREAS BY TYPE (FAR)

LEVEL 1 R&D AREA	22,932 SF
LEVEL 1 CHEMICAL STORAGE	500 SF
LEVEL 2 R&D AREA	24,967 SF
LEVEL 3 R&D AREA	25,899 SF
LEVEL 4 R&D AREA	25,899 SF
LEVEL 5 R&D AREA	25,899 SF
ROOF STAIRS & ELEVATOR	2,034 SF
ROOF STORAGE	1,036 SF
TOTAL:	129,166 SF

COMMERCIAL AREAS BY TYPE (FAR)

LEVEL 1 CAFE	2,659 SF
TOTAL:	2,659 SF

Graphics ... 00390,19 (6/23/21) AB

Source: Tarlton, 2021.



Figure 2-4
Proposed 1125 O'Brien Building Floor Plan (Levels 3-5 and Roof)
 1125 O'Brien Drive Project

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TDM Program

A TDM program would be implemented as part of the Proposed Project, consistent with the requirements of Menlo Park Municipal C-de Section 16.44.090. The TDM program would be designed to provide alternatives to single-occupancy automobile travel to and from the Project site. The following is a list of the potential elements of the TDM program:

- Participation in a local transportation management association
- Preferential carpool parking spaces
- Preferential vanpool parking spaces
- Designated parking spaces for car-share vehicles
- Pay-for-parking program
- Bike-share program
- Subsidized transit tickets for employees
- Subsidy for carpool, vanpool, shuttle, or bus services
- Compressed workweek program
- Alternate-hours workweek program
- Telecommuting
- Passenger loading zones for carpools and vanpools
- Safe, well-lit, and accessible routes to nearby transit services or shuttle stops
- Car-share membership for employees
- Guaranteed ride-home program
- Bike lockers/racks
- Showers/changing rooms
- Shuttle service
- Vanpool program
- Commute-assistance center
- Parking cash-out program

Landscaping

Landscaping would be provided along O'Brien Drive and Casey Court. The landscaping would be designed to complement the existing campus buildings in the area. Approximately 19,399 sf of the street frontage (54 percent of the required open space) would be landscaped. In total, approximately 39,306 sf of open space would be provided throughout the Project site, representing 21.8 percent of the total area. The private open space proposed as part of the Proposed Project would include a 6,600 sf roof deck with landscaped areas and seating. The public open space along the street frontage would be landscaped with berms, trees, bioretention areas, and California-native vegetation. Furnishings at the public space adjacent to the proposed café may include trash receptacles as well as benches and other outdoor furniture.

There are currently 40 trees on the Project site, all of which would be removed during construction of the Proposed Project. Of these, 13 are heritage trees. The Project Sponsor would be required to plant 13 trees with a value equal to the appraised value of the removed heritage trees, subject to approval by the City Arborist regarding the locations, sizes, and the number of replacement trees.⁷ In total, the Project site would have 114 trees.

Approximately 92.7 percent (166,296 sf) of the existing Project site is covered with impervious surfaces, consisting of buildings, parking lots, and driveway aisles. Approximately 7.3 percent (13,077 sf) of the existing Project site is covered with landscaping and other pervious surfaces. Implementation of the Proposed Project would reduce the total impervious surface to approximately 152,089 sf, or 84.8 percent of the Project site. The pervious surface would increase from 13,077 sf to 27,284 sf, or 15.2 percent of the Project site, for a net increase in pervious area of 14,207 sf. Hardscape would comprise concrete paving, decomposed granite paving, and concrete pavers. The landscaped area would include one flow-through planter, a bioretention area, a landscape planter, and five self-treating pervious areas around the proposed building and surface parking lots. The bioretention area would treat runoff from the proposed impervious areas. Flow-through planters, landscape planters, and self-treating pervious areas would treat rain that falls directly in those areas, retaining and infiltrating rainfall up to the design rainfall depth. Table 2-5 summarizes the existing and proposed impervious and pervious areas at the Project site. The landscape plans for Parcels 1 and 2 are shown in Figures 2-5 and 2-6.

Table 2-5. Impervious/Pervious Area Summary

	Parcel 1	Parcel 2	Total
Existing			
Pervious Area	7,915 sf	5,162 sf	13,077 sf (7.3%)
Impervious Area	98,440 sf ^a	67,856 sf	166,296 sf (92.7%)
Total	106,355 sf	73,018 sf	179,373 sf
Proposed			
Pervious Area	17,754 sf	9,530 sf	27,284 sf (15.2%)
Impervious Area	88,601 sf ^a	63,488 sf	152,089 sf (84.8%)
Total	106,355 sf	73,018 sf	179,373 sf

Source: Tarlton Properties and DES Architects + Engineers, 2021.

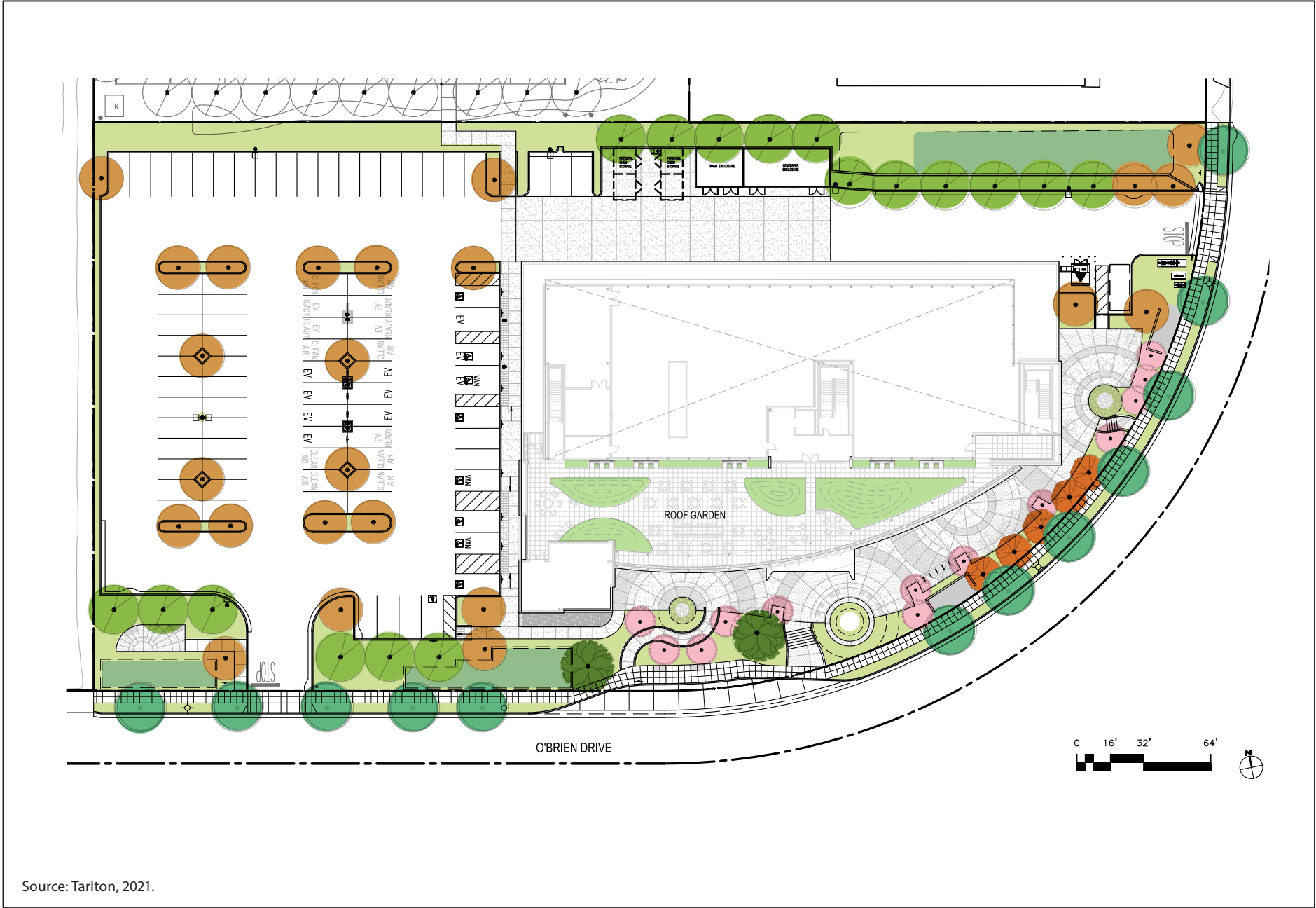
Note:

^a The impervious surfaces on Parcel 1 includes the existing 10,495 sf drainage ditch. The drainage ditch would not be altered as a result of the Proposed Project.

Building Features and Employment

The proposed five-story, steel-frame building would be designed to house R&D/life science tenants and a ground-floor cafe. The curved south façade of the R&D structure would be composed of full-height, performance-tinted, bird-friendly insulated glazing in an aluminum-frame curtain wall. The balance of the building would be clad in glass-fiber reinforced-concrete panels, formed metal panels, and aluminum-frame windows with tinted insulated glazing. Roof-mounted mechanical equipment would be concealed behind a formed metal screen. The southern portion of the roof would have a paved deck with

⁷ City of Menlo Park. 2020. *Menlo Park Municipal Code*. Section 13.24.020(5). July 1.



Source: Tarlton, 2021.

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Figure 2-5
Proposed Landscape Plan for Parcel 1
 1125 O'Brien Drive Project

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Source: Tarlton, 2021.

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Figure 2-6
Proposed Landscape Plan for Parcel 2
 1125 O'Brien Drive Project

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seating areas and landscaping. A two-story entry lobby would be at the center of the south elevation of the R&D facility. In addition, a café would be on the main level, adjacent to the lobby. Lighting would be provided at the Project site by roadway/driveway lights, area lights, bollards, and in-ground lights. All of the Project site's lighting would be LED fixtures.

The proposed building would be designed to account for flooding and/or sea-level rise due to the proximity of the Bay. The Federal Emergency Management Agency's base flood elevation at the Project site is 12.8 feet above mean sea level. The first floor of the building would be at an elevation of 14.8 feet above mean sea level, which would be approximately 2 feet above the base flood elevation, consistent with the requirements of ConnectMenlo.

The Proposed Project would seek a rating of LEED Gold, or equivalent, for Building Design and Construction, consistent with the City's Zoning Ordinance and a requirement for bonus-level development. Strategies for compliance with LEED standards include onsite amenities that can be shared with all campus buildings, shuttle service to Caltrain, carpooling, onsite car-share and bike-share programs, a stormwater management plan, and an onsite recycling program. In addition, 100 percent of the electricity currently used by the campus is purchased through Peninsula Clean Energy (PCE); the Proposed Project would continue this practice, as described in more detail in the section that follows.

Figure 2-7 shows the building sections, and Figure 2-8 depicts the streetscape elevations.

It is estimated that approximately 143 employees currently occupy the buildings at the Project site.⁸ In general, biotech and R&D uses require fewer employees than office buildings of the same size. Although administrative areas within biotech and R&D companies generally have an employee density similar to that of a corporate office, research and laboratory spaces have lower employee densities because the same employees often use both spaces (i.e., researchers carry out research in laboratory space and also have an office). Therefore, R&D companies have lower employee densities overall than equivalent office spaces. Anticipated ratios range from 30 to 45 percent office and 55 to 70 percent R&D areas. Upon full buildout, it is estimated that approximately 328 employees would occupy the proposed building,⁹ a net increase of approximately 185.

Utilities

Onsite utilities would be served by energy (gas and electric), domestic water, wastewater, and storm drain facilities. All onsite utilities would be designed in accordance with applicable codes and current engineering practices.

Energy. The Proposed Project would meet 100 percent of its energy demand (gas and electric), consistent with the requirements of Menlo Park Municipal Code Section 16.44.130, which includes any combination of the following measures: onsite energy generation, purchase of 100 percent renewable electricity through PCE or Pacific Gas and Electric Company (PG&E) in an amount equal to the annual energy demand of the Proposed Project, purchase and installation of local renewable energy generation within the city of Menlo Park in an amount equal to the annual energy demand of the Proposed Project, or purchase of certified renewable energy credits and/or certified renewable energy offsets annually in an amount equal to the annual energy demand of the Proposed Project.

⁸ Current employee estimate provided by the Project Sponsor, based on a conservative generation rate of one employee per 400 gsf for existing R&D space and one employee per 500 gsf for existing warehouse space.

⁹ Employee estimate provided by the Project Sponsor, based on a conservative generation rate of one employee per 400 gsf.

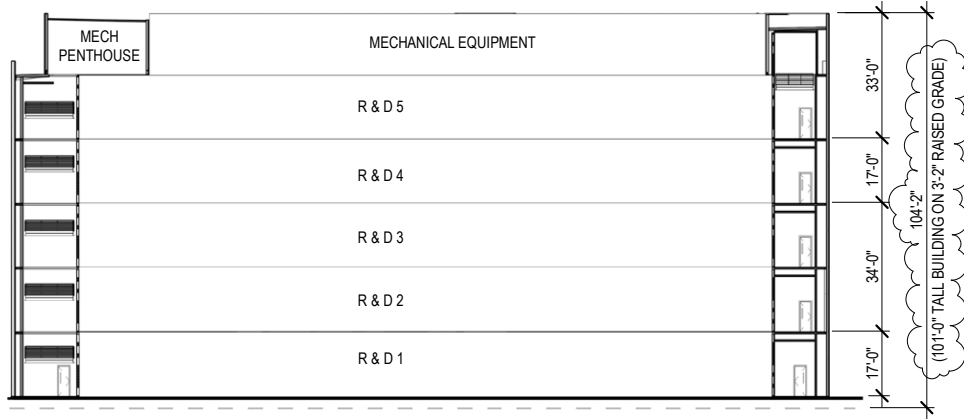
If needed, PG&E would provide gas and electrical power for proposed facilities. Existing gas and electric lines in the vicinity would continue to serve the Project site but may be upgraded, if necessary. City reach codes restrict the use of non-electric fuel sources for energy in new buildings but includes an exception for non-residential buildings containing a laboratory space; such areas may contain a non-electric space conditioning system, provided that an all-electric system would not be cost effective or feasible, as verified by a third party.¹⁰ The Project Sponsor would request an exception (Ordinance No. 1057) for gas space heating/conditioning because of the building's scientific laboratory uses. The exception for space conditioning would be subject to review and approval by the City prior to building permit issuance. The Proposed Project would be required to install a solar photovoltaic system. The Project design includes a solar photovoltaic system.

Domestic Water. Onsite water lines would connect to Menlo Park Municipal Water District facilities. An existing 10-inch water main runs along the O'Brien Drive frontage between the curb and property line. The City's 2018 Water System Master Plan identified a deficiency regarding the volume of water provided by the existing water main and found that a 12-inch main would be required to serve the O'Brien Drive life sciences service area. As a result of the City's 2018 Water System Master Plan, the City is in the process of developing a plan with property owners/project sponsors in the vicinity of the Project site for upsizing the existing water main. The water main would be upsized prior to occupancy of any new buildings within the life sciences service area. The Project Sponsor's participation would be ensured through Project conditions of approval. In addition, multiple service connections to the existing buildings would be removed. Separate connections would be provided for fire service and for domestic water. The Proposed Project would include water-conserving plant material and irrigation systems, in compliance with the Water-Efficient Landscape Ordinance.

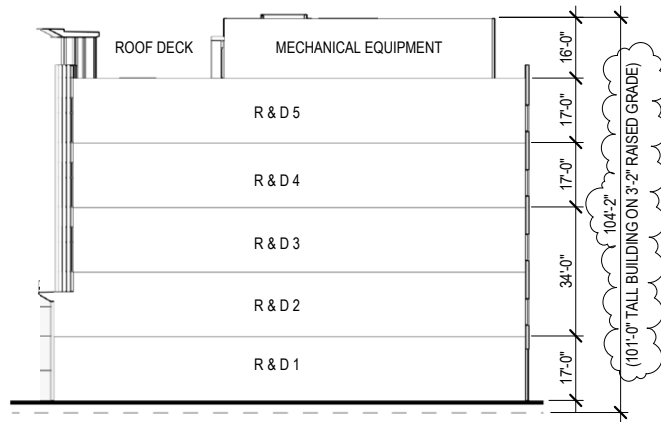
Wastewater. The sanitary sewer system in this area of the city is owned and operated by the West Bay Sanitary District (WBSD). An existing 18-inch sanitary sewer runs under O'Brien Drive. A proposed 6-inch sanitary sewer line on the north side of the proposed building would connect to this 18-inch sanitary sewer. A typical WBSD control manhole with a flow meter in it for recording flows would also be installed, providing an access point for sampling wastewater just before the connection point. Wastewater from the Project site would ultimately be discharged to the Silicon Valley Clean Water pump station in Redwood City.

Storm Drainage. Stormwater runoff from the Project site currently flows to three different outlets. A very small portion of it drains into the open drainage ditch along the west property line. Some of the Project site drains to an existing valley gutter that extends into the adjacent site to the north, then ultimately outlets to O'Brien Drive. The remainder of the Project site drains into onsite catch basins and area drains that connect to a bubble-up structure within O'Brien Drive. The bubble-up structure and the valley gutter would be removed. Runoff from the Project site would be collected and treated onsite before being released into a proposed 18-inch storm drain that would extend approximately 115 feet south of Casey Court to the Project site's storm drain outlet pipe. Stormwater treatment measures, in compliance with state and County of San Mateo requirements, would be implemented on the Project site. Because the post-construction impervious area would be less than the pre-construction impervious area, no stormwater detention would need to be provided on the Project site.

¹⁰ In 2019, the City of Menlo Park adopted local amendments to the State Building Code that require electricity to be the only fuel source for new buildings (not natural gas). This ordinance (Menlo Park Municipal Code Section 12.16) applies only to newly constructed buildings (i.e., from the ground up) and does not include additions or remodels.

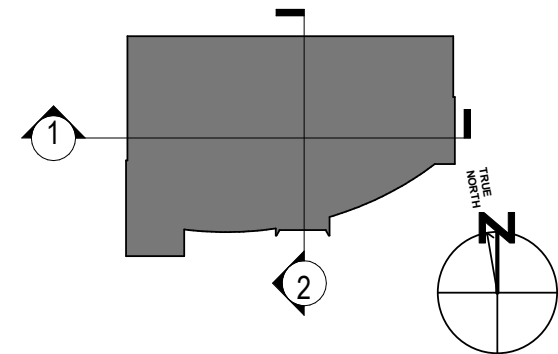


1 WEST TO EAST SECTION



2 NORTH TO SOUTH SECTION

KEY PLAN



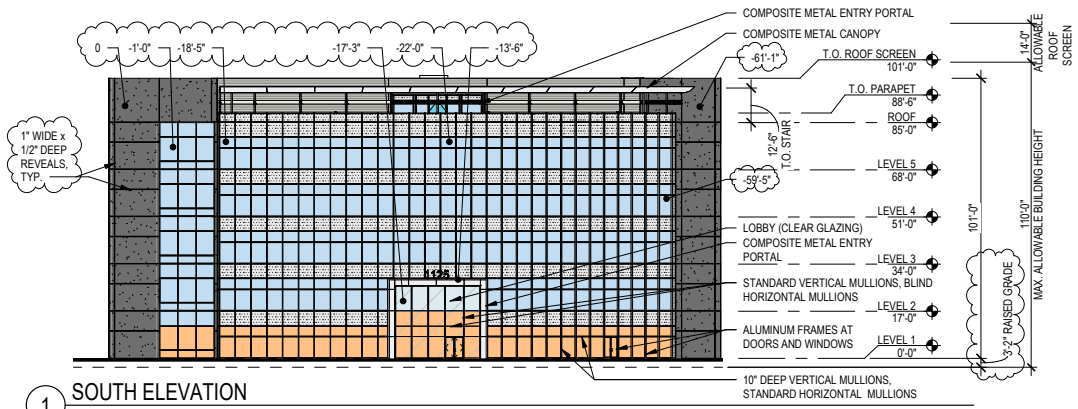
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Source: Tarlton, 2021.

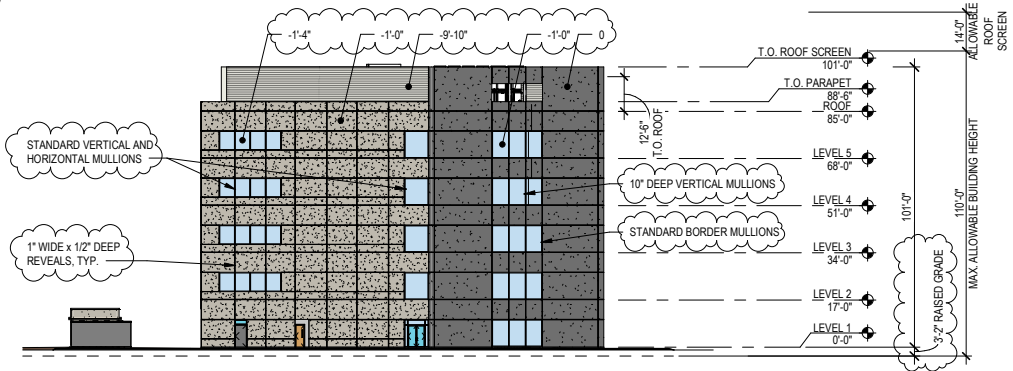


Figure 2-7
1125 O'Brien Building Sections
 1125 O'Brien Drive Project

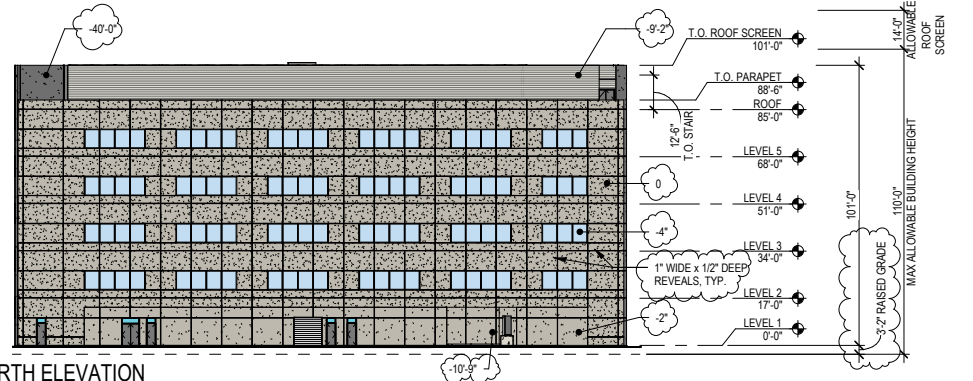
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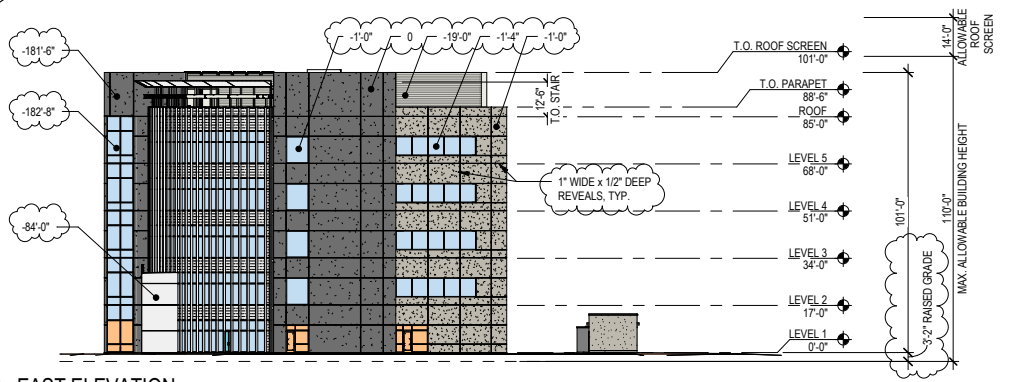
1 SOUTH ELEVATION



2 WEST ELEVATION



1 NORTH ELEVATION



2 EAST ELEVATION

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Source: Tarlton, 2021.



Figure 2-8
1125 O'Brien Building Elevations
1125 O'Brien Drive Project

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Reclaimed Water. There is currently no reclaimed water service to the Project site. At some point in the future, reclaimed water service may be installed within O'Brien Drive. The proposed building would be plumbed to allow for a future connection and reserve space for a future backflow preventer device.

Project Construction

The proposed construction methods are considered conceptual and subject to review and approval by the City. For the purposes of this environmental document, the analysis considers the construction plan described below.

Construction Schedule and Phasing

The Proposed Project would consist of six phases over approximately 16 months, which may overlap, as shown below.

- Phase 1: Demolition – 25 days
- Phase 2: Rough Grade/Underground/Foundation/Slab-on-Grade – 85 days
- Phase 3: R&D Building Structure – 90 days
- Phase 4: Building Skin – 85 days
- Phase 5: Building Warm Shell – 70 days
- Phase 6: Sitework – 140 days

Standard construction work hours would be 7:00 a.m. to 3:30 p.m. Monday through Friday. It is anticipated that construction of the Proposed Project would not involve pile driving or nighttime construction.

Construction Spoils and Debris

The Proposed Project would require soil excavation and the removal of trees. The Proposed Project's excavation depths would vary from 3 to 9 feet below the finished floor for the foundations, pile caps, and elevator pits. The proposed excavation would produce approximately 4,000 cubic yards (cy) of excavated material. All of the excavated material would be exported offsite; none would be used as backfill material or grading material in landscaped areas within the Project site. In addition, approximately 11,000 cy of material would be generated during demolition on the Project site; approximately 4,000 cy would be generated during construction. Furthermore, foundation piles are anticipated to be drilled to a depth of 85 to 90 feet.

During construction activities, the Project Sponsor would implement a waste diversion and recycling program to meet LEED and City of Menlo Park waste diversion requirements. One portion of this plan would be to recycle existing site asphalt and concrete and reuse it onsite where possible and where allowed by the appropriate design agents and consultants. During construction, multiple debris boxes would be used onsite for sorting and separating to achieve the highest diversion rate possible. Site spoils and excavation materials would be hauled offsite to the nearest processing facility. The subcontracted company that would be used for recycling and separating waste materials would provide the appropriate documentation to meet the aforementioned requirements.

As such, construction of the Proposed Project would require disposal of exported materials at a permitted landfill. All soil and debris, including contaminated soil, would be off-hauled to the Dumbarton Landfill or a similar appropriate facility. The haul trucks would access the site by heading east on CA 84. The number of truck trips required to dispose of demolition material and excavated soil would range from 175 to 200 during the demolition phase and excavation phase, respectively. The number of truck trips required to dispose of excavated material would be approximately 30 per day, with 9 cubic yards per truck.¹¹

Construction Equipment and Staging

Typical equipment would be used during construction of the Proposed Project, including dump trucks, end-dump trailers, cranes, forklifts, scissor lifts, lifting equipment, excavators, trenchers, graders, compactors, backhoes, support vehicles, drill rig, and concrete ready-mix delivery trucks. Potential construction laydown and staging areas would be located west of the building in the area of the proposed parking lot on Parcel 1.

Construction Employment

The size of the construction workforce would vary during the different phases of construction. The maximum number of construction workers required for construction would be 60 during the warm shell and the sitework phases (Phases 5 and 6). Parking for construction workers would be provided onsite, not on public streets.

Project Approvals

The following City discretionary approvals would be required prior to development:

- **Use Permit.** The Project Sponsor would need a use permit, per Menlo Park Municipal Code Chapter 16.82, for the bonus-level development.
- **Architectural Control,** per Menlo Park Municipal Code Chapter 16.68, the Project Sponsor would be required to obtain an architectural control review and approval of the specific building design from the Planning Commission.
- **Lot Merger and/or Lot Line Adjustment,** per Menlo Park Municipal Code Chapter 15.30, the Project Sponsor would apply to merge three parcels (APNs 055-433-320, 055-433-330, and 055-433-350) into a single legal parcel.
- **Heritage Tree Removal Permit.** A tree removal permit would be required for each heritage tree proposed for removal, per Menlo Park Municipal Code Section 13.24.040.
- **Below-Market-Rate Housing Agreement.** A below-market-rate housing agreement would be required, per Menlo Park Municipal Code Section 16.96.030, for the payment of in-lieu fees associated with the City's Below-Market-Rate Housing Program.

¹¹ Certain discarded materials may be able to use 40-cubic-yard dumpster trucks, which would reduce the number of overall truck trips; however, this document conservatively estimates the number of trips per day using 9-cubic-yard trucks.

- **Environmental Review.** This would include release of the Initial Study and certification of the environmental impact report (EIR), with approval of a mitigation monitoring and reporting program (MMRP) for the Proposed Project and statement of overriding considerations to the extent the EIR discloses any potentially significant impacts that cannot be mitigated to less-than-significant levels. In addition, the Proposed Project would be required to comply with the MMRP for ConnectMenlo as part of the Proposed Project.

As part of the Proposed Project review process conducted by the City, a fiscal impact analysis will be prepared. In addition, an appraisal will identify the required value of the community amenity.

Reviews/Approvals by Responsible Agencies

Reviews and approvals by other agencies that may be needed for the Proposed Project to proceed are also identified. Some of these agencies will need to approve certain parts of the Proposed Project prior to full implementation, but their approval is not required for EIR certification.

- **Bay Area Air Quality Management District** – Permits for onsite 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 discharges.
- **City/County Association of Governments** – Review of potential effects on Routes of Regional Significance and the proposed TDM program.
- **San Mateo County Transportation Authority** – Review of potential effects on public transit.
- **Menlo Park Fire Protection District** – Approval of proposed fire prevention systems, onsite generators, and emergency vehicle access.
- **San Mateo County Environmental Health Division** – Review of food service functions and onsite generators.
- **San Francisco Public Utilities Commission** – Review of any potential work within the Hetch Hetchy right-of-way.
- **West Bay Sanitary District** – Approval of wastewater hookups.
- **Native American Heritage Commission** – Consultation and review of cultural resources in the area.

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3. Environmental Checklist

Environmental Factors Potentially Affected

The environmental factors checked below could be affected by the 1125 O'Brien Drive Project (Proposed Project), involving at least one impact that is a "potentially significant impact," as indicated by the checklists on the following pages. In addition, the following topics will require further review in an environmental impact report (EIR): air quality, biological resources, cultural/tribal resources, greenhouse gas emissions, noise, population and housing, and transportation.

- | | | |
|--|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural and Forestry | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input checked="" type="checkbox"/> Geology/Soils | <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards and Hazardous Materials |
| <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input checked="" type="checkbox"/> Noise | <input checked="" type="checkbox"/> Population/Housing* | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input checked="" type="checkbox"/> Mandatory Findings | <input type="checkbox"/> Wildfire** |

* Impacts related to population/housing are not expected to result in potentially significant impacts but are checked here to indicate that further analysis in the environmental impact report (EIR) is required.

** An analysis of wildfire is required only if the Project site is in or near State Responsibility Areas or lands that have been classified as Very High Fire Hazard Severity Zones. Because the Project site is urbanized and not in one of these areas, an analysis of this topic is not included in this document.

Determination

On the basis of this initial evaluation:

- I find that the Proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that, although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Proposed Project have been made by or agreed to by the Project Sponsor. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the Proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document, pursuant to applicable legal standards, and 2) has been addressed by mitigation measures, based on the earlier analysis, as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that, although the Proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, pursuant to applicable standards, and (b) have been avoided or mitigated, pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the Proposed Project, nothing further is required.

Signature

Date

Printed Name

For

Organization of This Chapter

Each California Environmental Quality Act (CEQA) topic or environmental issue in this chapter is given its own section, with each containing the subsections listed below.

- **Setting** – The Setting describes existing baseline conditions, including environmental context and background. For the topics to be analyzed in the EIR, a Setting section is not provided in this document.
- **General Plan Goals and Policies** – The City of Menlo Park (City) General Plan contains general goals, policies, and programs that require local planning and development decisions to consider impacts on each environmental issue. The applicable goals and policies are listed in each section, with the exception of the topics to be analyzed in the EIR.
- **Environmental Checklist and Discussion** – The impact discussion identifies standards of significance and evaluates how the Proposed Project would affect baseline conditions. Each checklist item includes a summary of the analysis in the City of Menlo Park General Plan and M-2 Area Zoning Update (ConnectMenlo) EIR, discusses the specific impacts induced by the Proposed Project, and concludes with a comparison of the Proposed Project to the findings in the ConnectMenlo EIR. However, if a checklist item is determined to result in no impact, then a Project-specific discussion is not needed and, therefore, not included.

Evaluation of Environmental Impacts

This section identifies the environmental impacts of the Proposed Project by answering questions from Appendix G of the CEQA Guidelines, the Environmental Checklist form. The analysis in this document considers all phases of the Proposed Project’s planning, construction, implementation, and operation. Pursuant to Section 15063(d) of the CEQA Guidelines, this document identifies the environmental setting and discusses the environmental effects of the Proposed Project. For each impact identified, a level of significance is determined using the following classifications:

- **Potentially Significant Impact** is appropriate if there is substantial evidence that an effect is significant or the established threshold has been exceeded. If there are one or more “potentially significant impact” entries when the determination is made, then an EIR may be required. These topics will require further analysis in the EIR.
- **Less-than-significant Impact with Mitigation** is included when the impacts would be potentially significant but implementation of Project-specific mitigation measures and/or mitigation measures from the ConnectMenlo EIR would reduce the impacts to a level of less than significant. Project-level mitigation measures are provided immediately following the discussion. ConnectMenlo EIR mitigation measures are reproduced at the end of each subsection.
- **Less-than-Significant Impact** applies when the Proposed Project would affect, or be affected by, the environment, but based on sources cited in the report, the impact would not have an adverse effect and would not exceed the established thresholds.
- **No Impact** denotes situations in which there is no adverse effect on the environment. Referenced sources show that the impact does not apply to the Proposed Project. For these impacts, the analysis in the ConnectMenlo EIR is summarized and conclusions are made, but a Project-specific discussion is not provided.

I. Aesthetics	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the Project:					
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Regional Visual Context

Menlo Park is a 19-square-mile municipality situated approximately 30 miles south of San Francisco and 20 miles north of San José on the San Francisco Peninsula (Peninsula). Menlo Park is one of more than a dozen cities on the flatter portions of the western margin of San Francisco Bay (Bay), east of the San Andreas Fault Zone. It is surrounded by the municipalities of Redwood City to the northwest, Atherton to the west, Palo Alto and Stanford University to the southeast, and East Palo Alto to the east. The Bay is north of Menlo Park.

Urban development within the region is largely concentrated between the Bay and the Interstate 280 (I-280) corridor. In general, the Peninsula is developed with low-density uses within distinct neighborhoods that include commercial, retail, and residential buildings. Larger-scale development, such as office parks and industrial buildings, tends to be located between the Bay and US 101. Some high-rise office, apartment, and hospital buildings are located between US 101 and I-280; however, these buildings are concentrated mainly along the US 101 and El Camino Real corridors.

The Bay and its natural features are key visual components in the eastern and northern portions of Menlo Park. The Santa Cruz Mountains, which run the length of the Peninsula and form a barrier between the Pacific Ocean and the Bay, are visible from the majority of Menlo Park as well as adjacent cities, especially north and east of US 101. The visible portion of the mountain range is Skyline Ridge, which rises more than 2,400 feet. The ridge is approximately 15 miles south of the Project site.

Project Vicinity Visual Context

The Project site is in an area known as the Bayfront Area.¹² The Bayfront Area has been historically defined by light industrial/office use; however, under recent planning updates, multi-family housing is currently permitted in some parts of the Bayfront Area but not in the LS zoning district. The road network in the

¹² According to the City General Plan and ConnectMenlo EIR.

Bayfront Area includes US 101, divided arterial roads (e.g., Willow Road, Bayfront Expressway, Marsh Road), and local streets, which vary in width (many are without sidewalks). The local streets are laid out in an ad-hoc pattern to serve groups of parcels. Building placement and landscaping vary, but buildings are usually surrounded by parking or other paved areas on all sides; siting and landscaping do not fit a consistent pattern. Almost all buildings have flat roofs, many are rectangular in form, and most have metal or cementitious exterior wall materials. In general, buildings in the Bayfront Area range from one to three stories in height. The contrast between the differing land uses and the natural setting of the Bay to the north provides limited unity and inconsistent visual patterns.

The Bayfront Area is relatively flat, with limited long-range views, due, in part, to the prevalence of buildings that block views of the surroundings. In addition, mature trees and vegetation provide visual separation and screening between existing buildings and along streets. Visual resources to the north, such as the Bay, the hilly open space at Bedwell Bayfront Park (Bayfront Park), the salt marshes, Don Edwards San Francisco Bay National Wildlife Refuge (Refuge), and Dumbarton Bridge, are generally not visible from the majority of vantage points in the vicinity of the Proposed Project; these resources are visible only from areas immediately adjacent to Bayfront Expressway. No scenic resources, such as rock outcroppings, cliffs, or knolls, are present in the Proposed Project's vicinity, although mature trees are present throughout the area.

The ConnectMenlo EIR described the Bayfront Area as seven distinct subareas for the purpose of describing the general characteristics and development patterns that currently exist throughout the area. The Project site is within the O'Brien Drive subarea. As explained in the ConnectMenlo EIR, the parcels and buildings fronting O'Brien Drive are relatively small compared with the rest of the commercial lots in the Bayfront Area, making it a unique subarea. Winding block patterns define O'Brien Drive and connect to Willow Road and University Avenue. Generally, this area consists of one-story tilt-up buildings, typified by utilitarian architecture and minimal windows/openings. The buildings are smaller than similar types of development in the Bayfront Area. Small parking areas are located in the front setback and the limited side and rear setbacks. Mature trees are consistently planted adjacent to O'Brien Drive. Newer buildings show more articulation and include mirrored or colored windows/openings on the ground and upper floors. Buildings in this area range from two to three stories in height.

The Project site is also part of the Menlo Park Labs campus, which comprises a variety of life science and biotech companies. The entire campus provides approximately 1.4 million gross square feet (gsf) of space within its buildings and includes landscaping, surface parking lots, onsite food services, and recreational facilities for tenants.¹³

Project Site Visual Context

The Project site includes existing buildings at 1105, 1135, and 1165 O'Brien Drive. The three single-story buildings, with a maximum height of 20 feet, are located on two parcels (assessor's parcel number [APN] 055-433-320 and APN 055-433-330); an adjacent third parcel (APN 055-433-350) has a drainage ditch along the western edge. Together these properties are collectively referred to as the Development Lot or Parcel 1. The tilt-up concrete buildings are utilitarian-style structures and lack architectural distinction, typical of mid-20th century suburban industrial office park development. The first floor of each building, the façade of which is clad in Roman brick veneer, is slightly recessed. This area contains

¹³ Tarlton Properties. 2021. *Menlo Park Labs – About*. Available: <https://www.menloparklabs.com/about/>. Accessed: February 4.

the main entrance. Building entrances consist of a fully glazed aluminum-frame door surrounded by an aluminum-framed window assembly. Rectangular metal-braced columns support the top portions of the façades. The braces are in the structural bays flanking the main entrance. The façades above the building entrances are clad in smooth, minimally decorated stucco and devoid of fenestration.

The buildings at Parcel 1 are surrounded by surface parking lots with 98 uncovered stalls. Minimal decorative landscaping is included at the front entrances to the buildings or along the O'Brien Drive frontage. There are currently 40 trees on the Project site, 13 of which are heritage trees. The approximately 20-foot-wide, concrete-lined drainage ditch, also located on Parcel 1, that runs from storm drains in East Palo Alto contains no vegetation; the bottom of the drainage ditch is lined with debris.

In addition, the Project site includes a second parcel, referred to as the Accessory Parking Lot or Parcel 2, at 1 Casey Court. Parcel 2 includes an existing office/warehouse building and 44 uncovered surface parking stalls. There is minimal landscaping onsite. Similar to the existing buildings on Parcel 1, the building at 1 Casey Court lacks architectural distinction and is typical of a mid-20th-century industrial office park. The building is constructed of sheet metal paneling; the façades of the building do not include fenestration. A large metal overhang with loading bays extends to the side of the existing building.

Scenic Corridors/Vistas and Onsite Visibility

Scenic Corridors/Vistas. These areas are viewed as a single entity that encompasses the total field of vision from a specific point, or series of points, along a linear transportation route. Public view corridors are areas where short-range, medium-range, and long-range views are available from publicly accessible viewpoints, such as city streets. The Bayfront Area is on the flatter portions of the western margin of the Bay, east of the San Andreas Fault Zone; this limits scenic vistas within the city and the area. Because of the flat nature of the study area, the majority of the city, particularly the Bayfront Area, is afforded views of the Santa Cruz Mountains. Scenic resources also include the Bay itself and its natural features, including the salt ponds and Bayfront Park, as viewed from the eastern and northern portions of the city. Per the ConnectMenlo EIR, the city has no designated scenic corridors or scenic vistas; however, the section of I-280 within the ConnectMenlo study area is a designated State Scenic Highway per the California Scenic Highways Program.¹⁴ In addition, the ConnectMenlo EIR considers views to the Santa Cruz Mountains, the Bay, and the foothills and San Francisquito Creek within the city as scenic vistas.

Views from the Project Site. Because of the relatively flat topography of the Project site and vicinity, as well as the prevalence of buildings and vegetation, views from at-grade locations are largely restricted. Views at the Project site consist mainly of onsite surface parking lots and buildings, perimeter landscaping, and immediately adjacent buildings and power lines. Views of the salt ponds, marshes, the Refuge, the Bay, and the Santa Cruz Mountains are obstructed from pedestrian-level viewpoints. The Project site is visible from O'Brien Drive, Casey Court, the western segment of Kavanaugh Drive, and portions of Kelly Court.

¹⁴ California Department of Transportation. 2021. *California Scenic Highway Mapping System, San Mateo County*. Available: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>. Accessed: February 4, 2021.

Light and Glare

Light pollution refers to all forms of unwanted light in the night sky, including glare, light trespass or spill on adjacent sensitive receptors, sky glow, and over-lighting. Views of the night sky are an important part of the natural environment. Excessive light and glare can be visually disruptive to humans and nocturnal animal species. Although there is considerable development in Menlo Park, commercial development is concentrated in the downtown area and at intersections along major arterials; industrial uses are concentrated in the Bayfront Area (including the Project site). Light pollution in most of the city is minimal and restricted primarily to areas with lighting along major streets and freeways or areas with nighttime illumination within commercial and industrial buildings.

