

**JULY
2025**

FINAL ENVIRONMENTAL IMPACT REPORT

Parkline

Prepared by
ICF

Prepared for
City of Menlo Park



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- Appendix 3** Biosafety Management White Paper

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Acronyms and Abbreviations

ACMs	asbestos-containing materials
ALMS	Automatic Load Management System
BAE	Bay Area Economics
BMPs	best management practices
BMR	below market rate
C/CAG	City/County Association of Governments of San Mateo County
CALGreen	California Green Building Standards Code
Caltrans	California Department of Transportation
CAPCOA	California Air Pollution Control Officers Association
CDP	conditional development permit
CEQA	California Environmental Quality Act
Chapel buildings	First Church of Christ, Scientist and Alpha Kids Academy
city	city of Menlo Park
ConnectMenlo	General Plan and M-2 Area Zoning Update
CRHR	California Register of Historical Resources
CSD	Menlo Park City School District
CUPA	Certified Unified Program Agency
dB	decibels
dBA	A-weighted decibels
Draft EIR	Draft Environmental Impact Report
DTSC	Department of Toxic Substances Control
ESMP	Environmental Site Management Plan
EV	electric vehicle
EVCS	electric-vehicle charging station
FIA	Fiscal Impact Analysis
Final EIR	Final Environmental Impact Report
GHG	greenhouse gas
gpm	gallons per minute
HNA	Housing Needs Assessment
hp	horsepower
in/sec	inch per second
KMA	Keyser Marston and Associates
LCMs	lead-containing materials
L _{eq}	equivalent noise level

LOS	level of service
MCLs	maximum contaminant levels
MPMW	Menlo Park Municipal Water
MTC	Metropolitan Transportation Commission
NOP	Notice of Preparation
OPR	Office of Planning and Research
PCBs	polychlorinated biphenyls
PEA	Preliminary Endangerment Assessment
PFAS	per- and polyfluoroalkyl substances
PFOA	perfluorooctanoic acid
PFOS	perfluorooctane sulfonate
PG	Parking Garage
PHS Policy	Public Health Service Policy on Humane Care and Use of Laboratory Animals
PPV	peak particle velocity
PRC	Public Resources Code
Project Sponsor	Lane Partners
Project Variant	Increased Development Variant
Proposed Project	Parkline
R&D	research and development
RHNA	Regional Housing Needs Allocation
SB	Senate Bill
SEIR	Subsequent Environmental Impact Report
sf	square feet
SFBAAB	San Francisco Bay Area Air Basin
SGMA	Sustainable Groundwater Management Act
SR	State Route
SUHSD	Sequoia Union High School District
TDM	Transportation Demand Management
TIA	Transportation Impact Analysis
UWMP	Urban Water Management Plan
VMT	vehicle miles traveled
WSA	Water Supply Assessment
WSCP	Water Shortage Contingency Plan

1.1 Process Following Release of the Draft EIR

A Draft Environmental Impact Report (Draft EIR), pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] Section 21000 et seq.), was prepared by the city of Menlo Park (city) to disclose the potential environmental effects of Parkline (Proposed Project). The Draft EIR included a description of the Proposed Project and the Increased Development Variant (Project Variant) (described in Section 1.2, *Project Description*, below), an assessment of its potential effects, a description of mitigation measures to reduce the significant effects that were identified, and consideration of alternatives to address potential significant environmental impacts. The Draft EIR was released for public review on June 20, 2024, for a 45-day review period that ended on August 5, 2024. During this review period, the document was reviewed by various state, regional, and local agencies as well as interested organizations and individuals. Comment letters on the Draft EIR were received from five agencies, two organizations, and 18 individuals. The public review period also included a Planning Commission hearing on July 22, 2024, at which time the public and planning commissioners provided comments on the Draft EIR. Please see Chapter 2, *List of Commenters*, for a listing of all agencies, organizations, and individuals who commented on the Draft EIR.

This document responds to written and oral comments on the Draft EIR that were raised during the public review period and Planning Commission hearing. It includes revisions to clarify and amplify the Draft EIR and incorporate minor Project refinements proposed since release of the Draft EIR. No new significant environmental impacts and no substantial increases in the severity of previously identified impacts have resulted after responding to comments. In addition, there are no feasible alternatives or mitigation measures that are considerably different from others previously analyzed that would clearly lessen the environmental impacts of the Proposed Project or the Project Variant. Together, the previously released Draft EIR and this document constitute the Final Environmental Impact Report (Final EIR). As the Lead Agency, the city must certify the Final EIR before action can be taken on the Proposed Project or the Project Variant. Certification requires the Lead Agency to find that the Final EIR complies with CEQA. Certification of this Final EIR in compliance with CEQA is independent of the Lead Agency's final decision on the requested land use entitlements.

1.2 Project Description

Proposed Project

Lane Partners (Project Sponsor) is proposing to redevelop SRI International's existing 63.2-acre research campus located at 333 Ravenswood Avenue,¹ adjacent to city hall and near Menlo Park's downtown area and a Caltrain station (Project Site). The Proposed Project would include a new office/research-and-development (R&D) campus with no increase in office/R&D square footage; up to 550 new dwelling units at a range of affordability levels (i.e., 450 multi-family units and townhomes, along with a proposed land dedication to an affordable-housing developer for up to 100 affordable

¹ The Project Site also includes the addresses 301 Ravenswood Avenue and 555 and 565 Middlefield Road.

units); new bicycle and pedestrian connections; approximately 26.4 acres of open space; and decommissioning of a 6-megawatt natural gas cogeneration plant. In total, the Proposed Project would result in approximately 1,768,802 square feet (sf) of mixed-use development, with approximately 1,093,602 sf of office/R&D uses and approximately 675,200 sf of residential uses. The Proposed Project would demolish all buildings on SRI International's Campus, excluding Buildings P, S, and T, which would remain onsite and be operated by SRI International. The city of Menlo Park is the Lead Agency for the Proposed Project.

Project Variant

In addition to describing the Proposed Project, the Draft EIR includes a description and evaluation of a variant to the Proposed Project, called the "Increased Development Variant" (Project Variant). The Project Variant is a variation of the Proposed Project at the same Project Site (although the Project Site would be slightly expanded to include 201 Ravenswood Avenue), generally with the same objectives, background, and development controls but with the following differences:

1. The Project Site has been expanded to include the parcel at 201 Ravenswood Avenue and create a continuous frontage area along Ravenswood Avenue and increase the overall Project Site by approximately 43,762 sf (approximately 1.0 acre), for a total of approximately 64.2 acres;
2. The Project Variant would include up to 250 additional residential rental dwelling units compared to the Proposed Project (an increase from 550 to 800 units, inclusive of up to 154 units to be developed by an affordable-housing developer);
3. The Project Variant would reduce the underground parking footprint within the site, both by removing underground parking from the multi-family residential buildings in the residential area and removing the underground parking connection between office/R&D Building O1 and Building O5. As a result, Parking Garage (PG) 1 and PG2 would increase in square footage and height compared to the Proposed Project and the number of structured spaces would increase by 400 (with no change in the total number of parking spaces proposed for the office/R&D buildings); and
4. The Project Variant would include an approximately 2- to 3-million-gallon emergency water reservoir that would be buried below grade in the northeast area of the Project Site, in addition to a small pump station, an emergency well, and related improvements that would be built at and below grade (i.e., emergency generator, disinfection system, surge tank) (referred to as "reservoir" throughout this document). It would be built and operated by the city of Menlo Park.

The Project Variant would not differ from many of the basic characteristics of the Proposed Project, particularly with respect to the commercial component. For example, total office/R&D development would remain the same as under the Proposed Project. Certain residential uses, including the affordable-housing site and a limited number of townhome units, would shift to the corner of the site nearest to the intersection of Middlefield Road and Ravenswood Avenue. In addition, the existing buildings associated with First Church of Christ, Scientist and Alpha Kids Academy (Chapel buildings) at 201 Ravenswood Avenue would be demolished.

1.3 Significant and Unavoidable Environmental Impacts

Section 21100(b)(2)(A) of the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.) requires an EIR to identify any significant environmental effects that cannot be avoided if a future project is implemented.

CEQA Guidelines Section 15126.2(c) requires EIRs to include a discussion of the significant environmental effects that cannot be avoided if a proposed project is implemented. Further, where there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the project is being proposed, notwithstanding their effect, should be described. The following impacts are considered significant and unavoidable; that is, no feasible mitigation is available to reduce the Project's impacts to a less-than-significant level. Most impacts of the Proposed Project and the Project Variant would either be less than significant or mitigated to a less-than-significant level. However, Chapter 5, *Other CEQA Considerations*, of the Draft EIR summarizes the significant and unavoidable impacts that would result from implementation of the Proposed Project and the Project Variant, as outlined below. Additional details about these impacts are provided in the respective sections of Chapter 3, *Environmental Impact Analysis*.

Proposed Project Impacts

- **Impact NOI-1: Construction Noise.** Construction equipment proposed for use during daytime hours would be in compliance with the threshold of 85 A-weighted decibels (dBA) at 50 feet for individual pieces of powered equipment. Combined construction noise during daytime hours was modeled to result in a noise level that would be more than 10 decibels (dB) greater than the ambient noise levels at several nearby noise-sensitive land uses. Noise during Phase 1, Phase 2, and Phase 3 construction could reach a maximum of 97 dBA, equivalent noise level (L_{eq}), at a distance of 15 feet from sensitive land uses; 71 dBA L_{eq} at a distance of 250 feet from sensitive land uses; and 85 dBA L_{eq} at a distance of 50 feet from sensitive land uses, respectively, all of which are 10 dB over the daytime ambient noise levels in the area. In addition, noise levels would be 10 dB over the daytime ambient levels at distances beyond the worst-case distance. Furthermore, concrete pour activities during early-morning hours were modeled to result in a noise level of 72 dBA L_{eq} at the nearest sensitive land use, which would be greater than the applicable noise limit. Although the substantial increase in noise would be temporary, the estimated construction noise levels during daytime and early-morning hours would exceed the applicable thresholds. Implementation of Mitigation Measures NOI-1.1 and NOI-1.2 would reduce noise during Project construction by requiring a construction noise reduction plan and a noise barrier, respectively. However, these mitigation measures may not be able to ensure that noise would be below the applicable thresholds in all circumstances and impacts related to construction noise would be significant and unavoidable with mitigation.
- **Impact NOI-3: Ground-borne Vibration.** During construction, vibration-generating construction equipment may be operated approximately 15 feet from single-family residences. The use of an excavator could result in a vibration level with a peak particle velocity (PPV) of up to 0.191 inch per second (in/sec) at 15 feet. This vibration level would be above the "strongly perceptible" level (i.e., PPV of 0.1 in/sec) and above the thresholds specified in Mitigation Measure NOISE-2a from the General Plan and M-2 Area Zoning Update (ConnectMenlo) EIR (0.032 in/sec at residential uses during the daytime hours). At a distance of 25 feet, however, the vibration level would be below the strongly perceptible level and considered distinctly perceptible (i.e., PPV of 0.4 in/sec); however, it would still be above the ConnectMenlo EIR threshold (i.e., PPV of 0.032 in/sec). Most construction activities would occur more than 15 feet from offsite uses because construction along the perimeter of the site would be short term compared to the overall duration of construction. However, vibration levels from a large bulldozer could be above a PPV of 0.031 in/sec at a distance of 50 feet. Construction involving the use of a large bulldozer or similar equipment would occur within 50 feet of existing residential uses because the proposed townhomes would be within 50 feet of the Classics of Burgess Park neighborhood. It is unlikely that a concrete truck would operate within 15 feet of residential structures; thus, vibration levels during early-morning hours would not exceed the California Department of Transportation (Caltrans) "strongly

perceptible” vibration criterion for annoyance (i.e., PPV of 0.1 in/sec). Other equipment used for the concrete pours would operate within the interior of the Project Site and not near existing residential uses. However, a loaded concrete truck traveling within approximately 70 feet of existing residential uses could generate a vibration level greater than the nighttime threshold specified in the ConnectMenlo EIR (i.e., PPV of 0.016 in/sec). This scenario would be more likely to occur. Implementation of Mitigation Measure NOI-3.1 would reduce vibration levels from construction activity during daytime and early-morning hours by requiring larger equipment to operate at distances greater than 15 feet from sensitive land uses to the extent feasible, limiting morning construction activity involving concrete trucks to after 7:00 a.m., and requiring the contractor to appoint a vibration coordinator to address any vibration-related complaints received. However, it may not be possible to ensure that vibration levels at all times and at all locations would be reduced to a level below the “strongly perceptible” level or below the thresholds identified in the ConnectMenlo EIR because larger equipment may need to operate at closer distances to sensitive land uses and impacts related to construction noise would be significant and unavoidable with mitigation.

- **Impact C-NOI-1: Cumulative Construction Noise.** For Project construction noise to combine with noise from other nearby construction projects and expose individual receptors to greater noise levels, the projects would need to be close to one another. Construction of cumulative projects in proximity to the Project Site, including the 333 Ravenswood Avenue project (No. 35)² and the 429 University Avenue project (No. 47), could overlap with Project construction. These cumulative projects and the Proposed Project could be under construction at the same time and cumulative construction noise impacts would be significant. Because the Proposed Project on its own would result in a significant impact, its contribution would be cumulatively considerable. Although implementation of Mitigation Measures NOI-1.1 and NOI-1.2 would reduce the Proposed Project’s construction noise impacts, such impacts were determined to be significant and unavoidable. The Proposed Project’s contribution to cumulative impacts related to construction noise would be cumulatively considerable even with mitigation.
- **Impact CR-1: Historical Resources.** Construction of the Proposed Project would cause a substantial adverse change in the significance of three individual historical resources (i.e., Building 100, Building A, Building E) and one historic district, all of which are historical resources, as defined in State CEQA Guidelines Section 15064.5. Implementation of Mitigation Measures CR-1.1 (including CR-1.1.a, CR-1.1.b, CR-1.1.c), CR-1.2, and CR-1.3 would reduce the potential level of impact on the three individually California Register of Historical Resources– (CRHR-) eligible historical resources and the potential impact on the CRHR-eligible SRI International Campus Historic District by requiring documentation and interpretation and/or commemoration of the resources to be demolished and the relocation of a contributing landscape feature of the historic district. However, the demolition of historical resources cannot be mitigated to a less-than-significant level, and impacts on built-environment resources would be significant and unavoidable with mitigation.

Project Variant Impacts

- **Impact NOI-1: Construction Noise.** Construction equipment proposed for use during daytime hours would be in compliance with the threshold of 85 dBA at 50 feet for individual pieces of powered equipment. Combined construction noise during daytime hours was modeled to result in a noise level that would be more than 10 dB greater than the ambient noise levels at several nearby noise-sensitive land uses. Noise during Phase 1, Phase 2, and Phase 3 construction could reach a

² The 333 Ravenswood Avenue project includes tenant improvements to Buildings P, S, and T on the Project Site.

maximum of 97 dBA L_{eq} (at a distance of 15 feet from sensitive land uses), which is 10 dB over the daytime ambient noise levels in the area, as conservatively measured without any noise attenuation or reduction measures. In addition, noise levels would be 10 dB over the daytime ambient levels at distances beyond the worst-case distance. Furthermore, concrete pour activities during early-morning hours were modeled to result in a noise level of 72 dBA L_{eq} at the nearest sensitive land use, which would be greater than the applicable noise limit. Although the substantial increase in noise would be temporary, the estimated construction noise levels during daytime and early-morning hours would exceed the applicable thresholds. Implementation of Mitigation Measures NOI-1.2 and NOI-1.3 would reduce noise during Project Variant construction by requiring a construction noise reduction plan and a noise barrier, respectively. However, these mitigation measures may not be able to ensure that noise would be below the applicable thresholds in all circumstances and impacts related to construction noise would be significant and unavoidable with mitigation.

- **Impact NOI-3: Ground-borne Vibration.** During construction, vibration-generating construction equipment may be operated approximately 15 feet from single-family residences. The use of an excavator could result in a vibration level with a PPV of up to 0.191 in/sec at 15 feet. This vibration level would be above the “strongly perceptible” level (i.e., PPV of 0.1 in/sec) and above the thresholds specified in Mitigation Measure NOISE-2a from the ConnectMenlo EIR (i.e., PPV of 0.032 in/sec at residential uses during the daytime hours). At a distance of 25 feet, however, the vibration level would be below the strongly perceptible level and considered distinctly perceptible (i.e., PPV of 0.4 in/sec); however, it would still be above the ConnectMenlo EIR threshold (i.e., PPV of 0.032 in/sec). Most construction activities would occur more than 15 feet from offsite uses because construction along the perimeter of the site would be short term compared to the overall duration of construction. However, vibration levels from a large bulldozer or similar equipment could occur within 50 feet of existing residential uses because the proposed townhomes (TH1) would be within 50 feet of the Classics of Burgess Park neighborhood. During the early-morning concrete pours, equipment would operate within the interior of the Project Site, not near existing residential uses. However, a loaded concrete truck traveling within approximately 70 feet of existing residential uses could generate a vibration level greater than the nighttime threshold specified in the ConnectMenlo EIR (i.e., PPV of 0.016 in/sec). Implementation of Mitigation Measure NOI-3.1 would reduce vibration levels from construction activity during daytime and early-morning hours by requiring larger equipment to operate at distances greater than 15 feet from sensitive land uses to the extent feasible, limiting morning construction activity involving concrete trucks to after 7:00 a.m., and requiring the contractor to appoint a vibration coordinator to address any vibration-related complaints received. However, it may not be possible to ensure that vibration levels at all times and at all locations would be reduced to a level below the “strongly perceptible” level or below the thresholds identified in the ConnectMenlo EIR because larger equipment may need to operate at closer distances to sensitive land uses and Impacts related to construction noise would be significant and unavoidable with mitigation.
- **Impact C-NOI-1: Cumulative Construction Noise.** For Project Variant construction noise to combine with noise from other nearby construction projects and expose individual receptors to greater noise levels, the projects would need to be close to one another. Construction of cumulative projects in proximity to the Project Site, including the 333 Ravenswood Avenue project (No. 35) and the 429 University Avenue project (No. 47), could overlap with Project Variant construction. These cumulative projects and the Project Variant could be under construction at the same time and cumulative construction noise impacts would be significant. Because the Project Variant on its own

would result in a significant impact, its contribution would be cumulatively considerable. Although implementation of Mitigation Measures NOI-1.2 and NOI-1.3 would reduce the Project Variant's construction noise impacts, such impacts were determined to be significant and unavoidable. The Project Variant's contribution to cumulative impacts related to construction noise would be cumulatively considerable even with mitigation.

- **Impact CR-1: Historical Resources.** Construction of the Project Variant would cause a substantial adverse change in the significance of four individual historical resources (i.e., Building 100, Building A, Building E, and the Chapel at 201 Ravenswood Avenue) and one historic district, all of which are historical resources, as defined in State CEQA Guidelines Section 15064.5. Implementation of Mitigation Measures CR-1.1 (including CR-1.1.a, CR-1.1.b, CR-1.1.c), CR-1.2, CR-1.3, and CR-1.4 would reduce the potential level of impact on the four individually CRHR-eligible historical resources and the potential impact on the CRHR-eligible SRI International Campus Historic District by requiring documentation and interpretation and/or commemoration of the resources to be demolished and the relocation of a contributing landscape feature of the historic district. However, the demolition of historical resources cannot be mitigated to a less-than-significant level, and impacts on built-environment resources would be significant and unavoidable with mitigation.

1.4 Alternatives

CEQA and the CEQA Guidelines, specifically Section 15126.6, require an EIR to “describe a range of reasonable alternatives to the project, or the location of the project, that would feasibly attain most of the basic objectives of the project but avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives” (CEQA Guidelines Section 15126.6[a]). The range of alternatives required in an EIR is governed by a “rule of reason” that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. CEQA states that an EIR should not consider alternatives “whose effects cannot be ascertained and whose implementation is remote and speculative.”

Proposed Project Alternatives

The four alternatives to the Proposed Project discussed and analyzed in Chapter 6, *Alternatives*, of this EIR are:

- **No-Project Alternative.** The No-Project Alternative would continue the existing uses on SRI International's research campus, which consists of 38 buildings with approximately 1.38 million sf of mostly R&D space and areas for supporting uses. The cogeneration plant, a 6-megawatt natural gas facility that currently generates power for the Project Site, would remain. It is speculative to assume how many workers would actually be employed at the campus under the No-Project Alternative. The environmental analysis therefore relies on the current Conditional Development Permit (CDP) to make assumptions regarding future employment levels. Under the No-Project Alternative, this EIR assumes 3,308 employees would work in the existing buildings on the SRI campus, which is the maximum number of employees allowed under the current CDP if all employees are SRI workers. Therefore, the number of employees that would work at the Project Site would increase by approximately 2,208 compared to existing conditions. Because the current CDP counts non-SRI workers at a 2:1 ratio (meaning that one non-SRI worker counts as two SRI workers), if the campus is partially occupied by SRI workers and non-SRI workers (i.e., tenants), then the potential net increase in the number of employees would be less than 2,208 but would still most likely be higher than under existing conditions. No new construction would occur, and no housing would be provided

at the Project Site. The No-Project Alternative is assumed to include renovations and tenant improvements to the existing buildings, as needed, to ensure modern seismic safety features meet all standards set forth by the California Building Standards Code, address hazards, remediate known hazardous materials, etc.

- **Project Preservation Alternative 1 (Retain Building 100).** Preservation Alternative 1 (Retain Building 100) would retain the existing two-story Building 100, an individually eligible historic resource and historic district contributor, and rehabilitate it for office or support functions, such as visitor functions, conferences, etc. Alterations to interior floor plans may be required for alternative uses, such as amenity space, but no exterior alterations are likely to be required. The other individually eligible Buildings A and E would be demolished, as would all other contributing buildings proposed for demolition under the Proposed Project. All new office and residential buildings included in the Proposed Project would be built as proposed under this alternative. In addition, as under the Proposed Project, the existing onsite cogeneration plant would be decommissioned. In total, approximately 295,736 sf of existing office floor area would remain, compared to approximately 286,730 sf under the Proposed Project. Approximately 1,084,596 sf of gross floor area would be demolished and replaced under this alternative, compared to 1,094,197 sf under the Proposed Project. However, in total, Preservation Alternative 1 would result in the same amount of total office/R&D floor area and the same amount of residential floor area as the Proposed Project.
- **Project Preservation Alternative 2 (Retain Buildings 100, A, and E).** This alternative would retain three individually eligible buildings and historic district contributors: the existing two-story office building (Building 100), the existing two-story office/R&D building (Building A), and the existing three-story office/R&D building (Building E). Under Preservation Alternative 2, Building 100 would be rehabilitated for office or support functions, such as visitor functions and conferences. Alterations to the interior floor plans of Building 100 may be required for use as amenity space, but no exterior alterations are likely to be required. Buildings A and E would be rehabilitated and retained for office/R&D use. Buildings A and E would require substantial upgrades to meet current code requirements; however, even with such upgrades, the buildings are not anticipated to meet market demand for contemporary, state-of-the-art office/R&D facilities in Silicon Valley, given the general floor plan configurations and other existing physical constraints. Under Preservation Alternative 2, all other contributing historic district buildings proposed for demolition under the Proposed Project would be demolished. In addition, as under the Proposed Project, the existing onsite cogeneration plant would be decommissioned. In total, approximately 743,829 sf of existing office floor area would remain, compared to approximately 286,730 sf under the Proposed Project. Approximately 636,503 sf of gross floor area would be demolished and replaced under this alternative, compared to 1,094,197 sf under the Proposed Project. In total, Preservation Alternative 2 would result in the same total amount of office/R&D floor area as the Proposed Project but a decrease of 68,000 sf in residential floor area. Therefore, Preservation Alternative 2 would result in slightly less development than the Proposed Project, with approximately 44 fewer residential units.
- **Project Preservation Alternative 3 (Retain Buildings 100, A, E, and B).** This alternative would retain all three individually eligible buildings as well as historic district contributor Building B. Under Preservation Alternative 3, Building 100 would be rehabilitated for office or support functions such as visitor functions, conferences, etc. Alterations to the interior floor plans of Building 100 may be required for use as amenity space, but no exterior alterations are likely to be required. Buildings A and E would be rehabilitated and retained for office/R&D use. Buildings A, B, and E would require substantial upgrades to meet current code requirements, but even with such upgrades, the buildings are not anticipated to meet market demand for contemporary, state-of-the-art office/R&D facilities in

Silicon Valley, given the general floor plan configurations and other existing physical constraints. Under Preservation Alternative 3, all other contributing historic district buildings proposed for demolition under the Proposed Project would be demolished. In addition, as under the Proposed Project, the existing onsite cogeneration plant would be decommissioned. In total, approximately 878,936 sf of existing office floor area would remain compared with approximately 286,730 sf under the Proposed Project. Approximately 501,393 sf of gross floor area would be demolished and replaced under this alternative, compared with 1,094,197 sf under the Proposed Project. In total, Preservation Alternative 3 would result in the same amount of office/R&D floor area as the Proposed Project but a decrease in residential floor area amounting to 68,000 sf. Therefore, Preservation Alternative 3 would result in slightly less development than the Proposed Project, with approximately 44 fewer residential units.

