Initial Study

1350 Adams Court Project

Prepared by:
ICF

Prepared for:
City of Menlo Park

December 2018

INITIAL STUDY

1350 ADAMS COURT PROJECT

PREPARED FOR:

City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

PREPARED BY:

ICF
201 Mission Street, Suite 1500
San Francisco, CA 94105

DECEMBER 2018

ICF. 2018. *1350 Adams Court Project, Initial Study.* December. (ICF 00089.18.) San Francisco, CA. Prepared for City of Menlo Park, Menlo Park, CA.

Contents

List of Tables

List of Figures

Acronyms and Abbreviations

AB	Assembly Bill
ABAG	Association of Bay Area Governments
ADA	Americans with Disabilities Act
AIA	Airport Influence Area
APN	assessor's parcel number
BAAQMD	Bay Area Air Quality Management District
BART	Bay Area Rapid Transit
Bay	San Francisco Bay
Bayfront Park	Bedwell Bayfront Park
BD+C	Building Design and Construction
BMPs	best management practices
BRA	Biological Resources Assessment
CAL FIRE	California Department of Forestry and Fire Protection
Campus	Menlo Park Labs Campus
CBIA	California Building Industry Association
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
cfs	cubic feet per second
CGS	California Geological Survey
CHRIS	California Historical Resources Information System
City	City of Menlo Park
CLUP	Comprehensive Land Use Plan
CMP	Congestion Management Program
CNDDB	California Natural Diversity Database
CNEL	community noise equivalent level
ConnectMenlo	General Plan and M-2 Area Zoning Update
Construction General Permit	General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities
CSD	City School District
cy	cubic yard
dB	decibel
dBA	A-weighted decibel
Department	Menlo Park Community Services Department

EIR	Environmental Impact Report
ESA	Environmental Site Assessment
EV	electric vehicle
FAR	floor area ratio
Farmland	Prime Farmland, Unique Farmland, or Farmland of Statewide Importance
FEMA	Federal Emergency Management Agency
FESA	federal Endangered Species Act
FIRM	Flood Insurance Rate Map
FTE	full time equivalent
g	gravity
General Plan	City of Menlo Park General Plan
GFRC	glass fiber reinforced concrete
gsf	gross square foot
HNA	Housing Needs Assessment
HVAC	heating, ventilation, and air-conditioning
I-280	Interstate 280
in/sec	inch per second
L_{dn}	day-night level
LEED	Leadership in Energy and Environmental Design
L_{eq}	equivalent sound level
L_{max}	maximum sound level
MBTA	Migratory Bird Treaty Act
MMRP	Mitigation Monitoring and Reporting Program
MPFPD	Menlo Park Fire Protection District
MPMWD	Menlo Park Municipal Water District
MPPD	Menlo Park Police Department
MRP	Municipal Regional Stormwater NPDES Permit
MRP	Municipal Regional Permit
MRZs	Mineral Resource Zones
msl	mean sea level
Mw	moment magnitude
NAHC	Native American Heritage Commission
Non-VHFHSZ	Non-Very High Fire Hazard Severity Zone
NPDES	National Pollutant Discharge Elimination System
NWIC	Northwest Information Center
PacBio	Pacific Biosciences-California
PCBs	polychlorinated biphenyls
PCE	Peninsula Clean Energy

Peninsula	San Francisco Peninsula
PG&E	Pacific Gas and Electric Company
PPV	peak particle velocity
PRC	Public Resources Code
Project	1350 Adams Court Project
Project Sponsor	Tarlton Properties
R&D	research and development
Refuge	Don Edwards San Francisco Bay National Wildlife Refuge
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SBSA	South Bayside Systems Authority
sf	square feet
SFHAs	Special Flood Hazard Areas
SLF	Sacred Lands File
SR	State Route
SSC	Species of Special Concern
SUHSD	Sequoia Union High School District
SVOCs	semi-volatile organic compounds
SWMP	Storm Water Management Plan
SWPPP	Stormwater Pollution Prevention Plan
TDM	Transportation Demand Management
TIA	Transportation Impact Assessment
TIF	Transportation Impact Fee
VdB	vibration decibel level
VegCAMP	Vegetation Classification and Mapping Program
VMT	vehicle miles traveled
VOCs	volatile organic compounds
WBSD	West Bay Sanitation District
WELO	Water Efficient Landscape Ordinance

1. Introduction

Project Overview

Tarlton Properties (Project Sponsor) is proposing to construct an approximately 260,400-gross-square-foot (gsf) building for life science (research and development [R&D]) uses as the 1350 Adams Court Project (Project). The Project site (also referred to as Lot 3) is located within the existing Menlo Park Labs Campus (Campus) and consists of both an undeveloped area on the northern portion of the site, located at 1350 Adams Court (referred to as Lot 3 North), and an approximately 188,100 gsf two-story building on the southern portion of the site, located at 1305 O'Brien Drive. The proposed R&D building would be located on Lot 3 North. Parking for the proposed R&D building would be provided in a podium above a lower parking level and in above-grade garages that would be integrated into the building. The garages would generally be reserved for tenants of the proposed R&D building; however, some parking would be available to employees in the adjacent existing building at 1305 O'Brien Drive. The proposed R&D building would be composed of three five-story modules that would be offset from each other. Access to the proposed R&D building would be provided via Adams Drive and Adams Court. A public connection through the Menlo Science and Technology Park property to the west for Adams Court may be provided in the future, as identified in the Circulation Element of the General Plan and also established in the adopted zoning map.

Purpose of This Initial Study

This Initial Study has been prepared by the Project's lead agency, the City of Menlo Park, in conformance with the provisions of the California Environmental Quality Act (CEQA) and Title 14, California Code of Regulations, Chapter 3 (CEQA Guidelines). The lead agency is the public agency with the 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 Environmental Impact Report (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.

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 analyzed an increase in net new development potential of up to 2.3 million gsf of non-residential uses, up to 4,500 residential units, and up to 400 hotel rooms.

Because the 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 the program's effects as specifically and comprehensively as possible, subsequent activities could be found to be within the program EIR's scope, and additional environmental review may not be required (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. Because the Project's location and development parameters are consistent with ConnectMenlo, the ConnectMenlo Program EIR serves as first-tier environmental analysis for the Project (e.g., is incorporated by reference pursuant to Sections 15150, 15130, and 15183). Certain topics, however, are required by the terms of the 2017 *City of East Palo Alto v. City of Menlo Park* Settlement Agreement, which settled the lawsuit regarding the program EIR for ConnectMenlo, to be included in a project-level EIR, regardless of whether subsequent activities could be found to be within the program EIR's scope.

Section 15168(d) of the CEQA Guidelines provides for simplifying the preparation of environmental documents by incorporating 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 this Project relies on the 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
- Mitigation measures adopted and incorporated into the ConnectMenlo EIR.

This Initial Study has been prepared to evaluate the potential environmental impacts of the 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 Project is within the parameters of the ConnectMenlo EIR. Based on the findings in this Initial Study, a focused 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*.

Project Information

1. **Project Title:**

   1350 Adams Court 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:**

   Tom Smith, Senior Planner – (650) 330-6730

4. **Project Location:**

   1350 Adams Court, Menlo Park, CA 94025

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

   Tarlton Properties
   1530 O'Brien Drive
   Menlo Park, CA 94025

6. **General Plan Designation:**

   Life Sciences

7. **Description of Project:**

   Please refer to Chapter 2, *Project Description*.

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

   The Project site, which is part of the Menlo Park Labs Campus, is bounded by Adams Court to the north, Adams Drive to the east, O'Brien Drive to the south, and the Menlo Science and Technology Park to the west (which is also the site of the pending Facebook Willow Village Project). Warehousing, life science, and R&D uses are located immediately adjacent to the Project site in all directions. Neighborhoods in East Palo Alto are east (across University Avenue) and south (across O'Brien Drive) of the Project site.

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

   - 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

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 California Native American Heritage Commission (NAHC) was contacted on July 2, 2018, to identify any areas of concern within the Project area. The NAHC responded on July 6, 2018, stating that a search of its Sacred Land File failed to indicate the presence of Native American

cultural resources in the immediate Project area. The NAHC provided a list of five Native American contacts who might have information that would be pertinent to this Project or concerns regarding the proposed actions. A letter explaining the Project, along with a map of the Project area, was sent on July 11, 2018, to all five contacts listed by the NAHC. The letter also solicited responses from each of the contacts, should they have any questions, comments, or concerns regarding the Project.

Letters were sent to the following contacts:

- Tony Cerda, Chairperson – Coastanoan Rumsen Carmel Tribe
- Rosemary Cambra, Chairperson – Muwekma Ohlone Indian Tribe of the San Francisco Bay Area
- Andrew Galvan – The Ohlone Indian Tribe
- Ann Marie Sayers, Chairperson – Indian Canyon Mutsun Band of Coastanoan
- Irenne Zwierlein, Chairperson – Amah Mutsun Tribal Band of Mission San Juan Bautista

To date, no responses have been received, and no Native American resources have been identified within the Project site.

2. Project Description

Tarlton Properties (Project Sponsor) is proposing to construct an approximately 260,400-gross-square-foot (gsf) building for life science (research and development [R&D]) uses as the 1350 Adams Court Project (Project). The Project site (also referred to as Lot 3) is located within the existing Menlo Park Labs Campus (Campus) and consists of both an undeveloped area on the northern portion of the site, located at 1350 Adams Court (referred to as Lot 3 North), and an approximately 188,100 gsf two-story building on the southern portion of the site, located at 1305 O'Brien Drive. The proposed R&D building would be located on Lot 3 North. Parking for the proposed R&D building would be provided in a podium above a lower parking level and above-grade garages that would be integrated into the building. The garages would generally be reserved for tenants of the proposed R&D building; however, some parking would be available to employees in the adjacent building at 1305 O'Brien Drive. The proposed R&D building would be composed of three five-story modules that would be offset from each other. Access to the proposed building would be provided via Adams Drive and Adams Court. A public connection through the Menlo Science and Technology Park property to the west for Adams Court may be provided in the future, as identified in the Circulation Element of the General Plan and also established in the adopted zoning map.

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 Adams Court to the north, Adams Drive to the east, O'Brien Drive to the south, and the Menlo Science and Technology Park to the west. Farther to the north, beyond the Campus, is 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 (across O'Brien Drive) are the neighborhoods of East Palo Alto. Included in these neighborhoods, as close as 0.2 mile from the Project site, are mainly single-family residential units, with some multi-family residential dwellings, 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 the San Francisco 49ers Academy, and Jack Farrell Park. In addition, Open Mind School, a small private school, is southwest of the Project site on O'Brien Drive. The Belle Haven neighborhood of Menlo Park is west of Willow Road, approximately one-third of a mile from the Project site. The Belle Haven neighborhood includes a mix of uses, including churches, Menlo Park Fire Station No. 77, single-family residences, multi-family residential units, 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, and Kelly Park.

Regional highways that provide access to the Project site include US 101, approximately 1 mile to the south, and SR 84, which is across the Dumbarton Rail Corridor to the north. The Menlo Park Caltrain station is approximately 2.5 miles southwest of the Project site, and the Palo Alto Caltrain station is approximately 2.7 miles southwest 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 Campus (e.g., the Menlo Park Portfolio, Menlo Park Portfolio II, O'Brien Drive Portfolio) is home to a variety of life science and biotech companies. The Menlo Park Portfolio and Menlo Park Portfolio II cover approximately 50 acres and provide 900,000 gsf of space in 16 buildings. The O'Brien Drive Portfolio offers approximately 220,000 gsf of space within nine buildings. The entire Campus provides approximately 1.2 million gsf of space within its buildings and includes landscaping, surface parking lots, onsite food services, and recreational facilities for tenants.[1] Transportation is provided by Menlo Park Rides for tenants throughout the Campus. Menlo Park Rides features bike-share, shuttle, 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.[2]

The 11.2-acre Project site encompasses Lot 3 North and 1305 O'Brien Drive, which compose the same legal parcel. Lot 3 North is currently the undeveloped vacant northern portion of the parcel (assessor's parcel number [APN] 055-472-030); Pacific Biosciences-California (PacBio) occupies the existing building at 1305 O'Brien Drive. In total, the Project site has 373 parking spaces, including seven Americans with Disabilities Act– (ADA-) compliant spaces and 29 EV spaces.

Lot 3 North is currently undeveloped and covered predominantly with dirt, loose vegetation, and concrete paving. This 4.4-acre portion of the Project site has an elevation that ranges from 9 to 12 feet above mean sea level (msl). Two through driveways and parking aisles connect Lot 3 North to 1305 O'Brien Drive. Mature trees line the street frontages, with 44 trees on Lot 3 North. Of the total 373 parking spaces at the Project site, 118 are located at Lot 3 North.

The Project site also encompasses 6.8 acres at 1305 O'Brien Drive, directly south of Lot 3 North. The existing 188,100 gsf building at 1305 O'Brien Drive, which was redeveloped in 2015, is currently leased by PacBio. This portion of Lot 3 features 256 trees and 255 parking spaces.

Zoning

The 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 site's zoning was changed to Life Sciences-Bonus (LS-B) as part of the City's 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 Science [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 floor area ratio (FAR) of up to 55 percent for life science uses and a height of up to 35 feet. In addition, the new zoning standards establish bonus-level zoning standards, a FAR of up to 125 percent for life science uses, and a height up to a maximum of 110 feet in exchange for providing community benefits, selected from a list of potential options identified through community outreach and adopted by resolution of the Menlo Park City Council.

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1 Tarlton Properties. 2018. *Menlo Park Labs – About*. Available: https://www.menloparklabs.com/about/#companies. Accessed: February 27, 2018.

2 Tarlton Properties. 2018. *Menlo Park Rides*. Available: https://www.menloparkrides.com/. Accessed: February 27, 2018.

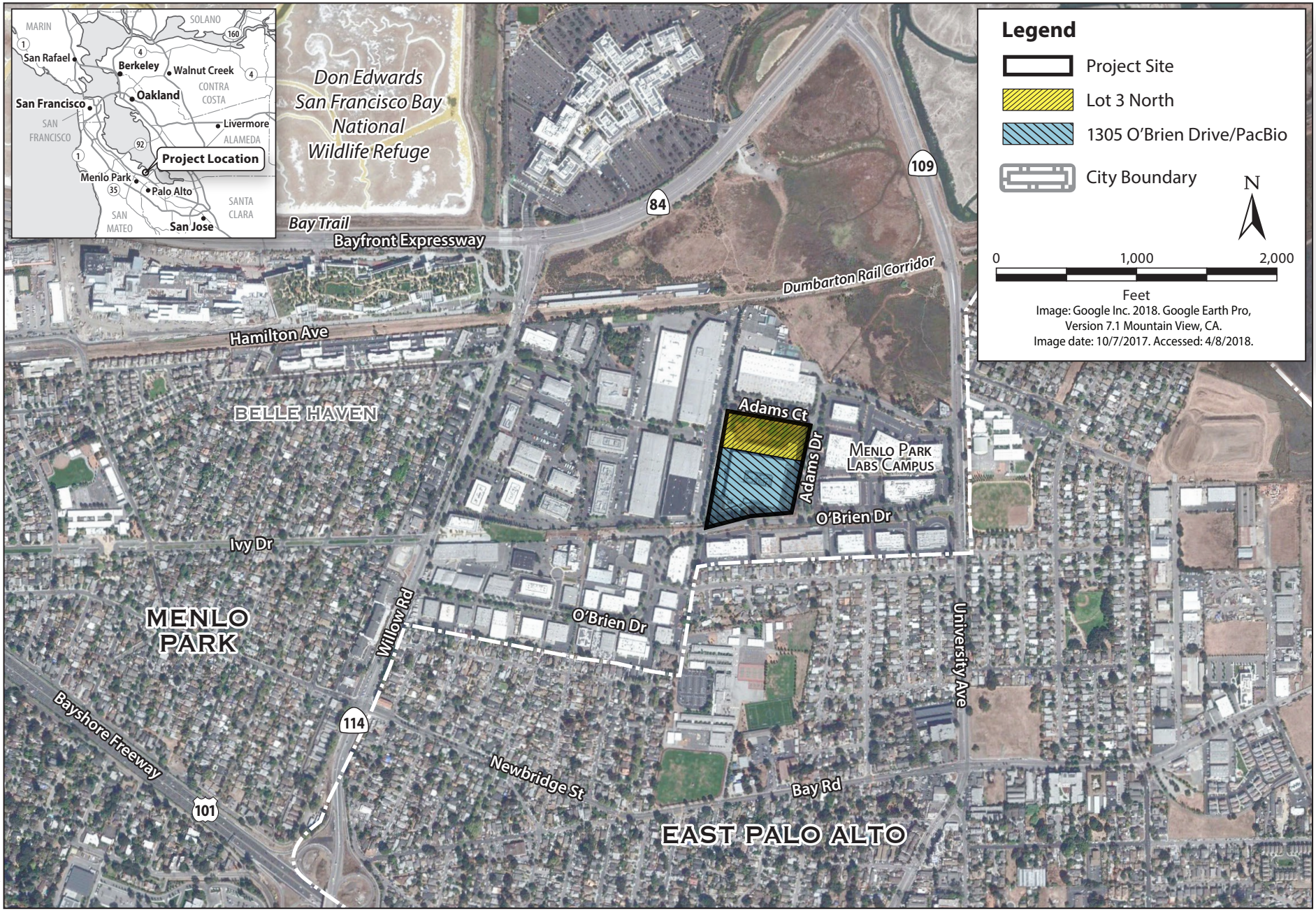

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Figure 2-1
Project Location
1350 Adams Court Project

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Project Objectives

This Initial Study addresses the physical impacts of the Project, as required by the California Environmental Quality Act (CEQA). The Project Sponsor has 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 Stanford entrepreneurial community.
- To develop a high-quality aesthetic facility with the flexibility to accommodate a single life science tenant or meet the needs of multiple tenants.
- To create a project that attracts tenants who will grow a broad socioeconomic base of jobs as well as a business-to-business tax base for the City of Menlo Park.
- Achieve Leadership in Energy and Environmental Design (LEED) Gold for building design and construction.
- Develop space to accommodate life science employers and jobs in the new Life Sciences (LS) zoning district.
- Provide community amenities to surrounding neighborhoods, consistent with ConnectMenlo goals and policies, by creating open space, actively promoting alternative transportation, and providing amenities that benefit the Belle Haven neighborhood.

Project Characteristics

Land Use and Zoning

As mentioned above, the Project site was rezoned LS-B in 2016 through the ConnectMenlo process. At the base level, the maximum height and average height are 35 feet, while 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 110-foot maximum height in exchange for community benefits. The Project would have a combined FAR of 92 percent, and the maximum height of the proposed building would be approximately 92 feet. Across the entire Project site (including the PacBio building), the average building height would be 50.8 feet. Therefore, the Project would require the Project Sponsor to provide community benefits in exchange for bonus-level development.

The Project Sponsor would construct a new building of approximately 260,400 gsf with the new zoning and density bonus. Figure 2-2 depicts the proposed site plan. When combined with the existing PacBio building to the south, the Project would result in two buildings at the site with a combined floor area of approximately 448,500 gsf and a FAR of 92 percent. Table 2-1, below, compares allowed development for LS zoning for both the base level and bonus level as well as the development proposed under the Project. Because the Project site is a single parcel with both Lot 3 North and the existing building at 1305 O'Brien Drive, both are included in the calculations, where applicable; all development standards must include both buildings (i.e., FAR, average height, landscaping, building coverage, open space, etc.). However, although the new building would need to comply with the design standards of the LS zoning district, the existing building would not because it would remain as is under the Project and be part of the baseline conditions.

Table 2-1. Allowed and Proposed Development at the Project Site

	LS Zoning Requirements (Base Level)	LS Zoning Requirements (Bonus Level)	Proposed Development[a]
Site Area	25,000 sf (min) 100 feet x 100 feet (min)	25,000 sf (min) 100 feet x 100 feet (min)	487,900 sf
Floor Area Ratio	55% (+10% commercial)	125% (+10% commercial)	91.9%
Maximum Height[b,c]	35 feet	110 feet	92.1 feet[e]
Height[c,d]	35 feet	67.5 feet	51.1 feet
Open Space	97,580 sf min (20% of total)	97,580 sf min (20% of total)	109,020 sf (22.3%)
Public Open Space	48,790 sf min (10% total)	48,790 sf min (10% total)	48,800 sf (10%)

Source: Tarlton and DES Architects + Engineers, 2018.

Note:

a. The proposed development encompasses the entire Project site, which includes the proposed building at 1350 Adams Court and the existing PacBio building at 1305 O'Brien Drive.

b. Maximum building height refers to the proposed building (not the existing PacBio building).

c. Properties within the flood zone or subject to flooding and sea level rise are allowed a 10-foot increase in height and maximum height.

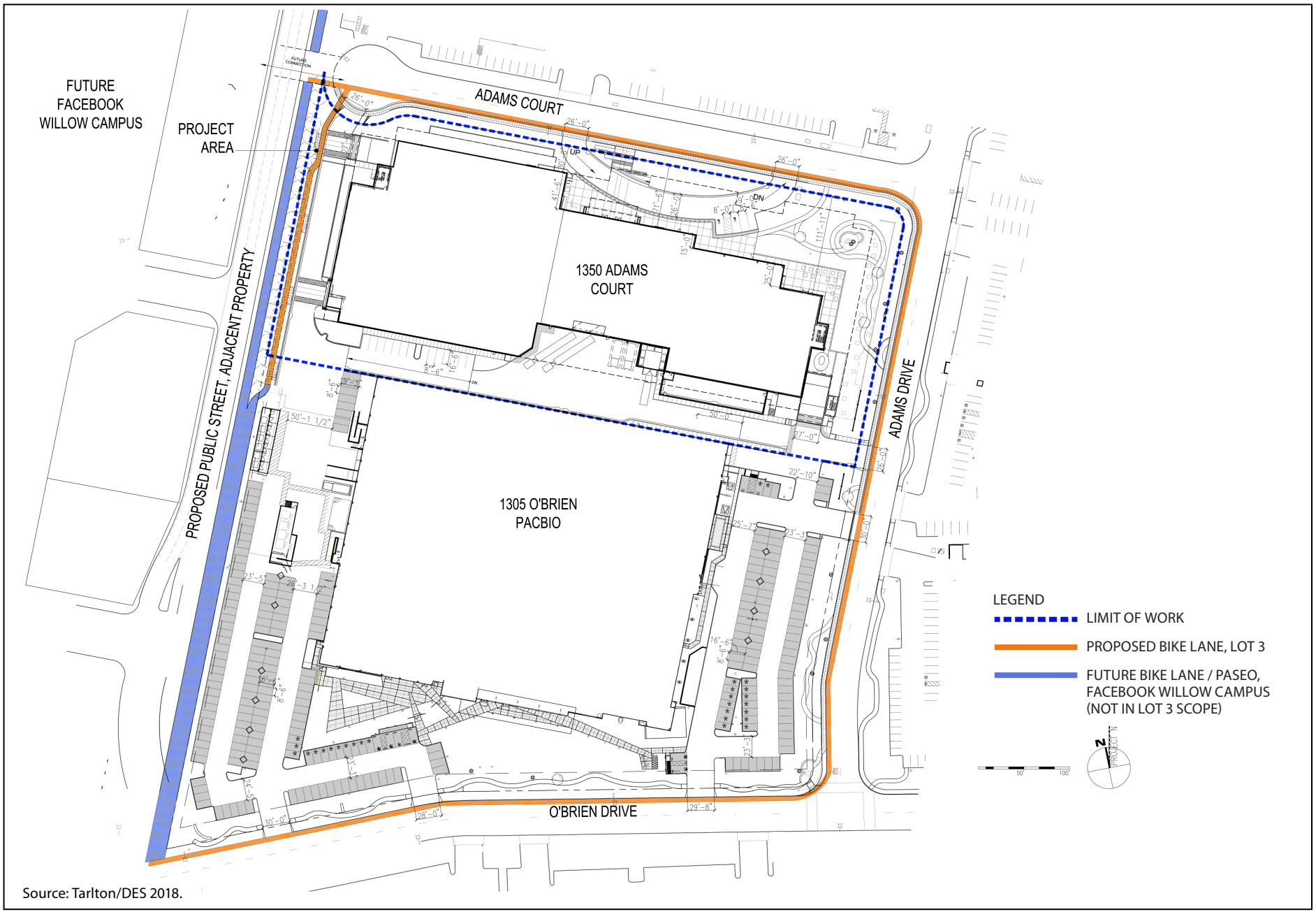
d. Height is defined as average height of all buildings on one site, where a maximum height cannot be exceeded.

e. Measured to the top of parapet from existing average natural grade.

Proposed Development

The Project would be constructed on the vacant parcel (Lot 3 North); the existing development at 1305 O'Brien Drive (the PacBio building) would not be affected by the Project, with the exception of relocation of some required parking for the building. The Project would develop the vacant Lot 3 North with an approximately 260,400 gsf building that would be designed with the flexibility to accommodate a single life science tenant or meet the needs of multiple tenants. The building would be oriented in an east–west direction, with the northern frontage, along Adams Court, as the front façade. The building, including the garage, would have a footprint of approximately 88,270 square feet (sf), or approximately 46 percent of Lot 3 North. The proposed building would have five levels, with a maximum height of approximately 92 feet, as measured to the top of the parapet. Table 2-2 and Figures 2-3 and 2-4 show the proposed building area by level.

Although one building would be constructed, three offset building modules would be provided for architectural articulation and interest and to maximize the open space at the northeast corner of the Project site, at the corner of Adams Drive and Adams Court. In addition, a parking garage would be connected to the southwest portion of the proposed building. The building, which would allow for separate visitor/pedestrian, parking, and service vehicle access, would be set back from the northeast corner to create open space as well as a patio and a large outdoor deck on the second floor. 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, and oriented toward Adams Court. A curved driveway would ramp up slightly from the street to the entry plaza and the visitors parking area.



Source: Tarlton/DES 2018.

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Figure 2-2
Proposed Site Plan
1350 Adams Court Project

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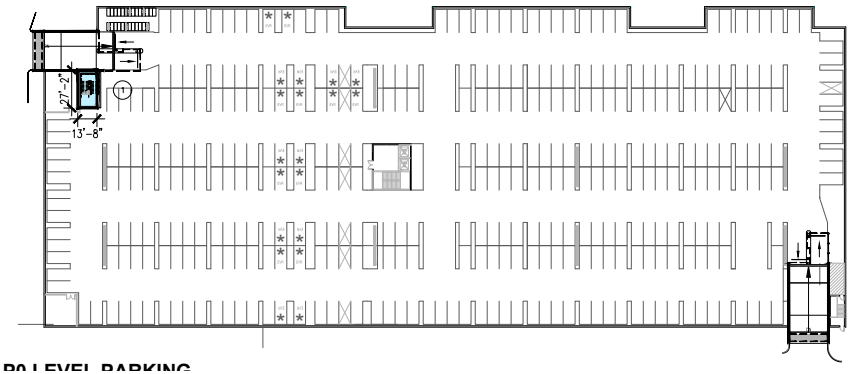
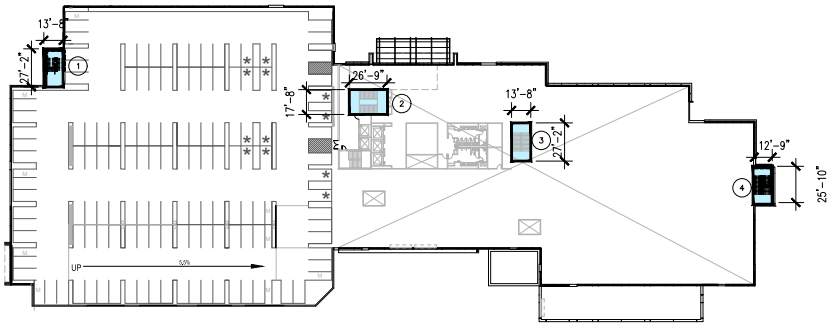
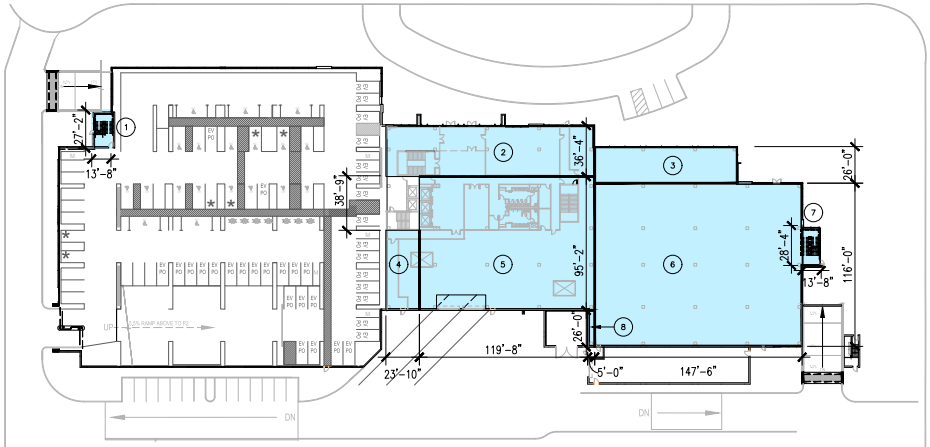


P0 LEVEL PARKING



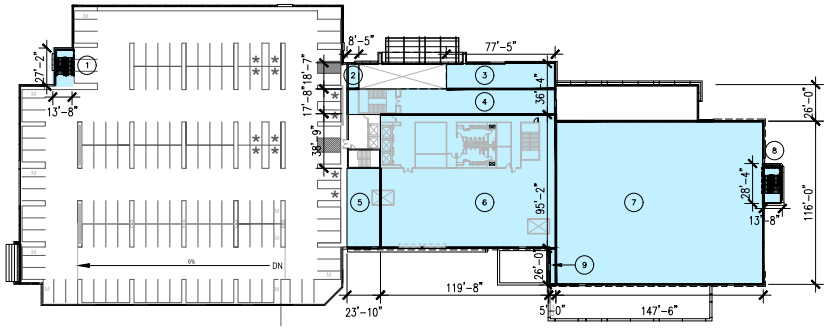
P2 LEVEL PARKING

TOTAL 1,605



LEVEL 1 ENTRANCE, P1 LEVEL PARKING

TOTAL 39,370



LEVEL 2 R&D, P3 LEVEL PARKING

TOTAL 35,580

AREA TOTALS

LEVEL	AREA (SF)

GROSS FLOOR AREA

Source: Tarlton/DES 2018.

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Figure 2-3
Site Plan by Floor (P0 Level Parking through Level 2 R&D/P3 Level Park)
1350 Adams Court Project

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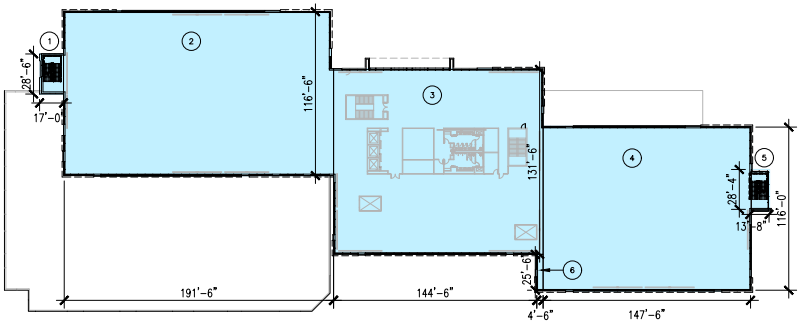
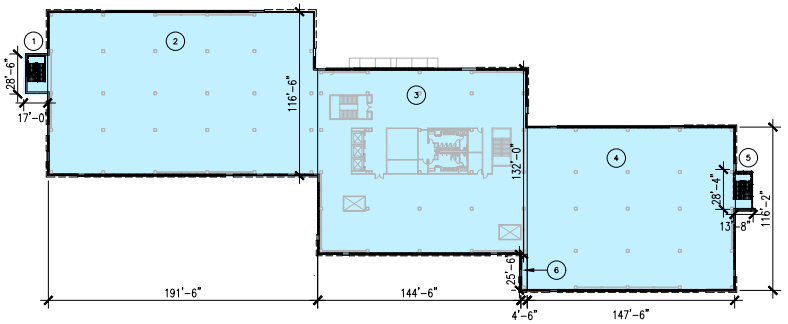
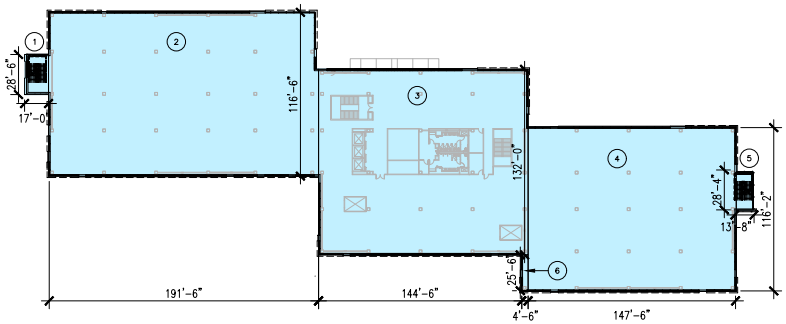


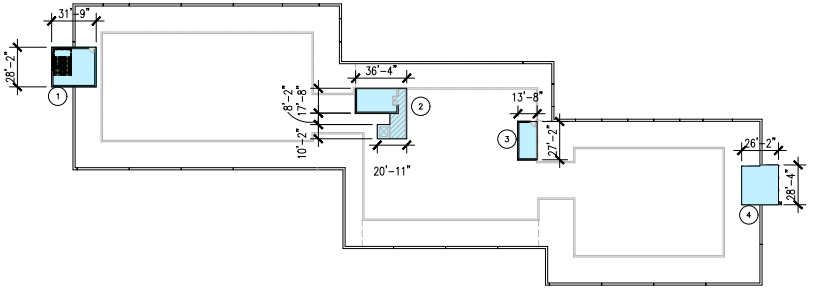
LEVEL 3 R&D



LEVEL 5 R&D

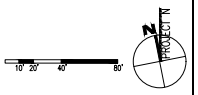


LEVEL 4 R&D



ROOF

GROSS FLOOR AREA



Source: Tarlton/DES 2018.

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Figure 2-4
Site Plan by Floor (Level 3 R&D through Roof)
1350 Adams Court Project

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Table 2-2. Proposed Building Area

	Building Area (gsf)
Below Grade (stairs)	375
Level 1	39,370
P2 Intermediate (stairs)	1,605
Level 2	35,580
Level 3	60,170
Level 4	60,170
Level 5	60,170
Roof	2,960
Total	***260,400***

Source: Tarlton and DES Architects + Engineers, 2018.

Site Access, Circulation, and Parking

Vehicular Access and Circulation. Lot 3 North would be accessible from a driveway on Adams Drive, a circular one-way driveway from Adams Court for visitors, and another driveway from Adams Court, near the northwestern corner of the Project site. In addition, vehicular ramps would connect Lot 3 North to the southern portion of the Project site. Employee and service vehicles would enter from the west end of Adams Court or from Adams Drive at the southeast corner of Lot 3 North. These two driveways would be on the west and south sides of the proposed building. Located along this route would be two entrances to the parking garage, one at the southeast corner of the building and the other at the northwest corner. A truck loading dock would be on the south side of the building, screened from the street by vegetation and the PacBio facility. It is anticipated that two to six truck deliveries would be made per weekday.

Adams Court currently ends at a chain link fence, with a gate providing emergency vehicle access and intermittent access for vehicles traveling to/from the Menlo Science and Technology Park to the west. However, as part of a separate project (the Willow Village Master Plan Project), an access point could be provided at Adams Court, as indicated in ConnectMenlo, allowing traffic to flow to and from a new street located just west of the property. Although not proposed under the Project, this analysis will consider scenarios with and without this access. The potential future connection of Adams Court to the Menlo Science and Technology Park is identified on the City's adopted zoning map.

Emergency Access. New emergency access to the Project site would be provided from Adams Drive at the southeast corner of Lot 3 North or from the Adams Court cul-de-sac. Emergency vehicles would travel along the southern and western perimeters of Lot 3 North and exit at the northwest corner at Adams Court. In addition, emergency vehicles would have access to the circular driveway at the front of the proposed building; a fire staging area would be located at this driveway. A second fire staging area would be located at the back of the building, adjacent to the proposed loading dock. Fire hydrants and fire department connections would be provided along the emergency access route.

Bicycle and Pedestrian Circulation. Buffered bicycle lanes would be constructed around the perimeter of the Project site. The Class II bicycle lanes would travel in the eastern direction on Adams Court, in the southern direction on Adams Drive, and in the western direction on O'Brien Drive. In

addition, a paseo for pedestrians and bicyclists would be located along the western edge of the Project site, connecting Adams Court to O'Brien Drive. The paseo is identified on the adopted zoning map between the Menlo Science and Technology Park and the Project site; however, as currently proposed, the paseo would be located primarily within the Menlo Science and Technology Park site. The Project site would include a publicly accessible pathway that would accommodate a portion of the paseo along the northern portion of Lot 3, enhanced landscaping, and some additional publicly accessible landscaping adjacent to the paseo. The Project proposes Class II bicycle lanes on the Project frontage of each roadway. Future Class II bicycle lanes could be implemented as a part of future projects in the area. In addition, there would be 44 Class I secure bicycle lockers for long-term parking on the P0 parking level and 14 Class II bicycle racks for short-term parking near the entry plaza and drop-off area on the north side of the building.

For pedestrian circulation, sidewalks are proposed on the Project frontage along Adams Court and Adams Drive. The Project would not construct a sidewalk on O'Brien Drive; however, a meandering sidewalk on the north side of O'Brien Drive could be constructed at a later date, depending on the City's overall design of the O'Brien Drive streetscape improvements. The sidewalks adjacent to the property would connect to the proposed paseo along the western edge of the Project site.

Parking. As stated above, the Project site currently has 373 parking spaces, 118 of which are on Lot 3 North. All 118 parking spaces would be removed as part of the Project; the rest would remain. Onsite parking would be provided under the entire proposed building in one level of the podium and in three above-grade parking levels under the third floor of the west module. The parking would be available to new tenants of the proposed building. In addition, some parking would be available to PacBio employees because the Project would displace a portion of the existing surface parking that is currently used by these employees. Limited surface parking would be provided at the visitors' entrance to the building and at the rear of the building (south side), adjacent to the loading dock. In total, 711 new parking spaces would be provided by the Project, including 16 ADA-compliant spaces on the first level of the parking garage. Table 2-3 summarizes the proposed parking at the Project site.

Table 2-3. Proposed Parking at Lot 3 North

	Parking Spaces
Surface Parking	18
P0 Level (garage)	364
P1 Level (garage)	71
P2 Level (garage)	129
P3 Level (garage)	129
Total	***711***

Source: Tarlton and DES Architects + Engineers, 2018.

TDM Plan

A TDM program would be implemented as part of the Project, consistent with the requirements of Menlo Park Municipal Code 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:

- Bicycle Storage: Class I and Class II bicycle storage will be provided for up to 58 bicycles (44 long term, 14 short term).
- Free Campus-wide bike share.
- Showers/Changing Rooms: Eight shower/changing rooms are proposed, which will provide a dedicated facility where cyclists and persons who walk to work can clean up.
- Preferential Carpool Parking: Six preferential carpool parking spaces will be provided.
- Commute Assistance Center: A commute assistance center with a computer kiosk will be provided to encourage employees to use transit.
- Menlo Park Labs shuttle to/from the Project site to Union City BART, Fremont BART, Palo Alto Caltrain, Millbrae Caltrain/BART, and two locations in the City of San Francisco.
- Enterprise car share.
- Thirty new EV stations and 20 pre-wired stations in the garage portion of the Project.

Landscaping

As shown in Figure 2-5, landscaping would be provided along the Adams Drive and Adams Court street frontages. On the Project site, approximately 60,220 sf of private open space and 48,800 sf of public open space would be provided, for a total of approximately 109,020 sf of open space. The private open space proposed as part of the Project would be within a patio and large outdoor deck on the second floor of the building. The patio may include sunshades with tables and chairs, solar panel sunshades with charging stations, planters, green screens, benches, outdoor furniture, and metal fences. The public open space along the street frontage would be landscaped with berms, trees, and California native vegetation. This vegetation would help to screen the proposed parking podium from the adjacent streets. Furnishings at the public space may include benches, trash receptacles, public art, and bicycle racks.

There are currently 44 trees on Lot 3 North. Of these, 12 would be removed; however, 10 of the trees are heritage trees. The remaining 32 trees, 29 of which are heritage trees, would remain. The Project Sponsor would be required to plant 20 trees to replace the removed heritage trees; however, 46 trees are proposed. In total, Lot 3 North would have 78 trees, including the existing trees that would remain and the replacement trees.

Approximately 42 percent of the Lot 3 North is covered with impervious surfaces, consisting of parking lots and drive aisles. Approximately 58 percent of Lot 3 North is covered with landscaping and other pervious surfaces. Implementation of the Project would add approximately 77,000 sf of net new impervious surfaces to Lot 3 North, for a total of approximately 158,000 sf of newly created or replaced impervious area. As a result, Lot 3 North would be approximately 82 percent impervious surfaces and 18 percent pervious surfaces. Hardscape would comprise concrete paving, decomposed granite paving, and concrete pavers. The landscaped area could include five flow-through planters around the proposed building to treat the proposed impervious areas. All proposed impervious areas (both replaced and new) would be directed to the approximately 6,650 square feet of combined treatment facilities.

Building Features and Lighting

The proposed building would include three five-story modules that would be offset from each other. The modules would have a cohesive architectural design. A mid-building entrance would be framed by a portal element that would be clad with metal panels. Full-height curtain walls at the northeast corner of

all three modules would create a space for conference rooms. Stairs would be provided at the east and west ends of the building to emphasize the east–west orientation and pedestrian circulation. Tall storefronts on the north side would maximize daylighting. On the south side, the building façade would be balanced with opaque finishes and ribbon windows with sunshades to reduce solar heat gain. The first floor of the east module would be pulled forward on the north side to create a second-floor rooftop deck. The roof of the center module and the top deck of the garage at the west end would be designed to accommodate future patios. Figure 2-6 shows the east–west building sections, and Figure 2-7 depicts the streetscape elevations.

The building would be designed to account for flooding and/or sea-level rise due to the proximity of the Bay. The first floor of the building would be at an elevation of 14 msl, which would be approximately 2 feet above the Federal Emergency Management Agency's (FEMA's) base flood elevation, consistent with the requirements of ConnectMenlo. The ramps and stairs into the underground garage would be equipped with gates that would float to close in the event of a flood.

The building would be clad with glass fiber reinforced concrete (GFRC) panels, pre-finished metal panels, and double-glazed high-performance windows in aluminum mullions; glazing would be tinted and bird safe. Rooftop heating, ventilation, and air-conditioning (HVAC) and other equipment would be housed within metal roof screens. The above-ground garage would be constructed from pre-cast concrete, with enhanced finishes on the street side such a perforated metal and glazing. Lighting would be provided throughout Lot 3 North by roadway/driveway lights, area lights, bollards, and in-ground lights. The Project would seek LEED Gold Building Design and Construction (BD+C), which is a requirement for bonus level development.

Activity/Employment

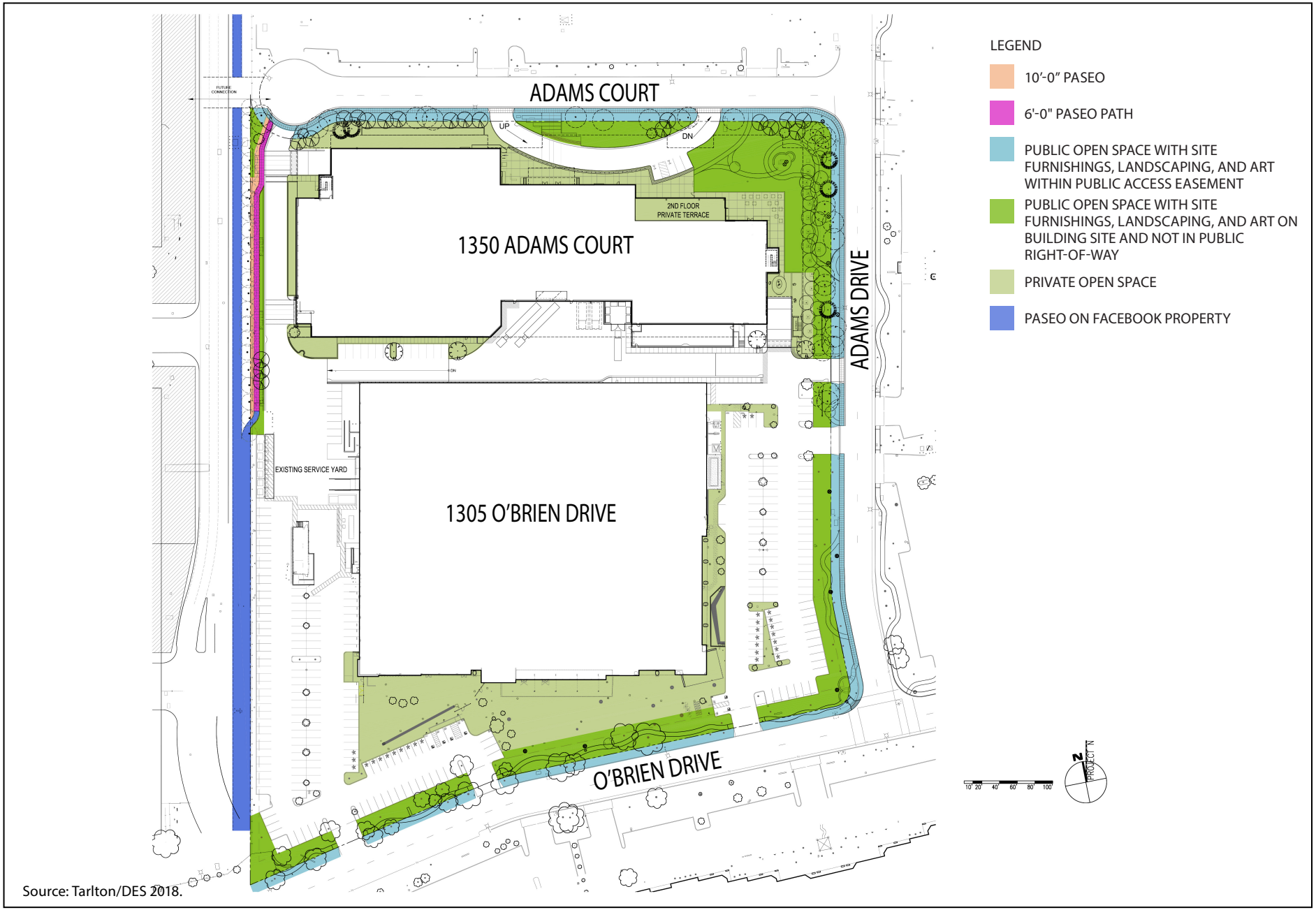
In general, biotech and R&D uses require fewer employees than office buildings of the same size. Although administrative areas within biotech and R&D companies generally have an employee density similar to that of a corporate office, the research and laboratory spaces have lower employee densities. It is estimated that approximately 650 employees would occupy the proposed building at full buildout.