Light sources at the Project site include the fixtures on the buildings and positioned around the paved parking areas. Although there are four buildings at the Project site, the surrounding area is not brightly illuminated at night because of the limited number of windows and entrances. In addition, cobra-style street lighting is provided along O'Brien Drive and Casey Court. Although the buildings have glass doors and windows, the area of reflective surface is minimal because of the architectural style. Furthermore, vegetation blocks the reflective surfaces in many exterior areas.

General Plan Goals and Policies

The City General Plan (specifically the Land Use Element and the Open Space/Conservation Element) contains general goals, policies, and programs that require local planning and development decisions to consider impacts on aesthetics. The following City General Plan goals and policies would serve to reduce impacts on the visual quality and character in the Bayfront Area: Goal LU-1, Policy LU-1.1; Goal LU-4, Policy LU-4.3 and Policy LU-4.5; Goal LU-6, Policy LU-6.2 and Policy LU-6.8; and Goal OSC-1, Policy OSC-1.11, Policy OSC-1.13, and Policy OSC-1.15.

Environmental Checklist and Discussion

a. Have a substantial adverse effect on a scenic vista? (No Impact)

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact AES-1 (pages 4.1-8 to 4.1-14) and determined to be less than significant because no publicly accessible views of scenic resources would be blocked or obstructed by increasing height limits in the Bayfront Area. Similar views would continue to be visible between buildings and over lower-intensity areas. No mitigation measures were required.

Conclusion

The physical conditions, as they relate to scenic vistas, have not changed in the ConnectMenlo study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. Because of the relatively flat topography of the Project site and vicinity, as well as the prevalence of existing buildings and vegetation, views from locations at grade are largely restricted. Although the Proposed Project would result in additional height, bulk, and massing from the proposed building, this area is not considered a scenic vista. The Project site is not viewed from scenic vistas, resulting in **no impact**. No further study is required.

- b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (No Impact)***

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact AES-2 (pages 4.1-14 to 4.1-15). The ConnectMenlo EIR determined that impacts would be less than significant because none of the potential new development would be within the I-280 viewshed. No mitigation measures were required.

Conclusion

The physical conditions, as they relate to scenic resources adjacent to a scenic highway, have not changed in the ConnectMenlo study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. The Project site is not adjacent to, or visible from, a state scenic highway. Therefore, **no impact** would occur, and no further study is required.

- c. Conflict with applicable zoning and other regulations governing scenic quality? (Less than Significant)***

Analysis in the ConnectMenlo EIR

The following City General Plan goals and policies would serve to reduce impacts on visual quality and character in the Bayfront Area: Goal LU-1, Policy LU-1.1, Goal LU-4, Policy LU-4.3, Policy LU-4.5, Goal LU-6, Policy LU-6.2, Policy LU-6.8, Goal OSC-1, Policy OSC-1.11, Policy OSC-1.13, and Policy OSC-1.15. These policies encourage orderly development and land use patterns, promote high-quality architectural design, and protect and enhance the scenic qualities of Menlo Park.

Consistency with applicable zoning and other regulations was analyzed in the ConnectMenlo EIR as Impact LU-2 (pages 4.9-14 to 4.9-23) and determined to be less than significant with mitigation incorporated (as discussed in more detail in Section XI, Land Use and Planning). In addition, this checklist item related to aesthetics was analyzed in the ConnectMenlo EIR as Impact AES-3 (pages 4.1-15 to 4.1-16). The ConnectMenlo EIR concluded that the impacts would be less than significant. Although more intense development with taller and larger buildings could occur in the Bayfront Area, future development would not result in a substantial change to the existing visual character of the Bayfront Area or its surroundings. No mitigation measures were required.

Project-Specific Discussion

For purposes of this analysis, a conflict with applicable zoning and other regulations governing scenic quality would occur if the Proposed Project were to introduce a new visible element that would be inconsistent with the overall scenic quality, scale, and character of surrounding development. The development would also need to be consistent with City General Plan policies, the City Zoning Ordinance, and the Menlo Park Municipal Code. The analysis considers the degree of contrast between proposed features and the existing features that represent the area's aesthetic image, in addition to the degree to which the Proposed Project would contribute to the area's aesthetic value.

Construction

As described above, the Project site is not considered visually sensitive because of its urbanized surroundings with industrial, office, and warehouse buildings. Construction of the Proposed Project would include demolition, excavation, and construction activities on the Project site. These construction activities, which would occur over an approximately 16-month period, would temporarily degrade the visual character of the Project site and the surrounding area. Construction materials and equipment would be staged entirely onsite at the proposed surface parking lot on Parcel 1, in the drive aisles adjacent to the garage and behind the proposed building, and in landscaped areas. Construction fencing and existing landscaping would provide visual screening. Although construction would be visible from public view corridors along O'Brien Drive and Casey Court, visual degradation associated with construction would be short term and temporary and would not conflict with applicable zoning and other regulations governing scenic quality.

Operation

The proposed five-story, steel-frame building would be located on Parcel 1 and designed to house research-and-development (R&D)/life science tenants. In addition, a total of 249 parking stalls would be provided throughout the Project site, including 89 stalls at Parcel 1 and 160 stalls at Parcel 2. The curved south façade of the R&D structure would be composed of full-height, performance-tinted bird-friendly insulated glazing in an aluminum-frame curtain wall. The balance of the building would be clad in glass-fiber reinforced-concrete panels, formed metal panels, and aluminum-frame windows with tinted insulated glazing. Roof-mounted mechanical equipment would be concealed behind a formed metal screen. The southern portion of the roof would have a paved deck with seating areas and landscaping. A two-story entry lobby would be at the center of the south elevation of the R&D facility. In addition, a café would be on the main level, adjacent to the lobby.

Proposed landscaping would be provided along O'Brien Drive and Casey Court. The landscaping would be designed to complement the existing campus buildings along O'Brien Drive. Approximately 19,399 square feet (sf) of the street frontage (54 percent of the required open space) would be landscaped. The public open space along the street frontage would be landscaped with berms, trees, bioretention areas, and California-native vegetation. Furnishings at the public space adjacent to the proposed café may include trash receptacles, benches, and other outdoor furniture. Hardscape would comprise concrete paving, decomposed granite paving, and concrete pavers. The landscaped area could include five areas with flow-through planters, bioretention areas, self-retaining areas, and self-treating areas around the proposed building. In total, approximately 39,306 sf of open space would be provided throughout the Project site, representing 21.8 percent of the total area. In addition, 114 new trees would be planted at the Project site.

As discussed above, the area surrounding the Project site is an urbanized area with office parks, warehouses, and expansive surface parking lots. It is not a visually significant area. Because of flat topography and distance, the Project site is not visible from public open spaces in the vicinity. As described, the Proposed Project would result in additional building height, bulk, and massing at the Project site. However, given the existing industrial and office uses in the vicinity, the Proposed Project would be compatible with the existing visual character and quality of its surroundings.

The Proposed Project would construct a new structure (R&D building with surface parking) that would represent a continuation of the existing pattern of industrial and office development and reflect a similar design and landscape. The proposed building could be visible from the residential neighborhood in East Palo Alto, along Albern Street, to the south. However, because of flat

topography, existing structures, and dense vegetation, the building would be predominantly screened from view. Views of the proposed building would be channelized and limited to only the upper levels, behind existing structures and trees. Therefore, implementation of the Proposed Project would not substantially change the visual character of the Project site or significantly alter the quality of the surrounding areas.

Conclusion

The physical conditions, as they relate to visual character, have not changed in the ConnectMenlo study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. The Proposed Project would be subject to the City's architectural control process, in accordance with Section 16.68.020 of the City Zoning Ordinance, and required to comply with applicable design standards, as outlined in the City Zoning Ordinance. In addition, City General Plan goals and policies, as listed above, would serve to minimize potential adverse impacts on aesthetic resources. The Proposed Project would not conflict with applicable zoning and other regulations governing scenic quality, resulting in *less-than-significant* impacts. No further study is required.

- d. *Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area? (Less than Significant)*

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact AES-4 (pages 4.1-16 to 4.1-17). Impacts would be less than significant because new development would be required to comply with general best management practices and City General Plan policies. No mitigation measures were required.

Project-Specific Discussion

Building, parking lot, and security lighting is currently present throughout the Project site, although to a lesser extent than proposed. Proposed development at the Project site would result in increased nighttime lighting from vehicles, interior circulation areas, the surface parking, the new R&D building, and security features. Lighting would continue to be provided throughout the Project site by roadway/driveway lights, area lights, bollards, and in-ground lights. The proposed lighting at the Project site would be visible from O'Brien Drive, Casey Court, and the western segment of Kavanaugh Drive, resulting in a potential nuisance or distraction for motorists. Lighting on the upper levels and the rooftop deck of the proposed building could be visible to some residences in East Palo Alto, along Albern Street, to the south. However, some of the building lights would be screened by onsite vegetation. In addition, because of the urbanized nature of the surrounding area, a significant amount of ambient nighttime lighting currently exists, thereby affecting views of the nighttime sky. The lighting performance standards set by the U.S. Green Building Council under the Leadership in Energy and Environmental Design (LEED) program pertain to lighting specifications, shielding techniques, automatic lighting controls, and light pollution. Lighting on the upper levels and at the rooftop deck would comply with these requirements through down-lighting, automatic shutoffs, and shielding. Although building surfaces could be reflective, glare would be minimized through the Proposed Project's design.

Conclusion

The physical conditions, as they relate to light and glare, have not changed in the ConnectMenlo study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. Compared with existing conditions at the Project site, the Proposed Project would result in increased light and glare, which would adversely affect daytime and nighttime views. However, the Proposed Project would be subject to the City's architectural control process, in accordance with Section 16.68.020 of the City Zoning Ordinance, and required to comply with applicable design standards, as outlined in the City Zoning Ordinance. This review would ensure that the proposed design, construction materials, and lighting would be consistent with area practices and proposed lighting would be directed downward so as not to spill over on adjacent properties, resulting in *less-than-significant* impacts. No further study is required.

II. Agricultural and Forestry Resources	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
<p>In determining whether impacts on agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.</p> <p>Would the project:</p>					
<p>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c) Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d) Result in the loss of forestland or conversion of forestland to non-forest use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>e) Involve other changes in the existing environment that, because of their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forestland to non-forest use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The Project site does not contain Farmland, nor is it adjacent to any Farmland. The Project site is considered Urban and Built-Up Land (i.e., land that is occupied by structures with a building density of at least one unit to 1.5 acres).¹⁵ In addition, the Project site is not currently protected under the Williamson Act or zoned for agricultural uses.¹⁶ The Project site is zoned Life Science, Bonus (LS-B), which does not allow for agricultural uses.

There are currently 40 trees on the Project site. However, these are not considered to be forestry resources, per the definitions of Public Resources Code (PRC) Section 12220(g); timberland, as defined by PRC Section 4526; or timberland zoned Timberland Production, per Government Code Section 51104(g). According to the Open Space/Conservation Element of the City General Plan, Menlo Park includes several natural community types, including oak woodlands. However, per the Existing Vegetation map in the City General Plan, the Project site is in an Urban area.¹⁷

Environmental Checklist and Discussion

- a. *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use? (No Impact)***

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR (page 6-1); it was determined that it would result in no impact. No mitigation measures were recommended.

Conclusion

According to the 2018 Farmland Mapping and Monitoring Program from the California Department of Conservation, the Project site is in an area that is designated as Urban and Built-Up Land,¹⁸ which is not considered Farmland. The physical conditions, as they relate to Farmland, have not changed in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. **No impact** would occur, and no further study is needed.

¹⁵ California Department of Conservation. 2018. *2018 Farmland Mapping and Monitoring Program*. Available: <https://www.conservation.ca.gov/dlrp/fmmp/Pages/SanMateo.aspx>. Accessed: February 4, 2021.

¹⁶ San Mateo County. 2016. *San Mateo County GIS open data, Williamson Act Parcels*. Available: https://data-smcmaps.opendata.arcgis.com/datasets/01914b56a4e94e0a92063d08b8fa4b0a_7?geometry=-122.713%2C37.425%2C-121.845%2C37.616. Accessed: February 4, 2021.

¹⁷ City of Menlo Park. 2013. *City of Menlo Park General Plan*. Open Space/Conservation, Noise, and Safety Elements. May 21.

¹⁸ California Department of Conservation. 2018. *2018 Farmland Mapping and Monitoring Program*. Available: <https://www.conservation.ca.gov/dlrp/fmmp/Pages/SanMateo.aspx>. Accessed: February 4, 2021.

b. Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract?**Analysis in the ConnectMenlo EIR**

This checklist item was analyzed in the ConnectMenlo EIR (page 6-1); it was determined that it would also result in no impact. No mitigation measures were recommended.

Conclusion

The Project site is not zoned for agricultural use or under a Williamson Act contract. The Proposed Project involves the construction of a building for R&D uses within an area that is already developed with four single-story R&D buildings, minimal landscaping, and surface parking lots. Construction of the Proposed Project would not result in the conversion of Farmland to a nonagricultural use. The physical conditions, as they relate to agricultural resources, have not changed in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. As such, the Proposed Project would have **no impact** on agricultural resources. No further study is needed.

c.-e. Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)); result in the loss of forestland or conversion of forestland to non-forest use; or involve other changes in the existing environment that, because of their location or nature, could result in the conversion of Farmland to nonagricultural use or conversion of forestland to nonforest use? (No Impact)**Analysis in the ConnectMenlo EIR**

These checklist items were analyzed in the ConnectMenlo EIR (page 6-1); it was determined that ConnectMenlo would also result in no impact on forestlands. No mitigation measures were recommended.

Conclusion

The physical conditions, as they relate to the conversion of Farmland or forestland, have not changed in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. The Project site is not used to grow trees for commercial lumber or other forest products; therefore, the Project site is not considered timberland. Per PRC Section 12220(g), forestland is defined as land that can support a 10 percent native tree cover of any species. As such, the Project site is not considered forestland. The Project site is also not used for timberland production and would not convert farmland or forestland. As such, the Proposed Project would not conflict with existing zoning for forestland or timberland. **No impact** would occur, and no further study is needed.

III. Air Quality	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
When available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.					
Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase in any criteria pollutant for which the project region is a nonattainment area for an applicable federal or state ambient air quality standard?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

As discussed in more detail, below, this topic will be analyzed further in the EIR for the Proposed Project. Therefore, the setting is not discussed in this document but will be provided instead in the EIR.

General Plan Goals and Policies

General plan goals and policies related to air quality will be outlined and discussed in the EIR.

Environmental Checklist and Discussion

a. Conflict with or obstruct implementation of the applicable air quality plan? (Less than Significant)

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact AQ-1 (pages 4.2-21 through 4.2-35) and determined to result in less-than-significant impacts. ConnectMenlo was expected to reduce vehicle miles traveled (VMT) per service population citywide, even though, overall, the plan would result in an exceedance of Association of Bay Area Governments (ABAG) projections. It was further determined that the policies identified in ConnectMenlo would not hinder implementation of the Clean Air Plan, which is the relevant Air Quality Management Plan for the Proposed Project. Impacts were found to be less than significant, and no mitigation measures were recommended.

Project-Specific Discussion

As discussed in Section XIV, *Population and Housing*, and further analyzed in the EIR, the small number of employees and residents in Menlo Park generated by the Proposed Project would be within the growth projections anticipated through implementation of ConnectMenlo. The Proposed Project would be required to adhere to relevant ConnectMenlo policies, develop a Transportation Demand Management (TDM) program to reduce the number of trips, comply with the City's Green Building requirements and achieve the prescribed level of LEED certification, comply with zoning that requires electric vehicle chargers, comply with onsite renewable and clean energy requirements, and adhere to a Zero-Waste Management Plan. The Proposed Project would also be required to comply with goals, policies, and programs to minimize adverse impacts on air quality, including those in the Open Space/Conservation, Noise and Safety, and Circulation Elements. Overall, compliance with the goals, policies, and programs discussed above would ensure that the Proposed Project would not hinder implementation of the Clean Air Plan.

Conclusion

The physical conditions, as they relate to consistency with the Clean Air Plan, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. In addition, the Proposed Project would not hinder implementation of the Clean Air Plan for the reasons discussed above. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. The Proposed Project would result in a ***less-than-significant*** impact, and no further study is needed.

- b. Result in a cumulatively considerable net increase in any criteria pollutant for which the project region is a nonattainment area for an applicable federal or state ambient air quality standard? (Topic to Be Analyzed in the EIR)***

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact AQ-2 (pages 4.2-35 through 4.2-42) and determined to result in significant and unavoidable impacts for both construction and operational emissions, even with implementation of mitigation measures. Despite the conclusion of significant and unavoidable, as discussed below, ConnectMenlo Mitigation Measures AQ-2a, AQ-2b1, and AQ-2b2 require additional analysis.

Conclusion

Although the physical conditions have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR, the ConnectMenlo EIR requires that additional technical analysis be performed. This analysis could identify impacts that were not previously disclosed. Specifically, the EIR will demonstrate compliance with the following ConnectMenlo Mitigation Measures: AQ-2a (preparation of a technical assessment evaluating potential operational impacts), AQ-2b1 (compliance with the air district's basic control measures for reducing construction-related emissions), and AQ-2b2 (preparation of a technical assessment evaluating construction-related impacts). Therefore, this topic requires ***further environmental review*** in the EIR.

c. Expose sensitive receptors to substantial pollutant concentrations? (Topic to Be Analyzed in EIR)

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact AQ-3 (pages 4.2-43 through 4.2-50) and determined to result in less-than-significant impacts with implementation of mitigation measures. ConnectMenlo Mitigation Measure AQ-3a requires additional analysis.

Conclusion

Although the physical conditions have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR, the ConnectMenlo EIR requires that additional technical analysis be performed. This analysis could identify impacts that were not previously disclosed. Specifically, the EIR will demonstrate compliance with Mitigation Measure AQ-3a, which requires preparation of a health risk assessment for a project within 1,000 feet of a sensitive land use. Sensitive land uses in the area include Mid-Peninsula High School to the northwest, Wund3rSCHOOL/Open Mind School to the northeast, Cesar Chavez Elementary School to the southeast, and residences in East Palo Alto to the south. Therefore, this topic requires **further environmental review** in the EIR.

d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? (No Impact)

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact AQ-4 (pages 4.2-51 through 4.2-52) and determined to result in less-than-significant impacts. No mitigation measures were recommended. As discussed in the ConnectMenlo EIR, the Land Use Element would require planning and development decisions to consider the creation of objectionable odors.

Project-Specific Discussion

Potential odor sources that could affect sensitive receptors would include uses and activities such as composting, greenwaste and recycling operations, treatment plants, food processing plants, and painting/coating operations. Responses to odors are subjective and vary by individual and the type of land use. R&D uses are not included in Table 4.2-9 of the ConnectMenlo EIR, which lists the uses that could be required to undergo environmental review to ensure that sensitive land uses are not exposed to objectionable odors. The Proposed Project would not be a source of odors and would not result in other emissions, such as those leading to odors, that would adversely affect a substantial number of people.

Conclusion

The physical conditions, as they relate to creating objectionable odors, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. In addition, the Proposed Project would not result in land uses that would create objectionable odors because the Project site would be infill development in an existing office park setting. The Proposed Project would result in **less-than-significant impact**, and no further study is needed.

IV. Biological Resources	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:					
a) 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 Wildlife or U.S. Fish and Wildlife Service?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands, including, but not limited to, marshes, vernal pools, and coastal wetlands, through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

Methods

ICF reviewed the following sources to identify existing biological resources near the Project site:

- *Biological Resources* section of the ConnectMenlo EIR
- *1125 O'Brien Drive Biological Resources Assessment* prepared by WRA, Inc. (WRA)¹⁹

The biological resources assessment (BRA) for the Project site was prepared by WRA; the BRA is attached to this Initial Study as Appendix A. The report was informed by a reconnaissance-level survey of the Project site by WRA biologists on August 1, 2019, and October 6, 2020. Unless otherwise noted, the information in this section is from the BRA prepared by WRA.

Topography and Soils

The Project site is relatively flat, with elevations ranging from approximately 10 to 13 feet above mean sea level. The Natural Resources Conservation Service has mapped soils on the site as Urban Land. This soil type is associated with areas where more than 85 percent of the surface is covered by asphalt, concrete, buildings, and other structures. Soils at the Project site include small areas of Urban Land-Orthents, cut and fill, and Orthents-reclaimed. The soil types at the Project site are not native or hydric, resulting in a high runoff rate.

Land Cover

The entire Project site has been modified for human use and does not support any natural plant communities. The 4.12-acre site is composed of three land cover types, developed (3.65 acres), landscaped (0.24 acre), and non-jurisdictional man-made types, including a partially concrete-lined drainage ditch (0.22 acre). Developed areas consist of four buildings and associated parking and walkways. These areas lack vegetation and are composed entirely of impervious surfaces. Landscaped areas consist of planting strips along O'Brien Drive and raised areas in the southeastern portion of the Project site that support ornamental trees and low-laying shrubs. The ornamental trees and shrubs include raywood ash (*Fraxinus angustifolia*), purple leaf plum (*Prunus cerasifera*), Japanese privet (*Ligustrum japonicum*), giant yucca (*Yucca gigantea*), and coast redwood (*Sequoia sempervirens*). One remnant large coast live oak (*Quercus agrifolia*) is present on the northern edge of the Project site, within landscaped land cover. All landscaped land cover within the Project site appears to be maintained and frequently watered from an irrigation system.

The concrete-lined drainage ditch is a 525-foot segment (approximately 0.22 acre) of a 550-foot-long, 20-foot-wide stormwater ditch that runs along the western edge of the Project site. The drainage ditch conveys urban stormwater flows from residential and commercial areas south of the Project site to an enclosed culvert between several large commercial buildings, terminating in an area south of the berm along the nearby elevated train tracks. Accumulated sediment in the bottom of the ditch supports moderately hydrophytic vegetation such as curly dock (*Rumex crispus*), tall flatsedge (*Cyperus eragrostis*), Italian rye grass (*Festuca perennis*), and bristly ox-tongue (*Helminthotheca echioides*), which is mixed with upland vegetation such as prickly lettuce (*Lactuca serriola*), sweet fennel (*Foeniculum*

¹⁹ WRA, Inc. 2021. *1125 O'Brien Drive Development Project Biological Resources Assessment*. Prepared for O'Brien Drive Portfolio, LLC, Menlo Park, CA. July.

vulgare), and slender oat (*Avena barbata*). Two Chinese pistache (*Pistacia chinensis*) are also located on the east side of the ditch, near the northern boundary of the Project site. The drainage ditch receives periodic hydrologic inputs during the rainy season but is most likely dry for the remainder of the year between rain events. The drainage ditch was dry during the site visit in October 2020. It does not pond or hold water for significant durations between rain events, nor does it contain suitable habitat for sensitive wildlife species.

State or Federally Protected Wetlands

The Project site is built on uplands that were developed in the late 1960s for commercial use. The concrete-lined drainage ditch was also constructed at that time; it was never a natural stream or historic wetland. In addition, the Project site and stormwater conveyance system downstream of the ditch do not fall within the footprint of a historical stream, marsh, or wetland boundary. Stormwater entering the ditch from the south originates from East Palo Alto's paved streets. Because the ditch is man-made, does not exhibit wetland characteristics (i.e., hydrophytic vegetation, hydric soils, hydrology), and is not connected to wetlands or non-wetland waters of the United States, it is not considered a wetland or non-wetland water of the United States under the federal Clean Water Act. It also does not meet the State Water Resources Control Board's State Wetland Definition²⁰ because it is artificial, less than 1 acre in size, subject to ongoing operation and maintenance, situated in a dense commercial setting, and not identified in a water quality control plan. No other state or federally protected wetlands or non-wetland waters of the United States were observed during the October 2020 reconnaissance survey.

Special-Status Species

Plants

A review of the resources and databases listed in the BRA indicates that 25 special-status plant species have been documented in the vicinity of the Project site. The locations of 14 special-status plant species in the California Natural Diversity Database (CNDDDB) within 5 miles of the Project site are provided in Appendix A of the BRA (Figure 4). Appendix B of the BRA²¹ summarizes the potential for each special-status plant species to occur in the vicinity of the Project site. No special-status plant species were observed during the site visit in October 2020, and none has the potential to occur at the Project site.

Wildlife

For the purposes of this Initial Study, *special-status species* are those with one or more of the following characteristics:

- Species that are listed, proposed for listing, or candidates for possible future listing as threatened or endangered under the federal Endangered Species Act of 1973, as amended.
- Species that are listed or proposed for listing as threatened or endangered under the California Endangered Species Act of 1984, as amended.
- Species that are designated by the California Department of Fish and Wildlife (CDFW) as Species of Special Concern.

²⁰ State Water Resources Control Board. 2019. *State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State*. April 2. Available: https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/procedures_conformed.pdf. Accessed: November 15, 2019.

²¹ WRA, Inc. 2021. *1125 O'Brien Drive Development Project Biological Resources Assessment*. Prepared for O'Brien Drive Portfolio, LLC, Menlo Park, CA. July.

- Species that are designated as Fully Protected under Sections 3511 (birds), 4700 (mammals), and 5050 (reptiles and amphibians) of the California Fish and Game Code.
- Species that meet the definitions of rare or endangered under CEQA (Section 15380).

The Project site provides habitat (i.e., the resources and conditions present in an area that result in occupancy by a given organism)²² for common wildlife species that have successfully adapted to high disturbance levels, ornamental vegetation, and abundant food sources (e.g., food waste in trash cans, seeds and flowers produced by ornamental plants), which are characteristic of urban landscapes. Based on a review of the resources and databases listed in the BRA, 40 special-status wildlife species have been documented in the vicinity of the Project site. The locations of 28 special-status wildlife species in the CNDDDB within 5 miles of the Project site are provided in Appendix A of the BRA (Figure 5). Appendix B of the BRA²³ summarizes the potential for each species to occur in the area. Of the 40 special-status species examined, none is considered to have high potential for occurrence in the Project area, and only one (white-tailed kite) has moderate potential to occur. The remaining 39 species are considered unlikely to occur in the Project area or have no potential to occur.

With the exception of white-tailed kite (*Elanus leucurus*), a California Fully Protected species, and other tree-nesting raptors (identified as special-status species by the ConnectMenlo EIR), no special-status animal species are expected to occur on the Project site because the site lacks habitat, is outside their known range, and/or is isolated from the nearest known population by urban development. Although some of these species, such as western snowy plover (*Charadrius alexandrinus nivosus*), California Ridgway's rail (*Rallus obsoletus obsoletus*), salt marsh harvest mouse (*Reithrodontomys raviventris*), and salt marsh wandering shrew (*Sorex vagrans halicoetes*), are known to occur in the tidal marsh or salt pond habitat of the Refuge, approximately 1.5 mile to the north and east, these habitats are isolated from the Project site by urban development. Tree-nesting raptors that may nest in the ornamental trees near the site include red-shouldered hawk and Cooper's hawk.

Sensitive Natural Communities

Sensitive natural communities have limited distribution statewide or within a county or region. The CDFW's Vegetation Classification and Mapping Program works to classify and map the vegetation of California and evaluate the rarity of natural communities, which the CDFW considers synonymous with "vegetation types," using NatureServe's heritage methodology, the same system used to assign global and state rarity ranks to plant and animal species in the CNDDDB. The resulting CDFW Sensitive Natural Communities List,²⁴ which is updated annually, identifies the vegetation types that biologists and environmental planners should consider when evaluating project impacts under CEQA.

No sensitive natural communities are present on or adjacent to the Project site. As mentioned above, the entire site has been developed, and all traces of natural communities were removed when the area was filled for urban development in the early 20th century.

²² Hall, L. S., P. R. Krausman, and M. L. Morrison. 1997. The Habitat Concept and a Plea for Standard Terminology. In *Wildlife Society Bulletin* 25:173–182.

²³ WRA, Inc. 2021. *1125 O'Brien Drive Development Project Biological Resources Assessment*. Prepared for O'Brien Drive Portfolio, LLC, Menlo Park, CA. July.

²⁴ California Department of Fish and Wildlife. 2019. *California Sensitive Natural Communities*. November 8. Available: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=153609&inline>. Accessed: November 15, 2019.

Wildlife Corridors

For the purposes of this Initial Study, a wildlife corridor is defined as “any space, usually linear in shape, that improves the ability of organisms to move among patches of wildlife habitat that join two or more larger areas of wildlife habitat.”²⁵ Corridors can be viewed over broad spatial scales, from those connecting continents (e.g., the Isthmus of Panama) to structures across canals. Most wildlife corridors analyzed within the context of land use planning, including those in this Initial Study, are moderate in scale and used to facilitate regional wildlife movement among habitat patches and through human-dominated landscapes.

The Project site is not within or adjacent to any wildlife corridors. As described in the ConnectMenlo EIR, most urbanized portions of Menlo Park preclude the dispersal and movement by terrestrial wildlife, with the exception of unchannelized creeks (e.g., San Francisquito Creek), unobstructed ridgelines, and the shoreline of San Francisco Bay. None of these features occur on or adjacent to the Project site.

General Plan Goals and Policies

The City General Plan—specifically, the Land Use Element, Open Space/Conservation Element, Noise Element, and Safety Element—contains goals, policies, and programs that require local planning and development decisions to consider impacts on biological resources. The following City General Plan goals, policies, and programs would minimize potential adverse impacts on biological resources: Goal LU-4, Policy LU-4.5; Goal LU-6, Policy LU-6.8, Policy LU-6.11, and Program LU-6.D; and Goal OSC-1, Policy OSC-1.1, Policy OSC-1.3, Policy OSC-1.4, Policy OSC-1.5, Policy OSC-1.11, Policy OSC-1.12, Policy OSC-1.13, and Policy OSC-1.15.

Environmental Checklist and Discussion

- a. 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 Wildlife or U.S. Fish and Wildlife Service? (Topic to Be Analyzed in the EIR)*

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact BIO-1 (pages 4.3-19 to 4.3-23). It was determined that it would result in a potentially significant impact on sensitive habitats from future projects. The ConnectMenlo EIR found that City General Plan goals, policies, and programs, as well as bird-safe design regulations for the Bayfront Area, would minimize impacts. In addition, implementation of ConnectMenlo Mitigation Measure BIO-1 would reduce the impact to less than significant by requiring a project applicant to prepare and submit a project-specific BRA if a project occurs on or adjacent to a parcel containing natural habitat, such as mature or native trees. Mitigation Measure BIO-1 would require any mitigation measures identified in a project-specific BRA to be incorporated as components of a project and subsequent building permit, subject to review and approval by the Community Development Department and appropriate regulatory and resource agencies. For the Proposed Project, WRA prepared a BRA in accordance with Mitigation Measure BIO-1, as discussed in more detail below.

²⁵ Hilty, J. A., W. Z. Lidicker Jr., and A. M. Merenlender. 2006. *Corridor Ecology: The Science and Practice of Linking Landscapes for Biodiversity Conservation*. Washington, DC: Island Press.

Conclusion

Because the Project site contains mature, albeit nonnative, trees that could support active nests of common birds that are protected under the MBTA, a BRA was prepared in accordance with Mitigation Measure BIO-1 in the ConnectMenlo EIR, as included in Appendix A of this document and summarized here. Project-specific mitigation measures are included in the BRA to reduce impacts on nesting birds. Therefore, because Project-specific mitigation measures are required, **further environmental review** will be provided in the EIR.

- b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? (No Impact)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact BIO-2 (pages 4.3-24 and 4.3-25). It was found that, without the preparation of project-specific assessments for future projects on or near sensitive habitats, impacts on sensitive natural communities would be potentially significant. The ConnectMenlo EIR found that implementation of Mitigation Measure BIO-1 (i.e., completion of a BRA) would reduce the impact to less than significant by requiring a project-specific assessment of biological resources.

Conclusion

A BRA was prepared for the Proposed Project in accordance with Mitigation Measure BIO-1 in the ConnectMenlo EIR (Appendix A). There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. The Project site does not contain any riparian habitat or sensitive natural communities. Therefore, the Proposed Project would have **no impact** on these resources, and no further study is needed.

- c. Have a substantial adverse effect on state or federally protected wetlands, including, but not limited to, marshes, vernal pools, and coastal wetlands, through direct removal, filling, hydrological interruption, or other means? (Less than Significant)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact BIO-3 (pages 4.3-25 and 4.3-26). The ConnectMenlo EIR found that direct and indirect impacts on wetland habitat could occur if adequate controls are not implemented. Without the preparation of project-specific assessments for future projects on or near wetlands, impacts could be potentially significant. The ConnectMenlo EIR found that implementation of Mitigation Measure BIO-1 (i.e., completion of a BRA) would reduce the impact to less than significant by requiring a project-specific assessment of biological resources.

Project-Specific Discussion

No state or federally protected wetlands or non-wetland waters of the United States occur on or immediately adjacent to the Project site. The drainage ditch is a non-jurisdictional, man-made feature; the ditch was constructed in an upland area to drain stormwater. It lacks perennial and intermittent flows and does not meet state or federal wetland definitions. Therefore, the Proposed Project would

result in no direct impacts on jurisdictional wetlands. Although no direct impacts would occur, development of the Project site has the potential to cause indirect impacts on nearby wetlands or water quality within those wetlands, based on the site's runoff patterns. Indirect impacts on wetlands and jurisdictional other waters include an increase in the potential for sedimentation due to construction grading and ground disturbance, an increase in the potential for erosion due to increased runoff volumes generated by impervious surfaces, and an increase in the potential for water quality degradation due to increased levels of non-point-source pollutants.

Even if wetlands are not in the immediate vicinity, water quality degradation may occur. However, as discussed in Section X, *Hydrology and Water Quality*, compliance with state requirements under the National Pollutant Discharge Elimination System (NPDES) Construction General Permit and the Regional Water Quality Control Board- (RWQCB-) required stormwater pollution prevention plan (SWPPP) to control the discharge of stormwater pollutants during construction, as well as post-construction measures and design features required by the Municipal Regional Permit, would reduce the Proposed Project's potential impact on water quality.

Conclusion

A BRA was prepared for the Proposed Project in accordance with Mitigation Measure BIO-1 in the ConnectMenlo EIR (Appendix A). There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. The Project site does not contain any state or federally protected wetlands or non-wetland waters of the United States that are subject to U.S. Army Corps of Engineers jurisdiction under Section 404 of the Clean Water Act, and no such features are present adjacent to the site. However, indirect impacts on nearby wetlands or non-wetland waters could occur from site runoff. Compliance with the above-mentioned state stormwater controls would reduce potential impacts to a ***less-than-significant*** level. Therefore, no further study is needed.

- d. 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? (Topic to Be Analyzed in the EIR)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact BIO-4 (page 4.3-26). The ConnectMenlo EIR found that a project-specific assessment would be necessary to determine whether any important wildlife movement corridors are present on undeveloped lands where development is proposed. Without preparation of project-specific assessments for future projects on or near sensitive habitats, impacts in the ConnectMenlo EIR study area would be considered potentially significant. The ConnectMenlo EIR found that implementation of Mitigation Measure BIO-1 would reduce the impact to less than significant by requiring a project-specific assessment of biological resources.

Conclusion

As explained above, a BRA was prepared in accordance with Mitigation Measure BIO-1 in the ConnectMenlo EIR. The BRA (Appendix A) recommends a mitigation measure to reduce impacts on active bird nests, which are considered native wildlife nursery sites under this analysis. The Proposed Project will be required to comply with this mitigation measure. This topic requires ***further environmental review*** in the EIR.

e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Less than Significant)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact BIO-5 (page 4.3-27). It was determined that it would result in a less-than-significant impact. The ConnectMenlo EIR found that, with adherence to City General Plan goals, policies, and programs as well as the City Municipal Code, the impact would be less than significant.

Project-Specific Discussion

Heritage Tree Ordinance

The Proposed Project is subject to the City's Heritage Tree Ordinance, codified in Chapter 13.24 of the City Municipal Code.²⁶ As required by the ordinance, tree surveys shall be conducted by an International Society of Arboriculture–certified arborist, and a tree report and map shall be prepared to show the locations of all pertinent trees prior to initiation of construction activities. Any work performed within an area 10 times the diameter of the tree (i.e., the tree protection zone) shall require submittal of a tree protection plan prepared by a certified arborist for review and approval by the Community Development Director or his/her designee prior to issuance of any permit for grading or construction. Removal of heritage trees requires an appropriate permit from the director of the City Public Works Department or his/her designee and payment of a fee. The Project site contains 40 trees, 13 of which meet the City's definition of a heritage tree; some of these trees are proposed for removal. With adherence to Chapter 13.24 of the City Municipal Code, impacts on heritage trees would be less than significant.

Bird-Safe Design

The Proposed Project would also be subject to Chapter 16.44.130 (6) of the City Municipal Code, which requires bird-friendly designs for new buildings. The Proposed Project would include the construction of a new building with a maximum height of 88.5 feet; glazing (i.e., glass) would be a primary design component. In general, buildings with extensive amounts of clear or especially reflective glass on the exterior and/or directly adjacent areas of heavy vegetation can experience a relatively high number of bird collisions. It is presumed that birds in flight see through glass façades to apparently desirable areas on the other side and/or interpret reflections from the surrounding environment (e.g., sky, vegetation) to be actual habitat or otherwise attractive space. This results in building features (e.g., transparent corners, glass guardrails, contiguous areas of untreated glass) presenting a potential risk related to avian collision mortality. Vegetated pathways leading toward façades can also encourage birds to fly toward buildings, resulting in collisions, primarily on the lower stories (i.e., 60 feet and lower). Bird species spend most of their time at this elevation while engaged in foraging, breeding, and other behaviors. Lastly, lighting associated with development can disorient or attract migrating birds, creating an increased collision risk if high-use avian habitats are nearby.

Despite the Project site's location (i.e., in the general vicinity of the San Francisco Bay and associated avian habitat), the general land uses surrounding the study area can be classified as dense light industrial or residential uses. Natural habitats are extremely limited in the surrounding area; what natural cover does exist is composed mainly of landscaped areas.

²⁶ City of Menlo Park Municipal Code, Section 13.024.10.

Although birds may use landscaped areas for nesting, they typically do not do so in large numbers. In addition, the relatively high level of baseline disturbance surrounding the Project site contributes to a reduced level of bird nesting in the immediate vicinity. Therefore, although occasional collisions involving urban-adapted passerine species may occur, they would most likely be very few in number because of the limited amount of avian habitat directly adjacent to the Project site. Several avian species are known to use habitats at the nearby Refuge, both to nest and to congregate during migration. However, because the Project site is surrounded on all sides by dense urban development and does not constitute a wildlife movement corridor, it is highly unlikely that the proposed building would be a significant obstruction to bird movement or a mortality risk.

The proposed building would extend to a height of 88.5 feet. Therefore, it would include an elevation zone with a high risk for avian collisions (i.e., within 60 feet of the ground). However, the Proposed Project would incorporate design aspects that would reduce the likelihood of avian collisions, as described below. This includes complying with the items outlined in City Municipal Code Chapter 16.44.130 (6), as follows:

- No more than 10 percent of a façade's surface area shall have non-bird-friendly glazing (bird-friendly glazing includes, but is not limited to, opaque glass, clear glass with patterns, paned glass with fenestration patterns, and external screens over non-reflective glass).
- Occupancy sensors or other switch control devices shall be installed on non-emergency lights and programmed to shut off during non-work hours and between 10:00 p.m. and sunrise.
- Placement of buildings shall avoid the potential funneling of flight paths toward a building façade.
- Glass skyways or walkways, freestanding glass walls, and transparent building corners shall not be allowed.
- Transparent glass shall not be allowed at the rooflines of buildings, including in conjunction with green roofs.
- Use of rodenticides shall not be allowed.

All glazing used in the building design is indicated in the Project plans as "bird-friendly," particularly in areas where glazing makes up more than 10 percent of the building's elevation. Other areas of glass that would not be treated with anti-reflective coatings would be textured or fritted to create "visual noise." Guardrails on stairways and patios would use wire mesh rather than glass so as not to present a collision risk. All elevations of the building would incorporate variations in surface color, texture, and "relief," which would help birds see the building. Lighting associated with the building would comply with the City Municipal Code and therefore limit any potential disorientation or attraction from nearby high-use avian habitat. Overall, building design elements have been incorporated that comply with City Municipal Code Chapter 16.44.130 (6) and provide protection against avian collisions, resulting in *less-than-significant* impacts.

Conclusion

The physical conditions, as they relate to local policies or ordinances for protecting biological resources, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific

effects as a result of the Proposed Project. The Proposed Project would remove up to 13 heritage trees; however, it would meet the City's bird-friendly design standards and the requirements of City ordinances for protecting heritage trees. Therefore, this impact would be considered ***less than significant***, and no further study is needed.

- f. 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)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact BIO-6 (pages 4.3-27 to 4.3-28). It was determined that it would result in a potentially significant impact because of potential conflicts with the Stanford Habitat Conservation Plan (HCP). Implementation of ConnectMenlo Mitigation Measure BIO-6, which requires implementation of Mitigation Measure BIO-1, would reduce impacts to less than significant.

Conclusion

The Project site is not within a geographic area covered by an adopted HCP or natural community conservation plan. The closest such plan is the Stanford HCP for an area in the Matadero/Deer Creek and San Francisquito Creek watersheds, approximately 6 miles to the south. A BRA was prepared for the Proposed Project in accordance with Mitigation Measure BIO-1 in the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. Because the Project site is not covered by an HCP, the Proposed Project would have ***no impact*** on the provisions of an adopted HCP, natural community conservation plan, or other approved local, regional, or state HCP. No further study is needed.

V. Cultural Resources	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource, pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource, pursuant to Section 15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

Historical Resources

The Project site encompasses four parcels, which are associated with the following addresses: 1105 O’Brien Drive, 1135–1165 O’Brien Drive, the adjacent drainage ditch, and 1 Casey Court. The property at 1105 O’Brien Drive (APN 055-433-300) includes an office building with a rectangular plan that was constructed in 1962. County assessor’s parcel data indicate that the second building on the Project site, 1135–1165 O’Brien Drive (APN 055-433-330), was constructed in 1971. However, historic aerial photographs indicate the building was actually constructed sometime between 1960 and 1965. The date of the building at 1 Casey Court (APN 055-433-180) is not known, although historic topographic maps indicate the building was constructed after 1974. Because the building at 1 Casey Court is not yet of an age at which it would be eligible for listing in the National Register of Historic Places (NRHP)/California Register of Historical Resources (CRHR), it does not qualify as a historical resource under CEQA.