Project Variant Alternatives

In addition to the alternatives to the Proposed Project, Chapter 6, *Alternatives*, includes a discussion and analysis of alternatives to the Project Variant. Based on the goal of reducing the Project Variant's significant impacts while attempting to meet the basic Project objectives, the city has developed the following three alternatives to the Project Variant for evaluation in this Draft EIR, similar to the alternatives selected for the Proposed Project: Variant Preservation Alternative 1 (Retain Building 100 and the Chapel), Variant Preservation Alternative 2 (Retain Buildings 100, A, and E and the Chapel), and Variant Preservation Alternative 3 (Retain Buildings 100, A, E, and B and the Chapel). In addition, the impacts of the Project Variant are also compared to the No-Project Alternative. It is important to note that these alternatives are similar in concept to those selected for the Proposed Project, as listed above. However, the Project Variant alternatives include slightly altered site plans due to the differences between the Proposed Project and the Project Variant. For the sake of efficiency, and to avoid repetitive text, only the key differences of the Project Variant alternatives are discussed in Chapter 6, *Alternatives*.

Each alternative is compared to the Proposed Project and discussed in terms of its adverse effects on the environment. Analysis of the alternatives focuses on those topics for which significant adverse impacts would result from the Proposed Project and Project Variant. As discussed in Chapter 6, *Alternatives*, Preservation Alternatives 2 and 3 for both the Proposed Project and the Project Variant would retain all four individually eligible resources. Therefore, these alternatives would result in a less-than-significant impact on individually eligible historic resources compared to the significant and unavoidable impacts under the Proposed Project and Project Variant. Because Preservation Alternative 3 would result in slightly less construction than Preservation Alternative 2, slightly fewer construction-related impacts would occur under Preservation Alternative 3. For these reasons, Preservation Alternative 3 would be the environmentally superior alternative for both the Proposed Project and the Project Variant.

1.5 Purpose of This Responses-to-Comments Document

This responses-to-comments document has been prepared to respond to comments received from public agencies and the general public. The Draft EIR for the Proposed Project and Project Variant was circulated for a 45-day public review period, from June 20, 2024, to August 5, 2024. Comments were also received at the Planning Commission hearing on July 22, 2024. This document contains the public

comments received on the Draft EIR, written responses to environmental issues raised in those comments, and changes made to the Draft EIR in response to the comments or changes initiated by city personnel.

The responses-to-comments document provides clarification and further substantiation for the analysis and conclusions presented in the Draft EIR. In addition, the responses correct and remedy minor technical mistakes or errors in the Draft EIR. The purpose of the responses-to-comments document is to address concerns raised about the environmental effects of the Proposed Project and the Project Variant and the process by which the city conducted the CEQA evaluation. Comments that express an opinion about the merits of the Proposed Project, the Project Variant, or the alternatives, rather than raise questions about environmental impacts or mitigation measures and alternatives, the adequacy of the Draft EIR, or compliance with CEQA, are not examined in detail in this document. In addition, this document does not provide a response regarding financial concerns or designs of the Proposed Project or Project Variant that would not have a physical environmental impact. Section 15088 of the CEQA Guidelines stipulates that responses should pertain to major or significant environmental issues raised by commenters. As explained earlier, the previously released Draft EIR and this responses-to-comments document together constitute the Final EIR.

1.6 How to Use This Report

This document, which addresses substantive comments received during the public review period, is organized into the following chapters:

- Chapter 1 – *Introduction*. Reviews the purpose and contents of the responses-to-comments document.
- Chapter 2 – *List of Commenters*. Lists the public agencies, organizations, and individuals who submitted comments on the Draft EIR.
- Chapter 3 – *Responses to Comments*. Contains master responses, each comment letter, and written responses to the individual comments. In Chapter 3, specific comments within each comment letter have been bracketed and enumerated in the margin of the letter. Each commenter has been assigned a discrete comment letter number, as listed in Chapter 2. Responses to each comment follow each comment letter in Chapter 3. For the most part, the responses provide explanatory information or additional discussion of the text contained in the Draft EIR. In some instances, the response refers to refinements or supplements to the text of the Draft EIR for accuracy or clarification, as included in Chapter 4.
- Chapter 4 – *Revisions to the Draft EIR*. Provides a comprehensive listing of the text changes to the Draft EIR that have resulted from responding to comments or city staff-initiated changes. New or revised text is shown with underline for additions and ~~strike-out~~ for deletions.

Chapter 2

List of Commenters

This chapter includes a list of the agencies, organizations, and individuals who commented on the Draft Environmental Impact Report (Draft EIR) (Table 2-1). The comment letters submitted and the responses to each comment are included in Chapter 3, *Responses to Comments*. The comments, which have been numbered, as shown in Table 2-1, include letters, emails, and oral comments from the public hearing. Individual comments within each letter have been numbered in the left margin. The location of the response to each letter is indicated in Table 2-1.

Table 2-1. List of Commenters and Locations of Responses

Letter #	Commenter (Date)	Location of Comment Letter Response in Chapter 3 (page no.)
Agencies		
A1	Tamara Purvis, Department of Toxic Substances Control (7/15/2024)	3-24
A2	Lori Schmitz, State Water Resources Control Board (7/30/2024)	3-26
A3	Yunsheng Luo, California Department of Transportation (8/5/2024)	3-31
A4	George Rodericks, Town of Atherton (8/5/2024)	3-32
A5	Kelly M. Rem, Lozano Smith for Sequoia Union High School District (8/5/2024)	3-38
Organizations		
O1	Amy N. Buckmaster, Chamber San Mateo County (7/18/2024)	3-55
O2	Gita Dev, FAIA, Sierra Club Loma Prieta Chapter, Sustainable Land Use Committee (8/6/2024)	3-56
Individuals		
I1	Cliff Fitzgerald (7/1/2024)	3-59
I2	Clem Molony (7/6/2024)	3-61
I3	Kristen Leep (7/20/2024)	3-62
I4	Nancy Larocca Hedley (7/22/2024)	3-63
I5	Nina Wouk (7/28/2024)	3-64
I6	Mark McBirney (7/31/2024)	3-65
I7	Kevin Rennie (7/8/2024)	3-66
I8	Carole Ebrahimian (7/30/2024)	3-69
I9	Naomi Goodman, MSPH (8/2/2024)	3-71
I10	Maureen Grey (8/2/2024)	3-76
I11	Thomas Hodgins (8/2/2024)	3-77
I12	Nicola Diolaiti (8/4/2024)	3-83
I13	Phillip Bahr (8/5/2024)	3-85
I14	Paul Collacchi (6/22/2024 & 8/5/2024)	3-89
I15	Ann Diederich (8/5/2024)	3-103
I16	Patti Fry (8/5/2024)	3-104

Letter #	Commenter (Date)	Location of Comment Letter
		Response in Chapter 3 (page no.)
I17	Richard Morris, McCandless Management Corp. (8/5/2024)	3-112
I18	Jerome Leugers (7/25/2024)	3-114
Planning Commission Hearing		
PC1	Various Commenters, Planning Commission Hearing (7/22/2024)	3-115
PC2	Ross Silverstein, Planning Commissioner (7/23/2024)	3-124

3.1 Introduction

Comments on the Draft Environmental Impact Report (EIR) and the responses, including master responses, are provided in this chapter. Written comments on the Draft EIR that were provided to the City of Menlo Park (city) by letter or email during the 45-day public comment period between June 20, 2024, and August 5, 2024, and oral comments that were provided during the Planning Commission public hearing on July 22, 2024,¹ are responded to in this chapter. One comment was received within 24 hours after the close of the public comment period. The city has exercised its discretion to respond to that comment in this document (see California Environmental Quality Act [CEQA] Guidelines Section 15088[a]).

Discrete comments from each letter, as well as the hearing transcript, are denoted in the margin of the comment by a vertical line and number. Responses immediately follow each comment letter and are enumerated to correspond with the comment number. For example, Response A2-1 refers to the response for the first comment in Letter A2. Letters from agencies are denoted with an “A,” letters from organizations are denoted with an “O,” and letters from individuals are denoted with an “I.” Comments provided at the Planning Commission public hearing, and in a letter from a member of the Planning Commission, are denoted with a “PC.” The italicized text in the beginning of each response provides a summary of each distinct comment. In addition, revisions made to the Draft EIR in response to certain comments are described in the response to the relevant comment; the complete revisions are provided in Chapter 4 of this document, *Revisions to the Draft EIR*. Chapter 4 includes a complete list of all revisions to the Draft EIR.

In some cases, a response in this chapter may refer to a master response by number and name. These are for comments that were raised repeatedly. Responses are thus presented in a single location and in a comprehensive manner that clarifies and elaborates on the analysis in the Draft EIR. The master responses address the following topics:

- Master Response 1: Project Merits and Non-CEQA Issues
- Master Response 2: Transportation Demand Management Plan Monitoring and Compliance
- Master Response 3: Transportation Impact Analysis Scope
- Master Response 4: Biosafety Level Analysis in CEQA

As discussed in Chapter 1, *Introduction*, of this document, in addition to describing the Proposed Project, the Draft EIR includes a description and evaluation of a variant to the Proposed Project called the Increased Development Variant (Project Variant). The Proposed Project is analyzed in Chapter 3 of the Draft EIR, *Environmental Impact Analysis*, and the Project Variant is analyzed in Chapter 4, *Project Variant Analysis*. Unless a comment specifically states otherwise, the responses assume the comments pertain to both the Proposed Project and the Project Variant. Therefore, references in the responses to the “Proposed Project” should be assumed to also apply to the Project Variant, unless stated otherwise.

¹ The Planning Commission public hearing transcript provided in this chapter includes only the portion of the transcript with comments from the Planning Commission and the public. The Planning Commission public hearing transcript is provided in its entirety in Appendix 1 of this document.

3.2 Master Responses to Comments

Master Response 1: Project Merits and Non-CEQA Issues

CEQA Guidelines Section 15088 requires that a lead agency respond to comments that raise significant environmental issues. CEQA is an environmental protection statute that is concerned with foreseeable physical changes in the environment. As defined in CEQA Guidelines Section 15382, significant effects on the environment are those that result in a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by Parkline (the Proposed Project), including conditions related to land, air, water, mineral resources, flora, fauna, noise, and objects of historic or aesthetic significance.

Many comments address the merits of the Proposed Project or the Project Variant. Many comments also concern issues not addressed under CEQA (i.e., non-CEQA issues), including, but not limited to:

- Project design and aesthetic impacts
- Level-of-service (LOS) analysis and congestion
- Economic or social changes
- Housing needs assessment

Comments that are not related to CEQA impacts or the analysis of the Draft EIR are discussed in more detail below. Reports related to some of these non-CEQA issues have been prepared, including but not limited to, the Housing Needs Assessment (HNA) prepared by Keyser Marston and Associates (KMA),² the Transportation Impact Analysis (TIA, referred to as the Parkline TIA) prepared by Hexagon Transportation Consultants (Hexagon),³ and the Fiscal Impact Analysis (FIA) prepared by Bay Area Economics (BAE).⁴ These reports, prepared by experts in these topics, provide substantial evidence and are available to aid decision-makers as they consider the merits of the Proposed Project.

All reports related to the Proposed Project are on the city's website at <https://menlopark.gov/Parkline>.

Project Merits

Comments pertaining to the Proposed Project's merits do not raise significant environmental issues, do not address the adequacy of the Draft EIR, and do not concern the Proposed Project's compliance with CEQA. Some comments, for example, express support for the Proposed Project, conveying the commenters' belief that it would benefit the community. Other comments express support for the Project Variant over the Proposed Project. Although these comments do not address the analysis in the Draft EIR, they are nevertheless important for the city of Menlo Park to consider; therefore, they are included in the record for consideration by the city's decision-makers before their respective action(s) on the Proposed Project. No additional response is required for these comments.

² Keyser Marston Associates. 2024. *Housing Needs Assessment, Parkline*. April. Available: <https://menlopark.gov/parkline>. The HNA is included in Appendix 3.14-1 of the Draft EIR.

³ Hexagon Transportation Consultants, Inc. 2024. *Parkline Transportation Impact Analysis*. July 11. Available: <https://menlopark.gov/parkline>. The Parkline TIA is included as Appendix 2 of this document.

⁴ Bay Area Economics. 2024. *Fiscal Impact Analysis Report for Parkline Master Plan*. June 19. Available: <https://menlopark.gov/parkline>.

Project Design and Aesthetics

Comments pertaining to the design of the Proposed Project do not raise significant environmental issues, do not address the adequacy of the Draft EIR, and do not concern the Proposed Project's compliance with CEQA. The Draft EIR analyzes whether the Proposed Project as a whole would affect the environment and surrounding areas but does not consider specific design features that would not have a substantial physical impact on the environment. Comments addressing the Project design are better addressed during the architectural control process for the Proposed Project rather than in the EIR. The Proposed Project would undergo the city's architectural control process to ensure that final designs comply with applicable development and design standards, as outlined in the city zoning ordinance and the project-level development permit, such as a conditional development permit (CDP).

Although Project design could have an impact on existing aesthetics and visual resources in the surrounding areas, this is not considered an environmental impact under CEQA for the Proposed Project. As explained on page 3.1-1 of the Draft EIR, Senate Bill (SB) 743 establishes that aesthetics and parking shall not be considered in determining if a project has the potential to result in significant environmental effects, provided the project meets the qualifying criteria established under Public Resources Code (PRC) Section 21099. As further described in Chapter 2, *Project Description*, the Proposed Project meets those criteria; therefore, this EIR does not consider aesthetics or vehicular parking in determining the significance of impacts under CEQA.

Although not required by CEQA, Appendix 3.1-1 of the Draft EIR includes a discussion of the Proposed Project's potential aesthetics and shadow impacts for informational purposes. The memorandum describes the existing aesthetic resources and visual characteristics associated with the Project Site as well as areas in the immediate vicinity. It also describes existing plans and policies relevant to visual resource issues within Menlo Park. The memorandum evaluates the potential effect on visual resources associated with implementation of the Proposed Project, based on a review of photographs, visual simulations, site reconnaissance materials, and Project data. In addition, the memorandum evaluates the Proposed Project's potential to change the visual quality and character of the area and create new sources of light, glare, and shadows. All impacts are also analyzed for the Project Variant, again for informational purposes. Please refer to Appendix 3.1-1 of the Draft EIR for a complete evaluation of aesthetics and shadow changes as a result of the design of the Proposed Project and Project Variant.

Non-CEQA Level of Service Analysis and Congestion

The Parkline TIA is provided on the city's website for the Proposed Project⁵ and included as Appendix 2 of this document. The purpose of the Parkline TIA is to identify any transportation operational issues in accordance with city of Menlo Park standards and procedures. The Parkline TIA includes a CEQA vehicle-miles-traveled (VMT) analysis, multimodal analysis, non-CEQA LOS analysis (or roadway congestion analysis), and onsite access and circulation review to inform local planning efforts per the city's TIA Guidelines. All transportation-related CEQA topics analyzed in the Parkline TIA are also included in Section 3.3, *Transportation*, of the Draft EIR. However, in accordance with SB 743, for purposes of determining potentially significant environmental impacts, the Draft EIR addresses only VMT as the threshold of significance. For information about LOS and traffic congestion analysis, which are not considered topics under CEQA, please refer to the Parkline TIA, which is included as Appendix 2 of this document. In addition, refer to Master Response 3, below, which discusses the scope of the Parkline TIA.

⁵ Hexagon Transportation Consultants, Inc. 2024. *Parkline Transportation Impact Analysis*. Prepared for ICF. July 11. Available: <https://menlopark.gov/parkline>.

Economic or Social Changes

Comments pertaining to economic or social changes alone are not considered significant effects on the environment. As explained on page 1-4 of the Draft EIR, CEQA Guidelines Section 15064(e) provides that economic and social changes resulting from a project shall not be treated as significant effects on the environment (see also CEQA Guidelines Sections 15358[b], 15131, and 15382). As a result, evidence of social or economic impacts that do not contribute to, or are not caused by, physical impacts on the environment do not provide substantial evidence of a significant impact that requires analysis under CEQA. Examples of socioeconomic impacts that are typically not evaluated under CEQA include, but are not limited to, effects on property values, local employment, below-market-rate (BMR) housing, affordable housing, rent prices, displacement, gentrification, environmental justice, and impacts on specific businesses. A social or economic change related to a physical change may, however, be considered in determining whether the physical change is significant (see CEQA Guidelines Section 15382). In these circumstances, the Draft EIR considers the potential environmental impacts.

Other comments focused on public policy issues, community benefits, and fiscal impacts from the Proposed Project. These topics do not require analysis under CEQA, except to the extent that there is substantial evidence to support a finding that they would result in physical environmental effects. However, they may be considered by the Planning Commission and City Council during their deliberations on the merits of the Proposed Project. Fiscal impacts of a proposed project are not issues considered under CEQA. Separate from the CEQA process, an FIA was prepared by BAE and released on June 20, 2024. The FIA provides an analysis of the effects the Proposed Project would have on local expenditures and revenues to estimate the net fiscal impacts that the Proposed Project would generate.⁶

Another socioeconomic issue is the “jobs/housing balance,” which refers to the ratio of the total job count in a jurisdiction and the total household count in the same area. Jobs/housing is an indicator of the extent to which the workforce may have the opportunity to live and work in that same community. As discussed on page 3.14-1 of the Draft EIR, the jobs/housing balance is a socioeconomic issue related to regional planning rather than an issue related to physical impacts on the environment and generally not an applicable concept at the local level, given the distribution of housing and employment throughout the region and the regional nature of the Bay Area’s economy in general. Regardless, the analysis in Section 3.14, *Population and Housing*, of the Draft EIR considers direct and indirect housing market effects and evaluates the Proposed Project against the city’s regional housing needs allocation. A worsening jobs/housing balance may, however, be an indicator of longer commute times, the associated environmental consequences of which, such as impacts related to transportation, air quality, and greenhouse gas (GHG) emissions, are discussed in other sections of the Draft EIR (i.e., Sections 3.3, 3.4, and 3.6). The jobs/housing balance may also form the basis for policies in a city’s general plan. Because an EIR is required to analyze a project’s consistency with the general plan, this topic would require discussion in the Draft EIR if the project would directly conflict with a general plan policy and that conflict could result in a physical effect on the environment. The current Menlo Park General Plan (General Plan) has no policies that require maintaining the jobs/housing balance at a certain level. Therefore, changes in the balance do not conflict with the General Plan and are not discussed in Section 3.2, *Land Use and Planning*, of the Draft EIR.

⁶ Bay Area Economics. 2024. *Fiscal Impact Analysis Report for Parkline Master Plan*. June 19. Available: <https://menlopark.gov/parkline>.

Housing Needs Assessment

The HNA is provided on the city's website for the Proposed Project⁷ and included as Appendix 3.14-1 of the Draft EIR. The purpose of the HNA is to evaluate the need for housing associated with the Proposed Project. The HNA is not a required analysis under CEQA. However, information in the HNA is used in this EIR to provide context for the evaluation of potential impacts of the Proposed Project related to population and housing. Comments pertaining to the CEQA analysis of population and housing (e.g., the analysis in Section 3.14, *Population and Housing*, of the Draft EIR) are responded to directly in Section 3.3, *Responses to Comments*, in this chapter. However, comments specifically pertaining to the HNA do not raise significant environmental issues, do not address the adequacy of the Draft EIR, and do not concern the Proposed Project's compliance with CEQA. Nonetheless, for informational purposes, and recognizing the related policy issues, clarification on the use of the Regional Housing Needs Allocation (RHNA) in the HNA is provided below.

The RHNA process begins at the state level when the California Department of Housing and Community Development determines the total number of housing units that must be built in various regions, including the Bay Area, to meet housing needs, based on demographic trends and housing conditions.⁸ Then the Association of Bay Area Governments distributes to each county, city, and town in the Bay Area its share of the RHNA. Each jurisdiction then updates its general plan's Housing Element to demonstrate how it can meet its share of the RHNA over the next 8-year planning cycle. This process is conducted every 8 years.⁹ The analysis in Section 3.14, *Population and Housing*, of the Draft EIR uses information from the RHNA and provides an analysis of direct and indirect housing demand. A summary of the RHNA is provided on page 3.14-7 of the Draft EIR. The analysis in Section 3.14 of the Draft EIR focuses on an analysis of whether the Proposed Project would induce substantial unplanned population growth. Although enabling the city to meet its RHNA obligation is an objective of the Proposed Project, effects on RHNA obligations, insofar as they are used for planning purposes, are not considered environmental impacts under CEQA. Impacts on RHNA are not physical; CEQA focuses on physical impacts on the environment (see CEQA Guidelines Section 15358[b]). Thus, the physical effects of constructing the housing included in the Proposed Project are evaluated throughout the Draft EIR. Similarly, physical impacts of housing potentially constructed as a result of housing element updates are also evaluated in CEQA documents prepared for the updates. For example, Menlo Park prepared a Subsequent Environmental Impact Report for its 2023–2031 Housing Element Update.¹⁰

The HNA prepared for the Proposed Project analyzes specific housing-related supply-and-demand impacts. As noted in the HNA, the Proposed Project is estimated to result in a 1,014- to 1,656-unit net decrease in regional housing availability under the 100 percent R&D scenario and the 100 percent office scenario, respectively, based on the combined effects of added employment and added housing. This analysis is for informational purposes. It is also very conservative because at least some of the employees who would work for the completed Project would already be employed and/or living in the region. Thus, the HNA makes the conservative assumption that every worker associated with the Project would be a new worker in the San

⁷ Keyser Marston Associates. 2024. *Housing Needs Assessment, Parkline*. April. Available: <https://menlopark.gov/parkline>. The HNA is included in Appendix 3.14-1 of the Draft EIR.

⁸ California Department of Housing and Community Development. 2024. *Regional Housing Needs Allocation (RHNA)*. Available: <https://www.hcd.ca.gov/planning-and-community-development/regional-housing-needs-allocation>. Accessed: August 16, 2024.

⁹ Association of Bay Area Governments. 2024. *RHNA – Regional Housing Needs Allocation*. February 21. Available: <https://abag.ca.gov/our-work/housing/rhna-regional-housing-needs-allocation>. Accessed: August 16, 2024.

¹⁰ City of Menlo Park. n.d. *2023–2031 Housing Element Update*. Available: <https://menlopark.gov/Government/Departments/Community-Development/Planning-Division/Comprehensive-planning/Housing-Element/2023-2031-Housing-Element-Update>. Accessed: August 16, 2024.