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 Project would meet 100 percent of energy demand (electricity and gas), consistent with the requirements of Menlo Park Municipal Code Section 16.44.130, including through the purchase of 100 percent renewable electricity from Peninsula Clean Energy (PCE). As needed, Pacific Gas and Electric Company (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 Project and may be upgraded, if necessary, for the Project.

Domestic Water. Onsite water lines would connect to the Menlo Park Municipal Water District (MPMWD). An existing 10-inch water main runs north–south along the west property line of the Project site, and another 10-inch water main runs east–west under Adams Court. In addition, an existing 12-inch water main runs north–south under Adams Drive. All of these lines are interconnected. The northern portion of the Project site has three existing water services that are not being used: an 8-inch stub from Adams Court, a second stub from Adams Court of unknown size, and a 10-inch stub from



Source: Tarlton/DES 2018.

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Figure 2-5
Proposed Open Spaces
1350 Adams Court Project

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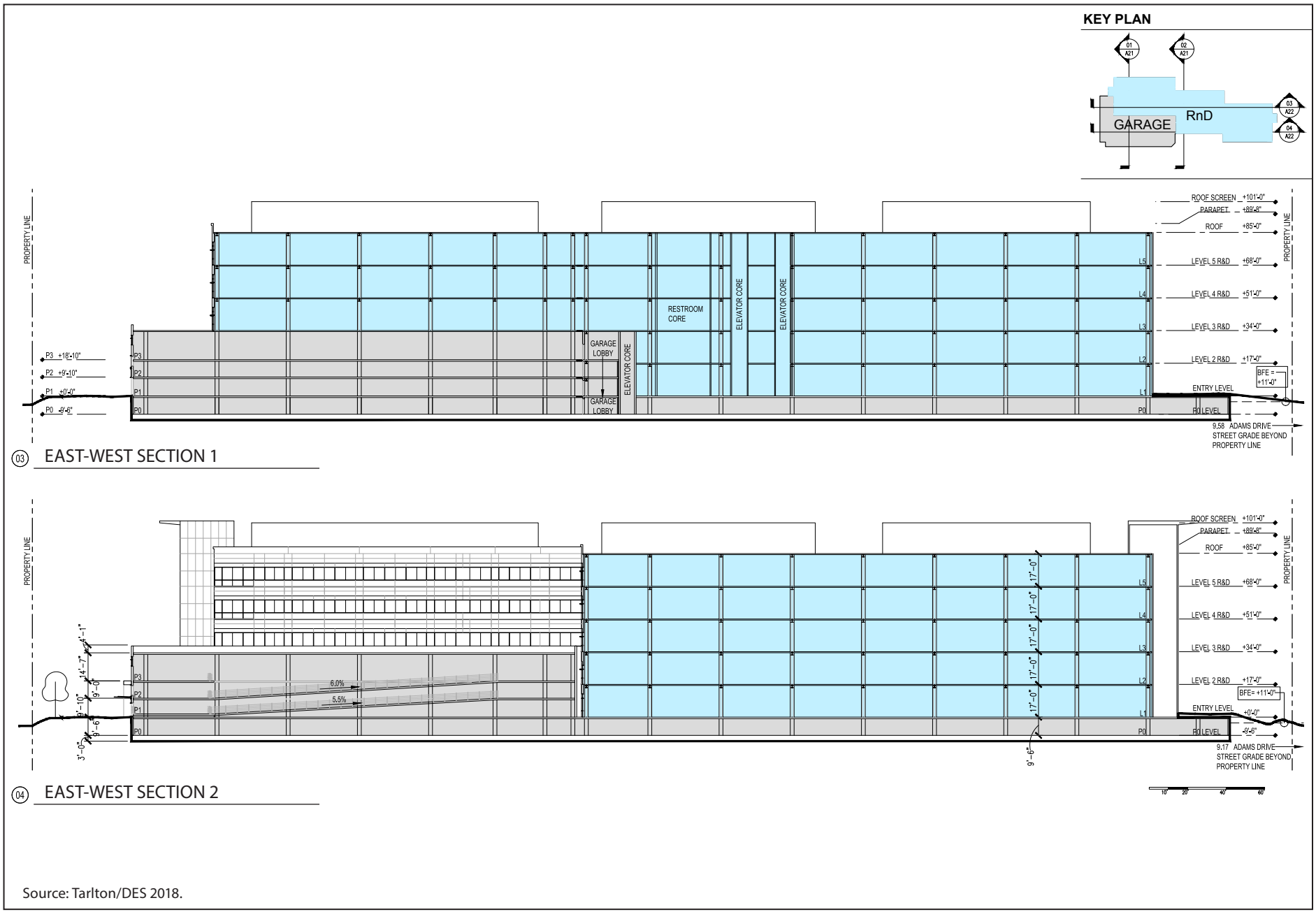

Source: Tarlton/DES 2018.

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Figure 2-6
East-West Building Sections
1350 Adams Court Project

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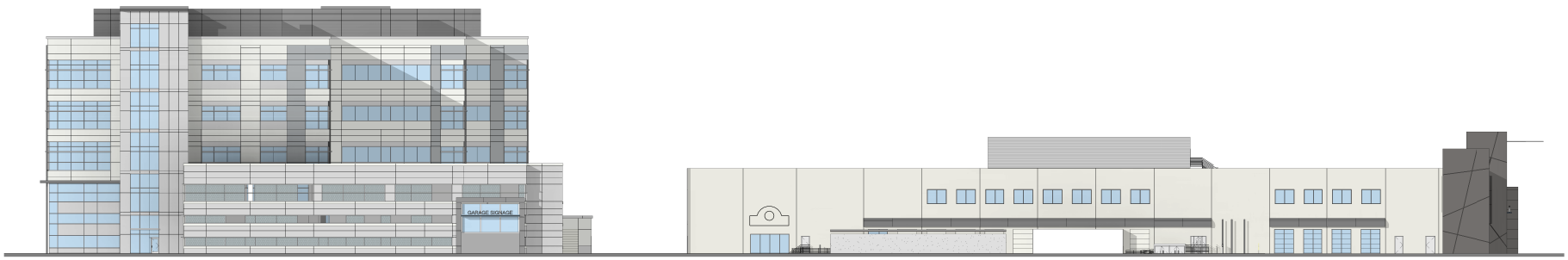

1350 ADAMS COURT

1305 O'BRIEN DRIVE

WESTSIDE ELEVATION

1305 O'BRIEN DRIVE

1350 ADAMS COURT

ADAMS DRIVE STREET ELEVATION

Source: Tarlton/DES 2018.

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Figure 2-7
Streetscape Elevations
1350 Adams Court Project

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Adams Drive. Because of the locations, none of these services are intended to be used under the Project. New domestic service to the proposed building would be provided from the Adams Drive line, at the southeast corner of the site. In addition, a backflow preventer would be placed at this location. This utility has not yet been sized but may be a 3- or 4-inch service. The Project would include water-conserving plant material and irrigation in compliance with the Water Efficient Landscape Ordinance (WELO) guidelines.

Wastewater. The sanitary sewer system in this area of the City is owned and operated by the West Bay Sanitary District. An existing 6-inch sanitary sewer runs to the east below Adams Court, and another 6-inch sanitary sewer that starts at about the midpoint on the Project site runs to the north, also below Adams Drive. These two sanitary sewers meet in a manhole at the intersection of Adams Court and Adams Drive. From that manhole, an 8-inch sanitary line runs to the north. The northern portion of the Project site has three existing sanitary sewer services, including two unused services, a 6-inch service from Adams Court and a 6-inch service from Adams Drive. In addition, a 6-inch service from Adams Court is currently servicing the rear of the PacBio building; this service would be temporarily interrupted with construction of the proposed building. The location(s) and size(s) of the proposed sanitary sewer lines from the proposed building are currently unknown; however, it is anticipated that the Project would require a pipe size of approximately 6 inches. Wastewater from the Project site would ultimately be discharged to the Silicon Valley Clean Water pump station in Redwood City.

Storm Drainage. The existing stormwater infrastructure includes a 48-inch storm drain that runs to the north along the west property line of the Project site. In addition, an existing 42-inch storm drain runs north along the east side of Adams Drive until it crosses the intersection at Adams Court, at which point it becomes a 54-inch storm drain to its outfall. In addition, 6- to 12-inch storm drain pipes are located at the Project site for draining improvements at 1305 O'Brien Drive. Some of these would be removed or relocated to accommodate the new construction. The proposed building site's drainage would be equally split, discharging to the existing 42- and 48-inch pipes. Stormwater treatment measures, in compliance with state and County of San Mateo requirements, would be implemented on the site.

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 Project would consist of five construction phases, which may occur at the same time or overlap, as shown below:

- Phase 1: Demolition Phase (mid-2019)
- Phase 2: Grading/Foundation Phase (mid-2019)
- Phase 3: Parking Garage Phase (mid-2019 to early 2020)
- Phase 4: Warm Shell Phase (early 2020 to late 2020)
- Phase 5: Sitework Phase (mid-2020 to late 2020 or early 2021)

Standard construction work hours would be 7:00 a.m. to 3:30 p.m. Monday through Friday. However, work could start early, at 7:00 a.m., or finish late, at 6:00 p.m. Construction activities taking place between 7:00 a.m. and 8:00 a.m. would be regulated by the daytime limits of the Noise Ordinance of the Menlo Park Municipal Code, which limit noise to 60 A-weighted decibels at the nearest residential property line. Construction activities taking place between 8:00 a.m. and 6:00 p.m. would be regulated by the construction activities section of the Noise Ordinance (Title 8.06.040(a)). The expected occupancy date for the proposed building would be late 2020 or early 2021.

Construction Spoils and Debris

The Project would require soil to be excavated and trees to be removed. The first floor of the occupied building would be raised approximately 3 feet above the street level; however, the underground garage and the matt slab would be below that and therefore require significant excavation. Project excavation depths would vary, with a maximum depth of 11 feet, 2 inches for the parking garage. The proposed excavation would result in the export of approximately 70,000 cubic yards (cy) of material during Phase 2 and 4,000 cy during Phase 5. Approximately 4,000 cy of soil would be imported for Phase 5. A goal of the Project is to have a waste diversion program in place to divert 95 percent of the waste, or more, away from landfills. The asphalt parking lot or concrete slab on a portion of Lot 3 North would recycled, resulting in 3,600 to 3,800 cy of asphalt or concrete being recycled.

Lot 3 North would be graded during Phase 2 (4.4 acres) and Phase 5 (3.3 acres). Truck trips to and from the Project site would range from 350 during Phase 3 to a maximum of 7,000 during Phase 2. The number of hauls per day would range from 150 to 180. The anticipated haul destination would be Dumbarton Quarry, at 9600 Quarry Road in Fremont, which is approximately 7.5 miles from the Project site. Haul routes would extend from University Avenue to O'Brien Drive and Adams Drive.

Construction Equipment and Staging

Typical equipment would be used during Project construction, including dozers, loaders, dump trucks, excavators, and backhoes. Pile driving would not be required. Potential construction laydown and staging areas would be on the north side of the Project site, along Adams Court.

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 150 to 250 per day during Phase 4. However, on average, approximately 150 workers would be at the Project site per day.

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 applicant would also be required to obtain architectural control review and approval of the specific building design from the Planning Commission.

- **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.
- **Environmental Review.** This would include release of the Initial Study and certification of the focused environmental impact report (EIR), with approval of a Mitigation Monitoring and Reporting Program (MMRP) 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, as part of the Project review process conducted by the City, a Fiscal Impact Analysis will be prepared as well as an appraisal to identify the necessary value of the community amenity.

Reviews/Approvals by Responsible Agencies

Reviews and approvals by other agencies that may be needed for the Project to proceed are also identified. Some of these agencies will need to approve certain parts of the 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 (NPDES) permit for stormwater discharge.
- **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.
- **West Bay Sanitary District** – Approval of wastewater hookups.
- **Native American Heritage Commission**

3. Environmental Checklist

Environmental Factors Potentially Affected

The environmental factors checked below could be affected by this project, involving at least one impact that is a "potentially significant impact," as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agricultural and Forestry	☒ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology/Soils
☒ Greenhouse Gas Emissions	☐ Hazards and Hazardous Materials	☐ Hydrology/Water Quality
☐ Land Use/Planning	☐ Mineral Resources	☒ Noise
☒ Population/Housing*	☐ Public Services	☐ Recreation
☒ Transportation/Traffic	☐ Tribal Cultural Resources	☒ Utilities/Service Systems
☐ Mandatory Findings		

* 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 EIR is required.

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 project have been made by or agreed to by the project proponent. 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 CEQA topic or environmental issue in this chapter is given its own section, each containing the subsections listed below.

- **Setting** – The Setting describes existing baseline conditions, including the environmental context and background. For the topics to be analyzed in the Focused EIR, a setting section is not provided in this document.
- **General Plan Goals and Policies** – The City of Menlo Park 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 Focused EIR.
- **Environmental Checklist and Discussion** – The impact discussion identifies standards of significance and evaluates how the Project would affect baseline conditions. Each checklist item includes a summary of the analysis in the ConnectMenlo EIR, discusses the specific impacts induced by the Project, and concludes with a comparison of the Project and 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 Project by answering questions from Appendix G of the California Environmental Quality Act (CEQA) Guidelines, the Environmental Checklist Form. The analysis in this document considers all phases of Project planning, construction, implementation, and operation. Pursuant to Section 15063(d) of the CEQA Guidelines, this document includes an identification of the environmental setting and discusses the environmental effects of the 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 Environmental Impact Report (EIR) may be required. These topics require further analysis in the Focused EIR.
- **Less than Significant with Mitigation Incorporated** applies when the incorporation of mitigation measures would reduce an effect from "Potentially Significant Impact" to a "Less than Significant." Mitigation measures, from the ConnectMenlo EIR or new ones specific to the Project, are outlined in order to reduce, eliminate, or avoid the significant impacts.
- **Less than Significant** applies when the Project would affect or is 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 Project.
- **Not a CEQA Impact** applies to impacts related to the environment that affect the Project. Pursuant to the recent Supreme Court case decision in the *California Building Industry Association (CBIA) vs. Bay Area Air Quality Management District (BAAQMD)* case, CEQA does not

require an analysis of how the existing environmental conditions would affect a Project's residents or users unless the Project would exacerbate those conditions. Therefore, when discussing impacts of the environment on the Project, the analysis will first determine if there is potential for the Project to exacerbate the issue. If evidence indicates it would not, then the analysis will conclude by stating such. If it would exacerbate the issue, then evidence is provided to determine if the exacerbation would or would not be significant.

I. Aesthetics	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 on a scenic vista?	☐	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒	☐
d) Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	☐	☐	☐	☒	☐

Setting

Regional Visual Context

The City of 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 the City.

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 the City. 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 site for the 1350 Adams Court Project (Project).

Project Vicinity Visual Context

The Project site is in an area known as the Bayfront Area.[3] The Bayfront Area has been historically defined by light industrial/office use; however, under recent planning updates, multifamily housing is currently permitted in some parts of the Bayfront Area. The road network in the 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 and do not appear as a single coherent network. Building placement and landscaping vary, but buildings are usually surrounded by parking or other pavement 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 the Dumbarton Bridge, are generally not visible from the majority of vantage points in the vicinity of the 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 Project 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 Adams Court subarea. As explained in the ConnectMenlo EIR, Adams Court is the business area between the end of Hamilton Court and University Avenue, bounded by the Dumbarton Rail Corridor and O'Brien Drive. This area is visually isolated from surrounding areas and characterized by a large office park development. Generally, this area is made up of one- or two-story tilt-up buildings, typified by utilitarian architecture, minimal windows/openings, and large ground-floor plates on expansive parcels. Buildings are generally in the center of the parcels and surrounded by surface parking. This area includes consistent landscaped setbacks, with mature trees on the parcels fronting Adams Court. Newer buildings show more articulation and include mirrored or colored windows/openings on the ground floor.

The Project site is also part of the Menlo Park Labs Campus (Campus), which comprises a variety of life science and biotech companies. The entire Campus provides approximately 1.2 million gross square feet (gsf) of space within its buildings and includes landscaping, surface parking lots, onsite food services, and recreational facilities for tenants.[4]

[3] According to the General Plan and M-2 Area Zoning Update (ConnectMenlo) Environmental Impact Report (EIR).

[4] Tarlton Properties. 2018. *Menlo Park Labs – About*. Available: https://www.menloparklabs.com/about/#companies. Accessed: February 27, 2018.

Project Site Visual Context

The 11.2-acre Project site encompasses Lot 3 (Lot 3 North and 1305 O'Brien Drive) of the Adams Court subarea within the Bayfront Area. As shown in Figure 3.1-1A, Lot 3 North is currently undeveloped and covered predominantly with dirt, loose vegetation, and concrete paving. This 4.4-acre portion of the Project site has an elevation that ranges from 8 to 12 feet above mean sea level (msl). Two through driveways and parking aisles connect Adams Court to the southern portion of the Project site. Mature trees line the street frontages, with 44 trees on Lot 3 North. In total, the Project site includes 373 parking spaces, including seven Americans with Disabilities Act– (ADA-) compliant stalls and 29 electric vehicle (EV) stalls.

The Project site also encompasses 6.8 acres at 1305 O'Brien Drive, directly south of Lot 3 North. The existing 188,100 gsf building at 1305 O'Brien Drive (Figure 3.1-1B), which was redeveloped in 2015, is currently leased by Pacific Biosciences-California (PacBio). The entrance of the repurposed building, fronting O'Brien Drive, features a two-story lobby with a canopy, clear glazing, and steel supports. Although the building was renovated in 2015, the industrial fabric of the building was maintained, matching the overall character of the Campus. A surface parking lot, landscaped areas, and exterior amenity space surround the existing PacBio building.

Scenic Corridors/Vistas and Views from the Project Site

Scenic Corridors/Vistas. Scenic corridors are considered an enclosed landscape area and viewed as a single entity that includes the total field of vision visible from a specific point, or series of points, along a linear transportation route. Public view corridors are areas in which 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, which limit scenic vistas within the City and this area. Because of the flat nature of the study area, the majority of the City, particularly in 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 scenic highway per the California Scenic Highways Program.[5] 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 existing buildings and vegetation, views from locations at grade are largely restricted. Views at the Project site consist mainly of the existing onsite surface parking lots, perimeter landscaping, and immediately adjacent buildings and power lines. Views of the salt ponds, marshes, the Refuge, and the Bay are obstructed from pedestrian-level viewpoints. However, channelized views of the Santa Cruz Mountains are visible from portions of Adams Court, facing west, between existing buildings and mature trees. The Project site is visible from O'Brien Drive (Figure 3.1-1B), Adams Court (Figure 3.1-1C), and Adams Drive (Figure 3.1-1D).

[5] California Department of Transportation. 2018. *California Scenic Highway Mapping System, San Mateo County.* Available: http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/. Accessed: July 4, 2018.

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 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 street lighting along major streets and freeways and nighttime illumination within commercial and industrial buildings.

Light sources at the Project site include fixtures on the existing PacBio building and around the paved parking areas. However, because Lot 3 North is vacant, the Project site is not brightly illuminated at night. Cobra-style street lighting is provided along Adams Court, Adams Drive, and O'Brien Drive. Although the existing PacBio building includes glass doors and windows, reflective surfaces are minimal because of the architectural style. Furthermore, vegetation blocks reflective surfaces in many exterior areas. No reflective surfaces are currently on Lot 3 North.

General Plan Goals and Policies

The City of Menlo Park General Plan (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 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, Policy LU-4.5, Goal LU-6, Policy LU-6.2, Policy LU-6.8, Goal OSC-1, Policy OSC-1.11, OSC-1.13, and 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 projects 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 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; therefore, there would be no new specific effects as a result of the 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 Project would result in additional height, bulk, and massing from the proposed building that would interrupt existing channelized views of the Santa Cruz Mountains from Adams Court, 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.

A. Project Site, Facing Southwest

B. 1305 O'Brien Drive, Facing Northwest

C. Project Site and Adams Court, Facing Southwest

D. Project Site from Adams Drive, Facing South

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Figure 3.1-1
Existing Project Site Conditions
1350 Adams Court Project

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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 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 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; therefore, there would be no new specific effects as a result of the 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. Substantially degrade the existing visual character or quality of the site and its surroundings? (Less than Significant)

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact AES-3 (pages 4.1-15 to 4.1-16). The 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 substantial degradation of existing visual character or quality would occur if the Project were to introduce a new visible element that would be inconsistent with the overall quality, scale, and character of surrounding development. 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 Project would contribute to the area's aesthetic value. This analysis examines changes in visual character and quality at the Project site as well as how the Project would change existing visual character and quality.

Construction

As described above, the Project site is not considered visually sensitive because of its urbanized and industrial surroundings with industrial, office, and warehouse buildings. Project construction would include demolition, excavation, and construction activities on the Project site. These construction activities, which would occur over an approximately 21-month period, would temporarily degrade the existing visual character of the Project site and the surrounding area. Construction materials and equipment would be staged entirely onsite, in areas that would not be under construction, particularly along Adams Court. Construction fencing and existing landscaping would provide visual screening. Although construction would be visible from public

view corridors (e.g., Adams Court, Adams Drive, O'Brien Drive), these are not heavily-traveled roads. Regardless, visual degradation associated with construction would be short term and temporary.

Operation

After construction, the proposed approximately 91-foot-tall building would include three five-story modules that would be offset from each other. The modules would have a cohesive architectural design. A mid-building entrance would be framed by a portal element that would be clad with metal panels. Full-height curtain walls at the northeast corner of all three modules would create a space for conference rooms. Stairs would be provided at the east and west ends of the building to emphasize the east–west orientation and pedestrian circulation. Tall storefronts on the north side would maximize daylighting. On the south side, the building façade would be balanced with opaque finishes and ribbon windows as well as sunshades to reduce solar heat gain. The first floor of the east module would be pulled forward on the north side to create a second-floor rooftop deck. The roof of the center module and the top deck of the garage at the west end would be designed to accommodate future patios.

The building would be clad with glass-fiber-reinforced concrete (GFRC) panels, pre-finished metal panels, and double-glazed high-performance windows in aluminum mullions; glazing would be tinted and bird safe. Rooftop heating, ventilation, and air-conditioning (HVAC) and other equipment would be housed within metal roof screens. The above-ground garage would be constructed from pre-cast concrete, with enhanced finishes on the street side, such as perforated metal and glazing. Lighting would be provided throughout Lot 3 North by roadway/driveway lights, area lights, bollards, and in-ground lights. The Project would seek Leadership in Energy and Environmental Design (LEED) Gold Building Design and Construction (BD+C), which is a requirement for bonus level development.

Landscaping would be provided along the Adams Drive and Adams Court street frontages. On the Project site, approximately 109,020 square feet (sf) of open space would be provided, of which 48,800 sf would be public open space. The private open space proposed as part of the Project would be within a patio and large outdoor deck on the second floor of the building. The public open space along the street frontage would be landscaped with berms, trees, and California native vegetation. This vegetation would help to screen the proposed parking podium from the adjacent streets. Furnishings at the public open space may include benches, trash receptacles, and bicycle racks. In total, 12 trees would be removed, 10 of which would be heritage trees. The remaining 32 trees, 29 of which are heritage trees, would remain under the Project. The Project Sponsor would plant approximately 46 trees, resulting in a total of 78 trees at Lot 3 North.

As described, the Project would result in new building height, bulk, and massing at the Project site, which is currently undeveloped. However, given the existing industrial and office uses in the immediate vicinity, the Project would be compatible with the existing visual character and quality of its surroundings. The Project would construct a new building that would be a continuation of the existing pattern of industrial and office buildings and reflect a similar design and similar landscaped areas. Implementation of the Project would change the visual character of the Project site but would not significantly alter the quality of the surrounding areas because of the perimeter vegetation, trees, and flat topography.

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 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; therefore, there would be no new specific effects as a result of the Project. The Project would be subject to the City's architectural control process, in accordance with Section 16.68.020 of the zoning ordinance, and be required to comply with applicable design standards, as outlined in the zoning ordinance. In addition, General Plan goals and policies, as listed above, would serve to minimize potential adverse impacts on aesthetic resources. Impacts would be ***less than significant***. 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 General Plan policies. No mitigation measures were required.

Project-Specific Discussion

Existing exterior lighting at the Project site is limited because only the southern portion is occupied (with the PacBio building); Lot 3 North is vacant. Building, parking lot, and security lighting is currently present at the southern portion of the Project site. Proposed development at the Project site would result in nighttime lighting from vehicles, interior circulations areas, the parking garage, the building, the second-floor patio, and security features. Lighting would be provided throughout Lot 3 North by roadway/driveway lights, area lights, bollards, and in-ground lights. The proposed lighting at the Project site would be visible from Adams Court, Adams Drive, and O'Brien Drive and could be a nuisance or distraction for motorists. However, these roadways are not heavily traveled, and some of the lights would be screened by onsite vegetation.

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 LEED program pertain to lighting specifications, shielding techniques, automatic lighting controls, and light pollution. Although building surfaces could be reflective, glare would be minimized through Project 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 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; therefore, there would be no new specific effects as a result of the Project. When compared to existing conditions at the Project site, the Project would result in increased light and glare, which would adversely affect daytime and nighttime views. However, the Project would be subject to the City's architectural control process, in accordance with Section 16.68.020 of the zoning ordinance, and be

required to comply with applicable design standards, as outlined in the zoning ordinance. This review would ensure that the proposed design, construction materials, and lighting would be consistent with area practices and that the proposed lighting would be directed downward so as not to spill over on adjacent properties, 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
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.					
Would the Project:					
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?	☐	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract?	☐	☐	☐	☐	☒
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))?	☐	☐	☐	☐	☒
d) Result in the loss of forestland or conversion of forestland to non-forest use?	☐	☐	☐	☐	☒
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?	☐	☐	☐	☐	☒

Setting

The Project site does not contain Farmland, nor is it adjacent to any Farmland. The 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).[6] In addition, the Project site is not currently protected under the Williamson Act or zoned for agricultural uses.[7] The Project site is zoned Life Science, Bonus (LS-B), which does not allow for agricultural uses.

[6] California Department of Conservation. 2018. *2016 Farmland Mapping and Monitoring Program*. Available ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/smt16.pdf. Accessed: June 18, 2018.

[7] California Department of Conservation. 2012. *San Mateo County Williamson Act, FY 2006/2007.* Last revised: 2012. Available: ftp://ftp.consrv.ca.gov/pub/dlrp/wa/SanMateo_06_07_WA.pdf. Accessed: April 25, 2018.

There are currently 44 trees on Lot 3 North. 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 General Plan, the Project site is located in an Urban area.[8] No changes are proposed to the number of trees on the southern portion of the Project site.

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 2010 Farmland Mapping and Monitoring Program from the State Department of Conservation, the Project site is in an area that is designated as Urban and Built-Up Land,[9] 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 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; therefore, there would be no new specific effects as a result of the Project. ***No impact*** would occur, and no further study is needed.

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 Project involves construction of facilities for life science uses on undeveloped land within the existing Menlo Park Labs Campus. Construction of the 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 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

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

9 California Department of Conservation. 2018. *2016 Farmland Mapping and Monitoring Program*. Available ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/smt16.pdf. Accessed: June 18, 2018.

analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. As such, the 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 to 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 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; therefore, there would be no new specific effects as a result of the 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), forested land 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 and is currently undeveloped. The Project site is also not used for timberland production and would not convert farmland or forestland. As such, the 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?	☐	☐	☐	☒	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☒	☐	☐	☐	☐
c) 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 (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	☒	☐	☐	☐	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☒	☐	☐	☐	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☐	☒

Setting

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

General Plan Goals and Policies

General Plan goals and policies related to air quality will be outlined and discussed in the focused 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 Project. Impacts were found to be less than significant, and no mitigation measures were recommended.

Project-Specific Discussion

As discussed in Topic XIII, *Population and Housing*, the Project would result in a small number of new employees and residents in the City. The Project would be within the growth projections anticipated through implementation of ConnectMenlo. The Project would be required to adhere to relevant ConnectMenlo policies, develop a Transportation Demand Management (TDM) program to reduce VMT, comply with the City's Green Building requirements and achieve the prescribed level of LEED certification, comply with zoning that requires EV chargers, comply with clean energy requirements, and adhere to a zero-waste management plan.

The 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 the ConnectMenlo Circulation Elements. Overall, compliance with the goals, policies, and programs discussed above would ensure that the 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 Project would not hinder implementation of the Clean Air Plan for the reasons discussed above. 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; therefore, there would be no new specific effects as a result of the Project. The Project would result in a ***less-than-significant*** impact, and no further study is needed.

b.–c. Violate any air quality standard or contribute substantially to an existing or projected air quality violation or 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 (including releasing emissions that exceed quantitative thresholds for ozone precursors)? (Topics to Be Analyzed in the Focused EIR)

Analysis in the ConnectMenlo EIR

These checklist items were 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, despite the implementation of mitigation measures. Despite the conclusion of significant and unavoidable, as discussed below, ConnectMenlo Mitigation Measures AQ-2a, AQ-2b, 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 focused 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 focused EIR.

d. Expose sensitive receptors to substantial pollutant concentrations? (Topic to Be Analyzed in Focused 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 focused 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. Therefore, this topic requires ***further environmental review*** in the focused EIR.

e. Create objectionable odors 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.

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 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; therefore, there would be no new specific effects as a result of the Project. In addition, the Project would not result in land uses that would create objectionable odors because the Project site would be developed for life science uses in an office park setting. The Project would result in ***no 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?	☐	☐	☒	☐	☐
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?	☐	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands, as defined by Section 404 of the Clean Water Act (including, but not limited to, marshes, vernal pools, coastal wetlands), through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒	☐
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?	☐	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒	☐
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?	☐	☐	☐	☐	☒

Setting

Methods

ICF reviewed the following sources to identify existing biological resources in the vicinity of the Project site:

- Biological resources section of the ConnectMenlo EIR
- California Natural Diversity Database (CNDDB) occurrences of special-status species and sensitive natural communities within 2 miles of the Project site[10]
- eBird online database of bird distribution and abundance[11,12]
- *1350 Adams Court Project Biological Resources Report* prepared by H. T. Harvey & Associates[13]
- *Arborist Report for 1350 Adams Court, Menlo Park, California* prepared by Arbor Resources[14]

In addition, ICF biologist Matt Ricketts conducted a reconnaissance-level biological survey of the Project site on April 24, 2018. The purpose of the survey was to collect qualitative information regarding existing vegetation and wildlife resources on or adjacent to the Project site and evaluate the site's potential to support special-status plant and/or wildlife species. Observations were made by walking meandering transects across Lot 3 North[15] and around the site perimeter while recording observations of plants, animals, and habitat features (e.g., ornamental trees with old stick nests) using both paper (notebook) and digital (photo waypoints collected with Gaia GPS or Theolodite for iOS) field notes.

Additional information on biological resources can be found in the biological resources report prepared by H. T. Harvey & Associates,[16] attached to this Initial Study as Appendix A.

Topography and Soils

The Project site is relatively flat, with an elevation that ranges from approximately 9 to 12 feet above mean sea level. The Natural Resources Conservation Service has mapped soils on the site as Urban Land–Orthents (reclaimed complex, 0 to 2 percent slopes). This soil type is generally associated with former tidal flats as well as salt marshes, which occurred at this location prior to urban development. In addition, this soil type has a variable profile to a depth of approximately 40 inches, with silty clay generally occurring from 40 to 60 inches, and is considered well drained.

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10 California Department of Fish and Wildlife. 2018a. *California Natural Diversity Database* [ds85]. Commercial version dated April 1, 2018. Biogeographic Information and Observation System. Available: https://www.wildlife.ca.gov/Data/CNDDB/Maps-and-Data#43018408-cnddb-in-bios, Accessed: April 23, 2018 (commercial subscription required).

11 eBird. 2012. *eBird: An Online Database of Bird Distribution and Abundance.* Ithaca, NY. Available: http://www.ebird.org. Accessed: April 27, 2018.

12 eBird is managed by the Cornell Lab of Ornithology as the world's largest collaborative enterprise with partner organizations, regional experts, and users. eBird data document bird distribution, abundance, habitat use, and trends through checklist data collected within a scientific framework.

13 H. T. Harvey & Associates. 2018. *1350 Adams Court Project Biological Resources Report*. Prepared for Menlo Park Portfolio II, LLC, Menlo Park, CA. July 16.

14 Arbor Resources. 2018. *Arborist Report: 1350 Adams Court, Menlo Park, California*. Submitted to DES Architects + Engineers, Inc., Redwood City, CA. October 16.

15 Note that the analysis performed by ICF focuses on Lot 3 North rather than the entire Project site because the Project would include demolition and construction on the vacant Lot 3 North only.

16 H. T. Harvey & Associates, 2018, op. cit.

Land Cover

The entire Project site has been modified for human use and does not support any natural plant communities. With the exception of Lot 3 North, which contains an artificial fill pad that is overgrown with ruderal vegetation (i.e., weeds and nonnative grasses), the entire Project site is dominated by urban land cover (i.e., building, paved parking lots, ornamental landscaping). Ruderal plant species observed on Lot 3 North are typical of disturbed sites and vacant lots in the Bay Area. Grass species observed during the April 24, 2018, survey included wild oat (*Avena fatua*), ripgut grass (*Bromus diandrus*), Mediterranean barley (*Hordeum marinum* subsp. *gussoneanum*), soft chess (*Bromus hordeaceus*), rye grass (*Festuca perennis*), and rabbitfoot grass (*Polypogon monspeliensis*). Forb species observed by ICF or H. T. Harvey & Associates included fennel (*Foeniculum vulgare*), black mustard (*Brassica nigra*), California burclover (*Medicago polymorpha*), bull mallow (*Malvanicaeensis*), Russian thistle (*Salsola tragus*), Scotch thistle (*Onopordum acanthium*), and filaree (*Erodium* sp.), among others. Average vegetation height at the time of the April 24 survey was approximately 24 inches.

Currently, 71 trees are planted as ornamental landscaping around the perimeter of the Project site, including 55 that qualify as heritage trees under the City's Heritage Tree Ordinance (Chapter 13.24 of the Municipal Code). Canary Island pine (*Pinus canariensis*) and Bradford flowering pear (*Pyrus c.* "Bradford") account for the majority of planted trees.

Wildlife Habitat

The Project site provides habitat (i.e., "the resources and conditions present in an area that produce occupancy…by a given organism")[17] 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. Wildlife species observed during the April 24, 2018, survey included Anna's hummingbird (*Calypte anna*), northern rough-winged swallow (*Stelgidopteryx serripennis*), barn swallow (*Hirundo rustica*), American crow (*Corvus brachyrhynchos*), black phoebe (*Sayornis nigricans*), dark-eyed junco (*Junco hyemalis*), house finch (*Haemorhous mexicanus*), and lesser goldfinch (*Spinus psaltria*). No active bird nests were observed during the survey, but the numerous trees around the site provide potential nesting habitat for crows, finches, hummingbirds, and other urban nesting birds, such as Cooper's hawk (*Accipiter cooperi*), red-shouldered hawk (*Buteo lineatus*), northern mockingbird (*Mimus polyglottos*), and American robin (*Turdus migratorius*). Small burrowing mammals such as Botta's pocket gopher (*Thomomys bottae*) and California ground squirrel (*Spermophilus beecheyi*) were observed in low numbers. Other generalist mammal species that are expected to occur on the Project site include western harvest mouse (*Reithrodontomys megalotis*), raccoon (*Procyon lotor*), Virginia opossum (*Didelphis virginiana*), roof rat (*Rattus rattus*), Norway rat (*Rattus norvegicus*), feral and domestic cats (*Felis catus*), and striped skunk (*Mephitis mephitis*). Common urban-adapted amphibians or reptiles that may occur include Sierran treefrog (*Pseudacris sierra*), California slender salamander (*Batrachoseps attenuatus*), gopher snake (*Pituophis melenoleucus*), and common gartersnake (*Thamnophis sirtalis*).

Wetlands and Non-Wetland Waters of the United States

The Project site is located in an area that is underlain by Holocene fine-grained alluvium (Qaf) and not within historic saltwater or brackish marshes. Although Bay fill lands are within the vicinity of the Project site, the existing Project site is paved, landscaped, or otherwise graded; therefore, no wetlands

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

or non-wetland waters of the United States are present. There is a small drainage ditch at the eastern edge of the fill pad on Lot 3 North, but no evidence of wetland hydrology or vegetation was observed during the April 24, 2018, reconnaissance survey.

Special-Status Species

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

Special-status species known or expected to occur within 2 miles of the Project site are summarized in Table 3.4-1. Note that the table does not include species considered by the CNDDB as occurring historically but have not been seen for many years (e.g., California tiger salamander) or habitat that has since been eliminated. In addition, the table does not include habitat that is clearly absent within 2 miles of the site (e.g., species occurring in the coniferous forests of the Santa Cruz Mountains).

Sensitive Natural Communities

Sensitive or natural communities (vegetation types) have limited distribution statewide or within a county or region. CDFW's Vegetation Classification and Mapping Program (VegCAMP) works to classify and map the vegetation of California and determine the rarity of vegetation types. The current version of the CDFW VegCAMP List of Vegetation Alliances and Associations (or Natural Communities List)[18] indicates which vegetation types are currently considered to be sensitive.

The CNDDB identifies two sensitive natural communities within 2 miles of the Project site: northern coastal salt marsh and valley oak woodland. Neither community is 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.

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 their habitat."[19] Corridors can be viewed over broad spatial scales, from those

[18] California Department of Fish and Wildlife. 2018b. *California Natural Community List.* January 24. Available: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=153398&inline. Accessed: April 27, 2018.

[19] 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.

Table 3.4-1. Special-Status Species Known or Expected to Occur within 2 Miles of 1350 Adams Court

Species	Fed/State/Other	Habitat	Likelihood of Occurrence
Plants			
Centromadia parryi ssp. *congdonii* Congdon's tarplant	–/–/1B.1	Occurs in valley and foothill grasslands (alkaline). Blooms from May to October/November. Elevation ranges from 1 to 230 meters.	**None:** Not expected to occur because of existing disturbance and lack of alkaline soils.
Chloropyron maritimum ssp. *palustre* Point Reyes bird's-beak	–/–/1B,2	Coastal salt marshes and swamps. Blooms from June to October. Elevation ranges from 0 to 10 meters.	**None:** Not expected to occur because of lack of marsh.
Stuckenia filiformis ssp. *alpina* Slender-leaved pondweed	–/–/2B.2	Assorted shallow freshwater marshes and swamps. Blooms from May to July. Elevation ranges from 300 to 2,150 meters.	**None:** Not expected to occur because of lack of marsh.
Fish			
Spirinchus thaleichthys Longfin smelt	FC/ST/SSC	Bays, estuaries, and nearshore coastal areas between the Sacramento-San Joaquin River Delta and the Gulf of the Farallones; migrates into freshwater rivers to spawn.	**None:** Aquatic habitat absent.
Amphibians			
Rana draytonii California red-legged frog	FT/–/SSC	Permanent and semi-permanent aquatic habitats, such as creeks and coldwater ponds with emergent and submergent vegetation; may aestivate in rodent burrows or cracks during dry periods.	**None:** Aquatic habitat absent.
Reptiles			
Thamnophis sirtalis tetrataenia San Francisco gartersnake	FE/SE/FP	Uses a variety of habitats, preferring grasslands or wetlands near ponds, marshes, and sloughs. May overwinter in upland areas away from water.	**None:** The CNDDB record is a non-specified occurrence from 1922 and identified as "unreliable" by the U.S. Fish and Wildlife Service. Not expected to occur because the Project site is not within or near one of the known populations.
Birds			
Circus cyaneus Northern harrier	–/–/SSC	Nests and forages in grasslands, meadows, marshes, and seasonal and agricultural wetlands.	**None:** Not expected to occur on Project site because of urbanized setting and consequent lack of natural habitat.

Species	Fed/State/Other	Habitat	Likelihood of Occurrence
Elanus leucurus White-tailed kite	–/–/FP	Open grasslands, meadows, or marshes; requires dense trees or shrubs for nesting and perching.	**Low:** There are no CNDDB occurrences, but several eBird observations[20] within 2 miles of the site. The onsite trees are suitable for nesting, but this species is more likely to nest in shrubs or trees adjacent to the extensive grasslands and marshes next to the Bay.
Laterallus jamaicensis coturniculus California black rail	–/ST/FP	Tidal marshes dominated by pickleweed or brackish marshes that support bulrushes in association with pickleweed.	**None:** Not expected to occur on Project site because of urbanized setting and consequent lack of natural habitat.
Rallus obsoletus obsoletus California Ridgway's (= clapper) rail	FE/SE/FP	Tidal marshes, usually associated with dense pickleweed and abundant tidal channels; feeds on mollusks removed from mud in flats and channels.	**None:** Not expected to occur on Project site because of urbanized setting and consequent lack of natural habitat.
Coturnicops noveboracensis Yellow rail	–/–/SSC	Breeds in sedge marshes/meadows with moist soil or shallow standing water; winters in tidal marshes.	**None:** Only nearby occurrence is a January 17, 1988, capture near the Palo Alto Baylands. Not expected to occur because of lack of natural habitat.
Charadrius alexandrinus nivosus Western snowy plover	FT/–/SSC	Coastal beaches, sand spits, dune-backed beaches, sparsely vegetated dunes, beaches at creek and river mouths, and salt pans at lagoons and estuaries.	**None:** Not expected to occur on Project site because of urbanized setting and consequent lack of natural habitat.
Sterna antillarum browni California least tern	FE/SE/FP	Nests on sandy beaches or other sparsely vegetated substrates along the coast from San Francisco to Baja California. In San Francisco Bay, nests on former salt ponds and an old airport runway (former Alameda Naval Air Station). Forages for fish over open water.	**None:** Not expected to occur on Project site because of urbanized setting and consequent lack of natural habitat.
Athene cunicularia Burrowing owl	–/–/SSC	Level, open, dry, heavily grazed or low-stature grassland or desert vegetation with available burrows.	**None:** Ground squirrel burrows observed on Lot 3 North, but species not expected to occur because of height and density of ruderal vegetation.
Lanius ludovicianus Loggerhead shrike	–/–/CSC	Open or semi-open areas with tall shrubs, trees, fences, utility lines, or other similar features for hunting perches; open areas of short grass, forbs, or bare ground for hunting; and large shrubs or trees	**None:** Not expected to nest on Project site because of lack of foraging habitat and urban setting.

[20] eBird, 2012, op. cit.

Species	Fed/State/Other	Habitat	Likelihood of Occurrence
		for nesting.	
Geothlypis trichas sinuosa San Francisco (= saltmarsh) common yellowthroat	–/–/SSC	Freshwater marshes in summer and salt or brackish marshes in fall and winter; requires tall grasses, tules, and willow thickets for nesting and cover.	**None:** Not expected to occur on Project site because of urbanized setting and consequent lack of natural habitat.
Melospiza melodia pusillula Alameda song sparrow	–/–/SSC	Tidal marshes around the perimeter of San Francisco Bay.	**None:** Not expected to occur on Project site because of urbanized setting and consequent lack of natural habitat.
Tree-nesting raptors	–/–/– (identified as "special-status species" by ConnectMenlo EIR)	Mature trees with strong branches, hollows, and/or branch forks that provide support for platform stick nests.	**Moderate:** Larger trees around Project site perimeter suitable for nesting by urban-adapted raptors such as Cooper's hawk and red-shouldered hawk.
Mammals			
Reithrodontomys raviventris Salt-marsh harvest mouse	FE/SE/FP	Occurs only in the saline emergent wetlands of the Bay and its tributaries. Pickleweed is primary habitat. Does not burrow; builds loosely organized nests. Requires higher areas for flood escape.	**None:** Not expected to occur on Project site because of urbanized setting and consequent lack of natural habitat.
Sorex vagrans halicoetes Salt-marsh wandering shrew	–/–/SSC	Upper half of the middle marsh zone where inundated by higher high tides that contain abundant vegetation cover, surface moisture, and organic detritus, with abundant amphipods and other crustaceans.	**None:** Not expected to occur on Project site because of urbanized setting and consequent lack of natural habitat.
Antrozous pallidus Pallid bat	–/–/CSC	Occurs in a variety of habitats but most common in dry rocky areas; day and night roosts include crevices in rocky outcrops and cliffs, caves, mines, tree hollows, and various human structures (e.g., bridges, barns, porches).	**None:** No suitable roosting habitat present on or in vicinity of Project site. No known maternity colonies present in vicinity. Individuals from distance colonies may forage over site on rare occasions.
Taxidea taxus American badger	–/–/FP	Shrub, forest, and herbaceous cover types with friable soils for digging burrows.	**None:** Not expected to occur because of urbanized setting and consequent lack of natural habitat.

Species	Fed/State/Other	Habitat	Likelihood of Occurrence

Source:
CDFW 2018, op. cit.
Notes:
Federal
FE = Federally listed as endangered
FT = Federally listed as threatened
FC = Federally candidate for listing
State
SE = State listed as endangered
ST = State listed as threatened
Other
SSC = California Species of Special Concern
FP = California Fully Protected Species
California Rare Plant Rank
1A = Plants presumed extirpated in California and either rare or extinct elsewhere.
1B = Plants that are rare, threatened, or endangered in California and elsewhere.
2A = Plants that are presumed extirpated in California but common elsewhere.
2B = Plants that are rare, threatened, or endangered in California but more common elsewhere.
California Native Plant Society Threat Code Extension
.1 = Species seriously endangered in California
.2 = Species fairly endangered in California
.3 = Species not very endangered in California

– = no status

connecting continents (e.g., Isthmus of Panama) to structures crossing canals or roads. 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 dispersal and movement by terrestrial wildlife, with the exception of un-channelized 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's General Plan (specifically the Land Use Element, Open Space/Conservation Element, Noise Element, and Safety Element) contains general goals, policies, and programs that would require local planning and development decisions to consider impacts on biological resources. The following General Plan goals, policies, and programs would serve to 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, Program LU-6.D, 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? (Less than Significant with Mitigation Incorporated)

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 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 project applicants to prepare and submit a project-specific Biological Resources Assessment (BRA) if the project occurs on or adjacent to a parcel containing natural habitat. For this Project, H. T. Harvey & Associates prepared a BRA in accordance with Mitigation Measure BIO-1, as discussed in more detail below.