The Project site lies adjacent to four additional parcels, 1075 O’Brien Drive (APN 055-433-250), which has a construction date of 1960; 1175–1185 O’Brien Drive (APN 055-433-310), which has a construction date of 1962; 1215 O’Brien Drive (APN 055-433-190), which historic aerial photographs indicate was constructed between 1965 and 1968; and 20 Kelly Court, which was constructed in 1962 and substantially enlarged when an addition was built in 2014 (Nationwide Environmental Title Research 1960, 1965, 1968, 1974; ParcelQuest 2021).²⁷

²⁷ Nationwide Environmental Title Research, LLC. 1960, 1968. *Aerial Photographs of Menlo Park, California*. Available: <https://www.historicaerials.com>. Accessed: February 8, 2021; Nationwide Environmental Title Research, LLC. 1974. *Topographic Map of Menlo Park, California*. Available: <https://www.historicaerials.com>. Accessed: February 8, 2021; University of California, Santa Barbara Library. 2021. *ParcelQuest, Detail Reports for 1075 O’Brien Drive, 1105 O’Brien Drive, and 1175–1185 O’Brien Drive, California*. Available: <http://www.parcelquest.com>. Accessed: February 8, 2021.

The 1125 O'Brien Project site and its immediate vicinity, near San Francisco Bay in present-day Menlo Park, remained largely undeveloped until 1955, when local real estate developer Clarence Kavanaugh announced plans for a 40-acre industrial park east of Willow Drive. By 1965, the park contained more than 20 buildings, including two within the current boundaries of the Project site at 1105 O'Brien Drive and 1115–1165 O'Brien Drive. The Kavanaugh Industrial Park was further developed in the 1980s and 1990s; by 1993, it featured more than 35 buildings.²⁸

None of the buildings within or adjacent to the Project site appear to have been evaluated previously in a built-environment survey or identified as eligible for listing in any historic register. However, the Project site contains two buildings that are more than 50 years old, the age that built-environment resources typically must reach before potentially qualifying for listing in the or CRHR. The Project site is also adjacent to four additional built-environment resources of historic age.

To determine whether the six historic-aged buildings qualify as historical resources under CEQA, ICF recorded each property during intensive-level historical resources surveys between September 2019 and January 2021. ICF documented each building on a Department of Park and Recreation (DPR) 523A (Primary Record) and 523B (Building, Structure, Object) form set. The DPR form sets, which document the evaluation of NRHP and CRHR eligibility for the buildings, are included in Appendix B of this Initial Study. The evaluations concluded that none of the six historic-aged buildings meets the eligibility criteria for NRHP or CRHR listing. As a result, the buildings at 1105 O'Brien Drive, 1135–1165 O'Brien Drive, 1075 O'Brien Drive, 1175–1185 O'Brien Drive, 1215 O'Brien Drive, and 20 Kelly Court do not qualify as historical resources under CEQA. A summary of the evaluations of these buildings under NRHP/CRHR Criteria A/1 through D/4 is provided below.

- *Criteria A/1:* All six buildings are unremarkable in the context of mid-20th-century suburban industrial office park development, and no identified tenants contributed significantly to the economic growth of Menlo Park or the San Francisco Peninsula at large.
- *Criteria B/2:* No individuals who were closely associated with any of the buildings appear to have made significant contributions to local, state, or national history.
- *Criteria C/3:* The six buildings under investigation are utilitarian-style industrial and office buildings that lack architectural distinction and association with known significant architects.
- *Criteria D/4:* None of the evaluated buildings is likely to yield important historical information not otherwise captured in the historic record.

Archaeological and Native American Resources

Archival Research

A records search was completed at the Northwest Information Center (NWIC) of the California Historical Resources Information System for the 1350 Adams Court project in 2018. This search remains valid and covers the current Project site and a 0.25-mile area surrounding the site. No previously recorded archaeological resources were identified within the Project site. However, one previously recorded archaeological resource was identified within 0.25 mile of the Project site, as detailed below.

²⁸ *San Mateo Times*. 1955. Industrial Park Planned for East Palo Alto. January 7; University of California, Santa Barbara Library. 1965. *FrameFinder*. Flight CAS_65_130, Frame 2-169. Available: https://mil.library.ucsb.edu/ap_indexes/FrameFinder. Accessed: February 5, 2021; University of California, Santa Barbara Library. 1993. *FrameFinder*. Flight NAPP_2C, Frame 6358-143. Available: https://mil.library.ucsb.edu/ap_indexes/FrameFinder. Accessed: February 5, 2021.

- **P-41-000160 (CA-SMA-160)** – This resource is recorded as a rich Bay marsh habitation site (Hiller Mound) with many burials, features, and artifacts, including fire-cracked rock, chert, groundstone, shell, and pestles. This resource covers an area of approximately 5 acres (Cartier 1978).

No cultural resources studies have been conducted at the Project site. However, six studies have been conducted within 0.25 mile of the Project site, five evaluations and/or testing projects that focused on specific cultural resource sites and one archaeological reconnaissance project.

As stated above, the Project site has not been subject to previous study. Although no previously recorded archaeological resources have been identified within the Project site, the presence of P-41-000160 (CA-SMA-160) indicates that the area may have potential sensitivity for subsurface archaeological deposits. Therefore, it is possible that as-yet undocumented archaeological resources could be encountered during Project-related ground disturbance.

Assembly Bill 52 Consultation

The Native American Heritage Commission (NAHC) was requested on September 20, 2019, to perform a search of its Sacred Lands File for information regarding tribal cultural resources in the area and provide a list of Native American representatives who may have relevant information regarding such resources. The NAHC responded on October 4, 2019, stating that the search of the Sacred Lands File did not identify any sensitive areas within the Project area. The NAHC provided a list of six contacts for the following five Native American tribes:

- Muwekma Ohlone Indian Tribe of the San Francisco Bay Area
- The Ohlone Indian Tribe
- Indian Canyon Mutsun Band of Costanoan
- Amah Mutsun Tribal Band of Mission San Juan Bautista
- Costanoan Rumsen Carmel Tribe

On October 7 and 8, 2019, letters with Project details and a location map were sent to the contacts at all five tribes listed above. On October 31, 2019, each recipient received a follow-up phone call.

- The contacts provided for the Muwekma Ohlone Indian Tribe of the San Francisco Bay Area and The Ohlone Indian Tribe were not reached. Detailed phone messages were left, along with a request for a return phone call.
- The contacts provided for the Muwekma Ohlone Indian Tribe of the San Francisco Bay Area and the Costanoan Rumsen Carmel Tribe were not reached. Phone messages could not be left.
- When contacted, the tribal contacts for the Amah Mutsun Tribal Band of Mission San Juan Bautista and the Indian Canyon Mutsun Band of Costanoan had feedback regarding the Proposed Project. The Amah Mutsun Tribal Band of Mission San Juan Bautista contact requested information regarding the exact amount of ground disturbance proposed by the Project; she received an emailed response the same day. The Indian Canyon Mutsun Band of Costanoan contact requested that individuals involved with excavation for the Proposed Project receive sensitivity training. She mentioned that monitors from the Amah Mutsun Tribal Band of Mission San Juan Bautista were available. She also requested to be updated on the progress of the Proposed Project. No additional responses have been received to date.

Because of changes in the Proposed Project, update letters were sent to the five tribes listed above on April 20, 2021. This letters provided the Project description from the initial notification letter, details about boundary changes at the Project site, and a figure depicting the new Project site. No responses have been received to date.

General Plan Goals and Policies

The City of Menlo Park (City) General Plan (specifically the Land Use Element, Open Space/Conservation Element, Noise Element, and Safety Element) contains goals, policies, and programs that require local planning and development decisions to consider impacts on cultural resources. The following City General Plan goals, policies, and programs would minimize impacts on cultural resources: Goal LU-7, Policy LU-7.8, and Goal OSC-3, Policy OSC-3.1, Policy OSC-3.2, Policy OSC-3.3, Policy OSC-3.4, Policy OSC-3.5, and Policy OSC-3.6.

Environmental Checklist and Discussion

- a. Cause a substantial adverse change in the significance of a historical resource, pursuant to Section 15064.5? (No Impact)*

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact CULT-1 (pages 4.4-12 to 4.9-15). It was determined that it would have a significant impact on historical resources if it would lead to demolition or alteration with the potential to change the fabric or setting of historic architectural resources. Mitigation Measure CULT-1 (page 4.4-15) would require an individual project proposed on a site, or adjacent to a site, with a building that is more than 50 years old to prepare a site-specific evaluation. However, the ConnectMenlo EIR did not identify any historical resources within the vicinity of the Project site.

Project-Specific Discussion

The Project site contains two buildings at 1105 O'Brien Drive and 1135-1165 O'Brien Drive that are more than 50 years old, the age at which they could qualify as eligible for listing in the NRHP and CRHR. The Project site is also adjacent to four additional buildings of historic age. However, as documented on the DPR 523A and 523B forms included in Appendix B of this document and summarized previously, none of the historic-aged buildings under investigation is eligible for listing in the NRHP and CRHR or otherwise qualified as a CEQA historical resource. The Project site also includes a building at 1 Casey Court, which would be demolished under the Proposed Project; the building has not yet reached the age at which it could qualify as a CEQA historical resource. Therefore, implementation of the Proposed Project would not demolish a significant built-environment historical resource, nor would it result in alterations to the significant physical features or setting of a historical resource.

Conclusion

There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. Redevelopment of the Project site would not alter the significance of a historical resource, as defined in Section 15064.5 of the CEQA Guidelines. Therefore, the Proposed Project would have ***no impact*** on historical resources.

b. Cause a substantial adverse change in the significance of an archaeological resource, pursuant to Section 15064.5? (Topic to Be Analyzed in the EIR)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact CULT-2 (pages 4.4-16 to 4.9-18). It was determined that the impact would be less than significant with implementation of Mitigation Measures CULT-2a and CULT-2b. Mitigation Measure CULT-2a would be applied if archaeological resources are found during construction. In addition, per Mitigation Measure CULT-2b, Native American tribes would need to be consulted.

Conclusion

The physical conditions, as they relate to archeological resources, have not changed in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. Although no substantial new information has been presented that shows more significant effects than those originally analyzed in the ConnectMenlo EIR, the Amah Mutsun Tribal Band of Mission San Juan Bautista and the Indian Canyon Mutsun Band of Costanoan expressed concern, believing that the area may contain archaeological resources, and requested additional mitigation measures, including preconstruction archaeological resources sensitivity training and archaeological and tribal construction monitoring. Therefore, impacts on archaeological resources require **further environmental review** in the EIR.

c. Disturb any human remains, including those interred outside of formal cemeteries? (Less than Significant with Mitigation Incorporated)

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact CULT-4 (page 4.4-20). It was determined that the impact would be less than significant with implementation of Mitigation Measure CULT-4. This mitigation measure would provide guidance if human remains are encountered during ground disturbance.

Project-Specific Discussion

Although no archaeological or Native American resources were identified within the Project area during the literature review at the NWIC or consultation with California Native American tribes, the Project site has potential sensitivity for as-yet undocumented archaeological resources. Therefore, the potential exists for previously undiscovered human remains to be encountered during Project demolition or construction, and buried deposits may be eligible for listing in the CRHR. This impact would be **potentially significant**.

Mitigation Measure. The Proposed Project would implement ConnectMenlo EIR Mitigation Measure CULT-4 if human remains are encountered at the Project site. All work in the immediate vicinity of the discovery would cease, and necessary steps to ensure the integrity of the immediate area would be taken.

Conclusion

The physical conditions, as they relate to human remains, have not changed in the ConnectMenlo study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that

shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. No additional measures beyond those in the ConnectMenlo EIR are required. The Proposed Project would incorporate ConnectMenlo EIR Mitigation Measure CULT-4, which provides guidance for the treatment of human remains if encountered during ground disturbance. Therefore, the Proposed Project's impact on human remains would be *less than significant with mitigation*. No further study is needed.

ConnectMenlo EIR Mitigation Measures

Mitigation Measure CULT-4. Procedures for conduct following the discovery of human remains have been mandated by Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98, and California Code of Regulations Section 15064.5(e) (CEQA). According to the provisions in CEQA, if human remains are encountered at a site, all work in the immediate vicinity of the discovery shall cease and necessary steps to ensure the integrity of the immediate area shall be taken. The San Mateo County Coroner shall be notified immediately. The coroner shall then determine whether the remains are Native American. If the coroner determines the remains are Native American, the coroner shall notify the NAHC within 24 hours, which, in turn, will notify the person the NAHC identifies as the Most Likely Descendant (MLD). Further actions shall be determined, in part, according to the desires of the MLD. The MLD has 48 hours to make recommendations regarding the disposition of the remains following notification from the NAHC of the discovery. If the MLD does not make recommendations within 48 hours, the owner shall, with appropriate dignity, reinter the remains in an area of the property secure from further disturbance. Alternatively, if the owner does not accept the MLD's recommendations, the owner or the descendent may request mediation by the NAHC.

VI. Energy	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Would the project:					
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Energy resources include electricity as well as natural gas and other fuels. The production of electricity requires the consumption or conversion of energy resources, including water, wind, oil, gas, coal, solar, geothermal, and nuclear resources, into energy. Energy production and energy use both result in the depletion of nonrenewable resources, such as oil, natural gas, and coal, and the emission of pollutants.

With a relatively mild Mediterranean climate and strict energy-efficiency requirements, California has lower energy consumption rates than other parts of the county. According to the U.S. Energy Information Administration, California’s per capita energy consumption ranked 48th in the nation as of 2018.²⁹ California has among the lowest annual electrical consumption rates per person of any state; its industrial uses consume 5.6 percent of the energy consumed nationwide.³⁰ According to the U.S. Energy Information Administration, natural gas consumption in California totaled approximately 2,154.03 billion cubic feet in 2019. Commercial uses consumed approximately 12 percent of this total, followed by residential uses (22 percent), and industrial uses (36 percent), among others.³¹ According to the California Energy Commission, total electric generation for California in 2019 (the most recent year for which data are available) was approximately 277,704 gigawatt hours. California’s non-carbon-dioxide-emitting electric generation categories, including nuclear, hydroelectric, and renewable generation, accounted for more than 57 percent of total in-state generation in 2019. California’s in-state electric generation was approximately 200,475 gigawatt hours.³²

²⁹ U.S. Energy Information Administration. 2019. *Total Energy Consumption Estimates per Capita by End-Use Sector, Ranked by State, 2018*. Available: <https://www.eia.gov/state/seds/seds-data-complete.php>. Accessed: March 19, 2021.

³⁰ U.S. Energy Information Administration. 2021a. *California State Energy Profile*. Available: <https://www.eia.gov/state/print.php?sid=CA>. Accessed: March 22, 2021.

³¹ U.S. Energy Information Administration. 2021b. *Natural Gas Consumption by End Use—California*. Available: https://www.eia.gov/dnav/ng/ng_cons_sum_dcu_SCA_a.htm. Accessed: March 22, 2021.

³² California Energy Commission. 2021. 2019. *Total System Electric Generation*. Available: <https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/2019-total-system-electric-generation#:~:text=In%202019%2C%20total%20generation%20for,to%2055%20percent%20in%202018>. Accessed: March 22, 2021.

Electricity

Grid electricity and natural gas service in Menlo Park are provided by Pacific Gas and Electric Company (PG&E). PG&E is a publicly traded utility company that, under contract with the California Public Utilities Commission, generates, purchases, and distributes energy. PG&E's service territory covers 70,000 square miles, roughly extending north to south from Eureka to Bakersfield and east to west from the Sierra Nevada to the Pacific Ocean. PG&E's electricity distribution system consists of 106,681 circuit miles of electric distribution lines and 18,466 circuit miles of interconnected transmission lines.³³

PG&E electricity is generated from a combination of sources, such as coal-fired power plants, nuclear power plants, and hydroelectric dams, as well as newer sources of energy such as wind turbines and photovoltaic plants, or "solar farms." "The grid," or bulk electric grid, is a network of high-voltage transmission lines that link power plants to the PG&E system. The distribution system, comprising lower-voltage secondary lines, is at the street and neighborhood level. It consists of overhead or underground distribution lines, transformers, and individual service "drops" that connect to individual customers. The existing electrical system in the Project area consists of overhead and underground facilities.

In addition to its base plan, PG&E has two options, known as Solar Choice options, that give customers the option of purchasing power from solar resources. The first Solar Choice option provides up to 50 percent of a customer's energy from solar resources; the other option provides up to 100 percent of a customer's energy from solar resources.³⁴ In addition, on January 26, 2016, the Menlo Park City Council approved a motion to join Peninsula Clean Energy (PCE) to receive additional renewable power.³⁵ PCE's power comes from a mix of various sources, including solar, wind, geothermal, biomass and biowaste, and hydroelectric generation resources. PCE delivers power to its customers from existing PG&E utility infrastructure. PCE allows customers to choose between two different electricity options, ECOplus, with 50 percent of a customer's electricity from renewable resources, and ECO100, with 100 percent from renewable resources.³⁶

In 2019, San Mateo County consumed a total of 4,325 million kilowatts of electricity. In the county, electricity was consumed primarily by the non-residential sector (64 percent), followed by the residential sector (36 percent).³⁷ Currently, 100 percent of the electricity currently used by the campus, including the Project site, is purchased through PCE; the Proposed Project would continue this practice.

³³ Pacific Gas and Electric Company. 2021. *Company Profile*. Available: www.pge.com/en_US/about-pge/company-information/profile/profile.page. Accessed: May 4, 2021.

³⁴ Pacific Gas and Electric Company. 2021. *Which Renewable Option Is Best for You?* Available: https://www.pge.com/en_US/small-medium-business/energy-alternatives/private-solar/solar-choice-rates/solar-choice-plans-for-businesses.page. Accessed: March 19, 2021.

³⁵ On January 26, 2016, the Menlo Park City Council approved a motion to join Peninsula Clean Energy to receive additional renewable power. Peninsula Clean Energy is part of a Community Choice Energy program, a locally controlled community organization that enables local residents and businesses to have a choice as to where their energy comes from. Community Choice Energy programs allow local governments to pool the electricity demands of their communities, purchase power with higher renewable content, and reinvest in local infrastructure.

³⁶ Peninsula Clean Energy. 2021. *What Are My Rates?* Available: <https://www.peninsulacleanenergy.com/for-businesses/>. Accessed: March 19, 2021.

³⁷ California Energy Commission. n.d. *Electricity Consumption by County—San Mateo County*. Available: <https://ecdms.energy.ca.gov/elecbycounty.aspx>. Accessed: March 22, 2021.

Natural Gas

PG&E's natural gas (i.e., methane) delivery system includes 42,000 miles of natural gas distribution pipelines and 6,700 miles of transmission pipelines. PG&E's gas transmission system serves approximately 15 million energy customers in California. The system is operated under an inspection and monitoring program in real time on a 24-hour basis, with leak inspections, surveys, and patrols continuously taking place along the pipelines. Gas delivered by PG&E originates in gas fields in California, the Southwest, the Rocky Mountains, and Canada. Transmission pipelines send natural gas from the fields and storage facilities; these large pipes are under high pressure. The smaller distribution pipelines deliver gas to individual businesses or residences.³⁸

The PG&E gas transmission pipeline nearest the Project site runs primarily along US 101. North of Willow Road, it continues south and southeast under residential streets in Menlo Park and East Palo Alto. In addition, a gas line runs under Sevier Avenue in the Belle Haven neighborhood, approximately 0.4 mile west of the Project site.³⁹ Distribution gas pipelines are located throughout the Bayfront Area.

In San Mateo County, a total of 214 million therms of natural gas were consumed in 2019 (the most recent year for which data are available). In 2019, natural gas in San Mateo County was consumed primarily by the residential sector (55 percent), followed by the non-residential sector (45 percent).⁴⁰

General Plan Goals and Policies

The City General Plan—specifically, the Land Use Element, Open Space/Conservation Element, and Circulation Element—contains goals, policies, and programs that require sustainable development and energy efficiency. The following City General Plan goals, policies, and programs would minimize potential adverse risks specifically associated with the wasteful, inefficient, or unnecessary consumption of energy resources: Goal LU-4, Policy LU-4.5; Goal LU-6; Goal LU-7, Policy LU-7.1, Policy LU-7.9, Program LU-7.A, Program LU-7.C, Program LU-7.D, and Program LU-7.E; Goal OSC-4, Policy OSC-4.1, Policy OSC-4.2, Policy OSC-4.3, Policy OSC-4.4, and Policy OSC-4.5; Goal CIRC-1, Policy CIRC-2.11; Goal CIRC-5, Policy CIRC-5.1; and Goal CIRC-6, Policy CIRC-6.1 and Policy CIRC-6.3.

Environmental Checklist and Discussion

- a. Result in a potentially significant environmental impact due to the wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation? (Less than Significant)**

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact UTIL-13 (pages 4.14-76 to 4.14-81). It was determined that it would result in a less-than-significant impact. No mitigation measures were recommended. In addition, energy conservation was evaluated in Section 4.15.5 of the

³⁸ Pacific Gas & Electric. 2021. *Learn About the PG&E Natural Gas System*. Available: www.pge.com/en_US/safety/how-the-system-works/natural-gas-system-overview/natural-gas-system-overview.page. Accessed: May 4, 2021.

³⁹ Pacific Gas and Electric Company. 2021. *Explore Our Natural Gas Transmission Pipeline Map*. Available: www.pge.com/en_US/safety/how-the-system-works/natural-gas-system-overview/gas-transmission-pipeline/gas-transmission-pipelines.page? Accessed: May 4, 2021.

⁴⁰ California Energy Commission. n.d. *Gas Consumption By County—San Mateo County*. Available: <http://ecdms.energy.ca.gov/gasbycounty.aspx>. Accessed: March 22, 2021.

ConnectMenlo EIR, consistent with CEQA Guidelines Appendix F. The ConnectMenlo EIR did not quantify energy demand associated with buildout of ConnectMenlo; however, a brief discussion of energy use and conservation, including the City's Climate Action Plan, was included.

Project-Specific Discussion

The Project site would continue to be served by PG&E and PCE. The Proposed Project would result in a long-term increase in energy demand associated with the operation of lighting and space heating/cooling units in the proposed building as well as vehicle travel. In addition, construction activities associated with the Proposed Project would require the use of energy (e.g., electricity and fuel) for various purposes, such as excavation, grading, demolition, and construction vehicle travel as well as the operation of construction equipment and tools.

Construction. The anticipated construction schedule assumes that the Proposed Project would be built over 16 months. During construction, the Proposed Project would require demolition, grading, and site preparation work, along with various other building activities. Energy would be required for the manufacture and transport of construction materials as well as preparation of the Project site for demolition and grading activities and the construction of Project features. Petroleum fuels (e.g., diesel and gasoline) would be the primary sources of energy for these activities. In order to increase energy efficiency on the site during construction, the Proposed Project would restrict equipment idling times to 5 minutes or less and require construction workers to shut off idle equipment, as required by ConnectMenlo EIR Mitigation Measure AQ-2b1. Therefore, construction activities are not anticipated to result in an inefficient use of energy. Gasoline and diesel fuel would be supplied by construction contractors who would conserve the use of their supplies to minimize their costs on the Proposed Project.

The installation of new or expanded gas lines on the Project site would require excavation, trenching, soil movement, and other activities that are typical during construction of development projects. These construction impacts are discussed in detail in the appropriate topical sections of this Initial Study as part of the assessment of overall Project impacts. In addition, although construction related to new or relocated gas and electric lines could result in short-term environmental effects (e.g., noise, dust, traffic, temporary service interruptions), the work would comply with City and PG&E regulations as well as standard conditions for new construction related to infrastructure improvements. In addition, any such work would be subject to compliance with applicable regulations and standard conditions of approval for the Proposed Project, including City permits/review (e.g., grading permits, private development review, encroachment permits).

Construction vehicles would consume fuel. However, the U.S. Environmental Protection Agency (EPA) adopted the Heavy-Duty National Program to establish fuel efficiency and greenhouse gas emissions standards in the heavy-duty highway vehicle sector, which includes combination tractors (semi-trucks), heavy-duty pickup trucks and vans, and vocational vehicles, including buses and refuse or utility trucks. These standards include targets for the number of gallons of fuel consumed per mile beginning in model years 2014–2018. Although construction activities would require a commitment of energy sources, the efficiency standards would further the goal of conserving energy in the context of Project development.⁴¹

⁴¹ U.S. Environmental Protection Agency. n.d. *Regulations for Greenhouse Gas Emissions from Commercial Trucks and Buses*. Available: www.epa.gov/regulations-emissions-vehicles-and-engines/regulations-greenhouse-gas-emissions-commercial-trucks. Accessed: May 4, 2021.

Energy usage on the Project site during construction would be temporary in nature and relatively small in comparison to the state's available energy sources. Therefore, the Proposed Project would not result in the inefficient, wasteful, or unnecessary consumption of energy resources during construction.

Operation. The Proposed Project would consume energy resources in the form of electricity; natural gas, if exceptions to the City's reach codes are approved; and fuel during operation. Energy demand from operation of the Proposed Project would include the electricity and natural gas consumption associated with the proposed building and the proposed surface parking lots (e.g., for lighting). In addition, vehicles traveling to and from the site would require gasoline or diesel fuel. Compared with existing conditions, energy use at the Project site would increase because of the net increase in building square footage (approximately 71,959 sf). However, energy use per square foot would decrease in comparison with existing because of the energy-efficient design of the proposed building and the sustainability features, which are described in more detail in the paragraphs that follow.

Consistent with the requirements of City Municipal Code Section 16.44.130, the Proposed Project would meet 100 percent of its energy demand (natural gas and electric) through any combination of the following measures: onsite energy generation, purchase of 100 percent renewable electricity through Peninsula Clean Energy or Pacific Gas and Electric Company in an amount equal to the annual energy demand of the Proposed Project, purchase of local renewable energy generated within the city of Menlo Park in an amount equal to the annual energy demand of the Proposed Project, purchase of certified renewable energy credits and/or certified renewable energy offsets annually in an amount equal to the annual energy demand of the Proposed Project.

As needed, PG&E would also provide gas and electrical power for the proposed facilities. Existing electricity and gas lines in the vicinity would serve the Project site; these may be upgraded, if necessary. If exceptions to the City's reach codes are approved, the amount of annual natural gas usage would be required to be offset, per the City Zoning Ordinance.⁴² The Proposed Project would be exempt from the requirement for electric space heating because the building would include scientific laboratory uses.⁴³ Per Chapter 12.16 of the City Municipal Code, non-residential buildings containing scientific laboratory uses may install a non-electric space conditioning system. Under this exception, the Project Sponsor would need to provide third-party verification that all-electric space heating would not be cost effective or feasible. In addition, the Project Sponsor would be required to offset annual natural gas usage through any combination of purchase and installation of local renewable energy generation within Menlo Park or purchase of renewable energy credits or offsets. The exception for space conditioning would be subject to review and approval by the City prior to building permit issuance. It is anticipated that the Proposed Project would consume approximately 219,000 therms of natural gas per year.

The Proposed Project would comply with all applicable City and state "green" building measures, including Title 24, which is commonly referred to as "CALGreen" (California Code of Regulations, Part 11). As stated previously, in addition to the California Building Code, the Proposed

⁴² In 2019, the City of Menlo Park adopted local amendments to the California Building Code that required electricity to be the only fuel source for new buildings (not natural gas). This ordinance (City Municipal Code Section 12.16) applies only to newly constructed buildings (i.e., from the ground up) and does not include additions or remodeling.

⁴³ Per Chapter 12.16 of the City Municipal Code, to use natural gas for space heating, the Project Sponsor would be required to provide third-party verification for review by the City that all-electric space heating would not be cost effective or feasible.

Project would be required to comply with the City's adopted local amendments to the California Energy Code (reach codes). In the LS-B zoning district, projects are required to meet green and sustainable building regulations. The Proposed Project would seek LEED Gold certification or equivalent for Building Design and Construction, consistent with the City's Zoning Ordinance; this is a requirement for new buildings greater than 100,000 gsf in size. Strategies for compliance with LEED standards include onsite amenities that can be shared with all campus buildings, shuttle service to Caltrain, carpooling, onsite car-share and bike-share programs, a stormwater management plan, onsite renewable energy generation, and an onsite recycling program. Details regarding how the proposed building would meet the green and sustainable building requirements would be provided as Project plans and materials are developed further.

The proposed design for the building would include a curved south façade, composed of full-height, performance-tinted, bird-friendly insulated glazing in an aluminum-frame curtain wall. The balance of the building would be clad in glass-fiber reinforced-concrete panels, formed metal panels, and aluminum-frame windows with tinted insulated glazing to reduce energy loss. The Proposed Project would also include water-conserving plant material and irrigation systems, in compliance with the Water-Efficient Landscape Ordinance. All of these designs would reduce Project-related energy consumption.

As an infill development, the Proposed Project furthers the objectives of energy conservation related to transportation by focusing activities in areas with existing infrastructure and services. The TDM program for the Proposed Project would be designed to provide alternatives to single-occupancy automobile travel to and from the Project site. The TDM program would include a bicycle storage area, showers/changing rooms, subsidized transit tickets, a commute assistance center, a shuttle stop, and a car-/bike-share program.

The Proposed Project would be within the 70,000-square-mile PG&E service territory for electricity and natural gas generation, transmission, and distribution. In addition, PCE would provide renewable power to the Project site. Because of the Project's size and location within an urban setting, buildout of the Proposed Project would not significantly increase energy demands within the service territory and would not require new energy supply facilities. In addition, energy projections from providers within the state anticipate growth from development such as the Proposed Project. If an exception for a non-electric space conditioning system is granted by the City, the Project Sponsor would be required to offset annual natural gas usage by purchasing local renewable energy generated within Menlo Park or renewable energy credits or offsets. Although the Proposed Project could result in an increase in energy consumption compared with existing conditions, it would not result in the inefficient, wasteful, or unnecessary consumption of energy resources during operation because of the incorporation of energy-efficient design features and the use of alternative modes of transportation.

Conclusion

The physical conditions, as they relate to the wasteful, inefficient, or unnecessary consumption of energy resources, have not changed in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. Accordingly, the Proposed Project would result in **less-than-significant** impacts with respect to the wasteful, inefficient, or unnecessary consumption of energy resources. No further study is needed.

b. *Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (Less than Significant)*

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact UTIL-13 (pages 4.14-76 to 4.14-81). It was determined that it would result in a less-than-significant impact. In addition, energy conservation was evaluated in Section 4.15.5 of the ConnectMenlo EIR, consistent with CEQA Guidelines Appendix F. The ConnectMenlo EIR did not quantify energy demand associated with buildout of ConnectMenlo; however, a brief discussion of energy use and conservation, including the City's Climate Action Plan, was included. No mitigation measures were recommended.

Project-Specific Discussion

As previously stated, the Proposed Project would be required to comply with CALGreen, which includes provisions related to insulation and designs that minimize energy consumption. In addition, as described in the ConnectMenlo EIR, new development, as envisioned through ConnectMenlo buildout, would be constructed using modern, energy-efficient building materials and construction practices, in accordance with CALGreen, the California Public Utility Commission's Long-Term Energy Efficiency Strategic Plan, and Chapter 12.18 of the City Municipal Code, which contains the Green Building Ordinance. Furthermore, the ConnectMenlo EIR found that new buildings would also use new, modern appliances and equipment, in accordance with the 2006 Appliance Efficiency Regulations.

Implementation of ConnectMenlo inherently furthers energy conservation objectives by focusing activities in areas with existing infrastructure and services. In addition, the Land Use, Circulation, and Open Space/Conservation Elements of ConnectMenlo include goals, policies, and programs that require local planning and development decisions to consider impacts on energy resources. As a part of ConnectMenlo, all new buildings within the Bayfront Area are required to comply with specific green building requirements for LEED certification, provide outlets for electric-vehicle charging, provide onsite renewable energy generation, and enroll in EPA's Energy Star Building Portfolio Manager.

Future development under ConnectMenlo, as part of the City's project approval process, would be required to comply with existing regulations such as City General Plan policies and City Zoning Ordinance regulations, which have been enacted to promote energy conservation and efficiency through sustainable building practices and reduced automobile dependency. Furthermore, through continued implementation of the City's Climate Action Plan, compliance with CALGreen, and compliance with other applicable state and local energy efficiency measures, significant energy conservation and savings would be realized by future development under ConnectMenlo.

Consistent with ConnectMenlo requirements, the Proposed Project would comply with specific green building requirements for LEED certification, comply with City Zoning Ordinance requirements regarding renewable energy generation/purchases and credits/offsets for exceptions granted by the City for the use of natural gas, provide outlets for electric-vehicle charging, use modern appliances and equipment, and comply with current CALGreen standards, which would help to reduce energy consumption. The Proposed Project would also comply with the City's local amendments to the California Energy Code (reach codes), which would further reduce energy consumption beyond CALGreen requirements. The Proposed Project would also be consistent with ConnectMenlo energy conservation policies and City Zoning Ordinance requirements, as noted

above, and would help further the goals of the City's Climate Action Plan.⁴⁴ The Proposed Project would also implement TDM measures, which would help reduce transportation energy usage, consistent with ConnectMenlo and City Zoning Ordinance requirements.

Because California's energy conservation planning actions are conducted at a regional level, and because the Proposed Project's total impact on regional energy supplies would be minor, the Proposed Project would not conflict with energy conservation plans. The Proposed Project would be consistent with applicable plans related to renewable energy and energy efficiency.

Conclusion

The physical conditions, as they relate to conflicts with a state or local plan for renewable energy and energy efficiency, have not changed in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. The Proposed Project would result in ***less-than-significant*** impacts related to conflicts with a state or local plan for renewable energy and energy efficiency; mitigation measures would not be required for construction or operation of the Proposed Project. No further study is needed.

⁴⁴ On April 20, 2021, the Menlo Park City Council adopted an amended 2030 Climate Action Plan, which included an updated zero-carbon goal, to be achieved as a community by 2030. To the extent that the City Council enacts ordinances, programs, or requirements that are applicable to private development, the Proposed Project would comply with the requirements, as applicable. Compliance with the requirements would be ensured through conditions of approval.

VII. Geology and Soils	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:					
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					
(i) 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? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) Seismically related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable or would become unstable as a result of the project and potentially result in an onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

Regional Geology

The Project site is on the western margin of San Francisco Bay, in the Santa Clara Valley, a broad, sediment-filled basin bounded on the west by the Santa Cruz Mountains and on the northeast by the Diablo Range.⁴⁵ The Project site is underlain by Holocene-age fine-grained alluvium (Qaf). Fine-grained alluvium is generally described as unconsolidated, poorly sorted plastic organic clay and silty clay in poorly drained interfluvial basins, usually at the margins of tidal marshlands. Locally, this material contains thin, well-sorted interbedded sand and fine gravel with modern vertebrate and invertebrate fossils. The unit interfingers with Bay Mud (Qm) and medium-grained alluvium (Qam) geologic units. These Holocene geologic units are underlain by Pleistocene deposits.⁴⁶

Regional Seismicity

Faults

The San Francisco Bay Area is one of the most active seismic regions in the United States.⁴⁷ Within the Bay Area, three faults belong to the San Andreas fault system, the San Andreas, Hayward, and Calaveras faults. Trending in a northwest direction, the faults generate about 12 earthquakes each century and are large enough to cause major structural damage. However, no known fault crosses the Project site.^{48,49}

Ground Shaking

Because the Project site is in a seismically active area, strong to very strong ground shaking can be expected to occur at the site over the life of the Proposed Project.^{50,51,52} Seismologic and geologic experts conclude that there is a 72 percent probability for at least one large earthquake of magnitude 6.7 or greater in the San Francisco Bay Area before 2044.⁵³

⁴⁵ Murray Engineers, Inc. 2021. *Geotechnical Investigation: Commercial Development, 1125 O'Brien Drive, Menlo Park, California*. January. Prepared for O'Brien Drive Portfolio, LLC, Menlo Park, CA. San Rafael, CA.

⁴⁶ Helley, E.J., and K.R. Lajoie. 1979. *Flatland Deposits of the San Francisco Bay Region—Their Geology and Engineering Properties and Their Importance to Comprehensive Planning*. (Geological Survey Professional Paper 943.) Available: <https://pubs.usgs.gov/pp/0943/report.pdf>. Accessed: December 4, 2019.

⁴⁷ Ibid.

⁴⁸ U.S. Geological Survey. 2006. *Quaternary Fault and Fold Database for the United States*. Available: <https://earthquake.usgs.gov/hazards/qfaults/>. Accessed: November 27, 2019.

⁴⁹ Jennings, C.W., and W.A. Bryant. 2010. *Fault Activity Map of California*. Scale 1:750,000. California Geological Survey. Available: https://www.conservation.ca.gov/cgs/Pages/Program-RGMP/2010_faultmap.aspx. Accessed: November 27, 2019.

⁵⁰ Murray Engineers, Inc. 2021. *Geotechnical Investigation: Commercial Development, 1125 O'Brien Drive, Menlo Park, California*. January. Prepared for O'Brien Drive Portfolio, LLC, Menlo Park, CA. San Rafael, CA.

⁵¹ Working Group on California Earthquake Probabilities. 2015. *UCERF3: A New Earthquake Forecast for California's Complex Fault System*. (Fact Sheet 2015–3009.) Available: <https://pubs.usgs.gov/fs/2015/3009/>. Accessed: November 27, 2019.

⁵² Association of Bay Area Governments. 2013. *San Mateo County Earthquake Hazard*. Resilience Program. Available: <http://resilience.abag.ca.gov/earthquakes/sanmateo/>. Last updated: July 21, 2014. Accessed: November 27, 2019.

⁵³ Working Group on California Earthquake Probabilities. 2015. *UCERF3: A New Earthquake Forecast for California's Complex Fault System*. (Fact Sheet 2015–3009.) Available: <https://pubs.usgs.gov/fs/2015/3009/>. Accessed: November 27, 2019.

Table 3.7-1 lists the regional faults, their distance and direction from the Project site, and each fault's probability of producing one or more earthquakes of magnitude 6.7 or greater before 2044. Because a large earthquake could occur on the San Andreas fault, similar to the 7.8-magnitude earthquake that occurred in 1906, it is anticipated that ground shaking would be violent and approximately equal to a Modified Mercalli Intensity of IX.⁵⁴ Such ground shaking could cause considerable damage in buildings, with well-designed structures thrown out of plumb and poorly built structures sustaining considerable damage.⁵⁵

Table 3.7-1. Regional Faults in the Project Area and Seismicity

	Distance from Project Site (miles)	Direction from Project Site	Mean Characteristic Moment Magnitude
Monte Vista-Shannon	5.7	Northeast	6.50
San Andreas	7.3	Southwest	8.05
Hayward	11.7	Northeast	7.00
Calaveras	16.0	Northeast	7.03
Monte Vista-Shannon	5.7	Southwest	n/a

Source: Murray Engineers, Inc. 2021. *Geotechnical Investigation: Commercial Development, 1125 O'Brien Drive, Menlo Park, California*. January. Prepared for O'Brien Drive Portfolio, LLC, Menlo Park, CA. San Rafael, CA.

Notes: n/a = not available

Site Geology, Topography, and Groundwater

The Project site is relatively level, with an elevation of approximately 12 feet above mean sea level.⁵⁶ The subsurface investigation of borings and cone penetrometer tests encountered predominantly fine-grained alluvium, consisting of clays and silts, interbedded with discontinuous layers of coarse-grained alluvium, consisting of sand, silty sand, clayey sand, and sand with lean clay⁵⁷ to the maximum depth explored. The fine-grained alluvium encountered was predominantly medium stiff to hard, and the coarse-grained alluvium was predominantly medium dense to very dense. The interbedded coarse-grained layers have a variable distribution across the Project site, occurring at discontinuous intervals.

Groundwater was encountered during soil boring at approximately 7 to 10 feet below the ground surface.⁵⁸ Depths to groundwater can vary seasonally because of landscaping across a particular geography. The long-term groundwater table is likely 5 to 10 feet below the ground surface.

⁵⁴ Murray Engineers, Inc. 2021. *Geotechnical Investigation: Commercial Development, 1125 O'Brien Drive, Menlo Park, California*. January. Prepared for O'Brien Drive Portfolio, LLC, Menlo Park, CA. San Rafael, CA.

⁵⁵ U.S. Geological Survey. n.d. *The Modified Mercalli Intensity Scale*. Available: <https://www.usgs.gov/media/images/modified-mercalli-intensity-scale>. Accessed: November 27, 2019.

⁵⁶ Murray Engineers, Inc. 2021. *Geotechnical Investigation: Commercial Development, 1125 O'Brien Drive, Menlo Park, California*. January. Prepared for O'Brien Drive Portfolio, LLC, Menlo Park, CA. San Rafael, CA.

⁵⁷ *Lean clay* has low to medium plasticity as a result of relatively high silt or sand content.

⁵⁸ Murray Engineers, Inc. 2021. *Geotechnical Investigation: Commercial Development, 1125 O'Brien Drive, Menlo Park, California*. January. Prepared for O'Brien Drive Portfolio, LLC, Menlo Park, CA. San Rafael, CA.

Landslides and Erosion

Because the Project site's topography is flat,⁵⁹ there is little likelihood of landslides. Furthermore, according to the California Seismic Hazard Zonation Program, the Project site is not in an area that is susceptible to landslides.⁶⁰ Soils at the Project site are categorized as Urban Land⁶¹ and not rated for erosion susceptibility.

Liquefaction and Seismically Induced Ground Failure

Liquefaction is a process in which loose sand and silt behave like a liquid when shaken by an earthquake. The soil can lose its ability to support structures. According to the California Seismic Hazard Zonation Program, the Project site is in an area that is potentially susceptible to earthquake-induced liquefaction.⁶² In addition, according to the U.S. Geological Survey, the site is in an area with moderate to very high susceptibility to liquefaction.⁶³ However, site-specific investigation suggests that the Project site does not have liquefaction potential because the soils are generally clayey.⁶⁴

Lateral spreading is liquefaction-related ground failure that involves horizontal (or lateral) movement of relatively flat or gently sloping soil deposits toward a free or open face, such as an excavation site, channel, or body of water. Typically, lateral spreading is associated with liquefaction involving one or more subsurface layers near the bottom of an exposed slope. Because failures tend to propagate as block failures, it is difficult to determine where the first tension crack will form. The Project site does not include a streambank or other open face, nor is there any historical documentation of lateral spreading at the Project site. Furthermore, site-specific investigation suggests that the risk of liquefaction is low. Therefore, the risk of lateral spreading at the Project site is low.