Francisco Bay Area who does not already have housing. Housing demand associated with Proposed Project employees is estimated to be dispersed throughout the region, based on data on existing commute patterns, as summarized on HNA page 56. Considering the 550 new housing units added by the Proposed Project in Menlo Park (800 units with the Project Variant) and the share of employee housing demand estimated to occur within Menlo Park, the Proposed Project is estimated to result in a net increase in housing availability in Menlo Park. For the Proposed Project, estimates range from a 110- to a 467-unit increase in available housing in Menlo Park, depending on the use and commute scenario. For the Project Variant, estimates range from a 343- to a 713-unit increase in available housing in Menlo Park. The HNA concludes that the Proposed Project is unlikely to contribute to displacement or materially increase displacement pressures in nearby communities that are vulnerable to displacement because it adds to the supply of market-rate and affordable housing, results in a net increase in available housing in Menlo Park, is in a neighborhood with low risk of displacement, and does not remove any existing housing.

The 550 total units added by the Proposed Project, inclusive of the 168 below-market-rate units, would directly contribute toward meeting the city's RHNA for the 2023 to 2031 cycle if building permits are issued prior to January 2031. Employment resulting from the Proposed Project will not affect Menlo Park's RHNA for the 2023 to 2031 cycle because the city's RHNA was finalized in 2022.¹¹ Effects, if any, on subsequent RHNA allocation cycles from the addition of jobs would depend on the future allocation methodology, given the allocation methodology changes with each RHNA cycle. The allocation methodology for the 2023 to 2031 RHNA incorporates an adjustment factor, based on access to jobs within a 30-minute auto commute and a 45-minute transit commute.¹² Each jurisdiction is assigned a factor of between 0.5 and 1.5, with 1.5 representing the greatest access to jobs. Menlo Park was assigned a factor of 1.45 for access to jobs by auto commute and 0.598 for access to jobs by transit commute. The Proposed Project may or may not have an influence on Menlo Park's standing among Bay Area cities regarding job access within a 30- to 45-minute commute should a similar method be applied to a future RHNA cycle. As discussed above, all housing needs-related CEQA topics analyzed in the HNA are also included in Section 3.14, *Population and Housing*, and Chapter 4, *Project Variant Analysis*, of the Draft EIR. However, meeting the city's RHNA is not discussed in the Draft EIR.

Master Response 2: Transportation Demand Management Plan Monitoring and Compliance

The Proposed Project would include a Project-specific Transportation Demand Management (TDM) plan for both the residential and commercial uses, consistent with City/County Association of Governments (C/CAG) of San Mateo County TDM policy requirements. The TDM plan is included as an appendix to the *Parkline Vehicle Miles Traveled Memorandum*, which is included in Appendix 3.13 of the Draft EIR. As stated on pages 2-29 and 2-30 in Chapter 2, *Project Description*, of the Draft EIR:

Direct access to SamTrans and Menlo Park community shuttle bus stops is available on Middlefield Road and Ravenswood Avenue. The Project Site is served by SamTrans routes 81, 82, 296, and 397 and Menlo Park community shuttle routes M1 and M4. In addition, a significant portion of the Project Site is within 0.5 mile of the downtown Menlo Park Caltrain station. Accordingly, the Proposed Project is considered a Transit Oriented Development (TOD) given the Project Site's proximity to the Menlo Park Caltrain station.

¹¹ Association of Bay Area Governments. 2021. *Final Regional Housing Needs Allocation Plan: San Francisco Bay Area, 2023–2031*, as finalized in 2022.

¹² Ibid.

The Proposed Project would include a project-specific TDM plan¹¹ for both the residential and commercial uses to reduce the total number of vehicle trips associated with the Proposed Project, consistent with C/CAG's TDM policy requirements. For projects of this type, C/CAG requires a 25 percent trip reduction. For mixed-use projects such as the Proposed Project, this 25 percent trip reduction would be applied to the net trip generation after accounting for internalization. The Proposed Project's TDM plan would meet the C/CAG trip reduction requirement, as it would provide for at least a 25 percent trip reduction for the proposed residential uses and at least a 28 percent trip reduction for the proposed office/R&D uses. Overall, the Proposed Project would implement TDM measures that would complement its mixed-use campus land use program as well as its proximity to the downtown Menlo Park Caltrain station and access to SamTrans and Menlo Park community shuttle bus routes. The Proposed Project's TDM plan would be coordinated with the city through the review and entitlement process. Ultimately, it would include a list of TDM features and programs, an estimate of potential trip reductions, and a recommended monitoring program. The specific TDM measures are still preliminary, but it is anticipated that the Proposed Project would include a range of design features (e.g., onsite amenities to reduce trips offsite, carpool parking, long-term bicycle storage, showers and changing rooms) and ongoing operational programs (e.g., a commute assistance center/kiosk information) to achieve TDM mode-shift targets and thereby reduce the number of trips made by office/R&D tenants and residents.

Elements of the TDM plan, including, but not limited to, trip reduction targets, TDM monitoring mechanisms, and TDM compliance mechanism, would be codified as part of the proposed Project approvals. The Proposed Project would be required to conduct annual monitoring to ensure it meets the required standards of TDM effectiveness. The city's typical TDM monitoring process requires developments to submit annual TDM monitoring reports, including annual driveway counts conducted by a third party to confirm that a project is meeting its trip reduction target. It is important to note that TDM plans are dynamic and change over time, based on monitoring of the performance of TDM measures over time. Therefore, it is not feasible to list specific programs at this stage in the process, particularly with the potential for the Proposed Project to have multiple tenants. Therefore, as is typical for TDM plans in Menlo Park and other jurisdictions, the TDM plan will identify a menu of techniques and options to reduce trips, which will be refined and may change over time in order to meet the specified performance standard. Regardless of which design features and operational programs would be included, the city would require, at a minimum, a 28 percent trip reduction for the office/research-and-development (R&D) land use and a 25 percent trip reduction for the residential land use. The trip generation target to be monitored by the TDM plan will be calculated by accounting for the targeted trip reduction percentages after crediting the internalization rates from standard Institute of Transportation Engineers (ITE) trip rates. The trip generation target to be monitored by the TDM plan will be calculated once the square footage split between office and R&D uses is finalized but with no more than 10,206 daily trips, 1,319 trips in the AM peak hour, and 1,270 trips in the PM peak hour. Likewise, if the Project's annual monitoring report shows that the Project is not meeting its trip reduction targets, the city will work with the Project Sponsor to implement additional TDM measures and ensure that performance standards are met. In addition, the TDM plan is anticipated to apply to SRI's existing facilities at Buildings P, S and T, which would further reduce trips. Because the TDM plan is a C/CAG and city requirement, there is no possibility of the Proposed Project or Project Variant operating without being subject to a TDM plan. Therefore, Section 3.3, *Transportation*, of the Draft EIR assumes that the TDM plan would be implemented and considers the VMT impacts with implementation of the required TDM plan. The Draft EIR does not analyze an unrealistic and legally infeasible scenario under which the Proposed Project or Project Variant would operate without a TDM plan.

Master Response 3: Transportation Impact Analysis Scope

The Parkline TIA is provided on the city's website for the Proposed Project¹³ and included as Appendix 2 of this document. The Parkline TIA followed the city's current TIA Guidelines in effect at the time of the release of the notice of preparation (NOP). As stated on page 3.3-16 in Section 3.3, *Transportation*, of the Draft EIR:

The city's TIA Guidelines specify which projects must complete a TIA prior to obtaining approval from the city. The city requires a TIA to be prepared by a qualified consultant, who will be selected by the city and paid for by a project applicant. The TIA Guidelines specify the requirements for the analyses that must be included in a TIA. The TIA Guidelines require analysis of both VMT and LOS transportation metrics independently, using the methodologies approved by the city for all projects, except those meeting established exemption criteria. At the time of this study, the city of Menlo Park is in the process of updating its TIA guidelines. However, the Parkline TIA followed the current TIA guidelines.

As discussed in Master Response 1, the purpose of the Parkline TIA is to identify operational transportation issues in accordance with city of Menlo Park standards and procedures. As stated on pages 3.3-16 through 3.3-17 of the Draft EIR, pursuant to CEQA Section 21099(b)(1), automobile delay, as described solely by LOS or similar measures of vehicular capacity or traffic congestion, shall not be considered a significant impact on the environment under CEQA. The Office of Planning and Research (OPR) identified VMT as the required transportation metric for determining potentially significant environmental impacts. Therefore, the Draft EIR uses the updated thresholds.

Per the city's TIA Guidelines, the Parkline TIA includes both an assessment of VMT impacts, using the current local VMT thresholds included in the updated TIA Guidelines for purposes of determining potentially significant environmental impacts pursuant to CEQA, and a summary of the LOS analysis for an assessment of local congestion for planning purposes. Information on these topics can help decision-makers during the approval process. However, in accordance with SB 743, for purposes of determining potentially significant environmental impacts, the Draft EIR addresses only VMT as the threshold of significance. The non-CEQA transportation impacts, such as the analysis for LOS (roadway congestion) and cut-through traffic, is included in the Parkline TIA. As explained in Master Response 1, comments related to the LOS and cut-through traffic do not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. Nonetheless, further discussion is provided below for informational purposes.

LOS and Congestion Analysis

The Parkline TIA analyzes intersection operations using LOS at 46 study intersections within the city of Menlo Park. The selection of study intersections was based on the city's TIA Guidelines and made in coordination with city staff members. The analysis, which was conducted for the peak AM and PM commute hours, evaluated traffic under existing conditions as well as near-term no-Project, near-term with-Project, cumulative no-Project, and cumulative with-Project conditions. In summary, using the city's adverse effect criteria, the Parkline TIA finds that the Proposed Project would generate adverse effects at nine intersections under the near-term scenario. Under the cumulative scenario, the Proposed Project would generate adverse effects at 14 intersections. Intersection improvements, where feasible, are identified in the Parkline TIA at intersections where the Proposed Project would generate adverse intersection effects. These recommended improvement measures can be considered by decision-makers when evaluating the merits of the Proposed Project. Additional improvements beyond those identified in the Parkline TIA are either infeasible or not desired by the city.

¹³ Hexagon Transportation Consultants, Inc. 2024. *Parkline Transportation Impact Analysis*. Prepared for ICF. July 11. Available: <https://menlopark.gov/parkline>.

Cut-Through Traffic and Traffic Calming

The Parkline TIA includes a detailed evaluation of the assignment of Project-generated traffic, which was based on the proposed driveway locations at the Project Site as well as the driveway control types, turning-movement restrictions, the location of each driveway to the onsite parking garages, and the major routes to each destination, including potential cut-through routes, as listed below (also see Figure 7 in the Parkline TIA for the Proposed Project trip assignment).

- Using Laurel Street/Willow Road to access U.S. 101 and the Bayfront, East Palo Alto, and Palo Alto areas
- Using Ringwood Avenue/Bay Road to access U.S. 101 and the Bayfront and East Palo Alto areas
- Using Laurel Street/Oak Grove Avenue to access Middlefield Road to the north
- Using Laurel Street/Oak Grove Avenue, Laurel Street/Glenwood Avenue, and Laurel Street/Encinal Avenue to access El Camino Real to the north

Although certain traffic-calming measures can discourage cut-through traffic, traffic-calming measures are mostly permanent physical measures that affect not only cut-through traffic but also residents living on the affected streets. On page ix of the Parkline TIA, it is recommended that the Proposed Project signalize the Middlefield Road/Seminary Drive intersection and install splitter islands to prohibit Project traffic from using Seminary Drive as a cut-through route. The Proposed Project's driveways along Ravenswood Avenue would be offset from the residential streets to the north (e.g., Pine Street, Marcussen Drive) so that traffic generated by the Proposed Project would be discouraged from using these streets as cut-through routes. The city of Menlo Park's Slow Streets Program,¹⁴ which succeeds the previous Neighborhood Traffic Management Program, defines the process the city uses to address speeding and traffic volume concerns, including those potentially associated with cut-through traffic. Residents may initiate a request by submitting a Neighborhood Action Request Form, which includes a petition form. Potential measures range from non-restrictive measures, such as additional signage and striping, to more restrictive measures, such as speed humps and movement restrictions. It should be noted that cut-through traffic and traffic calming are not CEQA impacts.

Master Response 4: Biological Research Laboratories and Biosafety Levels

Comments were submitted regarding both the existing and proposed biological research laboratories at the Project Site. Therefore, the following master response addresses comments about these biological research laboratories and the general topic of biosafety levels (BSLs). The existing SRI International facilities in Buildings P and T at the Project Site, which include biological research laboratories, meet all applicable regulatory standards related to biological research laboratories. Buildings P and T would remain onsite and be operated by SRI International. The existing uses in these buildings are part of the environmental baseline. No upgrades to existing laboratory facilities, changes in operation, or installations of fencing in these areas are necessary or proposed as part of the Project. Therefore, comments on these existing SRI International facilities are outside the scope of the environmental review for the Proposed Project.

¹⁴ City of Menlo Park. 2024. *Slow Streets Program*. Available: <https://menlopark.gov/Government/Departments/Public-Works/Transportation-Division/Slow-Streets-Program>. Accessed: October 24, 2024.

As stated on pages 2-17 and 2-18 in Chapter 2, *Project Description*, of the Draft EIR, certain research laboratories associated with R&D/life science uses are categorized as BSLs 1 through 4. But similar to the majority of local jurisdictions in California, the Menlo Park zoning ordinance does not regulate or otherwise restrict laboratory uses based on BSL category. It is anticipated that the Proposed Project would generally accommodate BSL-1 or BSL-2 laboratories, but no tenants have been identified. However, as is the case with all laboratory uses in Menlo Park, current city regulations do not prohibit BSL-3 or BSL-4 laboratories. If BSL-3 laboratories are accommodated by a future tenant, it is anticipated that the size of the laboratory accommodating the BSL-3 research would be small (i.e., several thousand square feet). Furthermore, its use would be temporary in nature because such laboratories are typically commissioned for dedicated research experiments and more expensive to operate. BSL-4 laboratories are less common.¹⁵

To clarify the information in the Draft EIR regarding BSL-4 laboratories, the city has revised Chapter 2, *Project Description*, stating that BSL-4 laboratories would not be included as a potential use at the Project Site because there is no reasonable possibility of a BSL-4 laboratory use operating at the Project Site. The revisions also correct the number of BSL-4 laboratories nationwide and identify the requirements regarding the building design for laboratories; the procedures that are followed in the event of an accidental biohazard release are based on applicable county, state, and federal standards and the requirements regarding preparation of an emergency plan. Although not required to reduce impacts to a less-than-significant level, the city, at its discretion, could also require, as conditions of approval for the Proposed Project, the Project Sponsor to include in the lease agreement for every future tenant of the building a standard clause requiring, prior to commencement of operation of a BSL-3 laboratory, the tenant to inform the city of Menlo Park Planning Division of its intent to operate a BSL-3 laboratory and notifying the tenant of the city's requirement to have the tenant provide the city with documentation for such a laboratory, as identified in the revised text on page 2-17 of the Draft EIR, which continues on page 2-18. Refer to Chapter 4 of this document, *Revisions to the Draft EIR*, for the revised text; these revisions do not alter the findings in the Draft EIR or require recirculation pursuant to CEQA Guidelines Section 15088.5.

The Proposed Project would comply with required federal, state, and local (e.g., San Mateo County) standards, including Title 8 of the California Code of Regulations (CCR), as discussed on page 3.13-15 in Section 3.13, *Hazards and Hazardous Materials*, of the Draft EIR. Furthermore, in accordance with standard industry practice, any R&D tenant who handles qualifying hazardous materials would be required to meet relevant regulations, policies, and guidelines, such as the 2020 Center for Disease Control and Prevention (CDC) *Biosafety in Microbiological and Biomedical Laboratories* (BMBL), sixth edition, and the National Institutes of Health (NIH) *Guidelines for Recombinant DNA Research* (NIH Guidelines).¹⁶ In addition, all new laboratories that use hazardous materials or generate biohazardous waste would be required to obtain a permit for hazardous materials and/or medical waste generation from San Mateo County.

¹⁵ As of September 2023, there were no BSL-4 laboratories in California. There are currently only 13 BSL-4 laboratories nationwide, run primarily by federal agencies or select universities that are funded and overseen by the U.S. government.

¹⁶ The NIH Guidelines are required to be followed when an institution receives federal money from NIH to conduct research; therefore, many private R&D operations, including biopharmaceutical companies in the San Francisco Bay Area, are required to follow the NIH Guidelines as a condition of receiving such funding, either directly or indirectly. When not required by receipt of federal funds, NIH Guidelines are generally followed as standard industry practice. NIH Guidelines available at https://osp.od.nih.gov/wp-content/uploads/NIH_Guidelines.pdf.

When evaluating environmental impacts associated with the BSL of laboratories in a CEQA analysis, it is important to distinguish between issues that are within the purview of CEQA and issues that are not. CEQA Guidelines Section 15088 requires a lead agency to respond to comments on an EIR that raise significant environmental issues. CEQA is an environmental protection statute that is concerned with foreseeable physical changes in the environment. As defined in CEQA Guidelines Section 15382, significant effects on the environment are those that result in a substantial, or potentially substantial, adverse change with respect to the physical conditions within the area affected by a proposed project. CEQA Guidelines Section 15064(d) states that an assessment of the significance of an impact shall be based on the direct physical changes in the environment that would occur as well as the reasonably foreseeable indirect physical changes in the environment that would occur. Per CEQA Guidelines Section 15145, comments regarding unforeseeable, unrealistic, or speculative concerns do not need to be addressed.

Comments related to BSL concerns are discussed in detail below.

Citywide Policy on BSL Regulation

Comments expressed concern regarding the city's zoning policies—specifically, the city's current practice of allowing residential uses in commercially zoned areas where R&D activities are occurring. Several comments encourage the city to consider banning BSL-3 facilities in all residential zones. These comments are a matter of citywide policy and beyond the scope of the environmental review for the Proposed Project. As discussed in the Draft EIR and further discussed below, the Proposed Project would not result in any significant environmental impacts related to biological research laboratories in proximity to residential zones or other sensitive receptors. Therefore, a change in city zoning policy is not required as mitigation for the Proposed Project.

Hazards and Hazardous Materials

Comments expressed concern regarding the presence of biological research laboratories within 0.25 mile of residential uses, asserting that operation of such uses would expose existing and future residences to hazardous materials and conditions. Comments also questioned whether certain regulations referenced in the Draft EIR analysis would apply to private biological research laboratories, which could be accommodated by the Proposed Project.

Potential hazards from the operation of biological research laboratories are considered in Section 3.13, *Hazards and Hazardous Materials*, of the Draft EIR. As stated under Impact HAZ-1 on page 3.13-15 of the Draft EIR, because of the nature of R&D uses (and many other uses involving hazardous materials), the possibility exists for hazards related to the handling of hazardous materials. Regardless of the BSL, the Proposed Project would comply with required federal, state, and local standards. Mandatory compliance with all applicable federal, state and local regulations pertaining to the use, storage, transport, and disposal of hazardous materials would ensure that the Proposed Project would not create a significant hazard for the public or the environment through the routine transport, use, or disposal of hazardous materials during operation. This includes the potential storage of generator fuel. The impact would be less than significant, as stated on page 3.13-16 of the Draft EIR.

To further address concerns related to biohazards, a white paper entitled *Biosafety Management for the Parkline Project in Menlo Park* (Biosafety Management White Paper) was prepared by Harris & Lee Environmental Sciences, LLC, and is included in Appendix 3 of this document.¹⁷ The Biosafety

¹⁷ Harris & Lee Environmental Sciences, LLC. 2024. *Biosafety Management for the Parkline Project in Menlo Park*. August 26.

Management White Paper discusses topics such as the regulatory frameworks for biosafety hazard management, management of animal research concerns, and hazard control through design. The Biosafety Management White Paper, prepared by an expert who has worked in the private biopharmaceutical sector for 25 years, provides substantial evidence and is available to aid decision-makers as they consider BSL concerns related to the Proposed Project.

As discussed in the Biosafety Management White Paper, there is a robust regulatory framework at the federal, state, and local levels for research laboratories that use biological materials. The regulatory framework includes the 2020 CDC BMBL and the NIH Guidelines. The BMBL and the NIH Guidelines establish the standards of practice for exposure control for both workers and the public when it comes to managing biosafety and biosecurity in research operations. Both documents address biohazards and controls for BSLs 1 through 4 (even though there are no BSL 4 labs in California and the Proposed Project would not include BSL-4 labs). The BMBL and the NIH Guidelines were developed, and regularly updated, in collaboration with a broad range of scientists, laboratory directors, occupational physicians, epidemiologists, public health officials, and health and safety professionals to continually address the changing nature of biosafety due to emerging threats and changing research. These documents set forth the work practices related to containment, facility design, program management, oversight, and training that define the standard of accepted practice for biosafety. Office of Environmental Health and Safety professionals and biological safety officers who oversee exposure controls and overall risk management within institutions and companies, both publicly funded and privately owned, use the BMBL and the NIH Guidelines as “go-to” resources for managing biological exposure risk, in conjunction with other workplace regulations, such as those of the Division of Occupational Safety and Health, better known as Cal/OSHA, and local government (typically local departments of health and safety at the county level).

In California, the BMBL is cited for BSL-3 work in laboratories. Biosafety plans are required in accordance with Cal/OSHA bloodborne pathogen (BSL-1 and BSL-2) and airborne transmissible disease (ATD) regulations (BSL-3), respectively, to address engineering controls (e.g., biosafety cabinets [BSCs]), work practices, personal protective equipment requirements, disinfection and decontamination requirements, biohazardous waste management, and risk management procedures in the event of an accidental biohazard release. For BSL-3, the ATD standard requires the establishment of emergency procedures for “uncontrolled releases within the laboratory and untreated releases outside the laboratory facility; these procedures shall include effective means of reporting such incidents to the local health officer.”¹⁸ Use of select agents has an additional legal requirement for an emergency and security plan to be submitted to the federal government for oversight. Actual handling of select agents is covered under the biosafety plans.

San Mateo County, through its hazardous material business plan and hazardous waste generator permit program, requires a facility emergency response plan to be prepared and shared with local fire and police agencies. San Mateo County’s medical waste management plan focuses on proper waste disposal; leak prevention, for both medical waste and biohazardous waste; and decommissioning at labs that move or go out of business. Finally, all companies with 10 or more employees are required by Cal/OSHA (Title 8, Section 3220) to have a written emergency action plan that ensures employee safety with respect to fire and “other emergencies.” Other emergencies would include earthquakes, other natural disasters, and hazard-specific emergencies, including chemical and biohazard spills, leaks, and/or releases. Preparation of an emergency action plan that specifically addresses a biohazardous release would be included in the

¹⁸ The relevant local health officer here would be the health officer of San Mateo County, who is appointed by the County Board of Supervisors. California has 61 legally appointed health officers throughout the state, one from each of the 58 counties and three from individual cities (Berkeley, Long Beach, and Pasadena).

commissioning of any biological research laboratory as part of the review process by the San Mateo County Department of Environmental Health Services. The Department of Environmental Health Services would also be responsible for designating a local health officer for the Proposed Project, typically the county health officer or a delegate selected by the county health officer.

The use of laboratory animals is governed by an interrelated system of federal and state regulations (e.g., animal welfare regulations, 42 United States Code Section 289d), policies, guidelines, and procedures. In animal research facilities in the U.S., the Public Health Service Policy on Humane Care and Use of Laboratory Animals (PHS Policy) provides the regulatory framework for the use of live vertebrate animals in any activity supported or conducted by public health service agencies and U.S. Department of Health and Human Services components or entities that have a memorandum of understanding with NIH;¹⁹ the Guide for the Care and Use of Laboratory Animals is the primary tool used to govern all aspects of animal research, including, among other things, the health and safety of all personnel in the vivarium as well as animals. It is also used to establish emergency and disaster preparedness procedures for both the staff and animals. Animal research oversight at Bay Area institutions, such as large hospitals and universities, as well as private companies, is performed by an internal Institutional Animal Care and Use Committee (IACUC) which is required by federal regulations for most institutions that use animals in research, teaching, and testing.²⁰

Future tenants at the Project Site would have dedicated Environment, Health, and Safety (EH&S) compliance teams in place to work with the onsite staff and reporting and monitoring protocols in place to ensure workplace safety. The EH&S teams would coordinate with the San Mateo County Department of Environmental Health Services to ensure implementation of standard best practices, including those in the 2020 CDC BMBL and the NIH Guidelines.