Project-Specific Discussion

With the exception of white-tailed kite and tree-nesting raptors, none of the special-status species identified in Table 3.4-1 are expected to occur onsite because of the Project site's urban setting and consequent lack of the natural communities to which these species are adapted. Most special-status species in the vicinity are associated with the extensive tidal marshes or salt pond complexes adjacent to San Francisco Bay. Although such habitat occurs within 2 miles of the Project site, the distributions of these species are limited by specific environmental requirements (e.g., moisture, salinity, topography, soil types, vegetation structure) that do not occur in the urban environment. White-tailed kite, a California Fully Protected Species, has a low potential to nest onsite because

existing ornamental trees provide suitable nest sites, and the species has been observed nearby.[21] The trees also provide nesting habitat for tree-nesting raptors such as Cooper's hawk and red-shouldered hawk. These common species have not been identified as candidate, sensitive, or special-status species by the U.S. Fish and Wildlife Service or CDFW but are tree-nesting raptors and therefore considered special-status species by a local plan (i.e., ConnectMenlo EIR).

If the Project is implemented during the nesting season (February 1 to September 14), tree and shrub removal could result in the direct mortality of adult or young birds, the destruction of active nests, and/or disturbance of nesting adults, causing nest abandonment and/or loss of reproductive effort. Native bird species are protected by both state (California Fish and Game Code Sections 3503 and 3513) and federal (Migratory Bird Treaty Act [MBTA] of 1918) laws. Any disturbance of nesting birds that results in the abandonment of active nests or litters or the loss of active nests through vegetation or structure removal would be a ***potentially significant*** impact.

MITIGATION MEASURE. The Project would implement the following Project mitigation measures, as outlined in the BRA prepared for this Project (Appendix A), to reduce potential impacts on white-tailed kite and tree-nesting raptors.

BR-1: *Nesting Bird Avoidance.* To the extent feasible, construction activities (or at least the commencement of such activities) shall be scheduled to avoid the nesting season. If construction activities are scheduled to take place outside the nesting season, all impacts on nesting birds protected under the MBTA and California Fish and Game Code shall be avoided. The nesting season for most birds in San Mateo County extends from February 1 through August 31.

BR-2: *Preconstruction/Pre-disturbance Surveys*. If it is not possible to schedule construction activities between September 1 and January 31, preconstruction surveys for nesting birds shall be conducted by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. These surveys shall be conducted no more than 7 days prior to the initiation of construction activities. During this survey, the ornithologist shall inspect all trees and other potential nesting substrates (e.g., trees, shrubs, ruderal grasslands, buildings) in and immediately adjacent to the impact areas for nests.

BR-3: *Active Nest Buffers*. If an active nest is found close to work areas that are to be disturbed by construction activities, the qualified ornithologist shall determine the extent of the construction-free buffer zone to be established around the nest (typically 300 feet for raptors and 100 feet for other species) to ensure that no nests of species that are protected by the MBTA and California Fish and Game Code are disturbed during project implementation.

BR-4: *Inhibition of Nesting.* If construction activities will not be initiated until after the start of the nesting season, all potential nesting substrates (e.g., bushes, trees, grasses, other vegetation) that are scheduled to be removed by the project shall be removed prior to the start of the nesting season (i.e., before February 1). This will preclude the initiation of nests in such vegetation and prevent the potential delay of the Project because of the presence of active nests in these substrates.

[21] eBird, 2012, op. cit.

Conclusion

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; therefore, there would be no new specific effects as a result of the Project. 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 (included in Appendix A of this document and summarized here). Mitigation measures are included in the BRA to reduce impacts on nesting birds. Therefore, this Project would implement Project Mitigation Measures BR-1 through BR-4 to avoid such impacts. Impacts on special-status species as a result of the Project would be ***less than significant with mitigation,*** and no further study is needed.

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 to 4.3-25), which found that, without 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 (completion of a BRA) would reduce the impact to less than significant by requiring project-specific assessment of biological resources.

Conclusion

A BRA was prepared for the Project in accordance with Mitigation Measure BIO-1 in the ConnectMenlo EIR (Appendix A). 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; therefore, there would be no new specific effects as a result of the Project. The Project site does not contain any riparian habitat or sensitive natural communities. Therefore, the Project would have ***no impact*** on these resources, and no further study is needed.

c. Have a substantial adverse effect on federally protected wetlands, as defined by Section 404 of the Clean Water Act (including, but not limited to, marshes, vernal pools, 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 (completion of a BRA) would reduce the impact to less than significant by requiring project-specific assessment of biological resources.

Project-Specific Discussion

No wetlands occur on or immediately adjacent to the Project Site. Therefore, the 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 potential for water quality degradation due to increased levels in non-point pollutants. Water quality degradation may occur even if wetlands are not in the immediate vicinity. However, as discussed in Section IX, *Hydrology and Water Quality*, compliance with state requirements under the NPDES Construction General Permit and the RWQCB-required 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 (MRP), would reduce the project's potential impact on water quality.

Conclusion

A BRA was prepared for the Project in accordance with Mitigation Measure BIO-1 in the ConnectMenlo EIR (Appendix A). 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; therefore, there would be no new specific effects as a result of the Project. The Project site does not contain any 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-wetlands 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? (Less than Significant with Mitigation Incorporated)

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 the preparation of project-specific assessments for future projects on or near sensitive habitats, impacts in the ConnectMenlo EIR study area are considered potentially significant. The ConnectMenlo EIR found that implementation of Mitigation Measure BIO-1 would reduce the impact to less than significant by requiring project-specific assessment of biological resources.

Project-Specific Discussion

The Project site is not within or adjacent to any wildlife corridors. Therefore, the Project would have ***no impact*** on this resource. However, existing trees on the site provide nesting habitat for native resident and migratory birds that are protected under the MBTA and California Fish and Game Code. If

the Project is implemented during the nesting season (February 1 to September 14), tree and shrub removal could result in direct mortality of adult or young birds, the destruction of active nests, and/or disturbance of nesting adults, causing nest abandonment and/or loss of reproductive effort. Any disturbance of nesting birds that results in the abandonment of active nests or litters or the loss of active nests through vegetation or structure removal would be a ***potentially significant*** impact on native wildlife nursery sites (i.e., bird nests).

MITIGATION MEASURES. Per ConnectMenlo Mitigation Measure BIO-1, a BRA (Appendix A) has been prepared for this Project. Based on the recommendations in the BRA, the Project would implement Project Mitigation Measures BR-1 to BR-4, as included above.

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 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; therefore, there would be no new specific effects as a result of the Project. As explained above, a BRA was prepared in accordance with Mitigation Measure BIO-1 in the ConnectMenlo EIR. The BRA (Appendix A) recommends mitigation measures to reduce impacts on native wildlife nursery sites. Therefore, the Project would implement Project Mitigation Measures BR-1 to BR-4, as included above, consistent with the BRA. Impacts would be ***less than significant with mitigation***, and no further study is needed.

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 General Plan goals, policies, and programs, as well as the Municipal Code, the impact would be less than significant.

Project-Specific Discussion

The Project is subject to the City's Heritage Tree Ordinance, codified in Chapter 13.24 of the Municipal Code.[22] 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 Public Works or his/her designee and payment of a fee. A tree report, map, and tree protection plan for the Project was prepared in March 2018.[23]

[22] City of Menlo Park Municipal Code, Section 13.024.10.

[23] Arbor Resources, 2018, op. cit.

Fifty-five of the 71 trees on the site meet the City's definition of a heritage tree; 10 of these are proposed for removal. Removal of heritage trees without first obtaining an appropriate permit from the Director of Public Works or his/her designee and payment of a fee is prohibited. As part of obtaining a tree removal permit, the Project Sponsor must be in compliance with the Heritage Tree Ordinance.[24]

The Project would also be subject to Chapter 16.44.130(6) of the Municipal Code concerning bird-friendly designs for buildings. The Project would construct a new building with a height of approximately 92 feet that would be fitted with double-glazed high-performance windows. Glass windows and building façades can result in bird injury or mortality because birds do not perceive glass as an obstruction. They may collide with glass that reflects the sky or vegetation or glass that is transparent, which allows birds to perceive an unobstructed flight route to vegetation inside the building. Most bird/window collisions occur within the first 60 feet of the ground.[25] Vegetation in the vicinity of the Project site is limited to nonnative ornamental trees and shrubs. It lacks the structural diversity that typically attracts large numbers of native birds. Species with the greatest potential to collide with new buildings are primarily the common, urban-adapted passerines that currently use the site. The Project is within the primary "bird collision zone" (i.e., within 0 to 60 feet of the ground); therefore, it would comply with the zoning regulations set forth in Chapter 16.44.130(6) of the Municipal Code. Compliance with these requirements would reduce the number of bird collisions at the new building.

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 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; therefore, there would be no new specific effects as a result of the Project. Because compliance with the tree ordinance is mandatory, and the Project would implement a bird-safe design, 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 (requiring implementation of Mitigation Measure BIO-1) would reduce impacts to less than significant.

[24] City of Menlo Park, Community Development. n.d. *Heritage Tree Replacement Procedures*. Available: https://www.menlopark.org/DocumentCenter/View/833/Heritage-Tree-Replacement-Procedures. Accessed: April 30, 2018.

[25] City of San Francisco. 2011. *Standards for Bird-safe Buildings*. San Francisco Planning Commission. July 14. Available: http://default.sfplanning.org/publications_reports/bird_safe_bldgs/Standards%20for%20Bird%20Safe%20Buildings%20-%2011-30-11.pdf. Accessed: June 20, 2018.

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 Project in accordance with Mitigation Measure BIO-1 in 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; therefore, there would be no new specific effects as a result of the Project. However, because the Project site is not within an HCP, the Project would have ***no impact*** on the provisions of an adopted HCP, natural community conservation plan, or other approved local, regional, or state habitat conservation plan. 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, as defined in Section 15064.5?	☐	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource, pursuant to Section 15064.5?	☐	☐	☒	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐	☐

Setting

Historic Resources

The Menlo Park Labs Campus, including the Project site, was owned and farmed by one family from 1865 until approximately 1958, at which time it was annexed to the City. The majority of the buildings at the Menlo Park Labs Campus were constructed in three phases, from approximately 1984 to 1989. The building on the southern portion of the Project site, at 1305 O'Brien Drive, was constructed in 1988 and occupied by Boise Cascade, later Office Max, which used the facility as a distribution center and warehouse. After Office Max vacated the Project site in 2015, the northern 75-foot portion of the building was removed and a new wall was constructed. The 75-foot-wide slab-on-grade concrete floor from the building was left intact. In 2016, the remainder of the building was upgraded and has since been occupied by PacBio, which uses it for research and development (R&D). The undeveloped portion of the Project site (Lot 3 North) has been vacant since at least 1939.[26]

Archaeological Resources

ICF archaeologist Lily Arias, M.A., completed a records search at the Northwest Information Center (NWIC) of the California Historical Resources Information System (CHRIS) on April 16, 2018. The Project site, as well as a 0.5-mile buffer around the site, was inspected for previously recorded archaeological resources. This records search identified 20 previous studies that were conducted within 0.5 mile of the Project. One of the studies (M.P. Holman) was within the development footprint of the Project, while three of the studies covered areas adjacent to the Project site. These studies are summarized in Table 3.5-1, below.

[26] Stellar Environmental Solutions, Inc. 2018. *Phase I Environmental Site Assessment, 1305 O'Brien Drive, Menlo Park, California.* Prepared for Tarlton Properties, Menlo Park, CA. April.

Table 3.5-1. Cultural Resources Studies – Project Site

Study Number	Author	Date	Title	Findings
S-3063	R. Cartier	1978	Archeological Evaluation of Sunset Meadows Project	Determined that pre-contact archaeological deposits are located within the study boundaries. Recommended testing before any work occurs in the area.
S-5406	M.P. Holman	1981	A Report of Archaeological Findings at the Proposed Dumbarton Distribution Center, Menlo Park, California	Identified a pre-contact site within the study area, but testing failed to reveal any subsurface deposits.
S-15932	Archaeological Resource Management	1993	Cultural Resource Evaluation, Opportunities Industrialization Center West Child Care and Job Training Facility, County of San Mateo	This study did not identify any archaeological resources within the study area. However, only a surface survey occurred.
S-40929	Basin Research Associates, Inc.	2013	Archaeological Data Recovery Report (SMA-83) and Final Archaeological Resources Report, San Francisco Public Utilities Commission, Water System Improvement Program, Bay Division Pipeline Reliability Upgrade Project, East Bay and Peninsula Bay Division Pipeline No. 5, Alameda and San Mateo Counties, California	This study did not identify any archaeological resources within the study area.

Note: All resources on file at the NWIC.

The remaining 16 studies covered areas within 0.5 mile of the Project site. These studies included 10 archaeological reconnaissance projects and five evaluations and/or testing projects that focused on specific cultural resource sites. Seven previously recorded cultural resources were identified outside the footprint for the proposed building (i.e., within 0.5 mile). All seven consist of pre-contact archaeological sites, as summarized in Table 3.5-2, below.

As stated above, a study that included the Project site within its boundaries identified a pre-contact site in the study area, but testing failed to reveal any subsurface deposits. No other studies have been conducted for the Project site. Although there are no known cultural resources on the Project site, it is possible that cultural resources could be discovered.

Paleontological Resources

Paleontological resources, or fossils, are any evidence of past life, including the remains, traces, and imprints of once-living organisms that have been 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,[27] significant paleontological resources include identifiable vertebrate fossils,

[27] 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: May 4, 2018.

Table 3.5-2. Previously Recorded Resources within 0.5 Mile of the Project Site

Trinomial	P-Number	Date	Author	Description
CA-SMA-77	P-41-000080	1952	ABE	A low-rise mound habitation site with burials. Burials are described as being in poor shape. Artifacts include, charmstones, mortars, pestles, and projectile points.
CA-SMA-160	P-41-000160	1978; 2008	n/a	This resource is recorded as a rich Bay marsh habitation site with many burials, features, and artifacts, including fire-cracked rock (fcr), chert, groundstone, shell, and pestles.
CA-SMA-235	P-41-000233	1981; 2013	C. Pierce, J. Hammet; C. Canzonieri	This resource was originally recorded as an extensive village site, comprising shell, baked earth, fcr, and burned and unburned faunal bone.
CA-SMA-248	P-41-000244	1984; 2008	R. Cartier	This resource consists of a midden deposit with shell, fcr, and lithics. One contracting-stem projectile point base was identified.
CA-SMA-267	P-41-000263	1986	A. Leventhal, R. Cambra, G. Seita	This resource consists of a single disturbed burial within midden soils. Chert flakes were also identified.
CA-SMA-386/H	P-41-002076	2002	T. Van Buren, R. Fitzgerald, B. Ramos	This multi-component site comprises two 19th-century refuse deposits and a prehistoric habitation site. Both historic refuse deposits consist of household materials from the 1870s through the 1920s. The prehistoric component consists of midden soil, shell, lithics, seven bifaces, one pestle, a mortar rim fragment from a stone bowl, a mano, and an obsidian flake.
n/a	P-41-002292	2012	N. Kaptain	This resource consists of a 2-meter concentration of shell and one bone fragment within a road median.

Note: All resources on file at the NWIC.

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[28] 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- (less than 10,000 years ago) and Pleistocene-age alluvium.[29] These geologic deposits underlie the artificial fill or disturbed soil directly under the developed areas of the City, which is typical of urbanized areas. A summary of each of the geologic units is provided below.

[28] Potential for paleontological resources is based on the Society of Vertebrate Paleontology's (2010) *Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources*.

[29] 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: May 4, 2018.

- **Artificial Fill** – Artificial fill is a mixture of sand, silt, and gravel, potentially engineered, that is often used to prepare areas for urban development or, historically, fill 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 is lost through handling.[30] Artificial fill would, therefore, not contain significant paleontological resources. Artificial fill has no potential with respect to containing paleontological resources.
- **Holocene Fine-Grained Alluvium (Qaf)** – Holocene fine-grained alluvium is unconsolidated, poorly sorted plastic organic clay and silty clay in basins, usually at the margins of tidal marshlands. It 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 (less than 10,000 years ago) deposits are considered too young to have fossilized remains of organisms (fossilization processes take place over thousands or millions of years). These alluvial deposits contain vertebrate and invertebrate fossils of extant modern taxa,[31] which are generally not considered significant paleontological resources. Holocene fine-grained alluvium has low potential with respect to containing paleontological resources.
- **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.[32] Because of their age, they have some potential for containing paleontological resources. The University of California Museum of Paleontology (2018) contains records of fossil discoveries in inland San Mateo County from Pleistocene deposits of unspecified geologic formation. These include species of moose, horse, camel, mammoth, and bison. Holocene and Pleistocene alluvial and basin deposits, undivided, high potential with respect to containing paleontological resources.

Native American Resources

As outlined in Topic XVI, Tribal Cultural Resources, no Native American resources were identified during consultation with the California Native American tribes listed by the Native American Heritage Commission (NAHC). In addition, a search of the NAHC Sacred Lands File (SLF) did not identify any resources within the Project area.

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 cultural resources. The following General

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30 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: May 4, 2018.

31 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: May 4, 2018.

32 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: May 4, 2018.

Plan goals, policies, and programs would serve to minimize impacts on cultural resources: Goal LU-7, Policy LU-7.8, Policy OSC-3, Policy OSC-3.1, Policy OSC-3.2, Policy OSC-3.3, Policy OSC-3.4, 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, as defined in 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 a project could have a significant impact on historic resources if it would lead to demolition or alteration with the potential to change the historic fabric or setting of historic architectural resources. Mitigation Measure CULT-1 (page 4.4-15) requires an individual project that is proposed on 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 historic resources within the vicinity of the Project site.

Conclusion

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; therefore, there would be no new specific effects as a result of the Project. The Project would not require demolition of existing buildings. Furthermore, the buildings in the vicinity of the Project site were constructed in the 1980s. Because the buildings are not more than 50 years old, a site-specific evaluation has not been prepared for the Project. The buildings are not considered historic; therefore, there would be ***no impact*** on historic resources. No further study is needed.

b. Cause a substantial adverse change in the significance of an archaeological resource, pursuant to Section 15064.5? (Less than Significant with Mitigation Incorporated)

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) and determined to be less than significant with implementation of Mitigation Measures CULT-2a and CULT-2b. Mitigation Measure CULT-2a would be applied if archeological resources are found during construction. In addition, per Mitigation Measure CULT-2b, Native America tribes would need to be consulted.

Project-Specific Discussion

Although there are no known cultural resources on the Project site, it is possible that cultural resources could be discovered. Compliance with existing federal, state, and local laws and regulations, including the applicable ConnectMenlo EIR mitigation measures, as well as the General Plan goals and policies listed above, would protect unrecorded archaeological deposits at the Project site by providing for early detection of potential conflicts between development and resource protection. In addition, this compliance would prevent or minimize material impairment of the ability of archaeological deposits to convey their significance through

excavation or preservation. The Project could disturb unidentified subsurface materials that have the potential to contain prehistoric archaeological resources, resulting in ***potentially significant*** impacts.

MITIGATION MEASURES. The Project would implement ConnectMenlo EIR Mitigation Measure CULT-2a if a potentially significant subsurface cultural resource is encountered during ground-disturbing activities. All construction activities within a 100-foot radius would cease until a qualified archeologist determines whether the resource requires further study. In addition, the Project Sponsor would implement Mitigation Measure CR-1, which is specific to the Project, to further reduce impacts.

CR-1: *Worker Environmental Training.* Because of the potential for discovery of unknown buried cultural and paleontological resources, prior to the commencement of the first phase, the general contractor and those engaged in ground-disturbing activities shall be given environmental training regarding cultural and paleontological resource protection, resource identification and protection, and the laws and penalties governing such protection. This training may be administered by the Project archaeologist and/or paleontologist as stand-alone training or included as part of the overall environmental awareness training required by the Project. The training shall include, at minimum, the following:

- The types of cultural resources that are likely to be encountered.
- The procedures to be taken in the event of an inadvertent cultural resource discovery.
- The penalties for disturbing or destroying cultural resources.
- The types of fossils that could occur at the Project site.
- The types of lithologies in which the fossils could be preserved.
- The procedures that should be taken in the event of a fossil discovery.
- The penalties for disturbing paleontological resources.

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. 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; therefore, there would be no new specific effects as a result of the Project. In order to reduce the potentially significant impacts that could occur if unidentified resources are discovered during Project construction, the Project would incorporate Mitigation Measure CULT-2a from the ConnectMenlo EIR and Project Mitigation Measure CR-1. Mitigation Measure CULT-2b has been implemented as part of this environmental review, and no archaeological resources were identified during consultation with Native American tribes. Impacts on archaeological resources would be ***less than significant with mitigation*** (Mitigation Measure CULT-2a), and no further study is needed.

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

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) and determined to 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

Project excavation would extend to depths of 11 feet, 2 inches, 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 for paleontological resources. Where excavation would disturb deposits that are sensitive for paleontological resources, the potential exists for disturbance, damage, or loss of paleontological resources. Therefore, construction of the Project would result in ***potentially significant*** impacts.

MITIGATION MEASURE. The Project would implement ConnectMenlo EIR 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.

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 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; therefore, there would be no new specific effects as a result of the Project. The Project would incorporate Mitigation Measure CULT-3, which requires ground disturbance to be halted or diverted if fossils or fossil-bearing deposits are discovered during ground-disturbing activities. Therefore, the Project's impact on paleontological resources would be ***less than significant with mitigation***. No further study is needed.

d. 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) and determined to 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 potential always exists for previously undiscovered human remains to be encountered during Project demolition or construction. Buried deposits may be eligible for listing in the California Register of Historical Resources (CRHR). This impact would be ***potentially significant***.

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

VI. 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) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	n/a	n/a	n/a	n/a	n/a
2. Strong seismic ground shaking?	n/a	n/a	n/a	n/a	n/a
3. Seismically related ground failure, including liquefaction?	☐	☐	☐	☒	☐
4. Landslides?	☐	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒	☐
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?	☐	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒	☐
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?	☐	☐	☐	☐	☒

Setting

Regional Geology

The Project site is on the western margin of the 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.[33] The Project site is underlain by Holocene-age fine-grained alluvium,[34] which, in turn, is underlain by Holocene and Pleistocene alluvial and basin deposits, undivided.[35] 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 interbeds of sand and fine gravel and interfingers with bay mud and medium-grained alluvium.[36] Holocene and Pleistocene alluvial and basin deposits, undivided, are unconsolidated to consolidated alluvial and basinal deposits, possibly including some marine deposits that underlie younger deposits in the Project area.[37]

Regional Seismicity

Faults

The San Francisco Bay Area is one of the most active seismic regions in the United States. 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.[38] Seismologic and geologic experts conclude that there is 72 percent probability for at least one large earthquake of magnitude 6.7 or greater in the San Francisco Bay Area before 2044.[39] Table 3.6-1 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. However, no known fault crosses the Project site.[40]

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33 Murray Engineers, Inc., Geotechnical Services. 2014. *Geotechnical Investigation, Commercial Development, 1315 O'Brien Drive, Menlo Park, California*. December.

34 Murray Engineers, Inc., Geotechnical Services. 2014. *Geotechnical Investigation, Commercial Development, 1315 O'Brien Drive, Menlo Park, California.* December.

35 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: May 4, 2018.

36 Murray Engineers, Inc., Geotechnical Services. 2014. *Geotechnical Investigation, Commercial Development, 1315 O'Brien Drive, Menlo Park, California.* December.

37 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: May 4, 2018.

38 Murray Engineers, Inc., Geotechnical Services. 2014. *Geotechnical Investigation, Commercial Development, 1315 O'Brien Drive, Menlo Park, California.* December.

39 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: May 21, 2018.

40 U.S. Geological Survey. 2018. *Quaternary Fault and Fold Database of the United States.* Available: https://earthquake.usgs.gov/hazards/qfaults/. Accessed: May 21, 2018.

Table 3.6-1. Major Regional Faults in the Project Area

	Distance from Project Site (miles)	Direction from Project Site	Probability of M6.7 Earthquake by 2044
San Andreas	7.5	Southwest	6.4%
Hayward	11	Northeast	14.3%
Calaveras	17	Northeast	7.4%

Sources: Murray Engineers, Inc., Geotechnical Services. 2015. *2014 Working Group on California Earthquake Probabilities.*

Ground Shaking

The site-specific geotechnical report estimated peak ground acceleration to be 0.42g (gravity) for a 10 percent exceedance level in 50 years, based on a predominant earthquake magnitude of 7.9Mw (moment magnitude).[41] *Peak ground acceleration* is the largest increase in velocity that occurred or can be expected to occur at a specific location during a specific earthquake.[42]

Site Geology, Topography, and Groundwater

The northern portion of the Project site (Lot 3 North) has an elevation that ranges from 9 to 12 feet above mean sea level. Overall site drainage is to the northwest. The original topography was modified by placing a thin, approximately 2-foot-thick layer of fill across the Project site during earlier construction of the building at 1305 O'Brien Drive. The Project site is located in an area that is underlain by Holocene (less than 11,000 years old) 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 interbeds of sand and fine gravel and interfingers with bay mud and medium-grained alluvium. This layer is generally less than 15 feet thick.[43]

Groundwater was encountered during soil boring exploration at 15 feet below the existing ground surface.[44] Depths to groundwater can vary seasonally, because of landscaping, and locally across a geography. The geotechnical report estimates that, based on local experience with the geography, the depth to groundwater is most likely on the order of 5 to 10 feet below the existing ground surface.

41 Murray Engineers, Inc., Geotechnical Services. 2014. *Geotechnical Investigation, Commercial Development, 1315 O'Brien Drive, Menlo Park, California*. December.

42 U.S. Geological Survey. n.d. *Earthquake Glossary*. Available: https://earthquake.usgs.gov/learn/glossary/?term=acceleration. Accessed: May 21, 2018.

43 Murray Engineers, Inc., Geotechnical Services. 2014. *Geotechnical Investigation, Commercial Development, 1315 O'Brien Drive, Menlo Park, California.* December.

44 Murray Engineers, Inc., Geotechnical Services. 2014. *Geotechnical Investigation, Commercial Development, 1315 O'Brien Drive, Menlo Park, California*. December.

Landslides and Erosion

Because the site topography is flat, 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.[45] Soils at the Project site are Urban land-Orthents, reclaimed complex, 0 to 2 percent slopes.[46] These soils are 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.[47] According to the California Seismic Hazard Zonation Program, the Project site is in an area that is potentially susceptible to earthquake-induced liquefaction.[48] In addition, according to the U.S. Geological Survey, the site is in an area with moderate to very high susceptibility to liquefaction.[49] However, site-specific exploration showed that the liquefaction potential index[50] at core penetration test sites across the Project site indicated a low to medium potential risk from seismically induced liquefaction.[51]

Ground rupture or *sand boils* occur when water, under pressure, wells up through a bed of sand.[52] Under liquefaction, this occurs when the pore pressure within the liquefiable soil layer is great enough to break through the cap or overlying non-liquefiable soil layer. This type of ground rupture can result in substantial ground deformation and settlement. The Project site has an adequately deep and stiff non-liquefiable layer that caps the liquefiable layers and reduces the potential for liquefaction-induced ground failure (e.g., sand boils).[53] Furthermore, there is no historical documentation of seismically induced ground deformation at the Project site.

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45 California Geological Survey. 2006. *Seismic Hazard Zones, Palo Alto Quadrangle*. October 18. Available: http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps. Accessed: May 21, 2018.

46 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: May 22, 2018.

47 U.S. Geological Survey and California Geological Survey. 2006. *About Liquefaction*. Available: https://geomaps.wr.usgs.gov/sfgeo/liquefaction/aboutliq.html. Accessed: May 22, 2018.

48 California Geological Survey. 2006. *Earthquake Zones of Required Investigation, Palo Alto Quadrangle*. October 18. Available: http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps. Accessed: May 21, 2018.

49 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*. In Cooperation with the California Geological Survey. Available: https://pubs.usgs.gov/of/2006/1037/. Accessed: May 21, 2018.

50 The *liquefaction potential index* predicts the liquefaction performance of the soil profile to a depth of 65.6 feet and provides an estimate of the severity of liquefaction, in relation to surface manifestations such as sand boils, ground cracking, and lateral spreading. The liquefaction potential index is based on the thickness of the liquefied layer, the proximity of the liquefied layer to construction, and factor of safety. The *factor of safety* is based on soil resistance to liquefaction during cyclic shaking and seismic loading that would likely result from a design earthquake at the study location.

51 Murray Engineers, Inc., Geotechnical Services. 2014. *Geotechnical Investigation, Commercial Development, 1315 O'Brien Drive, Menlo Park, California.* December.

52 U.S. Geological Survey and California Geological Survey. 2006. *About Liquefaction*. Available: https://geomaps.wr.usgs.gov/sfgeo/liquefaction/aboutliq.html. Accessed: May 22, 2018.

53 Murray Engineers, Inc., Geotechnical Services. 2014. *Geotechnical Investigation, Commercial Development, 1315 O'Brien Drive, Menlo Park, California.* December.

Lateral spreading is a liquefaction-related ground failure that involves horizontal (or lateral) ground movement of relatively flat-lying or gently sloping soil deposits toward a free or open face such as an excavation, channel, or open body of water.[54] Typically, lateral spreading is associated with liquefaction of one or more subsurface layers near the bottom of the exposed slope. Because failure tends to propagate as block failures, it is difficult to analyze and estimate 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.

Settlement, Subsidence, and Expansive Soil

Loose to medium-dense unsaturated sandy soils can settle during strong seismic shaking. Liquefaction intensifies this trend to settlement. Seismically induced settlement and differential settlement as a result of liquefaction could occur at the Project site. In addition, because of the weak layer of clay between 5 and 15 feet below the ground surface, static settlement is possible as a result of adding a load, such as a structure, to the surface. Because the weak layer is not evenly distributed across the Project site, differential settlement is possible.

Expansive soil undergoes volume changes with changes in moisture content. When wetted, expansive soil tends to swell, then shrink when dried. Based on laboratory testing, near-surface soils at the Project site are highly expansive.[55]

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 would 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 General Plan goals, policies, and programs would serve to minimize potential adverse risks specifically associated with strong seismic ground shaking, seismically related ground failure, liquefaction, and landslides: Goal LU-4, Policy LU-4.5, Goal S-1, Policy S-1.1, Policy S-1.3, Policy S-1.5, Policy S-1.7, Policy S-1.13, Policy S-1.14, Program S-1.D, and Program S-1.H.

Environmental Checklist and Discussion

The California Supreme Court concluded in its *CBIA v. BAAQMD* decision that "CEQA generally does not require an analysis of how existing environmental conditions will affect a project's future users or residents." With this ruling, CEQA no longer considers the impact of the environment on a project (such as the impact of existing seismic hazards on new project receptors) to be an impact requiring consideration under CEQA, unless the Project could exacerbate an existing environmental hazard. The Project would not change existing seismic hazards and, therefore, would not exacerbate existing hazards related to surface fault rupture and seismic ground shaking. As such, the following discussions of seismic hazards related to surface fault rupture and seismic ground shaking are provided for informational purposes only.

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[54] U.S. Geological Survey and California Geological Survey. 2006. *About Liquefaction*. Available: https://geomaps.wr.usgs.gov/sfgeo/liquefaction/aboutliq.html. Accessed: May 22, 2018.

[55] Murray Engineers, Inc., Geotechnical Services. 2014. *Geotechnical Investigation, Commercial Development, 1315 O'Brien Drive, Menlo Park, California.* December.

a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. (Not a CEQA 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) and determined to 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 San Andreas fault, approximately 7.5 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 it is 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. Furthermore, the Project would comply with the requirements set in the current California Building Standards Code to withstand forces associated with the maximum credible earthquake. The California Building Standards Code sets standards for excavation, grading, construction earthwork, fill embankments, foundation investigations, liquefaction potential, and soil strength loss. Furthermore, ConnectMenlo policies and programs would apply to the 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 problems to be thoroughly investigated during the earliest stages of the design process; and Program S-1H requires a seismic risk analysis and adequate construction standards to be enforced. The 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 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; therefore, there would be no new specific effects as a result of the Project. No further study is needed.

2. Strong seismic ground shaking? (Not a CEQA 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) and determined to result in a less-than-significant impact. No mitigation measures were recommended.

Project-Specific Discussion

As discussed above under *Regional Seismicity*, the Project is in a seismically active area and surrounded by numerous faults. A list of faults of regional significance is provided in Table 3.6-1. Seismically induced ground shaking at the Project site would depend on a number of factors.

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

Based on the Project site's proximity to the San Andreas fault (approximately 7.5 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 Project. The estimated peak ground acceleration at the Project site, as discussed above under *Ground Shaking*, is 0.42g.

The Project would be designed and constructed to meet standards set forth by the California Building Standards Code. These standards are designed to reduce major structural damage and 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 reparable and not life-threatening. Furthermore, ConnectMenlo 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 problems to be thoroughly investigated during the earliest stages of the design process; and Program S-1H requires a seismic risk analysis and adequate construction standards to be enforced. 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 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; therefore, there would be no new specific effects as a result of the Project. No further study needed.

3. 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) and determined to result in a less-than-significant impact. No mitigation measures were recommended.

Project-Specific Discussion

As discussed above, the Project site has moderate to very high susceptibility to seismically induced liquefaction. According to data obtained in the geotechnical report, potentially liquefiable layers occur below the ground surface. However, subsurface exploration indicates that the susceptibility is low to moderate. Despite the presence of a non-liquefiable cap, it is possible that seismically induced liquefaction could cause some loss of bearing strength, exacerbated by the load exerted by the structure built on the susceptible soil. This loss of bearing strength could result in seismically induced settlement and differential settlement.

To reduce impacts from liquefiable soils, the 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, ConnectMenlo 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 problems to be thoroughly investigated during the earliest stages of the design process; and Program S-1H requires a seismic risk analysis and adequate construction standards to be enforced.

Conclusion

The physical conditions, as they relate to the exposure of people to seismically related ground failures, have not changed 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; therefore, there would be no new specific effects as a result of the Project. Because the Project would comply with City of Menlo Park requirements and the California Building Standards Code, as well as 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.

4. 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) and determined to 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 Project. As discussed above, the Project site is nearly level and not located in a zone with potential for landslides. Project construction would not cause landslides or exacerbate an 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) and determined to result in a less-than-significant impact. No mitigation measures were recommended.

Project-Specific Discussion

Construction. Soils at the Project site are Urban land-Orthents, meaning that they are not native topsoil. Removing them for construction would not result in a loss of topsoil. Soils at the Project site are not rated for erosion. Construction of the Project would include demolition, excavation, and grading and could result in accelerated erosion during Project construction. Excavation activities would generate approximately 74,000 cubic yards (cy) of excavated material. Removal of concrete and asphalt would expose previously sheltered soils to the elements and construction activities on the site, which could accelerate erosion rates. However, as described in Topic IX, *Hydrology and Water Quality*, all construction activities would comply with the NPDES Construction General Permit, which contains standards to ensure that water quality is not degraded. As part of this permit, standard erosion control measures and BMPs would be identified in a 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 Project would add approximately 77,000 gsf of impervious area to Lot 3 North. To manage potential erosion, the 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. In addition, the Project would implement a SWPPP 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 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; therefore, there would be no new specific effects as a result of the Project. The Project would result in ***less-than-significant*** impacts related to soil erosion and loss of topsoil; mitigation measures would not be required for construction or operation of the 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) and determined to 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 5 to 10 feet below the ground surface). Therefore, excavation deeper than 5 feet is likely to encounter groundwater and require dewatering to avoid substantial water inflow at the excavation during construction. 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. Topic IX, *Hydrology and Water Quality*, discusses water quality requirements for dewatering.

Because of the existence of a non-liquefiable cap with adequately deep and stiff soil at the Project site, the risk of sand boils is low. The Project would be constructed on a vacant parcel that does not include a streambank or open face. Furthermore, there is no historical documentation of lateral spreading at the Project site. The risk of lateral spreading is low. However, because a weak layer of clay is present between 5 and 15 feet below the ground surface, the addition of a load as a result of Project construction could cause static settlement. Furthermore, because the weak layer is not evenly distributed across the Project site, differential settlement could result.

To reduce impacts from groundwater and weak soils, the 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, ConnectMenlo 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 problems to be thoroughly investigated during the earliest stages of the design process; and Program S-1H requires a seismic risk analysis and adequate construction standards to be enforced.

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 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; therefore, there would be no new specific effects as a result of the Project. Because the Project would comply with City of Menlo Park requirements and the California Building Standards Code, as well as implement 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),[56] creating substantial 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) and determined to result in a less-than-significant impact. No mitigation measures were recommended.

[56] Note that the State CEQA Guidelines specifically reference this version of the Uniform Building Code.

Project-Specific Discussion

Structures and flatwork supported on expansive soil experience cyclic seasonal heave and settlement as the soil expands and contracts through wetting and drying cycles. If the structures are not properly designed, the cyclic expansion and contraction can undermine structural stability. To reduce impacts from expansive soils, the 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, ConnectMenlo 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 problems to be thoroughly investigated during the earliest stages of the design process; and Program S-1H requires a seismic risk analysis and adequate construction standards to be enforced.

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 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; therefore, there would be no new specific effects as a result of the Project. Because the Project would comply with City of Menlo Park grading requirements and California Building Standards Code requirements, as well as implement recommendations provided in the site-specific geotechnical report, this impact would be ***less than significant***. No further study is needed.

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? (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) and determined to 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 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; therefore, there would be no new specific effects as a result of the Project. The 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 the City whereby 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.

VII. 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?	☒	☐	☐	☐	☐
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☒	☐	☐	☐	☐

Setting

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

General Plan Goals and Policies

General Plan goals and policies related to greenhouse gases will be outlined and discussed in the Draft 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 Focused 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

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 Project that were not evaluated in the ConnectMenlo EIR. Specifically, the trips generated by the 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 focused 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 Focused 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 Project that were not evaluated in the ConnectMenlo EIR. Specifically, the trips generated by the 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 focused EIR.

VIII. 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 to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒	☐
c) Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?	☐	☐	☐	☒	☐
d) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?	☐	☐	☐	☐	☒
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 for people residing or working in the project area?	☐	☐	☐	☐	☒
f) For a project in the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	☐
h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including areas where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☐	☒

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

A Phase I Environmental Site Assessment (ESA) was performed for the Project site by Stellar Environmental Solutions, Inc.[57] According to its review of the property, the lot where the Project site is located was owned and farmed by one family from 1865 until approximately 1958. The building on the southern portion of the Project site, at 1305 O'Brien Drive, was constructed in 1988 and occupied by Boise Cascade, later Office Max, which used the facility as a distribution warehouse. In 2016, the building was upgraded and has since been occupied by PacBio, which uses it for R&D. The undeveloped portion of the Project site (Lot 3 North) has been vacant since at least 1939.

A review of regulatory agency databases did not reveal a history of hazardous waste releases or documented environmental contamination at the Project site. The current occupant at the Project site, PacBio, is a registered hazardous materials user and/or hazardous materials generator. However, its operations appear to be in compliance with local codes and regulations regarding hazardous materials. Onsite inspection confirmed that hazardous materials and waste at the Project site are stored in appropriate cabinets or secondary containment or exterior engineered waste storage buildings. There was no evidence of spillage or leakage that could contribute to subsurface contamination. Furthermore, there is no record of hazardous materials use, underground storage tanks, hazardous waste generation, or other environmental issues at bordering properties with reasonable potential to adversely affect the Project site.

Several properties within a 0.5-mile search radius are recorded in environmental databases as having reported releases of 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.[58]

Table 3.8-1 shows only the upgradient properties, including address, distance from Project site, direction from Project site, database, and, where available, notes about the release.

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[57] Stellar Environmental Solutions, Inc. 2018. *Phase I Environmental Site Assessment, 1305 O'Brien Drive, Menlo Park, California*. Prepared for Tarlton Properties, Menlo Park, California. April.

[58] Stellar Environmental Solutions, Inc. 2018. *Phase I Environmental Site Assessment, 1305 O'Brien Drive, Menlo Park, California.* Prepared for Tarlton Properties, Menlo Park, California. April.

Table 3.8-1. 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
U128	Sanford Metal Processing, Inc.	990 O'Brien Drive	0.4 mi WSW	Higher WSW	CERCLIS CA EnviroStor	Permitted RCRA facility; tiered permit—refer to other agency
137	Menlo Park West Camp	312–314 Constitution Drive	0.5 mi	Higher WNW	CA EnviroStor CA VCP CA DEED	Certified/operation and maintenance Voluntary cleanup/certified operation and maintenance Voluntary cleanup; certified operation and maintenance
U126	Noren Products, Inc.	1010 O'Brien Drive	0.4 mi	Higher WSW	San Mateo County LUST	Preliminary assessment underway
136	391 Demeter	391 Demeter Street	0.5 mi	Higher East	CA SLIC	Cleanup program site; open—active
131	1508 Bay Road, East Palo Alto	1508 Bay Road	0.5 mi	Higher South	Local Brownfields	Phase I ESA
C24	SCR-Lincoln Willow Business Park	960–990 Hamilton Avenue	0.1 mi	Higher West	CA Hist Cortese	n/a
N94	Raymond Handling System	1215 O'Brien Drive	0.2 mi	Higher SW	CA Hist Cortese	n/a
112	Western Allied Mechanical, Inc.	1 Casey Court	0.2 mi	Higher SW	CA LUST CA Hist Cortese	Case closed
R117 R118	Vacant Commercial	1105 O'Brien Drive	0.3 mi	Higher SW	CA Hist Cortese San Mateo County LUST Cleanup	Case closed

Source: Stellar Environmental Solutions, Inc., 2018.

Soil and groundwater samples were tested for contaminants to evaluate potential options for offsite disposal and groundwater dewatering.[59] The soil samples were analyzed for volatile organic compounds (VOCs); gasoline-, diesel-, and motor oil–range hydrocarbons; pesticides; semi-volatile organic compounds (SVOCs); and selected metals. The results were compared to the applicable Regional Water Quality Control Board, San Francisco Bay Region (RWQCB) commercial and residential criteria but did not indicate any restriction for potential offsite export and/or reuse. The results indicated minimal risk of exposure to compounds in soils during future earthwork, with the exception of arsenic, which exceeded the RWQCB criterion for a direct exposure risk for construction/trench workers. However, the concentrations detected were consistent with the range of naturally occurring arsenic in Bay Area soils and not the result of contamination.

Proximity to Schools

The public Costaño School and the San Francisco 49ers Academy and the private Open Mind School (at the site formerly occupied by the private Casa dei Bambini Pre-school) are both within 0.25 mile of the Project site. Costaño School and the San Francisco 49ers Academy, located at 2695 Fordham Street in East Palo Alto, belongs to the Ravenswood School District and serves kindergarten through eighth grade.[60] Open Mind School, located at 1215 O'Brien Drive, is a private school serving pre-kindergarten through 12th grades.[61]

Proximity to Airports and Airstrips

Palo Alto Airport, a general aviation field that is owned and operated by the City of Palo Alto, is within 2 miles of the Project site.[62] As the tenth-busiest single-runway airport in California, it serves as a reliever airport to the three main commercial airports in the San Francisco Bay Area. The Comprehensive Land Use Plan (CLUP) for Palo Alto Airport describes the Airport Influence Area (AIA), an area within which all development must be evaluated by local agencies to determine how the CLUP may affect proposed development.[63] The AIA includes the areas surrounding the airport that are affected by noise, height, and safety issues. The AIA for Palo Alto Airport is defined as that portion of Palo Alto east of US 101 (i.e., from US 101 to San Francisquito Creek along the Palo Alto city boundary, to Charleston Slough, to Barron Creek, then back to US 101). For structures with a height of 500 feet or greater, the AIA is all of Santa Clara County. The Project site does not lie within the AIA. In addition, no private airstrips are within 2 miles of the Project site.

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59 Stellar Environmental Solutions, Inc. 2018. *Phase I Environmental Site Assessment, 1305 O'Brien Drive, Menlo Park, California*. Prepared for Tarlton Properties, Menlo Park, California. April.

60 Ravenswood City School District. 2018. *Costaño School and 49ers Academy*. Available: http://costano.ravenswoodschools.org/About-Us/index.html. Accessed: May 23, 2018.

61 Open Mind School. 2018. *About: Mission.* Available: http://openmindschool.org/about/. Accessed: September 10, 2018.

62 City of Palo Alto. 2018. *Palo Alto Airport.* Available: https://www.cityofpaloalto.org/gov/depts/pwd/palo_alto_airport/default.asp. Accessed: May 23, 2018.

63 Windus, Walter B. 2016. *Comprehensive Land Use Plan, Santa Clara County: Palo Alto Airport*. Adopted by the Santa Clara County Airport Land Use Commission, San Jose, California, November 19, 2008. Amended November 16, 2016. Available: https://www.sccgov.org/sites/dpd/DocsForms/Documents/ALUC_PAO_CLUP.pdf. Accessed: May 23, 2018.

Wildland Fires

According to the California Department of Forestry and Fire Protection's (CAL FIRE's) Fire and Resource Assessment Program, the Project is within a Non-Very High Fire Hazard Severity Zone (Non-VHFHSZ) of the Local Responsibility Area.[64] Therefore, the risk of wildfire at the Project site is very low.

General Plan Goals and Policies

The City's General Plan (specifically the Land Use Element, Safety Element, and Circulation Element) contains general goals, policies, and programs that require local planning and development decisions to consider impacts related hazardous materials. The following General Plan goals, policies, and programs would serve to minimize potential adverse risks associated with the routine transport, use, or disposal of hazardous materials: Goal LU-4, Policy LU-4.5, 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 to 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) and determined to 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 General Plan policies, that have been prepared to minimize impacts related to hazardous materials. No mitigation measures were recommended.