Settlement, Subsidence, and Expansive Soil

Loose to medium-dense unsaturated sandy soils can settle during strong seismic shaking. Liquefaction intensifies this trend. Because the alluvial soils encountered above the groundwater table in the site-specific geotechnical subsurface investigation had a significant degree of cohesion, seismic densification of this material is unlikely to be substantial at the Project site.⁶⁵

⁵⁹ Ibid.

⁶⁰ California Geological Survey. 2006. *Earthquake Zones of Required Investigation, Palo Alto Quadrangle*. October 18. Available: http://gmw.conservation.ca.gov/SHP/EZRIM/Maps/PALO_ALTO_EZRIM.pdf. Accessed: November 26, 2019.

⁶¹ Natural Resources Conservation Service. 2018. *Custom Soil Resource Report for San Mateo County, Eastern Part, and San Francisco County, California*. Available: <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>. Accessed: November 26, 2019.

⁶² California Geological Survey. 2006. *Earthquake Zones of Required Investigation, Palo Alto Quadrangle*. October 18. Available: : http://gmw.conservation.ca.gov/SHP/EZRIM/Maps/PALO_ALTO_EZRIM.pdf. Accessed: November 27, 2019.

⁶³ Witter, Robert C., Keith L. Knudsen, Janet M. Sowers, Carl M. Wentworth, Richard D. Koehler, and Carolyn E. Randolph. 2006. *Maps of Quaternary Deposits and Liquefaction Susceptibility in the Central San Francisco Bay Region, California*. Published in cooperation with the California Geological Survey. Available: <https://pubs.usgs.gov/of/2006/1037/>. Accessed: November 27, 2019.

⁶⁴ Murray Engineers, Inc. 2021. *Geotechnical Investigation: Commercial Development, 1125 O'Brien Drive, Menlo Park, California*. January. Prepared for O'Brien Drive Portfolio, LLC, Menlo Park, CA. San Rafael, CA.

⁶⁵ Ibid.

Expansive soils undergo volume changes associated with changes in moisture content. When wet, expansive soils tend to swell, then shrink when dried. According to the geotechnical report prepared for the Proposed Project, near-surface soils at the Project site are highly expansive.⁶⁶

Paleontological Resources

Paleontological resources, or fossils, are any evidence of past life, including the remains, traces, or imprints of once-living organisms that are now preserved in rocks and sediments. These provide information about the history of life on Earth and date back billions of years. According to the Society of Vertebrate Paleontology,⁶⁷ significant paleontological resources include identifiable vertebrate fossils, large or small, as well as uncommon invertebrate, plant, and trace fossils. Fossils are nonrenewable paleontological resources that are afforded protection by federal, state, and local environmental laws and regulations. The potential of a particular area to produce a valuable paleontological resource depends on the geologic age and origin of the underlying rocks.

The natural geology of the Project area comprises Holocene- (from less than 10,000 years ago) and Pleistocene-age alluvium.^{68,69,70} These geologic deposits underlie artificial fill or disturbed soil in the developed areas of Menlo Park. A summary of each geologic unit is provided below.

- **Artificial Fill (Qf)** – Artificial fill is poorly consolidated to well-consolidated gravel, sand, silt, and rock fragments. It is used in a variety of applications.⁷¹ As a mixture of sand, silt, and gravel, it is often used to prepare areas for urban development or fill in or replace low-lying areas and wetlands. Artificial fill is sourced from natural geologic deposits, then excavated, reworked, and transported to another location. Any fossils recovered from artificial fill would not constitute significant fossil records that could contribute to scientific or natural history because stratigraphic information would be lost through handling.⁷² Artificial fill would, therefore, not contain significant paleontological resources. It has no potential with respect to containing paleontological resources.

⁶⁶ Ibid.

⁶⁷ Society of Vertebrate Paleontology. 2010. *Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources*. Available: vertpaleo.org/Membership/Member-Ethics/SVP_Impact_Mitigation_Guidelines.aspx. Accessed: December 4, 2019.

⁶⁸ Murray Engineers, Inc. 2021. *Geotechnical Investigation: Commercial Development, 1125 O'Brien Drive, Menlo Park, California*. January. Prepared for O'Brien Drive Portfolio, LLC, Menlo Park, CA. San Rafael, CA.

⁶⁹ Pampeyan, Earl H. 1993. *Geologic Map of the Palo Alto and Part of the Redwood Point 7.5-minute Quadrangles, San Mateo and Santa Clara County, California*. (IMAP 2371.) Available: <https://pubs.er.usgs.gov/publication/i2371>. Accessed: November 27, 2019.

⁷⁰ Helley, E.J., and K.R. Lajoie. 1979. *Flatland Deposits of the San Francisco Bay Region—Their Geology and Engineering Properties and Their Importance to Comprehensive Planning*. (Geological Survey Professional Paper 943.) Available: <https://pubs.usgs.gov/pp/0943/report.pdf>. Accessed: December 4, 2019.

⁷¹ Pampeyan, Earl H. 1993. *Geologic Map of the Palo Alto and Part of the Redwood Point 7.5-minute Quadrangles, San Mateo and Santa Clara County, California*. (IMAP 2371.) Available: <https://pubs.er.usgs.gov/publication/i2371>. Accessed: November 27, 2019.

⁷² Society of Vertebrate Paleontology. 2010. *Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources*. Available: vertpaleo.org/Membership/Member-Ethics/SVP_Impact_Mitigation_Guidelines.aspx. Accessed: December 4, 2019.

- **Bay Mud (Qm)** – Holocene Bay Mud is very poorly consolidated to well-consolidated organic clay and silt, with lenses of sand and shells and layers of peat.⁷³ It is deposited in brackish to saline water along the margin of San Francisco Bay, interfingering with fine- and medium-grained alluvium. Bay Mud is soft and plastic when wet and firm when dry.
- **Holocene Fine-Grained Alluvium (Qaf)** – Holocene fine-grained alluvium is an unconsolidated, poorly sorted plastic organic clay or silty clay that is found in basins, usually at the margins of tidal marshlands.⁷⁴ It interfingers with Bay Mud (Qm), medium-grained alluvium (Qam), and coarse-grained alluvium (Qac). Site-specific investigation identified predominantly fine-grained alluvium, consisting of clays and silts, interbedded with discontinuous layers of coarse-grained alluvium. The interbedded coarse-grained layers indicate a significant degree of spatial variability across the site, as evidenced by occurrences of coarse-grained material at discontinuous depth intervals across the site. Holocene fine-grained alluvium is generally less than 15 feet thick and underlain by older deposits; in the Project area, it is underlain by Holocene and Pleistocene alluvial and basin deposits, undivided. Holocene-age deposits (from less than 10,000 years ago) are considered too young to have fossilized remains of organisms (fossilization processes take place over thousands or even millions of years). These alluvial deposits contain vertebrate and invertebrate fossils of extant modern taxa,⁷⁵ which are generally not considered significant paleontological resources. Holocene fine-grained alluvium has low potential with respect to containing paleontological resources.
- **Holocene Medium-Grained Alluvium (Qam)** – Holocene medium-grained alluvium is an unconsolidated to moderately consolidated, moderately sorted fine sand, silt, and clayey silt deposited at the edge of coarse-grained alluvial fans. It interfingers with coarse- and fine-grained alluvium. It is generally less than 20 feet thick and underlain by older deposits. As with Holocene fine-grained alluvium (Qaf), it is underlain by Holocene and Pleistocene alluvial and basin deposits, undivided.
- **Holocene Coarse-Grained Alluvium (Qac)** – Holocene coarse-grained alluvium is an unconsolidated to consolidated, moderately sorted fine sand and silt that forms stream levees and alluvial fans along former and present major drainage channels. It interfingers with medium-grained alluvium. It is up to 50 feet thick near the heads of fans and underlain by older deposits. As with Holocene fine-grained alluvium (Qaf), it is underlain by Holocene and Pleistocene alluvial and basin deposits, undivided.
- **Holocene and Pleistocene Alluvial and Basin Deposits, Undivided (Qu)** – Holocene and Pleistocene alluvial and basin deposits, undivided, are generally not present at the ground surface;⁷⁶ rather, they underlie Holocene deposits at the ground surface. Because of their age, there is some potential for them to contain paleontological resources. The University of

⁷³ Pampeyan, Earl H. 1993. *Geologic Map of the Palo Alto and Part of the Redwood Point 7.5-minute Quadrangles, San Mateo and Santa Clara County, California*. (IMAP 2371.) Available: <https://pubs.er.usgs.gov/publication/i2371>. Accessed: November 27, 2019.

⁷⁴ Ibid.

⁷⁵ Helley, E.J., and K. R. Lajoie. 1979. *Flatland Deposits of the San Francisco Bay Region, California Their Geology and Engineering Properties, and Their Importance to Comprehensive Planning*. Geological Survey Professional Paper 943. Available: <https://pubs.er.usgs.gov/publication/pp943>. Accessed: December 4, 2019.

⁷⁶ Pampeyan, Earl H. 1993. *Geologic Map of the Palo Alto and Part of the Redwood Point 7.5-minute Quadrangles, San Mateo and Santa Clara County, California*. (IMAP 2371.) Available: <https://pubs.er.usgs.gov/publication/i2371>. Accessed: November 27, 2019.

California Museum of Paleontology has records of fossil discoveries in inland San Mateo County from Pleistocene deposits of unspecified geologic formation.⁷⁷ These include species of moose, horse, camel, mammoth, and bison. Holocene and Pleistocene alluvial and basin deposits, undivided, have high potential with respect to containing paleontological resources.

General Plan Goals and Policies

The City General Plan (specifically the Land Use, Open Space/Conservation, Noise, and Safety Elements) contains goals, policies, and programs that require local planning and development decisions to consider impacts related to strong seismic ground shaking, seismically related ground failure (including liquefaction), and landslides. The following City General Plan goals, policies, and programs would minimize potential adverse risks associated with strong seismic ground shaking, seismically related ground failure, liquefaction, and landslides: Goal LU-7, Policy LU-7.7; Goal S-1, Policy S-1.1, Policy S-1.3, Policy S-1.5, Policy S-1.6, Policy S-1.7, Policy S-1.13, and Policy S-1.14; Program S-1.D, and Program S-1.H. In addition, the Open Space/Conservation, Noise, and Safety Elements contain goals, policies, and programs that would require local planning and development decisions to consider impacts related to paleontological resources. The following City General Plan goals and policies would minimize potential adverse impacts on paleontological resources: Goal OSC-3, Policy OSC-3.3 and Policy OSC-3.4.

Environmental Checklist and Discussion

a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

(i) 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? Refer to Division of Mines and Geology Special Publication 42. (Less than Significant)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact GEO-1 (pages 4.5-9 to 4.5-11). It was determined that it would result in a less-than-significant impact. No mitigation measures were recommended.

Project-Specific Discussion

As discussed above, no known fault crosses the Project site. The closest known fault is the Monte Vista-Shannon fault, approximately 5.7 miles southwest of the Project site. Therefore, the risk of surface fault rupture is low. Regardless, the Project site is in a seismically active area. Although unlikely, future faulting may occur in areas where active faults were not previously known to exist. However, the risk of surface fault rupture from unknown faults is considered to be low.

The Proposed Project would comply with the requirements of the current California Building Standards Code to withstand forces associated with the maximum credible earthquake. The California Building Standards Code sets standards regarding excavation, grading, construction

⁷⁷ University of California Museum of Paleontology. 2019. *Advanced Specimen Search: San Mateo County*. Available: <https://ucmpdb.berkeley.edu/advanced.html>. Accessed: December 4, 2019.

earthwork, fill embankments, foundation investigations, liquefaction potential, and soil strength loss. Furthermore, ConnectMenlo policies and programs would apply to the Proposed Project. Policy S-1.13 requires site-specific geologic or geotechnical studies for construction in areas with potential land instability; Program S-1D requires potential geologic, seismic, and soil issues to be thoroughly investigated during the earliest stages of the design process; and Program S-1H requires a seismic risk analysis and enforcement of construction standards. The Proposed Project would comply with California Building Standards Code requirements and implement the recommendations provided in the site-specific geotechnical report.

Conclusion

The physical conditions, as they relate to the exposure of people to an earthquake fault rupture, have not changed in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. No further study is needed.

(ii) Strong seismic ground shaking? (Less than Significant)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact GEO-1 (pages 4.5-9 to 4.5-11). It was determined that it would result in a less-than-significant impact. No mitigation measures were recommended.

Project-Specific Discussion

As discussed above under *Regional Seismicity*, the Project site is in a seismically active area and surrounded by numerous faults. A list of faults of regional significance is provided in Table 3.7-1. Seismically induced ground shaking at the Project site would depend on a number of factors, as follows:

- Size of the earthquake (magnitude),
- Distance from the Project site to the fault rupture source,
- Directivity (i.e., focusing of earthquake energy along a fault in the direction of a rupture), and
- Subsurface conditions.

Given the Project site's proximity to the Monte Vista-Shannon fault (approximately 5.7 miles), the San Andreas fault (approximately 7.3 miles), and other faults that would be capable of producing a large earthquake, the potential exists for a large earthquake to induce strong to very strong ground shaking at the site during the life of the Proposed Project, as discussed above under *Ground Shaking*.

The Proposed Project would be designed and constructed to meet standards set forth by the California Building Standards Code. These standards are intended to reduce major structural damage and the loss of life in the event of an earthquake. The seismic performance goals generally expect some property damage to be incurred in a moderate to large earthquake, but the damage would generally be repairable and not life threatening. Furthermore, the City General Plan Safety Element Policy S-1.13 requires site-specific geologic or geotechnical studies

for construction in areas with potential land instability; Program S-1D requires potential geologic, seismic, and soil issues to be thoroughly investigated during the earliest stages of the design process; and Program S-1H requires a seismic risk analysis and enforcement of construction standards. Adherence to these recommendations would address and mitigate geologic hazards in accordance with the specifications of California Geological Survey *Special Publication 117*, Guidelines for Evaluating and Mitigating Seismic Hazards, and the requirements of the Seismic Hazards Mapping Act.

Conclusion

The physical conditions, as they relate to the exposure of people to strong seismic ground shaking, have not changed in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. No further study needed.

(iii) Seismically related ground failure, including liquefaction? (Less than Significant)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact GEO-1 (pages 4.5-9 to 4.5-11). It was determined that it would result in a less-than-significant impact. No mitigation measures were recommended.

Project-Specific Discussion

As discussed above, the Project site has low susceptibility with respect to seismically induced liquefaction. Subsurface sediments are predominantly clayey. Therefore, the probability of seismically induced ground shaking leading to liquefaction is only slight. Accordingly, seismically induced settlement as a result of liquefaction is unlikely to occur. Because the soils above the groundwater table have a significant degree of cohesion, seismic densification is also unlikely to constitute a hazard.⁷⁸

The Proposed Project would be designed and constructed to meet or exceed standards set forth by the City of Menlo Park as well as the current California Building Standards Code. Furthermore, City General Plan Safety Element Policy S-1.13 requires site-specific geologic or geotechnical studies for construction in areas with potential land instability; Program S-1D requires potential geologic, seismic, and soil issues to be thoroughly investigated during the earliest stages of the design process; and Program S-1H requires a seismic risk analysis and enforcement of construction standards.

Conclusion

The physical conditions, as they relate to the exposure of people to seismically related ground failure, have not changed in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in

⁷⁸ Murray Engineers, Inc. 2021. *Geotechnical Investigation: Commercial Development, 1125 O'Brien Drive, Menlo Park, California*. January. Prepared for O'Brien Drive Portfolio, LLC, Menlo Park, CA. San Rafael, CA.

circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. Because the Proposed Project would comply with City of Menlo Park requirements as well as the California Building Standards Code and implement recommendations provided in the site-specific geotechnical report, this impact would be ***less than significant***. No mitigation is required, and no further study is needed.

(iv) Landslides? (No Impact)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact GEO-1 (pages 4.5-9 to 4.5-11). It was determined that it would result in a less-than-significant impact. No mitigation measures were recommended.

Conclusion

The physical conditions, as they relate to the exposure of people to landslides, have not changed in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. No substantial new information has been presented that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. As discussed above, the Project site is nearly level and not within a zone with any potential for landslides. Project construction would not cause landslides or exacerbate existing susceptibility to landslides, resulting in ***no impact***. No further study is needed.

b. Result in substantial soil erosion or the loss of topsoil? (Less than Significant)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact GEO-2 (page 4.5-11). It was determined that it would result in a less-than-significant impact. No mitigation measures were recommended.

Project-Specific Discussion

Construction. Soils at the Project site are categorized as Urban Land, meaning that they are not native topsoil. Removing them for construction would not result in a loss of topsoil. Furthermore, soils at the Project site are not rated for erosion. Construction of the Proposed Project would include demolition, excavation, and grading, which could result in accelerated erosion during construction. Excavation would generate approximately 4,000 cubic yards of excavated material. The removal of currently onsite concrete and asphalt would expose previously sheltered soils to the elements as well as construction activities, which could accelerate erosion rates. However, as described in Section X, *Hydrology and Water Quality*, all construction activities would comply with the NPDES Construction General Permit, which contains standards to ensure that water quality would not be degraded. As part of this permit, standard erosion control measures and best management practices (BMPs) would be identified in the SWPPP and implemented during construction to reduce sedimentation in waterways and any loss of topsoil. The SWPPP and BMPs would minimize erosion and runoff during construction. These BMPs could include, but would not be limited to, using drainage swales or lined ditches to control stormwater flow and protecting storm drain inlets (with gravel bags or catch basin inserts).

Operation. The Proposed Project would increase the pervious area at the Project site by 14,207 sf. To manage potential erosion, the Proposed Project would comply with the NPDES General Construction Permit, San Francisco Bay Municipal Separate Storm Sewer System Permit Provision C.3, and San Mateo Countywide Water Pollution Prevention Program C.3 Stormwater Technical Guidance. In addition, the Proposed Project would implement the SWPPP, stormwater bioretention areas, and other erosion measures.

Conclusion

The physical conditions, as they relate to soil erosion or loss of topsoil, have not changed in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. The Proposed Project would result in **less-than-significant** impacts related to soil erosion and the loss of topsoil; mitigation measures would not be required for construction or operation of the Proposed Project. No further study is needed.

- c. ***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 an onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse? (Less than Significant)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact GEO-3 (pages 4.5-12 to 4.5-13). It was determined that it would result in a less-than-significant impact. No mitigation measures were recommended.

Project-Specific Discussion

As stated above, groundwater at the Project site is relatively shallow, encountered at a depth of approximately 7 to 10 feet below the ground surface. Therefore, excavation deeper than 7 to 10 feet would be likely to encounter groundwater and require dewatering to avoid substantial water inflow at the excavation site during construction. However, it is anticipated that excavation would not exceed a depth of 2 feet below the ground surface. Therefore, the likelihood of encountering groundwater is relatively minor. However, because groundwater levels can vary, depending on season, weather, and nearby landscaping practices, it is possible that groundwater could be encountered at levels higher than the maximum depth of excavation. If this should occur, dewatering would be required. Dewatering could result in settlement beneath adjacent structures, including buildings, sidewalks, streets, and utilities. In addition, during Project operation, groundwater could exert hydrostatic pressure on subsurface parking or basement levels; permanent dewatering could be required to relieve this pressure. Section X, *Hydrology and Water Quality*, discusses water quality requirements associated with dewatering.

There is no historical documentation of lateral spreading at the Project site. The Proposed Project would be constructed on a previously developed site that does not include a streambank or open face. Furthermore, the risk of liquefaction at the Project site is low. Therefore, the risk of lateral

spreading is low. Static settlement as a result of consolidation is anticipated to be up to approximately 5 inches, and differential settlement across the 25-foot span of a typical mat foundation is anticipated to be approximately 2.5 inches.⁷⁹

To reduce impacts related to groundwater and consolidation settlement, the Proposed Project would be designed and constructed to meet or exceed standards set forth by the City of Menlo Park as well as the current California Building Standards Code. Furthermore, City General Plan Safety Element Policy S-1.13 requires site-specific geologic or geotechnical studies for construction in areas with potential land instability; Program S-1D requires potential geologic, seismic, and soil issues to be thoroughly investigated during the earliest stages of the design process; and Program S-1H requires a seismic risk analysis and enforcement of construction standards.

Conclusion

The physical conditions, as they relate to unstable geologic units or soil, have not changed in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. Because the Proposed Project would comply with City of Menlo Park requirements as well as the California Building Standards Code and implement the recommendations provided in the site-specific geotechnical report, this impact would be *less than significant*. No further study is needed.

- d. ***Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994),⁸⁰ creating substantial direct or indirect risks to life or property? (Less than Significant)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact GEO-4 (page 4.5-13). It was determined that it would result in a less-than-significant impact. No mitigation measures were recommended.

Project-Specific Discussion

As stated above, highly expansive soil occurs at the Project site. Structures and flatwork supported on expansive soil could experience seasonal heave and settlement as the soil expands and contracts through wetting and drying cycles. If structures are not properly designed, cyclic expansion and contraction can affect structural stability. To reduce impacts related to expansive soils, the Proposed Project would be designed and constructed to meet or exceed standards set forth by the City of Menlo Park as well as the current California Building Standards Code. Furthermore, City General Plan Safety Element Policy S-1.13 requires site-specific geologic or geotechnical studies for construction in areas with potential land instability; Program S-1D requires potential geologic, seismic, and soil issues to be thoroughly investigated during the earliest stages of the design process; and Program S-1H requires a seismic risk analysis and enforcement of construction standards.

⁷⁹ Murray Engineers, Inc. 2021. *Geotechnical Investigation: Commercial Development, 1125 O'Brien Drive, Menlo Park, California*. January. Prepared for O'Brien Drive Portfolio, LLC, Menlo Park, CA. San Rafael, CA.

⁸⁰ Note that the CEQA Guidelines specifically reference this version of the Uniform Building Code.

Conclusion

The physical conditions, as they relate to expansive soils, have not changed in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. Because the Proposed Project would comply with City of Menlo Park grading requirements as well as California Building Standards Code requirements and implement recommendations provided in the site-specific geotechnical report, this impact would be *less than significant*. No further study is needed.

- e. *Have soils that would be incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater? (No Impact)*

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact GEO-5 (pages 4.5-13 to 4.5-14). It was determined that it would result in a less-than-significant impact. No mitigation measures were recommended.

Conclusion

The physical conditions, as they relate to septic tanks, have not changed in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. The Proposed Project would not require the use of septic tanks or alternative wastewater disposal systems. Wastewater would be discharged into the existing public sanitary sewer system in the study area, which is serviced by the West Bay Sanitary District and Silicon Valley Clean Water. The West Bay Sanitary District provides and maintains the sanitary sewer system in Menlo Park; wastewater is conveyed to an advanced two-stage biological treatment facility operated by Silicon Valley Clean Water prior to discharge to San Francisco Bay. Therefore, the Project would result in *no impacts* related to septic tanks. No further study is needed.

- f. *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Less than Significant with Mitigation)*

Analysis in the ConnectMenlo EIR

This topic was discussed in the ConnectMenlo EIR as Impact CULT-3 (pages 4.4-18 to 4.4-20). It was determined that the impact would be less than significant with implementation of Mitigation Measure CULT-3. This mitigation measure would temporarily halt ground-disturbing activities if unique paleontological resources are discovered.

Project-Specific Discussion

Although pile drilling would extend to a depth of 85 feet, Project excavation would not extend through the Holocene fine-grained alluvium deposit and into the Holocene and Pleistocene alluvial and basin deposits, undivided. The Holocene and Pleistocene alluvial and basin deposits, undivided,

as discussed above, are sensitive with respect to paleontological resources, but Holocene fine-grained alluvium is not. It is therefore unlikely that ground-disturbing activities associated with Project construction would encounter significant paleontological resources. However, should excavation extend beyond 15 feet below the ground surface, excavation could disturb deposits that are sensitive for paleontological resources. Therefore, the potential exists for paleontological resources to be disturbed, damaged, or lost.

City General Plan Open Space/Conservation Element Policy OSC-3.3 requires developments to protect archaeological or paleontological resources, either onsite or through appropriate documentation, as a condition of removal. In addition, if paleontological resources are uncovered during grading or excavation, Policy OSC-3.4 requires construction to stop until appropriate mitigation is implemented. Furthermore, the Proposed Project would incorporate ConnectMenlo EIR Mitigation Measure CULT-3 as a conditions of approval to the use permit for the Proposed Project. In the event that fossils or fossil-bearing deposits are discovered during ground-disturbing activities anywhere in Menlo Park, excavations within a 50-foot radius of the find shall be temporarily halted or diverted. Ground disturbance shall cease until a City-approved qualified paleontologist determines whether the resource requires further study.

Conclusion

The physical conditions, as they relate to paleontological resources, have not changed in the ConnectMenlo study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. The Proposed Project would incorporate ConnectMenlo Mitigation Measure CULT-3, which would require any ground disturbance to be halted or diverted if fossils or fossil-bearing deposits are discovered during ground-disturbing activities. Therefore, the Proposed Project's impact on paleontological resources would be *less than significant with mitigation*. No further study is needed.

ConnectMenlo EIR Mitigation Measure

Mitigation Measure CULT-3. In the event that fossils or fossil-bearing deposits are discovered during ground-disturbing activities anywhere in the city, 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 1995 Society of Vertebrate Paleontology standards), evaluate the potential resource, and assess the significance of the find under the criteria set forth in California Environmental Quality Act Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine the procedures to follow before resuming construction activities at the location of the find. If avoidance is not feasible, the paleontologist shall prepare an excavation plan to mitigate 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 implementation, and all construction activity shall adhere to the recommendations in the excavation plan.

VIII. Greenhouse Gas Emissions	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

As discussed in more detail below, this topic will be analyzed further in the EIR for the Proposed Project. Therefore, the setting is not discussed in this document but will be provided instead in the EIR.

General Plan Goals and Policies

General plan goals and policies related to greenhouse gases will be outlined and discussed in the EIR.

Environmental Checklist and Discussion

- a. ***Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Topic to Be Analyzed in the EIR)***

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR (pages 4.6.28 through 4.6-35) and determined to result in significant and unavoidable impacts, despite the implementation of mitigation measures.

Conclusion

Construction activities associated with the Proposed Project would produce combustion emissions from various sources. In addition, operation of the Proposed Project would produce mobile-source GHG emissions from vehicle trips and onsite maintenance as well as indirect emissions from sources associated with energy consumption. Although the physical conditions have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR, there are aspects of the Proposed Project that were not evaluated in the ConnectMenlo EIR. Specifically, the trips generated by the Proposed Project may not be consistent with, and could be greater than, what was evaluated in the ConnectMenlo EIR. Therefore, impacts could result that were not previously disclosed. This topic requires ***further environmental review*** in the EIR.

b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Topic to Be Analyzed in the EIR)

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR (pages 4.6-36 through 4.6-45) and determined to result in significant and unavoidable impacts, despite the implementation of mitigation measures.

Conclusion

Although the physical conditions have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR, there are aspects of the Proposed Project that were not evaluated in the ConnectMenlo EIR. Specifically, the trips generated by the Proposed Project may not be consistent with, and could be greater than, what was evaluated in the ConnectMenlo EIR. In addition, the Proposed Project could be inconsistent with the City's 2030 Climate Action Plan, which was amended and adopted in 2021, subsequent to adoption of the ConnectMenlo EIR. The Climate Action Plan includes goals for reaching carbon neutrality by 2030. The City's reach code requires all new construction to be all electric (subject to specified exceptions). Per the zoning ordinance, the Proposed Project could apply for an exemption under the local building code to allow some use of natural gas; the exemption would require energy usage to be offset through credits. Compliance with the requirements would be ensured through conditions of approval. Regardless, the Proposed Project could result in conflicts with applicable plans, policies or regulations (including the Climate Action Plan) that were not previously disclosed in the ConnectMenlo EIR. Therefore, this topic requires **further environmental review** in the EIR.

IX. Hazards and Hazardous Materials	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:					
a) Create a significant hazard for the public or environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard for the public or environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) 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 for the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

Hazardous Materials

A hazardous material is any substance that, because of its quantity, concentration, or physical or chemical properties, may pose a hazard to human health and the environment. Under California Code of Regulations (CCR) Title 22, the term “hazardous substance” refers to both hazardous materials and hazardous wastes. Both of these are classified according to four properties, (1) toxicity, (2) ignitability, (3) corrosiveness, and (4) reactivity (CCR Title 22, Chapter 11, Article 3). A hazardous material is defined in CCR Title 22 as:

[a] substance, or combination of substances, that, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may either (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported, or disposed of or otherwise managed (CCR Title 22 Section 66260.10).

Exposure to hazardous materials in various forms can result in death, serious injury, long-lasting health effects, or damage to buildings, homes, and other property. Hazards to human health and the environment can occur during the production, storage, transport, use, or disposal of hazardous materials.

The Project site consists of two parcels, the Development Lot and the Accessory Parking Lot. Conditions related to hazardous materials at these two parcels are described below.

Parcel 1: The Development Lot

Two Phase I Environmental Site Assessments were performed for the Proposed Project by Stellar Environmental Solutions.^{81,82} According to the assessments, the Project site consists of three parcels, 1105 O'Brien Drive (APN 055-433-320), 1135/1165 O'Brien Drive (APN 055-433-330), and a drainage ditch (APN 055-433-350), collectively referred to as Parcel 1 or the Development Lot. The parcels at 1105 O'Brien Drive and 1135/1165 O'Brien Drive were undeveloped or in agricultural use until warehouse buildings were constructed between 1962 and 1965.⁸³ The buildings have remained unchanged. The parcel containing the drainage ditch was undeveloped or in agricultural use until the late 1950s, the time when the drainage ditch was constructed.⁸⁴ By 1998, the ditch was placed below ground south of O'Brien Drive; it has remained unchanged since.

Current conditions indicate that two pole-mounted PG&E transformers are at the Development Lot.⁸⁵ During site inspection, no leakage or other indication of damage was noted on the transformers themselves or on the ground below them. Although older electrical transformers can contain cooling oil with polychlorinated biphenyls, it is the current policy of PG&E not to use polychlorinated biphenyls in

⁸¹ Stellar Environmental Solutions, Inc. 2019. *Phase I Environmental Site Assessment, 1105, 1135, and 1165 O'Brien Drive, Menlo Park, California*. Prepared for O'Brien Drive Portfolio, LLC, Menlo Park, CA. October.

⁸² Stellar Environmental Solutions, Inc. 2019. *Phase I Environmental Site Assessment, APN 055-433-350, O'Brien Drive, Menlo Park, California*. Prepared for Tarlton Properties, Inc., Menlo Park, CA. October.

⁸³ Stellar Environmental Solutions, Inc. 2019. *Phase I Environmental Site Assessment, 1105, 1135, and 1165 O'Brien Drive, Menlo Park, California*. Prepared for O'Brien Drive Portfolio, LLC, Menlo Park, CA. October.

⁸⁴ Stellar Environmental Solutions, Inc. 2019. *Phase I Environmental Site Assessment, APN 055-433-350, O'Brien Drive, Menlo Park, California*. Prepared for Tarlton Properties, Inc., Menlo Park, CA. October.

⁸⁵ Stellar Environmental Solutions, Inc. 2019. *Phase I Environmental Site Assessment, 1105, 1135, and 1165 O'Brien Drive, Menlo Park, California*. Prepared for O'Brien Drive Portfolio, LLC, Menlo Park, CA. October.

any of its transformers. In addition, several heating, ventilation, and air-conditioning (HVAC) units are mounted on the roof of the warehouse at 1105 O'Brien. At the time of the site inspection, they were not observed to be leaking refrigerant or other liquids.

No fluorescent light fixtures were reported in the buildings at the Development Lot, and no review for asbestos-containing materials was conducted. However, based on the date of construction for the buildings at the site (i.e., 1962 and 1965), it is possible that asbestos-containing materials are present at the property. Surveys indicate that radon levels are most likely below the U.S. Environmental Protection Agency action level.⁸⁶ No review for lead-based paint was conducted; however, given the date of construction for the buildings, lead-based paint could be present on the Project site.

No concerns were identified regarding the disposal of solid waste. Although the warehouse at 1135 O'Brien Drive houses equipment that has been labeled as a "biohazard," no improper storage practices or signs of mishandling were noted. No evidence of underground storage tanks (USTs) was observed during the inspection. However, a historical UST was removed in 1994. Although no obvious odors were noticed and no staining was observed during the investigation, a hole in the historical UST was observed near a seam.

A review of regulatory agency databases revealed no recognized environmental conditions,⁸⁷ two historical recognized environmental conditions,⁸⁸ and no controlled recognized environmental conditions⁸⁹ at the Project site.^{90,91}

- One of the historical recognized environmental conditions is identified as a leaking UST that once contained diesel at 1105 O'Brien Drive (removed and mitigated in 1994). After removal of the leaking UST, five soil samples were tested. All five samples were classified as "non-detect" for total petroleum hydrocarbons as gasoline/benzene, toluene, ethylbenzene, and xylene and close to detection limits or "non-detect" for kerosene and total petroleum hydrocarbons as diesel. Subsequent groundwater sampling beneath the former tank location indicated no impact on groundwater from the leaking UST.
- The other historical recognized environmental condition is related to soil under the former oil-stained asphalt and concrete surfaces at 1135 O'Brien Drive. Soil under the stained surfaces was excavated in July 1994 to a depth of 12 to 18 inches to ensure that all contamination had been removed. The 11 confirmation samples from the bottom and sidewalls of the excavation did not show significant levels of hydrocarbons remaining.

⁸⁶ Ibid.

⁸⁷ A *recognized environmental condition* indicates the presence or likely presence of hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of hazardous substances or petroleum products.

⁸⁸ A *historic recognized environmental condition* is a past release of hazardous substances or petroleum products that occurred in connection with a property that has been addressed to the satisfaction of the applicable regulatory authority, or meets the unrestricted use criteria established by the regulatory authority, without subjecting the property to any required controls.

⁸⁹ A *controlled recognized environmental condition* is the presence or likely presence of any hazardous substance or petroleum product in, on, or at a property that has been released to the environment; appears to have been released to the environment because of indicative conditions; or may pose a material threat of future release to the environment but has been addressed to the satisfaction of the applicable regulatory authority, with the substance allowed to remain in place subject to implementation of required controls (e.g., property use restrictions, activity/use limitations, institutional controls, or engineering controls).

⁹⁰ Stellar Environmental Solutions, Inc. 2019. *Phase I Environmental Site Assessment, 1105, 1135, and 1165 O'Brien Drive, Menlo Park, California*. Prepared for O'Brien Drive Portfolio, LLC, Menlo Park, CA. October.

⁹¹ Stellar Environmental Solutions, Inc. 2019. *Phase I Environmental Site Assessment, APN 055-433-350, O'Brien Drive, Menlo Park, California*. Prepared for Tarlton Properties, Inc., Menlo Park, CA. October.

Parcel 2: The Accessory Parking Lot

In addition to the Development Lot, the Project site also includes a 1.68-acre adjacent property, referred to as Parcel 2 or the Accessory Parking Lot. The Accessory Parking Lot is currently developed with an approximately 20,955-square-foot, single-story building at 1 Casey Court. The building, which was constructed between 1974 and 1981,⁹² would be demolished as part of the Proposed Project.

A Phase I Environmental Site Assessment was performed for the Accessory Parking Lot by Farallon Consulting.⁹³ According to the assessment, the Accessory Parking Lot contains one parcel (APN 055-433-180) that totals approximately 73,000 square feet. Western Allied Mechanical, an HVAC company, is located on a portion of the parcel. Other areas include a paved parking lot, a covered storage area, and landscaping. The site appears to have been used for agricultural purposes from at least the 1930s until the current building was constructed (i.e., between 1974 and 1981).

Current conditions indicate that pad-mounted transformers are located throughout the Accessory Parking Lot. The transformers appear in good condition. Given the date of construction, the transformers are not expected to contain polychlorinated biphenyls. No evidence of staining was observed on or around the transformers. Hazardous materials in the form of janitorial cleaning supplies; cylinders with gas; propane, used to fuel a forklift; a drum of coolant; and water-based adhesive are on the parcel and used for onsite operations.⁹⁴ During the site inspection, the materials were observed to be properly labeled and stored in designated areas. No staining or evidence of a release was observed in or around the containers. Current conditions at the time of inspection indicated that hazardous substances, if present, most likely would not pose a risk to human health and or/the environment.

No fluorescent light fixtures were reported in the building at the Accessory Parking Lot, and no inspection for asbestos-containing materials was conducted. However, given the date of construction for the building at the site (i.e., between 1974 and 1981), it is possible that asbestos-containing materials are present at the property. No inspection for lead-based paint was conducted; however, given the date of construction for the building at the site, the likelihood of lead-based paint being present at the site is low.

No concerns were identified regarding the disposal of solid waste. Although the building at 1 Casey Court houses hazardous materials, as discussed above, no improper storage practices or other signs of mishandling were noted. No evidence of current USTs was observed during the site inspection. However, a historical leaking UST was reported in 1999. The leaking UST was removed, and San Mateo County Health granted case closure, based on constituents of concern being detected at concentrations that were less than regulatory levels of concern.

⁹² Farallon Consulting. 2020. *Phase I Environmental Site Assessment, 1 Casey Court, Menlo Park, California*. Prepared for Tarlton Properties, Inc., Menlo Park, CA. August 13.

⁹³ Ibid.

⁹⁴ Ibid.

A review of regulatory agency databases revealed no recognized environmental conditions.⁹⁵ The formerly leaking UST on the site was listed as a historical recognized environmental condition of concern.⁹⁶ No controlled recognized environmental conditions⁹⁷ were found at the Accessory Parking Lot site.⁹⁸

According to the Phase I Environmental Site Assessment:

- The historical recognized environmental condition is identified as a leaking UST on the site that once contained diesel; the case was granted regulatory closure. (The leaking UST was reported and removed in 1999.) After removal, soil samples were collected at the excavation site to a depth of 9.5 feet below the ground surface. No constituents of concern were detected at concentrations that exceeded regulatory levels of concern, with the exception of methyl tert-butyl ether, which was detected in one soil sample. In July 2000, an additional soil boring was advanced at the location where the methyl tert-butyl ether had been detected, along with two more soil samples and one groundwater sample. No constituents of concern were detected at concentrations that exceeded regulatory levels of concern; unrestricted land use was granted, based on the environmental impact from the formerly leaking UST being considered a low risk. The San Mateo County Health Groundwater Protection Program granted case closure in 2001.

Other Potential Contamination Concerns

Several properties within a 0.5-mile search radius are recorded in environmental databases as having violations related to hazardous materials or documented environmental contamination. However, given their location and/or current contamination conditions, none of these sites has the potential to adversely affect the Project site.⁹⁹¹⁰⁰

Table 3.9-1 shows upgradient properties, including the address, distance from Project site, direction from Project site, and the database(s) reporting the hazardous material violations and releases.

Proximity to Schools

The Project site is within 0.25 mile of three schools, Wund3rSCHOOL/Open Mind School (0.09 mile), Cesar Chavez Elementary School (0.18 mile), and Mid-Peninsula High School (0.23 mile).

⁹⁵ A *recognized environmental condition* indicates the presence or likely presence of hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of hazardous substances or petroleum products.

⁹⁶ A *historic recognized environmental condition* is a past release of hazardous substances or petroleum products that occurred in connection with a property that has been addressed to the satisfaction of the applicable regulatory authority, or meets the unrestricted use criteria established by the regulatory authority, without subjecting the property to any required controls.

⁹⁷ A *controlled recognized environmental condition* is the presence or likely presence of any hazardous substance or petroleum product in, on, or at a property that has been released to the environment; appears to have been released to the environment because of indicative conditions; or may pose a material threat of future release to the environment but has been addressed to the satisfaction of the applicable regulatory authority, with the substance allowed to remain in place subject to implementation of required controls (e.g., property use restrictions, activity/use limitations, institutional controls, or engineering controls).

⁹⁸ Farallon Consulting. 2020. *Phase I Environmental Site Assessment, 1 Casey Court, Menlo Park, California*. Prepared for Tarlton Properties, Inc., Menlo Park, CA. August 13.

⁹⁹ Stellar Environmental Solutions, Inc. 2019. *Phase I Environmental Site Assessment, 1105, 1135, and 1165 O'Brien Drive, Menlo Park, California*. Prepared for O'Brien Drive Portfolio, LLC, Menlo Park, CA. October.

¹⁰⁰ Farallon Consulting. 2020. *Phase I Environmental Site Assessment, 1 Casey Court, Menlo Park, California*. Prepared for Tarlton Properties, Inc., Menlo Park, CA. October.

Table 3.9-1. Properties with Potential Contamination Concerns within 0.5 Mile of the Project Site

Label	Name	Address	Distance from Project Site	Gradient, Direction from Project Site	Database(s)	Notes
A8	Spinal Modulation, Inc.	1165 O'Brien Drive, Suite B	1 foot	Higher	CA CERS HAZ WASTE, CA CERS	<ul style="list-style-type: none"> • Failure to properly label hazardous waste containers.
A31	Spinal Modulation, Inc.	1135 O'Brien Drive	1 foot	Higher	CA CERS HAZ WASTE, CA CERS	<ul style="list-style-type: none"> • Failure to determine if the generated waste was hazardous. • Failure to properly label hazardous waste containers.
A43	Gachina Landscape Management Company	1130 O'Brien Drive	62 feet	Higher, south	CA CERS HAZ WASTE, CA CERS	<ul style="list-style-type: none"> • Failure to annually review and certify that the business plan was complete and accurate. • Failure to properly label hazardous waste containers. • Failure to send hazardous waste offsite for treatment, storage, or disposal. • Failure to meet container management requirements. • Failure to complete and electronically submit hazardous material inventory information.
A49	American Printing	1100 O'Brien Drive	81 feet	Higher, southwest	CA CERS HAZ WASTE, CA CERS	<ul style="list-style-type: none"> • Failure to notify property owner in writing that the business was subject to a business plan program and that it complied with its provisions. • Failure to obtain an identification number prior to treating, storing, disposing of, transporting, or offering for transportation hazardous waste. • Failure to provide initial and annual training to all employees regarding safety procedures or failure to maintain training records. • Failure to properly label hazardous waste containers and portable tanks.