Comments expressed concern regarding an accidental release of biological agents at the Project Site, including a release involving a heating, ventilation, and air-conditioning (HVAC) system or emergency generator. The accidental release of biological agents, including a release due to the failure of an HVAC system, is not considered a reasonably foreseeable scenario, given the existing federal, state, and local jurisdiction legal requirements and standard industry practices in place to protect the community and environment. In addition, the proposed new buildings would be constructed to the current California Building Code, which would further reduce accidental releases. Per CEQA Guidelines 15064(d), “[i]n evaluating the significance of the environmental effect of a project, the lead agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project.” Notwithstanding, it is noted that, in the event of a complete building failure, including an electrical or HVAC failure, the first line of defense for protecting workers, building occupants, the environment, and the community from exposure are the Primary Barriers (i.e., BSCs) and the Secondary Barriers (i.e., facility design requirements) used for biohazardous work. For higher-risk operations (BSL-3), containment requirements increase with the degree of hazard. In operational mode, BSCs and facility design requirements, which must be consistent with Title 8 or the BMBL, as appropriate, prevent worker exposure and escape of biohazards contained in labs. In the event of an HVAC failure and/or complete electrical failure, backup power from the building’s emergency generator would be available. If the

¹⁹ National Institutes of Health, Office of Laboratory Animal Welfare. 2015. *PHS Policy on Humane Care and Use of Laboratory Animals*. Available: <https://olaw.nih.gov/policies-laws/phs-policy.htm>. Accessed: October 24, 2024.

²⁰ Fish, Richard E. 2004. *How to Work With Your Institutional Animal Care and Use Committee (IACUC)*. Available: <https://ori.hhs.gov/education/products/ncstate/iacuc.htm#:~:text=An%20institutional%20animal%20care%20and,and%20inspection%20of%20animal%20facilities>. Accessed: October 24, 2024.

capacity of the emergency generator is exhausted, or if the generator fails, the lab's Primary and Secondary Barriers would function as passive barriers and keep biohazards inside the building, thereby minimizing the risk of an escape. Barriers are redundant; if one barrier fails (i.e., a BSC failure), the next barrier (i.e., the lab facility) would contain the escaping biohazards and prevent a release into the wider building or community.

Comments also included a common misconception that in-use biohazardous agents can be exhausted directly through the laboratory exhaust system in biological research laboratories. Facility and infrastructure requirements for biological research laboratories provide considerable redundancy to contain biohazards at the source within a lab. As shown in the review of biosafety levels included as Attachment 1 to the Biosafety Management White Paper, beginning at BSL-2, the handling of biohazards is performed in a very controlled manner and inside a Class II BSC. BSCs are designed to protect the worker, the agents being handled, and the larger environment. BSCs capture biohazards at the source. Only clean air from a high-efficiency particulate air (HEPA) filter is exhausted through the exhaust system or, with a lower-level hazard, back to the room. The ventilation requirements increase for BSL-3 laboratories. A mechanical air ventilation system is required that provides a sustained directional airflow by drawing air into the lab from "clean" areas toward potentially contaminated areas (i.e., a negative air cascade). To accommodate this effectively and more efficiently, BSL-3 laboratories have gown-in rooms that are negatively pressured from the laboratory hallway. The main lab area is further negatively pressurized compared to the gown-in room, thereby forming the cascade. The design is such that, under failure conditions, the airflow will not reverse at the containment barrier. A visual monitoring device that confirms directional airflow is provided at the entrance to the gown-in room and inside the gown-in room.

The Biosafety Management White Paper also provides examples of mixed-use projects in the Bay Area that include biological research laboratories in proximity to housing. These include projects in Emeryville and Mission Bay South in San Francisco. The examples demonstrate that mixed-use zoning that includes residential uses and biological laboratories of up to BSL-3 has been safely and successfully implemented in other Bay Area locations. The Mission Bay South EIR²¹ addressed the biosafety hazard directly through mitigation measures that required (1) businesses that handle biohazardous materials, but do not receive federal funding, to certify that they adhere to the CDC BMBL and NIH Guidelines, along with the *Guide for the Care and Use of Laboratory Animals*; (2) businesses that handle biohazardous materials to certify that they use HEPA filters, or substantially equivalent devices, on all exhaust from BSL-3 laboratories; and (3) businesses to certify that they do not handle or use biohazards that require BSL-4 containment.

The first two controls are standard and required in biosafety research lab practice and design in California, respectively; therefore, they would be implemented by the Proposed Project as project design features and/or existing legal requirements. Non-compliance with these controls would result in the loss of funding for any research, directly or indirectly (e.g., working with a partner that receives such funding). In addition, the requirement for enforcement of the CDC BMBL and NIH Guidelines is contingent on working with an ATD, as defined in the CDC BMBL and NIH Guidelines, which is directly cited as the requirement to adhere to in Cal/OSHA ATD regulation (8 CCR 5199[f]). The Cal/OSHA ATD regulation has a specific section for laboratory compliance, in addition to other affected workplaces (e.g., hospitals, clinics, jails). The ATD regulation was formally adopted in California in 2009, making it one of the few states where the BMBL is the primary tool for the state to enforce compliance. In other words, adherence

²¹ City and County of San Francisco Planning Department and San Francisco Redevelopment Agency. 1998. *Mission Bay Subsequent Final Environmental Impact Report*. September 17, 1998. Available: <https://sfocii.org/projects/mission-bay-south/document-library>. Accessed: December 19, 2024.

to the CDC BMBL and NIH Guidelines is required for the Proposed Project to operate as proposed. In addition, local fire and county health departments can also shut down operations in the case of non-conformance with permits issued by those departments for the operation of laboratory uses, meaning that enforcement also occurs locally at the fire and county health department level. Therefore, the Menlo Park Fire Protection District and the San Mateo County Department of Environmental Health Services can shut down operations in the case of non-conformance with a permit.²² The city has revised Chapter 2, *Project Description*, to clarify that the Proposed Project would adhere to the CDC BMBL and NIH Guidelines. Refer to Chapter 4 of this document, *Revisions to the Draft EIR*, for the revised text; these revisions do not alter the findings in the Draft EIR or require recirculation pursuant to CEQA Guidelines Section 15088.5. Regarding the third control, the Proposed Project would not accommodate any BSL-4 laboratories; therefore, such a mitigation measure would not be necessary or applicable.

Although not required to reduce impacts to a less-than-significant level, the city, through the entitlement review process, could also require, as conditions of approval for the Proposed Project, that the Project Sponsor include in the lease agreement for every future tenant of the building a standard clause requiring, prior to commencement of operation of a BSL-3 laboratory, the tenant to inform the city of Menlo Park Planning Division of its intent to operate a BSL-3 laboratory and notifying the tenant of the city's requirement to have the tenant provide the city with documentation for such a laboratory, which could include:

- (1) Third-party certification and commissioning completed by or under the supervision of a qualified Certified Industrial Hygienist (CIH) with demonstrated practice in biosafety, Registered Biosafety Professional (RBP), or Certified Biosafety Professional (CBSP), including confirmation of compliance with relevant regulatory requirements as well as the CDC BMBL and NIH Guidelines (whether or not the lab receives federal funding);
- (2) Adequate mechanical/HVAC equipment capacity to satisfy regulatory requirements and serve the proposed use; and
- (3) Implementation of standard required containment protocols, including primary and secondary barriers appropriate for the biohazard level as the first line of defense in the event of complete building failure (including electrical and/or HVAC failure) and compliance with existing and applicable regulations that require biosafety plans to establish emergency procedures in the event of an accidental biohazard release.

CEQA Guidelines Section 15204(c) states that reviewers should explain the basis for their comments and, whenever possible, submit supporting data or references that offer facts; reasonable assumptions, based on facts; or expert opinion supported by facts. CEQA Guidelines Section 15204(a) directs reviewers to be aware that the adequacy of an EIR is determined in light of what is reasonably feasible, taking into account factors such as the magnitude and geographic scope of the project and the severity of environmental impacts. The commenters do not provide evidence to support the assertion that the accidental release of biological agents would be a reasonably foreseeable scenario.

For the above reasons, the Proposed Project would not result in significant impacts that would require a 0.25-mile separation between BSL-3 laboratories and sensitive receptors, additional noticing, or emergency response team training beyond what is required by the applicable federal, state, and local regulations and guidelines discussed in the Biosafety Management White Paper. The comments related to

²² Correspondence from Patty Beach, Harris and Lee Environmental Sciences, LLC, to Payal Bhagat, contract planner for Menlo Park, dated January 13, 2025.

the presence of biological research laboratories within 0.25 mile of residential uses and potential hazards have been accounted for in the analysis in Section 3.13, *Hazards and Hazardous Materials*, of the Draft EIR. Therefore, these comments do not raise any issues related to impacts that would exceed applicable thresholds of significance. No additional mitigation is necessary, and no revisions to Section 3.13 of the Draft EIR have been made in response to these comments. However, as previously mentioned, through the entitlement review process, conditions related to third-party certification of compliance with local, state, and federal regulations associated with operation of BSL-3 labs, and other notification requirements, could be required.

Laboratory Equipment Assumptions

Comments questioned the EIR's assumptions regarding the specific equipment (e.g., emergency generators, ventilation equipment) that would be required for the Proposed Project, asserting that the specific equipment needed for Project facilities could reflect whether office or R&D uses would be developed. Comments further asserted that, if R&D uses are developed, the specific equipment could be different for different BSLs. The types of equipment associated with the proposed laboratory uses could result in physical impacts on the environment, including impacts related to air quality, GHG emissions, and noise. Impacts specific to each of these topics are addressed in detail below.

This portion of the master response discusses the EIR's general approach to equipment assumptions. The proposed buildings in the office/R&D area would be designed to accommodate either office/R&D uses or life sciences, or a combination of both. Therefore, as described on pages 3-1 and 3-2 in Chapter 3, *Environmental Impact Analysis*, of the Draft EIR, because future tenants in the office/R&D area have not been identified, this EIR evaluates two buildout scenarios: a 100 percent office scenario and a 100 percent R&D scenario. This approach ensures that the EIR evaluates the Proposed Project's maximum potential impact and that any future tenant mix will be within the scope of the EIR analysis. Each impact evaluation in the Draft EIR evaluates the most impactful scenario, or "worst-case" scenario, for the resource area being analyzed. Thus, the EIR prepared for the Proposed Project evaluates the worst-case laboratory uses for the Project Site (i.e., all reasonably foreseeable R&D uses and laboratories, including BSLs, that could occur at the Project Site). The mitigation measures outlined in the EIR would be required of any and all laboratories on the Project Site, regardless of the BSL status at the Project Site. Further, as described above, BSL-3 laboratories are typically small; thus, it is anticipated that the proposed mechanical equipment would be adequate for a small BSL-3 lab without adding mechanical equipment. Although tenants have not been identified, if an application for a larger lab is submitted that may require different or larger equipment, such future laboratory uses would be subject to the city's building permit review process.

To the extent that a future larger lab also includes an emergency generator or uses/stores hazardous materials regulated by the Menlo Park Fire Protection District or the San Mateo County Hazardous Materials Business Plan Program, additional review and permitting by the city of Menlo Park would be required. (San Mateo County Environmental Health and the Menlo Park Fire Protection District do not regulate biological agents through their permitting processes.) The draft proposed zoning is anticipated to require an administrative use permit process regarding emergency diesel generators and a conditional use permit process regarding hazardous materials to the extent required under the local codes (Menlo Park Municipal Code Chapter 16.82). The CDP may alter the review process for the use of hazardous materials to administratively permit the use and storage of hazardous materials. As part of the building permit, administrative permit, or conditional use permit processes, the city would confirm that the proposed laboratory would be consistent with city requirements and within the scope of this EIR.

Comments also expressed concern about the assumed level of operation of the emergency generators in biological research facilities, which could affect the analyses in several sections, including Section 3.4, *Air Quality*; Section 3.6, *Greenhouse Gas Emissions*; and Section 3.7, *Noise*. Comments asserted that the number of hours of generator operation assumed in the Draft EIR do not sufficiently account for power outages or other potential end-uses. The emergency generators proposed at the Project Site are generally intended to meet minimum code requirements for life safety loads. Thus, emergency generators are sized and intended for emergency operation only, including operation during power outages. To analyze emergency generator emissions from life science uses, the *CEQA Air Quality, Greenhouse Gas, and Health Risk Assessment Technical Report, Parkline, Menlo Park, California* (referred to as the Parkline Air Quality Technical Report) was prepared by Ramboll for the Proposed Project.²³ As stated on pages 3.4-24 and 3.4-25 of the Draft EIR, the analysis assumes a maximum of 13 new generators (for a total of 17 emergency generators) operating for 50 hours per year, which is the maximum annual run time permitted by the Bay Area Air Quality Management District (BAAQMD). Because emergency generator testing and maintenance activities could happen on any day of the year, emissions from the emergency generators were modeled as continuous emissions sources (i.e., assuming possible emissions from 24 hours per day, 365 days per year) based on 50 hours per year of operation. Therefore, the analysis accounts for ample additional run time (e.g., run time in the event of a power outage). Furthermore, Ramboll reviewed historical records of emergency generator use at the Project Site, which includes existing biological research laboratories as discussed above, for emergencies as well as testing and maintenance. The number of hours of emergency generator use from 2019 to 2022 at the Project Site was a total of 41.3 hours. The Parkline Air Quality Technical Report analyzes emissions and health impacts from 50 hours of operation per year.

If an application for additional generators is submitted later, this would be reviewed by the city as part of the hazardous materials administrative use permit process discussed above. As part of that process, the city would confirm that the proposed laboratory and additional generator would be consistent with city requirements and within the scope of this EIR. Therefore, the analysis in the Draft EIR does not underestimate the potential environmental impacts related to the use of emergency generators in the context of biological research laboratories.

Comments also asserted that generator operation could be required for other (i.e., non-life-safety) purposes. For example, server farms, laboratories, and other facilities could require additional generator capacity in the future. Should specific end-uses require additional generator operation beyond what was assumed in the Draft EIR, a separate permitting effort would be required to facilitate those operations once specific tenants and specific tenant needs are identified. The city would be required to review the changes and determine whether they are subject to subsequent review under CEQA.

The amount of power required for backup generators depends on the specific use and can vary. However, there is no correlation between generator requirements and specific BSL levels. BSL-3 labs typically make up only a very small percentage of laboratory space within a given facility; they are considered a negligible use from the standpoint of determining backup power requirements. Emergency power requirements are specific to specific tenants; they extend to issues that go beyond a particular lab type. For example, a particular tenant with a BSL-1 lab could have a large number of environmental chambers, requiring additional emergency power. Regardless, the horsepower assumptions included in the analysis in the Draft EIR represent worst-case assumptions. It is possible, but unknown at this time, that generators with lower horsepower could be used.

²³ Ramboll. 2024. *CEQA Air Quality, Greenhouse Gas, and Health Risk Assessment Technical Report, Parkline, Menlo Park, California*. February. The Parkline Air Quality Technical Report is included in Appendix 3.16-1 of the Draft EIR.

Air Pollutant Emissions

Comments expressed concern regarding exhaust emissions from biological research laboratories. The Parkline Air Quality Technical Report, included in Appendix 3.16-1 of the Draft EIR, analyzed the potential for toxic emissions from life science uses associated with the Proposed Project. Specifically, the Parkline Air Quality Technical Report analyzed health risks from emissions of toxic air contaminants (TACs) from laboratory uses. As explained on page 14 of the Parkline Air Quality Technical Report, this analysis assumed implementation of the 100 percent R&D use scenario because it would result in higher emissions than the 100 percent office scenario. This scenario represents a conservative estimate because the Proposed Project would most likely incorporate a mix of office and R&D uses when built out.

As explained on page ES-2 of the Parkline Air Quality Technical Report, the analysis also used reasonably conservative assumptions, including the maximum possible square footage for wet laboratory space and laboratory chemical use similar to that of college laboratories. Furthermore, emissions from existing laboratories that would be removed were not subtracted from the Proposed Project's health risk impact analysis. As further explained on page 16 of the Parkline Air Quality Technical Report, a conservative estimate of emissions was prepared because the chemicals used or types of laboratories that would occupy the buildings are not known at this time. TAC emission factors for laboratory chemicals were adapted from the health risk assessment (HRA) conducted for the EIR of the University of California, Davis 2017 Long-Range Development Plan (LRDP).²⁴ The LRDP provides emission rates for three laboratory types. To be conservative, the lab type with the worst-case health impacts by health endpoint among the three lab types was evaluated and used for the HRA analysis. Total emissions were calculated by assuming operation 24 hours a day, 365 days a year, consistent with the LRDP analysis and, as noted above, using the maximum possible square footage for wet laboratory space. As explained on pages 3.4-38 to 3.4-41 in Section 3.4, *Air Quality*, of the Draft EIR, this conservative analysis resulted in a conclusion that health risk impacts from TAC emissions would be less than significant. As explained on pages 3.4-42 and 3.4-43 of the Draft EIR, the analysis also concluded that cumulative impacts related to operational emissions of TAC would be less than significant.

Based on the above, comments related to equipment needed for biological research laboratories, which could result in air quality impacts, were accounted for in the analysis in Section 3.4, *Air Quality*, of the Draft EIR. Therefore, these comments do not raise any issues related to impacts that would exceed applicable thresholds of significance or alter the conclusions in the Draft EIR. No additional mitigation is necessary, and no revisions to Section 3.4 of the Draft EIR have been made in response to these comments.

Energy Use

Comments expressed concern about energy consumption and the amount of natural gas used in biological research laboratories. As explained on page 3.5-17 in Section 3.5, *Energy*, of the Draft EIR, the analysis of the Proposed Project's impacts related to energy assumed the 100 percent R&D scenario because it would result in greater energy use than the 100 percent office scenario. The analysis of the energy impacts of the Proposed Project in Appendix 3.4-1 relied on energy use estimates prepared by PAE, which, for an R&D land use, used benchmark data for typical wet labs in the Project Site's climate zone. As stated on page 3.5-16 of the Draft EIR, in accordance with Appendix G of the CEQA Guidelines, for purposes of determining potentially significant environmental impacts, the Draft EIR addresses whether the Proposed Project would result in the wasteful, inefficient, or unnecessary consumption of energy resources during construction or

²⁴ Yorke Engineering, LLC. 2018. *Health Risk Assessment for the University of California, Davis 2017 Long-Range Development Plan*. January.

operation. As explained on pages 3.5-19 to 3.5-23 of the Draft EIR, the Proposed Project would implement a number of strategies to reduce energy consumption (e.g., by earning Leadership in Energy and Environmental Design [LEED] and Fitwel certification, complying with the increasingly stringent Title 24 Building Energy Efficiency and Green Building standards, complying with the Menlo Park Municipal Code, and constructing all-electric buildings, consistent with the intent of the city's adopted Reach Code).²⁵ The analysis concluded that the Proposed Project's impacts related to energy use would be less than significant. All new buildings would be all-electric buildings to facilitate the city of Menlo Park's Climate Action Plan, and no natural gas would be used.

As stated on page 2-34 in Chapter 2, *Project Description*, of the Draft EIR, the Proposed Project would establish all-electric energy design throughout the Project Site, with the exception of existing Buildings P, S, and T, which would retain natural gas usage for continued laboratory and R&D purposes. SRI does have limited BSL 3 facilities on its current campus, comprising a very small portion of its overall campus (less than 2,000 square feet of lab space in total and less than 0.005 percent of its total square footage). Those facilities were commissioned to conduct research under a contract with NIH, a federal agency, and have been on the campus for 20 years with no incidents of accidental releases or other issues. All operations have been in compliance with federal, state and local regulations, and the facilities have consistently passed all required inspections. The Proposed Project would not include natural gas plumbing. New laboratories can be all electric and function without natural gas by using different types of equipment (e.g., electrical air-source heat pumps instead of gas-fired boilers). However, existing laboratories, such as those within Buildings P and T, would require an evaluation of their electrical infrastructure and equipment needs to be converted to all electric. As explained above, existing laboratories in Buildings P and T are not part of the Proposed Project; these currently are, and will continue to be, operated by SRI International. The labs would continue to use gas-fueled equipment. They are part of the environmental baseline in the vicinity of the Proposed Project but, otherwise, are not relevant to the analysis of the Proposed Project's environmental impacts under CEQA.

Based on the above, comments related to equipment needed for biological research laboratories, which could result in energy impacts, were accounted for in the analysis in Section 3.5, *Energy*, of the Draft EIR. Therefore, these comments do not raise any issues related to impacts that would exceed applicable thresholds of significance or alter the conclusions in the Draft EIR. No additional mitigation is necessary, and no revisions to Section 3.5 of the Draft EIR have been made in response to these comments.

Sustainability and Climate Change

Comments expressed concern regarding the sustainability of biological research laboratories. With respect to impacts related to climate change and GHG emissions, as explained on page 3.6-17 in Section 3.6, *Greenhouse Gas Emissions*, of the Draft EIR, the analysis of the Proposed Project's operational impacts assumed implementation of the 100 percent R&D scenario, which would result in an overall greater amount of GHG emissions than the 100 percent office scenario. As explained on page 3.6-21 of the Draft EIR, the analysis concluded that GHG emissions impacts related to Project operations would be less than significant because the Proposed Project would not support the use of natural gas in new buildings. However, the Proposed Project would result in a reduction in energy usage compared to existing conditions; include electric-vehicle (EV) charging infrastructure, in compliance with the Menlo Park

²⁵ In March 2024, the California Restaurant Association and the city of Berkeley entered into a settlement agreement, halting enforcement of the city of Berkeley's ban on natural gas piping as the City Council takes steps to repeal the ordinance in compliance with the Ninth Circuit ruling. As a result of the *California Restaurant Association v City of Berkeley* ruling, enforcement of the city of Menlo Park's Reach Code has been paused.

Municipal Code; and include a Project-specific TDM Plan to reduce the total number of vehicle trips associated with the Proposed Project by at least 28 percent for the proposed office/R&D uses, consistent with C/CAG TDM policy requirements. Furthermore, as explained on pages 2-34 and 2-35 of the Draft EIR, under the Proposed Project, nearly all outdated and energy-inefficient buildings within the Project Site would be replaced with buildings and related improvements that reflect the latest sustainability requirements, including the intent of the city's adopted Reach Code and green building program; the California Green Building Standards Code, known as CALGreen; and the new renewable energy mandates under California Title 24. The Proposed Project would also remove an existing cogeneration plant and establish an all-electric energy design throughout the Project Site, with the exception of Buildings P and T, which would retain natural gas usage for continued laboratory and R&D purposes.

As further explained on pages 2-34 and 2-35 in Chapter 2, *Project Description*, of the Draft EIR, the Proposed Project would incorporate numerous sustainability practices and features, including construction waste diversion, replacement of existing inefficient buildings, LEED certification, an all-electric design for new buildings, solar energy, EV parking, a building design approach that targets reduced carbon emissions, water use management, stormwater recapture and drought-tolerant landscaping, and Fitwel certification. These sustainability practices and features would minimize both construction and operational carbon emissions, thereby reducing GHG emissions to a level of less than significant.

Based on the above, comments related to equipment needed for biological research laboratories, which could result in GHG emissions, were accounted for in the analysis in Section 3.6, *Greenhouse Gas Emissions*, of the Draft EIR. Therefore, these comments do not raise any issues related to impacts that would exceed applicable thresholds of significance. No additional mitigation is necessary, and no revisions to Section 3.6 of the Draft EIR have been made in response to these comments.

Noise

Comments expressed concern about the noise associated with biological research laboratories. To analyze impacts related to noise, the *Parkline – Noise Technical Memorandum* was prepared for the Proposed Project by ICF.²⁶ The mechanical equipment cut sheets used in the memorandum, including its analysis of R&D land uses, assumed the presence of a ventilation program appropriate for laboratory uses. As explained on page 3.7-34 in Section 3.7, *Noise*, of the Draft EIR, the roof-mounted mechanical and electrical equipment would be enclosed within exterior metal walls that would generally be the same height as the tallest piece of equipment. Based on the anticipated equipment to be used, exhaust fans would generate noise levels in the range of 68 to 78 A-weighted decibels (dBA) at 50 feet, with the hazardous-exhaust fan generating the loudest noise level (78 dBA at 500 feet).