Project-Specific Discussion

Construction. The Project involves development of a vacant 4.4-acre portion of the Project site (Lot 3 North); the developed 6.8-acre southern portion of the Project site would remain as is. The Project proposes demolition of an asphalt parking surface and concrete slab and construction of a five-story building for bioscience-related R&D and parking. Project construction would involve the routine transport, use, and disposal of hazardous materials, such as fuel, solvents, paints, oils, grease, and caulking, and comply with applicable regulations. Project construction would not 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. However, in case hazardous contamination is discovered that was previously undocumented, construction activity that

[64] 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: http://frap.fire.ca.gov/webdata/maps/san_mateo/fhszl_map.41.pdf. Accessed: May 23, 2018.

disturbs 1 acre or more must obtain coverage under the state's Construction General Permit. Construction General Permit applicants are required to prepare a 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 required to be transported under Caltrans regulations. Because compliance with existing regulations is mandatory, the 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 Project would use, store, generate, and dispose of hazardous materials as a result of the proposed life science uses. In addition, the Project would use hazardous materials that are typical of office use (e.g., cleaning products, building maintenance products, fertilizers and pesticides used in 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 Environmental Health Department regulates hazardous materials under its Certified Unified Program Agency (CUPA) and related Unified Programs, which are enforced by the Menlo Park Fire Protection District.

As shown in Table 3.8-1, above, the Project site is within 0.5 mile of upgradient sites with known hazardous materials releases. However, the site-specific Phase I analysis concluded that none of these sites posed a risk for the Project site.

Conclusion

The physical conditions, as they relate to transport, use, or disposal of hazardous materials, 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; therefore, there would be no new specific effects as a result of the Project. Because compliance with existing regulations is mandatory, the 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 to 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) and was determined to 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 General Plan policies that have been prepared to minimize impacts related to accidents and spills of hazardous materials. No mitigation measures were recommended.

Project-Specific Discussion

Construction. As mentioned above under Topic VIII(a), above, construction-related hazardous materials would be used during construction of the Project, including fuel, solvents, paints, oils, grease, etc. and would not include substances listed in 40 CFR 355 Appendix A, Extremely

Hazardous Substances and Their Threshold Planning Quantities. It is possible that any of these substances could be released during construction activities. However, compliance with federal, state, and local regulations, in combination with temporary construction BMPs (as part of the Construction General Permit requirements) would ensure that all hazardous materials are used, stored, and disposed properly, which would minimize potential impacts related to a hazardous materials release during construction of the Project. No releases are anticipated from excavation because no contamination has been identified at the Project site.

Operation. As mentioned above, it is anticipated that the Project would generate hazardous materials as a result of life science uses. In addition, the Project would use hazardous materials typical of office use (e.g., cleaning products, building maintenance products, fertilizers and pesticides used in landscaping). It is possible that any of these materials could be released into the environment. San Mateo County Environmental Health Department regulates waste generated by biotechnology through its Medical Waste Program, and other hazardous materials through its Hazardous Materials Business Plan Program. Both programs regulate use, storage, and disposal of the respective materials. Enforcement is by the Menlo Park Fire Protection District. Compliance with federal, state, and local regulations would ensure that all hazardous materials are used, stored, and disposed properly, which would minimize potential impacts related to a hazardous materials release during Project operation.

Conclusion

The physical conditions, as they relate to 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 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; therefore, there would be no new specific effects as a result of the Project. The 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) and determined to result in a less-than-significant impact. No mitigation measures were recommended.

Project-Specific Discussion

Three schools were identified as being with 0.25 mile of the Project site: the public Costaño School and the San Francisco 49ers Academy, Open Mind School, and Cesar Chavez Elementary School.

Construction. Although the Project would involve hazardous materials that are typical of a construction project, the Project would comply with federal, state, and local regulations. In addition, any potential construction-related hazardous releases would be from 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 in accordance with the requirements of the Project-specific SWPPP.

Operation. As discussed above, it is anticipated that the Project would generate hazardous materials as a result of bioscience-related R&D. Use, storage, and disposal would be regulated by the San Mateo County Environmental Health Services Division and by 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 Project proposes uses for the site that are consistent with what is designated in ConnectMenlo and studied in the ConnectMenlo EIR. 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 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; therefore, there would be no new specific effects as a result of the Project. The 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 to the public or the environment? (No Impact)

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, resulting in 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 with respect to development on sites with known hazardous materials would be less than significant.

Conclusion

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; 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. Therefore, no mitigation is required to contain potential releases of hazardous materials present at such sites during Project construction. There would be ***no impact,*** and 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 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) and determined to result in no impact because the study area would not be subject to any airport safety hazards and implementation of ConnectMenlo would not have an adverse effect on aviation safety or flight patterns. No mitigation measures were recommended.

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 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; therefore, there would be no new specific effects as a result of the Project. Although the Project site is within 2 miles of Palo Alto Airport, it is not within the AIA defined for structures less than 500 feet in height. Accordingly, the Project would not be subject to restrictions related to airport safety hazards, as described in the CLUP. Moreover, although the Project is not within a Part 77 surface or airport noise exposure contour, the Project, as designed, would be consistent with those restrictions. As discussed above, the AIA for structures greater than 500 feet is all of Santa Clara County. Although the Project site is not in Santa Clara County and, therefore, not subject to AIA height restrictions, because of the Project's proximity to Palo Alto Airport, this analysis considers whether the Project's height is consistent with the CLUP. The Project's height, at approximately 92 feet, is less than the 500-foot requirement for special review and, therefore, consistent with the CLUP. There would be ***no impact***, and no further study is needed.

f. For a project in the vicinity of a private airstrip, would the project result in a safety hazard 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-6 (page 4.7-27) and determined to result in no impact because there are no private airstrips in the vicinity of locations where future development could occur. No mitigation measures were recommended.

Conclusion

The physical conditions, as they relate to hazards associated with a private airstrip, have not changed 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; therefore, there would be no new specific effects as a result of the Project. The Project, which is within the ConnectMenlo study area, would result in ***no impact***, and no further study is needed.

g. 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) and determined to 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 Project proposes uses for the vacant lot that are consistent with what is designated for the site in ConnectMenlo and studied in the ConnectMenlo EIR. A new emergency access route to the Project site would be provided from Adams Drive at the southeast corner of Lot 3 North or from the Adams Court cul-de-sac. Emergency vehicles would travel along the southern and western perimeters of Lot 3 North and exit at the northwest corner, at Adams Court. In addition, emergency vehicles would have access to the circular driveway at the front of the proposed building. The Project would comply with Safety Element Policy S-1.29, which requires that high-occupancy structures provide adequate access and clearance for fire equipment, fire suppression personnel, and evacuation.

Conclusion

The physical conditions, as they relate to impacts to emergency response and emergency evacuation, 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; therefore, there would be no new specific effects as a result of the Project. The Project would not conflict with an adopted emergency response or evacuation plan, resulting in a ***less-than-significant*** impact. No further study is needed.

h. Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including areas where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (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) and determined to 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 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; therefore, there would be no new specific effects as a result of the 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-VHFHSZ of the Local Responsibility Area.[65] Accordingly, implementation of the Project would not result 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.

[65] California Department of Forestry and Fire. 2008. *San Mateo County FHSZ Map: Local Responsibility Area.* Available: http://frap.fire.ca.gov/webdata/maps/san_mateo/fhszl_map.41.pdf. Accessed: March 30, 2018.

IX. 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?	☐	☐	☒	☐	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, resulting in a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation onsite or offsite?	☐	☐	☐	☒	☐
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding onsite or offsite?	☐	☐	☒	☐	☐
e) 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?	☐	☐	☒	☐	☐
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒	☐
g) Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	n/a	n/a	n/a	n/a	n/a
h) Place within a 100-year flood hazard area structures that would impede or redirect floodflows?	☐	☐	☐	☒	☐

IX. 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:					
i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	n/a	n/a	n/a	n/a	n/a
j) Contribute to inundation by seiche, tsunami, or mudflow?	n/a	n/a	n/a	n/a	n/a

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. 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, Flood Slough to the northwest, Ravenswood Slough to the north, San Francisquito Creek to the southeast, and Lower San Francisco Bay to the east.

Ravenswood Slough, a wetland feature that flows into the Bay, is less than 1 mile north of the Project site. Atherton Channel is an alternating earthen-lined/concrete-lined channel that carries flows from the upper reaches of Atherton Creek to Flood Slough. Flood Slough is one of several sloughs that run through the salt ponds and salt marshes north of Bayfront Expressway. It drains into the Lower San Francisco Bay. Levees are located throughout the salt ponds. San Francisquito Creek, approximately 1.7 miles 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, which covers approximately 11.2 acres, is located at the end of the Menlo Park drainage shed, which is tributary to the marsh area next to Bayfront Expressway; it discharges to a marshland that connects to the Bay. Currently, the total surface area of Lot 3 North is approximately 42 percent impervious, consisting of paved parking areas and drive aisles. The site is currently served by several storm drain laterals that collectively discharge runoff to the City's storm drainage system at two locations. Approximately half of the site drains to a 48-inch storm drain line along the western property line; the remaining half drains to a 54-inch storm drain line in Adams Drive, east of the site. The 48-inch line and the 54-inch line along Adams Drive convey runoff from offsite areas south of the Project site between Bay Road and O'Brien Drive to a marsh area north of the site.[66]

[66] BKF. 2018. *Menlo Business Park Lot 3 North 1350 Adams Court Preliminary Hydrology Report*. October 17.

A raised landscaped area separates the onsite parking lot and drive aisles from the surrounding streets. Onsite drainage is captured by area drains in the landscaped areas; catch basins at low points, such as the parking lot and drive aisles; and other catch basins. The existing Project site storm drain system ranges from 6 inches to 18 inches in diameter and connects to the 48-inch line at one location and the 54-inch line at two separate locations. Two onsite bio-retention basins were installed as part of PacBio building improvements to provide treatment for adjacent parking areas. Drainage on the entire Project site provides little detention onsite.[67]

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 where water quality is affected primarily by discharges from both point and nonpoint sources. Point and nonpoint sources include winter storms, overland flow, exposed soil, roofs, parking lots, and streets. Water quality in the Project vicinity is directly affected by stormwater runoff from adjacent streets and properties that deliver fertilizers, pesticides, automobile and traffic 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, impervious surface area, and topography as well as with the intensity and frequency of rainfall or irrigation. The Project site is within in a developed area of the City, and the majority of the ground surface is covered by pavement (roads and parking lots) and structures (office and commercial buildings). Street surfaces are the primary source of pollutants in stormwater runoff in urban areas.

Common sources of stormwater pollution in urban areas include construction sites, parking lots, large landscaped areas, 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 3.9-1 shows 303(d)-listed impairments, known as total maximum daily loads (TMDLs), for the Lower San Francisco Bay region, based on the 2014/2016 California Integrated Report, and completed or estimated dates for completion of action plans to restore clean water.[68]

Groundwater

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

[67] BKF. 2018. *Menlo Business Park Lot 3 North 1350 Adams Court Preliminary Hydrology Report*. October 17.

[68] 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: May 9, 2018.

Table 3.9-1. Overview of Water Quality Impairments for the Lower San Francisco Bay

Listed Impairments Per 2014/2016 303(d) List	Potential Sources	EPA TMDL Completion
Chlordane	Source unknown	Est. 2013[a]
Dichlorodiphenyltrichlorothane (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

Recharge of the subbasin occurs through infiltration into streambeds as well as the infiltration of precipitation on the valley floor. Little is known about the actual storage capacity of the subbasin or existing groundwater levels, but it is estimated that groundwater levels have rebounded somewhat since the early 20th century when groundwater was the primary source of drinking and irrigation water.[69] Regional long-term groundwater levels in the vicinity of the site are approximately 5 to 10 feet below the existing grade; groundwater at the Project site is between 4 and 6 feet below grade.[70]

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, nitrate, boron, and organic compounds. Water from public supply wells meets state and federal drinking water standards without treatment.[71] Although a designated beneficial use identified for the Santa Clara Valley groundwater basin includes the municipal and domestic water supply,[72] groundwater beneath the Project site itself is not considered to be a source of drinking water because of elevated salinity levels.[73]

[69] California Department of Water Resources. 2004. *Santa Clara Valley Groundwater Basin*. Bulletin 118. Available: http://water.ca.gov/groundwater/bulletin118/basindescriptions/2-09.02.pdf. Accessed: May 9, 2018.

[70] Murray Engineers, Inc., Geotechnical Services. 2014. *Geotechnical Investigation Commercial Development 1315 O'Brien Drive Menlo Park, California.* December.

[71] California Department of Water Resources. 2003. *California's Groundwater*. Bulletin 118. Update 2003. San Francisco Bay Hydrologic Region. Available: http://www.water.ca.gov/pubs/groundwater/bulletin_118/california's_groundwater__bulletin_118_-_update_2003_/bulletin118_2-sf.pdf. Accessed: May 9, 2018.

[72] San Francisco Bay Regional Water Quality Control Board. 2017. *San Francisco Bay Basin (Region 2) Water Quality Control Plan (Basin Plan).* Originally published January 18, 2007. Last updated: May 4.

[73] City of Menlo Park. 2012. *Menlo Park Facebook Campus Project Final Environmental Impact Report*. State Clearinghouse No. 2011042073. Prepared by Atkins. April.

The Project site does not have a history of contamination. However, one open cleanup program site, less than 1 mile east of the Project site, is potentially contaminated with polychlorinated biphenyls (PCBs). There are no leaking underground storage tank cleanup sites in the area[74] (see Topic VIII, *Hazards and Hazardous Materials,* for more information).

Flooding

The majority of the Project site is located within the Federal Emergency Management Agency (FEMA) 100-year floodplain (Figure 3.9-1) and subject to tidal flooding from the Bay (Zone AE).[75] The southwest corner of the Project site is mapped as being within Flood Zone X (unshaded), which is outside the 500-year floodplain. Areas within the 100-year flood hazard area are subject to a 100-year flood, which means that, in any given year, the risk of flooding in the designated area is 1 percent. Areas within the 500-year flood-hazard area are subject to a 500-year flood, which means that, in any given year, the risk of flooding is 0.2 percent. FEMA initiated the California Coastal Analysis and Mapping Program, under which the San Francisco Bay Area Coastal Study was conducted. The data are still preliminary; therefore, this analysis considers impacts from the current effective FEMA Flood Insurance Rate Map

Sea-Level Rise

Projected sea-level rise, as 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 Project site is in an area that is subject to future inundation as a result of sea-level rise. Sea-level rise, in combination with daily tides, could result in more substantial inundation at the upper end of the sea-level rise ranges and in the latter part of the century. High-tide events, combined with the effects of sea-level rise, would produce the greatest inundation and potential damage from flooding. The Bayfront Area is within the inundation zone for sea-level rise of 24 inches coupled with a 100-year storm surge, as is the area of the City south of the railroad easement, east of US 101, and north of Newbridge Street. A projected 24-inch sea-level rise coupled with a 100-year storm surge would result in a total sea-level rise of 66 inches, and a 66-inch sea-level rise coupled with a 100-year storm surge would result in a total sea-level rise of 108 inches. The 66-inch sea-level rise coupled with the 100-year storm surge would extend farther south and past Newbridge Street, and the inundation depth in the Bayfront Area would increase.

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 would require local planning and development decisions to consider impacts on hydrology and water quality. The following General Plan goals, policies, and programs would serve to minimize potential adverse impacts related to

[74] State Water Resources Control Board. 2018. *GeoTracker Data Management System.* Available: http://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=1350+Adams+Court+Menlo+Park. Accessed: May 9, 2018.

[75] Federal Emergency Management Agency. 2012. *National Flood Hazard Layer (Official).* Panel 307 of 510, Map #06081C0307E, dated October 16, 2012. Available: http://www.floodmaps.fema.gov/NFHL/status.shtml. Accessed: May 9, 2018.

water quality, groundwater resources, flooding, levee/dam break, sea-level rise, and 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, Goal S-1, Policy S-1.5, Policy S-1.10, Program S-1.10, Program S-1.D, Policy S-23, Policy S-1.26, Policy S-1.27, and Policy S-1.28.

Environmental Checklist and Discussion

The California Supreme Court concluded in its *CBIA v. BAAQMD* decision that "CEQA generally does not require an analysis of how existing environmental conditions will affect a project's future users or residents." With this ruling, CEQA no longer considers the impact of the environment on a project (such as the impact of existing flood hazards on new project receptors) to be an impact that requires consideration under CEQA, unless the Project could exacerbate an existing environmental hazard. Through compliance with the zoning ordinance, City engineering requirements, the ConnectMenlo General Plan and EIR, and FEMA requirements, the Project would effectively meet the requirements and not change the existing flood risk. The Project would not change existing flood risk and, therefore, would not exacerbate existing hazards related to flooding, dam or levee failure, or inundation by seiche, tsunami, or mudflow. Therefore, the discussions of flooding below are provided for informational purposes only.

a. Violate any water quality standards or waste discharge requirements? (Less than Significant with Mitigation Incorporated)

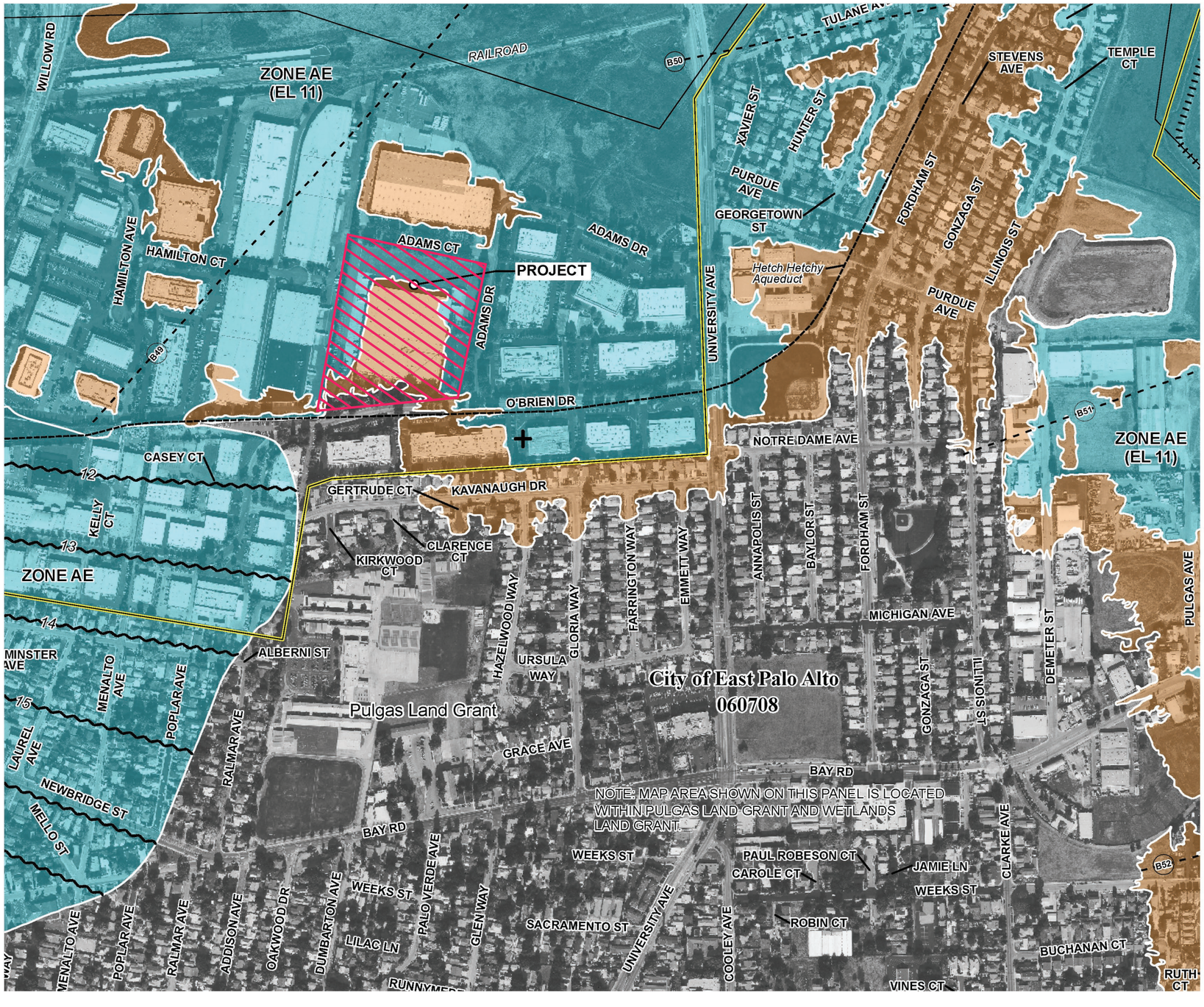
Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HYDRO-1 (pages 4.8-27 to 4.8-29). It was determined that a project would have a less-than-significant impact on water quality because of its compliance with existing federal, state, and local regulations, including General Plan goals, policies, and design standards. No mitigation measures were recommended.

Project-Specific Discussion

Construction. Project construction would have the potential to temporarily increase sediment loads to the 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 Project would be required to comply with existing federal, state, and local regulations, including 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 Project would control and prevent the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wastewater or 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 the mobilization of sediment. Temporary erosion controls would be implemented to stabilize disturbed areas until permanent erosion controls are established.



LEGEND

- 100-year Floodplain (Zone AE)
- 100–500-year Floodplain (Zone X)
- Project Area Boundary (approximate)

SOURCE: Federal Emergency Management Agency. *Flood Insurance Rate Map: San Mateo County, California*. Map 06081C0307F—Version 2.3.2.0.

Graphics... 000093.18 Adams Ct (5-15-18) TG

ICF

Figure 3.9-1
FEMA Flood Zones within the Project Area

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Construction dewatering in areas with shallow groundwater could be required during excavation and trenching for construction of the parking garage. Because contaminated sites are within 0.5 mile of the Project site, groundwater may have been contaminated by other properties. Therefore, impacts related to groundwater contamination are considered potentially significant and require mitigation to protect human health and the environment. Coverage under the Construction General Permit typically includes dewatering activities, as authorized non-stormwater discharges, provided that dischargers prove the quality of the water to be adequate and not likely to affect beneficial uses. Because groundwater at the site may be contaminated, the San Francisco Bay RWQCB would need to be notified if dewatering would occur. In addition, the contractor may be subject to dewatering requirements in addition to what is outlined in the Construction General Permit, including discharge sampling and reporting.

Construction activities could result in short-term surface and groundwater quality impacts, such as an input of sediment loads that exceeds water quality objectives or chemical spills 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. Because of dewatering involving potentially contaminated groundwater, construction-related impacts on water quality would be ***potentially significant***.

MITIGATION MEASURE. Mitigation Measure WQ-1, specific to the Project, would be implemented during construction to reduce impacts.

WQ-1: *Implement Construction Dewatering Treatment (if necessary).* Dewatering treatment would be necessary if groundwater is encountered during excavation activities, if dewatering is necessary to complete the Project, or if the water produced during dewatering is discharged to any storm drain or surface water body.

If dewatering activities require discharges into the storm drain system or other water bodies, the water shall be pumped to a tank and tested for water quality using grab samples and sent to a certified laboratory for analysis. If it is found that the water does not meet water quality standards, it should either be treated as necessary prior to discharge so that all applicable water quality objectives (as noted in the San Francisco Bay Basin (Region 2) Water Quality Control Plan [Basin Plan]) are met or hauled offsite instead for treatment and disposal at an appropriate waste treatment facility that is permitted to receive such water. Water treatment methods shall be selected that remove the maximum amount of contaminants from the groundwater and represent the best available technology that is economically achievable. Implemented methods may include the retention of dewatering effluent until particulate matter has settled before it is discharged, the use of infiltration areas, filtration, or other means. The contractor shall perform routine inspections of the construction area to verify that the water quality control measures are properly implemented and maintained, conduct visual observations of the water (i.e., check for odors, discoloration, or an oily sheen on groundwater), and perform other sampling and reporting activities prior to discharge. The final selection of water quality control measures shall be submitted in a report to the San Francisco Bay RWQCB for approval prior to construction. If the results from the groundwater laboratory do not meet water quality standards and the identified water treatment measures cannot ensure that treatment meets all standards for receiving water quality, then the water shall be hauled offsite instead for treatment and disposal at an appropriate waste treatment facility that is permitted to receive such water.

Operation. The Project would include a building for life science use and both an aboveground and underground parking garage. Implementation of the Project would add approximately 77,000 sf of net new impervious surfaces, or approximately 82 percent of Lot 3 North. Hardscape at Lot 3 North would comprise concrete paving, decomposed granite paving, and concrete pavers. Approximately 18 percent of Lot 3 North would be landscaping and other pervious surfaces.

Operation of new facilities could increase levels of pollutants (e.g., trash, oil, grease, pesticides) and introduce those pollutants into storm drains. Because the Project would create and replace more than 10,000 square feet of impervious surface, the 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 Project would be required to treat runoff from all impervious areas. The Project would implement combined treatment facilities, including flow-through planters, detention devices, self-treating areas, and below-grade Silva Cells,[76] onsite to capture and treat runoff from the newly created or replaced impervious area. The project sponsor is required develop and implement a final Stormwater Management Plan (SWMP), with the goal of reducing the discharge of pollutants to the maximum extent practicable.

According to the preliminary SWMP, the storage of chemicals and hazardous waste would be limited to designated areas on the Project site. The slab elevations of the areas where chemicals and hazardous waste would be stored would be raised to or above the base flood elevation to further prevent any effluent storm drainage pollution. These areas would be gated to control use and access. Additional source control measures would be implemented, such as inspecting and maintaining inlets and pipes leading to the treatment facilities or connecting the interior parking garage floor drains to the sanitary sewer.[77] In addition, the Project would implement BMPs both during and after construction to minimize or prevent pollutant discharges and runoff. The 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 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; therefore, there would be no new specific effects as a result of the Project. Project implementation, including the change in land use and intensities as a result of the Project, would not result in adverse effects on water quality. With the exception of dewatering involving potentially contaminated groundwater, which would be mitigated with implementation of Mitigation Measure WQ-1, construction and operational impacts on water quality would be less than significant. Therefore, impacts would be ***less than significant with mitigation***, and no further study is needed.

[76] Silva Cells are a modular suspended pavement system that uses soil volumes to support large trees and provide onsite stormwater management through absorption, evapotranspiration, and interception. The Silva Cell is a stormwater BMP that leverages soil and trees to provide water quality/pollutant control, peak overflow reductions, and low or no maintenance.

[77] DES Architects + Engineers. 2018. *Preliminary Stormwater Management Plan for 1350 Adams Court Menlo Business Park*. March 15.

b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, resulting in a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)? (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 a project would have a less-than-significant impact on groundwater supply and/or recharge through compliance with existing federal, state, and local regulations, including General Plan policies. No mitigation measures were recommended.

Project-Specific Discussion

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.

The Project would not substantially deplete groundwater supplies or substantially interfere with groundwater recharge because it would not increase groundwater demand. Implementation of the Project would result in an increase in impervious surface area, which could decrease groundwater recharge potential at Lot 3 North. However, City guidelines require an onsite retention device (or detention where retention is impracticable) if a project would increase runoff to the public storm drain system during a 10-year storm event. Because of the clayey nature of the subsurface soils that dominate the site, retention devices and direct infiltration measures are not feasible. Therefore, the Project would implement detention devices, which would compensate for the increase in impervious areas. Other design features include flow-through planters; measures to capture and treat stormwater, such as the use of Silva Cells; and landscaped areas. These landscape features and combined treatment facilities would collect stormwater and slowly release it at a controlled rate, allowing for increased groundwater infiltration. Native grasses would stabilize native soils, and new vegetation zones would slow the flow of water, allowing it to percolate into the ground and thus provide benefits related to groundwater recharge.

Conclusion

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; therefore, there would be no new specific effects as a result of the Project. Project construction and operational impacts on groundwater supplies and recharge 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, in a manner that would 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 a project would have a less-than-significant impact on erosion and siltation because of regulatory requirements (e.g., BMPs, erosion control plans, SWPPPs) and compliance with the City's Municipal Code and 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 Project would implement a 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 amount of runoff. The Project would be in compliance with existing NPDES permits and the City's Municipal Code for construction and stormwater management (Chapter 7.42).

Project improvements would include a five-story building with both an aboveground and underground parking garage; modifications to site entry locations, with a new entry landscape area adjacent to Adams Court; and new perimeter landscape areas. Only minor onsite grade changes, as well as inlet and storm drain reconfiguration in disturbed areas, would be required. As a result, the proposed improvements would not alter offsite drainage patterns. New stormwater conveyance and management facilities would be designed per the City Drainage Guidelines. Because runoff from the Project site does not flow through a hardened channel or enclosed pipe before draining into a waterway in an exempt area, the Project is not required to incorporate hydromodification measures. In addition, construction of the Project would not involve work within surface waters and thus would not alter the course of an existing stream or river because these features do not exist onsite.

Conclusion

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; therefore, there would be no new specific effects as a result of the Project. The Project would be consistent with the General Plan and comply with the City's Municipal Code. The 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.

d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or 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 a project would have a less-than-significant impact on onsite or offsite flooding through compliance with City stormwater measures from the Municipal Code, compliance with the C.3 provisions of the MRP, and adherence to the General Plan policies. No mitigation measures were recommended.

Project-Specific Discussion

Both the east and west onsite storm drain connection points are currently operating at capacity for a 10-year storm event. The offsite system is also operating at capacity for a 10-year storm event. That is, under existing conditions, both the onsite and offsite storm drain systems would flood during events larger than a 10-year storm. The onsite storm drain system does not meet the City's guidelines, which call for 6 inches of freeboard below the rim of the onsite catch basin. As a result, under existing and proposed conditions, the Project storm drain system cannot convey the design flow. Flooding or ponding occurs when water is less than 6 inches below the rim of the catch basins or manholes. When water reaches this level, excess runoff leaves the site as surface flow and travels to adjoining streets during a 10-year storm event. Minor ponding is anticipated onsite in the existing east and west parking/loading areas as a result of offsite system capacity limitations.

The 54-inch line in Adams Drive does not have the capacity to convey all runoff during a 10-year storm event (83 cubic feet per second [cfs]) and maintain water below the rim of the catch basin or manhole. As a result, a portion of the flow would be conveyed in Adams Drive to a low point on the street midway along the eastern Project boundary. Runoff would pond where elevations of 9 feet exist; beyond that, excess runoff would enter the property east of Adams Drive and be conveyed to the north. Nuisance ponding is likely to occur onsite and offsite in areas below an elevation of 9 feet as a result of offsite flow backup.[78]

Upstream system conveyance limitations may also be preventing all of the stormflow (80 cfs) from reaching the 48-inch line located along the western property line during a 10-year storm. The existing grade at the inlet to the 48-inch line allows ponding only to a depth of 5.5 feet before the flow overtops and enters the property west of the Project site. At a depth of 5.5 feet, stormflow entering the inlet is limited (only 34 cfs can enter the 48-inch line), with minimal water overtopping at locations where the existing onsite system connects. As a result, the existing onsite storm drain that connects to the 48-inch line is not be able to contain 10-year runoff below grade.[79] However, the lowest finished floor would be at an elevation 14 feet, which is 5 feet above the anticipated ponding elevation of 9 feet during a 10-year event and 3 feet above 100-year FEMA base flood elevation of 11 feet. The lowest finished floor would be roughly 60 inches above the anticipated ponding elevation during a 10-year event, which is significantly higher than the 12 inches required by the City standards. Because only minor onsite grade changes and inlet and

[78] BKF. 2018. *Menlo Business Park Lot 3 North 1350 Adams Court Preliminary Hydrology Report*. October 17.

[79] BKF. 2018. *Menlo Business Park Lot 3 North 1350 Adams Court Preliminary Hydrology Report*. October 17.

storm drain reconfiguration would be required, the anticipated improvements would not alter offsite drainage patterns.[80] 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 predevelopment volumes for all projects that add net new impervious surface, regardless of whether it is a regulated project or not. Thus, the capacity of the existing or planned storm drain system could not be exceeded, and flooding during storm events would not be worsened. Each new development or redevelopment project within the City 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 worsen storm system capacity. In addition, implementation of low-impact development design guidelines and 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 Project would be reviewed by the City to ensure that onsite drainage, low-impact development features, and retention basins would be adequate with respect to preventing onsite or offsite flooding.

MITIGATION MEASURE. Because the 54-inch line in Adams Drive does not have the capacity to convey all runoff during a 10-year storm event, Mitigation Measure WQ-2, specific to the Project, would be implemented to minimize the effects of flooding.

WQ-2: *Provide Adequate Stormflow Conveyance Capacity at the Project Site.* Prior to or, at a minimum, concurrent with the issuance of the first construction activity permit at the Project site, the Project Sponsor shall provide current documentation in the form of a technical report to ensure that, as a result of Project design features, the storm drain system's existing conveyance capacity is not constricted by stormflows at the outlets, including offsite pump stations, as a result of the Project design.

Conclusion

On behalf of the Project Sponsor, BKF prepared the *Menlo Business Park Lot 3 North 1350 Adams Court Preliminary Hydrology Report* to document compliance with the City's requirements. 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; therefore, there would be no new specific effects as a result of the Project. The 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 Project would comply with the City's Municipal Code and General Plan. Impacts would be ***less than significant with mitigation.*** No further study is needed.

[80] BKF. 2018. *Menlo Business Park Lot 3 North 1350 Adams Court Preliminary Hydrology Report*. October 17.

e. 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 with Mitigation Incorporated)

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 a project 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's General Plan and Municipal Code. No mitigation measures were recommended.

Project-Specific Discussion

The existing development in the City and new development, as part of ConnectMenlo, will involve parcels in the Bayfront Area that have already been developed and covered with impervious surfaces. The City of Menlo Park has stringent stormwater requirements that exceed the C.3 provisions of the MRP. For example, post-development stormwater volumes must not exceed predevelopment volumes for all projects that add net new impervious surface, regardless of whether the project is regulated. In addition, the Project design would include stormwater treatment facilities to treat runoff from the added impervious surface areas. Lot 3 North would include a combination of onsite flow-through planters around the proposed building, underground Silva Cells below paved surfaces, self-treatment areas, and detention devices. All proposed impervious areas (both replaced and new impervious areas, including runoff from the roof, drive aisles, and parking areas) would be directed to the approximately 6,650 square feet of combined treatment facilities. Where feasible, pervious surface materials, such as permeable pavement and decomposed granite, would also be considered.

To meet C.3 requirements, the Project proposes to implement six flow-through planters to capture and treat runoff from all of the newly created and replaced impervious areas. Detention devices, with a required detention volume of approximately 1,900 cubic feet, would be implemented to reduce impacts due to increases in runoff as a result of additional impervious areas and minor onsite drainage area changes. Because of the site's clayey soil type and low rate of permeability, appropriate installation and operation of the self-treatment areas would be required. Criteria for the installation and operation of flow-through planter treatment areas and below-grade Silva Cells are provided in the draft SWMP.[81] Treated stormwater would be detained and released into public storm drains on the east and west sides of the site and ultimately drain to San Francisco Bay. In addition, landscaped areas and public open space, which would be landscaped with berms, trees, and native vegetation, would filter pollutants through sandy loam substrate. Plant materials associated with landscaping would treat stormwater runoff through biological uptake and reduce pollutant discharges. Future City-wide improvements, subject to funding, include designing a storm drain system to address flooding along Middlefield Road from San Francisquito Creek to Ravenswood Avenue. These improvements may improve known and existing storm drain capacity issues.

[81] DES Architects + Engineers. 2018. *Preliminary Stormwater Management Plan for 1350 Adams Court Menlo Business Park*. March 15.

As discussed above, neither the existing nor the proposed storm drain system would convey the design flow or meet the City's guidelines. Both the east and west onsite storm drain connection points are currently operating at capacity and not capable of providing conveyance in a 10-year storm event. The existing offsite system is also operating at capacity. This is considered a ***potentially significant*** impact.

MITIGATION MEASURES. Per the ConnectMenlo EIR, the Project would be required to evaluate whether stormwater from the Project site would exceed the capacity of the existing storm drain system as part of the CEQA process. This analysis has been done, as summarized above.

Conclusion

On behalf of the applicant, BKF prepared the *Menlo Business Park Lot 3 North 1350 Adams Court Preliminary Hydrology Report* to document compliance with the City's General Plan and Municipal Code. 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; therefore, there would be no new specific effects as a result of the Project. The 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 with mitigation,*** and no further study is needed.

f. Otherwise substantially degrade water quality? (Less than Significant)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HYDRO-6 (page 4.8-35). It was determined that a project would have a less-than-significant impact on water quality through compliance with existing federal, state, and local regulations as well as the City's General Plan policies that minimize impacts related to water supply. No mitigation measures were recommended.

Project-Specific Discussion

The Project would be required to comply with the Construction General Permit and other regulations. It would also be required to meet all applicable water quality objectives for surface waters and groundwater to ensure that water quality standards, as defined by the Basin Plan, are met. Dredging or the placement of fill material into waters would not occur because no water bodies exist onsite. In addition, the Project would implement BMPs both during and after construction to minimize and prevent pollutant discharges and runoff.

Conclusion

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; therefore, there would be no new specific effects as a result of the Project. The Project would not otherwise substantially degrade water quality, resulting in ***less-than-significant*** impacts. No further study is needed.

g. Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Not a CEQA Impact)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HYDRO-7 (pages 4.8-36 and 4.8-37). It was determined that a project would have a less-than-significant impact with respect to flooding hazards through compliance with FEMA regulations, City Municipal Code requirements, and General Plan policies. No mitigation measures were recommended.

Conclusion

The Project does not include housing. 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; therefore, there would be no new specific effects as a result of the Project. The majority of the Project site is within FEMA Zone AE and the 100-year flood hazard area. However, the Project does not propose housing; therefore, the Project would not place housing within a 100-year flood hazard area, would not exacerbate the frequency or severity of flooding, and would not cause flooding in areas with housing that otherwise would not be subject to flooding without the project. The Project would comply with the City's Municipal Code and General Plan requirements. No further study is needed.

h. Place within a 100-year flood hazard area structures that would 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 a project would have a less-than-significant impact with respect to flood hazards through compliance with federal and Municipal Code requirements as well as adherence to General Plan policies. No mitigation measures were recommended.

Project-Specific Discussion

As discussed above, the majority of the Project site is within a 100-year flood hazard area. However, the southwest corner of the Project site is outside the 500-year floodplain and not within a 100-year flood hazard area. Because the City participates in the National Flood Insurance Program, it must ensure that the Project meets federal standards for flood protection. Chapter 12.42 of the City's Municipal Code contains methods and provisions for preventing flood damage. Under Section 12.42.41, a development permit is required before grading activities in a flood-hazard area can begin.

Construction within Special Flood Hazard Areas (SFHAs) is governed by the City's Municipal Code, Chapter 12, Section 12.42.51, Standards of Construction, which sets forth standards for development within SFHAs to minimize flood risks. The standards include anchoring and flood-proofing; limiting uses for structures below the base flood elevation; using utility equipment and materials that resist flood damage; requiring electrical, heating, ventilation, plumbing, and air-conditioning equipment and service facilities to be designed and/or located so as to prevent water from entering or accumulating within the components during flood conditions; and requiring that all new and replacement water supply and sanitary sewage systems be designed to minimize or eliminate infiltration of floodwaters into the systems (as well as discharges from systems into floodwaters).

The building would be designed to account for flooding and/or sea-level rise due to the proximity of the Bay. The first floor of the building would be at an elevation of 14 feet, mean sea level, which would be more than 2 feet above FEMA's base flood elevation, as required by the LS zoning district and ConnectMenlo sea-level rise requirements. The ramps and stairs into the underground garage would be equipped with gates that would float to close in the event of a flood.

Only minor onsite grade changes and inlet and storm drain reconfiguration in the disturbed soil areas would be required. However, the Project may redirect floodwaters. Flow-through planters, Silva Cells, self-treatment areas, and landscaped areas would increase consistency with onsite infiltration and minimize the potential for overland floodflows. In addition, the lowest finished floor would be at an elevation of 14 feet, which is 5 feet above the anticipated ponding elevation of 9 feet during a 10-year event and above the 100-year FEMA base flood elevation of 11 feet, as required by the LS zoning district.[82] The Project would not impede floodflows or exacerbate the frequency or severity of flooding.

Conclusion

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; therefore, there would be no new specific effects as a result of the Project. The Project would comply with the City's Municipal Code, General Plan, FEMA requirements, and Engineering Division requirements, including preparation of a floodwater flow analysis. The Project would not exacerbate flooding or cause flooding to occur in areas that would not be subject to flooding without the Project. The Project would not impede or redirect floodflows offsite within a 100-year flood hazard area. No further study is needed.

i. Expose people or structures to a significant risk of loss, injury, or death involving flooding as a result of the failure of a levee or dam? (Not a CEQA Impact)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HYDRO-8 (pages 4.8-38 to 4.8-42). It was determined that a project would have a less-than-significant impact related to dam or levee failures because none of the new development within the Bayfront Area would be within inundation zones. The ConnectMenlo EIR also discussed potential impacts related to sea-level rise, which is a concern in the Bayfront Area. However, it was determined that impacts would be less than significant through zoning code requirements, building design requirements, General Plan policies, and payment of fees. No mitigation measures were recommended.

Conclusion

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; therefore, there would be no new specific effects as a result of the Project. Several levees are located along the Bay shoreline to protect facilities such as high-tech businesses and schools. However, there are no levees within the Project site. It is topographically isolated from nearby salt ponds and the Bay by Bayfront Expressway. There are no major reservoirs immediately upstream of the Project site; therefore, the Project site is not subject to inundation from

[82] BKF. 2018. *Menlo Business Park Lot 3 North 1350 Adams Court Preliminary Hydrology Report*. October 17.

dam failure. People or structures would not be exposed to flood impacts as a result of dam or levee failure. The Project would not expose people or structures to a significant risk involving flooding as a result of the failure of a levee or dam. The Project would comply with the City's Municipal Code and General Plan. No further study is needed.

j. Contribute to inundation by seiche, tsunami, or mudflow? (Not a CEQA Impact)

Analysis in the ConnectMenlo EIR

This topic 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, seiches, and mud flows would be less than significant through compliance with existing regulations, including the City's General Plan policies. No mitigation measures were recommended.

Conclusion

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; therefore, there would be no new specific effects as a result of the Project. The Project site is not subject to flooding from tsunami or seiche or risks from mudflows or landslides. According to the State of California Tsunami Inundation Map for Emergency Planning (Redwood Point Quadrangle/Palo Alto Quadrangle), the Project site is not within a tsunami inundation area.[83] However, the salt ponds, adjacent to the Bay, and portions of Flood and Ravenswood Sloughs, approximately 0.6 mile northeast of the Project site, are within designated tsunami inundation areas. Seiches occur 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, within the Project vicinity. In addition, the Bay is a large and open body of water with no immediate risk of seiches. Large waves generated in the Pacific Ocean, both sea and swell, 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 seiches affecting the Project site, and no further analysis is required. Because the Project site is relatively flat and outside the affected zones for earthquake-induced landslides or rainfall-induced landslides,[84] no mudflows or debris slides are expected to occur within the Project site. The Project would not contribute to inundation by seiche, tsunami, or mudflow. No further study in the EIR is needed.

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

[84] Association of Bay Area Governments. n.d. *Resilience Program Hazard Map*. Available: http://gis.abag.ca.gov/website/Hazards/?hlyr=femaZones. Accessed: May 11, 2018.

X. 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?	☐	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒	☐
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☐	☒

Setting

Existing Land Uses

Project Site Vicinity

The Project site is in the City of Menlo Park. The City encompasses an area of about 19 square miles, including nearly 12 square miles of the San Francisco Bay and wetlands. The approximately 7-square-mile urbanized portion of the City is virtually built out. The Project site is north of US 101 in the City of Menlo Park (as shown in Figure 2-1 in Chapter 2, *Project Description*.) The Project site is bounded by Adams Court to the north, Adams Drive to the east, O'Brien Drive to the south, and the Menlo Science and Technology Park to the west. Farther to the north, beyond the Campus, is the inactive Dumbarton Rail Corridor, State Route (SR) 84, tidal mudflats and marshes along the Bay, the Refuge, and Ravenswood Slough.

Neighborhoods in East Palo Alto are farther to the east (across University Avenue) and south (across O'Brien Drive). Included in these neighborhoods are mainly single-family residential units, with some multifamily residential dwellings, neighborhood retail, Cesar Chavez Elementary School, the 4 Corners Civic Hub (including the East Palo Alto Library, City Hall, and post office), the San Francisco 49ers Academy, and Jack Farrell Park. The Belle Haven neighborhood of Menlo Park is west of Willow Road, approximately one-third of a mile from the Project site. The Belle Haven neighborhood includes a mix of uses, including churches, Menlo Park Fire Station No. 77, single-family residences, multifamily residential units, and institutional buildings. 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, and Kelly Park.

Project Site

The 11.2-acre Project site encompasses Lot 3 (assessor's parcel number [APN] 055-472-030), within the northern portion of the Campus. Lot 3 includes the vacant northern portion at 1350 Adams Court (Lot 3 North) and the southern portion at 1305 O'Brien Drive, which contains the PacBio building. The proposed building would be constructed on Lot 3 North, which is currently undeveloped and covered predominantly with dirt, loose vegetation, and concrete paving. The existing 188,100 gsf building at 1305 O'Brien Drive (the PacBio building), which was redeveloped in 2015, would not be affected by the Project. The Project site encompasses both Lot 3 North and the existing 1305 O'Brien Drive building.

Existing Land Use Designations and Zoning

The 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 site's zoning was changed to Life Science, Bonus (LS-B) as part of ConnectMenlo. The updated zoning established standards for new projects, including transportation demand management (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. At the bonus level, the zoning ordinance allows a FAR of up to 125 percent (plus 10 percent for commercial use) and a 110-foot maximum height in exchange for community amenities.

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 the use of its land. All development in the City must conform to the land use designations outlined in the General Plan. Goals, policies, and programs contained in the Land Use Element of the General Plan provide guidance on how land use designations should be developed to contribute to the overall character of Menlo Park. The following 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, Policy LU-6.11, Goal CIRC-1, Policy CIRC-1.8, Goal CIRC-2, Policy CIRC-2.7, Policy CIRC-2.11, Program CIRC-2.G, Program CIRC-2.H, Policy CIRC-2.14, Goal OSC-5, Policy OCS-5.1, 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 Project vicinity include the Belle Haven neighborhood in Menlo Park to the west and East Palo Alto to the east and south. The Project site is within the Menlo Park Labs Campus, between existing physical barriers that limit direct east–west

connectivity to these surrounding communities (i.e., Willow Road and University Avenue). In addition, SR 84 and the Dumbarton Rail Corridor are north of the Project site, limiting direct connectivity to the north. The Project would not involve changes to these barriers and would not substantially alter the existing street grid.[85] Therefore, implementation of the Project would not exacerbate existing barriers or create a new physical barrier that would divide the community. The Project would include one life science building with three offset building modules of up to 88.5 feet in height. Although this would add new development to the area, the development would be in an area with similar uses and physically separated from the Belle Haven neighborhood and East Palo Alto by the surrounding Campus and existing roadway network.