Label	Name	Address	Distance from Project Site	Gradient, Direction from Project Site	Database(s)	Notes
A55	Calysta, Inc.	1140 O'Brien Drive, Suite B	84 feet	Higher, south/southeast	CA CERS HAZ WASTE, CA CERS	<ul style="list-style-type: none"> • Failure to label or mark each individual container in the designated area for universal waste, as required. • Failure to complete and electronically submit a site map. • Failure to annually review and electronically certify that the business plan was complete and accurate. • Failure to provide employees with hazardous waste training. • Failure to inspect hazardous waste storage areas at least weekly. • Failure to include provisions in the business plan that would ensure that appropriate personnel received initial and annual training. • Failure to properly label hazardous waste containers.
B61	Polytec Products Corporation	1190 O'Brien Drive	90 feet	Higher, east	CA CERS HAZ WASTE, CA CERS	<ul style="list-style-type: none"> • Failure to submit inventory reports. • Failure to maintain and operate the facility so as to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents. • Failure to properly label hazardous waste containers. • Failure to properly handle, manage, label, and recycle used oil and fuel filters. • Failure to properly close hazardous waste containers when not in active use. • Failure to obtain and/or maintain an active U.S. Environmental Protection Agency identification number.

Label	Name	Address	Distance from Project Site	Gradient, Direction from Project Site	Database(s)	Notes
K114	Sanford Metal Processing Company	990 O'Brien Drive	739 feet	Higher, west	CA CERS HAZ WASTE, CA HIST UST, CA CHMIRS, CA	<ul style="list-style-type: none"> • Failure to inspect hazardous waste tanks. • Failure to ensure that all employees were familiar with the proper waste handling and emergency procedures relevant to their responsibilities. • Failure to establish and electronically submit an adequate emergency response plan and procedures for a release or threatened release of a hazardous material. • Failure to properly label hazardous waste containers and portable tanks • Failure of the facility to maintain emergency equipment or equivalents. • Failure of the facility to test and maintain all communications or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment. • Failure to separate incompatible wastes from the same container, nearby containers, or unwashed containers. • Leaks in roof. • Failure to accumulate hazardous waste in a container in good condition. • Failure to meet container management requirements. • Failure to provide initial and annual training to all employees regarding safety procedures. • Failure to ensure that all employees were familiar with the proper waste handling and emergency procedures relevant to their responsibilities. • Hazardous waste generator program—release/leaks/spills.

Source: Stellar Environmental Solutions, Inc., 2019.; Farallon Consulting, LLC, 2020.

Proximity to Airports

The closest airport to the Project site, Palo Alto Airport, a general aviation field that is owned and operated by the City of Palo Alto, is approximately 1.8 miles from the Project site.¹⁰¹

Wildland Fires

According to the California Department of Forestry and Fire Protection's Fire and Resource Assessment Program, the Proposed Project is within a Non-Very High Fire Hazard Severity Zone of the Local Responsibility Area.¹⁰² Therefore, the risk of wildfire at the Project site is very low.

General Plan Goals and Policies

The City General Plan (specifically the Land Use Element, Safety Element, and Circulation Element) contains goals, policies, and programs that require local planning and development decisions to consider impacts related hazardous materials. The following City General Plan goals, policies, and programs would minimize potential adverse risks associated with the routine transport, use, or disposal of hazardous materials: Goal LU-4, Policy LU-4.5; Goal LU-7, Policy LU-7.7; Goal S-1, Policy S-1.1, Policy S-1.3, Policy S-1.5, Policy S-1.5, Policy S-1.16, Policy S-1.18, Policy S-1.29, Policy S-1.30; Program S-1.J; and Policy CIRC-2.14.

Environmental Checklist and Discussion

- a. Create a significant hazard for the public or the environment through the routine transport, use, or disposal of hazardous materials? (Less than Significant)*

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HAZ-1 (pages 4.7-18 to 4.7-21). It was determined that it would result in a less-than-significant impact because future development, as part of the City's project approval process, would be required to comply with existing regulations, including City General Plan policies, that have been enacted to minimize impacts related to hazardous materials. No mitigation measures were recommended.

Project-Specific Discussion

Construction. The Proposed Project involves building demolition and the construction of an approximately 131,825 gsf building for R&D/life science uses. Approximately 89 surface parking stalls would be available on the Development Lot, as would an additional 160 surface parking stalls on the adjacent Accessory Parking Lot. The Proposed Project would remove dirt and trees, as well as construction materials, from demolished buildings. Construction of the R&D/life science building, as well as parking spaces on the Development Lot and in the Accessory Parking Lot, would involve the routine transport, use, and disposal of hazardous materials, such as fuel, solvents, paints, oils, grease, and caulking. Project construction would comply with applicable regulations and would not

¹⁰¹ City of Palo Alto. 2019. *Palo Alto Airport*. Available: https://www.cityofpaloalto.org/gov/depts/pwd/palo_alto_airport/default.asp. Accessed: December 5, 2019.

¹⁰² California Department of Forestry and Fire Protection. 2008. *San Mateo County: Very High Fire Hazard Severity Zones in LRA as Recommended by CAL FIRE*. Available: https://osfm.fire.ca.gov/media/6800/fhszl_map41.pdf. Accessed: December 5, 2019.

involve the use of substances listed in 40 Code of Federal Regulations (CFR) 355, Appendix A, Extremely Hazardous Substances and Their Threshold Planning Quantities. Although small amounts of solvents, paints, oils, grease, and caulking would be transported, used, and disposed of during Project construction, these materials are commonly used in construction projects and not considered acutely hazardous. Therefore, they would not represent the transport, use, or disposal of acutely hazardous materials.

No known hazardous materials are present on the Project site; therefore, the transport of spoils is not expected to result in the transport of hazardous materials. An UST was removed from the north side of the Development Lot (Parcel 1) in 1994.¹⁰³ Although a hole was seen in the tank when it was removed, soil sampling revealed no contamination (or it was below detection limits). In addition, at the Accessory Parking Lot (Parcel 2), a leaking UST was reported in 1999.¹⁰⁴ In 2001, San Mateo County granted case closure because the constituents of concern were at concentrations that were less than regulatory levels of concern.

No inspection for asbestos-containing materials has been conducted at the Project site. However, given the date of construction for the building (i.e., between 1974 and 1981), it is possible that asbestos-containing materials are present at the property. In addition, no inspection for lead-based paint was conducted; however, given the date of construction for the building, lead-based paint could be present at the site. Therefore, the transport of spoils could result in the transport of hazardous materials. It is possible that undocumented contamination could be discovered, particularly during excavation for foundations, footings, and underground utilities.

City General Plan Policy S-1.18 requires developers to conduct an investigation of soils that could be affected by hazardous materials in areas that were used historically for commercial or industrial uses and identify and implement mitigation measures to avoid adverse effects on new residents or new uses. Under City General Plan Policy S-1.18, standard health requirements would apply to the Proposed Project. Surveys for lead-based paint or asbestos-containing materials would be performed (pursuant to anticipated Proposed Project conditions), and if development requires any export of soil from the site, offsite soil profiling would be conducted to identify the level of residual pesticides from historic agricultural uses as well as petroleum hydrocarbons and metals associated with commercial/industrial uses. Furthermore, consistent with City requirements, excavated soil from any excavation work in the immediate vicinity of the former leaking UST would be sampled and analyzed for petroleum hydrocarbons and UST-related metals. In addition, construction activities that disturb 1 acre or more must obtain coverage under the state's Construction General Permit, applicants for which are required to prepare the SWPPP and implement and maintain BMPs to avoid adverse construction-related effects, including hazardous materials releases, on the surrounding environment. Furthermore, hazardous materials would be transported under California Department of Transportation (Caltrans) regulations. Because compliance with existing regulations would be mandatory, the Proposed Project is not expected to create a significant hazard for the public or the environment through the routine transport, use, or disposal of hazardous materials.

Operation. It is anticipated that the Proposed Project would use, store, generate, and dispose of hazardous materials as a result of the life science uses. In addition, the Proposed Project would use hazardous materials that are typical in the context of office uses (e.g., cleaning products, building

¹⁰³ Stellar Environmental Solutions, Inc. 2019. *Phase I Environmental Site Assessment, 1105, 1135, and 1165 O'Brien Drive, Menlo Park, California*. Prepared for: O'Brien Drive Portfolio, LLC, Menlo Park, California. October 4.

¹⁰⁴ Farallon Consulting. 2020. *Phase I Environmental Site Assessment, 1 Casey Court, Menlo Park, California*. Prepared for: Tarlton Properties, Inc., Menlo Park, California. August 13.

maintenance products, fertilizers and pesticides for landscaping). However, none of these products is expected to be generated or stored in large quantities. Any transport of these materials would be subject to Caltrans regulations. Furthermore, San Mateo County Health, Environmental Health Services Division, regulates hazardous materials under its Certified Unified Program Agency and related Unified Programs, which are enforced by the Menlo Park Fire Protection District.

Conclusion

The physical conditions, as they relate to the transport, use, or disposal of hazardous materials, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. Because compliance with existing regulations would be mandatory, the Proposed Project is not expected to create a significant hazard for the public or the environment through the routine transport, use, or disposal of hazardous materials. The impact during construction and operation would be *less than significant*, and no further study is needed.

- b. Create a significant hazard for the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Less than Significant)*

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HAZ-2 (pages 4.7-21 to 4.7-23). It was determined that it would result in a less-than-significant impact because future development, as part of the City's project approval process, would be required to comply with existing regulations, including City General Plan policies that have been enacted to minimize impacts related to accidental spills of hazardous materials. No mitigation measures were recommended.

Project-Specific Discussion

Construction. As mentioned above, hazardous materials used during construction of the Proposed Project would include fuel, solvents, paints, oils, grease, etc. Project construction would not include the use of substances listed in 40 CFR 355, Appendix A, Extremely Hazardous Substances and Their Threshold Planning Quantities. It is possible that these substances could be released during construction. However, compliance with federal, state, and local regulations, in combination with temporary construction BMPs, as part of Construction General Permit requirements, would ensure that all hazardous materials would be used, stored, and disposed of properly, which would minimize potential impacts related to a hazardous materials release during construction of the Proposed Project. No releases are anticipated from excavation because no current contamination has been identified at the Project site.

Operation. It is anticipated that the Proposed Project would use, store, generate, and dispose of hazardous materials as a result of the proposed life science uses. In addition, the Proposed Project would use hazardous materials that are typical in the context of office uses (e.g., cleaning products, building maintenance products, fertilizers and pesticides for landscaping). However, none of these products is expected to be generated or stored in large quantities. Any transport of these materials would be subject to Caltrans regulations. Furthermore, the San Mateo County Health, Environmental Health Services Division, regulates hazardous materials under its Certified Unified Program Agency and related Unified Programs, which are enforced by the Menlo Park Fire Protection District.

Conclusion

The physical conditions, as they relate to the transport, use, or disposal of hazardous materials, have not changed substantially in the ConnectMenlo EIR study area since the preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. The Proposed Project would not result in an accidental release of hazardous materials during construction or operation. Therefore, the impact would be *less than significant*, and no further study is needed.

- c. *Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school? (Less than Significant)*

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HAZ-3 (pages 4.7-23 to 4.7-24). It was determined that it would result in a less-than-significant impact. No mitigation measures were recommended.

Project-Specific Discussion

As described above, the Project site is within 0.25 mile of three schools, Wund3rSCHOOL/Open Mind School (0.09 mile), Cesar Chavez Elementary School (0.18 mile), and Mid-Peninsula High School (0.23 mile).

Construction. The Proposed Project would involve the use of hazardous materials that are typical in the context of construction projects; however, the Proposed Project would comply with federal, state, and local regulations. In addition, any potential construction-related hazardous material releases would be releases of commonly used materials, such as fuels, solvents, and paints, and would not include substances listed in 40 CFR 355, Appendix A, Extremely Hazardous Substances and Their Threshold Planning Quantities. Any such spills would be localized and immediately contained and cleaned up in accordance with the requirements of the Project-specific SWPPP. No releases are anticipated from excavation because no current contamination has been identified at the Project site. Consistent with standard health requirements, excavated soil from any excavation work in the immediate vicinity of the former leaking UST would be sampled and analyzed for petroleum hydrocarbons and UST-related metals.

Operation. As discussed above, it is anticipated that the Proposed Project would generate hazardous materials as a result of bioscience-related R&D activities. However, their use, storage, and disposal would be regulated by the San Mateo County Health, Environmental Health Services Division, and the Menlo Park Fire Protection District. Compliance with federal, state, and local regulations would ensure that all hazardous materials would be used, stored, and disposed of properly, which would minimize potential impacts related to a hazardous materials release during Project operation.

Conclusion

The physical conditions, as they relate to hazards near schools, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo

EIR; therefore, there would be no new specific effects as a result of the Proposed Project. The Proposed Project would comply with all federal, state, and local regulations. The impact on schools due to hazardous substances would be **less than significant**. No further study is needed.

- d. 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 for the public or the environment? (Less than Significant with Mitigation)**

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HAZ-4 (pages 4.7-24 to 4.7-26). It was determined that future development could occur on sites with known hazardous materials and, as a result, create a significant hazard for the public or the environment, a potentially significant impact. The ConnectMenlo EIR found that implementation of Mitigation Measures HAZ-4a and HAZ-4b, together with compliance with applicable laws and regulations regarding cleanup and reuse of a listed hazardous material site, would ensure that impacts related to development on sites with known hazardous materials would be less than significant. ConnectMenlo Mitigation Measure HAZ-4b has been implemented for the Proposed Project, as summarized below.

Project-Specific Discussion

The Proposed Project is not located on a site that is included in the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. However, as discussed above, a UST was removed from the north side of the Development Lot in 1994.¹⁰⁵ In addition, a historical recognized environmental condition, identified as a leaking UST that once contained diesel, existed at the Accessory Parking Lot site.¹⁰⁶ The cases were closed, and no constituents of concern were detected at concentrations that exceeded regulatory levels of concern. Furthermore, vapor encroachment¹⁰⁷ screening (VES) was conducted for the Project site and the vicinity.¹⁰⁸ This VES, consistent with ConnectMenlo Mitigation Measure HAZ-4b, was conducted to determine whether a vapor encroachment condition (VEC) exists at the Project site. The VES determined that no VEC exists at the Project site because (1) the three Phase I ESAs completed for the Project site identified no recognized environmental conditions, (2) historical use data collected during completion of the three Phase I ESAs identified no use of volatile organic compounds at the Project site, (3) an assessment at nearby properties found no volatile organic compounds in soil or groundwater, and (4) there are no State Water Board GeoTracker open volatile organic compound sites within 0.5 mile of the Project site with groundwater contamination. Although no VEC exists at the Project site, the potential remains for excavation to encounter contaminated soil. Consistent with standard health requirements, excavated soil from future excavation work in the immediate vicinity of the former leaking UST would be sampled and analyzed for petroleum hydrocarbons and UST-related metals. If detected at levels that could affect human health or the environment, the impact would be potentially significant.

¹⁰⁵ Stellar Environmental Solutions, Inc. 2019. *Phase I Environmental Site Assessment, 1105, 1135, and 1165 O'Brien Drive, Menlo Park, California*. Prepared for: O'Brien Drive Portfolio, LLC, Menlo Park, California. October 4.

¹⁰⁶ Farallon Consulting. 2020. *Phase I Environmental Site Assessment. 1 Casey Court, Menlo Park, California*. Prepared for: Tarlton Properties, Inc., Menlo Park, California. August 13.

¹⁰⁷ *Vapor encroachment* is defined by ASTM International as the presence or likely presence of contaminant-of-concern vapors...caused by the release of vapors from contaminated soil and/or groundwater, either on or near the subject property.

¹⁰⁸ Farallon Consulting. 2021. *Vapor Encroachment Screening for 1125 O'Brien Drive, Menlo Park, California*. (Farallon PN: 2333-009.) Prepared for Tarlton Properties, Inc., Menlo Park, California. June 10.

Mitigation Measures. If petroleum hydrocarbons and/or UST-related metals are detected at levels that could affect human health or the environment, implementation of Mitigation Measures HAZ-4a, identified in the ConnectMenlo EIR, would reduce the impact to less than significant. If applicable, Mitigation Measure HAZ-4a would require the Project applicant to develop a Project-specific Environmental Site Management Plan (ESMP) in conjunction with the Regional Water Quality Control Board or Department of Toxic Substances Control, as appropriate, for the Accessory Parking Lot site. If the Regional Water Quality Control Board or Department of Toxic Substances Control determines that, based on the Phase I ESA and soil sampling, no further action is required, then HAZ-4a would not be implemented because no potential impact would be present. This ESMP would include measures for identifying, testing, and managing soil and groundwater suspected of or known to contain hazardous materials. This would protect construction workers, the general public, the environment, and future site occupants from potential subsurface hazardous materials associated with the leaking UST and address issues pertaining to the possibility of encountering unknown contamination or hazards in the subsurface.

Conclusion

There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. As explained above, the Project site is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. However, in order to reduce the potentially significant impacts associated with potential contamination of soils in the area of the former underground leaking UST site, the Project would incorporate Mitigation Measures HAZ-4a from the ConnectMenlo EIR. Therefore, the impact with respect to development on sites with known hazardous materials would be *less than significant with mitigation*. No further study is needed.

- e. ***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? (No Impact)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HAZ-5 (page 4.7-27). It was determined that it would result in no impact because the study area would not be subject to airport safety hazards. Furthermore, implementation of ConnectMenlo would not have an adverse effect on aviation safety or flight patterns. No mitigation measures were recommended.

Project-Specific Discussion

As discussed above under *Proximity to Airports*, the Project site is within 1.8 miles of Palo Alto Airport. However, the Project site lies outside aircraft noise contours and airport safety zones.¹⁰⁹

¹⁰⁹ Windus, W.B. 2008. *Comprehensive Land Use Plan, Santa Clara County: Palo Alto Airport*. Amended: November 16, 2016. Available: https://www.sccgov.org/sites/dpd/DocsForms/Documents/ALUC_PAO_CLUP.pdf. Accessed: December 5, 2019.

Conclusion

The physical conditions, as they relate to hazards associated with an airport, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. The Project site lies outside aircraft noise contours and airport safety zones. Accordingly, the Proposed Project would not be subject to restrictions related to airport safety hazards. There would be **no impact**, and no further study is needed.

- f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Less than Significant)**

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HAZ-7 (pages 4.7-27 to 4.7-29). It was determined that it would result in a less-than-significant impact. The ConnectMenlo EIR found that future development, as part of the City's project approval process, would be required to comply with existing regulations. No mitigation measures were recommended.

Project-Specific Discussion

The Proposed Project would demolish existing buildings and construct new structures. Emergency access to the Project site would be provided at the parking lot entrance in the southwest portion of the site. Emergency vehicles would travel north through the Project site, turn east at the parking lot, then exit at the service driveway in the northeast corner of the site. In addition, emergency vehicles would have access to the curb cut at the front of the proposed building; a staging area would occur on the south side of the building along O'Brien Drive. The Proposed Project would comply with Safety Element Policy S-1.29, which requires high-occupancy structures to provide adequate access and clearance for fire equipment, fire suppression personnel, and evacuation.

Conclusion

The physical conditions, as they relate to impacts on emergency response and emergency evacuation, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. The Proposed Project would not conflict with an adopted emergency response or evacuation plan, resulting in a **less-than-significant** impact. No further study is needed.

- g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires? (No Impact)**

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HAZ-8 (pages 4.7-29 to 4.7-30). It was determined that it would result in a less-than-significant impact. No mitigation measures were recommended.

Conclusion

The physical conditions, as they relate to wildfire hazards, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. The Project site and surrounding vicinity are generally developed; areas that are not developed are generally marshland. As discussed above, the Project site is within a Non-Very High Fire Hazard Severity Zone of the Local Responsibility Area.¹¹⁰ Accordingly, implementation of the Proposed Project would not result, either directly or indirectly, in the exposure of people or structures to significant loss, injury, or death involving wildland fires. There would be **no impact**, and no further study is needed.

ConnectMenlo EIR Mitigation Measures

Mitigation Measure HAZ-4a. Construction at any site in the city with known contamination shall be conducted under a project-specific prepared in consultation with the Regional Water Quality Control Board or the Department of Toxic Substances Control, as appropriate. The purpose of an ESMP is to protect construction workers, the general public, the environment, and future site occupants from subsurface hazardous materials that were previously identified at the site and address issues related to possible encounters with unknown contamination or hazards in the subsurface. The ESMP shall summarize the soil and groundwater analytical data collected during past investigations; identify management options for excavated soil and groundwater if contaminated media are encountered during deep excavations; and identify the monitoring, irrigation, or other wells that require proper abandonment procedures, 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, respectively; 2) describe required health and safety provisions for workers who may be exposed to hazardous materials, in accordance with state and federal worker safety regulations; and 3) designate the personnel who will be responsible for implementation of the ESMP.

¹¹⁰ California Department of Forestry and Fire. 2008. *San Mateo County FHSZ Map: Very High Fire Hazard Severity Zones in LRA as Recommended by CAL FIRE*. Available: https://osfm.fire.ca.gov/media/6800/fhszl_map41.pdf. Accessed: December 5, 2019.

X. Hydrology and Water Quality	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:					
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface water or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) 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 that would:					
(i) Result in substantial erosion or siltation onsite or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) Substantially increase the rate or amount of surface runoff in a manner that would result in flooding onsite or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) Create or contribute water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Impede or redirect floodflows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In a flood hazard, tsunami, or seiche zone, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Surface Hydrology

The Project site is within the alluvial fan of the lower San Francisquito Creek watershed. The headwaters of the watershed are in the Santa Cruz Mountains, above Menlo Park; these waters eventually flow into southwest San Francisco Bay. The tidal mudflats and marshes in the Bay, the Refuge, Ravenswood Slough, and the salt ponds, some of which are within the Refuge, are across Bayfront Expressway and to the north. The Project site is approximately 1 mile inland from the Refuge and Lower San Francisco Bay. Water typically flows from southwest to northeast through natural creeks and streams as well as channelized waterways. Major surface waters in the Project vicinity include Atherton Channel, also known as Atherton Creek, to the west; Westpoint and Flood Slough to the north; Ravenswood Slough to the northeast; San Francisquito Creek to the southeast; and Lower San Francisco Bay to the north.

Atherton Channel is an alternating earthen-lined/concrete-lined channel that carries flows from the upper reaches of Atherton Creek to Westpoint Slough. Westpoint Slough is less than 2 miles northwest of the Project site and one of several sloughs that run through the salt ponds and salt marshes north of Bayfront Expressway. The slough drains into Lower San Francisco Bay. Ravenswood Slough, a wetland feature that flows into the Bay, is approximately 1 mile north of the Project site. Levees are located throughout the salt ponds. San Francisquito Creek, approximately 1 mile south of the Project site, is a natural channel that flows into the Bay and serves as a boundary between San Mateo and Santa Clara Counties.

The Project site covers approximately 4.12 acres (179,373 sf), including a concrete-lined drainage ditch to the west. The site includes three one-story buildings (Parcel 1), a warehouse and covered storage facility (Parcel 2), parking areas, driveway aisles, and landscape features. In addition, approximately 10,495 sf of the site includes an approximately 20-foot-wide drainage culvert that runs from storm drains in East Palo Alto. Approximately 92.7 percent (166,296 sf) of the Project site is covered with impervious surfaces; approximately 7.3 percent (13,077 sf) of the site is covered with landscaping and other pervious surfaces.

The Project site is near the end of a drainage shed that is tributary to San Francisco Bay. The onsite storm drain system is a combination of a valley gutter on the north end of the Project site and area drains that connect to a 10-inch pipe on the south end. The valley gutter allows for overland releases to O'Brien Drive on the east side of the Project site. The 10-inch pipe has an unknown connection to the offsite drainage system. It is assumed that the entire onsite system eventually connects to the offsite underground system northeast of the site.¹¹¹ Runoff from the roof at 1 Casey Court is discharged directly to both the landscaped and hardscape surfaces. The site relies completely on overland flows to discharge stormwater to the Casey Court gutter system. A small portion of stormwater drains into O'Brien Ditch, west of the site.¹¹²

Currently, the Project site is served by multiple storm drains that discharge runoff to the City storm drain system north of the site and an unknown location. A valley gutter on the north end of the site collects overland stormwater and conveys it eastward. The valley gutter that originates on the Project site discharges to an offsite gutter pan near the northeast corner of the site. Runoff from the Project site, as well as the surrounding area, ultimately drains to a 48-inch storm drain west of 1315 O'Brien Drive. Drainage is collected from the parking lot and drive aisles surrounding the existing building. Runoff from the roof is discharged directly to hardscape surfaces, area drains, and landscaped surfaces. Offsite drainage around the

¹¹¹ BKF. 2021. *1125 O'Brien Drive Hydrology Report*. February 5.

¹¹² BKF. 2021. *1 Case Court Preliminary Hydrology Report*. February 19.

site is limited to overland flows along O'Brien Drive and the gutters on Casey Court. The Casey Court gutter system conveys stormwater eastward to the nearest public storm drain catch basins at the intersection of Casey Court and O'Brien Drive. Stormwater is conveyed to a drain inlet north of the site, then continues to a 48-inch storm drain line west of 1315 O'Brien Drive and northeast of the Project site. O'Brien Ditch also flows to the 48-inch storm drain line. There are no stormwater management facilities onsite that provide treatment or detention; the existing storm conveyance system offers no detention onsite.^{113,114}

Water Quality

Water quality in a typical surface water body is influenced by processes and activities that take place within the watershed. The quality of the stormwater runoff from the Project site and surrounding development is typical of urban watersheds, areas where water quality is affected primarily by discharges from both point and nonpoint sources, including winter storms, overland flows, exposed soils, roofs, parking lots, and streets. Water quality in the Project vicinity is affected directly by stormwater runoff from adjacent streets and properties, which deliver fertilizers; pesticides; automobile/traffic-related pollutants (e.g., oil, grease, metals); sediment, with associated attached pollutants from soil erosion; trash; and other pollutants.

Constituents or pollutants in stormwater runoff vary with surrounding land uses, the amount of impervious surface area, and topography as well as the intensity and frequency of rainfall or irrigation. The Project site is in a developed area of Menlo Park. The majority of the ground surface is covered by pavement (e.g., roads and parking lots) or structures (e.g., office and commercial buildings). Street surfaces are the primary sources of pollutants in stormwater runoff in urban areas.

Common sources of stormwater pollution in urban areas include construction sites; parking lots; large landscaped areas, with associated fertilizers and pesticides; and household and industrial sites. Grading and earthmoving activities associated with new construction can accelerate soil erosion. Grease, oil, hydrocarbons, and metals deposited by vehicles and heavy equipment can accumulate on streets and paved parking lots and be carried into storm drains by runoff. Table 3.10-1 shows 303(d)-listed impairments, or total maximum daily loads (TMDLs), as presented in the 2014/2016 California Integrated Report, for the Lower San Francisco Bay region and the completed action plans for restoring clean water.¹¹⁵

Groundwater

The Project site is within the San Mateo subbasin of the larger Santa Clara Valley groundwater basin (i.e., Department of Water Resources Basin Number 2-9.03). A relatively shallow aquifer overlies the confined and semi-confined aquifers near the margins of the Bay; most wells draw from deeper deposits. The direction of groundwater flow is generally to the east and north.

Recharge of the subbasin occurs through infiltration in streambeds as well as the infiltration of precipitation on the valley floor. Groundwater recharge increases from the hilly western portions of Menlo Park to the flatter eastern portions and decreases with increasing depth. Limited groundwater pumping in the basin has resulted in relatively stable groundwater levels over the past 40 years. The

¹¹³ BKF. 2021. *1125 O'Brien Drive Hydrology Report*. February 5.

¹¹⁴ BKF. 2021. *1 Casey Court Preliminary Hydrology Report*. February 19.

¹¹⁵ State Water Resources Control Board. 2018. *2014/2016 California Integrated Report (Clean Water Act Section 303(d) List/305(b) Report)*. Last updated: 2018. Available: https://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2014_2016.shtml. Accessed: November 21, 2019.

Table 3.10-1. Overview of Water Quality Impairments for Lower San Francisco Bay

Listed Impairments per 2014/2016 303(d) List	Potential Sources	EPA TMDL Completion
Chlordane	Source unknown	Est. 2013 ^a
Dichlorodiphenyltrichloroethane (DDT)	Source unknown	Est. 2013 ^a
Dieldrin	Source unknown	Est. 2013 ^a
Dioxin compounds (including 2,3,7,8-TCDD)	Source unknown	Est. 2019
Furan compounds	Source unknown	Est. 2019
Invasive species	Source unknown	Est. 2019
Mercury	Source unknown	2008
Polychlorinated biphenyls (PCBs) and dioxin-like PCBs	Source unknown	2010
Trash	Source unknown	Est. 2021

^a A TMDL was expected to be completed; however, no TMDL has been approved by EPA.
Source: State Water Resources Control Board, 2018.
TCDD = tetrachlorodibenxodioxin; EPA = U.S. Environmental Protection Agency;
TMDL = total maximum daily load; Est. = estimated

San Mateo subbasin is currently full; however, historical data indicate that the basin responds rapidly to increased pumping.¹¹⁶ Groundwater depths at the Project site were observed at approximately 7 to 10 feet below the grade. Regional groundwater in the area of the site is most likely on the order of 5 to 10 feet below the existing grade, with fluctuations caused by variations in rainfall, landscaping, and other factors.¹¹⁷

In general, groundwater quality in the Santa Clara Valley groundwater basin is good. Throughout most of the basin, groundwater quality is suitable for most urban and agricultural uses, with the exception of a few local impairments. The primary constituents of concern are total dissolved solids, nitrates, boron, and organic compounds. Water from public supply wells meets state and federal drinking water standards without treatment. Although a designated beneficial use identified for the Santa Clara Valley groundwater basin is the municipal and domestic water supply, groundwater beneath the Project site itself is not considered to be a source of drinking water because of elevated salinity levels.

No evidence of current USTs, which could affect groundwater, was observed during the site inspections. However, an UST was removed from the north side of the Development Lot in 1994.¹¹⁸ In addition, a historical recognized environmental condition, identified as a leaking UST that once contained diesel, was identified at the Accessory Parking Lot site in 1999.¹¹⁹ The cases were both closed, and no constituents of concern were detected at concentrations that exceeded regulatory levels of concern. In addition, several properties within a 0.5-mile search radius are recorded in environmental databases as having violations related to hazardous materials or documented environmental contamination. A VES¹²⁰ was

¹¹⁶ Stanford Water in the West. 2017. *San Mateo Plain Groundwater Subbasin: A Local Case Study*. April 26.

¹¹⁷ Cornerstone Earth Group. 2019. *Geotechnical Investigation Commercial Development, 1125 O'Brien Drive, Menlo Park, California*. October.

¹¹⁸ Stellar Environmental Solutions, Inc. 2019. *Phase I Environmental Site Assessment, 1105, 1135, and 1165 O'Brien Drive, Menlo Park, California*. Prepared for: O'Brien Drive Portfolio, LLC, Menlo Park, California. October 4.

¹¹⁹ Farallon Consulting. 2020. *Phase I Environmental Site Assessment, 1 Casey Court, Menlo Park, California*. Prepared for: Tarlton Properties, Inc., Menlo Park, California. August 13.

¹²⁰ *Vapor encroachment* is defined by ASTM International as the presence or likely presence of contaminant-of-concern vapors...caused by the release of vapors from contaminated soil and/or groundwater, either on or near the subject property.

conducted for the Project site and vicinity.¹²¹ The VES, consistent with ConnectMenlo Mitigation Measure HAZ-4b, was conducted to determine whether a VEC exists at the Project site. The VES determined that no VEC exists at the Project site, given the location and/or current contamination conditions.

Flooding

The Project site is in the Federal Emergency Management Agency 100-year floodplain (i.e., Zone AE). The base flood elevation ranges from 13 feet at the southern border to 12 feet at the northern border.

Sea-Level Rise

Projected sea-level rise, an effect of climate change, is expected to increase the number of areas that experience coastal flooding along the Bay in the future. Coastal and low-lying areas, such as the Project site, are particularly vulnerable to future sea-level rise. More specifically, sea-level rise is a concern for the future, particularly in combination with storm events and coastal flooding. A scenario with 100-year high tides, taking into account sea-level rise over a 50- or 100-year horizon, would dramatically increase the risk of flooding in the Project vicinity.

The updated State of California Sea-Level Rise Guidance provides a science-based methodology for state and local governments to use in analyzing and assessing the risks associated with sea-level rise. They can also incorporate sea-level rise into their planning, permitting, and investment decisions. Projections regarding the extent of sea-level rise go from the low-risk range up to the extreme “high-emissions” scenario. Based on the 2018 State of California Sea-Level Rise Guidance, the Project site is above the sea levels associated with the projected mid- and late-century low-risk scenario (1.1 feet of sea-level rise by 2050 and 3.4 feet by 2100, respectively) as well as the mid-century extreme scenario (2.7 feet by 2050) but not the sea levels associated with the end-of-century extreme scenario (10.2 feet by 2100).¹²²

General Plan Goals and Policies

The City General Plan—specifically, the Land Use Element, Open Space/Conservation Element, Noise Element, and Safety Element—contains goals, policies, and programs that require local planning and development decisions to consider impacts on hydrology and water quality. The following City General Plan goals, policies, and programs would minimize potential adverse impacts related to water quality, groundwater resources, flooding, levee/dam breaks, sea-level rise, seiche, tsunami, and mudflows: Goal LU-4, Policy LU-4.5; Goal LU-6, Policy LU-6.11; Goal LU-7, Policy LU-7.7, Program LU-7.H; Goal OSC-5, Policy OSC-5.1; and Goal S-1, Policy S-1.5, Policy S-1.10, Program S-1.10, and Program S-1.D, Policy S-23, Policy S-1.26, Policy S-1.27, and Policy S-1.28.

¹²¹ Farallon Consulting. 2021. *Vapor Encroachment Screening for 1125 O'Brien Drive, Menlo Park, California*. (Farallon PN: 2333-009.) Prepared for Tarlton Properties, Inc., Menlo Park, California. June 10.

¹²² California Natural Resource Agency. 2018. *State of California Sea-Level Rise Guidance 2018 Update*. Available: https://opc.ca.gov/webmaster/ftp/pdf/agenda_items/20180314/Item3_Exhibit-A_OPC_SLR_Guidance-rd3.pdf. Accessed: March 10, 2021.

Environmental Checklist and Discussion

a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface water or groundwater quality? (Less than Significant)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HYDRO-1 (pages 4.8-27 to 4.8-29). It was determined that it would have a less-than-significant impact on water quality because of compliance with existing federal, state, and local regulations, including City General Plan goals, policies, and design standards. No mitigation measures were recommended. In addition, this topic was also analyzed in the ConnectMenlo EIR as Impact HYDRO-6 (page 4.8-35). It was determined that it would have a less-than-significant impact on water quality through compliance with existing federal, state, and local regulations as well as City General Plan policies to minimize impacts related to water supply. No mitigation measures were recommended.

Project-Specific Discussion

Construction. Project construction would have the potential to temporarily increase sediment loads in Lower San Francisco Bay and affect surface water quality. Other pollutants, such as nutrients, trace metals, and hydrocarbons, can attach to sediment and be transported to downstream locations; they can also degrade water quality. However, the Proposed Project would be required to comply with existing federal, state, and local regulations, including City General Plan goals, policies, and design standards.

A Project SWPPP would be developed and implemented in compliance with the Construction General Permit, local stormwater ordinances, and other related requirements. Construction BMPs for the Proposed Project would control or prevent the discharge of pollutants, including paint, concrete, waste from pavement cutting, petroleum products, chemicals, wastewater, sediments, and non-stormwater discharges, to storm drains and watercourses. In addition, construction materials and wastes would be stored, handled, and disposed of properly to prevent contact with stormwater. Earthmoving and clearing activities would be performed during dry weather only to minimize any mobilization of sediment. Temporary erosion controls would be implemented to stabilize disturbed areas until permanent erosion controls are established.

Excavation depths would vary from 3 to 9 feet below the finished floor for the foundations, pile caps, and elevator pits. Because soft, saturated soil could be encountered, construction dewatering could be required during soil excavation. Coverage under the Construction General Permit typically includes dewatering activities as authorized non-stormwater discharges, provided that dischargers prove that the quality of the water is adequate and not likely to affect beneficial uses. The existing drainage ditch on the western portion of the Project site would remain undisturbed.

Construction activities could result in short-term surface and groundwater quality impacts, such as sediment loads that exceed water quality objectives or chemical spills that flow into storm drains or groundwater aquifers, if proper minimization measures are not implemented. However, a Project SWPPP would be developed and implemented in compliance with the Construction General Permit, local stormwater ordinances, and other related requirements.

Operation. The Proposed Project would construct a five-story building with adjacent surface parking lots and modify the surrounding landscaped area. Paved areas would cover approximately 152,085 sf, or approximately 84.8 percent, of the Project site. Hardscape at the Project site would

include concrete paving, decomposed granite paving, and concrete pavers. With the proposed improvements, approximately 14,207 sf of new pervious surface area would be added. Newly created or replaced pervious areas would cover approximately 27,284 sf, or approximately 15.2 percent, of the Project site. Table 3.10-2 summarizes the impervious and pervious areas at Parcel 1, Parcel 2, and on the Project site as a whole under both existing conditions and Project conditions.

Table 3.10-2. Impervious/Pervious Area Summary

	Parcel 1	Parcel 2	Total
Existing			
Pervious Area	7,915 sf	5,162 sf	13,077 sf (7.3%)
Impervious Area	98,440 sf ^a	67,856 sf	166,296 sf (92.7%)
Total	106,355 sf	73,018 sf	179,373 sf
Proposed			
Pervious Area	17,754 sf	9,530 sf	27,284 sf (15.2%)
Impervious Area	88,601 sf ^a	63,488 sf	152,089 sf (84.8%)
Total	106,355 sf	73,018 sf	179,373 sf

Source: Tarlton Properties and DES Architects + Engineers, 2021.

Notes:

^a The impervious surfaces on Parcel 1 include the existing 10,495 sf drainage ditch. The drainage ditch would not be altered as a result of the Proposed Project.

Operation of the new facilities could increase the levels of pollutants (e.g., trash, oil, grease, pesticides) and introduce pollutants into storm drains. Because the Proposed Project would create and replace more than 10,000 sf of impervious surface, the Proposed Project would be regulated by Provision C.3 of the Municipal Regional Permit. To meet San Mateo Countywide Water Pollution Prevention Program C.3 stormwater requirements, the Proposed Project would be required to treat runoff from all impervious areas.

The modified landscape area would include a bioretention area and flow-through planter to treat runoff from the roof and the newly created and replaced impervious areas. In addition, a landscape planter and five self-treating pervious areas would be installed at various locations throughout the Project site.¹²³ Approximately 11,827 sf of the public open space along the street frontage would also be landscaped with berms, trees, bioretention areas, and California-native vegetation. The landscaped area would include one flow-through planter, a bioretention area, a landscape planter, and five self-treating pervious areas around the proposed building and surface parking lots. The bioretention area would treat runoff from the proposed impervious areas. It would be lined to filter raw runoff through the soil media in the treatment area. Bioretention areas would trap particulate pollutants (i.e., suspended solids and trace metals) and prevent the egress of potentially contaminated runoff into nearby storm drains or other receiving waters. Flow-through planters, landscape planters, and self-treating pervious areas would treat rain that falls directly in those areas, retaining and infiltrating rainfall up to the design rainfall depth.

¹²³ BKF. 2021. *1125 O'Brien Drive Hydrology Report*. February 5.

The existing 10-inch pipes and area drains would be replaced with a new system that would be installed throughout the Project site. The proposed system would convey runoff from paved areas and structures to the bioretention area. After passing through the basin, stormwater would exit the site through a 15-inch storm drain to the offsite improvements.

The new development would have a larger pervious area compared with existing conditions, resulting in a net decrease in the volume of runoff leaving the site. The Project Sponsor would be required to develop and implement a stormwater management plan, with the goal of reducing the discharge of pollutants to the maximum extent practicable.

Routine maintenance activities would be implemented at the bioretention areas to prevent sediment buildup and clogging, which reduce efficiency with respect to pollutant removal and can lead to bioretention area failure. Maintenance tasks would include inspecting the bioretention areas to ensure proper drainage between storms and removing obstructions, debris, and trash. Furthermore, the Project Sponsor would be required to enter into a stormwater operations and maintenance agreement with the City for maintenance of the stormwater treatment facilities. In addition, the Proposed Project would implement BMPs, both during and after construction, to minimize or prevent pollutant discharges and runoff. The Proposed Project would comply with the General Construction Permit; San Francisco Bay Municipal Separate Storm Sewer System Permit, Provision C.3; and San Mateo Countywide Water Pollution Prevention Program C.3 Stormwater Technical Guidance and implement a SWPPP and other erosion and pollution control measures.

Conclusion

There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. Project implementation, including construction and associated changes in development intensities as a result of the Proposed Project, would not result in adverse effects on water quality. Therefore, the Proposed Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface water or groundwater quality. Impacts would be *less than significant*.

- b. 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)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HYDRO-2 (pages 4.8-30 to 4.8-32). It was determined that it would have a less-than-significant impact on groundwater supply and/or recharge through compliance with existing federal, state, and local regulations, including City General Plan policies. No mitigation measures were recommended.

Project-Specific Discussion

Implementation of the Proposed Project would reduce the amount of impervious surfaces. As a result, pervious surface area would increase to 27,284 sf (15.2 percent of the Project site). The modified landscaped areas would include a bioretention area on the northeast corner of the site and a flow-through planter on the eastern edge (at Casey Court). Landscaping would be provided along O'Brien Drive, in an area where approximately 19,399 sf of the street frontage would be landscaped.

Public open space along the street frontage would be landscaped with berms, trees, bioretention areas, and California-native vegetation. The bioretention area and flow-through planter would allow runoff to infiltrate the soil media in the treatment area. Minimal paving would be used for the surface parking lot to improve drainage. Multiple pervious parking row endcaps would be installed at various locations throughout the surface parking lot. These landscape features would facilitate groundwater recharge and increase recharge capabilities within the Project site. Therefore, the Proposed Project would not interfere with groundwater recharge.

Although dewatering may be necessary during Project construction, the groundwater beneath the Project site is not used for municipal water supply purposes. Should dewatering occur, it would be conducted on a one-time or temporary basis during the construction phase and would not result in a loss of water that would deplete groundwater supplies. In addition, the water supply for construction activities (e.g., dust control, concrete mixing, material washing) would come from nearby hydrants and existing surface supplies for the site and/or be trucked to the site.