Noise is regulated by Chapter 8.06 of the Menlo Park Municipal Code, which limits daytime noise levels to 60 dBA and nighttime noise levels to 50 dBA, as measured from any residential property. Noise levels from rooftop equipment are limited to 50 dBA at 50 feet, per Chapter 16.08 of the Menlo Park Municipal Code. As explained on page 3.7-35 of the Draft EIR, a condition of approval for the Proposed Project would ensure that noise from mechanical equipment would be in compliance with Chapters 8.06 and 16.08 of the Menlo Park Municipal Code. The Project Sponsor would be required to provide evidence to the city, upon request, that the equipment on the site is in compliance with Menlo Park Municipal Code noise limits. The Draft EIR identified various additional design features for the equipment that may be needed to

²⁶ ICF. 2024. *Parkline – Noise Technical Memorandum*. June 13. The *Parkline – Noise Technical Memorandum* is included in Appendix 3.7-1 of the Draft EIR.

ensure such compliance, such as screens, barriers, or other measures to reduce equipment noise. Such features could feasibly reduce noise levels from equipment to comply with the noise limits, especially when accounting for shielding from walls and buildings as well as ground attenuation. Accordingly, operational noise impacts related to mechanical equipment would be less than significant, and no mitigation is required.

Some comments question the delivery and pickup hours associated biological research laboratories. It is unknown when deliveries would occur during operation of the Proposed Project because the future tenants, as well as their operational needs, have not yet been identified. As explained on page 2-25 of the Draft EIR, the loading areas would be visually screened from the loop road to the extent feasible with the use of exterior walls and landscaping. Such screening would also reduce noise levels at sensitive receptors. Section 3.7, *Noise*, of the Draft EIR does not identify any significant noise impacts related to loading and delivery operations that would require mitigation under CEQA.

The comments related to equipment needed for biological research laboratories, which could result in noise impacts, have been accounted for in the analysis in Section 3.7, *Noise*, of the Draft EIR. Therefore, these comments do not raise any issues related to impacts that would exceed applicable thresholds of significance. No additional mitigation is necessary, and no revisions to Section 3.7 of the Draft EIR have been made in response to these comments.

Utilities and Service Systems

Comments expressed concern about the water demand associated with biological research laboratories. As explained on pages 3.16-28 to 3.16-36 in Section 3.16, *Utilities and Service Systems*, of the Draft EIR, a Water Supply Assessment (WSA) was prepared by West Yost and Associates for the Proposed Project.²⁷ Potential tenants at the Project Site are currently unknown. Therefore, in the absence of specific information about a tenant's uses, water consumption was estimated from multiple sources. As explained in Table 3.16-1 on pages 3.16-21 and 3.16-22 of the Draft EIR, the analysis assumed the 100 percent R&D scenario because it would have greater water demand than the 100 percent office scenario. Thus, the analysis assumed that the maximum buildout, approximately 1,093,602 square feet of office/R&D uses, would all be R&D uses, which were analyzed as typical biological laboratory uses. This is conservative because, even in R&D buildings, laboratories usually occupy only a portion of the floor area of the building (with the non-laboratory spaces, such as lobbies, break-out rooms, conference rooms, office space, etc., occupying the rest of the floor area). For the R&D buildings, the Labs 21 Laboratory Benchmarking Tool was used; 20 gallons per minute, which accounts for typical biological research laboratory uses, was assumed for each commercial building. As explained in the Draft EIR, supply shortfalls are projected to occur in dry years for all agencies that receive water from the San Francisco Public Utilities Commission (SFPUC). If supply shortfalls do occur, Menlo Park Municipal Water (MPMW) expects to implement water demand reductions and other actions, as specified in its Water Shortage Contingency Plan (WSCP). Therefore, the Draft EIR concludes that adequate water supplies would be available to serve the Proposed Project and reasonably foreseeable future development, and impacts related to water supply would be less than significant.

As explained on pages 4-12 and 4-13 in Chapter 4, *Project Variant Analysis*, of the Draft EIR, the Project Variant would increase the city's emergency water supply by including an approximately 2- to 3-million-gallon emergency water reservoir that would be buried below grade in the northeast area of the Project Site. This

²⁷ West Yost and Associates. 2024. *Parkline Water Supply Assessment*. April. The WSA is included in Appendix 3.16-1 of the Draft EIR.

system would include a small pump station, an emergency well, and related improvements (e.g., emergency generator, disinfection system, surge tank) that would be built at or below grade (referred to as the “reservoir” throughout the Draft EIR). The emergency water reservoir, which would be built and operated by the city of Menlo Park, was identified as a needed citywide improvement in MPMW’s 2018 Water System Master Plan. If used, the new emergency well would be required to produce a potable water supply consistent with the standards established by the State Water Resources Control Board, Division of Drinking Water. The reservoir would provide a local backup source of potable water as well as water for firefighting. As further explained on page 4-12 of the Draft EIR, the new emergency well would be used as a standby well for municipal water in case SFPUC deliveries are reduced, interrupted, or unavailable. In addition, as further explained in the Draft EIR on page 4-75, at a pumping rate of 1,500 gallons per minute (gpm), the total quantity of groundwater pumped over a 30-day period would be less than the conservative recharge rate of 5,000 acre-feet per year, which is well below estimated sustainable yields for other area wells. For these reasons, there would be less-than-significant impacts related to emergency water needs or the residential water supply during water shortage periods.

Comments also expressed concern about the disposal of solid waste associated with biological research laboratories. As explained on pages 3.16-38 and 3.16-39 of the Draft EIR, operation of the Proposed Project would have less-than-significant impacts on existing landfills and solid waste facilities; it would also have less-than-significant impacts with respect to compliance with federal, state, and local statutes and regulations related to solid waste. No mitigation would be required. The Proposed Project would be required to adhere to the applicable zero-waste management plan requirements during operation. The applicable zero-waste management requirements would be identified through the entitlement process (e.g. zoning and CDP) and implemented during the construction and operational phases of the Proposed Project. Furthermore, as explained on page 3.16-41 of the Draft EIR, the Proposed Project in combination with other past, present, and reasonably foreseeable future projects would not result in a significant cumulative impact associated with solid waste.

The comments related to utilities usage and solid waste generation as a result of biological research laboratories, which could result in utilities impacts, have been accounted for in the analysis in Section 3.16, *Utilities and Service Systems*, of the Draft EIR. Therefore, these comments do not raise any issues related to impacts that would exceed applicable thresholds of significance. No additional mitigation is necessary, and no revisions to Section 3.16 of the Draft EIR have been made in response to these comments.

Land Use Compatibility

Comments expressed concern regarding the consistency of biological research laboratories with other land uses in the vicinity of the Project Site. As stated in the discussion of the Proposed Project’s consistency with General Plan Policy LU-2.3 on page 3.2-12 in Section 3.2, *Land Use and Planning*, of the Draft EIR, the Proposed Project would not result in incompatible uses related to traffic, parking, dust, odors, or the transport and use of potentially hazardous materials, as addressed in Section 3.3, *Transportation*; Section 3.4, *Air Quality*; Section 3.7, *Noise*; and Section 3.13, *Hazards and Hazardous Materials*. As discussed above, comments regarding citywide zoning policy for biological research laboratories are beyond the scope of the environmental review for the Proposed Project. However, as discussed in the white paper, it is not uncommon for laboratory uses and residential uses to be located in proximity to one another, as is the case in Emeryville and San Francisco’s Mission Bay area.

Building Heights and Lighting

Comments expressed concern regarding the building height and lighting associated with biological research laboratories. As discussed in more detail in Master Response 1, aesthetic impacts, including building height and lighting, are not considered significant impacts for mixed-use residential projects on an infill site in a transit priority area, per SB 743 (see PRC Section 21099[d]). Regardless, Appendix 3.1-1 of the Draft EIR includes a discussion of the Proposed Project's potential aesthetic, lighting, and shadow impacts for informational purposes. The Proposed Project would not result in incompatible uses related to light spillover. Lighting would comply with CALGreen and city lighting guidelines and requirements. All fixtures would be energy efficient and designed to reduce glare and unnecessary light spillage. Refer to Master Response 1 and Appendix 3.11 of the Draft EIR for more details.

3.3 Responses to Comments

As discussed in Section 1.2, *Project Description*, in Chapter 1, *Introduction*, of this document, in addition to describing the Proposed Project, the Draft EIR includes a description and evaluation of a variant to the Proposed Project called the Increased Development Variant (Project Variant). Unless a comment specifically states otherwise, the responses assume the comments pertain to the Proposed Project as well as the Project Variant. Therefore, references in the responses to the "Proposed Project" should be assumed to also apply to the Project Variant, unless stated otherwise.

Comment letters and responses begin on the following page.

Letter A1

From: [CEQARReview](#)
To: [Sandmeier, Corinna D](#)
Cc: [Kereazis, Dave@DTSC](#); [Wiley, Scott@DTSC](#); [Hughes, Marikka@DTSC](#)
Subject: DTSC Comments-Parkline Project
Date: Monday, July 15, 2024 12:58:52 PM
Attachments: [DTSC Comments - Parkline Project.pdf](#)

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Good Afternoon Corinna,

The Department of Toxic Substances Control would like to thank you for the opportunity to review the DEIR for the [Parkline Project](#). Attached are DTSC's comments for consideration.

Thank You,



CEQA Unit
HWMP-Permitting
Department of Toxic Substances
Control
California Environmental Protection
Agency
CEQARReview@dtsc.ca.gov



Meredith Williams, Ph.D.
Director
8800 Cal Center Drive
Sacramento, California 95826-3200

Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

July 15, 2024

Corinna Sandmeier
Principal Planner
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025
cdsandmeier@menlopark.gov

RE: DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE PARKLINE PROJECT
DATED JUNE 20, 2024, STATE CLEARINGHOUSE NUMBER [2022120058](#)

Dear Corinna Sandmeier,

The Department of Toxic Substances Control (DTSC) received a Draft Environmental Impact Report (DEIR) for the Parkline Project (Project). The Project would redevelop Stanford Research Institute (SRI) International's existing 63.2-acre research campus adjacent to city hall and near Menlo Park's downtown and Caltrain station. The Project would include a new office/research and development (R&D) campus with no increase in office/R&D square footage; up to 550 new dwelling units comprised of 450 units and a proposed land dedication to an affordable housing developer that could accommodate up to 100 affordable units; new bicycle and pedestrian connections; approximately 26.4 acres of the Project site to be available as open space; removal of approximately 708 existing trees, including 198 heritage trees, and planting of approximately 873 new trees; and decommissioning of a 6 megawatt natural gas cogeneration energy plant. In total, the Project would result in approximately 1,768,802 square feet (sf) of mixed-use

Corinna Sandmeier

July 15, 2024

Page 2

A1-1
cont.

development, with approximately 1.38 million total sf of office/R&D uses and approximately 675,200 sf of residential uses. The Project would demolish 35 of 38 existing SRI buildings, excluding Buildings P, S, and T. The DEIR also includes a description and evaluation of a variant of the Proposed Project, called the “Increased Development Variant” (Project Variant). The Project Variant is a variation of the Proposed Project at the same Project Site (although the Project Site would be slightly expanded to include 201 Ravenswood Avenue). The Project Variant would include up to 250 additional residential units (800 units total) and a 2- to 3-million-gallon emergency water reservoir that would be buried below grade in the northeast area of the Project site, in addition to a small pump station, an emergency well, and related improvements that would be built at grade (i.e., emergency generator, disinfection system, surge tank). After reviewing the Project, DTSC recommends and requests consideration of the following comments:

A1-2

1. If buildings or other structures are to be demolished on any Project sites included in the proposed Project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition, and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with [DTSC's Preliminary Endangerment Assessment \(PEA\) Guidance Manual](#).

A1-3

2. DTSC recommends that all imported soil and fill material should be tested to assess any contaminants of concern meet screening levels as outlined in the [PEA Guidance Manual](#). Additionally, DTSC advises referencing the [DTSC Information Advisory Clean Imported Fill Material Fact Sheet](#) if importing fill is necessary. To minimize the possibility of introducing contaminated soil and fill material there should be documentation of the origins of the soil or fill material and, if applicable, sampling be conducted to ensure that the imported soil and fill material are suitable for the intended land use. The soil sampling should

Corinna Sandmeier

July 15, 2024

Page 3

A1-3
cont.

include analysis based on the source of the fill and knowledge of the prior land use. Additional information can be found by visiting [DTSC's Human and Ecological Risk Office \(HERO\) webpage](#).

A1-4

3. Based on the findings of the different environmental investigations at the site, it is recommended that a soil and groundwater management plan is developed for managing and identifying potentially contaminated soil and groundwater. Furthermore, while the detections of per- and polyfluoroalkyl substances in groundwater do not exceed the Federal Maximum Contaminant Levels, their presence in groundwater indicates a past release that should be investigated.

DTSC appreciates the opportunity to comment on the DEIR for the Parkline Project. Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like any clarification on DTSC's comments, please respond to this letter or via [email](#) for additional guidance.

Sincerely,

Tamara Purvis

Tamara Purvis

Associate Environmental Planner

HWMP - Permitting Division – CEQA Unit

Department of Toxic Substances Control

Tamara.Purvis@dtsc.ca.gov

Corinna Sandmeier

July 15, 2024

Page 4

cc: (via email)

Governor's Office of Planning and

Research State Clearinghouse

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A1. Response to Comment A1—Tamara Purvis, Department of Toxic Substances Control

- A1-1 *The commenter summarizes the Proposed Project as introductory text to the letter.* The commenter accurately describes the Proposed Project. This comment is introductory material to the comment letter and does not raise any issues with the Draft EIR; therefore, no additional response is required.
- A1-2 *The commenter notes that, if buildings are to be demolished at the Project Site, surveys should be conducted for hazardous materials and the removal of the materials should be conducted in compliance with existing regulations and policies.* As discussed on page 3.13-6 of the Draft EIR, a Limited Hazardous Materials Survey was conducted in March 2021 for the Project Site. The purpose of this survey was to determine the presence of asbestos-containing materials (ACMs), lead-containing materials (LCMs), and polychlorinated biphenyls (PCBs) within select existing buildings onsite. The Limited Hazardous Materials Survey identified ACMs, LCMs, and PCBs in a portion of the structures surveyed and noted that additional sampling would be required at renovation/demolition locations that were not surveyed. All surveying and sampling associated with these investigations would be conducted with adherence to applicable oversight agency guidance. To address potential risks associated with an accidental release of hazardous materials from affected media onsite, the Proposed Project would be required to incorporate the recommendations described in the technical reports prepared for the Proposed Project. In addition, implementation of Mitigation Measure HAZ-2.3 (see Draft EIR page 3.13-19) would require a Hazardous Building Materials Survey to be conducted prior to the start of construction. This mitigation measure includes actions to reduce impacts to less than significant, including proper removal of these materials in compliance with existing regulations and policies. Any sampling near current and/or former buildings at the Project Site would be conducted in accordance with the California Department of Toxic Substances Control (DTSC) Preliminary Endangerment Assessment (PEA) Guidance Manual, as suggested by the commenter.
- A1-3 *The commenter recommends that all soil and fill material imported to the Project Site be tested, consistent with the PEA Guidance Manual.* Mitigation Measure HAZ-2.1 (page 3.13-18 of the Draft EIR) would require the preparation and implementation of an Environmental Site Management Plan (ESMP), with review and approval by the appropriate regulatory agency prior to issuance of building permits and commencement of construction. The ESMP is required to include measures for identifying, testing, and managing soil and groundwater suspected of or known to contain hazardous materials. The ESMP must 1) provide procedures for evaluating, handling, storing, testing, and disposing of soil and groundwater during Project excavation and dewatering activities, respectively; 2) describe required worker health and safety provisions for all workers potentially exposed to hazardous materials, in accordance with state and federal worker safety regulations; and 3) designate personnel responsible for implementation of the ESMP. With respect to imported soil, soil analytics will be performed on all imported soil and fill to ensure the material is in compliance with state and local codes, regulations, and guidance, including the PEA Guidance Manual, as described in Response A1-2, above. The city has revised Mitigation Measure HAZ-2.1 to clarify the measures in the ESMP. Refer to Chapter 4 of this document, *Revisions to the Draft EIR*, for the revised text; these revisions do not alter the findings in the Draft EIR or require recirculation pursuant to CEQA Guidelines Section 15088.5.

A1-4 *The commenter recommends that a soil and groundwater management plan be developed for managing and identifying potentially contaminated soil and groundwater.* As described in Response A1-3, above, Mitigation Measure HAZ-2.1 (page 3.13-18 of the Draft EIR) requires preparation and implementation of an ESMP. The ESMP shall include measures for identifying, testing, and managing soil and groundwater suspected of or known to contain hazardous materials. Mitigation Measure HAZ-2.2 (page 3.13--19 of the Draft EIR) would require groundwater to be monitored and sampled to ensure adequate treatment and disposal and address potential risks associated with contamination encountered during dewatering; proper abatement procedures would be implemented for buildings and structures that have known hazardous building materials and would be demolished as part of the Proposed Project. In addition, implementation of Mitigation Measure HAZ-2.4 (page 3.13-20 of the Draft EIR) would require an additional soil vapor investigation in areas designated for residential use to address the potential soil vapor intrusion risk associated with the Proposed Project. Soil and groundwater would be sampled for all potential hazardous contaminants, including per- and polyfluoroalkyl substances (PFAS). The Proposed Project would adhere to all existing regulations, policies, and mitigation measures outlined in Section 3.13, *Hazards and Hazardous Materials*, of the Draft EIR.

Letter A2

From: Schmitz, Lori@Waterboards
To: Sandmeier, Corinna D
Cc: Pierce, Wendy@Waterboards; [OPR State Clearinghouse](#); Tsang, Van@Waterboards; Katz, David@Waterboards
Subject: City of Menlo Park, Parkline Master Plan SWRCB Comment Letter, SCH 2022120058
Date: Tuesday, July 30, 2024 5:08:33 PM
Attachments: [Final_Parkline_SWRCB_Comment_Letter.pdf](#)

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Corinna,

Attached is the State Water Resources Control Board Comment Letter for the City of Menlo Park, Parkline Master Plan SWRCB Comment Letter, SCH 2022120058.

Thanks!

Lori Schmitz

Lori Schmitz
State Water Resources Control Board
Division of Financial Assistance
Special Project Review Unit
Lori.Schmitz@waterboards.ca.gov



State Water Resources Control Board

July 30, 2024

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

MENLO PARK (CITY), ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE
PARKLINE PROJECT (PROJECT); STATE CLEARINGHOUSE #2022120058

Dear Corinna Sandmeier:

A2-1 | Thank you for the opportunity to review the EIR for the proposed Project. The State Water Resources Control Board, Division of Drinking Water (State Water Board, DDW) is responsible for issuing water supply permits pursuant to the Safe Drinking Water Act. This Project is within the jurisdiction of the State Water Board, DDW's Santa Clara District. DDW Santa Clara District issues domestic water supply permit amendments to the public water systems serviced with a new or modified source of domestic water supply or new domestic water system components pursuant to Waterworks Standards (California Code of Regulations, title 22, chapter 16 et. seq.). A public water system requires a new water supply permit amendment when changes are made to a domestic water supply source, storage, or treatment and for the operation of new water system components- as specified in the Waterworks Standards. The City may need to apply for a water supply permit amendment for this Project.

The State Water Board, DDW, as a responsible agency under the California Environmental Quality Act (CEQA), has the following comments on the City's EIR:

- A2-2 |
- The City may add a new well and tank to their existing drinking water system. Under section "2.7 Proposed Project Approvals and Analyses", subsection "Reviews/Approvals by Responsible and Other Agencies" (PDF page 116), please include "State Water Resources Control Board, Division of Drinking Water" and "A water supply permit amendment would be required to add an emergency well and 3-million-gallon emergency water reservoir to the City's current drinking water system."
- A2-3 |
- The EIR references the California Department of Health Services in relation to establishing Maximum Contaminant Levels (MCLs) (PDF page 439). Authority to regulate public water systems and establish MCLs changed from the California Department of Health Services (CDHS) to the California Department of Public Health (CDPH) when CDHS was reorganized in 2007 and then the program

E. JOAQUIN ESQUIVEL, CHAIR | ERIC OPPENHEIMER, EXECUTIVE DIRECTOR

A2-3 cont.	transferred from CDPH to the State Water Resources Control Board on July 1, 2014. Please update the document to reflect the State Water Resources Control Board as the agency that regulates MCLs in California.
A2-4	• The document states chloroform and per- and polyfluoroalkyl substances are above the California Drinking Water Notification Levels at some monitoring locations within the Project site (PDF page 440). Please discuss the anticipated water quality of the new well and if wellhead treatment may be required. If wellhead treatment is likely, please discuss the treatment options that may be installed, their operation and maintenance, and potential environmental impacts, as needed.
A2-5	• If the Project and Bay Delta Plan Amendment is implemented there will be significant water supply shortfalls in dry years (PDF page 563). If the Project and Bay Delta Plan Amendment is not implemented shortfalls are still expected in dry years (PDF Page 563). Please explain how the dry year and multiple dry year shortfalls in Table 3.16-5 and Table 3.16-6 will be met, based on the best available information, including but not limited to: - o How much water, on average, will the Water Shortage Contingency Plan conserve over the dry year? - o How much water will the emergency well be able to provide in dry years? ▪ The EIR determined 30 days of pumping would not have a significant effect on the groundwater basin (PDF page 648). Please state how long the well would need to be pumped to have a significant impact on groundwater levels. Please also indicate how long an average drought period would be expected to occur, based on how long historic drought periods have lasted. Can the well provide enough water to cover the deficit over a/multiple dry year(s)? - o How much water and what other sources will be used, as needed, to meet the deficit over the dry year(s)?
A2-6	
A2-7	
A2-8	• The EIR states “However, no waters of the state or riparian habitats regulated by the RWQCB are present on the Project site; therefore, waste discharge requirements from the RWQCB are not required (PDF page 394).” Please remove this erroneous statement. Waste discharge requirements do not depend upon waters of the state or riparian habitats being on the Project site. Waste discharge permits are required as part of the Project and further discussed in the document (PDF page 452, PDF page 482, and PDF page 644).
A2-9	• The EIR states “State Water Resources Control Board Division of Drinking Water – The State will need to review and approve the proposed well location prior to considering and granting approval to drill the proposed well (PDF page 584).” The EIR also identifies “Water Supply Permit per Article 7 of the California State Drinking Water Act for drilling of a well to be used for potable water supply in the event water from SFPUC is reduced, interrupted, or unavailable.” The State Water Board approves the well location and the operation of the well as part of a public water system but does not grant the approval to drill. Drilling permits are issued by counties. Please update these statements to reflect this.

A2-10

- A water supply well, irrigation well, and artesian well are located on the site (PDF page 466). Please discuss how these wells will be used or decommissioned to protect water quality.

When the CEQA review process is completed, please forward the following items with the permit application to the State Water Board, DDW Santa Clara District Office at DWPDIST17@waterboards.ca.gov:

A2-11

- Copy of the EIR and the Mitigation Monitoring and Reporting Plan (MMRP);
- Copy of all comment letters received and the lead agency responses as appropriate;
- Copy of the Resolution or Board Minutes adopting the EIR and MMRP; and
- Copy of the date stamped Notice of Determination filed at the San Mateo County Clerk's Office and the Governor's Office of Planning and Research, State Clearinghouse.

Please contact Lori Schmitz of the State Water Board at (916) 449-5285 or Lori.Schmitz@waterboards.ca.gov, for questions regarding this comment letter.