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 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; therefore, there would be no new specific effects as a result of the Project. In addition, because the proposed building would be compatible with the adjacent existing buildings and would not add, change, or exacerbate barriers, the Project would not divide the existing nearby communities, resulting in ***no impact***. No further study is needed.

b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) 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 General Plan and the supporting zoning standards. The analysis below applies Mitigation Measure LU-2 by demonstrating consistency with the General Plan.

Project-Specific Discussion

Consistency with ConnectMenlo

The adoption of ConnectMenlo updated land use designations, zoning, goals, and policies for the City. ConnectMenlo established an approach to land use that is based on the overall objective of supporting the character and quality of life enjoyed in existing residential and commercial neighborhoods as well as embracing opportunities for creating new live/work/play environments. ConnectMenlo seeks to encourage commercial uses that serve existing neighborhoods, retain and attract businesses citywide, and make Menlo Park a leader in sustainable development through

[85] Adams Court currently terminates at a chain link fence and has no direct access to the Menlo Science and Technology Park to the west. However, as part of a separate project (the Willow Village Master Plan Project), if approved as proposed, an access point could be provided at Adams Court, allowing traffic to flow to and from the adjacent property. If constructed, access to areas west of the Project site would be improved.

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 the City. The Project would help to support these guiding principles.

- **Citywide equity.** To develop at the bonus level, the Project would have to provide community amenities. The Project would promote citywide equity by providing community amenities that would be selected from a list of potential options that were identified through community outreach and adopted by City Council. These community amenities would be implemented by the Project Sponsor as part of the Project.[86]
- **Healthy community.** The 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 Project would encourage access to public transit and bicycling as alternatives to vehicular use, which would help to reduce air pollutants. The Project site is just east of Willow Road, on which Dumbarton Express buses provide service from Union City to Stanford. The Project would also construct a bicycle lane around the perimeter of Lot 3 to encourage bicycle use. 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 Project sire would include open space, including an innovation walk as part of the publicly accessible open space component. The Project's sustainability features are discussed further below.
- **Competitive and innovative business destination.** The Project would develop the site with an approximately 260,400 gsf building that would be designed with the flexibility to accommodate a single life science tenant or meet the needs of multiple tenants. This would contribute to the City's competitive and innovative business environment.
- **Corporate contribution.** The Project would contribute to the City by providing community amenities, as discussed above.
- **Youth support and education excellence**. The Project would develop the site with a building that would accommodate a life science tenant or multiple tenants. 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 Project would include a TDM program that would encourage access to public transit, carpooling, and bicycling as alternatives to single-occupancy automobile travel. To implement this, the TDM program would include such features as bicycle storage, showers/changing rooms, preferential carpool parking, and a commute assistance center. The Menlo Park Labs campus currently provides shuttle service as well as bike-share, car-share, and EV charging facilities through its Menlo Park Rides program, which would be a feature of the TDM program of the Project. The TDM program would require the Project to provide safe and convenient transportation options to and from the Project site. For further safety, the Project site would include adequate emergency vehicle access from Adams Drive and Adams Court.

[86] The community amenities are currently unknown and, therefore, not analyzed in this document. However, if a list of community amenities is provided by the Project Sponsor, the EIR will analyze any potential environmental impacts.

- **Complete neighborhoods and commercial corridors.** The Project site is not in an existing residential neighborhood or along a vibrant commercial corridor. Therefore, the Project would not affect the existing residential character of the City. The Project would develop the underutilized site with a life science building, which would contribute to the vitality of the Menlo Park Labs Campus and create a more complete facility by fully utilizing the land.
- **Accessible open space and recreation.** The Project would provide 109,020 sf of open space, which would include 48,800 sf of publically accessible open space. The private open space would be within a patio and large outdoor deck on the second floor of the building. The public open space along the street frontage would be landscaped with berms, trees, and California native vegetation. Furnishings at the public space would include tree grates, benches, trash receptacles, public art, and bicycle racks. Therefore, the Project would provide convenient access to a new public open space area.
- **Sustainable environmental planning.** The Project would recognize and promote sustainable environmental planning. As a requirement for the bonus level development, the Project Sponsor would seek LEED Gold BD+C. In addition, the parking structure would comply with the City's EV Charger Ordinance and include 50 EV charging stations. As such, the Project would promote green building and help the City continue to be a leader in sustainable environmental planning.

In addition to the above guiding principles, ConnectMenlo includes goals and policies related to land use that guide the physical development of the City. The following goals and policies are applicable to the 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 the City, 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 the City, including education, transit, transportation infrastructure, 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.

- **Goal LU-6**: Preserve open space lands for recreation, protect natural resources and air and water quality, and protect and enhance scenic qualities.
- **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-6.7: Habitat Preservation**. Collaborate with neighboring jurisdictions to preserve and enhance the Bay, shoreline, San Francisquito Creek, and other wildlife habitat and ecologically fragile areas to the maximum extent possible.
- **Policy LU-6.9: Pedestrian and Bicycle Facilities.** Provide well-designed pedestrian and bicycle 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 pedestrians, bicyclists, and transit riders.
- **Policy CIRC-2.7: Walking and Biking.** Provide for the safe, efficient, and equitable use of streets by pedestrians and bicyclists 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 walking and bicycling networks).
- **Policy CIRC-2.11: Design of New Development**. Require new development to incorporate a design that prioritizes safe pedestrian and bicycle 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, and 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.

- **Program CIRC-2.G: Zoning Requirements for Bicycle Storage**. Establish zoning ordinance requirements for new development to provide secure bicycle and convenient storage and/or bike-sharing facilities.
- **Program CIRC-2.H: Zoning Requirements for Paseos**. Establish zoning ordinance requirements for new development to include public easements for paseos.
- **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 (RWQCB) 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 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 Project's proposed use would be consistent with land use and zoning designations, ensuring orderly development and consistent land use patterns across the City. The proposed building would be designed to accommodate a single life science tenant or meet the needs of multiple tenants, which would encourage commercial development with innovative local job opportunities that provide a fiscal benefit to the City. The Project would provide open space, including 48,800 gsf of publicly accessible open space, and construct a bicycle lane and pedestrian paths around the perimeter of the entire Lot 3. In addition, there would be 44 Class I secure bicycle lockers for long-term parking on the P0 parking level and 14 Class II bicycle racks for short-term parking near the entry plaza and drop-off area on the north side of the building. The Project would also seek LEED Gold BD+C, which would provide community amenities, as identified through community outreach, and adhere to all air and water quality standards and requirements. Therefore, the Project would not conflict with any of the goals, policies, or programs.

The Project would have a combined FAR of 92 percent, and the maximum height of the proposed building would be approximately 92 feet. Across the entire Project site (including the PacBio building), the average building height would be 51.1 feet. Because these 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 3.10-1 compares the allowed development for LS zoning for both the base level and bonus level as well as the development proposed under the Project. As summarized in Table 3.10-1, with implementation of bonus level development, the Project would be consistent with the FAR, height, and densities permitted at the Project site.

Table 3.10-1. Allowed and Proposed Development at the Project Site

	LS Zoning Requirements (Base Level)	LS Zoning Requirements (Bonus Level)	Proposed Development[a]
Site Area	25,000 gsf (min) 100 feet × 100 feet (min)	25,000 gsf (min) 100 feet × 100 feet (min)	487,900 gsf
Floor Area Ratio	55% (+ 10% commercial)	125% (+ 10% commercial)	91.9%
Maximum Building Height[b,c]	35 feet	110 feet	92.1 feet[e]
Building Average Height[c,d]	35 feet	67.5 feet	51.1 feet
Open Space	97,580 sf min (20% of total)	97,580 sf min (20% of total)	109,020 sf (22.3%)
Public Open Space	48,790 sf min (10% total)	48,790 sf min (10% total)	48,800 sf (10%)

Sources: Tarlton and DES Architects + Engineers, 2018.

Notes:

a. The proposed development encompasses the entire Project site, which includes the proposed building at 1350 Adams Court and the existing PacBio building at 1305 O'Brien Drive.
b. Maximum building height refers to the proposed building (not the existing PacBio building).
c. Properties that are within the flood zone or subject to flooding and sea-level rise are allowed a 10-foot increase in height and maximum height.
d. Height is defined as the average height of all buildings on one site where a maximum height cannot be exceeded.
e. Measured to the top of parapet from existing average natural grade.

Compatibility with Existing Land Uses

As described above, the Project site is in the LS-B zoning district. This designation provides for new life science uses and R&D uses, along with high-tech office and supportive sales and personal services. The Project would develop the site with an approximately 260,400 gsf building that would accommodate a single life science tenant or multiple tenants. This proposed use is consistent with the land use designation. Overall, the land uses proposed at the Project site are consistent with existing land uses. The emphasis on life science uses and R&D is compatible with the character of surrounding neighborhoods, and the increased FAR and densities support the community's objective to encourage the 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 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; therefore, there would be no new specific effects as a result of the Project. The analysis above applied ConnectMenlo Mitigation Measure LU-2 by demonstrating consistency with the General Plan; therefore, no further mitigation is required. The change in intensities and densities as a result of the 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. Other physical effects of increased density, such as traffic and associated air quality emissions, are analyzed in the applicable sections of this Initial Study and will be considered in the focused EIR.

c. Conflict with any applicable habitat conservation plan or natural community conservation plan? (No Impact)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact LU-3 (page 4.9-24) and determined to result in a less-than-significant impact with mitigation incorporated. Mitigation Measure BIO-1 was incorporated to protect and enhance the sensitive natural communities in the study area, including those in the Stanford Habitat Conservation Plan area.

Conclusion

The physical conditions, as they relate to habitat conservation plans or natural community conservation plans, have not changed in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. In compliance with Mitigation Measure BIO-1, on behalf of the Project Sponsor, H.T. Harvey & Associates prepared a biological resources assessment, as included in Appendix A. 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; therefore, there would be no new specific effects as a result of the Project. The Project is within the ConnectMenlo EIR study area, but it is not within or near the Stanford Habitat Conservation Plan. Therefore, the Project would result in ***no impact***. No further study is needed.

XI. 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?	☐	☐	☐	☐	☒
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?	☐	☐	☐	☐	☒

Setting

The Surface Mining and Reclamation Act of 1975 is the 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,[87] 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."[88]

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.

[87] 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: June 18, 2018.

[88] 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: June 18, 2018.

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 site and vicinity have been developed for uses on the Menlo Park Labs Campus related to research and development and life sciences, which are incompatible with mineral extraction. The physical conditions, as they relate to mineral resources, have not changed in the City 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; therefore, there would be no new specific effects as a result of the 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 the City 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; therefore, there would be no new specific effects as a result of the Project. ***No impact*** would occur, and no further study is needed.

XII. 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) Expose persons to or generate noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies?	☐	☐	☒	☐	☐
b) Expose persons to or generate excessive ground-borne vibration or ground-borne noise levels?	☐	☐	☐	☒	☐
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity, above levels existing without the project?	☒	☐	☐	☐	☐
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity, above levels existing without the project?	☐	☐	☒	☐	☐
e) For a project located within 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?	☐	☐	☐	☐	☒
f) For a project in the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☐	☒

Setting

Overview Noise and Sound

A brief description of the noise and vibration concepts and terminology used in this assessment is provided below.

- **Sound**. A vibratory disturbance transmitted by pressure waves through a medium such as air or water and capable of being detected by a receiving mechanism, such as the human ear or a microphone. Sound is characterized by various parameters that include the rate of oscillation of sound waves (frequency), the speed of propagation, and the pressure level or energy content (amplitude). In particular, the sound pressure level is the most common descriptor used to characterize the loudness of an ambient (existing) sound level.
- **Noise.** Sound that is loud, unpleasant, unexpected, or otherwise undesirable. Commonly defined as unwanted sound that annoys or disturbs people and potentially causes an adverse psychological or physiological effect on human health.

- **Decibel (dB).** A unitless measure of sound on a logarithmic scale that indicates the squared ratio of sound pressure amplitude to a reference sound pressure amplitude. The reference pressure is 20 micropascals. Although the dB scale is used to quantify sound intensity, it does not accurately describe how sound intensity is perceived by human hearing.
- **A-weighted Decibel (dBA).** An overall frequency-weighted sound level in decibels that approximates the frequency response of the human ear. The dBA scale is the most widely used for environmental noise assessments. Table 3.12-1 summarizes typical A-weighted sound levels for different noise sources.
- **Maximum Sound Levels (L_{max}).** The maximum sound level measured during the measurement period.
- **Equivalent Sound Level (L_{eq})**. The equivalent steady-state sound level that, in a stated period of time, would contain the same acoustical energy. The 1-hour A-weighted equivalent sound level (L_{eq} 1h) is the energy average of A-weighted sound levels occurring during a 1-hour period.
- **Day-Night Level (L_{dn}).** The energy average of the A-weighted sound levels occurring during a 24-hour period, with a 10 dB penalty added to sound levels between 10:00 p.m. and 7:00 a.m.
- **Community Noise Equivalent Level (CNEL).** The energy average of the A-weighted sound levels occurring during a 24-hour period, with 5 dB added to the sound levels occurring during the period from 7:00 p.m. to 10:00 p.m. and 10 dB added to the sound levels occurring during the period from 10:00 p.m. to 7:00 a.m. L_{dn} and CNEL are typically within 1 dBA of each other and, for all intents and purposes, interchangeable.
- **Vibration Velocity Level (or Vibration Decibel Level, VdB).** The root-mean-square velocity amplitude for measured ground motion expressed in dB.
- **Peak Particle Velocity (PPV).** A measurement of ground vibration, defined as the maximum speed at which a particle in the ground is moving and expressed in inches per second (in/sec).
- **Sensitive Receptor.** Noise- and vibration-sensitive receptors include land uses where quiet environments are necessary for enjoyment and public health and safety. Residences, schools, motels and hotels, libraries, religious institutions, hospitals, and nursing homes are examples.

Human sound perception, in general, is such that a change in sound level of 1 dB cannot typically be perceived by the human ear, a change in sound level of 3 dB is just noticeable, a change of 5 dB is clearly noticeable, and a change of 10 dB is perceived as doubling or halving the sound level. A doubling of actual sound energy is required to result in a 3 dB (i.e., barely noticeable) increase in noise; in practice, this means that the volume of traffic on a roadway would typically need to double to result in a noticeable increase in noise.

The decibel level of a sound decreases (or attenuates) exponentially as the distance from the source of that sound increases. For a point source, such as a stationary compressor or construction equipment, sound attenuates at a rate of 6 dB per doubling of distance. For a line source, such as free-flowing traffic on a freeway, sound attenuates at a rate of 3 dB per doubling of distance. Atmospheric conditions, including wind, temperature gradients, and humidity, can change how sound propagates over distance and affect the level of sound received at a given location. The degree to which the ground surface absorbs acoustical energy also affects sound propagation. Sound that travels over an acoustically absorptive surface, such as grass, attenuates at a greater rate than sound that travels over a hard surface, such as pavement. The increased attenuation is typically in the range of 1 to 2 dB per doubling of distance. Barriers, such as buildings and topography, that block the line of sight between a source and receiver also increase the attenuation of sound over distance.

Table 3.12-1. Typical A-weighted Sound Levels

Common Outdoor Activities	Sound Level (dBA)	Common Indoor Activities
	110	Rock band
Jet flyover at 1,000 feet		
	100	
Gas lawnmower at 3 feet		
	90	
Diesel truck at 50 mph at 50 feet		Food blender at 3 feet
	80	Garbage disposal at 3 feet
Noisy urban area, daytime		
Gas lawnmower at 100 feet	70	Vacuum cleaner at 3 feet
Commercial area		Normal speech at 3 feet
Heavy traffic at 300 feet	60	
		Large business office
Quiet urban area, daytime	50	Dishwasher in next room
Quiet urban area, nighttime	40	Theater, large conference room (background)
Quiet suburban area, nighttime		
	30	Library
Quiet rural area, nighttime		Bedroom at night, concert hall (background)
Rustling of leaves	20	
		Broadcast/recording studio
	10	
Lowest threshold of human hearing	0	Lowest threshold of human hearing

Source: California Department of Transportation. 2013. *Technical Noise Supplement to the Traffic Noise Analysis Protocol*. September. Available: http://www.dot.ca.gov/hq/env/noise/pub/TeNS_Sept_2013A.pdf. Accessed: July 10, 2018.

Community noise environments are generally perceived as *quiet* when the 24-hour average noise level is below 45 dBA, *moderate* in the 45 to 60 dBA range, and *loud* above 60 dBA. Very noisy urban residential areas are usually around 70 dBA CNEL. Along major thoroughfares, roadside noise levels are typically between 65 and 75 dBA CNEL. Incremental increases of 3 to 5 dB to the existing 1-hour L_{eq} or CNEL are commonly used as thresholds for an adverse community reaction to a noise increase. However, there is evidence that incremental thresholds in this range may not be adequately protective in areas where noise-sensitive uses are located and CNEL is already high (i.e., above 60 dBA). In these areas, limiting noise increases to 3 dB or less is recommended.[89] Noise intrusions that cause short-term interior levels to rise above 45 dBA at night can disrupt sleep. Exposure to noise levels greater than 85 dBA for 8 hours or longer can cause permanent hearing damage.

[89] Federal Transit Administration. 2006. *Transit Noise and Vibration Impact Assessment.* FTA-VA-90-1003-06. Office of Planning and Environment. Available: https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA_Noise_and_Vibration_Manual.pdf. Accessed: July 10, 2018.

Overview of Ground-borne Vibration

Ground-borne vibration is an oscillatory motion of the soil with respect to the equilibrium position. It can be quantified in terms of velocity or acceleration. Variations in geology and distance result in different vibration levels, including different frequencies and displacements. In all cases, vibration amplitudes decrease with increased distance.

Operation of heavy construction equipment, particularly pile-driving equipment and other impact devices (e.g., pavement breakers), creates seismic waves that radiate along the surface of and downward into the ground. These surface waves can be felt as ground vibration. Vibration from the operation of this type of equipment can result in effects that range from annoyance for people to damage for structures. Perceptible ground-borne vibration is generally limited to areas within a few hundred feet of construction activities. As seismic waves travel outward from a vibration source, they cause rock and soil particles to oscillate. The actual distance that these particles move is usually only a few ten-thousandths to a few thousandths of an inch. The rate or velocity (in inches per second) at which these particles move is the commonly accepted descriptor of vibration amplitude, referred to as PPV. Table 3.12-2 summarizes typical vibration levels generated by construction equipment at a reference distance of 25 feet, and other distances.

Table 3.12-2. Vibration Source Levels for Construction Equipment

Equipment	PPV at 25 Feet	PPV at 50 Feet	PPV at 75 Feet	PPV at 100 Feet	PPV at 175 Feet
Pile driver (sonic/vibratory)	0.734	0.2595	0.1413	0.0918	0.0396
Hoe ram	0.089	0.0315	0.0171	0.0111	0.0048
Large bulldozer	0.089	0.0315	0.0171	0.0111	0.0048
Loaded truck	0.076	0.0269	0.0146	0.0095	0.0041
Jackhammer	0.035	0.0124	0.0067	0.0044	0.0019
Small bulldozer	0.003	0.0011	0.0006	0.0004	0.0002

Source: Federal Transit Administration. 2006. *Transit Noise and Vibration Impact Assessment.* FTA-VA-90-1003-06. Office of Planning and Environment. Available: https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA_Noise_and_Vibration_Manual.pdf. Accessed: July 10, 2018.

Tables 3.12-3 and 3.12-4 summarize the guidelines developed by Caltrans for damage and annoyance potential from the transient and continuous vibration that is usually associated with construction activity. The activities that are typical of continuous vibration include the use of excavation equipment, static compaction equipment, tracked vehicles, vehicles on a highway, vibratory pile drivers, pile-extraction equipment, and vibratory compaction equipment.

Existing Site Conditions and Noise Sources

For the ConnectMenlo EIR, existing ambient noise levels were measured at 16 locations in the City to document representative noise levels at several locations. The locations from the ConnectMenlo EIR closest to the Project site are shown in Figure 3.12-1. The closest measurement locations to the Project site are ST-3 and ST-4. The closest long-term measurement locations are LT-1 and LT-2, approximately 2 miles west and southwest, respectively, of the Project site. Data from these measurement locations are shown in Table 3.12-5. Short- and long-term measurements were taken on December 6 and 10, 2012; long-term noise level measurements were taken for a period of 24 hours on December 10 and 11, 2012.

Figure 3.12-1
Noise Monitoring Locations
1350 Adams Court Project

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Table 3.12-3. Vibration Damage Potential Threshold Criteria Guidelines

Structure and Condition	Maximum PPV (in/sec)	
	Transient Sources[a]	Continuous/Frequent Intermittent Sources[b]
Extremely fragile historic buildings, ruins, ancient monuments	0.12	0.08
Fragile buildings	0.2	0.1
Historic and some old buildings	0.5	0.25
Older residential structures	0.5	0.3
New residential structures	1.0	0.5
Modern industrial/commercial buildings	2.0	0.5

Source: California Department of Transportation. 2013. *Transportation and Construction Vibration Guidance Manual*. September. Available: http://www.dot.ca.gov/hq/env/noise/pub/TCVGM_Sep13_FINAL.pdf. Accessed: January 7, 2016.

Notes:

a. Transient sources create a single, isolated vibration event (e.g., blasting or drop balls).

b. Continuous/frequent intermittent sources include impact pile drivers, pogo-stick compactors, crack-and-seat equipment, vibratory pile drivers, and vibratory compaction equipment.

Table 3.12-4. Vibration Annoyance Potential Criteria Guidelines

Structure and Condition	Maximum PPV (in/sec)	
	Transient Sources[a]	Continuous/Frequent Intermittent Sources[b]
Barely perceptible	0.04	0.01
Distinctly perceptible	0.25	0.04
Strongly perceptible	0.9	0.10
Severe	2.0	0.4

Source: California Department of Transportation. 2013. *Technical Noise Supplement to the Traffic Noise Analysis Protocol*. September. Available: http://www.dot.ca.gov/hq/env/noise/pub/TeNS_Sept_2013A.pdf. Accessed: October 6, 2015.

Notes:

a. Transient sources create a single, isolated vibration event (e.g., blasting or drop balls).

b. Continuous/frequent intermittent sources include impact pile drivers, pogo-stick compactors, crack-and-seat equipment, vibratory pile drivers, and vibratory compaction equipment.

Table 3.12-5. Noise Measurement Results

Monitoring Site	L_{min}	L_{eq}	L_{max}	CNEL
ST-3	50.6	56.5	60.9	—
ST-4	50.9	59.5	72.3	—
LT-1	—	—	—	67.1
LT-2	—	—	—	68.6

Source: City of Menlo Park. 2016. *ConnectMenlo: General Plan Land Use and Circulation Elements and M-2 Area Zoning Update for the City of Menlo Park EIR.*

Principal Noise Sources in the Project Area

US 101 passes through the northeastern part of Menlo Park, south of the Project site. SR 84 is north of the Project site. It runs east–west and comes within 0.25 mile of the site. Traffic is a predominate noise source in an urban area such as Menlo Park and one of the main sources in the Project area. However, according to Figure 4.10-2 of the ConnectMenlo EIR, the Project site is not within a noise contour of 60 dBA or greater from either US 101 or SR 84.

In addition to traffic noise, two rail lines traverse Menlo Park. The major rail line that crosses the City is the Caltrain right-of-way, which bisects a portion of Menlo Park along the City's short northwest–southeast axis. This track is more than 2 miles from the Project site; therefore, train noise is not expected to dominate in the Project area. The second rail line, the Dumbarton Rail Corridor, crosses the northernmost portion of the City from east to west. Although the Dumbarton Rail Corridor is within 0.25 mile of the Project site, it is currently not utilized.

Menlo Park is approximately 6 miles northwest of Moffett Federal Airfield, 14 miles northwest of San José International Airport, 15 miles southeast of San Francisco International Airport, and 18 miles south of Oakland International Airport. In addition, the San Carlos Airport is almost 6 miles northwest of the Project site. The closest airport to the Project site is Palo Alto Airport, which is approximately 1.6 miles away. According to the ConnectMenlo EIR, although Menlo Park does receive some noise from aircraft that use these facilities, Menlo Park (including the Project site) does not fall within airport land use planning areas, runway protection zones, or the 55 dBA CNEL noise contours of any of these airports.

In addition to these noise sources, stationary sources, such as heating, ventilation, and air conditioning (HVAC) systems; loading docks; and machinery or other noise sources at commercial and light industrial uses, can generate noise. The majority of Menlo Park's limited industrial operations are north of the City and separated from sensitive uses, such as residences, by rail lines or major roads. This distance serves to decrease the noise perceived by these receptors. In the case of major roads, the noise at noise-sensitive land uses generally exceeds that of industrial uses.

General Plan Goals and Policies

The City's General Plan (specifically the Land Use Element and the Noise Element) contains general goals, policies, and programs that require local planning and development decisions to consider noise impacts. The following General Plan goals, policies, and programs would serve to minimize potential adverse impacts related to noise: Goal LU-4, Policy LU-4.5, 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.

Land use compatibility noise standards are included in the City's Noise Element. According to the Noise Element, noise levels up to 60 dBA L_{dn} are considered normally acceptable for single-family residential land uses; noise levels are conditionally acceptable up to 70 dBA L_{dn} for these 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 L_{dn} are considered normally acceptable, with noise levels of 70 dBA L_{dn} considered to be conditionally acceptable. For office buildings and commercial uses, noise levels of up to 70 dBA L_{dn} are considered to be normally acceptable, with noise levels of up to 77.5 L_{dn} considered conditionally acceptable. For industrial uses, noise levels up to 75 dBA L_{dn} are considered normally acceptable, and noise levels of up to 80 dBA L_{dn} are conditionally acceptable. For schools and 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's Municipal Code also contains noise regulations. Chapter 8.06 of the City's Municipal Code contains noise limitations and exclusions for land uses within the City. The code concerns noise limits that constitute a noise disturbance, measured primarily at residential land uses. The regulations below from the City's Municipal Code would be applicable to the Project.

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

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.

8.06.050, Exemptions

a. Sound Generated by Motor Vehicles. Sound generated by motor vehicles, trucks, and buses operated on streets and highways; aircraft, trains; and other public transport.
    1. This exemption shall not apply to the operation of any vehicle, including any equipment attached to any vehicle (such as attached refrigeration and/or heating units or any attached auxiliary equipment) for a period in excess of 10 minutes in any hour while the vehicle is stationary, for reasons other than traffic congestion.

Furthermore, the zoning ordinance contains regulations related to roof-mounted equipment.

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 fifty (50) decibels at a distance of fifty (50) feet from such equipment (Ord. 979, Section 3 (part), 2012: Ord. 819 Section 1 (part), 1991).

City of East Palo Alto Municipal Code

Given the proximity of East Palo Alto to the Project site, information regarding the City of East Palo Alto Municipal Code is provided for informational purposes. Chapter 8.52, Noise Control, limits the generation of noise, as measured at the exterior of any residential land use, school, hospital, church, or public library. Table 3.12-6, below, provides the code's exterior noise standards. In addition, Chapter 8.52 limits the creation of noise that results in excessive noise levels within any dwelling unit. Table 3.12-7, below, provides the standards for interior noise in dwelling units. Note that these standards would generally be met if the exterior noise standards are met because noise levels are greatly reduced between the outside of a structure and the inside, even with the use of standard building materials. Exemptions to these standards are provided for special events and construction activities not taking place between 8:00 p.m. and 7:00 a.m.

Table 3.12-6. Exterior Noise Level Standards in the City of East Palo Alto

		Noise Level Standards, dBA	
Category	Cumulative Number of Minutes in Any 1-hour Time Period	Daytime (7:00 a.m.–10:00 p.m.)	Nighttime (10:00 p.m.–7:00 a.m.)
1	30	55	50
2	15	60	55
3	5	65	60
4	1	70	65
5	0	75	70

Source*:* City of East Palo Alto Municipal Code, 2017.

a. In the event the measured background noise level exceeds the applicable noise level standard in any category above, the applicable standard shall be adjusted in 5 dBA increments so as to encompass the background noise level.
b. Each of the noise level standards specified above shall be reduced by 5 dBA for simple tone noises, consisting primarily of speech or music, or for recurring or intermittent impulsive noises.
c. If the intruding noise source is continuous and cannot reasonably be stopped for a period of time whereby the background noise level can be measured, the noise level measured while the source is in operation shall be compared directly to the noise level standards in this table.

Table 3.12-7. Interior Noise Level Standards in the City of East Palo Alto (Dwelling Unit)

		Noise Level Standards, dBA	
Category	Cumulative Number of Minutes in Any 1-hour Time Period	Daytime (7:00 a.m.–10:00 p.m.)	Nighttime (10:00 p.m.–7:00 a.m.)
1	5	45	40
2	1	50	45
3	0	55	50

Source*:* City of East Palo Alto Municipal Code, 2017.

a. In the event the measured background noise level exceeds the applicable noise level standard in any category above, the applicable standard shall be adjusted in 5 dBA increments so as to encompass the background noise level.
b. Each of the noise level standards specified above shall be reduced by 5 dBA for simple tone noises, consisting primarily of speech or music, or for recurring or intermittent impulsive noises.
c. If the intruding noise source is continuous and cannot reasonably be stopped for a period of time whereby the background noise level can be measured, the noise level measured while the source is in operation shall be compared directly to the noise level standards in this table.

Environmental Checklist and Discussion

a. Expose persons to or generate noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies? (Less than Significant with Mitigation Incorporated)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact NOISE-1 (pages 4.10-19 to 4.10-24) and determined to be less than significant with application of mitigation measures as well as compliance with General Plan goals and policies. Projects that would result in the development of sensitive land uses (which the 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 and construction-related noise.

Project-Specific Discussion

Construction. Project construction would have the potential to generate noise, with construction lasting for a period of approximately 21 months. However, the highest anticipated noise levels are expected to occur at the beginning of Project construction, during the demolition and grading/foundation phases. Construction-related noise impacts could result from operation of heavy-duty construction equipment, such as graders, loaders, and excavators.

The standard construction work hours proposed for the Project are 7:00 a.m. to 3:30 p.m. Monday through Friday. Work could start at 7:00 a.m. and finish as late as 6:00 p.m. Some of these hours are outside the normal construction hours provided in the City of Menlo Park Municipal Code. The Municipal Code states that construction equipment is exempt from normal noise restrictions; instead, the code has special provisions for construction noise generated during the daytime hours of 8:00 a.m. to 6:00 p.m. Monday through Friday. The Municipal Code states that no piece of equipment shall generate noise in excess of 85 dBA at a distance of 50 feet during daytime construction hours. Outside of these hours, the normal restrictions for noise (described above) apply. According to the Municipal Code, noise from any source is limited to 60 dBA L_{eq} between the hours of 7:00 a.m. and 8:00 a.m.

To determine if construction would result in noise impacts, construction noise modeling was conducted. Modeling assumes that the three loudest pieces of equipment expected to be used during a given phase of construction would be operating simultaneously and close to one another on the Project site. The combined noise level (both L_{max} and L_{eq}) from operation of the construction equipment was calculated. L_{eq} values were calculated from L_{max} values using estimated utilization factors. Anticipated average (L_{eq}) construction noise at various distances from the project site are shown in Table 3.12-8.

As shown in Table 3.12-8, below, construction occurring between the hours of 7:00 a.m. and 8:00 a.m. would be within the allowable 60 dBA threshold. Construction activities would not be limited to daytime hours, when a more lenient construction noise threshold is applicable. Therefore, direct Project impacts related to construction could be ***potentially significant***.

Table 3.12-8. Modeled Construction Noise Levels

Source Data	Maximum Sound Level (dBA)	Utilization Factor	L_{eq} Sound Level (dBA)
Source 1: Excavator – Sound level (dBA) at 50 feet =	81	40%	77.0
Source 2: Front-end loader – Sound level (dBA) at 50 feet =	79	40%	75.0
Source 3: Backhoe – Sound level (dBA) at 50 feet =	78	40%	74.0
Calculated Data			
All Sources Combined – L_{max} sound level (dBA) at 50 feet =			84
All Sources Combined – L_{eq} sound level (dBA) at 50 feet =			80

Distance Between Source and Receiver (feet)	Geometric Attenuation (dB)	Calculated L_{max} Sound Level (dBA)	Calculated L_{eq} Sound Level (dBA)
100	-6	78	74
500	-20	64	60
800	-24	60	56

Geometric attenuation based on 6 dB per doubling of distance.
Note: This calculation does not include the effects, if any, of local shielding from walls, topography, or other barriers that may reduce sound levels further.

MITIGATION MEASURES. Compliance with ConnectMenlo EIR Mitigation Measure NOISE-1c would ensure that construction activity associated with the Project would comply with the City's Municipal Code and regulations pertaining to construction noise. However, the Project may deviate from the hour restrictions contained in this mitigation measure, which could result in a potentially significant impact. Project Mitigation Measure NOI-1 (specific to the Project), described below, would ensure that construction activities occurring outside the ordinary daytime construction hours (8:00 a.m. to 6:00 p.m.) would comply with the applicable noise thresholds in the City of 60 dBA L_{eq} between the hours of 7:00 a.m. and 8:00 a.m. With implementation of ConnectMenlo Mitigation Measure NOISE-1c and Project Mitigation Measure NOI-1, Project construction would not be expected to violate any relevant requirements related to construction noise in the City.

NOI-1: *Implement Noise Control Plan to Reduce Construction Noise during Non-ordinary Construction Hours.* The Project Sponsor shall develop a noise control plan for construction that would occur outside the normal construction hours in the City of 8:00 a.m. to 6:00 p.m. The plan would require compliance with Section 8.06 of the Menlo Park Municipal Code and would include measures to ensure compliance with the 60 dBA L_{eq} limit during the hours of 7:00 a.m. to 8:00 a.m. Construction contractors shall specify noise-reducing construction practices that will be employed to reduce noise from construction activities during these hours. The measures specified by the Project Sponsor shall be reviewed and approved by the City prior to the issuance of building permits. Measures to reduce noise outside of the normal construction hours of 8:00 a.m. to 6:00 p.m., Monday through Friday include, but are not limited to, the following:

- Conduct the quietest construction activities/restrict the use of loud construction equipment outside of the normal construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday.
- Use best available noise control techniques (e.g., improved mufflers, redesigned equipment, intake silencers, ducts, engine enclosures, acoustically attenuating shields or shrouds) on equipment and trucks used for Project construction, as feasible.
- Locate equipment/conduct construction activities as far as possible from noise-sensitive receptors when conducted outside the normal construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday.
- Use "quiet" gasoline-powered compressors or electric compressors. Use electric rather than gasoline or diesel forklifts for small lifting, to the extent feasible (but especially for construction conducted outside the normal construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday).
- Locate stationary noise sources, such as temporary generators, as far from nearby receptors as possible. Stationary noise sources shall be muffled and within temporary enclosures or shielded by barriers or other measures to the extent feasible (especially for construction conducted outside the normal construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday).
- Install temporary noise barriers 8 feet in height around the construction site to reduce construction noise from equipment for construction occurring outside the normal construction hours of 8:00 a.m. to 6:00 p.m. on weekdays to reduce overall construction noise to less than 60 dBA L_{eq}, as measured at the applicable property lines of the adjacent uses. If the Project Sponsor can demonstrate, through a detailed acoustical analysis, that construction noise would not exceed 60 dBA L_{eq}, as measured at the applicable property lines of the adjacent uses, then a temporary noise barrier shall not be required.
- Prohibit trucks from idling along streets serving the construction site, especially for construction conducted outside the normal construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday.
- Monitor the effectiveness of noise attenuation measures by taking noise measurements during construction activities to ensure compliance with the 60 dBA L_{eq} standard that applies outside the normal daytime construction hours of 8:00 a.m. and 6:00 p.m. on weekdays.

Operation. Impacts related to traffic noise are discussed in Topic XII(c), below. However, the Project would include operation of noise-generating equipment such as HVAC units, emergency generators, and other mechanical equipment. The adjacent office and warehousing uses could be exposed to noise from this equipment; however, these uses are not considered sensitive receptors. The nearest sensitive receptors are within East Palo Alto; these include a residential neighborhood approximately 800 feet south of Lot 3 North (the portion of the Project site where construction would occur) and Cesar Chavez Elementary School, approximately 1,300 feet to the south.

Although the exact sizes and locations of the proposed HVAC systems are unknown at this time, it is reasonable to assume that all HVAC equipment would be located on the roof of the proposed building, most likely behind an acoustic wall/parapet (per Municipal Code Section 16.08.095).

Mechanical HVAC equipment located on the rooftop of new building would have the potential to generate noise levels that average approximately 66 dBA at a distance of 50 feet.[90] Based on the distances of the existing sensitive receptors, noise from the HVAC systems would be approximately 42 dBA without accounting for shielding, which would be expected to reduce this noise level further. Mechanical HVAC equipment would be required to meet the standards in Section 16.08.095 of the zoning ordinance, which specifies that emitted sounds cannot exceed 50 dBA at a distance of 50 feet. Therefore, expected noise levels would be below City of Menlo Park allowable noise levels. Note that the actual residential and school uses that may be affected are located in East Palo Alto. However, the expected worst-case HVAC noise levels of approximately 42 dBA L_{eq} (not accounting for shielding) would also be below the allowable limits of the City of East Palo Alto, even for Category 1 (30 minutes out of any 1-hour period), for both daytime and nighttime noise (55 dBA and 50 dBA noise limits, respectively). Refer to Tables 3.12-5 and 3.12-6, above, for the applicable standards in the City of East Palo Alto.

The Project would also include one emergency generator, which would create temporary and periodic noise during periods of testing. Emergency generators, such as the one proposed at the Project site, would operate exclusively during emergencies, except for intermittent testing to ensure the equipment is in proper working order. It is assumed that the generator would be tested intermittently, most likely no more than once per month for a period of approximately 30 minutes. Unshielded noise at a distance of 23 feet from the proposed generator (Kohler Model KD1500) with no enclosure would be approximately 97.1 dBA.[91] The nearest residential land use is more than 800 feet away. At this distance, noise from the generator test would be approximately 66 dBA without accounting for shielding from intervening buildings. Shielding from intervening buildings would be expected to reduce noise by an additional 5 dB, resulting in a noise level at the nearest residential property of approximately 61 dBA. Therefore, operation of the Project could result in noise levels during generator testing that would exceed the City of Menlo Park allowable noise levels of 50 dBA L_{eq} during nighttime hours and 60 dBA L_{eq} during daytime hours at nearby residences (which are located in East Palo Alto). Because generator testing could occur for up to 30 minutes out of a 1-hour period, generator noise has been compared to the City of East Palo Alto allowable limits under Category 1 (30 minutes out of any 1-hour period, noise shall not exceed 55 dBA during the daytime and 50 dBA during the nighttime). Noise from the generator testing could exceed the applicable thresholds from the City of East Palo Alto as well. Impacts from the proposed stationary sources would be ***potentially significant***.

MITIGATION MEASURE. Mitigation Measure NOISE-1b from the ConnectMenlo EIR states that stationary noise sources, as well as landscaping and maintenance activities, shall comply with Chapter 8.06, Noise, of the Menlo Park Municipal Code. Because the sensitive receptors that may be affected by generator noise are in East Palo Alto, Project Mitigation Measure NOI-2 (specific to the Project) shall also be implemented. Note that in order to ensure compliance with mitigation measures and local municipal codes, an enclosure (or some form of shielding) would need to be built around the emergency generator. Compliance with the mitigation measures would ensure compliance with Chapter 8.06 of the City of Menlo Park Municipal Code and Chapter 8.52 of the City of East Palo Alto Municipal Code, which contain the relevant noise limitations for the Project.

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90 U.S. Environmental Protection Agency. 1971. *Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances*. December 31.

91 Kohler Power Systems. 2017. *Technical Information Bulletin: Generator Set Sound Data Sheet.* Generator Set Model KD1500. Sheet TIB-114.

NOI-2: Compliance with Chapter 8.52 of the City of East Palo Alto Municipal Code. Project stationary noise sources that may affect receptors within East Palo Alto shall comply with Chapter 8.52 of the City of East Palo Alto Municipal Code. With respect to noise from generator testing, measures to ensure compliance with the applicable standards include:

- Limiting generator testing to daytime hours,
- Testing for shorter periods of time,
- Enclosing the generator, or
- Implementing other forms of shielding, such a localized barriers, around the equipment.

Conclusion

The physical conditions, as they relate to the generation of noise in excess of thresholds, 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; therefore, there would be no new specific effects as a result of the Project. Implementing ConnectMenlo Mitigation Measure NOISE-1c and Project Mitigation Measure NOI-1 would reduce construction-related impacts. In addition, compliance with ConnectMenlo Mitigation Measure NOISE-1b as well as Project Mitigation Measure NOI-2 would reduce operational impacts. Therefore, construction impacts and most operational impacts would be ***less than significant with mitigation***. No further analysis is required.

b. Expose persons to or generate excessive ground-borne vibration or ground-borne noise levels? (Less than Significant)

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 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 0.126 PPV in/sec at the nearest workshop, 0.063 PPV in/sec at the nearest office, and 0.032 PPV in/sec at the nearest residence during daytime hours and 0.016 PPV 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 the project approval process.

Project-Specific Discussion

Although pile driving would not be required for the 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 is a bulldozer.

According to Table 4.10-10 of the ConnectMenlo EIR, as well as the Federal Transit Administration's Transit Noise and Vibration Impact Assessment (2006), a large bulldozer could generate a vibration level of approximately 0.089 PPV in/sec at a distance of 25 feet.[92] During Project construction, a large bulldozer could operate at a distance of less than 100 feet from the adjacent PacBio building on the Project site. The nearest residences to Project construction areas (where a bulldozer may be used) are approximately 800 feet to the south in East Palo Alto. Vibration generated by a bulldozer would attenuate to a level of 0.011 PPV in/sec at a distance of 100 feet.[93] This is below the "barely perceptible" threshold of 0.02 PPV in/sec shown in Table 3.12-4 (and in Table 4.10-3 of the ConnectMenlo EIR). It is also below the applicable damage thresholds for different building types, as shown in Table 3.12-3, above, and Table 4.10-4 of the ConnectMenlo EIR (which includes thresholds for damage, based on building materials used in building construction). At a distance of 800 feet, vibration from a large bulldozer would be reduced to less than 0.0005 PPV in/sec and would be below all perceptibility thresholds and building damage thresholds defined above and in the ConnectMenlo EIR.

Project-generated construction vibration would not be expected to exceed the aforementioned standard thresholds. However, according to ConnectMenlo EIR Mitigation Measure NOISE-2a, a project-specific vibration analysis shall be conducted to ensure that project construction vibration levels do not exceed the levels defined in this mitigation measure. Specifically, according to ConnectMenlo EIR Mitigation Measure NOISE-2a, vibration levels must be limited to 0.126 PPV in/sec at the nearest workshop, 0.063 PPV in/sec at the nearest office, and 0.032 PPV in/sec at the nearest residence during daytime hours and 0.016 PPV in/sec at the nearest residence during nighttime hours.

The modeled vibration level at the nearest offsite work building (0.011 PPV in/sec at 100 feet, as described above) would be below the allowable level described in Mitigation Measure NOISE-2a for a "workshop" (0.126 PPV in/sec) or "office" (0.063 PPV in/sec). As also described above, at a distance of 800 feet (the approximate distance from Project construction areas to the nearest residence), vibration from a large bulldozer would be less than 0.0005 PPV in/sec. Therefore, Project construction vibration would be well below the daytime allowable level of 0.032 PPV in/sec and the nighttime allowable level of 0.016 PPV in/sec for residential land uses.

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

92 Note that the ConnectMenlo EIR presented PPV vibration values for construction equipment in Table 4.10-10 but incorrectly labeled them as RMS vibration values. The vibration limits in Mitigation Measure NOISE-2a are also incorrectly labeled as RMS values when they are actually PPV values. Therefore, PPV is used as the unit of measure for this analysis.

93 Federal Transit Administration. 2006. *Transit Noise and Vibration Impact Assessment*. FTA-VA-90-1003-06. Office of Planning and Environment. Available: https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA_Noise_and_Vibration_Manual.pdf. Accessed: July 10, 2018.

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. Impacts from construction vibration would be ***less than significant***, and no mitigation measures would be required. No further analysis is required.

c. Result in a substantial permanent increase in ambient noise levels in the project vicinity, above levels existing without the Project? (Topic to Be Analyzed in the Focused EIR)

Analysis in the ConnectMenlo EIR

This topic was discussed in the ConnectMenlo EIR as 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.

Conclusion

Traffic Noise. 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 a result of different roadway configurations compared with what was considered in the ConnectMenlo EIR as well as the possibility of an increased number of vehicle trips from what was assumed in the ConnectMenlo EIR transportation analysis. Therefore, this topic will be the subject of ***further environmental review*** in the focused EIR.

HVAC/Mechanical Equipment Noise. 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; therefore, there would be no new specific effects as a result of the Project. As discussed above under Topic XII(a), for all Project-related mechanical equipment, compliance with Mitigation Measure NOISE-1b from the ConnectMenlo EIR would ensure compliance with Chapter 8.06 of the City's Municipal Code for noise generated within Menlo Park. For noise generated in the East Palo Alto, Project Mitigation Measure NOI-2 would reduce noise from stationary sources such that it would comply with Chapter 8.52 of the City of East Palo Alto Municipal Code. Therefore, with implementation of the aforementioned plan-level mitigation measure, as well as Project Mitigation Measure NOI-2, any increases in noise from HVAC or any other mechanical equipment associated with the Project would not be considered substantial. This impact would be ***less than significant with mitigation***. No further analysis is required.

d. Result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity, above levels existing without the Project? (Less than Significant with Mitigation)

Analysis in the ConnectMenlo EIR

This topic was discussed in the ConnectMenlo EIR as Impact NOISE-4 (pages 4.10-36 to 4.10-38) and determined to be potentially significant. With implementation of Mitigation Measure NOISE-1c, as well as compliance with the City's Municipal Code and General Plan policies, this impact would be reduced to a less-than-significant level.

Project-Specific Discussion

As discussed under Topic XII(a), compliance with ConnectMenlo Mitigation Measure NOISE-1c and Project Mitigation Measure NOI-1would ensure that construction activity associated with the Project would comply with the City's Municipal Code and regulations pertaining to construction noise. Because Project construction would not violate any relevant requirements related to construction noise in the City with implementation of mitigation measures, any increase in noise from temporary Project construction activities would not be considered substantial.