Because the Proposed Project would add 14,207 sf of new pervious area and reduce the total volume of runoff conveyed to the storm drain system, the Proposed Project would not need to implement a retention or detention device. The Proposed Project would not substantially deplete groundwater supplies because it would not increase groundwater demand. New and existing landscape features and bioretention facilities would collect stormwater and slowly release it at a controlled rate, allowing for increased groundwater infiltration. Trees and native grasses would stabilize native soils, and new landscaped areas would slow the flow of water, allowing it to percolate into the ground and underlying aquifers and, therefore, provide benefits related to groundwater recharge. The Proposed Project would not impede sustainable groundwater management of the basin.

Conclusion

There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. Impacts related to decreasing groundwater supplies or interfering with groundwater recharge, with the Proposed Project impeding sustainable groundwater management of the basin, would be *less than significant*. No further study is needed.

- c. *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 that would:***

- (i) *Result in substantial erosion or siltation onsite or offsite? (Less than Significant)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HYDRO-3 (pages 4.8-32 and 4.8-33). It was determined that it would have a less-than-significant impact on erosion and siltation because of regulatory requirements (e.g., BMPs, erosion control plans, the SWPPP) as well as compliance with the City Municipal Code and City General Plan policies. No mitigation measures were recommended.

Project-Specific Discussion

Project construction activities would temporarily alter existing drainage patterns and could result in temporary onsite erosion and siltation. However, the Proposed Project would implement the SWPPP to minimize the potential for erosion and sedimentation in nearby storm drains. Preparation and implementation of the SWPPP would reduce the potential for substantial erosion or siltation onsite or offsite or a substantial increase in the rate or volume of runoff. The Proposed Project would be in compliance with existing NPDES permits and the City Municipal Code for construction and stormwater management (Chapter 7.42).

Proposed Project improvements would include a five-story building and adjacent surface parking stalls, along with modifications to the surrounding landscaped area. The Proposed Project would be drained by a new storm drain system that would be installed throughout the Project site, replacing the existing onsite storm drain system. Runoff would be collected from paved areas and structures and conveyed to the bioretention area and flow-through planter. To meet C.3 requirements, a bioretention area and flow-through planter would be created to capture and treat runoff from all 152,089 sf of replaced impervious surface areas. Any overflow from the bioretention area or flow-through planter would be directed to downstream overflow structures in each basin. After passing through the bioretention area or flow-through planter, stormwater would leave the Project site through an 15-inch pipe and continue to the offsite improvements, consisting of a new gutter catch basin near the northeast corner of the Project site and an 15-inch pipe that would drain north and connect to the existing catch basin and system just north of Kavanaugh Drive. As a result, the proposed improvements would not alter offsite drainage patterns.

New stormwater conveyance and management facilities would be designed per City drainage guidelines. Because the impervious area would decrease compared to existing conditions, the Proposed Project would not be required to incorporate hydromodification measures. In addition, construction of the Proposed Project would not involve work within surface waters and, therefore, would not alter the course of a stream or river. Such features do not exist onsite.

Conclusion

There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. The Proposed Project would be consistent with the City General Plan and comply with the City Municipal Code. The Proposed Project would not alter the existing drainage pattern of the site in a manner that would result in substantial erosion or siltation. Impacts would be ***less than significant***. No further study is needed.

(ii) Substantially increase the rate or amount of surface runoff in a manner that would result in flooding onsite or offsite? (Less than Significant)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HYDRO-4 (pages 4.8-33 and 4.8-34). It was determined that it would have a less-than-significant impact on onsite or offsite flooding through compliance with City stormwater measures from the City Municipal Code, compliance with the C.3 provisions of the Municipal Regional Permit, and adherence to City General Plan policies. No mitigation measures were recommended.

Project-Specific Discussion

The Project site would be drained by a new storm drain system. The proposed system would collect runoff from the paved areas and structures and convey it to the bioretention area and flow-through planter. The bioretention area would be located north of the driveway on the northeast corner of the Project site. If stormwater levels exceed the height of the overflow structure (i.e., approximately 10.10 feet), they would be directed into the basin's downstream overflow structure.¹²⁴ The bioretention area's overflow structure would be equipped with a low-flow pump to remove residual water from the system. The flow-through planter would be located on the eastern edge of the surface parking area (at Casey Court). Stormwater, which would be conveyed to the flow-through planter, would ultimately drain to a pump structure equipped with a low-flow pump that would transfer the stormwater to the western flowline of Casey Court through a curb drain outlet.¹²⁵ With implementation of the Proposed Project, all stormwater that currently flows into the drainage ditch would be directed into planters.

After passing through the bioretention area, stormwater would leave the Project site through a 15-inch pipe and continue to the offsite improvements, consisting of a new gutter catch basin near the northeast corner of the Project area and a 15-inch pipe that would drain to the north and connect to the existing catch basin and system. An additional drain inlet would be added offsite to accept flows from the bioretention area and pump. The existing valley gutter within the Project site would be removed; this would not affect drainage at the adjacent property. In addition, the Proposed Project would increase the amount of pervious area compared with existing conditions, thereby reducing the amount of impervious surface area. The increase in pervious area would result in a net decrease in the volume of runoff and floodwater leaving the Project site.

The Project site is within the 100-year floodplain. The base flood elevation for the Project site is between 12 and 13 feet. However, the building design accounts for flooding and/or sea-level rise. To meet the hazard mitigation and sea-level rise resiliency requirements of the LS zoning district, the building would be required to be 24 inches above the base flood elevation. The Proposed Project would raise the site elevation to a finished floor elevation of 14.8 feet, thereby raising it 24 inches above the base flood elevation.¹²⁶ The proposed finished grades for the surface parking lot would be between 13.25 feet at the high point and 10.75 feet at the outlet flowline. If stormwater levels in the surface parking area should exceed an elevation of 10.75 feet, stormwater would be directed into the flow-through planter's downstream overflow structure.¹²⁷ Offsite improvements would include the addition of a drain inlet and 15-inch pipe that would connect to the existing system. As a result, the proposed improvements would not alter assumed offsite drainage patterns.

Because only minor onsite grade changes would be required, the anticipated improvements would not alter offsite drainage patterns so as to increase the rate or volume of surface runoff in a manner that would result in flooding onsite or offsite. In addition, the City of Menlo Park, which has adopted more stringent requirements than the C.3 provisions, specifies that post-development stormwater volumes must not exceed the pre-development volumes associated

¹²⁴ Ibid.

¹²⁵ BKF. 2021. *1 Casey Court Preliminary Hydrology Report*. February 19.

¹²⁶ BKF. 2021. *1125 O'Brien Drive Hydrology Report*. February 5.

¹²⁷ BKF. 2021. *1 Casey Court Preliminary Hydrology Report*. February 19.

with a project and increase the amount of net new impervious surface area, regardless of whether a project is regulated or not. An increase in stormwater flows in the existing or planned storm drain system would not occur, and flooding during storm events would not be worsened.

Each new development or redevelopment project within Menlo Park would be required, as part of the CEQA process or entitlement process, if exempt from CEQA, to demonstrate that stormwater runoff from the site would not result in an exceedance of the capacity of the existing or future storm drain system, meaning that other developments in the area could not negatively affect storm system capacity. In addition, implementation of low-impact development design guidelines, as well as an engineering review of drainage calculations and development plans by the Menlo Park Public Works Department, would further ensure that no significant increases in peak flow rates or runoff volumes would occur. The grading and drainage plans for the Proposed Project would be reviewed by the City to ensure that onsite drainage and low-impact development features would be adequate with respect to preventing onsite or offsite flooding.

Conclusion

There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. The Proposed Project would not alter the existing drainage pattern of the site in a manner that would result in a substantial increase in runoff that would result in flooding. The Proposed Project would comply with the City Municipal Code and City General Plan. Impacts would be ***less than significant***. No further study is needed.

(iii) Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Less than Significant)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HYDRO-5 (page 4.8-34). It was determined that it would have a less-than-significant impact on stormwater drainage systems because future development would be required to provide onsite infiltration for stormwater runoff, consistent with the City General Plan and City Municipal Code. No mitigation measures were recommended.

Project-Specific Discussion

Existing development in Menlo Park occurs on parcels in the Bayfront Area that have already been covered with impervious surfaces. The City has stringent stormwater requirements that exceed the C.3 provisions of the Municipal Regional Permit. For example, post-development stormwater volumes must not exceed the pre-development volumes associated with a project and increase the amount of net new impervious surface, regardless of whether a project is regulated or not. In addition, the Project design would include stormwater treatment facilities to treat runoff from impervious surface areas.

The Proposed Project would reduce the impervious surface area on the site and result in a net decrease in the volume of runoff and associated pollutants leaving the site. The existing discharge rate from the entire Project site to the offsite system due to a 10-year storm is

approximately 8.52 cubic feet per second. The increased amount of pervious area around the Project site would decrease the discharge rate to 8.02 cubic feet per second. In addition, the Proposed Project would include a bioretention area and flow-through planter to capture and treat runoff. Runoff from the paved areas would be conveyed to self-treating pervious areas, the bioretention area, landscape planter, and flow-through planter prior to exiting the Project site and flowing to the offsite improvements. Minimal paving would be used for the surface parking lot to improve drainage. Therefore, because the proposed discharge would be less than the existing discharge, no additional impacts on the existing system are expected.^{128,129}

Implementation of the bioretention areas would meet C.3 requirements as well as City requirements. These areas would capture and treat runoff from all newly created and replaced impervious areas. However, a long-term operations and maintenance agreement and plan would be required for the Proposed Project.

The bioretention areas, which would be vegetated, would allow runoff to be distributed evenly across the site. They would be designed to treat runoff by filtering raw runoff through the soil media in the treatment area. Furthermore, the Proposed Project would have a larger pervious area, which would result in a net decrease in the volume of runoff and associated pollutants leaving the site. Landscaped and open space areas, which would be landscaped with berms, trees, and native vegetation, would filter pollutants through a substrate of sandy loam. Plant materials associated with landscaping would treat stormwater runoff through biological uptake and therefore reduce pollutant discharges.

Conclusion

There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. The Proposed Project would not create or contribute runoff water that would exceed the capacity of stormwater drainage systems or provide additional sources of polluted runoff. The impact would be *less than significant*, and no further study is needed.

(iv) Impede or redirect floodflows? (Less than Significant)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HYDRO-8 (page 4.8-38). It was determined that it would have a less-than-significant impact with respect to flood hazards through compliance with federal and City Municipal Code requirements as well as adherence to City General Plan policies. No mitigation measures were recommended.

Project-Specific Discussion

As discussed, the Project site is within a 100-year flood hazard area, Flood Zone AE. Because the City participates in the National Flood Insurance Program, it must ensure that the Proposed Project meets federal standards for flood protection. Chapter 12.42 of the City Municipal Code contains

¹²⁸ BKF. 2021. *1125 O'Brien Drive Hydrology Report*. February 5.

¹²⁹ BKF. 2021. *1 Casey Court Preliminary Hydrology Report*. February 19.

methods and provisions for preventing flood damage. As described above, the Proposed Project would raise the site elevation to a finished floor elevation of 14.8 feet, thereby raising it 24 inches above the base flood elevation. The Proposed Project would also include offsite improvements (e.g., an additional drain inlet and 15-inch pipe that would connect to the existing system).

Only minor onsite grade changes in disturbed soil areas would be required. However, the Proposed Project may redirect floodwaters. Landscaped areas would increase onsite infiltration and minimize the potential for overland floodflows. In addition, other stormwater treatment facilities incorporated as part of the Proposed Project, such as bioretention areas, would also help minimize the potential for overland floodflows. The Proposed Project would not impede floodflows or exacerbate the frequency or severity of flooding.

Conclusion

There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. The Proposed Project would comply with the City Municipal Code, City General Plan, Federal Emergency Management Agency, and Engineering Division requirements, including preparation of a floodwater flow analysis. The Proposed Project would not exacerbate flooding or cause flooding to occur in areas that would not be subject to flooding without the Proposed Project. The Proposed Project would not impede or redirect floodflows offsite within a 100-year flood hazard area. Therefore, impacts would be *less than significant*, and no further study is needed.

d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (Less than Significant)

Analysis in the ConnectMenlo EIR

The topic of inundation by tsunami or seiche was analyzed in the ConnectMenlo EIR as Impact HYDRO-10 (pages 4.8-43 and 4.8-44). It was determined that impacts on future developments related to flooding from tsunamis and seiches would be less than significant through compliance with existing regulations, including City General Plan policies. No mitigation measures were recommended.

Conclusion

There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. The Project site is not subject to flooding from tsunami or seiche. According to the California Tsunami Inundation Map for Emergency Planning (Redwood Point Quadrangle/Palo Alto Quadrangle), the Project site is not within a tsunami inundation area.¹³⁰ However, the salt ponds adjacent to the Bay and portions of Westpoint, Flood, and Ravenswood Sloughs, approximately 1 mile north of the Project site, are within designated tsunami inundation areas.

¹³⁰ California Emergency Management Agency, University of Southern California, California Geological Survey. 2009. *Tsunami Inundation Map for Emergency Planning*. State of California, County of San Mateo. Redwood Point Quadrangle/Palo Alto Quadrangle. June 15.

Seiche occurs in an enclosed or partially enclosed body of water, such as a lake or reservoir. There are no large bodies of fresh water, such as reservoirs or lakes, in the Project vicinity. In addition, the Bay is a large and open body of water with no immediate risk of seiche. Large waves generated in the Pacific Ocean undergo considerable refraction and diffraction upon passing through the Golden Gate, resulting in greatly reduced heights when they reach the Project site. Therefore, there is no risk of seiche affecting the Project site, and no further analysis is required.

In the event of a flood hazard, to reduce the risk of a pollutant release, the Proposed Project would comply with the requirements of local water quality programs and associated municipal stormwater-related NPDES permits (e.g., municipal separate storm sewer system permit, Municipal Regional Permit) as well as City General Plan policies to manage flood risk and water quality. Compliance with these requirements would minimize risks related to a release of pollutants due to Project inundation in a flood hazard, tsunami, or seiche zone. The Proposed Project would not release pollutants as a result of inundation by flood, tsunami, or seiche. Therefore, impacts would be *less than significant*.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (Less than Significant)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR (Section 4.8, *Hydrology*). It was determined that it would have a less-than-significant impact with respect to conflicting with or obstructing implementation of a water quality control plan. The ConnectMenlo EIR did not analyze whether the Proposed Project would conflict with or obstruct implementation of a sustainable groundwater management plan because this is a new/ revised topic for consideration. However, the ConnectMenlo EIR did conclude that development under the City General Plan would result in less-than-significant impacts with respect to depleting groundwater supplies or substantially interfering with groundwater recharge such that the local groundwater table would be lowered.

Project-Specific Discussion

Project implementation would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. The Proposed Project would result in an increase in pervious area, which would increase capacity for groundwater recharge and decrease the volume of pollutants leaving the Project site because of new and existing bioretention areas. These bioretention areas would be lined to filter raw runoff through the soil media in the treatment area. Bioretention areas would trap particulate pollutants (i.e., suspended solids and trace metals) and prevent the egress of potentially contaminated water runoff into nearby storm drains or other receiving waters.

The Project Sponsor would comply with the appropriate water quality objectives for the region. Commonly practiced BMPs would be implemented to control construction site runoff and reduce discharges of pollutants (i.e., stormwater and other nonpoint-source runoff) to storm drain systems. As part of compliance with permit requirements during ground-disturbing or construction activities, implementation of water quality control measures and BMPs would ensure that water quality standards would be achieved, including water quality objectives that protect designated beneficial uses of surface water and groundwater, as defined in the San Francisco Bay Basin (Region 2) Water Quality Control Plan (Basin Plan). The NPDES Construction General Permit also requires stormwater discharges not to contain pollutants that cause or contribute to an exceedance of any applicable water

quality objectives or water quality standards, including designated beneficial uses. In addition, City General Plan policies protect groundwater recharge areas and groundwater resources, as required by a sustainable groundwater management plan. The City is not required to prepare a groundwater sustainability plan, and a groundwater sustainability agency has not yet been established for the groundwater basin in San Mateo County that underlies the Project area.

Conclusion

There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR with respect to violating water quality standards or depleting groundwater supplies; therefore, there would be no new specific effects as a result of the Proposed Project. The Proposed Project would comply with the Construction General Permit, City General Plan, and the objectives pertaining to surface water and groundwater quality, as defined by the Basin Plan. It would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Therefore, impacts would be *less than significant*, and no further study is needed.

XI. Land Use and Planning	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:					
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Existing Land Uses

Project Site Vicinity

The Project site is in Menlo Park, which encompasses an area of about 19 square miles, including nearly 12 square miles of San Francisco Bay (Bay) and wetlands. The approximately 7-square-mile urbanized portion of Menlo Park is virtually built out. The Project site is north of US 101 in Menlo Park (as shown in Chapter 2, *Project Description*, Figure 2-1). Specifically, the site is bound by the Hetch Hetchy right-of-way, which is owned by the San Francisco Public Utilities Commission, to the north; O’Brien Drive to the east and south; and a warehouse to the west adjacent to Kelly Court. In addition, Dura-Foam Roofing and Wund3rSCHOOL/Open Mind School, a small private school, are slightly north and east of the Project site on O’Brien drive. Farther to the north, beyond the Menlo Park Labs campus, are the Dumbarton Rail Corridor (inactive), State Route (SR) 84, tidal mudflats and marshes along the Bay, the Don Edwards San Francisco Bay National Wildlife Refuge (Refuge), and Ravenswood Slough. Farther to the east (across University Avenue) and south (across O’Brien Drive) are the neighborhoods of East Palo Alto. Included in these neighborhoods, some of which are as close as 300 feet from the Project site, are mainly single-family residences, along with multi-family residential buildings, neighborhood-serving retail, Cesar Chavez Elementary School, the 4 Corners Civic Hub (including the East Palo Alto Library, city hall, and post office), Costaño School and San Francisco 49ers Academy, and Jack Farrell Park.

The Belle Haven neighborhood of Menlo Park is west of Willow Road, approximately 0.25 mile from the Project site. The Belle Haven neighborhood features a mix of uses, including churches, Menlo Park Fire Station No. 77, single-family residences, multi-family residential buildings, and institutional buildings. A neighborhood-serving retail center is at the corner of Hamilton Avenue and Willow Road. The Belle Haven neighborhood’s institutional and park uses include Beechwood School, Belle Haven Elementary School, the Belle Haven Pool, Belle Haven Youth Center, Onetta Harris Community Center, Menlo Park Senior Center, the Boys and Girls Club, Hamilton Park, Karl E. Clark Park, the Belle Haven Community Garden, and Kelly Park.

Project Site

The Project site includes buildings at 1105, 1135, and 1165 O'Brien Drive. The three single-story buildings, with a maximum height of 20 feet, are located on two parcels (assessor's parcel number [APN] 055-433-320 and APN 055-433-330). An adjacent property to the west with an approximately 20-foot-wide drainage ditch that runs from storm drains in East Palo Alto is also part of the Project site. Collectively, these properties are referred to as Parcel 1 or the Development Lot. In addition, the Project site includes an adjacent lot with an existing building at 1 Casey Court (APN 055-433-190). This parcel is referred to as Parcel 2 or the Accessory Parking Lot. In total, the Project site has a lot area of 4.12 acres.

On Parcel 1, the two existing office/R&D buildings total approximately 26,911 gsf; the existing office/warehouse is approximately 12,000 gsf. The buildings have a total FAR of 37 percent. These buildings are surrounded by surface parking lots with 98 uncovered stalls. On Parcel 2, the existing office/warehouse building is approximately 20,995 gsf and has a FAR of approximately 29 percent. The building has onsite surface parking with 44 uncovered stalls.

Existing Land Use Designations and Zoning

The Project site was historically zoned General Industrial (M-2), which permitted office and general industrial uses, such as warehousing, manufacturing, printing, and assembling. In 2017, the Project site's zoning was changed to Life Science, Bonus (LS-B) as part of ConnectMenlo. The updated zoning established standards for new projects, including TDM program requirements and restrictions regarding height, density, land use, sustainability, circulation, and open space. At the base level, the maximum height and average height are 35 feet, while the maximum FAR is 55 percent. Under the new zoning standards, bonus density is permitted (up to a FAR of 125 percent for life science uses and an additional FAR of 10 percent for commercial uses, with an increased height of up to 110 feet) in exchange for providing community amenities selected from a list of potential options identified through community outreach and adopted by resolution of the Menlo Park City Council or by paying an in-lieu fee.

General Plan Goals and Policies

The City's General Plan is a legal document and required by state law. It serves as the City's direction for development and land use. All development in Menlo Park must conform to the land use designations outlined in the City General Plan. Goals, policies, and programs contained in the Land Use Element of the City General Plan provide guidance on how land use designations should be developed to contribute to the overall character of Menlo Park. The following City General Plan goals and policies would serve to promote cohesive neighborhoods and ensure consistency with applicable plans: Goal LU-1, Policy LU-1.1; Goal LU-4, Policy LU-4.5; Goal LU-6, Policy LU-6.7 and Policy LU-6.11; Goal CIRC-1, Policy CIRC-1.8; Goal CIRC-2, Policy CIRC-2.7, Policy CIRC-2.11, and Policy CIRC-2.14; Program CIRC-2.G and Program CIRC-2.H; Goal OSC-5, Policy OCS-5.1; and Goal S-1, Policy S-1.26 and Policy S-1.27.

Environmental Checklist and Discussion

a. Physically divide an established community? (Less than Significant)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact LU-1 (pages 4.9-11 to 4.9-13) and determined to be less than significant because potential improvements would not include new major roadways or other physical features through parcels or communities that would create new barriers in the study area, which includes the Project site. No mitigation measures were recommended.

Project-Specific Discussion

As discussed above, established communities in the Proposed Project's vicinity include the Belle Haven neighborhood to the west and the neighborhoods of East Palo Alto to the east and south. The Project site is within the existing Menlo Park Labs campus; the Proposed Project would add a building to a site that is already developed with R&D/office uses. In addition, the Project site is south of the Dumbarton Rail Corridor, in an area that is characterized by light-industrial, R&D, and office uses. Although the proposed development would result in the demolition of four buildings and construction of a new building, development would be in an area with identical uses and physically separated from nearby neighborhoods by Willow Road, University Avenue, and O'Brien Drive. Therefore, implementation of the Proposed Project would not exacerbate existing barriers or create a new physical barrier that would divide the community.

Conclusion

The physical conditions, as they relate to the division of an established community, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. In addition, because the proposed building would be compatible with existing onsite buildings and would not add, change, or exacerbate barriers, the Proposed Project would not divide existing nearby communities, resulting in *less-than-significant* impacts. No further study is needed.

b. 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)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact LU-2 (pages 4.9-14 to 4.9-23) and determined to be less than significant with mitigation incorporated. Mitigation Measure LU-2 from the ConnectMenlo EIR requires that future development demonstrate consistency with the applicable goals, policies, and programs in the City General Plan and the supporting zoning standards. The analysis below demonstrates consistency with the City General Plan through implementation of Mitigation Measure LU-2.

Project-Specific Discussion

Consistency with ConnectMenlo

Adoption of ConnectMenlo resulted in updated zoning, land use designations, goals, and policies for Menlo Park. ConnectMenlo established an approach to land use that was based on an overall objective that focused on supporting the character and quality of life enjoyed in the residential and commercial neighborhoods as well as embracing opportunities for creating new live/work/play environments. ConnectMenlo was designed to encourage commercial uses that would serve existing neighborhoods, retain and attract businesses citywide, and make Menlo Park a leader in sustainable development through conservation of resources and alternative energy use.

ConnectMenlo includes nine guiding principles, listed below in bold, for maintaining and enhancing the quality of life in Menlo Park. The Proposed Project would help to support these guiding principles.

- **Citywide Equity.** To develop at the bonus level, the Proposed Project would have to provide community amenities. The Proposed Project would promote citywide equity by providing community amenities selected from a list of potential options identified through community outreach and adopted by the Menlo Park City Council or by paying an in-lieu fee. These community amenities would be implemented by the Project Sponsor as part of the Proposed Project.¹³¹
- **Healthy Community.** The Proposed Project would recognize and promote a healthy community by implementing a TDM program that provides alternatives to single-occupancy automobile travel to and from the Project site. The Proposed Project would encourage access to public transit and bicycling as alternatives to vehicular use, which would help to reduce air pollutants. Proposed landscaping around the perimeter of the Project site would add to the appearance of the property, which the City considers important for a healthy community. The private open space proposed as part of the Proposed Project would be within the useable roof deck, and the public open space would be along the street frontage, which would promote a healthy community. The Proposed Project's sustainability features are discussed further below.
- **Competitive and Innovative Business Destination.** The Proposed Project would replace 59,866 sf of office/warehouse/R&D uses on the site with an approximately 131,825 sf building that would be designed to attract biotech, R&D, and/or other employers to Menlo Park; contribute to the City's tax and job base; and provide flexible space for employers to expand. This would contribute to Menlo Park's competitive and innovative business environment.
- **Corporate Contribution.** The Proposed Project would contribute to Menlo Park by providing community amenities, as discussed above. However, the community amenities are currently unknown and therefore, not analyzed in this document. Nonetheless, the Proposed Project would provide community amenities through the community amenities process of the LS-B zoning district to benefit the Belle Haven community and East Palo Alto neighborhoods.

¹³¹ If a list of proposed community amenities is provided by the Project Sponsor, the EIR will analyze any potential environmental impacts.

- **Youth Support and Education Excellence.** The Proposed Project would be designed to attract biotech, R&D, and/or other employers to Menlo Park. This would increase the number of jobs in Menlo Park and could provide opportunities for youth employment and education through opportunities such as internships.
- **Great Transportation Options.** The Proposed Project would include a TDM program that would encourage access to public transit, carpooling, and bicycling as alternatives to single-occupancy automobile travel. The TDM program would require the Proposed Project to provide safe and convenient transportation options to and from the Project site. To implement this, the TDM program would include such features as bicycle storage, showers/changing rooms, subsidized transit passes, a commute assistance center, and a shuttle. Shuttle service to Caltrain, carpooling, and onsite car-share and bike-share programs would also be encouraged to provide alternatives to single-occupancy automobile travel.
- **Complete Neighborhoods and Commercial Corridors.** The Project site is not in an existing residential neighborhood or along a vibrant commercial corridor. Therefore, the Proposed Project would not affect the existing residential character of Menlo Park. The Proposed Project would construct a new R&D/office building and parking lot on an existing office/R&D site and create a more complete facility by fully utilizing the land.
- **Accessible Open Space and Recreation.** The Proposed Project would provide 19,399 sf of publicly accessible open space and 6,600 sf of private open space. The private open space would be within a useable roof deck with open areas, landscaping, and seating areas for employees, among other amenities. The public open space would be along the street frontage and landscaped with berms, trees, bioretention areas, and California-native vegetation. Furnishings in the public space may include trash receptacles, benches, and other outdoor furniture. Therefore, the Proposed Project would provide convenient access to new public open space areas.
- **Sustainable Environmental Planning.** In the LS-B zoning district, projects are required to meet green and sustainable building regulations. The proposed office building would be required to meet 100 percent of its energy demand through a combination of onsite energy generation, the purchase of 100 percent renewable electricity, and/or the purchase of certified renewable energy credits. In addition, the Proposed Project would be designed to meet the LEED Gold rating equivalent for Building Design and Construction. The Proposed Project would meet the City's requirements for electric-vehicle charging spaces. The Proposed Project would also incorporate a bird-friendly design through its placement of the building and use of insulated glazing in an aluminum-frame curtain wall. Other green building requirements would be met through efficient water use, the placement of new structures 24 inches above the Federal Emergency Management Agency base flood elevation to account for sea-level rise, and an onsite recycling program. As such, the Proposed Project would promote green building practices and help the City continue to be a leader in sustainable environmental planning.

To the above guiding principles, ConnectMenlo includes goals and policies related to land use that guide physical development in Menlo Park. The following goals and policies are applicable to the Proposed Project:

- **Goal LU-1:** Promote the orderly development of Menlo Park and its surrounding area.
 - **Policy LU-1.1: Land Use Patterns.** Cooperate with the appropriate agencies to help ensure a coordinated land use pattern in Menlo Park and the surrounding area.

- **Goal LU-4:** Promote and encourage existing and new business to be successful and attract entrepreneurship and emerging technologies for providing goods, services, amenities, local job opportunities, and tax revenue for the community while avoiding or minimizing potential environmental and traffic impacts.
 - **Policy LU-4.1: Priority Commercial Development.** Encourage emerging technology and entrepreneurship and prioritize commercial development that provides fiscal benefits to Menlo Park, local job opportunities, and/or goods or services needed by the community.
 - **Policy LU-4.3: Mixed-Use and Nonresidential Development.** Limit parking, traffic, and other impacts of mixed-use and nonresidential development on adjacent uses and promote high-quality architectural design and effective transportation options.
 - **Policy LU-4.4: Community Amenities.** Require mixed-use and nonresidential development of a certain minimum scale to support and contribute to programs that benefit the community and Menlo Park, including education, transit, transportation infra-structure, sustainability, neighborhood-serving amenities, child care, housing, job training, and meaningful employment for Menlo Park youth and adults.
 - **Policy LU-4.5: Business Uses and Environmental Impacts.** Allow modifications to business operations and structures that promote revenue-generating uses for which potential environmental impacts can be mitigated.
 - **Policy LU-6.2: Open Space in New Development.** Require new nonresidential, mixed-use, and multiple dwelling development of a certain minimum scale to provide ample open space in the form of plazas, greens, community gardens, and parks whose frequent use is encouraged through thoughtful placement and design.
 - **Policy LU-6.9: Bicycle and Pedestrian Facilities.** Provide well-designed bicycle and pedestrian facilities for safe and convenient multi-modal activity through the use of access easements along linear parks or paseos.
 - **Policy LU-6.11: Baylands Preservation.** Allow development near the Bay only in already-developed areas.
- **Goal LU-7:** Promote the implementation and maintenance of sustainable development, facilities, and services to meet the needs of Menlo Park's residents, businesses, workers, and visitors.
- **Goal CIRC-1:** Provide and maintain a safe, efficient, attractive, user-friendly circulation system that promotes a healthy, safe, and active community and quality of life throughout Menlo Park.
 - **Policy CIRC-1.8: Pedestrian Safety.** Maintain and create a connected network of safe sidewalks and walkways within the public right-of-way, ensuring that appropriate facilities, traffic control, and street lighting are provided for pedestrian safety and convenience, including for sensitive populations.
- **Goal CIRC-2:** Increase accessibility for and use of streets by, bicyclists, pedestrians, and transit riders.
 - **Policy CIRC-2.7: Walking and Biking.** Provide for the safe, efficient, and equitable use of streets by bicyclists and pedestrians through appropriate roadway design and maintenance, effective traffic law enforcement, and implementation of the City's Transportation Master Plan (following completion; until such time, the Comprehensive Bicycle Development Plan, Sidewalk Master Plan, and the El Camino Real/Downtown Specific Plan represent the City's proposed bicycling and walking networks).

- **Policy CIRC-2.11: Design of New Development.** Require new development to incorporate a design that prioritizes safe bicycle and pedestrian travel and accommodates senior citizens, people with mobility challenges, and children.
- **Policy CIRC-2.14: Impacts of New Development.** Require new development to mitigate its impacts on the safety (e.g., collision rates) and efficiency (e.g., vehicle miles traveled per service population or other efficiency metric) of the circulation system. New development should minimize cut-through and high-speed vehicle traffic on residential streets; minimize the number of vehicle trips; provide appropriate bicycle, pedestrian, transit connections, amenities, and improvements in proportion with the scale of proposed projects; and facilitate appropriate or adequate response times and access for emergency vehicles.
- **Goal OSC-5:** Ensure healthy air and water quality.
 - **Policy OSC-5.1: Air and Water Quality Standards.** Continue to apply standards and policies established by the Bay Area Air Quality Management District, San Mateo Countywide Water Pollution Prevention Program, and City of Menlo Park Climate Action Plan through the California Environmental Quality Act process and other means as applicable.
- **Goal S-1:** Ensure a safe community.
 - **Policy S-1.26: Erosion and Sediment Control.** Continue to require the use of best management practices for erosion and sediment control measures with proposed development in compliance with applicable regional regulations.
 - **Policy S-1.27: Regional Water Quality Control Board Requirements.** Enforce stormwater pollution prevention practices and appropriate watershed management plans in the RWQCB general National Pollutant Discharge Elimination System requirements, the San Mateo County Water Pollution Prevention Program, and the City's Stormwater Management Program. Revise, as necessary, City plans so they integrate water quality and watershed protection with water supply, flood control, habitat protection, groundwater recharge, and other sustainable development principles and policies.

The Proposed Project would be consistent with the land use, circulation, open space, and safety goals, policies, and programs from ConnectMenlo because it would be designed in accordance with the goals, policies, and programs. The Proposed Project's use would be consistent with land use and zoning designations, ensuring orderly development and consistent land use patterns across Menlo Park. The proposed building would be designed to attract biotech, R&D, and/or other employers to Menlo Park by providing flexible space for employers to expand, which would encourage commercial development with innovative local job opportunities that provide a fiscal benefit to the City.

The Proposed Project would provide open space, including 19,399 sf of publicly accessible open space, and maintain bicyclist and pedestrian accessibility via existing sidewalks and bike lanes along O'Brien Drive. Furthermore, as part of the TDM program, a bicycle storage room would be provided at the Project site. The Proposed Project would also seek the LEED Gold certification equivalent, which would provide community amenities, as identified through community outreach, and adhere to all air and water quality standards and requirements. Therefore, the Proposed Project would not conflict with any goals, policies, or programs.

The Proposed Project would have a combined FAR of 124 percent; the maximum height of the proposed building would be approximately 85 feet. Across the entire Project site, including the existing buildings, the average building height would be 60.3 feet. Because these numbers are above the base level of development, both the proposed FAR and height would be permitted through the bonus-level development provisions in the zoning ordinance. Table 3.11-1 compares allowed development under LS zoning for both the base level and bonus level as well as the development proposed under the Proposed Project. As summarized in Table 3.11-1, with implementation of bonus-level development, the Proposed Project would be consistent with the FAR, height, and densities permitted at the Project site.

Table 3.11-1. Allowed and Proposed Development at the Project Site

	LS Zoning Requirements (Base Level)	LS Zoning Requirements (Bonus Level)	Proposed Development
Site Area	25,000 sf (minimum [min.]) 100 feet x 100 feet (min)	25,000 sf (minimum [min.]) 100 feet x 100 feet (min)	106,358 sf (Lot 1) 73,180 sf (Lot 2) 179,538 (Total)
Floor Area Ratio	55% (+10% commercial)	125% (+10% commercial)	124% (131,825 sf) ^a
Maximum Height ^b	35 feet (+10 feet, flood zone)	110 feet (+10 feet, flood zone)	100.75 feet ^c
Average Height ^{b,d}	35 feet (+10 feet, flood zone)	67.5 feet (+10 feet, flood zone)	60.58 feet
Open Space ^e	35,908 sf min (20% of total)	35,908 sf min (20% of total)	39,306 sf (21.8% of total)
Public Open Space ^f	17,954 sf min (10% of total)	17,954 sf min (10% of total)	19,399 sf (10.8% of total)

Source: Tarlton Properties and DES Architects + Engineers, 2021.

Notes:

- ^a Although the building site includes Parcels 1 and 2, the FAR calculated here for the development uses Parcel 1. No structure would be located on Parcel 2. However, Parcel 2 would include 11,500 sf of open space and 4,780 sf of public open space; these numbers are included in the open space totals for the Proposed Project.
- ^b Properties within the flood zone or subject to flooding and sea-level rise are allowed a 10-foot increase in average height and maximum height.
- ^c Does not include parapet or mechanical equipment.
- ^d Height is defined as average height of all buildings on one site where a maximum height cannot be exceeded.
- ^e Open space calculations are based on the square footage of the Project site and not on the new building area.
- ^f Public open space area is also included in Open Space totals.

Compatibility with Existing Land Uses

As described above, the Project site is in the LS-B zoning district. This designation provides for new office uses, along with light industrial and R&D uses as well as personal services. The Proposed Project would develop the site with an approximately 131,825 gsf building and 249 surface parking stalls, consistent with the land use designation. Overall, the land uses proposed at the Project site are consistent with existing land uses. The emphasis on R&D uses is compatible with the character of surrounding neighborhoods, and the increased FAR and density support the community's objective to encourage development of underutilized parcels.

Conclusion

The physical conditions, as they relate to land use plans and policies, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. The analysis above is premised on City-approved and City-adopted community amenities or in-lieu fee provided by the Project Sponsor. ConnectMenlo Mitigation Measure LU-2 was applied to demonstrate consistency with the City General Plan. Therefore, with the community amenities provided by the Project Sponsor and approved by the City, no further mitigation would be required. The change in intensities and densities as a result of the Proposed Project would not, in itself, result in sustainable adverse effects on the compatibility of surrounding land uses, and the impacts would be ***less than significant***. No further study is required.

XII. Mineral Resources	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Would the project:					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site, as delineated in a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The Surface Mining and Reclamation Act of 1975 is state legislation that protects Mineral Resource Zones (MRZs). Part of the purpose of the act is to classify mineral resources in the state and transmit the information to local governments, which regulate land use in each region of the state. Local governments are responsible for designating lands that contain regionally significant mineral resources in local general plans to ensure resource conservation in areas with intensive competing land uses. The law has resulted in the preparation of mineral land classification maps, which delineate MRZs 1 through 4 for aggregate resources (sand, gravel, and stone).

There are no known mineral resources within the vicinity of the Project site. The California Geological Survey (CGS) Mineral Resource Zones and Resource Sectors map classifies the Project site as MRZ-1,¹³² an area “where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.”¹³³

General Plan Goals and Policies

No City General Plan goals and policies would be applicable to the Proposed Project.

¹³² California Geological Survey. 1987. *Special Report 146 – Mineral Land Classification: Aggregate Materials in the San Francisco-Monterey Bay Area, Part II: Classification of Aggregate Resource Areas, South San Francisco Bay Production-Consumption Region*. Palo Alto quadrangle, Plate 2.40. Available: ftp://ftp.consrv.ca.gov/pub/dmg/pubs/sr/SR_146-2/SR-146_Plate_2.40.pdf. Accessed: November 7, 2019.

¹³³ California Geological Survey. 1987. *Special Report 146 – Mineral Land Classification: Aggregate Materials in the San Francisco-Monterey Bay Area, Part II: Classification of Aggregate Resource Areas, South San Francisco Bay Production-Consumption Region*. Available: ftp://ftp.consrv.ca.gov/pub/dmg/pubs/sr/SR_146-2/SR_146-2_Text.pdf. Accessed: November 7, 2019.

Environmental Checklist and Discussion

- a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (No Impact)**

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR (page 6-2); it was determined that it would result in no impact. No mitigation measures were recommended.

Conclusion

There are no known mineral resources at the Project site, as indicated by the CGS MRZ. The Project site is not delineated as a locally important mineral resource by the CGS or on any County or City land use plan. Although there is limited information about the mineral resource potential of the Project site, the Project site and vicinity have been developed for uses related to research and development uses, which are incompatible with mineral extraction. The physical conditions, as they relate to mineral resources, have not changed in Menlo Park since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. **No impact** would occur, and no further study is needed.

- b. Result in the loss of availability of a locally important mineral resource recovery site, as delineated in a local general plan, specific plan, or other land use plan? (No Impact)**

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR (page 6-2); it was determined that it would result in no impact. No mitigation measures were recommended.

Conclusion

As stated above, the Project site is not delineated as a locally important mineral resource site by the County or City. The physical conditions, as they relate to mineral resources, have not changed in Menlo Park since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. **No impact** would occur, and no further study is needed.

XIII. Noise	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Would the project:					
a) Generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generate excessive ground-borne vibration or ground-borne noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) For a project in the vicinity of a private airstrip or an airport land use plan area or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

The Project site is bounded by a warehouse as well as light industrial, R&D, and life science uses to the north and west. To the south and west is O’Brien Drive, with similar uses on the other side of the street. The majority of the existing noise sources in the area are associated with local traffic on adjacent roadways. Noise-sensitive land uses, which are generally defined as locations where people reside or where the presence of unwanted sound could adversely affect use of the land, include a residential neighborhood approximately 300 feet south of the Project site. In addition, Wund3rSCHOOL/Open Mind School, a small private school, is adjacent to Parcel 2 to the east.

General Plan Goals and Policies

The City General Plan—specifically, the Land Use Element and the Noise Element—contains goals, policies, and programs that require local planning and development decisions to consider noise impacts. The following City General Plan goals, policies, and programs would minimize potential adverse impacts related to noise: Goal LU-4, Policy LU-4.5, and Goal N-1, Policy N-1.1, Policy N-1.2, Policy N-1.4, Policy N-1.6, Policy N-1.7, Policy N-1.8, Policy N-1.9, Policy N-1.10, and Policy N-1.D. In addition, land use compatibility noise standards are included in the City General Plan Noise Element.

According to the City General Plan Noise Element, noise levels up to 60 A-weighted decibels (dBA), day-night level (L_{dn}), are considered normally acceptable for single-family residential land uses; noise levels of up to 70 dBA L_{dn} are considered conditionally acceptable for such uses as long as noise insulation features are included in the design to reduce interior noise levels. For multi-family residential and hotel uses, noise levels of up to 65 dBA L_{dn} are considered normally acceptable; noise levels of 70 dBA L_{dn} considered conditionally acceptable. For office buildings and commercial uses, noise levels of up to 70 dBA L_{dn} are considered normally acceptable; noise levels of up to 77.5 dBA L_{dn} are considered conditionally acceptable. For industrial uses, noise levels up to 75 dBA L_{dn} are considered normally

acceptable; noise levels of up to 80 dBA L_{dn} are considered conditionally acceptable. For schools, churches, playgrounds, and neighborhood parks, noise levels up to 70 dBA L_{dn} are considered normally acceptable; there are no separate conditionally acceptable noise limits for these uses.

City of Menlo Park Municipal Code

In addition to the City General Plan, the City Municipal Code also contains noise regulations. Chapter 8.06 of the City Municipal Code contains noise limitations and exclusions for land uses within the city. The City Noise Ordinance addresses issues related to noise that would constitute a disturbance, as measured primarily at residential land uses. The City Municipal Code regulations below would be applicable to the Proposed Project.