Sincerely,

Lori Schmitz
Environmental Scientist
Division of Financial Assistance
Special Project Review Unit
1001 I Street, 16th floor
Sacramento, CA 95814

Cc:

Office of Planning and Research, State Clearinghouse

Van Tsang
District Engineer
Santa Clara District

David Katz
Water Resources Control Engineer
Santa Clara District

A2. Response to Comment A2—Lori Schmitz, State Water Resources Control Board

- A2-1 *The commenter states that the city may need to apply for a water supply permit amendment for the Proposed Project.* The list of approvals on pages 2-44 to 2-45 of the Draft EIR is for approvals related to the development of the Proposed Project. As described in Chapter 2, *Project Description*, the Proposed Project does not include an emergency water reservoir and well. Therefore, a water supply permit amendment does not need to be added to the list of approvals for the Proposed Project. However, the emergency water reservoir and well are included for the Project Variant, as discussed and analyzed in Chapter 4, *Project Variant Analysis*. The city has revised Chapter 4 of the Draft EIR to indicate that a water supply permit amendment will be needed for the emergency water reservoir and well. Refer to Chapter 4 of this document, *Revisions to the Draft EIR*, for the revised text; these revisions do not alter the findings in the Draft EIR or require recirculation pursuant to CEQA Guidelines Section 15088.5.
- A2-2 *The commenter requests that the State Water Resources Control Board be added to Chapter 2, Project Description, Subsection 2.7, Proposed Project Approvals and Analyses.* Refer to Response A2-1, above, regarding the emergency water reservoir and well included for the Project Variant. The Proposed Project does not include an emergency water reservoir and well. Therefore, the State Water Resources Control Board does not need to be added to the list of approvals for the Proposed Project. However, as included on page 4-13 in Chapter 4, *Project Variant Analysis*, of the Draft EIR, the State Water Resources Control Board is listed as an agency that needs to be consulted for authorizations and approvals for the Project Variant.
- A2-3 *The commenter notes that the California Department of Health Services no longer establishes Maximum Contaminant Levels (MCLs). Regulation of public water systems and establishment of MCLs is now the responsibility of the California Department of Public Health.* The city has revised Section 3.12, *Hydrology and Water Quality*, of the Draft EIR to reflect this update. Refer to Chapter 4 of this document, *Revisions to the Draft EIR*, for the revised text; these revisions do not alter the findings in the Draft EIR or require recirculation pursuant to CEQA Guidelines Section 15088.5.
- A2-4 *The commenter recommends that the anticipated water quality of the new well be discussed and if wellhead treatment may be required.* The Project Variant would include an approximately 2- to 3-million-gallon emergency water reservoir in addition to an emergency well, as described on pages 4-12 and 4-13 in Chapter 4, *Project Variant Analysis*, of the Draft EIR. The facilities associated with the emergency water reservoir would include a treatment and disinfection system (chloramination). Drinking water wells draw from the deep aquifer (greater than 150 feet below ground surface). Shallow groundwater is not currently utilized as a drinking water source, and it is unlikely that shallow groundwater would be utilized as a drinking water source in the foreseeable future. As discussed on page 4-73, the Project Site has had historical soil and groundwater contamination issues. Soil vapor beneath the property has low concentrations of VOCs. In addition, chloroform concentrations slightly exceed the environmental screening levels for groundwater vapor intrusion on the north and west sides of the site. In addition, as noted on page 3.12-7 of the Draft EIR, levels of PFAS were reported above the California Drinking Water Notification Level at some monitoring locations. The notification level is a non-regulatory precautionary health-based level that may require reporting to public drinking water customers. Various forms of PFAS were analyzed; the results were predominantly below California drinking water notification levels or response levels. Combined perfluoro-n-octanoic

acid (PFOA) and perfluoro-octane-sulfonic acid (PFOS) levels were below drinking water notification or response levels. Given the concentrations identified, the detected presence of PFAS in groundwater did not represent a threat to groundwater.²⁸ PFAS was not monitored in the deep aquifer where drinking water could be sourced. As a result, no treatment for the removal of PFAS is expected or required for drinking water. The emergency well would comply with the State standards that govern design and construction of potable water supply wells to prevent wells from inadvertently creating a conduit for the migration of any type of fluid between separate aquifer bodies. Portions of the well bore that are not anticipated to be used for withdrawal are cased with solid pipe and sealed according to regulatory standards, therefore excluding those zones from flowing into a well. Only the intervals targeted for withdrawals are constructed with perforated (“screened”) pipe that allows water to enter, and the borehole is sealed to prevent fluid migration between different depths of an aquifer. This is a precaution to prevent the potential transfer of contaminants from shallow groundwater into deeper potable water aquifers, as well as potentially detrimental mixing of fresh and saline water bodies in the subsurface. However, a corollary benefit is that adherence to the standards also develops wells that withdraw water only from very specific intervals in the subsurface. In addition, as discussed on page 4-76 of the Draft EIR, if water treated by the proposed disinfection system does not produce potable water supply consistent with standards established by the State Water Resources Control Board Division of Drinking Water, the city would not be legally able to include the well water in its municipal water supply.

The city has revised Section 3.12, *Hydrology and Water Quality*, of the Draft EIR to clarify the sample results from groundwater monitoring wells at the Project Site. Refer to Chapter 4 of this document, *Revisions to the Draft EIR*, for the revised text; these revisions do not alter the findings in the Draft EIR or require recirculation pursuant to CEQA Guidelines Section 15088.5.

- A2-5 *The commenter inquires how much water, on average, the Water Shortage Contingency Plan (WSCP) will conserve over the dry year and asks for an explanation of how the water shortfalls will be met.* As described in Section 9.3 of the Water Supply Assessment (WSA) (included in Appendix 3.16-1 of the Draft EIR), the city’s 2020 WSCP defines six water shortage stages, ranging from a 10 percent water shortage (Stage 1) to more than a 50 percent water storage (Stage 6). Each stage of the WSCP includes specific demand reduction actions as well as supply augmentation actions. These are described in detail in Chapter 8 and Appendix K of Menlo Park Municipal Water’s (MPMW’s) 2020 Urban Water Management Plan (UWMP).

As described in Section 8 of the WSA, if supply shortfalls occur, MPMW expects to meet these supply shortfalls through water demand reductions and other shortage response actions through implementation of its WSCP. The WSCP stage to be implemented will depend on actual shortage conditions, with MPMW having the ability to implement additional WSCP stages as needed. Under the scenario that assumes the Bay-Delta Plan Amendment will be implemented, the projected single-dry-year and multiple-dry-year shortfalls will require implementation of Stages 4 or 5 of the WSCP. Under the scenario that assumes the Bay-Delta Plan Amendment will not be implemented, the projected single-dry-year and multiple-dry-year shortfalls will require implementation of Stages 1, 2 or 3 of the WSCP.

²⁸ ATC Group Services, LLC. 2021. *Phase I Environmental Site Assessment*, SRI International, 333 Ravenswood Avenue, Menlo Park, California 94025. ATC Project No. NPLANE2002. March 12.

The amount of water that will be conserved as a result of MPMW's implementation of the WSCP will depend on when the WSCP is implemented and what stage is implemented. As described in the MPMW's 2020 WSCP, implementation of the WSCP in response to the severe drought that occurred in California between 2014 and 2017 was successful in reducing water use. MPMW was assigned a water use reduction target of 16 percent in response to statewide water conservation mandates. MPMW surpassed this target with a cumulative savings of 38 percent relative to its 2013 use.

- A2-6 *The commenter inquires how much water the proposed emergency well would be able to provide in dry years, how long the well would need to be pumped to have a significant impact on groundwater levels, how long an average drought period would be expected to occur, and if the well would provide enough water to cover the deficit over multiple dry years.* It is difficult to predict how long well operation would be needed in practice, but one of the stated objectives of the San Francisco Public Utilities Commission's (SFPUC's) in-progress seismic upgrades is to enable restoration of major facilities to meet average daily demand within 30 days after a major earthquake. Also, the emergency well may be used to supplement available water supplies in dry years in conjunction with water demand reduction measures, per the most severe stages of the city's WSCP; however, the exact quantity of groundwater to be used will depend on the specific water supply conditions at that time. A round-the-clock operation for a period of 30 days at a pumping rate of 1,500 gpm would equate to 199 acre-feet of water from the emergency well.

Although the commenter requests a significance threshold for groundwater impacts, CEQA Guidelines Section 15064(b)(2) indicates that the use of thresholds is optional for determining the significance of an impact. Rather, what is necessary is for the conclusion about significance to be supported by substantial evidence (see PRC Section 21168.5). The city overlies the San Mateo Plain Groundwater Subbasin of the Santa Clara Valley Groundwater Basin, a "very low priority" basin. The subbasin is not adjudicated, nor has it been found by the Department of Water Resources to be in a condition of overdraft according to the 2020 UWMP. In addition, recent studies indicate the subbasin is full, as discussed on page 3.12-6 of the Draft EIR. As discussed on page 4-77 of the Draft EIR, during an emergency, the emergency well would be available to provide supplemental supply, but as soon as reliable deliveries of imported supply could feasibly be restored, MPMW would return to the use of imported supply. The city plans to permit the emergency well under the Project Variant as a "standby" source that limits its use to a maximum of 15 days per year and 5 consecutive days. Groundwater is currently not considered as a regular normal- or dry-year supply for MPMW. The emergency well under the Project Variant is anticipated to withdraw a maximum of 1,500 gpm, based on an initial feasibility analysis and the actual rates from MPMW's Corporation Yard emergency well; however, the actual yield will not be known until the well is drilled and the details of subsurface stratigraphy at the immediate well site are determined. At a pumping rate of 1,500 gpm, the total quantity of groundwater pumped for a 30-day period would equate to 199 acre-feet. This is less than the conservative recharge rate of 5,000 acre-feet per year described in the Draft EIR (page 4-75). This is a small quantity of water that would be well below estimated sustainable yields for other area wells. Therefore, the significance conclusion in the Draft EIR is supported by substantial evidence.

Historic drought periods in California have varied in duration and severity. Some droughts have lasted only 1 year; others have lasted multiple years. The 1987–1992 drought was characterized by 6-years of dry conditions, the longest significantly dry period since the 1920s–1930s. The 5-year event of 2012–2016 included the four driest consecutive years statewide. Although it is impossible to predict the duration and severity of future droughts, the single-dry-year and 5-year multiple-dry-year supply projections included in MPMW's 2020 UWMP provide a foundation for planning for future drought conditions and responses.

As described in Response A2-5, above, MPMW's WSCP includes both demand reduction actions and supply augmentation actions to respond to supply shortages and meet any supply shortfalls. Use of the proposed emergency well is anticipated only in the most extreme water shortage stages (Stages 5 and 6) and would be in conjunction with the implemented demand reduction actions. Implementation of the WSCP, with its demand reduction actions and supply augmentation actions, is anticipated to meet the projected water supply shortages.

- A2-7 *The commenter inquires how much water and what other sources will be used, as needed, to meet the deficit over the dry year(s).* As described in Responses A2-5 and A2-6, above, MPMW's WSCP includes both demand reduction actions and supply augmentation actions to respond to supply shortages. A water supply deficit of up to 40 percent is anticipated to be met through the implementation of the specific demand reduction actions defined under Stages 1 through 4 of MPMW's WSCP. A water supply deficit of 50 percent or more is anticipated to be met through a combination of demand reduction actions and supply augmentation actions (defined under Stages 5 and 6 of MPMW's WSCP). The specific amounts of water that will be needed through demand reduction actions or provided by supply augmentation actions will depend on specific water supply/shortage conditions. As described in Response A2-6, above, implementation of the WSCP, with its demand reduction actions and supply augmentation actions, is anticipated to meet the projected water supply shortages.
- A2-8 *The commenter clarifies when waste discharge requirements from the Regional Water Quality Control Board are required and requests removal of a statement that such requirements do not apply.* The city has revised Section 3.10, *Biological Resources*, of the Draft EIR to delete the erroneous statement regarding waste discharge requirements. Refer to Chapter 4 of this document, *Revisions to the Draft EIR*, for the revised text; these revisions do not alter the findings in the Draft EIR or require recirculation pursuant to CEQA Guidelines Section 15088.5.
- A2-9 *The commenter clarifies the approvals related to the Project Variant's emergency reservoir and well that would need to be granted by the State Water Resources Control Board.* The city has revised Chapter 4 of the Draft EIR to indicate that, for the Project Variant, the State Water Resources Control Board Division of Drinking Water will need to review and approve the proposed reservoir and well location prior to construction. Refer to Chapter 4 of this document, *Revisions to the Draft EIR*, for the revised text; these revisions do not alter the findings in the Draft EIR or require recirculation pursuant to CEQA Guidelines Section 15088.5.
- A2-10 *The commenter requests information about how the existing onsite wells would be used or decommissioned to protect water quality.* Currently, there exists a 2-inch-diameter, 50-foot-deep groundwater monitoring well, which is proposed to be decommissioned in early 2025 in accordance with San Mateo County Environmental Health Services requirements. There are no known water wells onsite; however, to the extent required, any decommissioning of existing water wells would be conducted consistent with the Department of Water Resources Water Well Standards, Part III, *Destruction of Water Wells*, Section 23. Materials used to seal the well, as outlined in that section, would involve net cement, sand cement, grout, concrete, or bentonite clay. In addition, Mitigation Measure HAZ-2.1 (page 3.13-18 of the Draft EIR) would require preparation and implementation of an ESMP, with review and approval by the appropriate regulatory agency prior to issuance of building permits and commencement of construction. The ESMP is required to identify monitoring, irrigation, or other wells requiring proper abandonment in compliance with local, state, and federal laws, policies, and regulations.

- A2-11 *The commenter requests that items related to the Parkline EIR (including Mitigation Monitoring and Reporting Plan, all comment letters and responses, a copy of the resolution or Board Minutes, and a copy of the Notice of Determination) be submitted with the permit application. If the Project Variant moves forward, the city will provide the applicable materials with the permit application for the proposed well once the CEQA review process is complete.*

Letter A3

From: Chen, Luana@DOT
To: [Sandmeier, Corinna D](#)
Cc: [OPR State Clearinghouse](#)
Subject: Parkline EIR
Date: Monday, August 5, 2024 10:08:30 AM
Attachments: [image001.png](#)
[Parkline Project DEIR Letter - Caltrans.pdf](#)

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

Dear Corinna:

Please find attached a letter containing Caltrans comments for the Parkline Project draft environmental impact report.

Kind regards,
Luana Chen
Transportation Planner
LDR-D4@dot.ca.gov



California Department of Transportation

DISTRICT 4
OFFICE OF REGIONAL AND COMMUNITY PLANNING
P.O. BOX 23660, MS-10D | OAKLAND, CA 94623-0660
www.dot.ca.gov



August 5, 2024

SCH #: 2022120058
GTS #: 04-SM-2022-00585
GTS ID: 28368
Co/Rt/Pm: SM/82/0.66

Corinna Sandmeier, Principal Planner
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Re: Parkline Project — Draft Environmental Impact Report (DEIR)

Dear Corinna Sandmeier:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Parkline Project. The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities. The following comments are based on our review of the June 2024 DEIR.

Please note this correspondence does not indicate an official position by Caltrans on this project and is for informational purposes only.

A3-1

Project Understanding

The proposed project would demolish most of the existing SRI International research campus to develop a new transit-oriented office or research and design (R&D) campus, up to 550 new rental housing units at a range of affordability levels, new bicycle and pedestrian connections, and 25 acres of publicly accessible open space. The 63.2-acre project site is located between State Route 82 (SR-82) and U.S. Route 101 (U.S. 101) along Ravenswood Ave, approximately a quarter mile from SR-82.

Travel Demand Analysis

The project vehicle miles traveled (VMT) analysis and significance determination are undertaken in a manner consistent with the City/County Association of Governments (C/CAG) VMT analysis guidelines. Per the DEIR, this project is found to have a less than significant VMT impact. Caltrans commends the proposed project for including a Travel Demand Management (TDM) plan to promote multimodal transportation use.

A3-2

Corinna Sandmeier, Principal Planner

August 5, 2024

Page 2

A3-2 | The proposed mitigation measures identified in the TDM plan should be documented
cont. | with annual monitoring reports to demonstrate effectiveness.

Construction-Related Impacts

A3-3 | Project work that requires movement of oversized or excessive load vehicles on State
roadways requires a transportation permit that is issued by Caltrans. To apply, please
visit Caltrans Transportation Permits ([link](#)).

Prior to construction, coordination may be required with Caltrans to develop a
Transportation Management Plan (TMP) to reduce construction traffic impacts to the
State Transportation Network (STN).

Equitable Access

A3-4 | If any Caltrans facilities are impacted by the project, those facilities must meet
American Disabilities Act (ADA) Standards after project completion. As well, the
project must maintain bicycle and pedestrian access during construction. These
access considerations support Caltrans' equity mission to provide a safe, sustainable,
and equitable transportation network for all users.

A3-5 | Thank you again for including Caltrans in the environmental review process. Should
you have any questions regarding this letter, please contact Luana Chen,
Transportation Planner, via LDR-D4@dot.ca.gov.

For future early coordination opportunities or project referrals, please visit Caltrans LDR
website ([link](#)) or contact LDR-D4@dot.ca.gov.

Sincerely,



YUNSHENG LUO

Branch Chief, Local Development Review

Office of Regional and Community Planning

c: State Clearinghouse

A3. Response to Comment A3—Yunsheng Luo, California Department of Transportation

- A3-1 *The commenter provides introductory information about the California Department of Transportation (Caltrans) Local Development Review Program and summarizes the Proposed Project.* The commenter accurately describes the Proposed Project. This comment is introductory material to the comment letter and does not raise any issues with the Draft EIR; therefore, no additional response is required.
- A3-2 *The commenter states that the proposed measures identified in the TDM plan should be documented with annual monitoring reports to demonstrate effectiveness.* The Proposed Project would be required to conduct annual monitoring to ensure it meets the required standards of TDM effectiveness. Refer to Master Response 2 regarding the TDM plan, including monitoring and compliance.
- A3-3 *The commenter states that, prior to construction, coordination may be required with Caltrans to develop a Transportation Management Plan (TMP) to reduce construction traffic impacts on the State Transportation Network (STN).* As stated on page 3.7-16 of the Draft EIR, the construction haul routes have trucks exiting either U.S. 101 or State Route (SR) 84, both of which are state roadways managed by Caltrans. Therefore, the Proposed Project would be required to obtain a permit from Caltrans for construction and would follow all Caltrans guidelines.
- A3-4 *The commenter states that, if any Caltrans facilities are affected by the Proposed Project, those facilities must meet American Disabilities Act (ADA) standards as well as bicycle and pedestrian access requirements.* The comment is noted; however, the Proposed Project would not involve any construction on affected Caltrans facilities.
- A3-5 *The commenter provides contact information for questions regarding the letter and future early coordination opportunities.* The city acknowledges receipt of the provided contact information.

Letter A4

From: [George Rodericks](#)
To: [Sandmeier, Corinna D](#)
Cc: [Brittany Bendix](#)
Subject: Parkline Development
Date: Monday, August 5, 2024 11:36:31 AM
Attachments: [Parkline Response 8.5.FINAL.pdf](#)

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Corianna,

Please accept the attached comment letter from the Town of Atherton in response to the Parkline Development DEIR. Please confirm receipt.

George Rodericks
City Manager
Town of Atherton
80 Fair Oaks Lane
Atherton, CA 94027
(650) 752-0504 - Office
grodericks@ci.atherton.ca.us

[Schedule A Meeting With Me](#)

PUBLIC DISCLOSURE NOTICE:

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**Town of Atherton
Office of the City Manager
80 Fair Oaks Lane
Atherton, California 94027
Phone (650) 752-0500**

August 5, 2024

Corinna Sandmeier, Principal Planner
City of Menlo Park
Community Development Department, Planning Division
701 Laurel Street
Menlo Park, CA 94025

Dear Ms. Sandmeier:

**SUBJECT: City of Menlo Park Parkline Draft Environmental Impact Report SHC
#2022120058**

A4-1

Thank you for providing the opportunity to review and comment on the Draft EIR for the redevelopment of the existing SRI campus at 333 Ravenswood Avenue and including the properties at 301 Ravenswood Avenue and 555 and 565 Middlefield Road. This project is located directly across both Ravenswood Avenue and Middlefield Road from the Town of Atherton. As discussed in our comments below, the Town understands that the EIR includes both a base level project and project variants, or alternatives to the proposed project, that purport to retain one or more buildings that are eligible for historic preservation. Atherton's own rich historic background and commitment to historic preservation through its historic tree preservation and Mills Act Contract demonstrate its support for the variants over the base level project, should Menlo Park advance this project.

Aesthetics

A4-2

The Town recognizes the Project Variant's efforts to incorporate a 100 percent affordable development and include up to 154 affordable or supportive housing units. However, the Conceptual Site Plan for the Project Variant (Figure 4-1) sites this housing in Residential Building 3 (R3), a six-story 75-foot-tall building directly across the street from a one and two-story residential context. The Town considers the location of this building inconsistent with Menlo Park's General Plan Policy LU-2.1 Neighborhood Compatibility, which states:

"Ensure that new residential development possesses a high-quality design that is compatible with the scale, look, and feel of the surrounding neighborhood and respects the city's residential character."

In addition to the neighboring single-story residential buildings, R3 is the tallest structure in the broader context of the project's residential development, which is otherwise limited to a three- and four-story scale. The Town suggests switching the placement of R3 with Townhome 2 (TH2), a 27-unit attached townhome complex that has a stated height of three-stories. Swapping the locations of R3 and TH2 retains the project's objectives and consistency with General Plan Policy LU-2.1. This consistency is achieved because the built form graduates from a one- to two-story

A4-2 | massing in Atherton into a three-story massing across Ravenswood Avenue on the project site. This approach then centers the six-story building near the center of the project site and adjacent to the project's non-residential buildings that have heights up to 110 feet.

Furthermore, the height differential causes significant shadowing, lighting and glare. (See study in support at, <https://www.toronto.ca/wp-content/uploads/2019/05/9122-shade-shadow-impact-of-tall-buildings-public-health-report-november-2018.pdf>).

A4-3 | The DEIR's two sentences that state, "All buildings would include safety lighting along pathways and near entrances. All exterior fixtures would be energy efficient, color balanced, and shielded to block illumination from shining outward towards adjacent neighboring uses. Further, they would reduce glare and unnecessary light spillage while providing safe routes of travel for vehicles and pedestrians" are conclusory in nature, unsupported by any condition of approval or mitigation measure, and there is not evidence that even if applied, would reduce these impacts to a less than significant level.

Open Space Activities

The Town has concerns with the level of detail available to adequately describe and consistently analyze the proposed open space activities for both the Project and the Project Variant. These activities are of concern to the Town given that they are located directly across from existing residential properties. Under the Project Variant these residential properties, located in the Town of Atherton and north of Ravenswood Avenue are identified as the nearest sensitive receptors to the proposed recreation field.

A4-4 | Accordingly, the Town would appreciate a focused discussion on the greatest extent of activities to occur in the Project (and Project Variant's) open space areas. Of particular interest are the hours at which activities would occur, the frequency of both small and large events, identified transportation management strategies for both small and large events, clarification of any areas available for special events, and an identification of which parties are responsible for management of which open areas and corresponding activities.

The details from the DEIR listed below are provided to identify where and how such analysis must be provided:

- "The Proposed Project would include approximately 26.4 acres of publicly accessible open space and supporting amenities." (pg. 3.2-15)

A4-5 | - What areas will be accessible at all hours? What additional lighting will support recreational or event activities in those areas during the evening? How is the lighting program different between the Project and the Project Variant? There are existing mature trees between the project site and Ravenswood Avenue that provide screening from the project site, will the Project Variant result in the removal or retention of these trees?