Conclusion

The physical conditions, as they relate to a substantial temporary or periodic increase in noise, 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; therefore, there would be no new specific effects as a result of the Project with application of recommended mitigation measures. Impacts would be ***less than significant with mitigation***. No further analysis is required.

e. For a project located within 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? (No Impact)

Analysis in the ConnectMenlo EIR

This topic was discussed in the ConnectMenlo EIR as Impact NOISE-5 (page 4.10-38) and determined to result in no impact.

Conclusion

The physical conditions, as they relate to the Project's adjacency to a public airport or public use airport, have not changed 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; therefore, there would be no new specific effects as a result of the Project. The Project is within the ConnectMenlo study area and would result in ***no impact***. No further analysis is required.

f. For a project located in the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels? (No Impact)

Analysis in the ConnectMenlo EIR

This topic was discussed in the ConnectMenlo EIR as Impact NOISE-6 (page 4.10-38) and determined to result in no impact.

Conclusion

The physical conditions, as they relate to Project's adjacency to a private airstrip, have not changed 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; therefore, there would be no new specific effects as a result of the Project. The Project is within the ConnectMenlo study area and would result in no impact. No further analysis is required.

XIII. 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 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)?	☒	☐	☐	☐	☐
b) Displace a substantial number of existing housing units, necessitating the construction of replacement housing elsewhere?	☒	☐	☐	☐	☐
c) Displace a substantial number of people, necessitating the construction of replacement housing elsewhere?	☒	☐	☐	☐	☐

Setting

As discussed in more detail, below, this topic will be analyzed further in the focused EIR. Therefore, the setting is not discussed in this document but will be provided instead in the focused 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 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 Focused 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, future development would be guided by the policy framework. No mitigation measures were recommended.

Project-Specific Discussion

The Project includes the construction of 260,400 gsf of life science uses, which would generate approximately 650 new employees. Although the Project would not result in onsite residential population increases, the new employees could generate households within the City and the region. Using the average of 1.85 workers per work household in San Mateo County, the Project would generate approximately 352 new households. On average, approximately 6.5 percent of the City's workforce also resides in the City; however, only 3.8 percent of employees who currently work on

the Menlo Park Labs Campus live in Menlo Park.[94] Using these numbers, the Project could result in approximately 13 to 23 new households in the City. With an average persons-per-household ratio of 2.85, the Project could generate approximately 31 to 66 new residents within Menlo Park.[95] This represents a fraction of a percent of the total City population.

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 focused EIR will evaluate population growth in more detail. In particular, a Housing Needs Assessment (HNA) will be prepared for the Project. Therefore, this topic ***requires further environmental review*** in the focused EIR.

b. Displace a substantial number of existing housing units, necessitating the construction of replacement housing elsewhere? (Topic to Be Analyzed in the Focused EIR)

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 determined to be less than significant. Within the ConnectMenlo EIR study area, existing policies would ensure that adequate housing would remain and that the potential for any displacement of existing housing would be limited. No mitigation measures were recommended.

Conclusion

The physical conditions, as they relate to 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. However, as a result of the 2017 *City of East Palo Alto v. City of Menlo Park* Settlement Agreement, the focused EIR will evaluate this topic in more detail. In particular, an HNA will be prepared for the Project.

c. Displace a substantial number of people, necessitating the construction of replacement housing elsewhere? (Topic to Be Analyzed in the Focused EIR)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as 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 people would not be displaced. No mitigation measures were recommended.

Conclusion

The physical conditions, as they relate to population growth and displacement of people, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. In addition, the Project would not include demolition of existing uses; therefore, the Project would not displace a substantial number of people, necessitating replacement housing elsewhere. However, as a result of the 2017 *City of East Palo Alto v. City of Menlo Park* Settlement Agreement, the focused EIR will evaluate this topic in more detail. In particular, an HNA will be prepared for the Project.

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[94] Keyser Marston Associates. 2018. *Initial Data: 1350 Adams Court Housing Needs Analyses, Menlo Park, CA.*

[95] Keyser Marston Associates. 2018. *Initial Data: 1350 Adams Court Housing Needs Analyses, Menlo Park, CA*.

XIV. 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?	☐	☐	☐	☒	☐
Police protection?	☐	☐	☐	☒	☐
Schools?	☐	☐	☐	☒	☐
Parks?	☐	☐	☐	☒	☐
Other public facilities?	☐	☐	☐	☒	☐

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.[96] Seven MPFPD fire stations serve an estimated population of approximately 100,000. The MPFPD responds to approximately 9,000 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).[97] 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 in 2013 and 2014 were under the currently adopted 7-minute standard for first-response units.[98]

The MPFPD is organized into five Fire District Divisions as follows: Administrative Services, Human Resources, Fire Prevention, Operations, and Support Services. As of 2018, the MPFPD is budgeted for approximately 136 full-time-equivalent (FTE) employees. Of these, 99 FTE employees provide direct fire services, while the other 37 staff members handle daily administrative tasks related to 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.[99] This equates to a ratio of approximately one firefighter per 1,000 people in the service population.

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96 Menlo Park Fire Protection District. 2018. *About the Fire District*. Available: https://www.menlofire.org/about-the-fire-district. Accessed: April 30, 2018.

97 Menlo Park Fire Protection District. 2018. *Proposed Budget, 2018–2019*. Available: https://evogov.s3.amazonaws.com/media/6/media/130940.pdf. Accessed: July 16, 2018.

98 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/22312.pdf. Accessed: April 18, 2018.

99 Menlo Park Fire Protection District. 2018. *Proposed Budget, 2018–2019*. Available: https://evogov.s3.amazonaws.com/media/6/media/130940.pdf. Accessed: July 16, 2018.

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.[100] 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.[101]

In February 2016, the MPFPD Board of Directors approved an Impact Fee Nexus Study. This study is part of an Emergency Services and Fire Protection Impact Fee Program to ensure that new development funds its fair share of the cost of needed capital facilities to serve the growing population within MPFPD's boundaries. These capital facilities include fire stations and associated buildings, emergency response vehicles, and other fire protection and emergency equipment. The impact fee calculated in the nexus study for the fee program represents the maximum fair share that could be charged to new development within the MPFPD's boundaries.[102] The fee was adopted under the authority of Assembly Bill (AB) 1600, the Mitigation Fee Act, contained in Section 66000 and subsequent sections of the California Government Code. AB 1600 established a process for local governments and districts to formulate, adopt, impose, collect, and account for impact fees. Per AB 1600, cities, including the City of Menlo Park, hold the legal authority to impose fees on behalf of service providers within their City limits. Menlo Park has not adopted the impact fee.

Police Protection

Police services in the vicinity of the Project site are provided by the Menlo Park Police Department (MPPD), which serves the City. The MPPD's current service population is approximately 42,000.[103] The MPPD is headed by a chief of police who oversees two divisions, the Patrol Operations Division and Special Operations Division. From 2017 to 2018, the Patrol Services Division handled more than 39,000 calls for service. MPPD staffing includes two police administrators, 46 patrol operations employees, and 29 special operations specialists, for a total of 77 FTE employees. With upcoming approved hires (in the 2018–2019 budget), the MPPD will increase the allocation of sworn officers from 48 to 54.[104] Once fully implemented, the City will have a ratio of 1.29 officers per 1,000 people in the service population.

One police station, located at City Hall, covers the entire service area. The MPPD also operates a recently renovated 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.[105]

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[100] Menlo Park Fire Protection District. 2018. *Station 2.* Available: https://www.menlofire.org/station-2. Accessed: July 16, 2018.

[101] Menlo Park Fire Protection District. 2018. *Proposed Budget, 2018–2019*. Available: https://evogov.s3.amazonaws.com/media/6/media/130940.pdf. Accessed: July 16, 2018.

[102] 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: April 18, 2018.

[103] Per the ConnectMenlo EIR, the service population for the MPPD is calculated by taking the total City population and adding 0.33 of all employees within the City.

[104] City of Menlo Park. *Proposed Budget Fiscal Year 2018–2019.* Available: https://www.menlopark.org/proposedbudget. Accessed: July 16, 2018.

[105] Menlo Park. n.d. *Neighborhood Service Center Grand Opening – Saturday, April 26*. Available: https://www.menlopark.org/Calendar/Home/SingleEvent?eventID=166. Accessed: July 16, 2018.

Currently, the MPPD divides its service area into three beats. However, as the budget for 2018–2019 is implemented, a new beat, Beat 4, will be activated, which will divide the current Beat 3 into two beats. This will allow officers who are assigned to the Belle Haven neighborhood to remain in that area and address specific needs within that neighborhood (Beat 3); other officers will be assigned to the rest of the Bayfront Area (Beat 4), mainly north of the Dumbarton Rail Corridor.[106] Although the Project site is within the Bayfront Area, it will continue to be covered by Beat 3.

Schools

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

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 2017, total student enrollment at the four schools was 2,984, with approximately 322 FTE staff members.[107] The Menlo Park CSD maintains a student-teacher ratio of 17.4 students per teacher.[108]

The three elementary schools currently exceed capacity; however, Hillview Middle School has additional capacity available.[109] To accommodate growth, the Laurel School Upper Campus was constructed; it opened on October 17, 2016, to 300 third- through fifth-grade students.[110] 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.[111]

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 the City, Belle Haven Elementary School and Willow Oaks Elementary School. The reported student enrollment for the 2016–2017 school year (the most recent data available) was 3,853, with 206 teachers, resulting in a student-teacher ratio of approximately 18.7 students per teacher. Enrollment at Ravenswood City Elementary, in

[106] City of Menlo Park. *Proposed Budget Fiscal Year 2018–2019.* Available: https://www.menlopark.org/proposedbudget. Accessed: July 16, 2018.

[107] Menlo Park City School District. 2018. *About Us*. Available: https://district.mpcsd.org/Page/175. Accessed: July 16, 2018.

[108] Menlo Park City School District. June 2018. *Annual Report to the Community.* Available: https://district.mpcsd.org/cms/lib/CA01902565/Centricity/shared/community%20reports/MPCSD_Comm%20Report%202018_SinglePages.pdf. Accessed: July 16, 2018.

[109] Menlo Park City School District. 2013. *Master Facility Plan Update 2013.* Available: https://district.mpcsd.org/Page/104. Accessed: July 16, 2018.

[110] Menlo Park City School District. 2016. *Laurel School Upper Campus.* Available: https://district.mpcsd.org/Page/111. Accessed: June 18, 2018.

[111] BAE Urban Economics. 2016. *ConnectMenlo Fiscal Impact Analysis*. Available: https://menlopark.org/DocumentCenter/View/11474/ConnectMenlo-FIA-09-07-2016_public-draft?bidId=. Accessed: June 18, 2018.

East Palo Alto, over the 2016–2017 school year was lower than it has been in the past few years.[112] Furthermore, it is anticipated that the Ravenswood CSD will experience low to no growth in the near future.[113] The Ravenswood CSD's student generation rate is 0.39 student per single-family unit and 0.56 student per multi-family unit.[114]

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. Redwood CSD includes 16 schools, serving approximately 7,700 students. Of the more than 900 employees, approximately 400 are teachers, resulting in a student-teacher ratio of approximately 19.3 students per teacher.[115] 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.[116]

Sequoia Union High School District. The Sequoia Union High School District (SUHSD) operates four comprehensive high schools, one alternative 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.[117] Among these schools, Menlo-Atherton High School serves students residing in Menlo Park. In 2016–2017, total student enrollment at the high schools was approximately 9,911, with approximately 553 teachers, resulting in a student-teacher ratio of approximately 17.9 students per teacher.[118] There are current plans to build a high school in Menlo Park to accommodate enrollment growth. The new school, known as Menlo Park Small High School, began construction in late 2016; it is expected to be completed in approximately 18 months.[119] The SUHSD student generation rate is 0.2 student per housing unit.[120]

Parks

The Menlo Park Community Services Department is responsible for providing recreational and cultural programs for residents of the City. 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

[112] Ed-Data, Education Data Partnership. 2017. *Ravenswood City Elementary*. Available http://www.ed-data.org/district/San-Mateo/Ravenswood-City-Elementary. Accessed: June 18, 2018.

[113] Ravenswood City School District. 2015. *Facilities Master Plan*. Available: https://drive.google.com/file/d/0BwQ1Zn7bUeTZcjkwbl9JMm1jSG8/view. Accessed: July 16, 2018.

[114] City of Menlo Park. 2016. *Connect Menlo, Public Review Draft EIR*. June 1.

[115] Redwood City School District. 2018. *RCSD Fast Facts.* Available: https://www.rcsdk8.net/domain/2477. Accessed: July 16, 2018.

[116] City of Menlo Park. 2016. *Connect Menlo, Public Review Draft EIR*. June 1.

[117] Sequoia Union High School District. 2015. *Facilities Master Plan*. June 24. Available: http://www.seq.org/documents/construction-menlo-atherton/facilities.pdf. Accessed: July 17, 2018.

[118] Ed-Data, Education Data Partnership. 2017. *Sequoia Union High*. Available: http://www.ed-data.org/district/San-Mateo/Sequoia-Union-High. Accessed: July 17, 2018.

[119] Sequoia Union High School District. 2016. *Menlo Park Small High School Project, Draft EIR.* Volume 1. July. Available: http://www.seq.org/documents/constructionfix/MPSHS_DraftEIR_Vol1_20160708.pdf. Accessed: April 23, 2018.

[120] City of Menlo Park. 2016. *Connect Menlo, Public Review Draft EIR*. June 1.

space.[121] The City adopted a General Plan policy (Policy OSC-2.4) of maintaining a ratio of 5 acres of developed parkland per 1,000 residents. Currently, Menlo Park has an estimated population of approximately 33,319.[122] The City provides 244.96 acres of parkland for the residents, a ratio of 7.35 acres[123] of parkland per 1,000 residents.[124] Therefore, the City currently exceeds its goals.

Libraries

The City has two libraries, Menlo Park Library on Alma Street and the Belle Haven Community 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.[125]

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 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, Policy S-1.38, 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.

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[121] City of Menlo Park Community Services Department. 2018. *Community Services Department*. Available: https://www.menlopark.org/212/Community-Services. Accessed: April 23, 2018.

[122] U.S. Census Bureau. 2016. *American Fact Finder, American Community Survey Demographic and Housing Estimates* (2012–2016 American Community Survey 5-year Estimates, ID DP05). Available: https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_16_5YR_DP05&prodType=table. Accessed: July 13, 2018.

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

[124] A total of 244.96 acres divided by 33,319 (existing population as of 2016 [33,319]/1,000) = 7.35 acres per 1,000 residents.

[125] 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: July 17, 2018.

Project-Specific Discussion

Because of the increase in employment at the Project site, it is anticipated that the Project would increase the daytime population by approximately 650 people. According to MPFPD standards, each employee would be equal to 0.58 resident,[126] which equates to approximately 377 people added to the service population. In addition, as stated in Topic XIII, *Population and Housing*, the Project could induce between 31 and 66 new Menlo Park residents. If there were no increase in existing MPFPD staffing, then the ratio of one firefighter per 1,000 residents would decrease only minimally with implementation of the Project, and no additional MPFPD personnel would need to be hired. In addition, 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 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 that are more than 5,000 gsf if the building is 40 feet or taller. In addition, as discussed above, if an impact fee for fire protection services is imposed on the Project, then the Project Sponsor would be required to pay the applicable fees, as outlined in the Emergency Services and Fire Protection Impact Fee Program. Payment of this fee would ensure that the Project would fund its fair share of the cost of needed capital facilities to serve the growing population within MPFPD's boundaries.

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 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; therefore, there would be no new specific effects as a result of the Project. The 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 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.

[126] 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: April 18, 2018.

Project-Specific Discussion

The Project could affect the MPPD by intensifying site activity and adding new employees, visitors, and residents. Specifically, the Project would increase the number of employees at the Project site by 650 people. When calculating the service population, the MPPD considers employees who work in Menlo Park as one-third of a resident, resulting in approximately 215 additional daytime residents. In addition, the Project could add 31 to 66 permanent residents to the City. The added daytime and permanent residents would result in a nominal decrease in the ratio of officers to residents. Police surveillance in the Project area would continue, including routine patrols and responses to calls for assistance. The Project would not require the MPPD to expand its current service boundary to include the Project site because it is already within Beat 3.

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 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; therefore, there would be no new specific effects as a result of the Project. Based on current service levels and the service levels expected to occur under the 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 the City. However, Las Lomitas School District would not be affected by the indirect population increases associated with the Project and, therefore, is not considered in this analysis. The Project would consist of R&D uses and would not construct residential units that would generate school-age students for the local school districts. However, as stated in Topic XIII, *Population and Housing*, the Project would indirectly induce housing demand by increasing employment within the City. Specifically, it is estimated that between 13 and 23 new Menlo Park households would be generated by the Project. Assuming the most conservative student generation rate for the school districts that serve Menlo Park (0.56 student per multi-family unit), the Project could generate between 6 and 13 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 the Project-generated students would be minimal, and the districts would most likely be able to accommodate the students.

Residential and non-residential development, including the Project, is subject to Senate Bill (SB) 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 SB 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 separate CEQA review as well as residential school impact fees, which would be higher than the 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 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; therefore, there would be no new specific effects as a result of the Project. Because the Project 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 Project would not add a significant amount of new employees or residents to the City. In addition, the Project would provide open space, including a publicly accessible component. Although the publicly accessible open space would be privately held and maintained, the open space would provide recreational opportunities for employees at the Project site. This open space is not included in the calculation of open space for residents; however, given the availability of City and regional parks, employee growth related to development under the Project is not anticipated to increase the use of parks and recreational resources such that substantial physical deterioration would occur. Refer to Section XV, *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 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; therefore, there would be no new specific effects as a result of the Project. As such, the impact of the Project on existing park and recreational resources would be ***less than significant***. Please refer to Section XV, *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 Project is expected to increase the population in the City by adding approximately 31 to 66 new residents. In addition, other potential employees who live in San Mateo County could use the library. Given that the library currently serves approximately 23,600 registered borrowers, this increase in the potential number of patrons is minimal. It is expected that the existing libraries in the City would be able to accommodate the increase in the number of residents in the area due to the Project.

Analysis in the ConnectMenlo EIR

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 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; therefore, there would be no new specific effects as a result of the Project. The 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.

XV. 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?	☐	☐	☐	☒	☐
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☐	☒	☐

Setting

The Menlo Park Community Services Department (Department) is responsible for providing recreational and cultural programs for the residents of the City. The Department's 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.[127] The City adopted a General Plan policy (Policy OSC-2.4) of maintaining a ratio of 5 acres of developed parkland per 1,000 residents. Currently, Menlo Park has an estimated population of approximately 33,319.[128] The City provides 244.96 acres of parkland for its residents, a ratio of 7.35 acres[129] of parkland per 1,000 residents.[130] 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 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, Goal OSC-2, Policy OSC-2.1, Policy OSC-2.4, and Policy OSC-2.6.

[127] City of Menlo Park Community Services Department. 2018. *Community Services Department*. Available: https://www.menlopark.org/212/Community-Services. Accessed April 23, 2018.

[128] U.S. Census Bureau. 2016. *American Fact Finder, American Community Survey Demographic and Housing Estimates* (2012–2016 American Community Survey 5-year Estimates, ID DP05). Available: https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_16_5YR_DP05&prodType=table. Accessed: July 13, 2018.

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

[130] A total of 244.96 acres divided by 33,319 (existing population as of 2016) = 7.35 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 the 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 Project would generate approximately 650 new employees at the Project site. These employees could use nearby parks as well as other parks and open space resources throughout the City. Development would add approximately 48,800 sf of public open space and approximately 109,020 sf of private open space. Although one building would be constructed, three offset building modules would be provided to maximize the open space at the northeast corner of the Project site, at the corner of Adams Drive and Adams Court. The private open space proposed as part of the Project would be within a patio and large outdoor deck on the second floor of the building. The patio may include sunshades with tables and chairs, solar panel sunshades with charging stations, planters, green screens, benches, outdoor furniture, and metal fences. The public open space along the street frontage would be landscaped with berms, trees, and California native vegetation. This vegetation would help to screen the proposed parking podium from the adjacent streets. Furnishings at the public space may include benches, trash receptacles, and bicycle racks. The proposed onsite features provided for employee use would reduce the likelihood of employees using City facilities.

Because the Project would generate approximately 650 new employees, approximately 31 to 66 new residents could be induced to move to the City. However, new residents could use parks and open space resources throughout the City. As explained above, the Department currently exceeds its goal of 5 acres of parkland per 1,000 residents. The 31 to 66 new residents in the City would not substantially change the existing ratio, and the City would still exceed its goal. In addition, 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 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; therefore, there would be no new specific effects as a result of the 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 facilities

proposed as part of the Project. The Project would not trigger a need for the construction or expansion of parks or other recreational facilities. Therefore, the impact of the 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.

Effects of the Project

The Project would not include new or expanded Department park facilities. However, the Project would include approximately 48,800 sf of publicly accessible open space along the street frontage, which would be landscaped with berms, trees, and California native vegetation. Furnishings at the public space may include benches, trash receptacles, public art, and bicycle racks. However, this public area would be relatively small and would not have an adverse physical effect on the environment.

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 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; therefore, there would be no new specific effects as a result of the Project. Construction of a publicly accessible open space on the Project site would not have an adverse physical effect on the environment, resulting in ***less-than-significant*** impacts. No further study is needed.

XVI. Tribal 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 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)?	☐	☐	☒	☐	☐
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.	☐	☐	☒	☐	☐

Setting

To identify tribal cultural resources within the Project area, the Native American Heritage Commission (NAHC) was contacted on July 2, 2018, and asked to provide a list of California Native American tribes that are geographically affiliated with the Project site.[131] A search of the NAHC's Sacred Lands File (SLF) was also requested. On July 6, 2018, the NAHC responded with a list of five individuals for consultation and the SLF did not identify any resources within the Project area. Letters with Project details, a location map, and a request for consultation were sent on July 11, 2018, to the following individuals:

- Tony Cerda, Chairperson – Coastanoan Rumsen Carmel Tribe
- Rosemary Cambra, Chairperson – Muwekma Ohlone Indian Tribe of the San Francisco Bay Area
- Andrew Galvan – The Ohlone Indian Tribe
- Ann Marie Sayers, Chairperson – Indian Canyon Mutsun Band of Coastanoan
- Irenne Zwierlein, Chairperson – Amah Mutsun Tribal Band of Mission San Juan Bautista

To date, no responses have been received, and no Native American resources have been identified within the Project site. In addition, as outlined in Section V, *Cultural Resources*, the records search conducted at the NWIC did not identify any cultural resources within the Project site. However, seven

[131] Although the ConnectMenlo EIR is applicable to the Project, pursuant to Assembly Bill 52, the current Project is considered separate; therefore, it requires separate consultation with California Native American tribes and review of potential impacts on tribal cultural resources.

previously recorded pre-contact resources were identified outside the footprint of the proposed building but within 0.5 mile. Although there are no known cultural resources on the Project site, it is possible that cultural resources could be discovered.

Environmental Checklist and Discussion

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)?

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.

Project-Specific Discussion

A search of the SLF did not identify any tribal cultural resources in the Project area. In addition, no tribal cultural resources were identified as a result of consultation with the Native Americans the NAHC listed as geographically affiliated with the geographic region. However, the potential always exists for previously undiscovered tribal cultural resources to be encountered during Project demolition or construction work, as discussed in more detail in Section V, *Cultural Resources*. Buried deposits may be eligible for listing in the California Register of Historical Resources. Therefore, this impact would be ***potentially significant***.

MITIGATION MEASURES. The Project would implement ConnectMenlo EIR Mitigation Measure CULT-2a if a potentially significant subsurface cultural resource is encountered during ground-disturbing activities. All construction activities within a 100-foot radius would cease until a qualified archaeologist determines whether the resource requires further study. In addition, because of the potential for discovery of unknown buried cultural and paleontological resources, Project Mitigation Measure CR-1 would require worker training prior to construction, thereby further reducing potential impacts. The Project would also implement ConnectMenlo EIR Mitigation Measure CULT-4 if human remains are encountered at the 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 tribal historical resources, 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; therefore, there would be no new specific effects as a result of the Project. As needed, the Project would implement Mitigation Measures CULT-2a and CULT-4 from the ConnectMenlo EIR and Project Mitigation Measure CR-1. Mitigation Measure CULT-2b has been implemented as part of this environmental review; no archaeological resources were identified during consultation with Native American tribes. Therefore, impacts related to historical resources would be ***less than significant with mitigation***. No further study is needed.

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?

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, no tribal cultural resources were identified within the Project site during consultation with California Native American tribes or during the cultural resources review. However, the potential still exists for encountering as-yet undocumented resources that could be considered significant by California Native American tribes during project-related construction activities. This impact would be ***potentially significant***.

MITIGATION MEASURES. The Project would implement ConnectMenlo EIR Mitigation Measures CULT-2a and CULT-4 and Project Mitigation Measure CR-1, as discussed above.

Conclusion

The physical conditions, as they relate to tribal historical resources, 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; therefore, there would be no new specific effects as a result of the Project. Implementation of ConnectMenlo EIR Mitigation Measures CULT-2a and CULT-4 and Project Mitigation Measure CR-1 would reduce impacts to ***less than significant with mitigation***. No further study is needed.

XVII. Transportation/Traffic	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 an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?	☒	☐	☐	☐	☐
b) Exceed, either individually or cumulatively, a level-of-service standard established by the county congestion management agency for designated roads or highways?	☒	☐	☐	☐	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks?	☐	☐	☐	☐	☒
d) Substantially increase hazards because of a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☒	☐	☐	☐	☐
e) Result in inadequate emergency access?	☒	☐	☐	☐	☐
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☒	☐	☐	☐	☐

Setting

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

General Plan Goals and Policies

Goals and policies related to transportation and traffic will be discussed in the focused EIR.

Environmental Checklist and Discussion

a. Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)? (Topic to Be Analyzed in the Focused EIR)

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact TRANS-1 (pages 4.13-56 to 3.13-74). 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.

Project-Specific Discussion

Although the Project is within the development projections envisioned in the ConnectMenlo EIR, this topic requires further environmental review in the focused EIR. The transportation mitigation measures for the ConnectMenlo EIR anticipated that any project, like this Project, proposed prior to the adoption of a Transportation Master Plan and updated Transportation Impact Fee (TIF) would need to conduct a project-specific Transportation Impact Assessment (TIA) to determine the impacts and the necessary transportation mitigations that are 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. Therefore, the focused EIR will include analysis of 21 existing intersections and two future intersections, for a total of 23 intersections, as follows:

1. University Avenue (SR 109) and Bayfront Expressway (SR 84) [CMP] [Menlo Park]
2. University Avenue (SR 109) and Adams Drive (unsignalized) [East Palo Alto]
3. University Avenue (SR 109) and O'Brien Drive [East Palo Alto]
4. University Avenue (SR 109) and Bay Road [East Palo Alto]
5. University Avenue (SR 109) and Donohoe Street
6. US 101 Northbound Off-Ramp/University Plaza Driveway and Donohoe Street
7. University Avenue and US 101 Southbound Off-Ramp
8. University Avenue (SR 109) and Kavanaugh Drive [East Palo Alto]
9. University Avenue (SR 109) and Notre Dame Avenue [East Palo Alto]
10. Willow Road (SR 114) and O'Brien Drive [Menlo Park]
11. Willow Road (SR 114) and Newbridge Street [Menlo Park]
12. Willow Road (SR 114) and Bay Road [Menlo Park]

13. Willow Road (SR 114) and Bayfront Expressway (SR 84) [CMP] [Menlo Park]
14. Willow Road (SR 114) and Hamilton Avenue [Menlo Park]
15. Willow Road (SR 114) and Ivy Drive [Menlo Park]
16. Willow Road (SR 114) and Durham Street [Menlo Park]
17. Willow Road (SR 114) and Coleman Avenue [Menlo Park]
18. Willow Road (SR 114) and Gilbert Avenue [Menlo Park]
19. Willow Road (SR 114) and Middlefield Road [Menlo Park]
20. Adams Drive and Adams Court (unsignalized) [Menlo Park]
21. Adams Drive and O'Brien Drive (unsignalized) [Menlo Park]
22. US 101 Northbound Ramps and Willow Road (future intersection)
23. US 101 Southbound Ramps and Willow Road (future intersection)

Conclusion

This topic requires ***further environmental review*** in the focused EIR.

b. Exceed, either individually or cumulatively, a level-of-service standard established by the county congestion management agency for designated roads or highways? (Topic to Be Analyzed in the Focused EIR)

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact TRANS-2 (pages 4.13-74 to 3.13-76). Development under ConnectMenlo was determined to result in significant and unavoidable impacts on Routes of Regional Significance, even with implementation of Mitigation Measures TRANS-1a (pages 4.13-62 and 4.13-63).

Project-Specific Discussion

The San Mateo County Congestion Management Program (CMP) designates Routes of Regional Significance. As shown in the list above, the focused EIR will include an analysis of two CMP intersections: University Avenue (SR 109)/Bayfront Expressway (SR 84) and Willow Road (SR 114)/Bayfront Expressway (SR 84). It is not anticipated that the Project would generate more than 100 peak-hour trips on CMP facilities, and impacts are expected to be less than significant. Nevertheless, the focused EIR will provide a brief discussion of CMP facilities and evidence to support the anticipated less-than-significant conclusion. Furthermore, the transportation mitigation measures for the ConnectMenlo EIR anticipated that any project, like this Project, proposed prior to the adoption of a Transportation Master Plan and updated TIF would need to conduct a project-specific TIA to determine the impacts and the necessary transportation mitigations that are 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. In accordance with the Settlement Agreement, the analysis will address fair-share mitigation fees for significant impacts on East Palo Alto intersections.

Conclusion

This topic requires ***further environmental review*** in the focused EIR.

c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks? (No Impact)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact TRANS-3 (page 4.13-76) and determined to have no impact because ConnectMenlo would not result in a change in air traffic patterns, would not increase traffic levels, and would not result in safety risks. No mitigation measures were recommended.

Conclusion

The Project site is within 2 miles of Palo Alto Airport but not within the airport safety zones identified in the CLUP for the airport.[132] The Project site would be accessed from existing roadway infrastructure, and although it is expected that traffic levels would increase in the area as a result of the Project, any Project-related increases in traffic levels would not result in changes to existing roadway configurations that could interfere with flight operations. Furthermore, the Project would not propose land uses that would disrupt air traffic patterns. The physical conditions, as they relate to air traffic patterns, have not changed substantially 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 Project. There would be ***no impact,*** and no further study is needed.

d. Substantially increase hazards because of a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Topic to Be Analyzed in the Focused 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 Project would add vehicles at nearby intersections, the 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 Project, collision rates are not expected to increase, and no additional hazards would occur.

[132] Santa Clara County Airport Land Use Commission. 2008, amended in 2016. *Comprehensive Land Use Plan Santa Clara County: Palo Alto Airport.* Figure 7: Airport Safety Zones. Available: https://www.sccgov.org/sites/dpd/DocsForms/Documents/ALUC_PAO_CLUP.pdf. Accessed: April 16, 2018.

Lot 3 North would be accessible from a driveway on Adams Drive, a circular one-way driveway from Adams Court for visitors, and another driveway from Adams Court, near the northwestern corner of the Project site. In addition, vehicular ramps would connect Lot 3 North to the southern portion of the Project site. At driveways, a substantially clear line of sight would be maintained between the driver of a vehicle waiting at the crossroad and the driver of the approaching vehicle. Through adherence to the zoning code and design standards, the Project would minimize hazards.

Conclusion

Because of the anticipated increase in traffic in the area, this topic requires ***further environmental review*** in the focused EIR.

e. Result in inadequate emergency access? (Topic to Be Analyzed in the Focused 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 require continued coordination between the MPPD and MPFPD. In addition, proposed zoning would help to minimize traffic congestion by implementing City design standards. No mitigation measures were recommended.

Project-Specific Discussion

The Project does 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. New emergency access to the Project site would be provided from Adams Drive at the southeast corner of Lot 3 North or from the Adams Court cul-de-sac. Emergency vehicles would travel along the southern and western perimeters of Lot 3 North and exit at the northwest corner at Adams Court. In addition, emergency vehicles would have access to the circular driveway at the front of the proposed building.

Conclusion

Because of the anticipated increase in traffic in the area, this topic requires ***further environmental review*** in the focused EIR.

f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? (Topic to Be Analyzed in the Focused EIR)

Analysis in the ConnectMenlo EIR

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 because the TIF nexus study has not been completed, and the Dumbarton transit service would require approval from agencies that are not under Menlo Park jurisdiction.

Project-Specific Discussion

The Project could affect bicycle or pedestrian facilities, including bicycle lanes, sidewalks, or amenities that promote the safe use of alternate modes of transportation. In addition, the Project could generate transit riders, which could result in adverse effects on transit capacity.

Conclusion

It was noted in the ConnectMenlo EIR that the identification of a program-level impact does not preclude a less-than-significant finding for impacts of subsequent projects that comply with applicable regulations and meet applicable thresholds of significance. An analysis of the Project's consistency with relevant adopted policies, plans, and programs will be presented in the focused EIR. Therefore, this topic requires ***further environmental review*** in the focused EIR.

XVIII. 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) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☒	☐	☐	☐	☐
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☒	☐	☐	☐	☐
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒	☐
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or would new or expanded entitlements be needed?	☒	☐	☐	☐	☐
e) 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?	☒	☐	☐	☐	☐
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒	☐

Setting

Water Supply

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

Wastewater Collection and Treatment

As discussed in more detail, below, wastewater collection and treatment will be analyzed further in the focused EIR. Therefore, the setting for wastewater is not discussed in this document but will be provided instead in the focused EIR.

Stormwater

The Project site, which covers approximately 11.2 acres, is at the end of the Menlo Park drainage shed, which is tributary to the marsh area next to Bayfront Expressway. Stormwater discharges flow to a marshland that connects to the Bay. Currently, the total surface area of Lot 3 North is approximately 42 percent impervious, consisting of paved parking areas and drive aisles. The site is currently served by several storm drain laterals that collectively discharge runoff to the City's storm drainage system at two locations. Approximately half of the site drains to a 48-inch storm drain along the western property line; the remaining half drains to a 54-inch storm drain in Adams Drive, east of the site. The 48-inch line and the 54-inch line along Adams Drive convey runoff from offsite areas south of the Project site, between Bay Road and O'Brien Drive, to a marsh area north of the site.[133]

A raised landscaped area separates the onsite parking lot and drive aisles from surrounding streets. Onsite drainage is captured by area drains in the landscaped areas; catch basins at low points, such as the parking lot and drive aisles; and other catch basins. The storm drain system at the Project site ranges from 6 to 18 inches in diameter and connects to the 48-inch line at one location and the 54-inch line at two separate locations. Two onsite bio-retention basins were installed as part of PacBio building improvements to provide treatment for adjacent parking areas. Existing site drainage provides little detention onsite.[134]

Solid Waste

Recology Incorporated provides solid waste collection and conveyance service for the City of 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 (AB 939).[135]

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.[136]

In 2016 (the most recent year available), the RethinkWaste service area (San Mateo County) produced approximately 86,573 tons of commercial solid waste, 34,024 tons of multi-family waste, and 60,256 tons of residential waste. Overall, the service area experienced a 50 percent diversion rate by recycling and composting waste materials. The City of Menlo Park had a slightly higher diversion rate

[133] BKF. 2018. *Menlo Business Park Lot 3 North 1350 Adams Court Preliminary Hydrology Report*. October 17.

[134] BKF. 2018. *Menlo Business Park Lot 3 North 1350 Adams Court Preliminary Hydrology Report*. October 17.

[135] RethinkWaste. 2018. *About Us.* Last revised: 2018. Available: http://www.rethinkwaste.org/about/about-us. Accessed: June, 18, 2018.

[136] RethinkWaste. 2018. *About Shoreway.* Last revised: 2018. Available: http://www.rethinkwaste.org/shoreway-facility. Accessed: June 18, 2018.

than the county average, with approximately 58 percent of waste diverted from the landfill.[137] In 2016, Menlo Park's per capita solid waste disposal rate for residents was 5.1 pounds per day (ppd); the target per capita disposal rate for residents is 7.5 ppd. The City's per capita solid waste disposal rate for employees in 2016 was 4.5 ppd; the California Department of Resources Recycling and Recovery (CalRecycle) target per capita disposal rate for employees is 9.2 ppd.[138]

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.[139] In 2017, approximately 32,617 tons of waste from Menlo Park was disposed of in landfills, with approximately 25,523 tons going to the Ox Mountain Landfill.[140]

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 utilities. The following 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, Policy LUS-7.5, Goal OSC-4, Policy OSC-4.2, Policy OSC-4.6, Policy OSC-4.7, Policy OSC-4.8, 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 focused EIR.

Environmental Checklist and Discussion

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Topic to Be Analyzed in Focused EIR)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR (pages 4.14-36 through 4.14-38) and determined to result in a less-than-significant impact. In accordance with the General Plan policies, zoning regulations, and other applicable regulations, wastewater generated from potential future development would not exceed wastewater treatment requirements or the capacity of existing facilities. No mitigation measures were recommended.

Project-Specific Discussion

Adoption of the Project is not expected to exceed San Francisco Regional Water Quality Control Board wastewater treatment requirements. However, it is unknown at this time how much water the Project would demand and, in turn, how much wastewater the Project would generate.

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[137] Recology San Mateo County. 2017. *Annual Report to the SBWMA for Year 2016.* Available: https://rethinkwaste.org/uploads/media_items/recology-annual-report-2016.original.pdf. Accessed: July 20, 2018.

[138] CalRecycle. 2016. *Jurisdiction Diversion/Disposal Rate Detail*. Menlo Park. Available: http://www.calrecycle.ca.gov/LGCentral/reports/diversionprogram/JurisdictionDiversionDetail.aspx?JurisdictionID=299&Year=2016. Accessed: July 20, 2018.

[139] CalRecycle. 2018. *Facility/Site Summary Details: Corinda Los Trancos Landfill (Ox Mtn) (41-AA-0002).* Available: http://www.calrecycle.ca.gov/SWFacilities/Directory/41-AA-0002/Detail/. Accessed: July 20, 2018.

[140] CalRecycle. 2017. *Jurisdiction Disposal by Facility: Disposal during 2017 for Menlo Park.* Available: http://www.calrecycle.ca.gov/LGCentral/Reports/Viewer.aspx?P=ReportYear%3d2017%26ReportName%3dReportEDRSJurisDisposalByFacility%26OriginJurisdictionIDs%3d299. Accessed: July 20, 2018.

Analysis in the ConnectMenlo EIR

The physical conditions, as they relate to wastewater treatment requirements, 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; therefore, there would be no new specific effects as a result of the Project. However, because further studies are needed to determine wastewater impacts, this topic requires ***further environmental review*** in the focused EIR.

b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Topic to Be Analyzed in Focused EIR)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR (pages 4.14-38 to 4.14-43) 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 the Menlo Park Municipal Water District's conservation programs and future development to employ green building best practices. No mitigation measures were recommended.

Project-Specific Discussion

Operation of the Project is not anticipated to result in the construction or expansion of new water or wastewater treatment facilities. However, it is unknown at this time how much water the Project would demand and, in turn, how much wastewater the Project would generate. A Water Supply Assessment (WSA) for the Project would need to be conducted.

Analysis in the ConnectMenlo EIR

The physical conditions, as they relate to water and wastewater treatment facilities, 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; therefore, there would be no new specific effects as a result of the Project. However, because further studies are needed to determine water and wastewater impacts, this topic requires ***further environmental review*** in the focused EIR.

c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Less than Significant)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR (pages 4.14-64 to 4.14-66) and determined to result in a less-than-significant impact. All future development would be required to comply with existing regulations, including General Plan policies and zoning regulations to minimize impacts related to stormwater drainage facilities. In addition, the grading and drainage plans for future projects would be reviewed by the City to ensure that onsite drainage infrastructure, low-impact development (LID) features, and retention basins are adequate and able to prevent onsite and offsite flooding. No mitigation measures were recommended.

Project-Specific Discussion

Implementation of the Project would add approximately 77,000 sf of net new impervious surfaces, or approximately 83 percent of Lot 3 North. Hardscape at Lot 3 North would comprise concrete paving, decomposed granite paving, and concrete pavers. Approximately 18 percent of Lot 3 North would be landscaping and other pervious surfaces. Because the Project would create and replace more than 10,000 sf of impervious surface, the 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 Project would be required to treat runoff from all impervious areas.

Multiple strategies can be employed to offset increases in direct runoff from impervious surfaces so that the actual stormwater discharge from the site does not increase. For example, the Project would be required to include LID treatment measures for stormwater management. The Project site would include a combination of onsite flow-through planters around the proposed building, underground combined treatment facilities including flow-through planters, detention devices, self-treating areas, and below-grade Silva Cells onsite to capture and treat runoff from the newly created or replaced impervious area. The Project Sponsor is required develop and implement a final SWMP with the goal of reducing the discharge of pollutants to the maximum extent practicable.

All proposed impervious areas (both replaced and new impervious areas, including runoff from the roof, drive aisles, and parking areas) would be directed to the approximately 6,650 sf of combined treatment facilities. Where feasible, pervious surface materials, such as permeable pavement and decomposed granite would also be considered. The Project, just like under existing conditions, would continue to drain to underground storm drains.

Conclusion

The physical conditions, as they relate to stormwater drainage facilities, 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; therefore, there would be no new specific effects as a result of the Project. Compliance with applicable stormwater management requirements and implementation of a landscaping plan, designed to provide stormwater treatment areas, would ensure that the Project would not significantly increase stormwater drainage from the Project site. As such, the Project would not require the construction of new stormwater drainage facilities or the expansion of existing facilities, resulting in a ***less-than-significant*** impact. No further study in the EIR is needed.

d. Have sufficient water supplies available to serve the Project from existing entitlements and resources, or would new or expanded entitlements be needed? (Topic to Be Analyzed in Focused EIR)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR (pages 4.14-24 to 4.14-27) and determined to result in a less-than-significant impact. Future development under ConnectMenlo would be required to comply with existing regulations, including General Plan policies and zoning requirements to minimize impacts related to water supplies. No mitigation measures were recommended.

Project-Specific Discussion

Existing water supplies should be available to serve the Project; it is not expected that new or expanded entitlements would be needed. However, it is unknown at this time how much water the Project would require. A WSA for the Project would need to be conducted.

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. Regardless, a WSA will be prepared to determine whether the Project can be supplied with water from existing entitlements and resources. The WSA will distinguish between normal and multi-year drought conditions. The Project would be required to have an onsite water recycling system to offset potable water demand, which will be reflected in the WSA. Given that the amount of water demand from the Project is unknown, the impacts are also unknown. Since the release of the ConnectMenlo EIR, the City has prepared a Water System Master Plan, which identifies a fire-flow issue in the area of the Project site. In addition to preparation of a WSA, a water system analysis will be prepared for the Project and included in the EIR. The EIR will assess delivery of water to the site, specifically with regard to fire flow. Because further studies are needed to determine water and wastewater impacts, this topic requires ***further environmental review*** in the EIR.

e. 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? (Topic to Be Analyzed in Focused EIR)

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 in to 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

The Project is not expected to exceed the existing capacity of wastewater treatment facilities or the infrastructure that serves the area. However, it is unknown at this time how much water the Project would demand and, in turn, how much wastewater the Project would generate. A WSA for the Project would need to be conducted.

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 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; therefore, there would be no new specific effects as a result of the Project. However, because further studies are needed to determine water and, in turn, wastewater impacts, this topic requires ***further environmental review*** in the focused EIR.

f. Be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs? (Less than Significant)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR (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. No mitigation measures were recommended.

Project-Specific Discussion

Construction of the Project would generate waste. The proposed excavation would result in the export of approximately 70,000 cy of material during Phase 2 and 4,000 cy during Phase 5. The asphalt parking lot or concrete slab on a portion of Lot 3 North would be recycled, resulting in 3,600 to 3,800 cy of asphalt or concrete being recycled. The Project would be required to comply with the City's Construction and Demolition Recycling Ordinance, which requires salvage or recycling of at least 60 percent of construction-related solid waste. However, a goal of the Project is to have a waste diversion program in place to divert 95 percent of the waste, or more, away from landfills. Therefore, construction of the Project is not expected to have an impact on existing landfills.

The Project would generate approximately 650 new employees at the Project site, and it is anticipated that up to approximately 66 could live in Menlo Park. Operation of the Project would result in the generation of solid waste beyond existing conditions. As discussed above, the disposal rate per business employee in the City was 4.5 ppd. Assuming 650 employees, the Project could generate approximately 2,925 pounds of waste per day. In addition, the City's disposal rate per resident was 5.1 ppd. Assuming up to 66 new residents as a result of the Project, Project-induced residential waste would be approximately 336 ppd. Combined, this would result in approximately 1.6 tons per day.

As described above, 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 Project would represent approximately 0.05 percent and 0.04 percent of the permitted capacity of Shoreway and Ox Mountain, respectively. As such, Shoreway and the Ox Mountain would have sufficient capacity to serve the Project.

Analysis in the ConnectMenlo EIR

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 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; therefore, there would be no new specific effects as a result of the Project. The Project would be served by a landfill with sufficient permitted capacity to accommodate its solid waste disposal needs. In addition, the Project is within the growth projections of the ConnectMenlo EIR and, as such, would not result in impacts that were not already evaluated. Impacts would be ***less than significant***, and no further study is needed.

g. Comply with federal, state, and local statutes and regulations related to solid waste? (Less than Significant)

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR (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 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 Project would adhere to these laws. In addition, the Project would be required to adhere to the City's Construction and Demolition Recycling Ordinance.

Analysis in the ConnectMenlo EIR

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 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; therefore, there would be no new specific effects as a result of the Project. Implementation of the Project would have a ***less-than-significant*** impact with regard to compliance with solid waste-related statutes and regulations. No further study is needed.

XIX. 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 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?	☐	☐	☒	☐	☐
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.)	☒	☐	☐	☐	☐
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	☒	☐	☐	☐	☐

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? (Less than Significant with Mitigation Incorporated)

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 Project, as discussed in Topic IV and Topic V of this document.

Project-Specific Discussion

Construction of the Project would result in short-term impacts on cultural resources and biological resources. However, in each case, mitigation measures have been identified that would reduce the significant impacts to less-than-significant levels. Furthermore, as discussed in Topic IV, the Project would not adversely affect biological resources. The Project would not substantially reduce 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, or reduce the number of rare plants or animals. The Project could adversely affect biological resources if special-status species (white-tailed kite and tree-nesting raptors) are found during construction activities. However, implementation of Mitigation Measures BR-1 through BR-4 for the Project (from the BRA prepared in compliance with ConnectMenlo EIR Mitigation Measure BIO-1) would reduce potential impacts on white-tailed kit and tree-nesting raptors to less than significant.