Section 8.06.030, Noise Limitations

Except as otherwise permitted in this chapter, any source of sound in excess of the sound level limits set forth in Section 8.06.030 shall constitute a noise disturbance. For purposes of determining sound levels from any source of sound, sound level measurements shall be made at a point on the receiving property nearest where the sound source at issue generates the highest sound level.

1. For all sources of sound measured from any residential property:
 - A. "Nighttime" hours (10:00 p.m. to 7:00 a.m.)—50 dBA
 - B. "Daytime" hours (7:00 a.m. to 10:00 p.m.)—60 dBA

Section 8.06.040, Exceptions

- a. Construction Activities
 1. Construction activities between the hours of 8:00 a.m. and 6:00 p.m. Monday through Friday.
 4. Notwithstanding any other provision set forth above, all powered equipment shall comply with the limits set forth in Section 8.06.040(b).
- b. Powered Equipment
 1. Powered equipment used on a temporary, occasional, or infrequent basis operated between the hours of 8:00 a.m. and 6:00 p.m. Monday through Friday. No piece of equipment shall generate noise in excess of 85 dBA at 50 feet.
- c. Deliveries
 1. Deliveries to food retailers and restaurants.
 2. Deliveries to other commercial and industrial businesses between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. Saturdays, Sundays, and holidays.

Furthermore, the City Zoning Ordinance also contains regulations related to roof-mounted equipment.

Section 16.08.095, Roof-mounted Equipment

Mechanical equipment, such as air-conditioning equipment, ventilation fans, vents, ducting, or similar equipment, may be placed on the roof of a building, provided that such equipment is screened from view, as observed at an eye level horizontal to the top of the roof-mounted equipment, except for the SP-ECR/D district, which has unique screening requirements, and all sounds emitted by such equipment shall not exceed 50 decibels (dB) at a distance of 50 feet from such equipment. (Ordinance 979, Section 3 [part], 2012; Ordinance 819, Section 1 [part], 1991)

Environmental Checklist and Discussion

- a. Generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies? (Topic to Be Analyzed in the EIR)**

Analysis in the ConnectMenlo EIR

Construction and operational noise effects were analyzed in the ConnectMenlo EIR as Impact NOISE-1 (pages 4.10-19 to 4.10-24). It was determined that the impact would be less than significant with the application of mitigation measures and compliance with mandatory City General Plan goals and policies. Projects that would result in the development of sensitive land uses, which the Proposed Project would not, must maintain an indoor L_{dn} of 45 dBA or less, as required by ConnectMenlo EIR Mitigation Measure NOISE-1a and existing regulations. Projects that could expose existing sensitive receptors to excessive noise must comply with ConnectMenlo EIR Mitigation Measures NOISE-1b and NOISE-1c to minimize both operational noise and construction-related noise. The topic of potential traffic noise effects was discussed in the ConnectMenlo EIR under Impact NOISE-3 (pages 4.10-29 to 4.10-36). It was determined that implementation of ConnectMenlo would not result in a substantial permanent increase in ambient noise on any of the identified roadway segments. No mitigation measures were recommended.

Project-Specific Discussion

Construction

The Proposed Project would involve demolition of three office/warehouse/R&D buildings at 1105, 1135, and 1165 O'Brien Drive (Parcel 1). In addition, the office/warehouse building at 1 Casey Court would be demolished (Parcel 2). The Proposed Project would construct a 131,285 gsf R&D building on Parcel 1 and a surface parking lot on Parcel 2. Demolition and construction activities would require the use of heavy construction equipment, including, but not limited to, dump trucks, cranes, forklifts, scissor lifts, excavators, trenchers, graders, backhoes, concrete mixer trucks, and concrete pump trucks.

Although construction activities are generally exempt in the city during daytime hours, construction noise is expected to be audible at nearby sensitive uses, including the adjacent school. Because construction noise may be audible at nearby sensitive uses, the impact would be potentially significant. In addition, construction is proposed to occur outside typical standard hours for Menlo Park, per Section 8.06 of the City Municipal Code. Therefore, to determine if construction would result in noise impacts, construction noise modeling would need to be conducted for the Proposed Project. Construction noise will require **further environmental review** in the EIR.

Operations – Traffic

Potential traffic noise impacts from plan development were analyzed in the ConnectMenlo EIR. The Proposed Project could increase traffic noise at certain locations because of the potential for an increase in the number of vehicle trips compared with the number assumed in the ConnectMenlo EIR transportation analysis. Therefore, this topic will require **further environmental review** in the EIR.

Operations – Other Operational Noise Sources

Other potential sources of Project-related operational noise include mechanical equipment, such as HVAC equipment and emergency generators, and the loading dock at the northwest side of the building. In addition, the roof of the proposed building would have an approximately 6,600-square-foot roof deck with landscaped areas and seating for use by employees of the Menlo Park Labs campus, which could generate noise. The ConnectMenlo EIR states that stationary noise sources, as well as landscaping and maintenance activities, shall comply with Chapter 8.06, Noise, of the City Municipal Code. Compliance with the mitigation measures from the ConnectMenlo EIR would ensure compliance with Chapter 8.06 of the City Municipal Code. However, generator noise could exceed the criteria for areas adjacent to existing sensitive receptors. Therefore, operation of the proposed mechanical equipment, emergency generator, loading dock, and the rooftop deck will require **further environmental review** in the EIR.

Conclusion

Physical conditions related to noise have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. Construction noise impacts will require further analysis (e.g., the level of construction noise from the Project will need to be quantified). With regard to traffic noise impacts, although potential traffic noise impacts from plan development were analyzed in the ConnectMenlo EIR, the Project could result in increased traffic noise at certain locations. This is because the possibility exists for an increased number of vehicle trips compared with the number assumed in the ConnectMenlo EIR transportation analysis. In addition, other operational noise sources, including the proposed mechanical equipment, emergency generator, loading dock, and rooftop deck, will be evaluated. Therefore, this topic will be the subject of **further environmental review** in the EIR.

b. Generation of excessive ground-borne vibration or ground-borne noise levels? (Topic to Be Analyzed in the EIR)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact NOISE-2 (pages 4.10-25 to 4.10-29). The impact was determined to be potentially significant. With implementation of Mitigation Measures NOISE-2a and NOISE-2b, this impact would be reduced to a less-than-significant level. The analysis concluded that, overall, vibration impacts related to construction would be short term, temporary, and generally restricted to areas in the immediate vicinity of construction activity. However, because Project-specific information was not available, the analysis did not quantify construction-related vibration impacts on sensitive receptors.

Implementation of Mitigation Measure NOISE-2a would reduce construction-related vibration impacts to a less-than-significant level through preparation of a vibration analysis to assess vibration levels and the use of alternate construction techniques to reduce vibration, if necessary. Specifically, according to Mitigation Measure NOISE-2a from the ConnectMenlo EIR, vibration levels must be limited to a peak particle velocity (PPV) of 0.126 inch per second (in/sec) at the nearest workshop,¹³⁴ a PPV of 0.063 in/sec at the nearest office, a PPV of 0.032 in/sec at the nearest residence during daytime hours, and a PPV of 0.016 in/sec at the nearest residence during nighttime hours. Regarding long-term construction impacts, ConnectMenlo requires projects to comply with Mitigation Measure NOISE-2b, which requires the City to implement best management practices as part of a project's approval process.

¹³⁴ The term "workshop" is used in the ConnectMenlo EIR to categorize industrial-type land uses that may be conducting manufacturing activities.

Project-Specific Discussion

Although pile driving would not be required for the Proposed Project, construction would require the use of other equipment that may generate vibration. The piece of equipment proposed for Project construction that would generate the greatest vibration level would be an auger drill. Large earthmoving equipment, such as an excavator, may also generate high levels of vibration compared with other proposed equipment and be operated in proximity to the nearby school.¹³⁵ During Project construction, vibration-generating construction equipment may be operated less than 10 feet from the nearby school yard, 80 feet from the nearby school building, and 25 to 50 feet from the nearby commercial and industrial buildings.

Conclusion

The physical conditions, as they relate to Project-specific vibration impacts, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There are no substantial changes in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR. However, ConnectMenlo Mitigation Measure NOISE-2a requires a Project-specific vibration analysis. This topic will require **further environmental review** in the EIR.

- c. ***For a project located in the vicinity of a private airstrip or an airport land use plan area or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels? (Less than Significant)***

Analysis in the ConnectMenlo EIR

This topic was discussed in the ConnectMenlo EIR as Impact NOISE-5 (page 4.10-38) and Impact NOISE-6 (page 4.10-38). It was determined that it would result in less-than-significant impacts.

Conclusion

The physical conditions, as they relate to the Project's adjacency to a private airstrip, public airport, or public use airport, have not changed in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. As stated in the ConnectMenlo EIR, there are no private airstrips located within Menlo Park. In addition, there are no areas of Menlo Park which fall within an airport land use plan for a nearby public use airport. Although the Proposed Project would be approximately 1.9 miles from Palo Alto Airport, this area is not covered by the airport's influence area, nor is it within the airport's 55-decibel (dB) noise contour.¹³⁶ Implementation of the Proposed Project would therefore not expose people residing or working in the Project area to excessive noise levels. This impact would be **less than significant**, and no new or more severe impacts beyond those examined in the ConnectMenlo EIR would occur.

¹³⁵ Federal Transit Administration. 2018. *Transit Noise and Vibration Impact Assessment*. September. Available: https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf. Accessed: February 22, 2021.

¹³⁶ Santa Clara County Airport Land Use Commission. 2016. *Comprehensive Land Use Plan, Santa Clara County, Palo Alto Airport*. Adopted: 2008; amended: 2016. Available: https://www.sccgov.org/sites/dpd/DocsForms/Documents/ALUC_PAO_CLUP.pdf.

XIV. Population and Housing	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:					
a) Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Displace a substantial number of existing people or housing units, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

As discussed in more detail below, this topic will be analyzed further in the EIR. Therefore, the setting is not discussed in this document but will be provided instead in the EIR.

General Plan Goals and Policies

General plan goals and policies related to population and housing will be outlined and discussed in the EIR.

Environmental Checklist and Discussion

- a. Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)? (Topic to Be Analyzed in the EIR)*

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact POP-1 (pages 4.11-5 to 4.11-18) and determined to be less than significant. Within the ConnectMenlo EIR study area, new growth and future development would be guided by policy framework. No mitigation measures were recommended.

Project-Specific Discussion

The current Project site accommodates approximately 143 employees.^{137,138} The Proposed Project would include construction of a 131,825 gsf R&D building that would accommodate approximately 328 employees,¹³⁹ increasing employment at the Project site by approximately 185 net employees upon implementation of the Proposed Project. Although the Proposed Project would not result in onsite residential population increases, the new employees could generate households within Menlo Park and the region. Using the average of 1.91 workers per work household¹⁴⁰ in San Mateo County, the Proposed Project would generate approximately 96 new households. On average, approximately 5.9 percent of Menlo Park's workforce also resides in Menlo Park,¹⁴¹ which would result in up to six new households. With an average persons-per-household ratio of 2.64, the Proposed Project could generate up to 15 new residents within Menlo Park.¹⁴² This represents a fraction of a percent of the total population of Menlo Park and is within the anticipated growth considered in the ConnectMenlo EIR.

Conclusion

The physical conditions, as they relate to population growth, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. However, as a result of the 2017 *City of East Palo Alto v. City of Menlo Park* settlement agreement, the EIR will evaluate population growth in more detail. In particular, a Housing Needs Assessment (HNA) will be prepared for the Proposed Project. Therefore, this topic **requires further environmental review** in the EIR.

- b. Displace a substantial number of existing people or housing units, necessitating the construction of replacement housing elsewhere? (Less than Significant)**

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact POP-2 (pages 4.11-18 to 4.11-20) and Impact POP-3 (page 4.11-20) and determined to be less than significant. Within the ConnectMenlo EIR study area, existing policies would ensure that adequate housing would remain and that the

¹³⁷ Current employee estimates provided by the Project Sponsor are based on a generation rate of one employee per 400 gsf for the 26,911 gsf of R&D space at 1135 O'Brien Drive and 1165 O'Brien Drive plus one employee per 400 gsf for the 1,750 gsf of R&D space and one employee per 500 gsf for the 10,250 gsf of warehouse space at 1105 O'Brien Drive.

¹³⁸ Based on the Project Sponsor's estimate of one employee per 500 gsf for 20,955 gsf of warehouse space at 1 Casey Court.

¹³⁹ Employee estimate provided by the Project Sponsor, based on a generation rate of one employee per 400 sf.

¹⁴⁰ In making the translation from the estimated number of Project employees to the estimated number of housing units in demand, the analysis considers multiple-earner households. The analysis makes an adjustment to recognize that an added employee who lives in a household with one or more other workers is not responsible for creating demand for an entire additional housing unit, only a portion of an additional unit. There is no implicit assumption in the workers-per-household calculation that Project workers would live with one another. Multiple-earner households are a factor that must be recognized in the analysis, irrespective of where the other working member of the household is employed. A specific factor of 1.91 workers per worker household is the average number of workers in each working household in San Mateo County and derived from U.S. Census Bureau data (2015–2019 ACS).

¹⁴¹ Keyser Marston Associates. 2019. *Initial Data: 1125 O'Brien Drive Project Housing Needs Analyses, Menlo Park, CA.*

¹⁴² Ibid.

potential for any displacement of existing people or housing would be limited because new housing was proposed as part of ConnectMenlo to address local and regional housing needs. No mitigation measures were recommended.

Conclusion

The physical conditions, as they relate to the displacement of housing units, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. In addition, the Project site does not include housing units. Therefore, no housing would be displaced as a result of the Proposed Project. Although approximately 143 employees currently work at the Project site, these employees could be accommodated within existing buildings at the Menlo Park Labs campus, including those on the Project site. Therefore, the Proposed Project would result in a ***less-than-significant impact*** related to the displacement of people or housing. No further study is needed in the EIR.

XV. Public Services	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Would the project:					
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or a 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 following public services:					
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Fire Protection

Fire protection services in the Project area are provided by the Menlo Park Fire Protection District (MPFPD). The MPFPD service boundary covers 30 square miles and includes Menlo Park, Atherton, and East Palo Alto plus some unincorporated areas in San Mateo County.¹⁴³ Seven MPFPD fire stations serve an estimated population of approximately 90,000.¹⁴⁴ The MPFPD responds to approximately 8,500 emergencies per year and is part of the greater San Mateo County boundary-drop plan (i.e., the closest apparatus responds to each call, regardless of the department).^{145,146} The adopted performance standard for response times establishes a goal that would have the first-response unit arrive on the scene of all Code 3 emergencies within 7 minutes, starting from the time of the call to the dispatch center, 90 percent of the time. The goal of the MPFPD’s multi-unit response units is to arrive on scene within 11 minutes from the time of the call to the dispatch center. The MPFPD’s average response times fall under the currently adopted 7-minute standard for first-response units.¹⁴⁷

The MPFPD is organized into five Fire District Divisions as follows: Administrative Services, Human Resources, Fire Prevention, Operations, and Support Services. As of 2019, the MPFPD was budgeted for approximately 149 full-time-equivalent (FTE) employees. Of those, 109 FTE employees provide direct fire services, while the other 40 staff members handle daily administrative tasks related to

¹⁴³ Menlo Park Fire Protection District. 2021. *About the Fire District*. Available: <https://www.menlofire.org/about-the-fire-district>. Accessed: February 3, 2021.

¹⁴⁴ Ibid.

¹⁴⁵ Ibid.

¹⁴⁶ Menlo Park Fire Protection District. 2021. *2020–2021 Original Budget*. Available: <https://www.menlofire.org/financials-and-budget>. Accessed: February 3, 2021.

¹⁴⁷ Menlo Park Fire Protection District. 2015. *Standards of Cover Assessment*. Volume 1, Executive Summary. June 16. Available: <https://evogov.s3.amazonaws.com/media/6/media/4966.pdf>. Accessed: February 3, 2021.

financial services, maintenance of the MPFPD's fleet of vehicles, emergency preparedness, and the management of citizen volunteers in the Community Emergency Response Team program.¹⁴⁸ This equates to a ratio of approximately 1.66 firefighters per 1,000 people in the MPFPD service population.

Fire Station 2, at 2290 University Avenue, serves East Palo Alto and the Menlo Park Labs campus, which includes the Project site. Station 2 is manned by one captain and two firefighters per shift. Of the three on-duty personnel, one is a licensed paramedic.¹⁴⁹ Fire Station 2 was rebuilt in 2016. The 12,560 gsf facility includes three drive-through bays, eight dorm rooms, two offices, a conference room, a backup generator, a fuel tank, and a communications building with a 100-foot-tall monopole.¹⁵⁰

Police Protection

Police services in the vicinity of the Project site are provided by the Menlo Park Police Department (MPPD). The Project site is located within Beat 3. The MPPD's current service population is approximately 42,000.¹⁵¹ The MPPD is headed by a chief of police who oversees two divisions, the Patrol Operations Division and Special Operations Division. From 2019 to 2020, the Patrol Operations Division handled more than 23,000 calls for service. MPPD staffing includes 10.5 police administrators, 42.5 patrol operations employees, and 8.5 communications specialists, for a total of 61.5 FTE employees.¹⁵² The current MPPD service ratio is 1.29 sworn officers per 1,000 people.

One police station, located at city hall, covers the entire service area. The MPPD also operates a police substation and neighborhood service center north of US 101 in the Belle Haven neighborhood. The Belle Haven Neighborhood Service Center and Substation houses the MPPD's Code Enforcement Office and Community Safety Police Officer. MPPD officers use the substation to make calls as well as interview and/or process suspects, victims, or witnesses. In addition, the substation serves as a place for the community to meet with police officers or gather.¹⁵³

Schools

Four elementary/middle school districts and one high school district are within the boundaries of Menlo Park: Menlo Park City School District (CSD), Ravenswood CSD, Las Lomas School District, Redwood CSD, and Sequoia Union High School District (SUHSD). However, the portion of Menlo Park that includes Las Lomas School District, which is generally bounded by Alameda de las Pulgas to the north and I-280 to the south, is built out; currently, there is no substantial potential for new housing units. Therefore, this school district is not analyzed further in this section because the Proposed Project would not induce the construction of new housing in this area and generate new students.

¹⁴⁸ Menlo Park Fire Protection District. 2021. *2020–2021 Original Budget*. Available: <https://www.menlofire.org/financials-and-budget>. Accessed: February 3, 2021.

¹⁴⁹ Menlo Park Fire Protection District. 2021. *Station 2*. Available: <https://www.menlofire.org/station-2>. Accessed: February 3, 2021.

¹⁵⁰ Menlo Park Fire Protection District. 2019. *Adopted Budget, 2019–2020*. Available: <https://www.menlofire.org/financials-and-budget>. Accessed: February 3, 2021.

¹⁵¹ Per the ConnectMenlo EIR, the service population for the MPPD is calculated by taking the total population and adding 33 percent of all employees within Menlo Park.

¹⁵² City of Menlo Park. n.d. *Police Department*. Available: <https://stories.opengov.com/menlopark/published/CT7QIP3XV>. Accessed: February 3, 2021.

¹⁵³ InMenlo. 2014. *City of Menlo Park hosts Neighborhood Service Center grand opening on April 26*. Available: <https://inmenlo.com/2014/04/22/city-of-menlo-park-hosts-neighborhood-service-center-grand-opening-on-april-26/>. Accessed: February 3, 2021.

Menlo Park City School District. The Menlo Park CSD serves parts of Menlo Park, Atherton, and unincorporated areas of San Mateo County. The Menlo Park CSD operates three elementary schools (Encinal School, Laurel School, and Oak Knoll School) and one middle school (Hillview Middle School). In 2018–2019 (the most recent data available), total student enrollment at the four schools was 3,023, with approximately 344 FTE staff members.¹⁵⁴ The Menlo Park CSD maintains a student-teacher ratio of 17.4 students per teacher.¹⁵⁵

The three elementary schools currently exceed capacity; however, Hillview Middle School has additional capacity available.¹⁵⁶ To accommodate growth, the Laurel School Upper Campus was constructed; it opened on October 17, 2016, to 300 third- through fifth-grade students.¹⁵⁷ The Menlo Park CSD is required to accommodate students within its boundaries. When a school is at capacity, students can attend another school in the district. If all classes are at capacity, then the Menlo Park CSD may increase the class size or open new classrooms. The Menlo Park CSD currently uses the following student generation rates: 0.18 student per single-family unit and 0.44 student per multi-family unit.¹⁵⁸

Ravenswood City School District. The Ravenswood CSD serves northern Menlo Park and East Palo Alto. The district operates two elementary schools, two middle schools, four academies, one charter school, and one development center. Two Ravenswood CSD schools are within Menlo Park, Belle Haven Elementary School and Willow Oaks Elementary School. The reported student enrollment for the 2018–2019 school year (the most recent data available) was 3,436; with 162 teachers, the student-teacher ratio would be approximately 21 students to each teacher. Enrollment at Ravenswood City Elementary, in East Palo Alto, has been declining since the 2015–2016 school year.¹⁵⁹ Furthermore, it is anticipated that the Ravenswood CSD will experience low to no growth in the near future.¹⁶⁰ The Ravenswood CSD’s student generation rate is 0.39 student per single-family unit and 0.56 student per multi-family unit.¹⁶¹

Redwood City School District. The Redwood CSD serves elementary and middle school students in Redwood City and portions of San Carlos, Menlo Park, Atherton, and Woodside. The Redwood CSD has 16 schools that serve approximately 6,700 students. Of its more than 900 employees, approximately 400 are teachers, resulting in a student-teacher ratio of approximately 16.8 students

¹⁵⁴ Menlo Park City School District. 2021. *About Us*. Available: <https://district.mpcsd.org/Page/175>. Accessed: February 3, 2021.

¹⁵⁵ Menlo Park City School District. 2018. *Annual Report to the Community*. June. Available: https://district.mpcsd.org/cms/lib/CA01902565/Centricity/shared/community%20reports/MPCSD_Comm%20Report%202018_SinglePages.pdf. Accessed: February 3, 2021.

¹⁵⁶ Menlo Park City School District. 2013. *Master Facility Plan Update 2013*. Available: <https://district.mpcsd.org/Page/104>. Accessed: February 3, 2021.

¹⁵⁷ Menlo Park City School District. 2016. *Laurel School Upper Campus*. Available: <https://district.mpcsd.org/Page/111>. Accessed: February 3, 2021.

¹⁵⁸ BAE Urban Economics. 2016. *ConnectMenlo Fiscal Impact Analysis*. Available: https://menlopark.org/DocumentCenter/View/11474/ConnectMenlo-FIA-09-07-2016_public-draft?bidId=. Accessed: February 3, 2021.

¹⁵⁹ Ed-Data, Education Data Partnership. 2021. *Ravenswood City Elementary*. Available <http://www.ed-data.org/district/San-Mateo/Ravenswood-City-Elementary>. Accessed: February 3, 2021.

¹⁶⁰ Ravenswood City School District. 2015. *Facilities Master Plan*. Available: <https://drive.google.com/file/d/0BwQ1Zn7bUeTZcjkwbI9JmM1jSG8/view>. Accessed: February 3, 2021.

¹⁶¹ City of Menlo Park. 2016. *Connect Menlo, Public Review Draft EIR*. June 1.

to each teacher.¹⁶² The Redwood CSD's student generation rates for elementary schools are 0.36 student for single-family detached units, 0.18 student for single-family attached units, and 0.10 student for multi-family units. The Redwood CSD's student generation rates for middle schools are 0.10 student for single-family detached units, 0.06 student for single-family attached units, and 0.04 student for multi-family units.¹⁶³

Sequoia Union High School District. The SUHSD operates four comprehensive high schools, one alternative high school, one technology- and design-focused high school, and additional programs. The SUHSD serves Atherton, East Palo Alto, San Carlos, Woodside, Belmont, Portola Valley, portions of unincorporated San Mateo County, and Menlo Park, and enrollment is steadily increasing.¹⁶⁴ Among these schools, Menlo-Atherton High School serves students residing in Menlo Park. In 2018–2019 (the most recent data available), total student enrollment at the high schools was approximately 10,246; with approximately 580 teachers, the student-teacher ratio would be approximately 17.7 students to each teacher.¹⁶⁵ TIDE Academy, a new high school at 150 Jefferson Drive, opened in August 2019 to accommodate enrollment growth. The SUHSD student generation rate is 0.2 student per housing unit.¹⁶⁶

Parks

The Menlo Park Library and Community Services Department is responsible for providing recreational, educational, and cultural programs for residents of Menlo Park. Its facilities include 13 parks, three community centers, two public pools, three child care centers, two gymnasiums, and one gymnastics center. Included in the park and recreational areas are tennis courts, softball diamonds, picnic areas, dog parks, playgrounds, swimming pools, gymnastics centers, a skate park, a shared-use performing arts center, soccer fields, and open space.¹⁶⁷ An adopted City General Plan policy (Policy OSC-2.4) calls for maintaining a ratio of 5 acres of developed parkland per 1,000 residents. Currently, Menlo Park has an estimated population of approximately 34,138.¹⁶⁸ The City provides 221 acres of parkland for its residents, a ratio of 6.47 acres¹⁶⁹ of parkland per 1,000 residents.¹⁷⁰ Therefore, the City currently exceeds its goals.

¹⁶² Redwood City School District. 2021. *RCS D Fast Facts*. Available: <https://www.rcsdk8.net/domain/2477>. Accessed: February 3, 2021.

¹⁶³ City of Menlo Park. 2016. *Connect Menlo, Public Review Draft EIR*. June 1.

¹⁶⁴ Sequoia Union High School District. 2015. *Facilities Master Plan*. June 24. Available: <https://www.seq.org/DEPARTMENTS/Administrative-Services/Construction/Facilities-Master-Plan/index.html>. Accessed: February 3, 2021.

¹⁶⁵ Ed-Data, Education Data Partnership. 2021. *Sequoia Union High*. Available: <http://www.ed-data.org/district/San-Mateo/Sequoia-Union-High>. Accessed: February 3, 2021.

¹⁶⁶ City of Menlo Park. 2016. *Connect Menlo, Public Review Draft EIR*. June 1.

¹⁶⁷ City of Menlo Park Library and Community Services Department. 2021. *Library and Community Services Department*. Available: <https://www.menlopark.org/212/Community-Services>. Accessed: February 3, 2021.

¹⁶⁸ U.S. Census Bureau. 2021. *American Fact Finder, American Community Survey Demographic and Housing Estimates (2014-2019 American Community Survey 5-year Estimates, ID DP05)*. Available: <https://data.census.gov/cedsci/table?q=DP05&g=1600000US0646870&tid=ACSDP5Y2019.DP05&hidePreview=true>. Accessed: February 3, 2021.

¹⁶⁹ Note that this is slightly different from the ratio included in the ConnectMenlo EIR because of the increase in population since release of the ConnectMenlo EIR.

¹⁷⁰ A total of 221 acres divided by 34,138 (existing population as of 2019) multiplied by 1,000 = 6.47 acres per 1,000 residents.

Libraries

Menlo Park has two libraries, Menlo Park Library on Alma Street and the Belle Haven Branch Library on Ivy Drive. In total, the libraries have approximately 37,800 gsf of space and approximately 14 FTE staff members. Operating as a department of the City of Menlo Park, the municipal libraries have approximately 23,600 registered borrowers and circulate 677,846 books and multi-media resources, including digital content.¹⁷¹ The Belle Haven Branch Library is proposed for reconstruction as part of the Menlo Park Community Center, which is anticipated to open in 2023.

General Plan Goals and Policies

The City's General Plan (specifically the Land Use Element, Open Space/Conservation Element, Noise Element, and Safety Element) contains general goals, policies, and programs that require local planning and development decisions to consider impacts on public services. The following City General Plan goals, policies, and programs would serve to minimize potential adverse impacts on public services: Goal LU-1, Policy LU-1.1; Goal LU-4, Policy LU-4.5; Program LU-4.C; Goal LU-6, Policy LU-6.2; Goal LU-7, Policy LU-7.7; Goal CIRC-1, Policy CIRC-2.14; Goal CIRC-3; Goal S-1, Policy S-1.5, Policy S-1.29, Policy S-30, and Policy S-1.38; and Goal OSC-2, Policy OSC-2.1, Policy OSC-2.4, and Policy OSC-2.6.

Environmental Checklist and Discussion

- a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or a 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 following public services:*

Fire Protection

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact PS-1 (pages 4.12-8 to 4.12-12). With respect to the need for remodeled or expanded fire protection facilities in order to maintain acceptable service ratios, response times, or other performance standards, the impacts were determined to be less than significant. No mitigation measures were recommended.

Project-Specific Discussion

Because of the increase in employment at the Project site, it is anticipated that the Proposed Project would increase the daytime population by approximately 185 (i.e., net new employees). According to MPFPD standards, each employee would be equal to 0.58 resident.¹⁷² This equates to approximately 107 people added to the service population. In addition, as stated in Section XIV, *Population and Housing*, the Proposed Project could induce up to 15 new Menlo Park residents.¹⁷³ Without an increase in existing MPFPD staffing, the ratio of one firefighter per 1,000 residents

¹⁷¹ City of Menlo Park. 2016. *Menlo Park Library Strategic Plan, 2016–2020*. Available: <https://menlopark.org/DocumentCenter/View/15808/Library-Strategic-Plan-2016-2020?bidId=>. Accessed: February 3, 2021.

¹⁷² Menlo Park Fire Protection District. 2016. *Menlo Park Fire Protection District Emergency Services and Fire Protection Impact Fee Nexus Study, 2015*. Available: <https://evogov.s3.amazonaws.com/media/6/media/49065.pdf>. Accessed: February 4, 2021.

¹⁷³ Includes employees who would both live and work in Menlo Park, plus their households.

would decrease slightly with implementation of the Proposed Project. However, no additional equipment would be needed to serve the proposed building at the Project site because similarly sized buildings are already served by the MPFPD.

The Proposed Project would be required to comply with all applicable MPFPD codes and regulations as well as standards related to fire hydrants (e.g., fire-flow requirements, spacing requirements), the design of driveway turnaround and access points, and other fire code requirements. For example, the MPFPD Fire Prevention Code, Section 903.2, requires automatic fire sprinkler protection for commercial occupancies of more than 5,000 gsf if the building is 40 feet or taller. Accordingly, the buildings on the Project site would require the installation of automatic fire sprinklers.

Conclusion

The physical conditions, as they relate to fire services, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. The Proposed Project would not result in substantial adverse environmental impacts associated with the provision of new or physically altered fire and emergency service facilities in order to maintain acceptable service ratios, response times, or other performance objectives. Fire service impacts as a result of the Proposed Project would be *less than significant*. No further study is needed.

Police Protection

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact PS-3 (pages 4.12-15 to 4.12-18) and determined to result in a less-than-significant impact. The MPPD indicated in the ConnectMenlo EIR that it can address issues related to maintaining adequate response times for the proposed development through staffing rather than facility expansion. No mitigation measures were recommended.

Project-Specific Discussion

The Proposed Project could affect the MPPD by intensifying site activity and adding new employees, visitors, and residents. Specifically, the Proposed Project would increase the number of employees at the Project site by approximately 185. When calculating the service population, the MPPD considers employees who work in Menlo Park as one-third of a resident, resulting in approximately 61 additional daytime residents. In addition, the Proposed Project could induce up to 15 permanent residents to relocate to Menlo Park.¹⁷⁴ Without an increase in existing MPPD staffing, the ratio of 1.29 officers per 1,000 people would decrease slightly with implementation of the Proposed Project.¹⁷⁵ The added daytime and permanent residents would result in a slight decrease in the ratio of officers to residents.

¹⁷⁴ Includes employees who would both live and work in Menlo Park, plus their households.

¹⁷⁵ City of Menlo Park. 2017. *Staff Report: Agenda Item K-1 Police*. Available: <https://www.menlopark.org/DocumentCenter/View/13411/K1---4th-Police-Unit?bidId=>. Accessed: February 4, 2021.

Police surveillance in the Project area would continue, including routine patrols and responses to calls for assistance. The Proposed Project would not require the MPPD to expand its current service boundary to include the Project site because it is already within Beat 3. Furthermore, the MPPD has confirmed that no expansion of existing facilities or construction of additional facilities would be required to accommodate the increase in development with implementation of the ConnectMenlo General Plan.

Conclusion

The physical conditions, as they relate to police services, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. Based on current service levels and the service levels expected to occur under the Proposed Project, it is not expected that new police facilities would need to be constructed, resulting in *less-than-significant* impacts. No further study is needed.

Schools

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact PS-8 (pages 4.12-35 to 4.12-41) and determined to result in a less-than-significant impact. No mitigation measures were recommended.

Project-Specific Discussion

As previously stated, four elementary/middle school districts and one high school district serve Menlo Park. Las Lomas School District would not be affected by the indirect population increases associated with the Proposed Project and, therefore, is not considered in this analysis. The Proposed Project would consist of R&D uses; it would not construct residential units that would generate school-age students for the local school districts. However, as stated in Section XIV, *Population and Housing*, the Proposed Project would indirectly induce housing demand by increasing employment within Menlo Park. Specifically, it is estimated that up to six new Menlo Park households would be generated by the Proposed Project. Assuming the most conservative student generation rate for the school districts that serve Menlo Park (0.56 student per multi-family unit), the Proposed Project could generate approximately three new students. It is currently unknown which district would enroll these students; they would most likely be distributed throughout the districts. Therefore, the addition of Project-generated students would have a minimal effect; the districts would most likely be able to accommodate the students.

Residential and non-residential development, including the Proposed Project, is subject to Senate Bill 50 school impact fees (established by the Leroy F. Greene School Facilities Act of 1998). As a result of wide-ranging changes in the financing of school facilities, including the passage of state school facilities bonds, which are intended to provide a major source of financing for new school facilities, Section 65996 of the State Government Code states that the payment of the school impact fees established by Senate Bill 50, which may be required from a developer by any state or local agency, is deemed to constitute full and complete mitigation for school impacts from development. In addition, new residential development that may indirectly result from the

increase in employment and generate students would be subject to (i) separate CEQA review and (ii) residential school impact fees, which would be higher than non-residential school impact fees.

Conclusion

The physical conditions, as they relate to schools, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. Because the Proposed Project (i) would be required to pay school impact fees to school districts serving the Project site and (ii) would not generate a substantial number of new students or trigger the need for new school facilities, impacts related to schools would be **less than significant**. No further study is needed.

Parks

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impacts PS-5 and PS-6 (pages 4.12-23 to 4.12-26) and determined to result in a less-than-significant impact. The document noted that future development would be required to comply with existing regulations to minimize impacts related to park and recreational services and facilities. No mitigation measures were recommended.

Project-Specific Discussion

The Proposed Project would generate approximately 185 net new employees at the Project site. These employees could use nearby parks as well as other parks and open space resources throughout Menlo Park. In addition, the new employees would be encouraged to use the proposed onsite facilities.

Development would add approximately 19,399 sf of public open space along the street frontage and approximately 6,600 sf of private open space on the rooftop deck. In total, open space would make up 21.8 percent of the Project site. The private open space that would be developed as part of the Proposed Project would be within a 6,600 sf useable roof deck with open areas, landscaping, and seating areas. The 19,399 sf of public open space along the street frontage would be landscaped with berms, trees, bioretention areas, and California-native vegetation.

Given the availability of City and regional parks, plus the proposed onsite private and public open space, employee growth related to development under the Proposed Project is not anticipated to increase the use of parks and recreational resources such that substantial physical deterioration would occur. Refer to Section XVI, *Recreation*, for additional analysis.

Conclusion

The physical conditions, as they relate to parks, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. As such, the impact of the Proposed Project on existing park and recreational resources would be **less than significant**. Please refer to Section XVI, *Recreation*, for additional analysis of impacts on parks. No further study is needed.

Libraries

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact PS-10 (pages 4.12-44 to 4.12-46) and determined to result in a less-than-significant impact. The EIR stated that future development would be required to comply with existing regulations to minimize impacts related to library services. No mitigation measures were recommended.

Project-Specific Discussion

As discussed above, the City's libraries offer a range of resources for the community. The Proposed Project is expected to increase the population in Menlo Park by adding up to 17 new residents. In addition, potential employees who live in San Mateo County could use the library. Given that the library currently serves approximately 23,600 registered borrowers, the increase in the potential number of patrons is minimal. It is expected that existing libraries in Menlo Park would be able to accommodate the increase in the number of residents in the area due to the Proposed Project.

Conclusion

The physical conditions, as they relate to libraries, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. The Proposed Project is not expected to trigger the need for new or expanded library facilities. Therefore, impacts would be *less than significant*. No further study is needed.

XVI. Recreation	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Would the project:					
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of a facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

The Menlo Park Library and Community Services Department is responsible for providing recreational and cultural programs for the residents of Menlo Park. Its facilities include 13 parks, three community centers, two public pools, three child care centers, two gymnasiums, and one gymnastics center. Included in the park and recreational areas are tennis courts, baseball and softball diamonds, picnic areas, dog parks, playgrounds, swimming pools, gymnastics centers, a skate park, a shared-use performing arts center, soccer fields, and open space.¹⁷⁶ An adopted City General Plan policy (Policy OSC-2.4) calls for a ratio of 5 acres of developed parkland per 1,000 residents. Currently, Menlo Park has an estimated population of approximately 34,138.¹⁷⁷ The City provides 221 acres of parkland for its residents, a ratio of 6.47 acres¹⁷⁸ of parkland per 1,000 residents.¹⁷⁹ Therefore, the City currently exceeds its goals.

General Plan Goals and Policies

The City’s General Plan (specifically the Land Use Element, Open Space/Conservation Element, Noise Element, and Safety Element) contains general goals, policies, and programs that require local planning and development decisions to consider impacts on recreational resources. The following City General Plan goals, policies, and programs would serve to minimize potential adverse impacts on recreational resources: Goal LU-4, Policy LU-4.5; Goal LU-6, Policy LU-6.2; and Goal OSC-2, Policy OSC-2.1, Policy OSC-2.4, and Policy OSC-2.6.

¹⁷⁶ City of Menlo Park Library and Community Services Department. 2021. *Library and Community Services Department*. Available: <https://www.menlopark.org/212/Community-Services>. Accessed: February 3, 2021.

¹⁷⁷ U.S. Census Bureau. 2021. *American Fact Finder, American Community Survey Demographic and Housing Estimates (2014–2019 American Community Survey 5-year Estimates, ID DP05)*. Available: <https://data.census.gov/cedsci/table?q=DP05&g=1600000US0646870&tid=ACSDP5Y2019.DP05&hidePreview=true>. Accessed: February 3, 2021.

¹⁷⁸ Note that this is slightly different from the ratio included in the ConnectMenlo EIR because of the increase in Menlo Park’s population since release of the ConnectMenlo EIR.

¹⁷⁹ A total of 221 acres divided by 34,138 (existing population as of 2019) = 6.47 acres per 1,000 residents.

Environmental Checklist and Discussion

- a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of a facility would occur or be accelerated? (Less than Significant)**

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact PS-6 (pages 4.12-24 to 4.12-26) and determined to result in a less-than-significant impact with respect to physical deterioration of park facilities. The document noted that future development would be required to comply with existing regulations to minimize impacts related to park and recreational services and facilities. No mitigation measures were recommended.

Project-Specific Discussion

The Proposed Project would generate approximately 185 net new employees at the Project site. These employees could use nearby parks as well as other parks and open space resources throughout Menlo Park. In addition, the new employees would be encouraged to use the proposed onsite facilities. Development would add approximately 19,399 sf of public open space along the street frontage and approximately 6,600 sf of private open space at the rooftop deck. In total, open space would compose 21.8 percent of the Project site. The private open space proposed as part of the Proposed Project would be within a 6,600 sf useable roof deck with open areas, landscaping, and seating areas. The 19,399 sf of public open space along the street frontage would be landscaped with berms, trees, bioretention areas, and California-native vegetation.

Because the Proposed Project would generate approximately net 185 new employees, up to 17 new residents could be induced to move to Menlo Park. However, new residents could use parks and open space resources throughout Menlo Park. As explained above, the Library and Community Services Department currently exceeds its goal of 5 acres of parkland per 1,000 residents. The approximately 17 new residents in Menlo Park would not substantially change the existing ratio, and the City would still exceed its goal. Given the availability of City-maintained parks, population growth is not anticipated to increase the use of recreational resources to a degree that would result in substantial physical deterioration.

Conclusion

The physical conditions, as they relate to neighborhood and regional parks, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. An increase in the number of employees and the residential population would not exacerbate existing capacity issues because any increased use of recreational facilities would be spread out among several parks and recreational facilities in the area, including the amenities proposed as part of the Proposed Project. The Proposed Project would not trigger a need for the construction or expansion of parks or other recreational facilities. Therefore, the impact of the Proposed Project on existing park and recreational resources would be **less than significant**. No further study is needed.

- b. Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment? (Less than Significant)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact PS-6 (pages 4.12-23 to 4.12-24) and determined to result in a less-than-significant impact. No mitigation measures were recommended.

Project-Specific Discussion

The Proposed Project would not include new or expanded Library and Community Services Department park facilities. However, as discussed above, the Proposed Project would include private and public open spaces on the Project site. Although the addition of onsite open space alone would most likely not result in a significant impact, the addition of onsite open space has been analyzed throughout this document in context with the rest of the Proposed Project.

Conclusion

The physical conditions, as they relate to park and recreational facilities, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. Construction of private and public open space within the Project site would not have an adverse physical effect on the environment and therefore would result in ***less-than-significant*** impacts. No further study is needed.

XVII. Transportation	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Would the project:					
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

As discussed in more detail below, this topic will be analyzed further in the EIR. Therefore, the setting is not discussed in this document but will be provided instead in the EIR.

General Plan Goals and Policies

Goals and policies related to transportation and traffic will be discussed in the EIR.

Environmental Checklist and Discussion

a. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities? (Topic to Be Analyzed in the EIR)

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact TRANS-1 (pages 4.13-56 to 4.13-74). Development under ConnectMenlo was determined to result in significant and unavoidable impacts on roadway segments and study intersections, even with implementation of Mitigation Measures TRANS-1a (pages 4.13-62 and 4.13-63) and TRANS-1b (pages 4.13-70 to 4.13-72) from the ConnectMenlo EIR. However, adding travel lanes (as recommended in Mitigation Measure TRANS-1a) could require an additional right-of-way that is not under the jurisdiction of the City. In addition, although implementation of Mitigation Measure TRANS-1b would secure a funding mechanism for future roadway and infrastructure improvements, the City cannot guarantee improvements at any roadway segment or intersection. In addition, this topic was analyzed in the ConnectMenlo EIR as Impact TRANS-6 (pages 3.13-81 to 3.13-89); it was determined that impacts would be significant and unavoidable, even with implementation of Mitigation Measures TRANS-6a through TRANS-6c. Implementation of these mitigation measures cannot be guaranteed.