A4-6	▪ Programming will be determined in coordination with the City and community outreach (pg. 2-19) - What is the anticipated scope of the recreational area and the event space? Will these uses function and be managed as an extension of the City's existing recreational facilities at Burgess Park? If so, what are the anticipated frequency and scale of events (i.e. recreational classes, after school and summer programs)? Or will programming and any lease of facilities be managed by a private operator? And if so, what parameters are set by existing land use controls to govern those operations?
A4-7	▪ Larger events that could result in noise levels in excess of the Menlo Park Municipal Code noise standards at the nearest sensitive land use are possible (pg. 3.7-36). - The noise analysis provides wedding officiants and small live bands as examples of noise sources for events. However, the DEIR also indicates that larger events may exceed the City's noise standards. The Town would like to understand what is the upmost range anticipated by a large event under the approval of a special event permit, and in which areas would this event be permitted? This is necessary to understand the potential impact to the Atherton properties north of Ravenswood, which are identified as sensitive noise receptors in the DEIR.
A4-8	▪ The noise generated from open space activities in the Central Commons is analyzed as (1) an outdoor event with 200-250 people up to four times a year and (2) a recreational area anticipated to attract 20 to 50 people (with no approximation given on frequency). - Similar to the issue raised above, to understand the potential impacts to the sensitive noise receptors in Atherton, it would be helpful to understand the areas relating to the +200 person large events and the 20-50 person small events. Additionally, based on the programing allowances either as a City managed recreational facility or a project with land use entitlements that are operationally conditioned by the City, what is the anticipated frequency of small events – daily, nightly, weekly, monthly, etc.
A4-9	▪ The trip generation models use a soccer complex as a proxy for the recreational field (pg. 3.3-23) - The Town appreciates a conservative estimation of trips generated by the recreational field through the use of a soccer complex as a proxy. However, the Town would like to understand assumptions that factor into a soccer complex, i.e. frequency of games and/or practices, number of games at a given time, relation to special events such as a tournament.
A4-10	- Additionally, it is unclear in the trip analysis how the model addresses the large and small events characterized in the noise analysis.

- A4-11
- The City has indicated in the DEIR that local demand for pickleball courts and lighted athletic fields currently exceeds the capacity of existing facilities. (3.15-37)
 - The Town understands the public demand for these types of facilities and acknowledges the challenges they contribute to both noise and glare. Although these items are not specifically identified in any of the programmatic land use descriptions within the DEIR, the Town encourages the City to analyze any impacts that may be related to these activities.

- A4-12
- The Project Variant increases the amount of open space areas and supporting amenities by approximately 3 acres; however, the description on pg. 4-13 and subsequent analysis provided in Section 4 does not address any programming shifts based on this increase in area. (Pg. 4-13) Please provide clarification that aligns with the information requested above.

- A4-13
- Based on the information listed the above, the Town has concerns that the description of the Parkline Central Commons and Parkline Recreational Area in both the baseline Project and Project Variants do not address recreational programming components in sufficient detail to demonstrate a “less-than-significant” impact related to Impact LU-1. The DEIR must include a sufficient relevant information to enable informed decision making and public participation to provide meaningful comments.

Traffic

- A4-14
- The Town applauds the Project’s intent to include Transportation Demand Management (TDM) measures and bicycle and pedestrian facilities through and along portions of the development sites. However, the Town has concerns that these measures are insufficient to address some of the impacts and needs of the development. Accordingly, the Town would appreciate a focused discussion, analysis and improved mitigation to address the traffic impacts associated with the project.

The details from the DEIR listed below are provided to identify where such analysis and review should be provided:

- A4-15
- Transportation Demand Management – Outside of the proposed bicycle and pedestrian facilities within and along the project, the primary focus of the measures appears to be related to the proposed Office/R&D components which predominantly generate incoming traffic in the mornings and outgoing traffic in the evenings. Additional measures supportive of improving connectivity with and expansion of the existing bicycle and pedestrian network that would reduce traffic associated with residential uses which generate outgoing traffic in the mornings and incoming traffic in the evenings should be incorporated into the project.

- A4-16
- Impact TRA-1 proposed bikeway and pedestrian connections:

A4-16
cont.

- o Class I multi-use path along the Project frontage on Ravenswood Avenue – Residential uses are depicted primarily on the west end of the project site, near and along Laurel Avenue and Ravenswood Avenue. It is stated that the proposed Class I pathway along Ravenswood Avenue would be located along the Project frontage. The implementation of the Class I pathway should be contiguous to the Middlefield intersection. The Middlefield Road/Ravenswood intersection should be reconfigured/improved to better manage both pedestrian and bicycle activities at the intersection, including access to/from the high school (located across the street), planned park at the corner, and the conflict between the free right turn lane and both bicycle and pedestrian activity at the intersection.
- o The proposed Class I trail and other improvements on Ravenswood should be design as not to impact the existing Ravenswood Avenue bike lanes and buffer zones separating the bike lanes from vehicular traffic.

A4-17

- Policy CIRC-3.4: Level of Service – The proposed project is projected to significantly impact the level of service and increase delays at several intersections in the surrounding area. Improvements to some of the affected intersections are noted in the traffic analysis as infeasible or not desired. Mitigation of these impacts and delays should be further analyzed and incorporated into the project. Examples of such LOS impacts and delays include but are not limited to:

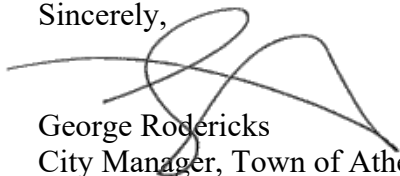
- o Bay Road at Ringwood Avenue – LOS F, 29 sec added delay (2027)
- o Middlefield Road at Ravenswood – from LOS C to F, 45.5 sec added delay (2027)
- o Middlefield Road at Ringwood am – from LOS C to E, 28.1 sec added delay (2027)
- o Middlefield Road at Ringwood pm – from LOS C to F, OVERSAT, (2027)
- o Laurel Street at Glenwood Avenue - from LOS D to F, 25.9 sec added delay (2027)

Additionally, the traffic analysis indicates that Laurel Avenue at Encinal Avenue, a critical intersection in the route to Encinal Elementary School, is expected to operate at an unacceptable LOS E during the AM peak hour and an acceptable LOS B during the PM peak hour under cumulative conditions. It further advises that potential modification to bring the intersection to pre-project conditions would be to signalize it. The improvement of the interaction and additional access improvements to the elementary school should be analyzed.

A4-18

Based on the above, the Town has concerns that the analysis and proposed mitigation measures for the Project and Project Variants are insufficient and do not address the concerns noted above.

Sincerely,



George Rodericks
City Manager, Town of Atherton

A4. Response to Comment A4—George Rodericks, Town of Atherton

A4-1 *The commenter provides a summary of the Proposed Project and supports the Project Variant over the base-level project (Proposed Project).* The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to the merits of the Proposed Project and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA; therefore, no additional response is required. Refer to Master Response 1, which addresses comments related to the merits of the Proposed Project.

A4-2 *The commenter expresses concern that the Project Variant would not be compatible with General Plan Policy LU-2.1, Neighborhood Compatibility, and provides suggestions on site planning and design.* The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to the merits of the Proposed Project—specifically, aesthetics and site planning—and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA; therefore, no additional response is required. Refer to Master Response 1, which addresses comments related to the merits of the Proposed Project, the project design, and aesthetics.

As stated on page 4-18 of the Draft EIR, the Project Variant would not result in significant environmental impacts due to a conflict with any applicable land use policy (including General Plan Policy LU-2.1). As stated, the Project Variant would result in development standards similar to those of the Proposed Project, with some exceptions to account for incorporation of the additional site at 201 Ravenswood Avenue, the increase in residential units, and construction of an emergency reservoir. The city's evaluation of the Proposed Project's consistency with Policy LU-2.1 is provided in Table 3.2-1 and states that the proposed buildings would be visible from surrounding neighborhoods and public spaces. Also, as discussed in Master Response 1, Appendix 3.1-1 of the Draft EIR includes a discussion of the Proposed Project's potential aesthetic impacts for informational purposes, including descriptions of existing plans and policies relevant to visual resource issues within Menlo Park, and the Proposed Project's potential to change the visual quality and character of the area. Overall, the city concludes in the Draft EIR that the Proposed Project would therefore be consistent with General Plan Policy LU-2.1. Therefore, the Project Variant would be generally consistent with applicable goals and policies in the city's General Plan, which would also be amended as part of overall Project approvals. As a result, no changes to the Project design are necessitated to avoid General Plan inconsistency. The commenter's disagreement about the city's conclusion interpreting its own General Plan policy is, however, noted and included in the record for consideration by decision-makers.

A4-3 *The commenter states that the height of the Proposed Project could create shadowing, lighting, and glare effects and that the text in the Draft EIR is not sufficient for making conclusions.* The text that is referenced by the commenter is on page 2-20 of the Draft EIR, which describes the lighting and building design of the Proposed Project as part of the Project Description. However, as discussed in more detail in Master Response 1, aesthetic impacts, including shadowing, lighting, and glare, are not considered significant impacts for mixed-use residential projects on an infill site in a transit priority area, per SB 743 (see PRC Section 21099[d]). Regardless, Appendix 3.1-1 of the Draft EIR includes a discussion of the Proposed Project's potential aesthetics, lighting, and shadow impacts for informational purposes. Refer to Master Response 1 and Appendix 3.11 of the Draft EIR for more details. In addition, the proposed zoning district

is anticipated to include lighting standards (e.g., lighting programmed to shut off during nighttime hours). Although not a CEQA issue, conditions related to lighting could be included as part of Project approvals and conditional development permit.

- A4-4 *The commenter expresses concern about the level of detail provided in the Draft EIR regarding proposed open space activities, particularly those that could affect sensitive receptors in Atherton close to the proposed recreation field, and how those open spaces would be managed.* Providing new open space and parks with recreational programming next to residential uses would not result in adverse environmental impacts under CEQA because recreational open space areas are generally considered compatible with residential uses. Potential uses for the proposed open spaces are included on page 2-19 of the Draft EIR. In general, specific open space activities are not required to be studied under CEQA, except when these activities would result in an impact on the environment. In the case of potential impacts on sensitive receptors, as mentioned by the commenter, the impacts of the Project on sensitive receptors, including open spaces, could include impacts related to noise and local air quality, which are discussed in the respective sections of the Draft EIR (i.e., Sections 3.3, 3.4, 3.6, and 3.7). In addition, construction and operation of the proposed open spaces were included in the health risk assessment of sensitive receptor locations, as shown in Figure 3.4-1 on page 3.4-12 of the Draft EIR. Responses addressing specific concerns about proposed open space activities are provided in more detail in Responses A4-5 through A4-13. Additional details about open space areas that would not result in CEQA impacts are provided below for informational purposes. As noted in Responses A4-2 and A4-3, comments on the design and lighting of the proposed open spaces do not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA.
- A4-5 *The commenter requests more details about the use of open space areas, such as hours, lighting, and whether trees will be retained to provide screening.* The CDP for the Proposed Project would specify details regarding public access to open space, subject to the city's approval and consistent with Menlo Park Municipal Code Section 8.28.160. It is anticipated that public access would be provided at a minimum from sunrise to 30 minutes after sunset. Noise generated by outdoor events at the open space areas are considered and analyzed on pages 3.7-35 through 3.7-36 of the Draft EIR; refer to Response A4-6, below, which specifically responds to special events at the open spaces. There are no material differences in the lighting plan between the Proposed Project and the Project Variant. Additional lighting for evening events and recreational activities will most likely be considered once the program for the open space areas is more developed, but more specific details have not yet been developed and are too speculative to provide at this time. There is a cluster of heritage trees along the edge of Ravenswood Avenue, the majority of which would be retained in order to provide screening.²⁹
- A4-6 *The commenter questions the programming and scope of the proposed open space, the frequency and scale of events, and the proposed operators.* As stated on page 2-19 of the Draft EIR, the approximately 2-acre Parkline Recreational Area on the northeast corner of the Project Site, at the intersection of Ravenswood Avenue and Middlefield Road, would be programmed through a future community outreach process, which the Town of Atherton and residents would be able to participate in. This area is anticipated to be privately owned but publicly accessible, with public access and other operational parameters similar to those of other public recreational facilities (e.g., those at Burgess Park).

²⁹ Studios Architecture, OJB, Kier+Wright. 2024. *Tree Disposition Plan, Parkline*. May 31.

All other public open space areas would be managed by one or more private entities. Events and activities within the public open space areas would be subject to the CDP for the Proposed Project and anticipated to be consistent with Menlo Park Municipal Code Section 8.28.160, under which public access would be provided at a minimum from sunrise to 30 minutes after sunset or subject to special event permits, as described in more detail in Response A4-7, below. In general, the intent for those facilities would be to provide areas for passive recreation, pedestrian and bicyclist access, and informal social gathering. It is not anticipated that the event space within the center of the Project Site (the Central Commons) would be used for frequent large-scale events. However, public bikeways and pedestrian pathways would remain open 24 hours a day.

- A4-7 *The commenter questions the range of noise anticipated from large events after approval of a special event permit and the areas where events could be located.* An analysis of the noise generated by potential events at the Project Site is included in Section 3.7, *Noise*, of the Draft EIR. Specific noise levels from future events are too speculative to provide because the precise type, duration, and location of these events cannot be known at this time because they would be planned closer to their occurrence. Therefore, the analysis in Section 3.7, *Noise*, of the Draft EIR conservatively analyzed up to four large outdoor events (e.g., community theater productions, film nights, concerts) with 200 or more people. There would also be occasional smaller organized events with fewer than 150 people, thereby not requiring special event permits. The recreational area in the Central Commons is generally designed as passive recreational space, and the 20 to 50 people assumed in the Draft EIR to be attracted to this area are anticipated to be using it at any given time during hours for passive recreational activities (e.g., exercise, dog walking, picnics, socializing).

The city has revised the discussion regarding the special events application process. Refer to Chapter 4 of this document, *Revisions to the Draft EIR*, for the revised text; these revisions do not alter the findings in the Draft EIR or require recirculation pursuant to CEQA Guidelines Section 15088.5. As explained on page 3.7-36 of the Draft EIR, in Menlo Park, typically, a special event application must be filed if a proposed gathering would have 150 or more attendees. There may be occasional events with more than 150 people; thus, the Project Sponsor or event host would need to obtain a permit on those occasions. Through the entitlement process, a specific number of special events could be allowed as conditions in the CDP, not through the special events application process. Because specific event information is not known, it is possible that larger events could result in noise levels in excess of Menlo Park Municipal Code noise standards at the nearest sensitive land use. Larger events, beyond those stipulated in the CDP, would be required to obtain an event permit and comply with the stipulations of the permit. Furthermore, Menlo Park Municipal Code Section 8.60.050, Review Process, stipulates that the police chief or designee shall issue permits only if it is determined that the events would not present substantial noise hazards. Because larger events with amplified music or voices would be in compliance with the requirements of the applicable permit, or conditions in the CDP, noise from such events would be in compliance with local regulations and would not result in substantial noise increases. However, as explained on page 3.7-36, and above, permits would either require compliance with Menlo Park Municipal Code noise limits or measures to reduce noise from the event; permits would be issued only if the police chief or his or her designee determines that events would not present substantial noise increases. In addition, noise from large events, which would occur infrequently, would be temporary in nature and would be anticipated to occur, if at all, within the Central Commons area, which is not adjacent to the residences north of Ravenswood Avenue but within the interior of the Project Site.

A4-8 *The commenter requests information about noise generated from activities in the Central Commons by comparing a large event and a small event, along with information about the anticipated frequency of small events.* Refer to Response A4-7, above, for more details about events and activities in the proposed open spaces and potential noise generated from these events.

A4-9 *The comment questions the assumptions that factor into a soccer complex.* As discussed on page 3.3-23 of the Draft EIR, the specific design and the supported functions and programs of the proposed park have not been finalized, and are anticipated to be programmed as part of a future city-led process. To provide a conservative estimate of potential traffic generation and allow for flexible programming for the Proposed Project through the project review process, it is assumed that the park would have play structures and active programming (i.e., open field areas, soccer field, pickleball courts). Trip generation estimates follow the city's TIA Guidelines, which uses the average rates presented in ITE's *Trip Generation Manual*, 11th edition. ITE provides average trip rates for the AM and PM peak hours as well as a daily trip rates with the following description for a soccer complex (land use code 488):

A soccer complex is an outdoor facility that is used for non-professional soccer games. It may consist of multiple fields. The size of each field within the land use may vary to accommodate games for different age groups. Onsite amenities may include stadium seating, a fitness trail, an activities shelter, aquatic center, picnic grounds, basketball and tennis courts, and a playground.

The assumptions that factor into a soccer complex are speculative at this time as the programming for the proposed open space is currently unknown. The ITE definition was used to analyze a conservative scenario for trip generation for the publicly accessible park and provide flexibility for the park to be actively programmed.

A4-10 *The commenter requests more information about how traffic from large and small events, as considered in the noise analysis, is characterized in the trip analysis.* Ultimately, the trip analysis can refer to either an analysis of LOS or of VMT. Traffic from large and small organized events would be intermittent, relatively infrequent, and temporary and would not occur during AM peak hours (although some traffic from such events could occur during PM peak hours). For those reasons, traffic from large and small events was not factored into the LOS analysis, which is representative of a typical day. Refer to Master Response 3, which discusses the LOS analysis and the Parkline TIA.

A4-11 *The commenter requests an analysis of pickleball courts and lighted athletic fields.* Please refer to Response A4-4, above. As stated on page 2-19 of the Draft EIR, the Proposed Project would designate an approximately 2-acre portion of the site as public open space, which could include lighting and actively programmed athletic facilities (e.g., soccer field, pickleball courts, basketball courts). Specific programming functions for these facilities would be determined in coordination with the city and through community outreach. If those facilities are proposed in the future, no new or substantially increased environmental impacts beyond those analyzed in the Draft EIR would be anticipated. Noise impacts from the activities at the recreational area are analyzed on pages 3.7-35 and 3.7-36 of the Draft EIR.

With respect to the noise effects from pickleball courts, as mentioned by the commenter, potential pickleball activities in the future would not change any conclusions in the Draft EIR specific to the recreational area. Noise levels for pickleball courts have been measured previously—specifically, during measurements conducted in Sun City, Arizona, where 32 pickleball athletes played

simultaneously on eight pickleball courts. During this test, noise levels were measured to be 66.9 dBA L_{eq} at a distance of 10 feet from the sideline fence.³⁰ Using the Sun City pickleball courts as a reference and the distances to the nearest noise-sensitive land uses, it can be reasonably assumed that pickleball-related noise at the Project Site would not be likely to exceed the city's daytime noise ordinance limit of 60 dBA L_{eq} at noise-sensitive uses. The Proposed Project could result in pickleball courts in proximity to the First Church of Christ, Scientist and Alpha Kids Academy (Chapel buildings). However, under the Project Variant, the Chapel buildings would be removed and, therefore, not affected by potential future pickleball noise.

The next-closest noise-sensitive land use would be the residential uses north of Ravenswood Avenue, approximately 90 feet from the location of the potential pickleball courts. Based on the noise levels from the Sun City monitoring effort, pickleball-related noise would be expected to attenuate to less than 60 dBA L_{eq} at a distance of 90 feet. In addition, the Sun City noise levels are conservative because the levels represent 32 players playing simultaneously; this specific circumstance may not occur or may occur infrequently under the Project Variant. The Sun City noise levels are a rough approximation, however, because the programming at the open space area has not been determined; thus, the precise number of courts and players who could play simultaneously is not known. Therefore, as stated in the Draft EIR, operational noise related to the open space areas at the Project Site would be less than significant, and no mitigation is required. Any future discretionary actions by the city would require an evaluation of whether the selected programming could result in the potential for new or substantially increased environmental impacts relative to this EIR. As discussed in Response A4-3, and in more detail in Master Response 1, lighting is not considered a CEQA impact under the Proposed Project, per SB 743. Refer to Master Response 1 and Appendix 3.11 of the Draft EIR for more details.

The city believes the correct page referenced by the commenter is page 3.15-7 of the Draft EIR, which notes in the environmental setting discussion that "the city indicates that local demand for pickleball courts and lighted athletic fields currently exceeds the capacity of existing facilities." This is a description of existing demand and facilities in the city and not in reference to the Proposed Project.

- A4-12 *The commenter requests additional information about the open space programming of the Project Variant.* As shown in Table 4-1 (Comparison of the Overall Development Summary of the Proposed Project and the Project Variant) on page 4-2 of the Draft EIR, the Proposed Project would include approximately 26.4 acres of open space uses, while the Project Variant would include approximately 29.3 acres of open space uses. The methodologies used for calculating acreage of open space acreage for the Proposed Project and the Project Variant were slightly different, accounting for part of the difference in acreage. As explained in note "a" to Table 4-1, the 26.4 acres of open space calculated for the Proposed Project open space includes all open space at grade, because at the time the Project Sponsor submitted this information, specific acreage allocations of public versus private open space were not yet available. As explained in note "b" to Table 4-1, the 29.3 acres of Project Variant open space includes 19.8 acres of publicly accessible open space, 5 acres of private office open space, and 4.6 acres of private at-grade residential open space. In addition, the Project Variant results in some increase to in the amount of open space through the addition of the site of the Chapel buildings located at 201 Ravenswood Avenue, which also allowed for the Project Variant to remove surface parking in the vicinity of the

³⁰ Acoustics Group Inc. 2012. *Noise Study for the Cimarron Pickleball Courts in Surprise, AZ*. Prepared for Sun City Grand Community Association Management. September 9, 2012.

Chapel buildings that was shown as part of the Proposed Project, and a decrease in the footprint of two parking garages. Although there would be more open space under the Project Variant, there would be no material change in the proposed overall open space programming compared to the Proposed Project.

- A4-13 *The commenter expresses concerns that the description of the Parkline Central Commons and the Parkline Recreational Area do not address recreational programming components in sufficient detail to demonstrate a less-than-significant impact related to Impact LU-1.* Impact LU-1 addresses whether the Proposed Project would conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The focus of this impact analysis is on any physical impact resulting from an inconsistency with the General Plan or other relevant plans. As discussed on page 3.2-8 of the Draft EIR, under Impact LU-1, the Proposed Project would be generally consistent with the goals and policies contained in the General Plan. Uses at the proposed open space areas would not result in an inconsistency with the General Plan goals and policies. As a result, there would not be a resulting impact from an inconsistency. For example, as shown in Table 3.2-1 on page 3.2-15 of the Draft EIR, the proposed open space (including the Parkline Central Commons and Parkline Recreational Area) would be consistent with Goal LU-6, Policy LU-6.2, Policy LU-6.4, and Policy OSC1.13 in the General Plan. Therefore, the Draft EIR analysis is sufficient to disclose impacts.
- A4-14 *The commenter is concerned that the proposed TDM measures and bicycle and pedestrian facilities would not address some traffic impacts.* The comment is introductory text to specific comments on traffic. Refer to Responses A4-15 through A4-17 for responses to identified traffic concerns.
- A4-15 *The commenter requests a focused discussion of TDM plan measures to address traffic impacts associated with the Proposed Project.* Refer to Master Response 2 regarding TDM plan, including the potential measures to be included.
- A4-16 *The commenter suggests improvements for the proposed bicycle and pedestrian connections.* The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to the design of the proposed Class I multi-use path and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. Refer to Master Response 1, which includes a discussion of the design of the Proposed Project.
- A4-17 *The commenter is concerned about LOS impacts and an increase in intersection delays.* The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to the scope of the Parkline TIA and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. Refer to Master Response 3, which discusses the scope of the Parkline TIA and the fact that LOS-related impacts are not considered environmental impacts under CEQA.
- A4-18 *The commenter concludes with concerns about the analysis for the Proposed Project and Project Variant.* This is closing text that summarizes the content of the letter. Refer to Responses A4-1 to A4-2, above, which address specific concerns.

Letter A5

From: [Tania Martinez](#)
To: [Sandmeier, Corinna D](#)
Cc: [Kelly M. Rem](#)
Subject: RE: Parkline EIR
Date: Monday, August 5, 2024 5:09:03 PM
Attachments: [Enclosure.pdf](#)
[Letter to City re Parkline.pdf](#)

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

Good afternoon,

On behalf of Kelly M. Rem, please see **attached** correspondence.

Thank you!