As described in Topic V, there are no historic resources at the Project site or in the surrounding area that would be affected by the Project. No buildings would be demolished as a result of the Project. However, the Project could adversely affect cultural resources during construction if buried artifacts or remains are discovered. Implementation of ConnectMenlo EIR Mitigation Measures CULT-2a, CULT-3, and CULT-4 would reduce impacts on archaeological resources, paleontological resources, and human remains.

Conclusion

The physical conditions, as they relate to degradation of the physical environment, have not changed substantially in the ConnectMenlo 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 Project. Impacts on biological and cultural resources have been analyzed in this document and determined to be ***less than significant with mitigation***. No further study is needed.

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 Focused 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 Project, as needed.

Project-Specific Discussion

As described throughout this document, the Project would result in several potentially significant project-level impacts. However, in most cases, mitigation measures have been identified that would reduce these impacts to less than significant. Furthermore, all development projects are guided by the goals and polices identified in the General Plan and regulations in the City's Municipal Code. Therefore, compliance with applicable land use and environmental regulations would ensure that environmental effects associated with the Project would not combine with the effects of reasonably foreseeable future development in the City and cause cumulatively significant impacts. However, the Project could result in cumulative impacts related to traffic, air quality, and greenhouse gases. In addition, although it is not anticipated, the Project could result in cumulative impacts related to population, water supply, wastewater treatment, and noise from traffic; these topics will be analyzed in greater detail (including cumulative analysis). Further study in the focused EIR is needed.

Conclusion

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 Project. However, cumulative conditions related to traffic, air quality, greenhouse gases, population, water supply, wastewater treatment, and noise from traffic will be subject to ***further review*** in the focused 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 Focused 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 Project, as discussed in Topics I through XVIII.

Project-Specific Discussion

As identified in this document, the Project would generally not directly or indirectly cause adverse effects on human beings with the 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. As identified in this document, the Project would have potentially significant impacts related to biological resources, cultural resources, hydrology, noise, and tribal resources. These issues could, in turn, affect humans. However, implementation of the mitigation measures identified in each applicable section of this document would reduce potentially significant impacts to a less-than-significant level. Regardless, traffic, air quality, and greenhouse gas impacts as a result of the Project could have a substantial adverse effect on human beings. In addition, although not expected to result in adverse impacts, population, water supplies, wastewater facilities, and noise from traffic will require further review.

Conclusion

The physical conditions, as they relate to degradation of the physical environment, have not changed substantially in the ConnectMenlo area since preparation of the ConnectMenlo EIR. For most topics, no substantial new information has been presented that shows more significant effects than those originally analyzed in the ConnectMenlo EIR, and there would be no new specific effects as a result of the Project. However, ***further environmental review*** is required in the focused EIR related to traffic, air quality, greenhouse gases, population, water supply, wastewater treatment, and noise from traffic.

4. List of Preparers

City of Menlo Park

Kyle Perata, Acting Principal Planner

Deanna Chow, Assistant Community Development Director

Tom Smith, Senior Planner

Leigh Prince (Jorgenson, Siegel, McClure & Flegel, LLP), Legal Counsel

ICF

Erin Efner, Project Director

Kirsten Chapman, Project Manager

Jennifer Andersen, Deputy Project Manager

Jessica Viramontes, Environmental Advisor

Dave Buehler, Senior Noise Specialist

Elizabeth Scott, Noise Specialist

Matthew Ricketts, Senior Wildlife Biologist

Diana Roberts, Hazards and Geology Specialist

Katrina Sukola, Water Quality Specialist

Caroline Vurlumis, Environmental Planner

Lily Arias, Archaeologist

J. Tait Elder, Senior Archaeologist

John Mathias, Editor and Document Production

Appendix A
Biological Resources Report

H. T. HARVEY & ASSOCIATES

Ecological Consultants

1350 Adams Court Project
Biological Resources Report

Project #4164-01

Prepared for:

Menlo Park Portfolio II, LLC
1350 O'Brien Drive, Suite C
Menlo Park, CA 94025

Prepared by:

H. T. Harvey & Associates

July 16, 2018

983 University Avenue, Building D • Los Gatos, CA 95032 • Ph: 408.458.3200 • F: 408.458.3210

Table of Contents

Figures

Tables

Appendices

List of Preparers

Steve Rottenborn, Ph.D., Principal/Senior Wildlife Ecologist

Kelly Hardwicke, Ph.D., Senior Plant/Wetland Ecologist

Ginger Bolen, Ph.D., Project Manager/Associate Wildlife Ecologist

Stephen L. Peterson, M.S., Wildlife Ecologist

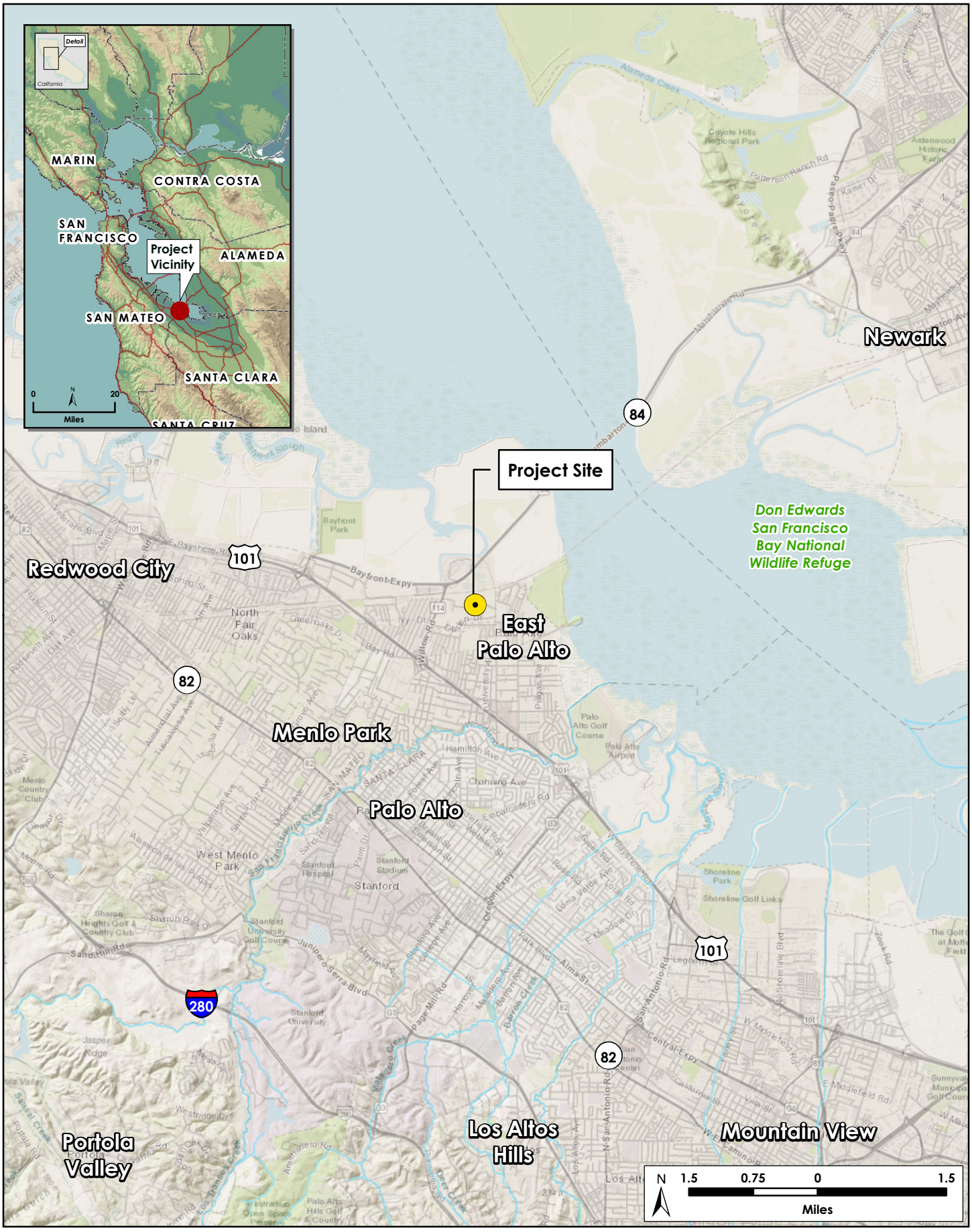
Section 1. Introduction

This report describes the biological resources present in and adjacent to the proposed 1350 Adams Court Project, as well as the potential impacts of the proposed project and measures necessary to reduce impacts to less-than-significant levels under the California Environmental Quality Act (CEQA). This report was prepared to facilitate CEQA review of the project by the City of Menlo Park. In addition, this report contains the information needed to satisfy Mitigation Measure BIO-1 from the ConnectMenlo General Plan Environmental Impact Report (EIR) (Placeworks 2016), which requires preparation of a biological resources assessment.

1.1 Project Description

The main 4.4-acre (ac) project site is located within Menlo Park's Bayfront Area and is bounded by Adams Court to the north, Adams Drive to the east, a Pacific Biosciences-California (PacBio) building to the south, and the Menlo Science and Technology Park (the location of Facebook's proposed Willow Campus) to the west (Figures 1 & 2). Lot 3 also encompasses a 6.8-acre lot at 1305 O'Brien Drive, directly south of the project site (Figure 2). The existing 188,100 gross square foot building at 1305 O'Brien, which was redeveloped in 2015 is currently leased by PacBio. Together the entirety of Lot 3 (the main project site and 1305 O'Brien Drive) is approximately 11.2 ac. Two through driveways and parking aisles connect Adams Court to the southern portion of the project site. Mature trees line both street frontages. The proposed project entails the development of a portion (i.e., Lot 3 North, APN 055-472-030) of the Menlo Park Labs Campus. The main project site on the northern portion of Lot 3 is currently undeveloped and covered predominantly by a ruderal grassland field, landscaped areas along the northern and eastern edges of the site, and concrete paving. Proposed development there includes an approximately 260,000 gross square foot building designed with the flexibility to accommodate a single life science tenant or to meet the needs of multiple tenants. The five-story building would have a maximum height of 91 feet (ft), as measured to the top of the parapet. Although one building would be constructed, three offset building modules would be provided for architectural articulation/interest and to maximize the proposed open space at the northeast corner of the project site. Parking for the new building would be provided in both podium-level and above-grade garages that would be integrated into the building. The building would be clad with glass fiber reinforced concrete panels, pre-finished metal panels, and double-glazed high-performance windows in aluminum mullions; glazing would be tinted and would comply with regulations related to bird safe design set forth in Municipal Code Chapter 16.44.130 (6). The majority of the proposed work would take place on the northern portion of Lot 3, however some landscaping, pedestrian and bicycle circulation and open space work is anticipated to also take place along the street frontages and western boundary on the southern portion of Lot 3.

Approximately 97,590 square feet (ft^2) of open space would be provided on Lot 3 as a whole, with approximately half being public open space. The private open space would be within a patio and large outdoor deck on the second floor of the building. The patio would include sunshades with tables and chairs, solar panel



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H. T. HARVEY & ASSOCIATES
Ecological Consultants

Figure 1. Vicinity Map
1350 Adams Court Project Biological Resources Report (4164-01)
July 2018

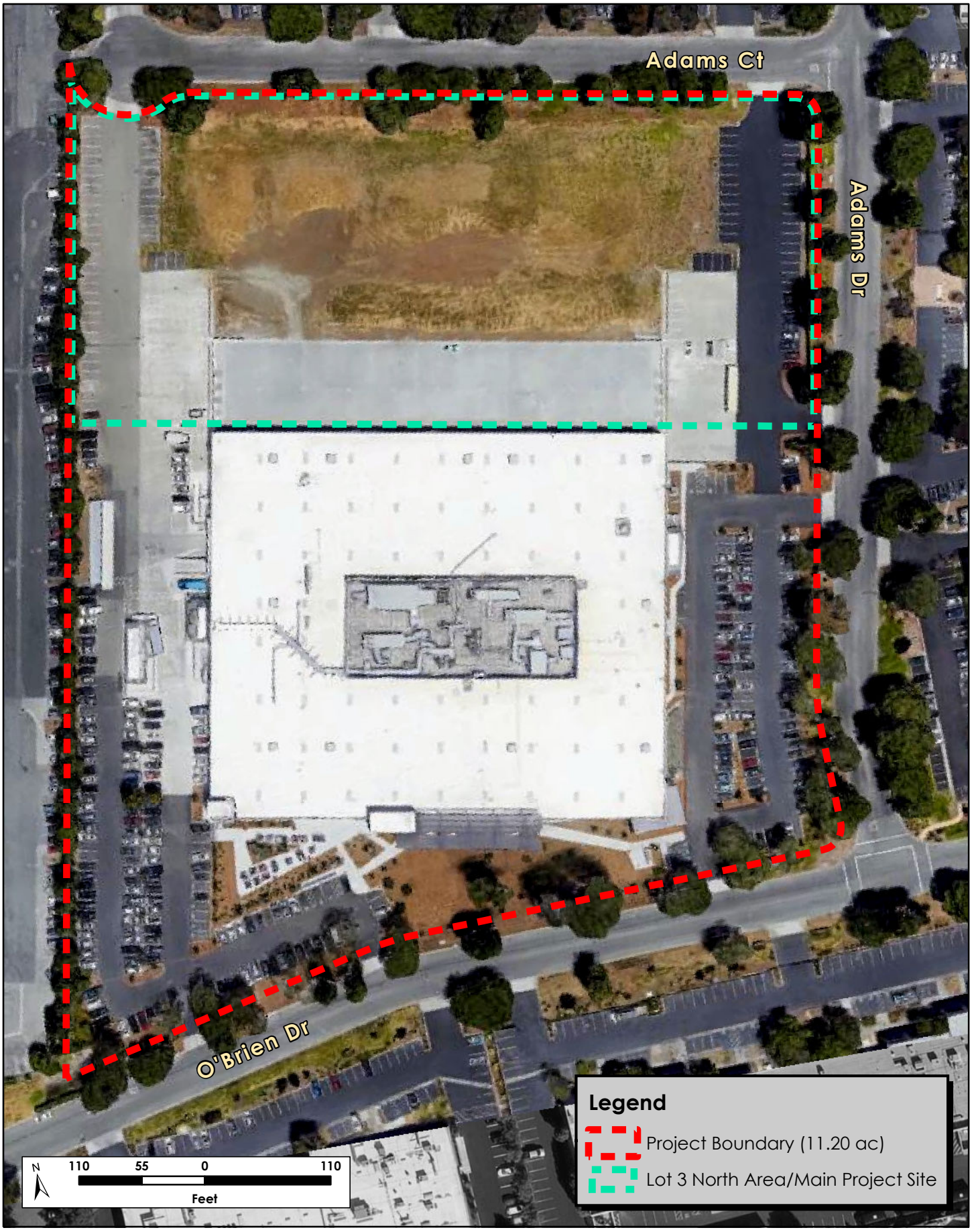

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Figure 2. Project Site
1350 Adams Court Project Biological Resources Report (4164-01)
July 2018

sunshades with charging stations, planters, green screens, benches, outdoor furniture, and metal fences. The public open space along the street frontages would include paved pedestrian circulation and be landscaped with berms, trees, and California native vegetation. This vegetation would help to screen the proposed parking podium from the adjacent streets. Furnishings in the public space would include tree grates, benches, trash receptacles, and bicycle racks.

There are currently 44 trees within the project boundary on main project site of Lot 3 North. Of these, 12 would be removed, including 10 heritage trees as defined by the City of Menlo Park. Heritage trees to be removed would be replaced at a ratio of 2:1 (replacement trees: impacted heritage tree). Consistent with Menlo Park municipal codes on landscape design, no invasive species or noxious weeds would be used in landscaping for the developed areas.

Section 2. Methods

2.1 Background Review

Prior to conducting field work, H. T. Harvey & Associates ecologists reviewed the project plans and description provided by the project applicant in April 2018; aerial images (Google Inc. 2018); a U.S. Geological Survey (USGS) topographic map; the California Department of Fish and Wildlife's (CDFW's) California Natural Diversity Database (CNDDB 2018); and other relevant scientific literature and technical databases. Previous reports prepared for the project vicinity were also reviewed, including the Final EIR for the nearby Menlo Park Facebook Campus (Atkins 2012); the Final EIR for the ConnectMenlo: General Plan Land Use & Circulation Elements and M-2 Area Zoning Update for the City of Menlo Park (PlaceWorks 2016); and the Comprehensive Conservation Plan and Environmental Assessment for the Don Edwards San Francisco Bay National Wildlife Refuge (NWR) (USFWS 2012). In addition, for plants, we reviewed all species on current California Native Plant Society (CNPS) California Rare Plant Rank (CRPR) 1A, 1B, 2A, and 2B lists occurring in the *Palo Alto, California* 7.5-minute U.S. Geological Survey (USGS) quadrangle and surrounding eight quadrangles (*Woodside, San Mateo, Redwood Point, Newark, Mountain View, Cupertino, Mindego Hill,* and *La Honda, California*). Quadrangle-level results are not maintained for CRPR 3 and 4 species, so we also conducted a search of the CNPS Inventory records for these species occurring in San Mateo County (CNPS 2018). In addition, we queried the California Natural Diversity Database (CNDDB 2018) for natural communities of special concern that occur in the project region. For the purposes of this report, the "project vicinity" encompasses a 5-mile (mi) radius surrounding the project site.

2.2 Site Visits

H. T. Harvey & Associates ecologist Stephen L. Peterson, M.S., conducted a reconnaissance-level field survey of Lot 3 North on April 3, 2018, and on June 27, senior ecologist Ginger Bolen, Ph.D., conducted a reconnaissance survey of the southern portion of Lot 3. The purpose of these surveys was to provide a project-specific impact assessment for the proposed project as described above. Specifically, the surveys were conducted to (1) assess existing biotic habitats and general plant and wildlife communities on the project site, (2) assess the potential for the project to impact special-status species and/or their habitats, and (3) identify potential jurisdictional habitats, such as Waters of the U.S./State and riparian habitat. In addition, on April 24, 2018, H. T. Harvey & Associates botanist David Gallagher conducted a focused survey of the project site for tarplant (*Centromadia* ssp.). No focused surveys were conducted for any special-status animal species.

Section 3. Regulatory Setting

Biological resources on the project site are regulated by a number of federal, state, and local laws and ordinances, as described below.

3.1 Federal

3.1.1 Clean Water Act

The Clean Water Act (CWA) functions to maintain and restore the physical, chemical, and biological integrity of Waters of the U.S., which include, but are not limited to, tributaries to traditionally navigable waters currently or historically used for interstate or foreign commerce, and adjacent wetlands. Historically, in non-tidal waters, U.S. Army Corp of Engineers (USACE) jurisdiction extends to the ordinary high water (OHW) mark, which is defined in Title 33, Code of Federal Regulations (CFR), Part 328.3 If there are wetlands adjacent to channelized features, the limits of USACE jurisdiction extend beyond the OHW mark to the outer edges of the wetlands. Wetlands that are not adjacent to Waters of the U.S. are termed "isolated wetlands" and, depending on the circumstances, may be subject to USACE jurisdiction. In tidal waters, USACE jurisdiction extends to the landward extent of vegetation associated with salt or brackish water or the high tide line. The high tide line is defined in 33 CFR Part 328.3 as "the line of intersection of the land with the water's surface at the maximum height reached by a rising tide." If there are wetlands adjacent to channelized features, the limits of USACE jurisdiction extend beyond the OHW mark or high tide line to the outer edges of the wetlands.

Construction activities within jurisdictional waters are regulated by the USACE. The placement of fill into such waters must comply with permit requirements of the USACE. No USACE permit will be effective in the absence of Section 401 Water Quality Certification. The State Water Resources Control Board (SWRCB) is the state agency (together with the Regional Water Quality Control Boards [RWQCBs] charged with implementing water quality certification in California.

Project Applicability: The project site does not support wetland or aquatic habitats. Therefore, a permit from the USACE would not be required for the project.

3.1.2 Rivers and Harbors Act

Section 10 of the Rivers and Harbors Act of 1899 prohibits the creation of any obstruction to the navigable capacity of Waters of the U.S., including discharge of fill and the building of any wharfs, piers, jetties, and other structures without Congressional approval or authorization by the Chief of Engineers and Secretary of the Army (33 U.S.C. 403).

Navigable Waters of the U.S., which are defined in 33 CFR, Part 329.4, include all waters subject to the ebb and flow of the tide, and/or those which are presently or have historically been used to transport commerce.

The shoreward jurisdictional limit of tidal waters is further defined in 33 CFR, Part 329.12 as "the line on the shore reached by the plane of the mean (average) high water." It is important to understand that the USACE does not regulate wetlands under Section 10, only the aquatic or open waters component of bay habitat, and that there is overlap between Section 10 jurisdiction and Section 404 jurisdiction. According to 33 CFR, Part 329.9, a waterbody that was once navigable in its natural or improved state retains its character as "navigable in law" even though it is not presently used for commerce because of changed conditions and/or the presence of obstructions. Historical Section 10 Waters may occur behind levees in areas that are not currently exposed to tidal or muted-tidal influence, and meet the following criteria: (1) the area is presently at or below the mean high water line; (2) the area was historically at or below mean high water in its "unobstructed, natural state"; and (3) there is no evidence that the area was ever above mean high water.

As mentioned above, Section 404 of the CWA authorizes the USACE to issue permits to regulate the discharge of dredged or fill material into Waters of the U.S. If a project also proposes to discharge dredged or fill material and/or introduce other potential obstructions in navigable Waters of the U.S., a Letter of Permission authorizing these impacts must be obtained from the USACE under Section 10 of the Rivers and Harbors Act.

Project Applicability: No current or historical Section 10 Waters are present within the project boundary. Therefore, a Letter of Permission from the USACE is not required.

3.1.3 Federal Endangered Species Act

The Federal Endangered Species Act (FESA) protects federally listed wildlife species from harm or "take", which is broadly defined as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in any such conduct." Take can also include habitat modification or degradation that directly results in death or injury of a listed wildlife species. An activity can be defined as "take" even if it is unintentional or accidental. Listed plant species are provided less protection than listed wildlife species. Listed plant species are legally protected from take under FESA only if they occur on federal lands.

The U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) have jurisdiction over federally listed, threatened, and endangered species under FESA. The USFWS also maintains lists of proposed and candidate species. Species on these lists are not legally protected under FESA, but may become listed in the near future and are often included in their review of a project.

Project Applicability: No suitable habitat for any federally listed plant or animal species occurs on the project site. Thus, no federally listed species are reasonably expected to occur on the project site.

3.1.4 Magnuson-Stevens Fishery Conservation and Management Act

The Magnuson-Stevens Fishery Conservation and Management Act governs all fishery management activities that occur in federal waters within the United States' 200-nautical-mile limit. The Act establishes eight Regional Fishery Management Councils responsible for the preparation of fishery management plans (FMPs) to achieve

the optimum yield from U.S. fisheries in their regions. These councils, with assistance from NMFS, establish Essential Fish Habitat (EFH) in FMPs for all managed species. Federal agencies that fund, permit, or implement activities that may adversely affect EFH are required to consult with NMFS regarding potential adverse effects of their actions on EFH, and respond in writing to recommendations by NMFS.

Project Applicability: No EFH is present on the project site.

3.1.5 Federal Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA), 16 U.S.C. Section703, prohibits killing, possessing, or trading of migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. The MBTA protects whole birds, parts of birds, and bird eggs and nests; and prohibits the possession of all nests of protected bird species whether they are active or inactive. An active nest is defined as having eggs or young, as described by the Department of the Interior in its April 16, 2003 Migratory Bird Permit Memorandum. Nest starts (nests that are under construction and do not yet contain eggs) are not protected from destruction.

Project Applicability: All native bird species that occur on the project site are protected under the MBTA.

3.2 State

3.2.1 Porter-Cologne Water Quality Control Act

The SWRCB works in coordination with the nine RWQCBs to preserve, protect, enhance, and restore water quality. Each RWQCB makes decisions related to water quality for its region, and may approve, with or without conditions, or deny projects that could affect Waters of the State. Their authority comes from the CWA and the State's Porter-Cologne Water Quality Control Act (Porter-Cologne). Porter-Cologne broadly defines Waters of the State as "any surface water or groundwater, including saline waters, within the boundaries of the state." Because Porter-Cologne applies to any water, whereas the CWA applies only to certain waters, California's jurisdictional reach overlaps and may exceed the boundaries of Waters of the U.S. For example, Water Quality Order No. 2004-0004-DWQ states that "shallow" waters of the State include headwaters, wetlands, and riparian areas. Moreover, the San Francisco Bay Region RWQCB's Assistant Executive Director, has stated that, in practice, the RWQCBs claim jurisdiction over riparian areas. Where riparian habitat is not present, such as may be the case at headwaters, jurisdiction is taken to the top of bank.

Pursuant to the CWA, projects that are regulated by the USACE must also obtain a Section 401 Water Quality Certification permit from the RWQCB. This certification ensures that the proposed project will uphold state water quality standards. Because California's jurisdiction to regulate its water resources is much broader than that of the federal government, proposed impacts on Waters of the State require Water Quality Certification even if the area occurs outside of USACE jurisdiction. Moreover, the RWQCB may impose mitigation requirements even if the USACE does not. Under the Porter-Cologne, the SWRCB and the nine regional boards also have the responsibility of granting CWA National Pollutant Discharge Elimination System (NPDES)

permits and Waste Discharge Requirements for certain point-source and non-point discharges to waters. These regulations limit impacts on aquatic and riparian habitats from a variety of urban sources.

Project Applicability: No aquatic, wetland, or riparian habitats are present within or immediately adjacent to the project boundary. Therefore, a Section 401 permit or Waste Discharge Requirement from the RWQCB would not be required for the project.

3.2.2 California Endangered Species Act

The California Endangered Species Act (CESA; California Fish and Game Code, Chapter 1.5, Sections 2050-2116) prohibits the take of any plant or animal listed or proposed for listing as rare (plants only), threatened, or endangered. In accordance with the CESA, the CDFW has jurisdiction over state-listed species (Fish and Game Code 2070). The CDFW regulates activities that may result in "take" of individuals (i.e., "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill"). Habitat degradation or modification is not expressly included in the definition of "take" under the California Fish and Game Code. The CDFW, however, has interpreted "take" to include the "killing of a member of a species which is the proximate result of habitat modification."

Project Applicability: No suitable habitat for any state listed plant or animal species occurs on the project site, and thus no state listed species are expected to occur on the project site.

3.2.3 California Environmental Quality Act

CEQA is a state law that requires state and local agencies to document and consider the environmental implications of their actions and to refrain from approving projects with significant environmental effects if there are feasible alternatives or mitigation measures that can substantially lessen or avoid those effects. CEQA requires the full disclosure of the environmental effects of agency actions, such as approval of a general plan update or the projects covered by that plan, on resources such as air quality, water quality, cultural resources, and biological resources. The State Resources Agency promulgated guidelines for implementing CEQA are known as the State CEQA Guidelines.

Section 15380(b) of the State CEQA Guidelines provides that a species not listed on the federal or state lists of protected species may be considered rare if the species can be shown to meet certain specified criteria. These criteria have been modeled after the definitions in FESA and CESA and the section of the California Fish and Game Code dealing with rare or endangered plants and animals. This section was included in the guidelines primarily to deal with situations in which a public agency is reviewing a project that may have a significant effect on a species that has not yet been listed by either the USFWS or CDFW or species that are locally or regionally rare.

The CDFW has produced three lists (amphibians and reptiles, birds, and mammals) of "species of special concern" that serve as "watch lists". Species on these lists are of limited distribution or the extent of their habitats has been reduced substantially, such that threat to their populations may be imminent. Thus, their

populations should be monitored. They may receive special attention during environmental review as potential rare species, but do not have specific statutory protection. All potentially rare or sensitive species, or habitats capable of supporting rare species, are considered for environmental review per CEQA Section 15380(b).

The CNPS, a non-governmental conservation organization, has developed CRPRs for plant species of concern in California in the Inventory of Rare and Endangered Plants (CNPS 2018). The CRPRs include lichens, vascular, and non-vascular plants, and are defined as follows:

- CRPR 1A Plants considered extinct.
- CRPR 1B Plants rare, threatened, or endangered in California and elsewhere.
- CRPR 2A Plants considered extinct in California but more common elsewhere.
- CRPR 2B Plants rare, threatened, or endangered in California but more common elsewhere.
- CRPR 3 Plants about which more information is needed - review list.
- CRPR 4 Plants of limited distribution-watch list.

The CRPRs are further described by the following threat code extensions:

- .1—seriously endangered in California;
- .2—fairly endangered in California;
- .3—not very endangered in California.

Although the CNPS is not a regulatory agency and plants on these lists have no formal regulatory protection, plants appearing as CRPR 1B or 2 are, in general, considered to meet CEQA's Section 15380 criteria, and adverse effects on these species may be considered significant. Impacts on plants that are listed by the CNPS as CRPR 3 or 4 are also considered during CEQA review, although because these species are typically not as rare as those of CRPR 1B or 2, impacts on them are less frequently considered significant.

Compliance with CEQA Guidelines Section 15065(a) requires consideration of natural communities of special concern, in addition to plant and wildlife species. Vegetation types of "special concern" are tracked in Rarefind (CNDDB 2018). Further, the CDFW ranks sensitive vegetation alliances based on their global (G) and state (S) rankings analogous to those provided in the CNDDB. Global rankings (G1–G5) of natural communities reflect the overall condition (rarity and endangerment) of a habitat throughout its range, whereas S rankings are a reflection of the condition of a habitat within California. If an alliance is marked as a G1–G3, all of the associations within it would also be of high priority. The CDFW provides the Vegetation Classification and Mapping Program's currently accepted list of vegetation alliances and associations (CDFW 2010).

Project Applicability: All potential impacts on biological resources will be considered during CEQA review of the project. This Biological Resources Report assesses these impacts to facilitate CEQA review of the project by the City of Menlo Park. Project impacts are discussed in Section 6 below.

3.2.4 California Fish and Game Code

Ephemeral and intermittent streams, rivers, creeks, dry washes, sloughs, blue line streams on USGS maps, and watercourses with subsurface flows fall under CDFW jurisdiction. Canals, aqueducts, irrigation ditches, and other means of water conveyance may also be considered streams if they support aquatic life, riparian vegetation, or stream-dependent terrestrial wildlife. A *stream* is defined in Title 14, California Code of Regulations Section 1.72, as "a body of water that flows at least periodically or intermittently through a bed or channel having banks and that supports fish and other aquatic life. This includes watercourses having surface or subsurface flow that supports or has supported riparian vegetation." Using this definition, CDFW extends its jurisdiction to encompass riparian habitats that function as a part of a watercourse. California Fish and Game Code Section 2786 defines *riparian habitat* as "lands which contain habitat which grows close to and which depends upon soil moisture from a nearby freshwater source." The lateral extent of a stream and associated riparian habitat that would fall under the jurisdiction of CDFW can be measured in several ways, depending on the particular situation and the type of fish or wildlife at risk. At minimum, CDFW would claim jurisdiction over a stream's bed and bank. In areas that lack a vegetated riparian corridor, CDFW jurisdiction would be the same as USACE jurisdiction. Where riparian habitat is present, the outer edge of riparian vegetation is generally used as the line of demarcation between riparian and upland habitats.

Pursuant to California Fish and Game Code Section 1603, CDFW regulates any project proposed by any person that will "substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake designated by the department, or use any material from the streambeds." California Fish and Game Code Section 1602 requires an entity to notify CDFW of any proposed activity that may modify a river, stream, or lake. If CDFW determines that proposed activities may substantially adversely affect fish and wildlife resources, a Lake and Streambed Alteration Agreement (LSAA) must be prepared. The LSAA sets reasonable conditions necessary to protect fish and wildlife, and must comply with CEQA. The applicant may then proceed with the activity in accordance with the final LSAA.

Certain sections of the California Fish and Game Code describe regulations pertaining to protection of certain wildlife species. For example, Code Section 2000 prohibits take of any bird, mammal, fish, reptile, or amphibian except as provided by other sections of the code.

The California Fish and Game Code Sections 3503, 3513, and 3800 (and other sections and subsections) protect native birds, including their nests and eggs, from all forms of take. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered "take" by the CDFW. Raptors (i.e., eagles, hawks, and owls) and their nests are specifically protected in California under Code Section 3503.5. Section 3503.5 states that it is "unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto."

Bats and other non-game mammals are protected by California Fish and Game Code Section 4150, which states that all non-game mammals or parts thereof may not be taken or possessed except as provided otherwise in the

code or in accordance with regulations adopted by the commission. Activities resulting in mortality of non-game mammals (e.g., destruction of an occupied nonbreeding bat roost, resulting in the death of bats), or disturbance that causes the loss of a maternity colony of bats (resulting in the death of young), may be considered "take" by the CDFW.

Project Applicability: Storm drains located along the eastern and western edges of the project site are not downstream continuations of terrestrial streams and only collect localized runoff from the surrounding development. Additionally, no flows continue downstream of these features out to the Bay or other stream or slough. As such, these features are not considered rivers or streams and are not regulated by the CDFW under California Fish and Game Code Section 1603. Most native bird, mammal, and other wildlife species that occur on the project site and in the immediate vicinity are protected by the California Fish and Game Code.

3.3 Local

3.3.1 Menlo Park Municipal Code

The City of Menlo Park Municipal Code contains all ordinances for Menlo Park. Title 16, Zoning, includes regulations relevant to biological resources on the project site as discussed below.

Bird-Friendly Design. Chapter 16.44.130 (6) requires all new construction, regardless of size, to implement the following bird-friendly design measures:

A. No more than ten percent (10%) of facade surface area shall have non-bird-friendly glazing..
B. Bird-friendly glazing includes, but is not limited to, opaque glass, covering the outside surface of clear glass with patterns, paned glass with fenestration, frit or etching patterns, and external screens over nonreflective glass. Highly reflective glass is not permitted.
C. Occupancy sensors or other switch control devices shall be installed on nonemergency lights and shall be programmed to shut off during nonwork hours and between ten (10) p.m. and sunrise.
D. Placement of buildings shall avoid the potential funneling of flight paths towards a building facade.
E. Glass skyways or walkways, freestanding (see-through) glass walls and handrails, and transparent building corners shall not be allowed.
F. Transparent glass shall not be allowed at the rooflines of buildings, including in conjunction with green roofs.
G. Use of rodenticides shall not be allowed.
H. A project may receive a waiver from one (1) or more of the items listed in subsections (6)(A) to (F) of this section, subject to the submittal of a site-specific evaluation from a qualified biologist and review and approval by the planning commission. (Ord. 1025 § 3 (part), 2016).

Project Applicability: Bird-friendly design will be incorporated into the project design as required by the City of Menlo Park Municipal Code.

Landscape Design Plan. Chapter 12.44.090(1)(G) states that the use of invasive and/or noxious plant species is strongly discouraged. Invasive species are defined as those plants not historically found in California that spread outside cultivated areas and can damage environmental or economic resources. A noxious weed refers to any weed designated by the weed control regulations in the Weed Control Act and identified on a regional district noxious weed control list.

Project Applicability: No invasive and/or noxious plant species will be used in the project's landscape design plan.

Heritage Trees. Chapter 13.24, Heritage Trees, establishes regulations for the preservation of heritage trees, defined as:

- Trees of historical significance, special character or community benefit, specifically designated by resolution of the City Council;
- An oak tree (*Quercus* spp.), which is native to California and has a trunk with a circumference of 31.4 inches (diameter of 10 inches) or more, measured at 54 inches above natural grade; and
- All trees other than oaks, which have a trunk with a circumference of 47.1 inches (diameter of 15 inches) or more, measured 54 inches above natural grade, with the exception of trees that are less than 12 ft in height, which will be exempt from this section.

To protect heritage trees, Section 13.24.025 requires that a tree protection plan prepared by a certified arborist be submitted for any work performed within a tree protection zone, which is an area ten times the diameter of the tree. Furthermore, all tree protection plans should be reviewed and approved by the Director of Community Development or his or her designee prior to issuance of any permit for grading or construction.

The removal of heritage trees or pruning of more than one-fourth of the branches or roots within a 12-month period requires a permit from the City's Director of Public Works or his or her designee and payment of a fee. The Director of Public Works may issue a permit when the removal or major pruning of a heritage tree is reasonable based on a number of criteria, including condition of the tree, need for removal to accommodate proposed improvements, the ecological and long-term value of the tree, and feasible alternatives that would allow for tree preservation.

Project Applicability: The northern portion of the project site where the majority of activity would take place includes 39 trees that qualify as heritage trees under the City ordinance. It is anticipated that 10 heritage trees would be removed from this area as part of the proposed project. Therefore, a permit from the City would be required.

3.3.2 Menlo Park General Plan

The City of Menlo Park General Plan includes goals, policies, and programs relevant to the environmental factors potentially affected by the proposed project, including the following:

- *Goal LU-4:* Promote the development and retention of business uses that provide goods or services needed by the community that generate benefits to the City, and avoid or minimize potential environmental and traffic impacts.
    - *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.
- *Goal LU-6:* Preserve open-space lands for recreation; protect natural resources and air and water quality; and protect and enhance scenic qualities.
    - *Policy LU-6.5: Open Space Retention.* Maximize the retention of open space on larger tracts (e.g., portions of the St. Patrick's Seminary site) through means such as rezoning consistent with existing uses, clustered development, acquisition of a permanent open space easement, and/or transfer of development rights.
    - *Policy LU 6.6: Public Bay Access.* Protect and support public access to the Bay for the scenic enjoyment of open water, sloughs, and marshes, including restoration efforts, and completion of the Bay Trail.
    - *Policy LU-6.7: Habitat Preservation.* Collaborate with neighboring jurisdictions to preserve and enhance the Bay, shoreline, San Francisquito Creek, and other wildlife habitat and ecologically fragile areas to the maximum extent possible.
    - *Policy LU-6.8: Landscaping in Development.* Encourage extensive and appropriate landscaping in public and private development to maintain the City's tree canopy and to promote sustainability and healthy living, particularly through increased trees and water-efficient landscaping in large parking areas and in the public right-of-way.
    - *Policy LU-6.11. Baylands Preservation.* Allow development near the Bay only in already developed areas.
        - *Program LU-6.D: Design for Birds.* Require new buildings to employ façade, window, and lighting design features that make them visible to birds as physical barriers and eliminate conditions that create confusing reflections to birds.
- Goal OSC1: Maintain, Protect, and Enhance Open Space and Natural Resources.
    - *Policy OSC1.1: Natural Resources Integration with Other Uses.* Protect Menlo Park's natural environment and integrate creeks, utility corridors, and other significant natural and scenic features into development plans.
    - *Policy OSC1.2: Habitat for Open Space and Conservation Purposes.* Preserve, protect, maintain, and enhance water, water-related areas, plant and wildlife habitat for open space and conservation purposes.
    - *Policy OSC1.3: Sensitive Habitats.* Require new development on or near sensitive habitats to provide baseline assessments prepared by qualified biologists, and specify requirements relative to the baseline assessments.

- *Policy OSC1.4: Habitat Enhancement*. Require new development to minimize the disturbance of natural habitats and vegetation, and require revegetation of disturbed natural habitat areas with native or non-invasive naturalized species.
- *Policy OSC1.5: Invasive, Non-Native Plant Species*. Avoid the use of invasive, non-native species, as identified on the lists of invasive plants maintained at the California Invasive Plant Inventory and United States Department of Agriculture invasive and noxious weeds database, or other authoritative sources, in landscaping on public property.
- *Policy OSC1.15: Heritage Trees*. Protect Heritage Trees, including during construction activities through enforcement of the Heritage Tree Ordinance (Chapter 13.24 of the Municipal Code).

Project Applicability: The project is located within the Menlo Park General Plan area and would conform to all applicable requirements.

Section 4. Environmental Setting

4.1 General Project Area Description

The 11.2-ac project site is located in Menlo Park in San Mateo County. It is located within the *Palo Alto*, *California* 7.5-minute USGS quadrangle. A review of historical aerial photographs indicates that land use on the project site was largely agricultural in 1948. By 1991, the PacBio building occupied the southern portion of the project site, with parking lots occupying the eastern and western portions of the site. The north-central portion of the project site has been subject to periodic disturbance since 2003 but is devoid of hardscape. The project site is surrounded by commercial development that transitions to dense residential land uses further to the west, east, and south. Beginning approximately 400 ft north of Adams Court, land uses are composed primarily of open space occupied by diked northern coastal salt marsh and freshwater wetlands. Further north (approximately 3,300 ft north of Adams Court) is Pond R3 of the Don Edwards San Francisco Bay NWR.

Elevations within the project site range from approximately 9 to 12 ft above sea level. The site is underlain by one soil type, Urban land-Orthents, reclaimed complex, 0 to 2 percent slopes (NRCS 2018). This soil type has a variable profile to a depth of approximately 40 inches, with silty clay generally occurring from 40 to 60 inches, and is considered a well-drained soil.

4.2 Biotic Habitats

A reconnaissance-level survey identified two habitat types/land uses on the project site: developed/landscaped (9.23 ac), and ruderal grassland (1.97 ac) (Figure 3). These habitats are described in detail below.

4.2.1 Developed/Landscaped

Vegetation. The majority of the project site and the surrounding area are occupied by developed/landscaped land uses (Photo 1) that include office buildings, parking lots, walking paths, mulched and irrigated areas, and plantings of ornamental trees and shrubs. A variety of ornamental/landscape species are found around the edges of the project site including Canary Island pine (*Pinus canariensis*), Aleppo pine (*Pinus halapensis*), Bradford flowering pear (*Pyrus calleryana*), bottlebrush (*Callistemon* spp.), horsetail (*Equisetum* spp.),

Photo 1. Developed/landscaped habitat on the project site.

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Figure 3. Biotic Habitats and Impacts
1350 Adams Court Project Biological Resources Report (4164-01)
July 2018

and Chinese fringe flower (*Loropetalum chinense*), as well as an assortment of ornamental grasses. On both the east and west sides of the project site, storm drains collect runoff from the existing parking lots.

Wildlife. The wildlife most often associated with developed/landscaped areas are those that are tolerant of periodic human disturbances, including introduced species such as the European starling (*Sturnus vulgaris*), rock pigeon (*Columba livia*), house mouse (*Mus musculus*), Norway rat (*Rattus norvegicus*), and black rat (*Rattus rattus*). Numerous common, native species are also able to utilize these habitats, especially the landscaped areas, including the western fence lizard (*Sceloporus occidentalis*), California ground squirrel (*Otospermophilus beecheyi*), and a variety of birds, such as the American crow (*Corvus brachyrhynchos*), Anna's hummingbird (*Calypte anna*), Bewick's wren (*Thryomanes bewickii*), lesser goldfinch (*Spinus psaltria*), and California scrub-jay (*Aphelocoma californica*), all of which were observed on the project site during the reconnaissance survey. In addition, the creeping fig (*Ficus pumila*) covering a wall on the east side of the project site may be attractive to other nesting and/or roosting bird species in the area, such as the dark-eyed junco (*Junco hyemalis*) and house finch (*Haemorhous mexicanus*). An examination of trees on the project site failed to find any large cavities that might provide suitable bat roosting habitat. Therefore, large roosting or maternity colonies of bats are not expected to occur on the project site. Similarly, a focused survey of the project site detected no evidence (i.e., old nests) of raptors having previously nested on the site.

4.2.2 Ruderal Grassland

Vegetation. Ruderal grassland occupies the north-central portion of the project site (Photo 2). At the time of the reconnaissance surveys, this habitat was dominated by non-native grasses and forbs such as wild oat (*Avena* spp.), fennel (*Foeniculum vulgare*), bull mallow (*Malva nicaeensis*), black mustard (*Brassica nigra*), and Scotch thistle (*Onopordum acanthium*). Many of these non-native plant species are ranked as moderately or highly invasive by the California Invasive Plant Council (Cal-IPC 2018). For example, fennel is highly invasive and has severe ecological impacts on physical processes, plant and animal communities, and vegetation structure. Wild oats and black mustard are considered moderately invasive species (Cal-IPC 2018).

Photo 2. Ruderal grassland habitat in the central portion of the project site.

Wildlife. Wildlife use of ruderal grasslands on the project site is limited by frequent human disturbance, the abundance of non-native and invasive species, and isolation of this small

grassland patch from more extensive grasslands. As a result, wildlife species associated with more extensive grasslands, such as the grasshopper sparrow (*Ammodramus savannarum*) and western meadowlark (*Sturnella neglecta*), are absent from the project site. Most of the bird species using the ruderal grassland during the breeding season nest in nearby landscaped habitats, using the ruderal grassland only for foraging. Such species include the mourning dove (*Zenaida macroura*), lesser goldfinch, dark-eyed junco, American crow, and Brewer's blackbird (*Euphagus cyanocephalus*). Similarly, a few species that may nest on nearby buildings, such as the cliff swallow (*Petrochelidon pyrrhonota*), barn swallow (*Hirundo rustica*), rock pigeon, black phoebe (*Sayornis nigricans*), and European starling, also forage on or over the ruderal grassland habitat. Several other species of birds use the ruderal grassland during the nonbreeding season. These species, which include the golden-crowned sparrow (*Zonotrichia atricapilla*), savannah sparrow (*Passerculus sandwichensis*), and white-crowned sparrow (*Zonotrichia leucophrys*), forage on the ground or in herbaceous vegetation, primarily for seeds.

Few species of reptiles and amphibians occur in the ruderal grassland on the project site due to its disturbed nature and low habitat heterogeneity. Nevertheless, reptiles such as the western fence lizard and gopher snake (*Pituophis melanoleucus*) occur in this type of habitat. Small mammals expected to be present include the native western harvest mouse (*Reithrodontomys megalotis*) and nonnative house mouse, Norway rat, and black rat. Small burrowing mammals, such as the Botta's pocket gopher (*Thomomys bottae*) and California ground squirrel, are also present. Larger mammals, such as the striped skunk (*Mephitis mephitis*), Virginia opossum (*Didelphis virginiana*), and raccoon (*Procyon lotor*) may also occur here.

Section 5. Special-Status Species and Sensitive Habitats

CEQA requires assessment of the effects of a project on species that are protected by state, federal, or local governments as "threatened, rare, or endangered"; such species are typically described as "special-status species". For the purpose of the environmental review of the project, special-status species have been defined as described below. Impacts on these species are regulated by some of the federal, state, and local laws and ordinances described in Section 3.0 above.