Project-Specific Discussion

Although the Proposed Project is within the development projections envisioned in the ConnectMenlo EIR, this topic requires further environmental review in the EIR. The transportation mitigation measures for the ConnectMenlo EIR anticipated that any project proposed prior to adoption of a Transportation Master Plan and updated Transportation Impact Fee, including the Proposed Project, would need to conduct a project-specific Transportation Impact Assessment (TIA) to determine the impacts and necessary transportation mitigation to be funded by that project. The requirement to conduct a project-specific TIA was also part of the settlement agreement in the 2017 *City of East Palo Alto v. City of Menlo Park* case. Pursuant to Public Resources Code Section 21099, traffic level of service is no longer an environmental impact within the meaning of CEQA. Therefore, the EIR will use VMT as the threshold of significance. A Traffic Impact Analysis will be prepared, per the settlement agreement with East Palo Alto, outside the CEQA process for informational purposes. Intersection-level analysis of the following eight intersections will be evaluated for compliance with the TIA guidelines:

1. Willow Road (SR 114) and O'Brien Drive (Menlo Park)
2. Willow Road and Newbridge Street (Menlo Park)
3. Willow Road and US 101 northbound off-ramp (Menlo Park)
4. Willow Road and US 101 southbound off-ramp (Menlo Park)
5. O'Brien Drive and Kavanaugh Drive (unsignalized) (Menlo Park)
6. University Avenue and Bayfront Expressway (Menlo Park)
7. University Avenue (SR 109) and O'Brien Drive (East Palo Alto)
8. University Avenue (SR 109) and Kavanaugh Drive (East Palo Alto)

Conclusion

An analysis of the Proposed Project's consistency with relevant adopted policies, plans, and programs will be presented in the EIR. This topic requires ***further environmental review*** in the EIR.

- b. Conflict or be inconsistent with CEQA Guidelines section 15064.3(b)? (Topic to Be Analyzed in the EIR)***

Analysis in the ConnectMenlo EIR

VMT was analyzed in the ConnectMenlo EIR as TRANS-1b (pages 4.13-70 to 4.13-72). It was determined that ConnectMenlo would not exceed the existing VMT threshold of significance, resulting in less-than-significant impacts with respect to VMT.

Conclusion

The transportation mitigation measures for the ConnectMenlo EIR anticipated that any project proposed prior to adoption of a Transportation Master Plan and updated Transportation Impact Fee, including the Proposed Project, would need to conduct a project-specific TIA to determine the impacts and the necessary transportation mitigation to be funded by that project. The requirement to conduct a project-specific TIA was also part of the settlement agreement in the 2017 *City of East Palo Alto v. City of Menlo Park* case. The TIA will analyze the Proposed Project's effect on VMT and

level of service, per the City's TIA guidelines and in compliance with the settlement agreement. VMT will be reported as the CEQA threshold of significance, and level of service will be provided for consistency with City policies as a non-CEQA analysis. Therefore, this topic requires **further environmental review** in the EIR.

- c. ***Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Topic to Be Analyzed in the EIR)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact TRANS-4 (page 4.13-77 to 4.13-79) and determined to have less-than-significant impacts because the zoning update includes design standards that require street improvements, and projects are required to be designed in accordance with these City standards. No mitigation measures were recommended.

Project-Specific Discussion

Although the Proposed Project would add vehicles at nearby intersections, the Proposed Project would not result in physical changes to the study intersections. Therefore, because design features at the intersections would not be altered as a result of the Proposed Project, collision rates are not expected to increase, and no additional hazards would occur.

The Project site would be accessible from two driveways on O'Brien Drive and one driveway on Casey Court, with the main access point on O'Brien Drive in the southwest corner of the Project site and the secondary access point on O'Brien Drive in the northeast corner of the Project site. In addition, a curb cut would be included at the front of the proposed building on O'Brien Drive, allowing drivers in vehicles, including shuttles, to drop off and pick up passengers.

Conclusion

The requirement to conduct a project-specific TIA was part of the settlement agreement in the 2017 *City of East Palo Alto v. City of Menlo Park* case. Therefore, this topic requires **further environmental review** in the EIR.

- d. ***Result in inadequate emergency access? (Topic to Be Analyzed in the EIR)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact TRANS-5 (page 4.13-79 to 4.13-81) and determined to have less-than-significant impacts because the City would implement General Plan programs that would require continued coordination between the MPPD and MPFPD. In addition, proposed zoning would help to minimize traffic congestion. No mitigation measures were recommended.

Project-Specific Discussion

The Proposed Project would not include any characteristics (e.g., permanent road closures or roadway modifications) that would physically impair or otherwise interfere with emergency response or evacuation in the Project vicinity. Emergency access to the Project site would be provided from the parking lot entrance in the southwest portion of the Project site (off Casey Court).

Emergency vehicles would travel north through the Project site, turn east at the parking lot, then exit at the primary service driveway in the northeast corner of the Project site. In addition, emergency vehicles would have access to the curb cut at the front of the proposed building as well as a staging area on the south side of the proposed building along O'Brien Drive.

Conclusion

The requirement to conduct a project-specific TIA was part of the settlement agreement in the 2017 *City of East Palo Alto v. City of Menlo Park* case. Therefore, this topic requires **further environmental review** in the EIR.

XVIII. Tribal Cultural Resources	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
<p>Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe and that is:</p>					
<p>a) Listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources, as defined in Public Resources Code Section 5020.1(k)?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>b) 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 Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

As discussed in Section V, *Cultural Resources*, no previously recorded archaeological resources were identified within the Project site; however, one previously recorded archaeological resource was identified within 0.25 mile of the Project site. In addition, six studies have been conducted within 0.25 mile of the Project site, five evaluations and/or testing projects that focused on specific cultural resource sites and one archaeological reconnaissance project. The presence of resource P-41-000160 (CA-SMA-160) indicates that the area may have potential sensitivity for subsurface archaeological deposits. Refer to Section V, *Cultural Resources*, for further discussion of existing conditions.

Environmental Checklist and Discussion

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe and that is:

- a. Listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources, as defined in Public Resources Code Section 5020.1(k)? (Topic to Be Analyzed in the EIR)***

Analysis in the ConnectMenlo EIR

Tribal cultural resources, as defined by Public Resources Code Section 21074, were analyzed in the ConnectMenlo EIR as Impact CULT-1 (pages 4.4-12 to 4.9-15). Impacts were determined to be less than significant with implementation of Mitigation Measures CULT-2a, CULT-2b, and CULT-4 from the ConnectMenlo EIR.

Conclusion

The physical conditions, as they relate to tribal cultural resources, have not changed in the ConnectMenlo study area since preparation of the ConnectMenlo EIR. There has been no substantial change since the ConnectMenlo EIR, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR. However, based on archival research, the area was determined to be sensitive for Native American resources. The Amah Mutsun Tribal Band of Mission San Juan Bautista and the Indian Canyon Mutsun Band of Costanoan expressed concern during consultation, believing that the area may contain archaeological resources, and requested sensitivity training for construction workers as well as tribal and archaeological monitoring of ground-disturbing activities. Therefore, the Proposed Project's impact on tribal cultural resources requires ***further environmental review*** in the EIR.

- b. 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 Public Resources Code Section 5024.1? (Topic to Be Analyzed in the EIR)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact CULT-5 (page 4.4-21). Impacts were determined to be less than significant with implementation of Mitigation Measures CULT-2a, CULT-2b, and CULT-4.

Effects of the Project

As stated above, although no tribal cultural resources were identified within the Project site during consultation with California Native American tribes, the Amah Mutsun Tribal Band of Mission San Juan Bautista and the Indian Canyon Mutsun Band of Costanoan expressed concern, believing that the area may contain archaeological resources, and requested additional mitigation measures.

Conclusion

The physical conditions, as they relate to tribal cultural resources, have not changed in the ConnectMenlo study area since preparation of the ConnectMenlo EIR. However, the NAHC identified sensitive areas within or adjacent to the Project site. Based on archival research, the area was determined to be sensitive for Native American resources. Although such resources would not be affected by Project construction, the potential exists for as-yet undocumented resources that could be considered significant by California Native American tribes to be encountered. The Amah Mutsun Tribal Band of Mission San Juan Bautista and the Indian Canyon Mutsun Band of Costanoan expressed concern, believing that the area may contain archaeological resources, and requested additional mitigation measures. Therefore, the Proposed Project's impact on tribal cultural resources requires further environmental review in the EIR.

XIX. Utilities and Service Systems	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Would the project:					
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider that 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Water Supply

Menlo Park Municipal Water provides water to approximately 16,000 residents through 4,000 service connections within two service areas, the Upper Zone (providing water to the Sharon Heights area) and the Lower Zone (providing water to areas east of El Camino Real). All water provided is purchased from the San Francisco Public Utilities Commission (SFPUC) and piped from the Hetch Hetchy reservoir in Yosemite National Park to Menlo Park through the San Francisco Regional Water System. The City does not own or operate a water treatment plant (WTP). Water purchased from the SFPUC may be treated at one or more of the WTPs operated by SFPUC, which periodically makes improvements to its WTPs in order to increase system reliability and accommodate projected growth in its regional service areas. On average, 85 percent of the regional water system's water comes from the Tuolumne River watershed; 15 percent comes from local watersheds in the East Bay and Peninsula.¹⁸⁰

¹⁸⁰ Menlo Park Municipal Water. 2021. *Menlo Park Municipal Water*. Available: <https://www.menlopark.org/131/Menlo-Park-Municipal-Water>. Accessed: February 23, 2021.

In 2021, the City adopted its 2020 Urban Water Management Plan (UWMP), which was an update to the 2015 UWMP. The 2020 UWMP carries forward information from the 2016 UWMP that remains current and relevant while providing additional information as required by amendments to the UWMP Act (California Water Code 10610–10657). The 2020 UWMP concludes that, with water conservation measures implemented through its Water Shortage Consistency Plan (WSCP), the City would have water resources available to serve anticipated growth, which includes the growth anticipated in the ConnectMenlo EIR. The WSCP serves as a standalone document to be engaged in the case of a water shortage event, such as a drought or supply interruption, and defines specific policies and actions that can be implemented for various shortage-level scenarios (e.g., implementing customer water budgets and surcharges or restricting landscape irrigation to specific days and/or times). Consistent with DWR requirements, the WSCP includes six levels for addressing shortage conditions, ranging from a 10 percent to more than a 50 percent shortage.^{181,182}

Onsite water lines connect to Menlo Park Municipal Water facilities. An existing 10-inch water main runs along the O'Brien Drive frontage between the curb and property line.

Wastewater Collection and Treatment

The sanitary sewer system in this area of the city is owned and operated by the West Bay Sanitary District, which provides wastewater collection and conveyance services to Menlo Park, Atherton, and Portola Valley and areas of East Palo Alto, Woodside, and unincorporated San Mateo and Santa Clara Counties. The district conveys raw wastewater through the Menlo Park pump station and force main to the Silicon Valley Clean Water (SVCW) pump station in Redwood City for treatment and discharge to San Francisco Bay.¹⁸³ The Project site connects to an existing 18-inch sanitary sewer that runs under O'Brien Drive and ultimately discharges to the SVCW pump station.

As noted in the ConnectMenlo EIR, the SVCW wastewater treatment plant (WWTP) treats raw wastewater from the city and discharges it to a deep-water channel in the Bay. The SVCW WWTP has an average dry-weather flow capacity of 29 million gallons per day (mgd) and a peak wet-weather flow of 71 mgd. In general, conveyance systems and treatment plants are designed and constructed to accommodate future capacity expansion, including additional base flows due to approved growth plus estimated wet-weather flows.

Stormwater

The Project site, located within the Menlo Park Labs campus, consists of four single-story buildings (at 1105, 1135, and 1165 O'Brien Drive and 1 Casey Court) and surface parking. The Project site covers approximately 4.12 acres. Stormwater flows from the Project site to three different outlets. A very small

¹⁸¹ City of Menlo Park. 2021. *2020 Urban Water Management Plan for Menlo Park Municipal Water*. Available: <https://www.menlopark.org/DocumentCenter/View/28016/Draft-Urban-Water-Management-Plan>. Accessed: June 21, 2021.

¹⁸² As mentioned above, the City receives its water from SFPUC. In April 2021, SFPUC issued a draft UWMP for adoption in July 2021. SFPUC's draft UWMP identified several potential future water supply scenarios. Scenarios that involve full adoption of the Bay-Delta Plan indicate substantial long-term water deficits during multi-year droughts. Such deficits could result in cities not receiving their full annual water allocations from the SFPUC. However, the City's WSCP would be implemented should this scenario occur, along with further reductions, as needed. Compliance with City code and ordinance requirements, the 2020 UWMP, and the WSCP, as well as any additional water reductions, would apply across the City's water department to all customers.

¹⁸³ West Bay Sanitary District. 2021. *About Us*. Available: <https://westbaysanitary.org/about-us/>. Accessed: February 23, 2021.

portion of it drains into an open drainage ditch along the west property line. Some flows from the Project site drain to an existing valley gutter that extends into the adjacent site to the north, then ultimately outlets to O'Brien Drive. The remainder of the Project site drains into onsite catch basins and area drains that connect to a bubble-up structure within O'Brien Drive. Currently, the Project site is approximately 92.8 percent of the total surface area is impervious, consisting of buildings, parking lots, and driveway aisles; approximately 7.2 percent the total surface area is pervious, consisting of landscaping and other pervious surfaces.

Solid Waste

Recology Incorporated provides solid waste collection and conveyance service for Menlo Park. Collected recyclables, organics, and garbage are conveyed to the Shoreway Environmental Center (Shoreway) in San Carlos for processing and shipment. Shoreway is owned by RethinkWaste (former South Bayside Waste Management Authority), a joint powers authority that comprises 12 public agencies, including the City of Menlo Park. As of January 1, 2011, Shoreway has been operated by South Bay Recycling under a 10-year contract with RethinkWaste. The primary goal of RethinkWaste is to provide cost-effective waste reduction, recycling, and solid waste programs to member agencies through franchised services and the services of other recyclers to divert 50 percent (minimum) of the waste stream from landfills, as mandated by California state law (Assembly Bill [AB] 939).¹⁸⁴

Shoreway facilities consist of a transfer station, a materials recovery facility, a public recycling center, an environmental education center, Recology offices, and South Bay Recycling offices. Shoreway serves as a regional solid waste and recycling facility for the receipt, handling, and transfer of refuse, recyclables, and organic materials collected from the RethinkWaste service area (southern and central San Mateo County). Shoreway is separately permitted by the California State Integrated Waste Management Board to receive 3,000 tons per day of solid waste and recyclables.¹⁸⁵

In 2019 (the most recent year available), the RethinkWaste service area (San Mateo County) produced approximately 144,705 tons of commercial solid waste, 44,314 tons of multi-family waste, and 179,782 tons of residential waste.¹⁸⁶ Overall, the service area experienced a 50 percent diversion rate by recycling and composting waste materials. Menlo Park had a slightly higher diversion rate than the county average, with approximately 62 percent of waste diverted from the landfill.¹⁸⁷ In 2019, Menlo Park's per capita solid waste disposal rate for residents was 5.3 pounds per day (ppd); the target per capita disposal rate for residents is 7.5 ppd. Menlo Park's per capita solid waste disposal rate for employees in 2019 was 3.7 ppd; the California Department of Resources Recycling and Recovery (CalRecycle) target per capita disposal rate for employees is 9.2 ppd.¹⁸⁸

¹⁸⁴ RethinkWaste. 2021. *About Us—Mission, Vision, Core Values and Strategic Priorities*. Available: <https://rethinkwaste.org/about/rethinkwaste/mission-vision-core-values-strategic-priorities/>. Accessed: February 3, 2021.

¹⁸⁵ RethinkWaste. 2021. *About Shoreway*. Available: <http://www.rethinkwaste.org/shoreway-facility>. Accessed: February 3, 2021.

¹⁸⁶ RethinkWaste. 2020. *2019 Annual Report*. Available: <https://rethinkwaste.org/wp-content/uploads/2020/04/2019-annual-report.pdf>. Accessed: February 3, 2021.

¹⁸⁷ Recology San Mateo County. 2020. *Annual Report to the SBWMA for Year 2019*. Available: <https://rethinkwaste.org/wp-content/uploads/2020/02/recology-annual-report-2019.pdf>. Accessed: February 3, 2021.

¹⁸⁸ CalRecycle. 2020. *Jurisdiction Diversion/Disposal Rate Detail*. Menlo Park. Available: <https://www2.calrecycle.ca.gov/LGCentral/DiversionProgram/JurisdictionDiversionPost2006>. Accessed: February 3, 2021.

Materials not composted or recycled at Shoreway are sent to several different landfills in the area, with most going to the Ox Mountain Landfill (also known as Corinda Los Trancos Landfill) near Half Moon Bay. This landfill is expected to remain operational until 2034 and has a permitted throughput capacity of 3,598 tons per day.¹⁸⁹ In 2019, approximately 23,770 tons of waste from Menlo Park was going to the Ox Mountain Landfill.¹⁹⁰

Natural Gas

PG&E's natural gas (methane) pipe delivery system includes 42,000 miles of distribution pipelines and 6,700 miles of transmission pipelines. Gas delivered by PG&E originates in gas fields in California, the Southwest, the Rocky Mountains, and Canada. Transportation pipelines send natural gas from fields and storage facilities in large pipes under high pressure. Smaller distribution pipelines deliver gas to individual businesses and residences. PG&E's gas transmission pipeline systems serve approximately 15 million energy customers in California. The system is operated under an inspection and monitoring program in real time on a 24-hour basis, with leak inspections, surveys, and patrols taking place along the pipelines.¹⁹¹ The PG&E gas transmission pipeline nearest the Project site runs in a north-south direction, primarily along Sevier Avenue, west of the Project site, from US 101 to the inactive Dumbarton Rail Corridor.¹⁹² Distribution gas pipelines are located throughout the Bayfront Area.

Telecommunications

There are numerous telecommunications providers in Menlo Park that offer DSL, wireless, cable, fiber, and copper services, including AT&T, XFINITY from Comcast, MegaPath, Etheric Networks, and CenturyLink Business, to residents and businesses in the city. The Project site receives services from AT&T, EarthLink, and XFINITY.¹⁹³ Telecommunications facilities include underground conduits and overhead cables throughout the vicinity of the Project site.

General Plan Goals and Policies

The City General Plan (specifically the Land Use Element, Open Space/Conservation Element, Noise Element, and Safety Element) contains general goals, policies, and programs that require local planning and development decisions to consider impacts on utilities. The following City General Plan goals, policies, and programs would serve to minimize potential adverse impacts on public stormwater and solid waste: Goal LU-4, Policy LU-4.5; Goal LU-6, Policy LU-6.11; Goal LU-7, Policy LU-7.1 and Policy LU-7.5; Goal OSC-4, Policy OSC-4.2, Policy OSC-4.6, Policy OSC-4.7, and Policy OSC-4.8; and Goal S-1, Policy S-1.26 and Policy S-1.27. Goals and policies related to water and wastewater will be discussed in the EIR.

¹⁸⁹ CalRecycle. 2019. *SWIS Facility Detail: Corinda Los Trancos Landfill (Ox Mountain) (41-AA-0002)*. Available: <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1561?siteID=3223>. Accessed: February 3, 2021.

¹⁹⁰ CalRecycle. 2019. *Jurisdiction Disposal by Facility: Disposal during 2019 for Menlo Park*. Available: <https://www2.calrecycle.ca.gov/LGCentral/DisposalReporting/Origin/FacilitySummary>. Accessed: February 3, 2021.

¹⁹¹ Pacific Gas & Electric. n.d. *Learn about the PG&E Natural Gas System*. Available: https://www.pge.com/en_US/safety/how-the-system-works/natural-gas-system-overview/natural-gas-system-overview.page. Accessed: February 3, 2021.

¹⁹² Pacific Gas & Electric. 2021. *Learn Where Natural Gas Pipelines Are Located*. Available: https://www.pge.com/en_US/safety/how-the-system-works/natural-gas-system-overview/gas-transmission-pipeline/gas-transmission-pipelines.page. Accessed: February 3, 2021.

¹⁹³ BroadbandNow. n.d. *Internet Providers in Menlo Park, California*. Available: <https://broadbandnow.com/California/Menlo-Park#show=business>. Accessed: February 3, 2021.

Environmental Checklist and Discussion

- a. Require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects? (Less than Significant)*

Analysis in the ConnectMenlo EIR

These topics were analyzed in the ConnectMenlo EIR under Impacts UTIL-2 (pages 4.14-28 and 4.14-29), UTIL-4 (pages 4.14-36 to 4.14-38), UTIL-5 (pages 4.14-38 to 4.14-41), UTIL-11 (pages 4.14-64 to 4.14-66), and UTIL-13 (pages 4.14-76 to 4.18-81) and determined to result in a less-than-significant impact. It is expected that the City will implement General Plan programs that require expansion of Menlo Park Municipal Water's conservation programs and future development to employ green building best practices. No mitigation measures were recommended. The ConnectMenlo EIR does not discuss impacts on telecommunication facilities.

Project-Specific Discussion

Water. As explained above, an existing 10-inch water main runs along the O'Brien Drive frontage between the curb and property line. The City's 2018 Water System Master Plan identified a deficiency in the volume of the existing water main and found that a 12-inch water main would be required to serve the west side of the O'Brien Drive life sciences service area. The City is in the process of developing a plan for upsizing the existing water main with property owners/project sponsors in the vicinity of the Project site. The water main would be required to be upsized prior to occupancy of any new buildings within the life sciences service area, and the Project Sponsor's participation would be ensured through Project conditions of approval.

During construction of the Proposed Project, multiple service connections to the existing buildings would be removed. Separate connections would be provided for fire service and for domestic water. Although, there would be an increase in the total landscaped area, water use would not increase substantially because the Proposed Project would include water-conserving plant material and irrigation systems, in compliance with the Water-Efficient Landscape Ordinance. The installation of new or expanded water lines on or adjacent to the Project site would require excavation, trenching, soil movement, and other activities that are typical during construction of development projects. These construction impacts are discussed in detail in the appropriate topical sections of this Initial Study as part of the assessment of overall Project impacts.

The Proposed Project would be consistent with the type and intensity of development and population projections assumed for the Project site in the ConnectMenlo EIR. The net increase in the number of employees (i.e., 185) would not result in water use beyond the capacity of the existing water supply. Therefore, the Proposed Project would not result in a need for expanded treatment facilities or regional water system conveyance and storage facilities. In addition, the Project Sponsor would be required to coordinate with the City and Menlo Park Municipal Water to assess water flow requirements and ensure that the water delivery infrastructure, both existing and proposed, would be adequate for the Proposed Project.

Wastewater. The ConnectMenlo EIR determined that the increase in wastewater flows from implementation of ConnectMenlo would add to the capacity demands on the WWTP and its conveyance system. However, the effect would not be substantial and would be integrated into ongoing planning and budgeting processes to improve capacity, the conveyance system, and treatment processes. As noted above, the Proposed Project would be consistent with the type and

intensity of development and population projections assumed for the Project site in ConnectMenlo. In addition, the net increase in the number of employees (i.e., 185) would not result in wastewater generation that would be beyond the capacity of the existing wastewater system. Therefore, the Proposed Project would not trigger a need to expand the SVCW WWTP.

An existing 18-inch sanitary sewer currently runs under O'Brien Drive. A proposed 6-inch sanitary sewer line on the north side of the proposed building and would connect to this 18-inch sanitary sewer. A typical WBSD control manhole with a flow meter in it for recording flows would also be installed, providing an access point for sampling wastewater just before the connection point. Wastewater from the Project site would ultimately be discharged to the SVCW pump station in Redwood City. Installation of new or expanded sewer lines near the Project site would require excavation, trenching, soil movement, and other activities that are typical during construction of development projects. The construction impacts are discussed in detail in the appropriate topical sections of this Initial Study as part of the assessment of overall Project impacts.

After an increase in size, the pipelines would have the capacity needed to support the Proposed Project's wastewater flows. In addition, the Project Sponsor would be required to coordinate with the City and the West Bay Sanitary District to assess wastewater flow requirements and ensure that the existing wastewater infrastructure would be adequate for the Proposed Project.

Stormwater. Operation of the Proposed Project would result in the construction of new stormwater facilities or expansion of existing facilities but would not cause significant environmental effects. Specifically, the bubble-up structure and valley gutter would be removed and a new 18-inch storm drain would be installed. Runoff would be collected and treated onsite before being released into a proposed 18-inch storm drain, extending from approximately 115 feet south of Casey Court to the Project site's storm drain outlet pipe. Hardscape would comprise concrete paving, decomposed granite paving, and concrete pavers. The landscaped area could include five areas with flow-through planters, bioretention areas, self-retaining areas, and self-treating areas positioned around the proposed building. The bioretention area would treat runoff from impervious areas, while flow-through planters, landscape planters, and self-treating pervious areas would treat rain that falls directly in those areas, retaining and infiltrating rainfall up to the design rainfall depth.

Implementation of the Proposed Project would add approximately 14,207 sf of net new pervious surfaces to the Project site (Parcel 1 and Parcel 2), for a total of approximately 27,284 sf of newly created or replaced pervious area. The Proposed Project would replace approximately 152,089 sf of impervious surfaces. As a result, the Project site would be approximately 84.8 percent impervious and 15.2 percent pervious, thereby increasing the total pervious surface area compared with existing conditions.

Because the Proposed Project would replace more than 10,000 sf of impervious surfaces, the Proposed Project would be regulated by provision C.3 of the Municipal Regional Permit. To meet San Mateo Countywide Water Pollution Prevention Program C.3 stormwater requirements, the Proposed Project would be required to treat runoff from all impervious areas. The Project site would be drained by a combination of existing and new onsite storm drain system facilities. However, the Proposed Project would reduce the amount of impervious surfaces, thereby directing less stormwater to these new onsite facilities. The system would ultimately convey runoff to flow-through planters, bioretention areas, self-retaining areas, and self-treating areas for stormwater treatment, capturing and treating runoff from the replaced or newly created impervious areas. The new development would have a larger landscaped area, which would result in a net decrease in the

amount of runoff leaving the site. The Project Sponsor would be required to develop and implement a final Stormwater Management Plan, with the goal of reducing the discharge of pollutants to the maximum extent practicable.

Runoff from the Project site would be collected and treated before being released into a proposed 18-inch storm drain, extending from approximately 115 feet south of Casey Court to the Project site's storm drain outlet pipe. The new development would have a larger pervious area than existing conditions, which would result in a net decrease in the amount of runoff leaving the site. Regardless, to help with stormwater flows, offsite improvements would consist of a new gutter catch basin near the northeast corner of the Project site and an 18-inch pipe that would drain north and connect to the existing catch basin and system just north of the intersection with Kavanaugh Drive.

Natural Gas and Electricity. During operation, the Proposed Project would meet 100 percent of its energy demand (electricity and gas), consistent with the requirements of City Municipal Code Section 16.44.130, through a combination of the purchase of 100 percent renewable electricity from Peninsula Clean Energy and implementation of reach-code-mandated onsite renewable energy systems. As needed, PG&E would provide gas and electrical power for the proposed facilities. Existing electricity and gas lines in the vicinity of the Project site would continue to serve the Proposed Project and may be upgraded, if necessary.

Annual natural gas usage, as allowed by City reach codes, would be required to be offset, per the City Zoning Ordinance.¹⁹⁴ The Project Sponsor would request an appeal (Ordinance No. 1057) for gas space heating because of the building's scientific laboratory uses.

The installation of new or expanded gas lines on the Project site would require excavation, trenching, soil movement, and other activities that are typical during construction of development projects. However, these construction impacts are discussed in detail in the appropriate topical sections of this Initial Study as part of the assessment of overall Proposed Project impacts. In addition, although construction related to the new or relocated gas and electric lines could result in short-term environmental effects (e.g., noise, dust, traffic, temporary service interruption), the work would comply with City and PG&E regulations as well as standard conditions for new construction related to infrastructure improvements. For example, these regulations and conditions would require new gas line construction, or the expansion of existing lines, to include best management practices (e.g., require construction areas to minimize dust generation, limit construction noise to daytime hours to limit impacts on sensitive receptors, use modern equipment to limit emissions). In addition, any such work would be subject to compliance with applicable regulations and standard conditions of approval for the Proposed Project, including City permits/review for construction (e.g., grading permits, private development review, encroachment permits). It is anticipated that no offsite natural gas facilities would need to be constructed or expanded as a result of the Proposed Project.

Telecommunications. Telecommunications lines may need to be extended or relocated as a result of the Proposed Project. The installation of new or expanded telecommunication lines on the Project site would require excavation, trenching, soil movement, and other activities that are typical during construction of development projects. These construction impacts are discussed in the appropriate

¹⁹⁴ In 2019, the City of Menlo Park adopted local amendments to the State Building Code that require electricity to be the only fuel source for new buildings (not natural gas). This ordinance (Menlo Park Municipal Code Section 12.16) applies only to newly constructed buildings (i.e., from the ground up) and does not include additions or remodels.

topical sections of this Initial Study as part of the assessment of overall Proposed Project impacts. However, no offsite telecommunications facilities would need to be constructed or expanded as a result of the Proposed Project.

Conclusion

The physical conditions, as they relate to water, wastewater treatment facilities, stormwater, natural gas, and telecommunications, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. The Proposed Project could require construction or expansion of water supply connections, wastewater connections, stormwater drainage facilities, natural gas lines, or telecommunication lines but would not lead to significant environmental impacts beyond the construction impacts discussed throughout this document. Impacts would be *less than significant*.

- b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years. (Less than Significant)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR under UTIL-1 (pages 4.14-24 to 4.14-27) and determined to result in a less-than-significant impact. The ConnectMenlo EIR determined that there would be an increase in water demand as a result of buildout of ConnectMenlo. Development would result in a demand for 343 million gallons per year (mgy), which represented 21 percent of the planning-level water demand forecast in the 2015 UWMP (the adopted UWMP at the time). The ConnectMenlo EIR concluded that the water supply would be adequate and able to meet increased demands in normal years as well as the additional demand generated by the increase in development associated with implementation of ConnectMenlo. Future development under ConnectMenlo would be required to comply with existing regulations, including City General Plan policies and zoning requirements, to minimize impacts related to water supplies. No mitigation measures were recommended.

Project-Specific Discussion

By 2040, during single and multiple dry years, Menlo Park Municipal Water's total annual water demand, including development associated with ConnectMenlo, is estimated to exceed the total annual supply by approximately 422 mgy and 652 mgy, respectively.¹⁹⁵ Development under ConnectMenlo would result in a daily demand of 343 mgy, which represents 23 percent of the planning-level water demand forecast in the 2020 UWMP. However, with the WSCP in place, the shortages in multiple dry years would be managed through demand reductions of up to 50 percent. In addition, although not required for the Proposed Project, Menlo Park Municipal Water is currently evaluating the feasibility of several other water supply projects, such as additional emergency water supply wells, that would help to supplement the water supply during dry years.

¹⁹⁵ City of Menlo Park. 2021. *2020 Urban Water Management Plan for Menlo Park Municipal Water*. Available: <https://www.menlopark.org/DocumentCenter/View/28016/Draft-Urban-Water-Management-Plan>. Accessed: June 21, 2021.

Furthermore, as part of a zoning update, ConnectMenlo includes green and sustainable building standards for the Bayfront Area. These standards require all new buildings within the Bayfront Area to be maintained without the use of well water and include dual plumbing systems for the use of recycled water. Under the zoning update, no potable water shall be used for decorative features, unless the water is recycled. Single-pass cooling systems are prohibited. Also, future development with a gross floor area of 100,000 sf or more must submit a proposed water budget for review by the City's Public Works Director prior to certification of occupancy. Because the Proposed Project would result in more than 100,000 sf of development, the Project Sponsor would be required to submit a water budget. Compliance with the water budget allocations would be ensured through annual monitoring by the City.

The Proposed Project would adhere to the zoning update and City requirements related to water use. The Proposed Project, which would result in a net increase in the number of employees (i.e., 185), would be consistent with the type and intensity of development and population projections assumed for the Project site in ConnectMenlo. As described above, although there would be an increase in the total landscaped area, water use would not increase substantially because the Proposed Project would include water-conserving plant material and irrigation systems, in compliance with the Water-Efficient Landscape Ordinance. In addition, piping for recycled water would be provided in the proposed building for urinals and toilets; irrigation piping would connect to the future Bayfront Recycled Water Treatment Facility. Therefore, there would be adequate water supplies available to serve the Proposed Project and reasonably foreseeable future development during normal, single, and multiple dry years.

Conclusion

The physical conditions, as they relate to water supplies, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. The ConnectMenlo EIR determined that implementation of Menlo Park Municipal Water's Water Shortage Contingency Plan as well as green and sustainable building standards would ensure that this impact would be *less than significant*.

- c. Result in a determination by the wastewater treatment provider that 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)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR (pages 4.14-43 to 4.14-45) and determined to result in a less-than-significant impact. Future development is expected to tie into existing collection facilities. The installation of extension lines would comply with applicable sewer permits, which require projects to reduce impacts on service capacity. In addition, projects would be required to comply with existing regulations that promote water conservation and minimize impacts related to wastewater generation. No mitigation measures were recommended.

Project-Specific Discussion

As noted above, the SVCW WWTP has an average dry-weather flow capacity of 29 mgd and a peak wet-weather flow of 71 mgd. The SVCW WWTP currently has an average dry-weather flow of 16 mgd. The ConnectMenlo EIR determined that full buildout of ConnectMenlo would result in a net increase in the wastewater generation rate, estimated to total 309 mgd, or 0.85 mgd, which would not be significant relative to the currently available 13 mgd in excess dry-weather flow capacity.

The Proposed Project would be consistent with the type and intensity of development as well as the population projections assumed for the Project site in ConnectMenlo. Therefore, there would be adequate wastewater treatment capacity available to serve the Proposed Project's projected demand in addition to the provider's existing commitments.

Conclusion

The physical conditions, as they relate to wastewater treatment facilities, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. Impacts would be *less than significant*.

- d. ***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)***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR under Impact UTIL-8 (pages 4.14-52 to 4.14-55) and determined to result in a less-than-significant impact. Future development would be required to comply with existing regulations to minimize impacts related to solid waste disposal and attain solid waste reduction goals. No mitigation measures were recommended.

Project-Specific Discussion

The California Integrated Waste Management Act of 1989 (AB 939) requires municipalities to adopt an integrated waste management plan to establish objectives, policies, and programs related to waste disposal, management, source reduction, and recycling. In addition, Senate Bill 1383, passed in 2016, established a target that calls for a 50 percent reduction in organic waste by 2020 and 75 percent by 2025. The City of San Mateo and the City of Menlo Park have been working to meet these standards. As noted above, in 2019, San Mateo County experienced a 50 percent diversion rate by recycling and composting waste materials. Menlo Park had a slightly higher diversion rate than the county average, with approximately 62 percent of waste diverted from the landfill.¹⁹⁶

Construction of the Proposed Project would generate waste but would remain within state and local standards. The proposed excavation would result in the export of approximately 4,000 cy of excavated material, 11,000 cy of demolition waste, and 4,000 cy of construction waste to offsite

¹⁹⁶ Recology San Mateo County. 2020. *Annual Report to the SBWMA for Year 2019*. Available: <https://rethinkwaste.org/wp-content/uploads/2020/02/recology-annual-report-2019.pdf>. Accessed: February 3, 2021.

locations. All soil and debris, including contaminated soil, would be off-hauled to the Dumbarton Quarry or a similar appropriate facility. The Proposed Project would be required to comply with the City's Construction and Demolition Recycling Ordinance, which requires salvaging or recycling of at least 60 percent of construction-related solid waste. Therefore, construction of the Proposed Project is not expected to have an impact on existing landfills.

Operation of the Proposed Project would result in the generation of solid waste beyond existing conditions but would continue to meet state and local standards for solid waste and recycling. The Proposed Project would generate approximately 185 net new employees at the Project site; it would also generate waste. Waste generated at the Project site would be collected by Recology San Mateo and hauled to Shoreway. Shoreway is permitted to receive 3,000 tons of refuse per day. Once collected and sorted at Shoreway, solid waste is transported to Ox Mountain, which is permitted to receive 3,598 tons per day. Solid waste generated by operation of the Proposed Project would represent a small percentage of the permitted capacity of Shoreway and Ox Mountain. As such, Shoreway and Ox Mountain would have adequate capacity for the Proposed Project. The Proposed Project would also be required to develop and implement a Zero-Waste Management Plan in accordance with City standards, which would further reduce waste generated from operations at the site.

Conclusion

The physical conditions, as they relate to landfills, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. The Proposed Project would be served by a landfill with sufficient permitted capacity to accommodate its solid waste disposal needs. In addition, the Proposed Project is within the growth projections of the ConnectMenlo EIR and, as such, would not result in impacts that were not already evaluated. The Proposed Project would not 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. Impacts would be *less than significant*, and no further study is needed.

- e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (Less than Significant)*

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR under Impact UTIL-9 (pages 4.14-55 and 4.14-56) and determined to result in a less-than-significant impact. No mitigation measures were recommended.

Project-Specific Discussion

Construction and operation of the Proposed Project would comply with all applicable statutes and regulations related to solid waste. State law (AB 341 and AB 939) requires businesses to recycle and cities to divert 50 percent of their solid waste from landfills. The Proposed Project would adhere to these laws. In addition, the Proposed Project would be required to adhere to the City's Construction and Demolition Recycling Ordinance and Zero-Waste Management Plan requirements.

Conclusion

The physical conditions, as they relate to solid waste statutes and regulations, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Proposed Project. Implementation of the Proposed Project would have a ***less-than-significant*** impact with regard to compliance with solid waste-related management and reduction statutes and regulations. No further study is needed.

XX. Mandatory Findings of Significance	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Environmental Checklist and Discussion

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? (Topic to Be Analyzed in the EIR)

Analysis in the ConnectMenlo EIR

This checklist item was analyzed throughout the ConnectMenlo EIR, which considered impacts associated with biological resources and cultural resources. Any impacts were mitigated in the ConnectMenlo EIR under the respective EIR topics. Therefore, mitigation was applied to the Proposed Project, as discussed in Sections IV and Section V of this document.

Conclusion

The physical conditions related to degradation of the physical environment have not changed substantially in the ConnectMenlo area since preparation of the ConnectMenlo EIR. The Proposed Project would not result in a substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects

than those originally analyzed in the ConnectMenlo EIR; therefore, the Proposed Project would be within the scope of the ConnectMenlo project covered by the ConnectMenlo EIR, and there would be no new specific effects as a result of the Proposed Project. However, the BRA prepared for the Proposed Project identified mitigation measures to reduce impacts on special-status species and nesting sites. In addition, because of the archaeological sensitivity of the area, mitigation measures were requested during tribal consultation, including preconstruction archaeological resources sensitivity training and archaeological and tribal construction monitoring. Therefore, impacts on biological and archaeological resources will require **further environmental review** in the EIR.

- b. Does the project have impacts that are individually limited but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) (Topic to Be Analyzed in EIR)**

Analysis in the ConnectMenlo EIR

This checklist item was analyzed throughout the ConnectMenlo EIR, which considered cumulative impacts. Any impacts were mitigated in the ConnectMenlo EIR under the respective EIR topics. Therefore, mitigation was applied to the Proposed Project, as needed.

Project-Specific Discussion

As described throughout this document, the Proposed Project would result in several potentially significant Project-level impacts. However, ConnectMenlo EIR mitigation measures have been identified that would reduce these impacts to less than significant. Furthermore, all development projects are guided by the goals and policies identified in the City General Plan and regulations in the City Municipal Code. Therefore, compliance with applicable land use and environmental regulations would ensure that environmental effects associated with the Proposed Project would not combine with the effects of reasonably foreseeable future development in Menlo Park and cause cumulatively significant impacts. However, the Proposed Project could result in cumulative impacts related to air quality, biological resources, cultural and tribal resources, greenhouse gases, noise, transportation, and population and housing. These topics will be analyzed in greater detail in the EIR, including cumulative analysis.

Conclusion

The Proposed Project would not result in a substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, the Proposed Project would be within the scope of the ConnectMenlo project covered by the ConnectMenlo EIR, and there would be no new specific effects as a result of the Proposed Project. However, cumulative conditions related to air quality, biological resources, cultural and tribal resources, greenhouse gases, noise, transportation, and population and housing will be subject to **further environmental review** in the EIR.

- c. ***Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? (Topic to Be Analyzed in EIR)***

Analysis in the ConnectMenlo EIR

This checklist item was analyzed throughout the ConnectMenlo EIR, which considered impacts associated with adverse effects on human beings. Any impacts were mitigated in the ConnectMenlo EIR under the respective EIR topics. Therefore, mitigation was applied to the Proposed Project, as discussed in Section I through Section XIX.

Project-Specific Discussion

As identified in this document, the Proposed Project would generally not directly or indirectly cause adverse effects on human beings with implementation of mitigation measures. Impacts that could affect the human environment, such as those related to aesthetics, agriculture, geology and soils, hazardous materials, hydrology, land use, minerals, public services, and recreation, would be less than significant. Regardless, impacts as a result of the Proposed Project related to air quality, biological resources, cultural and tribal resources, greenhouse gases, noise, and transportation could have a substantial adverse effect on human beings. In addition, although not expected to result in adverse impacts, population and housing will require further review.¹⁹⁷

Conclusion

The physical conditions related to degradation of the physical environment have not changed substantially in the ConnectMenlo area since preparation of the ConnectMenlo EIR. For most topics, the Proposed Project would not result in a substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, for most topics, the Proposed Project would be within the scope of the ConnectMenlo project covered by the ConnectMenlo EIR, and there would be no new specific effects as a result of the Proposed Project. However, ***further environmental review*** will be required in the EIR related to air quality, biological resources, cultural and tribal resources, greenhouse gases, noise, population and housing, and transportation.

¹⁹⁷ No impacts related to population and housing are anticipated, but this topic will be included in the EIR, consistent with the 2017 *City of East Palo Alto v. City of Menlo Park* settlement agreement.

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