For purposes of this analysis, "special-status" plants are considered plant species that are:

- Listed under FESA as threatened, endangered, proposed threatened, proposed endangered, or a candidate species.
- Listed under CESA as threatened, endangered, rare, or a candidate species.
- Listed by the CNPS as CRPR 1A, 1B, 2, 3, or 4.

For purposes of this analysis, "special-status" animals are considered animal species that are:

- Listed under FESA as threatened, endangered, proposed threatened, proposed endangered, or a candidate species.
- Listed under CESA as threatened, endangered, or a candidate threatened or endangered species.
- Designated by the CDFW as a California species of special concern.
- Listed in the California Fish and Game Code as fully protected species (fully protected birds are provided in Section 3511, mammals in Section 4700, reptiles and amphibians in Section 5050, and fish in Section 5515).

Information concerning threatened, endangered, and other special-status species that potentially occur on the project site was collected from several sources and reviewed by H. T. Harvey & Associates biologists as described in Section 2.1 above. Figure 4 depicts CNDDB records of special-status plant species in the general vicinity of the project site and Figure 5 depicts CNDDB records of special-status animal species. These generalized maps show areas where special-status species are known to occur or have occurred historically.

5.1 Special-Status Plant Species

The CNPS (2018) and CNDDB (2018) identify 89 special-status plant species as potentially occurring in at least one of the nine USGS quadrangles containing or surrounding the project site for CRPR 1 or 2 species, or in San Mateo County for CRPR 3 and 4 species. Eighty-eight of those potentially occurring special-status plant species were determined to be absent from the project site for at least one of the following reasons: (1) lack of suitable habitat types; (2) absence of specific microhabitat or edaphic requirements, such as serpentine soils; (3)

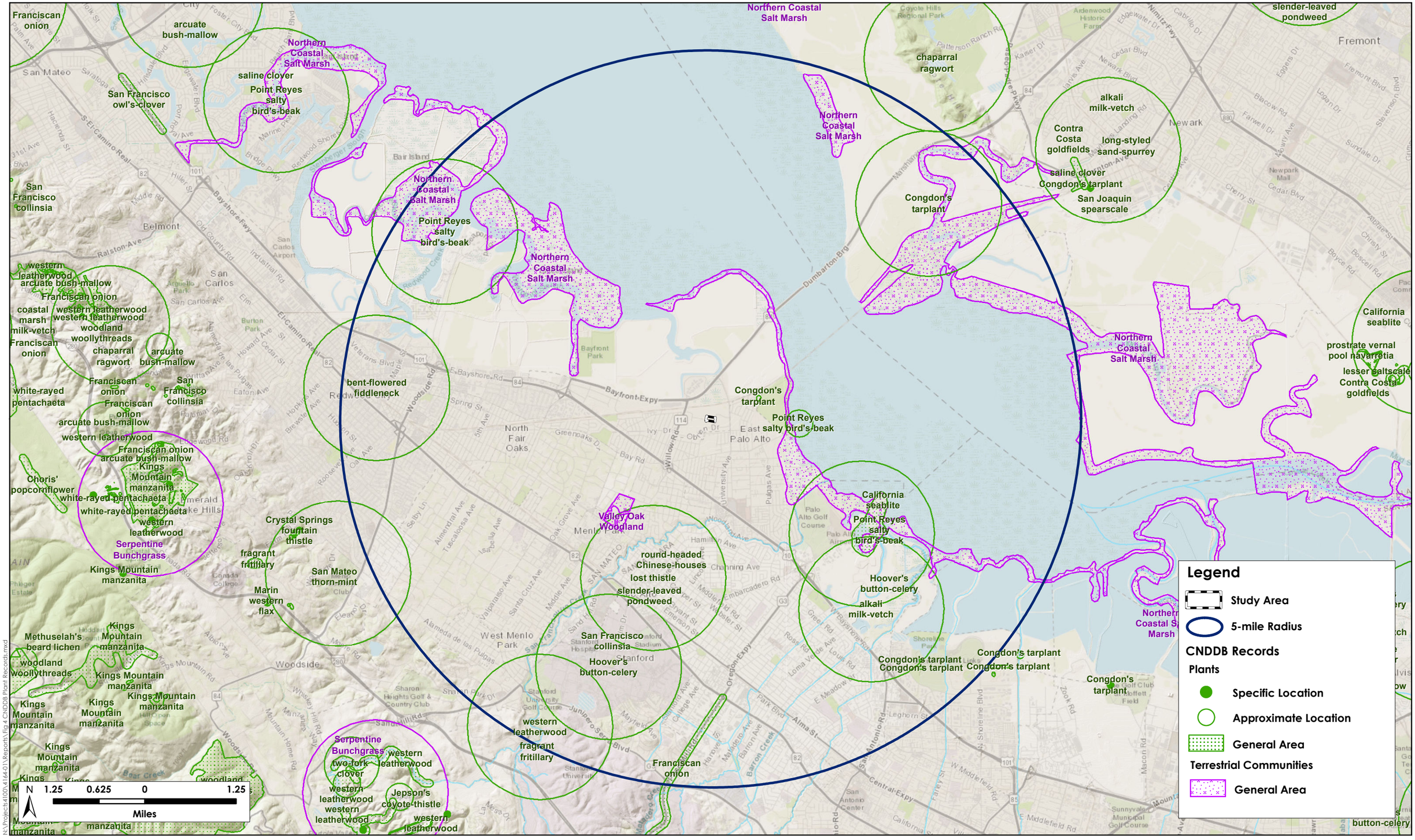

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Figure 4. Special-Status Plant Species

1350 Adams Court Project Biological Resources Report (4164-01)
July 2018

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Figure 5. Special-Status Animal Species

1350 Adams Court Project Biological Resources Report (4164-01)
July 2018

the elevation range of the species is outside of the range on the project site; and/or (4) the species is considered extirpated from the project vicinity. Appendix B lists these plants along with the basis for the determination of absence.

Congdon's tarplant (*Centromadia parryi* ssp. *congdonii*), a CRPR 1B species, is known to occur in disturbed, ruderal grasslands, and suitable habitat for this species is present on the project site in the California annual grassland community. However, no species of tarplant (*Centromadia* spp.) was located on the project site during the focused survey conducted on April 24, 2018. Therefore, Congdon's tarplant is assumed to be absent from the project site.

5.2 Special-Status Animal Species

The legal status and likelihood of occurrence on the project site of special-status animal species known to occur, or potentially occurring, in the project vicinity are presented in Table 1. Most of the special-status species listed in Table 1 are not expected to occur on the project site because it lacks suitable habitat, is outside the known range of the species, and/or is isolated from the nearest known extant populations by development or otherwise unsuitable habitat. Animal species not expected to occur on the project site for these reasons include the green sturgeon (*Acipenser medirostris*), Central California coast steelhead (*Oncorhynchus mykiss*), California tiger salamander (*Ambystoma californiense*), California red-legged frog (*Rana draytonii*), western pond turtle (*Actinemys marmorata*), San Francisco garter snake (*Thamnophis sirtalis tetrataenia*), California Ridgway's rail (*Rallus obsoletus obsoletus*), California black rail (*Laterallus jamaicensis coturniculus*), western snowy plover (*Charadrius alexandrinus nivosus*), California least tern (*Sterna antillarum browni*), black skimmer (*Rynchops niger*), burrowing owl (*Athene cunicularia*), northern harrier (*Circus cyaneus*), white-tailed kite (*Elanus leucurus*), loggerhead shrike (*Lanius ludovicianus*), salt marsh harvest mouse (*Reithrodontomys raviventris*), salt marsh wandering shrew (*Sorex vagrans halicoetes*), and American badger (*Taxidea taxus*). Although some of these species, such as the northern harrier, loggerhead shrike, salt marsh harvest mouse, and salt marsh wandering shrew, may occur in wetland habitats approximately 400 ft north of the project boundary, they are absent from the project site itself, and the proposed development footprint is well removed from suitable habitat for these species.

The pallid bat (*Antrozous pallidus*) may forage over the project site on rare occasions, but it is not expected to reside or breed on the project site, to occur in large numbers, or otherwise to make substantial use of the project site. The white-tailed kite, a California species of special concern and fully protected species, may also occur on the project site.

5.3 Sensitive Natural Communities, Habitats, and Vegetation Alliances

Natural communities have been considered part of the Natural Heritage Conservation triad, along with plants and animals of conservation significance, since the state inception of the Natural Heritage Program in 1979. The CDFW determines the level of rarity and imperilment of vegetation types, and tracks sensitive communities

Table 1. Special-Status Animal Species, Their Status, and Potential Occurrence on the Project Site

Name	*Status	Habitat	Potential for Occurrence on the Project Site
Federal or State Endangered, Rare, or Threatened Species			
Green sturgeon (*Acipenser medirostris*)	FT, CSSC	Spawns in large river systems such as the Sacramento River; forages in nearshore oceanic waters, bays, and estuaries.	**Absent.** No suitable aquatic habitat is present on the project site. Green sturgeon may forage infrequently, and in low numbers in the open Bay, approximately 1.5 mi north and east of the project site; however, there is no aquatic connection between the Bay and the project site. Determined to be absent.
Central California Coast steelhead (*Oncorhynchus mykiss*)	FT	Cool streams with suitable spawning habitat and conditions allowing migration between spawning and marine habitats.	**Absent.** No suitable aquatic habitat is present on the project site. Steelhead may forage in the open Bay, approximately 1.5 mi north and east of the project site; however, there is no aquatic connection between the Bay and the project site. Determined to be absent.
California tiger salamander (*Ambystoma californiense*)	FT, ST	Vernal or temporary pools in annual grasslands or open woodlands.	**Absent.** No suitable habitat is present on the project site. Further, populations have largely been extirpated from San Mateo County due to habitat loss, and the species is now considered absent from the majority of the project vicinity, including the project site. The closest occurrence in the project vicinity is at Lake Lagunita on the Stanford campus, which is approximately 4.2 mi south of the project site (CNDDB 2018). Determined to be absent.
San Francisco garter snake (*Thamnophis sirtalis tetrataenia*)	FE, SE	Prefer densely vegetated freshwater habitats. May use upland burrows for aestivation.	**Absent.** No suitable habitat is present on the project site. Furthermore, the project vicinity is outside of the known range of the species. Determined to be absent.
California red-legged frog (*Rana draytonii*)	FT, CSSC	Streams, freshwater pools, and ponds with emergent or overhanging vegetation.	**Absent.** No suitable habitat is present on the project site. Further, this species has been extirpated from the majority of the project vicinity, due to development, the alteration of hydrology of its aquatic habitats, and the introduction of non-native predators such as non-native fishes and bullfrogs (*Lithobates catesbeianus*). The most recent record of the species in the project vicinity is from 2016 near Bear Gulch reservoir, over 5 mi to the southwest of the project site (CNDDB 2018). Determined to be absent.

Name	*Status	Habitat	Potential for Occurrence on the Project Site
California Ridgway's rail (*Rallus obsoletus obsoletus*)	FE, SE, SP	Salt marshes characterized by large expanses of saltmarsh cordgrass (*Spartina* spp.) or pickleweed (*Salicornia* spp.), with well-developed tidal channels.	**Absent.** The species is known to occur in the Palo Alto Baylands and the Ravenswood Open Space Preserve located approximately 0.7 mi east of the project site, as well as on Greco Island approximately 1.8 mi northwest of the project site. However, no salt marsh habitat is present on or adjacent to the project site. Determined to be absent.
California black rail (*Laterallus jamaicensis coturniculus*)	ST, SP	Breeds in fresh, brackish, and tidal salt marsh.	**Absent.** This species occurs in the project vicinity primarily as a scarce winter visitor, with individuals recently recorded as close as a slough approximately 0.5 mi north of the project site (CNDDB 2018). However, no suitable nesting or foraging habitat for the California black rail is present on or immediately adjacent to the project site. Determined to be absent.
Western snowy plover (*Charadrius alexandrinus nivosus*)	FT, CSSC	Sandy beaches on marine and estuarine shores and salt pans in Bay saline managed ponds.	**Absent.** Although western snowy plovers are known to nest in salt panne habitat within 0.5 mi to the northwest and northeast of the project site in the NWR's Ravenswood complex (CNDDB 2018), no suitable nesting or foraging habitat is present on or immediately adjacent to the project site. Determined to be absent.
California least tern (*Sterna antillarum browni*)	FE, SE, SP	Nests along the coast on bare or sparsely vegetated, flat substrates. In the South Bay, nests in salt pans and on an old airport runway. Forages for fish in open waters.	**Absent**. Suitable nesting habitat for the California least tern is not present on the project site. Least terns have been recorded in the project vicinity during the post-breeding season, and have been known to forage in the Redwood City salt ponds, approximately 2.5 mi west of the project site (CNDDB 2018). Least terns have also been known to forage infrequently along the shores of the Palo Alto Baylands Preserve, located approximately 3 mi southeast of the project site. However, least terns are not expected to forage on the project site due to the lack of any open water habitats supporting fish. Determined to be absent.
Salt marsh harvest mouse (*Reithrodontomys raviventris*)	FE, SE, SP	Salt marsh habitat dominated by common pickleweed or alkali bulrush.	**Absent.** The species has been recorded in salt marsh habitat in the project vicinity, including on the NWR to the north and east of the project site (CNDDB 2018), and suitable pickleweed/alkali bulrush-dominated salt marsh habitat is present approximately 0.2 mi north of the project site. However, no suitable habitat is present on the project site. Determined to be absent.

Name	*Status	Habitat	Potential for Occurrence on the Project Site
California Species of Special Concern			
Western pond turtle (*Actinemys marmorata*)	CSSC	Permanent or nearly permanent water in a variety of habitats.	**Absent.** No suitable aquatic habitat is present on the project site. Determined to be absent.
Northern harrier (*Circus cyaneus*)	CSSC (nesting)	Nests in marshes and moist fields, forages over open areas.	**Absent.** Northern harriers may nest and forage in the wetlands located approximately 400 ft to the north of the project site, but they are not expected to nest or forage on the project site due to a lack of suitable habitat. Determined to be absent.
Black skimmer (*Rynchops niger*)	CSSC (nesting)	Nests on sparsely vegetated beaches, isolated islands, and levees.	**Absent.** No suitable nesting or foraging habitat is present on the project site. Determined to be absent.
Burrowing owl (*Athene cunicularia*)	CSSC	Nests and roosts in open grasslands and ruderal habitats with suitable burrows, usually those made by California ground squirrels (*Spermophilus beecheyi*).	**Absent.** No nesting burrowing owls are known to occur in the surrounding project vicinity (CNDDB 2018), and no suitable burrowing owl roosting or nesting habitat (i.e., open grasslands with ground squirrel burrows) is present on the project site. The ruderal grassland habitat located in the central portion of the project site is overgrown with tall weedy vegetation, lacks burrows, and is too hemmed in by trees and development to provide good burrowing owl habitat. Thus, the species is not expected to occur on the project site.
Loggerhead shrike (*Lanius ludovicianus*)	CSSC (nesting)	Nests in tall shrubs and dense trees; forages in grasslands, marshes, and ruderal habitats.	**Absent.** No suitable breeding habitat is present on the project site, and the ruderal grassland on the project site is not sufficiently extensive to provide suitable foraging habitat. Determined to be absent.
San Francisco common yellowthroat (*Geothlypis trichas sinuosa*)	CSSC	Nests in herbaceous vegetation, usually in wetlands or moist floodplains.	**Absent.** The San Francisco common yellowthroat breeds commonly in wetlands found north and northeast of the project site, but no suitable habitat is present on the project site. Determined to be absent.
Alameda song sparrow (*Melospiza melodia pusillula*)	CSSC	Nests in salt marsh, primarily in marsh gumplant and cordgrass along channels.	**Absent.** Song sparrows breed commonly in wetlands found north and northeast of the project site, but no suitable habitat is present on the project site. Determined to be absent

Name	*Status	Habitat	Potential for Occurrence on the Project Site
Salt marsh wandering shrew (*Sorex vagrans halicoetes*)	CSSC	Medium to high marsh 6 to 8 ft above sea level with abundant driftwood and common pickleweed.	**Absent.** Suitable pickleweed-dominated salt marsh habitat is present approximately 0.23 mi north of the project site. However, no suitable habitat is present on the project site itself. Determined to be absent.
Pallid bat (*Antrozous pallidus*)	CSSC	Forages over many habitats; roosts in caves, rock outcrops, buildings, and hollow trees.	**Absent as Breeder.** Historically, pallid bats were likely present in a number of locations throughout the project vicinity, but their populations have declined in recent decades. This species has been extirpated as a breeder from urban areas close to the Bay, as is the case in the project vicinity. No suitable roosting habitat is present on the project site or the surrounding area and no known maternity colonies are present on or adjacent to the project site. There is a low probability that the species occurs in the project vicinity at all due to urbanization; however, individuals from more remote colonies could potentially forage over the project site on rare occasions.
American badger (*Taxidea taxus*)	CSSC	Burrows in grasslands and occasionally in infrequently disked agricultural areas.	**Absent.** Badgers are not known to occur in the project vicinity due to the lack of extensive grasslands and agricultural areas with friable soils, needed for digging burrows. No suitable habitat is present on the project site. Determined to be absent.
California Fully Protected Species			
White-tailed kite (*Elanus leucurus*)	SP	Nests in trees and forages in extensive grasslands or marshes.	**May be Present.** Although reconnaissance surveys of the project site did not detect any nesting by white-tailed kites or any old stick nests of suitable size to support a white-tailed kite, there is a low potential for white-tailed kites to nest in trees on the project site. Kites may forage in the large areas of open habitat to the north of the project site, and, to a limited extent, within the ruderal grasslands on the project site.

SPECIAL-STATUS SPECIES CODE DESIGNATIONS

FE = Federally listed Endangered
FT = Federally listed Threatened
FC = Federal Candidate for listing
SE = State listed Endangered
ST = State listed Threatened
SC = State Candidate for listing
CSSC = California Species of Special Concern
SP = State Fully Protected Species

in its Rarefind database (CNDDB 2018). Global rankings (G) of natural communities reflect the overall condition (rarity and endangerment) of a habitat throughout its range, whereas state (S) rankings are a reflection of the condition of a habitat within California. Natural communities are defined using NatureServe's standard heritage program methodology as follows (CDFG 2007):

G1/S1: Less than 6 viable occurrences or less than 2,000 ac.

G2/S2: Between 6 and 20 occurrences or 2,000 to 10,000 ac.

G3/S3: Between 21 and 100 occurrences or 10,000 to 50,000 ac.

G4/S4: The community is apparently secure, but factors and threats exist to cause some concern.

G5/S4: The community is demonstrably secure to ineradicable due to being common throughout the world (for global rank) or the state of California (for state rank).

State rankings are further described by the following threat code extensions:

S1.1: Very threatened

S1.2: Threatened

S1.3: No current threats known

In addition to tracking sensitive natural communities, the CDFW also ranks vegetation alliances, defined by repeating patterns of plants across a landscape that reflect climate, soil, water, disturbance, and other environmental factors (Sawyer et al. 2009). If an alliance is marked G1-G3, all of the vegetation associations within it will also be of high priority (CDFG 2007). The CDFW provides the Vegetation Classification and Mapping Program's (VegCAMP) currently accepted list of vegetation alliances and associations (CDFW 2010).

Impacts on CDFW sensitive natural communities, vegetation alliances/associations, or any such community identified in local or regional plans, policies, and regulations, must be considered and evaluated under CEQA (Title 14, Division 6, Chapter 3, Appendix G of the California Code of Regulations). Furthermore, aquatic, wetland and riparian habitats are also protected under applicable federal, state, or local regulations, and are generally subject to regulation, protection, or consideration by the USACE, RWQCB, CDFW, and/or the USFWS.

5.3.1 CDFW Sensitive Habitats

A query of sensitive habitats in Rarefind (CNDDB 2018) identified three sensitive habitats as occurring within the nine USGS quadrangles containing or surrounding the project site: serpentine bunchgrass grassland (Rank G2/S2.2), valley oak woodland (G3/S2.1), and northern coastal salt marsh (Rank G3/S3.2). Serpentine bunchgrass occurs only on serpentine soils, which do not occur on the project site. Valley oak woodland is characterized by valley oak (*Quercus lobata*) as the dominant or co-dominant species in the tree canopy. While some valley oak individuals do occur in the project vicinity, they are ornamental plantings along buildings and

roadways, and thus do not constitute this sensitive habitat type. The last sensitive habitat type, northern coastal salt marsh, is described by Holland (1986) as occurring along sheltered inland margins of bays, often co-dominated by pickleweed (*Salicornia* spp.), cordgrass (*Spartina* spp.), and sometimes saltgrass (*Distichlis spicata*). None of these species was noted on the project site, thus this habitat type is also absent.

5.3.2 CDFW Sensitive Vegetation Alliances

CDFW Sensitive alliances are not present on the project site (CDFW 2010).

5.3.3 Sensitive Habitats (Waters of the U.S./State)

As described above, the reconnaissance survey of the project site did not identify any wetlands or other waters that would fall under the jurisdiction of the USACE (waters of the U.S.), or under the jurisdiction of the RWQCB or CDFW (waters of the State) on the project site.

5.4 Non-Native and Invasive Species

Several non-native, invasive plant species occur on the project site in the ruderal grassland habitat. Of these, fennel has the potential to cause the most severe ecological impacts. In addition, black mustard and wild oats were observed on the project site and can have substantial ecological impacts if they spread into native, sensitive habitats (Cal-IPC 2018).

Section 6. Impacts and Mitigation Measures

The State CEQA Guidelines provide direction for evaluating the impacts of projects on biological resources and determining which impacts will be significant. CEQA defines a "significant effect on the environment" as "a substantial adverse change in the physical conditions which exist in the area affected by the proposed project." Under State CEQA Guidelines Section 15065, a project's impacts on biological resources are deemed significant if the project would:

- "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"
- "reduce the number or restrict the range of a rare or endangered plant or animal"

In addition to the Section 15065 criteria that trigger mandatory findings of significance, Appendix G of State CEQA Guidelines provides a checklist of other potential impacts to consider when analyzing the significance of project effects. The impacts listed in Appendix G may or may not be significant, depending on the level of the impact. For biological resources, these impacts include whether the project would:

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 Game or U.S. Fish and Wildlife Service"

B. "have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service"

C. "have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act"

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"

E. "conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance"

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"

The impact assessment below is structured based on the six significance criteria (A-F) listed above.

6.1 Impacts on Special-Status Species: 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 CDFW or USFWS (Less than Significant with Mitigation)

6.1.1 Impacts on the Pallid Bat (Less than Significant)

The pallid bat may forage over the area on rare occasions, but the project site does not provide suitable breeding habitat for this species. Further, due to the abundance of similar ruderal foraging habitat for pallid bats in the region, project impacts on pallid bat foraging habitat are not considered substantial.

6.1.2 Impacts on the White-tailed Kite (Less than Significant with Mitigation)

The white-tailed kite (a California species of special concern and fully protected species) may nest in trees within and adjacent to the project site. Thus, heavy ground disturbance, noise, and vibrations caused by project development activities could potentially disturb foraging or roosting individual white-tailed kites and cause them to move away from work areas. Project grading may result in the removal of active nests or the disturbance of nests, possibly to the point of abandonment of active nests with eggs or nestlings. The City of Menlo Park considers this a potentially significant impact. Implementation of Mitigation Measures 1–4 will reduce impacts on the white-tailed kite to a less-than-significant level.

Mitigation Measure 1. Avoidance. To the extent feasible, construction activities (or at least the commencement of such activities) should be scheduled to avoid the nesting season. If construction activities are scheduled to take place outside the nesting season, all impacts on white-tailed kites will be avoided. The nesting season for white-tailed kites extends from February 1 through August 31.

Mitigation Measure 2. Preconstruction/Pre-disturbance Surveys. If it is not possible to schedule construction activities between September 1 and January 31 then preconstruction surveys for nesting white-tailed kites will be conducted by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. These surveys will be conducted no more than seven days prior to the initiation of construction activities. During this survey, the ornithologist will inspect all trees in and immediately adjacent to the impact areas for nests.

Mitigation Measure 3. Buffers. If an active nest is found sufficiently close to work areas to be disturbed by these activities, the ornithologist will determine the extent of a construction-free buffer zone to be established around the nest (typically 300 ft for white-tailed kites), to ensure that no nests will be disturbed during project implementation.

Mitigation Measure 4. Inhibition of Nesting. If construction activities will not be initiated until after the start of the nesting season, all potential nesting substrates (e.g., trees) that are scheduled to be removed by the

project may be removed prior to the start of the nesting season (e.g., prior to February 1). This will preclude the initiation of nests in these trees.

6.2 Impacts on Sensitive Communities: 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 (Less than Significant)

6.2.1 Impacts on Riparian Habitat or Other Sensitive Natural Communities (No Impact)

No riparian habitats or other sensitive natural communities are present on or immediately adjacent to the project site, and thus none will be impacted by the project.

6.2.2 Impacts Caused by Non-Native and Invasive Species (Less than Significant)

Several non-native, invasive plant species occur in the ruderal grassland habitat located in the central portion of the project site. Invasive species can spread quickly and can be difficult to eradicate. Many non-native, invasive plant species produce seeds that germinate readily following disturbance. Further, disturbed areas are highly susceptible to colonization by non-native, invasive species that occur locally, or whose propagules are transported by personnel, vehicles, and other equipment.

Development undertaken because of the proposed project would result in a large portion of the site being subject to soil disturbance due to the construction of the new building and associated infrastructure. Activities such as trampling, equipment staging, and vegetation removal are all factors that would also contribute to disturbance. However, the project would comply with the City of Menlo Park Municipal Code, Chapter 12.44.090(1)(G), which discourages the use of invasive and/or noxious plant species for landscaping. Thus, project activities would not result in the introduction of invasive species onto the project site. Further, the project site is surrounded by developed/landscaped land uses that are not susceptible to habitat degradation by the spread of invasive plants. Therefore, the project would result in a less than significant impact due to the spread of non-native, invasive species.

6.3 Impacts on Wetlands: Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (Less than Significant)

No wetlands occur on, or immediately adjacent to, the project site. Thus, the project would result in no direct impacts on jurisdictional wetlands. While 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 site runoff patterns.

Construction projects in California causing land disturbances that are equal to 1 ac or greater must comply with State requirements to control the discharge of stormwater pollutants under the NPDES *General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities* (Construction General Permit; Water Board Order No. 2009-0009-DWQ). Prior to the start of construction/demolition, a Notice of Intent must be filed with the State Water Board describing the project. A Storm Water Pollution Prevention Plan (SWPPP) must be developed and maintained during the project and it must include the use of Best Management Practices (BMPs) to protect water quality until the site is stabilized. Standard permit conditions under the Construction General Permit require that the applicant utilize various measures including the following: on-site sediment control BMPs, damp street sweeping, temporary cover of disturbed land surfaces to control erosion during construction, and utilization of stabilized construction entrances and/or wash racks, among other factors.

Finally, in many Bay Area counties, including San Mateo County, projects must also comply with the *California Regional Water Quality Control Board, San Francisco Bay Region, Municipal Regional Stormwater NPDES Permit* (MRP) (Water Board Order No. R2-2015-0049). This MRP requires that all projects implement BMPs and incorporate Low Impact Development practices into the design to prevent stormwater runoff pollution, promote infiltration, and hold/slow down the volume of water coming from a site after construction has been completed. In order to meet these permit and policy requirements, projects must incorporate the use of green roofs, impervious surfaces, tree planters, grassy swales, bioretention and/or detention basins, among other factors.

Compliance with state requirements to control the discharge of stormwater pollutants during construction under the NPDES Construction General Permit and the RWQCB required SWPPP, and post-construction measures and design features required by the MRP would reduce the project's potential impact on water quality to a less-than-significant level.

6.4 **Impacts on Wildlife Movement:** 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 (Less than Significant)

For many species, the landscape is a mosaic of suitable and unsuitable habitat types. Environmental corridors are segments of land that provide a link between these different habitats while also providing cover. Development that fragments natural habitats (i.e., breaks them into smaller, disjunct pieces) can have a twofold impact on wildlife: first, as habitat patches become smaller they are unable to support as many individuals (patch size), and second, the area between habitat patches may be unsuitable for wildlife species to traverse (connectivity).

All proposed project activities are located within an already developed footprint that is surrounded by existing development. Therefore, the project would not result in fragmentation of natural habitats. Further, the proposed project would include 48,800 ft^2 of vegetated open space. Thus, any common, urban adapted species that currently move through the project site would continue to be able to do so following project construction,

and the project would not interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors.

Construction disturbance during the avian breeding season (February 1 through August 31, for most species) could result in the incidental loss of eggs or nestlings, either directly through the destruction or disturbance of active nests or indirectly by causing the abandonment of nests. Due to the absence of sensitive habitats from the project site, the habitats on the project site support only regionally common, urban-adapted breeding birds and support only a very small proportion of these species' regional populations. In addition, many birds are expected to continue to nest and forage on the project site after project construction is completed. These birds are habituated to disturbance related to the existing technology park, and the project incorporates trees, shrubs, and forbs into the landscape design, which will provide some food and structural resources for the common, urban-adapted birds of the area, as well as for migrants that may use the area during spring and fall migration. Therefore, project impacts on nesting and foraging birds that use the site, due to habitat impacts or disturbance of nesting birds, would not rise to the CEQA standard of having a substantial adverse effect, and these impacts would not constitute a significant impact on these species or their habitats under CEQA. However, all native bird species are protected from direct take by federal and state statutes (see Sections 3.1.5 and 3.2.4). Therefore, we recommend that Mitigation Measures 1 – 4 be implemented for all bird species protected under the MBTA and California Fish and Game Code.

6.5 Impacts due to Conflicts with Local Policies: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (Less than Significant)

6.5.1 Impacts Related to Compliance with Municipal Code Chapter 13.24, Heritage Trees (Less than Significant)

Per City of Menlo Park Municipal Code Chapter 13.24, Heritage Trees, permits from the City's Director of Public Works or his or her designee and payment of a fee are required for the removal of any trees which meet the definition of heritage tree, as defined in Section 3.3.1 above. It is anticipated that 12 trees on the project site are to be removed during project construction activities. Of these, 10 qualify as heritage trees. The removal or pruning of trees protected by the City of Menlo Park municipal code is considered potentially significant under CEQA. However, the project would comply with the City's heritage tree ordinance, including obtaining a permit from the City to remove protected trees and paying any applicable fee. The project proposes to provide replacement trees for all heritage trees removed by the project. Therefore, impacts related to conflict with local policies or ordinances protecting heritage trees would be less than significant.

6.5.2 Impacts Related to Compliance with Municipal Code Chapter 16.44.130 (6), Bird Safe Design (Less than Significant)

Development of the proposed project would include the construction of a new building with a maximum building height of 91 ft, and fitted with double-glazed high-performance windows. Glass windows and building facades can result in injury or mortality of birds due to collisions with these surfaces. Because birds do not

perceive glass as an obstruction the way humans do, they may collide with glass when the sky or vegetation is reflected in glass (e.g., they see the glass as sky or vegetated areas); when transparent windows allow birds to perceive an unobstructed flight route through the glass (such as at corners); and when the combination of transparent glass and interior vegetation (such as in planted atria) results in attempts by birds to fly through glass to reach that vegetation.

The majority of avian collisions with buildings occur within the first 60 ft of the ground (City of San Francisco 2011), where birds spend the majority of their time engaged in foraging, territorial defense, nesting, and roosting activities, and where vegetation is most likely to be reflected in glazed surfaces. However, very tall buildings (e.g., buildings 500 ft or more high) may pose a threat to birds that are migrating through the area, particularly to nocturnal migrants that may not see the buildings or that may be attracted to lights on the buildings.

Currently, terrestrial land uses and habitat conditions in and adjacent to the project site consist primarily of developed and landscaped uses such as buildings, parking lots, and roads. Vegetation in these areas is limited in extent, and consists primarily of non-native landscaped trees and shrubs. Although a number of bird species will use such vegetation, they typically do so in low numbers. Non-native vegetation supports fewer of the resources required by native birds than native vegetation, and the structural simplicity of the vegetation (without well-developed ground cover, understory, and canopy layers) further limits resources available to birds. In addition, although numerous waterbirds are known to congregate at the NWR to the north and east of the project site; because the area surrounding the project site on all sides is heavily urbanized and contains no habitats of high value to estuarine birds using the NWR, we do not expect large numbers of waterbirds to be flying over the project site at altitudes low enough for bird-strike mortality to occur. The bird species with the greatest potential to collide with any buildings would consist primarily of the common, urban-adapted passerine species that currently use the project site, as these are the species that would spend the most time near the new buildings.

By necessity, the building constructed as part of the project would be within the primary "Bird Collision Zone" (i.e., within the first 60 ft above the ground). However, the proposed project would comply with the following zoning regulations set forth in Municipal Code Chapter 16.44.130 (6):

A. No more than ten percent (10%) of facade surface area shall have non-bird-friendly glazing.
B. Bird-friendly glazing includes, but is not limited to, opaque glass, covering the outside surface of clear glass with patterns, paned glass with fenestration, frit or etching patterns, and external screens over nonreflective glass. Highly reflective glass is not permitted.
C. Occupancy sensors or other switch control devices shall be installed on nonemergency lights and shall be programmed to shut off during nonwork hours and between ten (10) p.m. and sunrise.
D. Placement of buildings shall avoid the potential funneling of flight paths towards a building facade.
E. Glass skyways or walkways, freestanding (see-through) glass walls and handrails, and transparent building corners shall not be allowed.

F. Transparent glass shall not be allowed at the rooflines of buildings, including in conjunction with roof decks, patios and green roofs.
G. Use of rodenticides shall not be allowed.
H. A project may receive a waiver from one (1) or more of the items listed in subsections (6)(A) to (F) of this section, subject to the submittal of a site specific evaluation from a qualified biologist and review and approval by the planning commission. (Ord. 1025 § 3 (part), 2016).

Compliance with the bird-friendly design requirements of the Municipal Code will reduce the number of bird collisions with the new buildings. Therefore, project impacts resulting from bird collisions would not rise to the CEQA standard of having a substantial adverse effect, and this impact would not constitute a significant impact under CEQA.

6.5.3 Impacts Related to Compliance with General Plan Policy OSC1.3, Sensitive Habitats (No Impact)

General Plan Policy OSC1.3, Sensitive Habitats, requires new development on or near sensitive habitats to (1) provide a baseline assessment prepared by qualified biologists and specify requirements relative to the baseline assessments, (2) consult with appropriate regulatory and resource agencies, (3) incorporate appropriate avoidance and minimization measures, and (4) obtain necessary permits/authorizations. Further, Mitigation Measure BIO-1 of the ConnectMenlo EIR (PlaceWorks 2016) specifies that the required biological resources assessment must address a number of specific requirements. The following summarizes the project's compliance with the requirements of General Plan Policy OSC1.3 and Mitigation Measure BIO-1.

- The baseline biological resources report is required to provide a determination on whether any sensitive biological resources, including jurisdictional wetlands and waters, essential habitat for special-status species, and sensitive natural communities, are present on the site or on any adjacent undeveloped lands that could be affected by the project and lands of the NWR. In compliance with this requirement, Section 4.2 of this report describes the biotic habitat types present in the study area. Sections 5.1 and 5.2 discuss the potential for these habitats to support special-status plants and animals and analyze the potential for special-status species to occur on the project site or close enough to be impacted by proposed project activities. No plant or animal species listed as threatened or endangered by the USFWS or CDFW are expected to occur on the project site. Further, no animal species designated as a species of special concern is expected to breed on the project site; however, one plant species listed as CRPR 1B may be present.

  Section 5.3 addresses the presence of sensitive habitats in the project vicinity and analyzes the potential for the project to result in impacts on such habitats. No habitats under the jurisdiction of the USFWS, CDFW, or RWQCB were determined to be present on the project site.

- The baseline biological resources report is required to incorporate guidance from relevant regional conservation plans related to determining the potential presence or absence of sensitive biological resources. As described above, Sections 5.1 and 5.2 analyze the potential for special-status plant or animal species to occur on the project site. This analysis incorporates information from the NWR Comprehensive Conservation Plan and Environmental Assessment (USFWS 2012), which includes a discussion of all the special-status species potentially occurring on the NWR.

- The baseline biological resources report is required to include an evaluation of the potential effects of the project on sensitive biological resources. The potential for the proposed project to result in significant impacts on sensitive biological resources is analyzed in Section 6 of this report. This analysis takes into consideration the habitat types present on the project site (Section 4.2), the potential for special-status species to be present on the project site (Sections 5.1 and 5.2), and the proximity of the project site to sensitive habitats (Section 5.3). Based on the analysis, it is determined that the project would not result in significant impacts on any special-status plant or animal species. In addition, the project would not result in impacts on sensitive habitats under the jurisdiction of the USFWS, RWQCB, or CDFW.

- The baseline biological resources report is required to include avoidance, minimization, and mitigation measures for adverse impacts. Section 6 includes measures to reduce all potentially significant impacts to a level of less than significant. In addition, all native bird species are protected from direct take by federal and state statutes (see Sections 3.1.5 and 3.2.4). Therefore, recommended avoidance and minimization measures are provided in Chapter 6 to ensure that project activities comply with the MBTA and California Fish and Game Code.

- Per Mitigation Measure BIO-1, if sensitive biological resources are determined to be present on the project site or may be present on any adjacent parcel containing natural habitat, coordination with the appropriate regulatory and resource agencies must occur. However, based on the analyses contained herein, the project would not result in impacts on sensitive habitats under the jurisdiction of the USACE, RWQCB, or CDFW. Further, the project would not result in impacts on plant or animal species listed as threatened or endangered by the USFWS or CDFW. Thus, coordination with regulatory resource agencies regarding impacts on biological resources is not expected to be warranted. Nevertheless, resources agencies would be provided the opportunity to comment on the proposed project as part of the CEQA process for the project.

- Per Mitigation Measure BIO-1, where jurisdictional waters or federally and/or State listed special-status species would be affected by the project, appropriate authorizations shall be obtained by the project applicant. As described above, the project is not expected to result in impacts on sensitive habitats under the jurisdiction of the USACE, RWQCB, or CDFW. Further, the project would not result in impacts on plant or animal species listed as threatened or endangered by the USFWS or CDFW. However, the project would comply with the City's heritage tree ordinance, including obtaining a

permit from the City to remove protected trees and paying any applicable fee, as described in Section 6.5.1.

Thus, provided this project successfully incorporates the mitigation measures described in this biological resources report, the project will not conflict with General Plan Policy OSC1.3. This biological resources report represents compliance with ConnectMenlo EIR Mitigation Measure BIO-1 by providing all the information required by that mitigation measure for a biological resources assessment.

6.6 Impact due to Conflicts with an Adopted Habitat Conservation Plan: 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)

The project site is not located within an area covered by an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, the project would not conflict with any such documents.

6.7 Cumulative Impacts

Cumulative impacts arise due to the linking of impacts from past, current, and reasonably foreseeable future projects in the region. Future development activities in the City of Menlo Park will result in impacts on the same habitat types and species that will be affected by the proposed project. The proposed project, in combination with other projects in the area and other activities that impact the species that are affected by this project, could contribute to cumulative effects on special-status species. Other projects in the area include office/retail/commercial development, mixed use, and residential projects that could adversely affect these species, as well as restoration projects (e.g., the South Bay Salt Pond Restoration Project Phase 2, SAFER Bay Project) that will benefit these species.

The cumulative impact on biological resources resulting from the project in combination with other projects in the project area and larger region would be dependent on the relative magnitude of adverse effects of these projects on biological resources compared to the relative benefit of impact avoidance and minimization efforts prescribed by planning documents, CEQA mitigation measures, and permit requirements for each project; compensatory mitigation and proactive conservation measures associated with each project. In the absence of such avoidance, minimization, compensatory mitigation, and conservation measures, cumulatively significant impacts on biological resources would occur.

However, the Menlo Park General Plan contains conservation measures that would benefit biological resources, as well as measures to avoid, minimize, and mitigate impacts on these resources. Further, the project would implement a number of measures to reduce impacts on both common and special-status species, as described above. Thus, the project will not contribute to substantial cumulative effects on biological resources.

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Appendix A. Special-Status Plants Considered

Common Name	Scientific Name	Suitable Habitat Absent	Edaphic Conditions Absent	Outside Elevation Range	Extirpated from Project Vicinity
alkali milk-vetch	Astragalus tener var. tener	x	x		
Anderson's manzanita	Arctostaphylos andersonii	x		x	
arcuate bush-mallow	Malacothamnus arcuatus	x		x	
bay buckwheat	Eriogonum umbellatum var. bahiiforme	x	x	x	
Ben Lomond buckwheat	Eriogonum nudum var. decurrens	x		x	
bent-flowered fiddleneck	Amsinckia lunaris	x			
Brewer's calandrinia	Calandrinia breweri	x		x	
Brewer's clarkia	Clarkia breweri	x	x	x	
bristly leptosiphon	Leptosiphon acicularis	x		x	
California androsace	Androsace elongata ssp. acuta	x		x	
California seablite	Suaeda californica	x			
caper-fruited tropidocarpum	Tropidocarpum capparideum	x	x		
chaparral ragwort	Senecio aphanactis	x		x	
Choris' popcornflower	Plagiobothrys chorisianus var. chorisianus	x			
clay buckwheat	Eriogonum argillosum	x	x	x	
clustered lady's-slipper	Cypripedium fasciculatum	x	x	x	
coast iris	Iris longipetala	x			
coast lily	Lilium maritimum	x			
coastal marsh milk-vetch	Astragalus pycnostachyus var. pycnostachyus	x			
Congdon's tarplant	Centromadia parryi ssp. congdonii				
Contra Costa goldfields	Lasthenia conjugens	x	x		
cotula navarretia	Navarretia cotulifolia	x	x		
Crystal Springs fountain thistle	Cirsium fontinale var. fontinale	x	x	x	
Crystal Springs lessingia	Lessingia arachnoidea	x	x	x	
Davidson's bush-mallow	Malacothamnus davidsonii	x		x	
Delta woolly-marbles	Psilocarphus brevissimus var. multiflorus	x		x	
Dudley's lousewort	Pedicularis dudleyi	x		x	
dusky-fruited malacothrix	Malacothrix phaeocarpa	x		x	
elongate copper moss	Mielichhoferia elongata	x	x		
fragrant fritillary	Fritillaria liliacea	x	X		
Franciscan onion	Allium peninsulare var. franciscanum	x		x	
Gairdner's yampah	Perideridia gairdneri ssp. gairdneri	x			
hairless popcornflower	Plagiobothrys glaber			x	x
Hickman's popcornflower	Plagiobothrys chorisianus var. hickmanii	x		x	

Common Name	Scientific Name	Suitable Habitat Absent	Edaphic Conditions Absent	Outside Elevation Range	Extirpated from Project Vicinity
Hillsborough chocolate lily	Fritillaria biflora var. ineziana	x	x	x	
Hoover's button-celery	Eryngium aristulatum var. hooveri	x			
Howell's onion	Allium howellii var. howellii	x		x	
Jepson's coyote-thistle	Eryngium jepsonii	x			
Jepson's woolly sunflower	Eriophyllum jepsonii	x		x	
Kings Mountain manzanita	Arctostaphylos regismontana	x	x	x	
large-flowered leptosiphon	Leptosiphon grandiflorus	x			
legenere	Legenere limosa	x			
Loma Prieta hoita	Hoita strobilina	x	x	x	
long-styled sand-spurrey	Spergularia macrotheca var. longistyla	x			
lost thistle	Cirsium praeteriens				x
maple-leaved checkerbloom	Sidalcea malachroides	x			
Marin western flax	Hesperolinon congestum	x	x		
Methuselah's beard lichen	Usnea longissima	x		x	
Mexican mosquito fern	Azolla microphylla	x		x	
Michael's rein orchid	Piperia michaelii	x			
minute pocket moss	Fissidens pauperculus	x		x	
Montara manzanita	Arctostaphylos montaraensis	x		x	
Mt. Diablo cottonweed	Micropus amphibolus	x		x	
narrow-petaled rein orchid	Piperia leptopetala	x		x	
Oakland star-tulip	Calochortus umbellatus	x	x	x	
Oregon polemonium	Polemonium carneum	x			
Patterson's navarretia	Navarretia paradoxiclara	x	x	x	
phlox-leaf serpentine bedstraw	Galium andrewsii ssp. gatense	x	x	x	
pincushion navarretia	Navarretia myersii ssp. myersii	x		x	
Point Reyes salty bird's-beak	Chloropyron maritimum ssp. palustre	x			
round-headed Chinese-houses	Collinsia corymbosa	x			
round-leaved filaree	California macrophylla	x		x	
saline clover	Trifolium hydrophilum	x			
San Antonio Hills monardella	Monardella antonina ssp. antonina	x		x	
San Francisco Bay spineflower	Chorizanthe cuspidata var. cuspidata	x			
San Francisco campion	Silene verecunda ssp. verecunda	x		x	
San Francisco collinsia	Collinsia multicolor	x		x	
San Francisco owl's-clover	Triphysaria floribunda	x		x	
San Francisco wallflower	Erysimum franciscanum	x			
San Joaquin spearscale	Extriplex joaquinana	x			
San Mateo thorn-mint	Acanthomintha duttonii	x	x	x	
San Mateo woolly sunflower	Eriophyllum latilobum	x		x	

Common Name	Scientific Name	Suitable Habitat Absent	Edaphic Conditions Absent	Outside Elevation Range	Extirpated from Project Vicinity
Santa Clara red ribbons	Clarkia concinna ssp. automixa	x		x	
Santa Clara thorn-mint	Acanthomintha lanceolata	x		x	
Satan's goldenbush	Isocoma menziesii var. diabolica	x		x	
serpentine leptosiphon	Leptosiphon ambiguus	x		x	
short-leaved evax	Hesperevax sparsiflora var. brevifolia	x			
slender-leaved pondweed	Stuckenia filiformis ssp. alpina	x		x	
South Coast Range morning-glory	Calystegia collina ssp. venusta	x	x	x	
spring lessingia	Lessingia tenuis	x		x	
stinkbells	Fritillaria agrestis	x		x	
sylvan microseris	Microseris sylvatica	x	x	x	
Tracy's eriastrum	Eriastrum tracyi	x		x	
two-fork clover	Trifolium amoenum	x			
western leatherwood	Dirca occidentalis	x		x	
white-flowered rein orchid	Piperia candida	x		x	
white-rayed pentachaeta	Pentachaeta bellidiflora	x	x	x	
woodland woollythreads	Monolopia gracilens	x	x		
woolly-headed lessingia	Lessingia hololeuca	x		x	