Tania Martinez | Legal Secretary

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Kelly M. Rem
Attorney at Law

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August 5, 2024

By E-Mail: cdsandmeier@menlopark.gov

Corinna Sandmeier, Principal Planner
City of Menlo Park
Community Development Department, Planning Division
701 Laurel Street
Menlo Park, CA 94025

Re: Response of Sequoia Union High School District to Draft Environmental Impact Report for the Parkline Project

Dear Ms. Sandmeier:

On behalf of the Sequoia Union High School District (“District”), we hereby submit comments regarding the Draft Environmental Impact Report (“Draft EIR”) prepared by the City of Menlo Park (“City”) for the project that proposes to redevelop SRI International’s 63.2 acre research campus adjacent to City Hall and near the City’s downtown and Caltrain Station (collectively, the “Property”). The Project application was submitted by Lane Partners, LLC, on behalf of SRI International (“Developer”).

The 63.2-acre Project site is proposed to be located at 333 Ravenswood Avenue, 301 Ravenswood Avenue, 555 Middlefield Road, and 565 Middlefield Road. The Project site currently includes SRI International’s research campus. The proposed Project would redevelop the research campus by creating a new office/R&D, transit-oriented campus with no net increase in commercial square footage, up to 550 new rental housing units at a range of affordability levels, new bicycle and pedestrian connections, and approximately 26.4 acres of publicly accessible open space. The Proposed Project would organize land uses generally into two land use districts within the Project site, including 1) an approximately 10-acre residential district in the southwestern portion of the Project site; and 2) an approximately 53-acre office/R&D district that would comprise the remainder of the Project site. The Proposed Project would also establish a separate parcel of land that is proposed to be leased to an affordable housing developer for the future construction of a 100% affordable housing or special needs project which would be separately rezoned as part of the proposed Project for up to 100 residential units.

The Draft EIR also analyzes a Project variant (“Variant”) that would expand the Project to include the parcel at 201 Ravenswood Avenue. The Project Variant would include up to 250 additional residential units, resulting in a total of 800 new rental housing units.

Limited Liability Partnership

Corinna Sandmeier

August 5, 2024

Page 2

A5-1
cont.

The District's Menlo-Atherton High School ("Menlo-Atherton") is located approximately less than half a mile east of the Project, while the District's TIDE Academy and Sequoia High School are located approximately four miles from the Project. This enormous Project is anticipated to generate a population increase of 1,598 new residents, which would generate a significant amount of new high school students to the District. As explained further below, this Project has the potential to cause severe detriment to the District and its students.

As the City is aware, the District has voiced ongoing concerns about the numerous large residential and commercial development projects proposed and approved in the Bayfront Area of Menlo Park, which are in close proximity to the District's schools, particularly TIDE Academy. The District has consistently urged the City to analyze the extensive impacts on student safety, among other impacts resulting from those projects, but those impacts were not meaningfully analyzed in any environmental impact report.

A5-2

The City will recall the District's recent concerns regarding Menlo Uptown and Menlo Portal, two projects proposed by the developer Greystar and approved by the City in September, 2021. The District submitted extensive comment letters in response to the Notices of Preparation, Draft and Final EIRs for both projects, and appealed the Planning Commission's approvals in both cases to the City Council. The appeals were heard by the City Council on September 14, 2021. Following those hearings, the City Council approved both projects despite the District's concerns. However, City Council members gave clear direction to City staff and Greystar that they wanted to see increased coordination and communication with the District in relation to future development projects. It was largely for this reason, as well as the importance that the District places on its relationship with the City, that the District did not further pursue its concerns regarding the Menlo Uptown and Menlo Portal projects. The District remained hopeful that the City and Developer would meaningfully engage the District on Greystar's Menlo Flats project, but that did not happen as the Planning Commission certified the Final EIR for the Menlo Flats project on March 28, 2022, with little discussion or coordination with the District.

Contrary to Greystar and others, the District concluded successful negotiations with the developers of the Willow Village project, resulting in an agreement where the developer will make a contribution to the District that is above and beyond the legally required impact fees, and those funds will be used to assist the District in providing excellent educational opportunities to its students, including those generated by new development. The agreement is a win-win for the District and the developer, as well as the City. The District is hopeful that it will serve as a signal to other developers.

The District is hopeful that the instant Project's anticipated impacts, as well as ways to mitigate those impacts, will be included in future discussions with the Developer. Meaningful discussion between developers and school districts is a stated goal of the City's Housing Element. In the Draft EIR, the City cites to Housing Element Policy H4.17, which states "[d]evelopers will meet and confer with the affected school districts as part of the development review process to discuss the potential effects of their development on school-related issues and consider appropriate analysis, as needed, to address any potential effects." The goal and policy were adopted as a means to "avoid or minimize environmental impacts and are relevant to the Proposed Project." (Draft EIR, Pg. 3.15-10.)

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A5-2 cont. The District remains hopeful that this goal can be met and that these discussions will yield solutions that benefit the District, Developer, and the community as a whole.

Nevertheless, the District once again submits its comments and concerns regarding the impacts that substantial development in the City is having and will continue to have on the District, along with other school districts serving this development. Consistent with the spirit of the City Councilmembers' prior comments, it remains our hope that coordination can occur regarding school related impacts before it is again too late to do anything meaningful about those issues.

A5-3 The instant Draft EIR does not comply with the California Environmental Quality Act ("CEQA," Pub. Res. Code §§ 21000, *et seq.*) and its implementing regulations (Cal. Code Regs., tit. 14, §§ 15000, *et seq.*, "CEQA Guidelines"), for both technical and substantive reasons. Moreover, the Draft EIR, based on an improper interpretation of statutes added and amended by Senate Bill (SB) 50, does not include sufficient information to evaluate potential environmental impacts both on schools, and related to schools. **Through this letter, the District again wishes to emphasize that this Project, in combination with the numerous other projects currently pending before the City, has the potential to have a profound negative effect on the District's students, their families, and residents who will reside in and near the Project.**

With the foregoing in mind, the District requests that the City revise the Draft EIR to address the serious deficiencies identified in this letter, develop appropriate mitigation measures for impacts that are identified as significant, and then recirculate the revised Draft EIR as required by CEQA. (CEQA Guidelines § 15088.5.) In that process, the District requests that the City and Developer coordinate with and engage the District.

I. Background: Initial Study, Notice of Preparation, and District's Scoping Letter

The District previously submitted comments to the City in response to the City's original Notice of Preparation ("NOP") on January 9, 2023. The District's comments are collectively referred to as the "NOP Responses." Copies of the District's NOP Responses are attached hereto, and incorporated herein by this reference.

A5-4 Through the NOP Responses, the District specifically requested that the Draft EIR include a description and evaluation of certain information needed to determine whether impacts related to schools are potentially significant. The NOP Responses contain six general areas the District believes must be addressed by the Draft EIR in order to adequately evaluate the school impacts: population, housing, transportation/traffic, noise, air quality, and public services (including schools). Within those categories, the District described 27 subcategories that it requested be evaluated in the Draft EIR. Most of the subcategories were nevertheless not addressed at all in the Draft EIR, and the ones that were addressed received no more than a cursory review. Because such information and environmental analysis was not included in the Draft EIR, the document is inadequate as set forth in more detail below.

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II. The Draft EIR does not meet its purpose as an informational document because it fails to provide an adequate description of the environmental setting related to schools.

One of CEQA's basic purposes is to inform government decision-makers and the public about the potential significant environmental effects of proposed projects and to disclose to the public the reasons for approval of a project that may have significant environmental effects. (CEQA Guidelines § 15002(a)(1) and (a)(4).) In line with this goal, the preparer of an EIR must make a genuine effort to obtain and disseminate information necessary to the understanding of impacts of project implementation. (See, CEQA Guidelines § 15151; *Sierra Club v. State Board of Forestry* (1994) 7 Cal.4th 1215, 1236.)

An EIR must describe existing environmental conditions in the vicinity of the proposed project from both a local and regional perspective, which is referred to as the "environmental setting." (CEQA Guidelines § 15125.) This description of existing environmental conditions serves as the "baseline" for measuring the qualitative and quantitative changes to the environment that will result from the project and for determining whether those environmental effects are significant. (*Id.*; see also, CEQA Guidelines § 15126.2(a); *Neighbors for Smart Rail v. Exposition Metro Line Constr. Auth.* (2013) 57 C4th 439, 447.)

District facilities are a critical part of the Project location's environment, and should be considered throughout the Draft EIR impact categories. As noted, Menlo-Atherton is located less than half a mile away from the Project. (Draft EIR at 2-3.) The Project is otherwise located within the Menlo-Atherton's attendance boundary. The District is not equipped to house these excess students. The Project site will be accessed via Ravenswood Avenue, Middlefield Road, Laurel Street, and partially Burgess Drive. (Draft EIR at 2-22.) These streets have been and will be used by District families, students, and staff to walk, bike, and drive to Menlo-Atherton from the surrounding neighborhood. The downtown area as a whole generally has been, and is anticipated to continue being, heavily impacted by traffic, traffic exhaust, and fumes due to increased development in the neighborhood.

The Draft EIR purports to describe the Project's environmental setting in each of the fifteen environmental impact categories that are analyzed in the Draft EIR. In doing so, the Draft EIR notes the location of Menlo-Atherton in a few instances. However, the Draft EIR otherwise fails to present any information needed to assess the Project's environmental impacts on the District, District students, Menlo-Atherton High School, TIDE Academy, or Sequoia High School. For instance, the Draft EIR fails to accurately and fully address the current and projected future enrollment at Menlo-Atherton or any other District schools that will be affected by the Project; the District's educational program objectives at Menlo-Atherton; a description of how the District currently uses its facilities at Menlo-Atherton; and the current vehicular and pedestrian paths of travel used by District staff, students, and their families to get to and from these schools, in the context of a neighborhood that has already been severely impacted by traffic. Without consideration of these factors, it is impossible for the lead agency and public to assess whether there are any impacts posed by the Project on the District's students, families, and staff, and whether those impacts are significant.

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III. The Draft EIR does not meet its purposes as an informational document because it fails to provide an adequate analysis of environmental impacts on and related to schools.

A. The Draft EIR fails to identify and analyze all impacts on school facilities under CEQA's threshold of significance for Public Services impacts.

The Draft EIR states that the proposed Project would have a significant "Public Services" impact on schools if it would:

Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for [Schools]. (Draft EIR at 3.15-11- 3.15-12.)

In purporting to analyze public services impacts on the District under this threshold, the Draft EIR attempts a comprehensive analysis of the areas in which the District requested review the NOP Responses. Notably, the Draft EIR includes projections of the amount of high school students generated by the Project. The District notes that it is currently in the process of reviewing its student generation and related data and reserves the right to provide additional information as it becomes available.

A5-6 In describing the current state of the District's schools, the Draft EIR states that the District's enrollment was 8,806 as of the 2023-2024 school year, but does not cite a source for this statistic. The Draft EIR notes that TIDE Academy has capacity for 400 students and that 243 students were enrolled at TIDE Academy as of 2022-2023. The Draft EIR stated that total student enrollment at Menlo-Atherton was 2,125 as of 2022-2023. The Draft EIR estimates Menlo Atherton's capacity at 2,600, without providing any methodology for reaching this estimate. Based on the capacity estimate, the Draft EIR concludes that Menlo-Atherton is under capacity. The Draft EIR states that the District's student generation rate is 0.14 student per single family detached housing unit, and 0.09 student per single-family attached unit, and 0.10 for multi-family units. (Draft EIR at 3.15-6.)

In analyzing the impacts of the Project on the District, the Draft EIR takes a simplistic approach. The Draft EIR states that the Project will generate 71 high school students, which represents a 3.3 percent increase from Menlo Atherton's 2022-2023 enrollment numbers. The Draft EIR then states that Menlo Atherton's capacity was 2,125 as of the 2022-2023 school year. The Draft EIR states that the 71 students constitutes approximately 14.7 percent of enrollment capacity at Menlo Atherton. The Draft EIR notes that TIDE Academy has additional enrollment capacity for approximately 157 students, and because of this, the District would be able to accommodate the increase in the number of students potentially generated directly and indirectly by the Project. (Draft EIR at 3.15-17.)

The Draft EIR inexplicably includes two numbers that represent Menlo Atherton's capacity. The first is an estimate of 2,600. (Draft EIR at 3.15-6.) The second is 2,125 as of the 2022-2023 school year, based on CDE data from **September 15, 2023**, that is no longer posted online.

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(Draft EIR at 3.15-17.) It is certainly possible that the 2,125 number was mistakenly described as capacity instead of enrollment, based on the Draft EIR's assertion that enrollment of Menlo Atherton High School was 2,125 as of 2022-2023. (Draft EIR at 3.15-6.) Whatever the case may be, this lack of attention to detail is emblematic of the Draft EIR's deficient analysis of the Project's impact on District schools. Not only is the Draft EIR's analysis on this subject short and conclusory, the analysis that actually exists is flawed and contradictory.

Further, it appears that the Draft EIR's conclusion is simply that the District has enough capacity now to accommodate the influx of new students directly or indirectly generated by the Project. Based on the Draft EIR's recitation of TIDE Academy's enrollment and capacity statistics, the unfounded assumption appears to be that TIDE Academy would serve as a backup for students that are not enrolled in Menlo Atherton. However, TIDE is a high school with a specific program focus on preparing students for college and career readiness in STEM fields. TIDE is a small school that delivers personalized education and focuses heavily on project-based learning.¹ Given TIDE's specialized curriculum, it will not be a fit for every student and consideration of TIDE as a means to absorb students from crowded schools ignores the practical reality of TIDE's curriculum.

As this large project will take years to construct, the Draft EIR relies on current enrollment statistics and does not account for or analyze potential future changes in enrollment trends in the Menlo Atherton attendance area.

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cont.

Through this short and conclusory analysis, the Draft EIR failed to appropriately to analyze the Project's potential impacts under the above-cited Public Services CEQA threshold.

In order to support a determination that environmental impacts are insignificant (and can therefore be scoped out of an EIR), the lead agency must include in the EIR the reasons that the applicable environmental effects were determined to be insignificant. (Pub. Res. Code § 21100(c); CEQA Guidelines § 15128.) An unsubstantiated conclusion that an impact is not significant, without supporting information or explanatory analysis, is insufficient; the reasoning supporting the determination of insignificance must be disclosed. (See, *City of Maywood v. Los Angeles Unified Sch. Dist.* (2012) 208 CA4th 362, 393; *San Joaquin Raptor/Wildlife Rescue Ctr. v. County of Stanislaus* (1994) 27 CA4th 713 [findings that project will not pose biological impacts to wetlands must be supported by facts and evidence showing that the lead agency investigated the presence and extent of wetlands on the property, which analysis must be disclosed to the public].)

The approach utilized in the Draft EIR oversimplifies and understates the various ways in which large residential and commercial development projects, like the Project, can impact a school district's need for new or physically altered facilities in order to maintain performance objectives. These documents fail to analyze all potential impacts under this standard, including but not limited to: (1) whether the influx of students would require "physically altered" school facilities unrelated to the accommodation of additional enrollment; (2) whether other impacts of the proposed Project, such as increased traffic, noise, or air pollutants in the neighborhood surrounding either Menlo-Atherton or TIDE Academy, could impact the District's need for new

¹ <https://www.seq.org/ABOUT-US/Superintendent/Communications/Newsletters/NEWSLETTER-LINKS/A-New-Model-In-Education/index.html>.

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or physically altered school facilities; and (3) whether other impacts of the proposed Project could otherwise interfere with the District's ability to accomplish its own performance objectives.

Finally, the Draft EIR fails to analyze adequately cumulative public services impacts on the District due to extensive new development within District boundaries. EIRs must discuss cumulative impacts of a project when the project's effects on the environment, viewed in conjunction with impacts of other past, present, or reasonably foreseeable future projects, is cumulatively considerable. (CEQA Guidelines § 15130(a); see, *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 CA4th 713, 720, finding that piecemeal approval of several projects with related impacts could lead to severe environmental harm.) The purpose of the cumulative impacts analysis is to avoid considering projects in a vacuum, because failure to consider cumulative harm may risk environmental disaster. (*Whitman v. Board of Supervisors* (1979) 88 CA3d 397, 408.)

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As noted in the District's most recent School Fee Justification Study (October 2023), the District anticipates that an estimated 46,323 residential units may be constructed within District boundaries over the next 25 years, including approximately 8,625 units in Menlo Park. (SFJS, Table 5, Pg. 12.) This new development, which will include numerous other development projects, is anticipated to generate well over a thousand new students to the District. It is therefore likely that the District will exceed its facilities capacity at various locations throughout its boundaries in the coming years. The District anticipates both that the combined impact of the Project and all other residential development and commercial development projects in District boundaries and the Project neighborhood will significantly impact the District's ability to provide its public service in accordance with established performance objectives, and that the Project's incremental effect is cumulatively considerable. (CEQA Guidelines § 15130(a).) Because the District currently exceeds capacity in various locations, it is further anticipated that the Project, when viewed in conjunction with numerous other projects, will cause the District to need new or physically altered school facilities, including at Menlo-Atherton and TIDE Academy. At this point, given the barrage of pending and approved development, the need for new or altered facilities has likely become unavoidable.

The Draft EIR was required to provide sufficient information for the public and lead agency to assess these impacts and potential mitigation measures. The environmental documents do not provide this information.

B. The Draft EIR contains an inadequate discussion of all other "school-related" impacts.

A5-7

In addition to impacts on the District's facilities under the Public Services CEQA threshold of significance noted above, the Draft EIR fails adequately to analyze probable Project impacts "related to" schools, as required by CEQA and case law interpreting CEQA. In disregarding these impacts, the Draft EIR and Initial Study attempt to rely on Government Code section 65996, enacted by SB 50. However, reliance on SB 50 and Government Code section 65996 as the remedy for all school impacts caused by the Project on the District demonstrates a misunderstanding regarding the law and developer fees.

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In the City's Fiscal Impact Analysis Report for Parkline Master Plan, the City stated that the Project and Variant would generate fiscal surpluses of \$2.9 million annually for the District. The City further stated that the Project would generate one-time impact fees to the District totaling approximately \$1.4 million while the Variant would generate one-time impact fees totaling approximately \$2.3 million. (Fiscal Impact Analysis at 35-36.)

Developer fees generally are fees that may be levied or imposed in connection with or made conditions of any legislative or adjudicative act by a local agency involving planning, use, or development of real property. (Ed. Code § 17620.) "Level 1" developer fees are levied against residential and commercial or industrial developments on a price per square foot basis. If a district is able to establish a sufficient "nexus" between the expected impacts of residential and commercial development and the district's needs for facilities funding, then the district may charge up to \$5.17 per square foot of residential development, and up to \$0.84 per square foot of commercial development, which statutory amounts may be increased every two years based on the statewide cost index for class B construction.²

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From a practical standpoint, the amount of developer fees received by school districts typically fall woefully short of alleviating the impacts caused by development. This is due largely to the facts that: (1) statutory developer fee amounts fail to acknowledge the differences in costs of school construction from one district to another, which particularly burdens school districts in the Bay Area, where both land and construction costs significantly exceed other parts of the state; (2) **the developer fee amounts fail to contemplate the special facilities needs of those districts experiencing rapid growth, such as the need for portables;** and (3) the adjustment formula for developer fees is based on a "construction cost index" and does not include indexing related to the increases in land costs, resulting in the actual costs of facilities (i.e., land and improvements) increasing at a greater rate than the adjustment.

The inadequacy of developer fees as a source of funding for school facilities has forced school districts to rely increasingly on other sources of funding, primarily including local bond funds and State bond funds administered under the State's School Facilities Program (SFP). However, these sources of funds can be equally unreliable. Local bond funds are difficult to generate, as local bonds are subject to school district bonding capacity limitations and voter approval. State funds are also unreliable and take considerable time to obtain, especially in the aftermath of funding uncertainty caused by the COVID-19 pandemic. Either way, the funding formula was never intended to require the State and local taxpayers to shoulder a disproportionate portion of the cost of school facilities.

SB 50 declares that the payment of the developer fees authorized by Education Code section 17620 constitutes "full and complete mitigation of the impacts of any legislative or adjudicative act on the provision of adequate school facilities." (Gov. Code § 65995(h); see also, Gov. Code § 65996(a).) **However, California courts have since acknowledged that payment of developer fees does not constitute full and complete mitigation for school-related impacts other than impacts "on school facilities" caused by overcrowding.** (*Chawanakee Unified Sch. Dist. v. Cty. of Madera* (2011) 196 Cal.App.4th 1016 ("Chawanakee").) *Chawanakee*

² Due to a Fee Sharing Agreement between the District and its elementary feeder school districts, the District is currently authorized to impose fees of \$2.06 per square foot for residential construction (40% of \$5.17), and \$0.33 per square foot for commercial/industrial construction (40% of \$0.84).

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addressed the extent to which the lead agency (Madera County) was required to consider school-related impacts in an EIR for new development. The court determined that SB 50 does not excuse a lead agency from conducting environmental review of school impacts other than an impact “on school facilities.” The court required that the County set aside the certification of the EIR and approvals of the project and take action necessary to bring the EIR into compliance with CEQA. (*Id.* at 1029.) In so holding, the court explained as follows:

[A]n impact on traffic, even if that traffic is near a school facility and related to getting students to and from the facility, is not an impact ‘on school facilities’ for purposes of Government Code section 65996, subdivision (a). From both a chronological and a molecular view of adverse physical change, the additional students traveling to existing schools will impact the roadways and traffic before they set foot on the school grounds. From a funding perspective, the capped school facilities fee will not be used by a school district to improve intersections affected by the traffic. Thus, it makes little sense to say that the impact on traffic is fully mitigated by the payment of the fee. In summary ... the impact on traffic is not an impact on school facilities and, as a result, the impact on traffic must be considered in the EIR.

A5-7
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(*Id.* at 1028-29.)

Here, for example, the Draft EIR intimates that any students that do not enroll in Menlo-Atherton will instead enroll in TIDE Academy. However, the lack of capacity at TIDE and Menlo-Atherton creates the potential that students generated by the Project will need to travel greater distances to attend other District schools. This will result in an overall increase in vehicle miles traveled (VMT) that has not been analyzed or addressed in the EIR. (Cal. Code Regs., tit. 14, § 15064.3.)

Contrary to the assertions of the Draft EIR, the payment of fees does not constitute full mitigation for all impacts caused by development, including those related to traffic, noise, biological resources, air quality, pedestrian safety, and all other types of impacts “related to” the District and its educational program. The Draft EIR’s approach is significantly flawed and inconsistent with the requirements of *Chawanakee*, as it failed to analyze 27 sub-categories of information that are necessary to determine whether the Project results in significant environmental impacts both on and *related to* schools.

Specific areas where the Draft EIR and Initial Study failed adequately to evaluate school-related impacts are discussed below:

i. Traffic/Transportation/Circulation

Though the Draft EIR generally analyzes the traffic impacts anticipated by the Project, its analysis is inadequate, particularly as related to schools. The following issues require the City to revise and recirculate the Draft EIR.

A5-8

The Draft EIR was required to address potential effects related to traffic, including noise, air quality, and any other issues affecting schools. (Pub. Resources Code, §§ 21000, *et seq.*; Cal. Code Regs., tit. 14, §§ 15000, *et seq.*; *Chawanakee*, *supra*, 196 Cal.App.4th 1016.) Additionally, specifically related to traffic, the Draft EIR was required to analyze safety issues related to traffic

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impacts, such as reduced pedestrian safety, particularly as to students walking or bicycling to and from Menlo-Atherton or TIDE Academy; potentially reduced response times for emergency services and first responders traveling to these schools; and increased potential for accidents due to gridlock during school drop-off and pick up hours.

The requirement to analyze student safety issues is rooted in both the California Constitution and CEQA. Article I, section 28(c), of the California Constitution states that all students and staff of primary, elementary, junior high, and senior high schools have the inalienable right to attend campuses that are “safe, secure, and peaceful.” CEQA is rooted in the premise that “the maintenance of a quality environment for the people of this state now and in the future is a matter of statewide concern.” (Pub. Res. Code § 21000(a).) Naturally, safety is crucial in the maintenance of a quality environment. “The capacity of the environment is limited, and it is the intent of the Legislature that the government of the state take immediate steps to identify any critical thresholds for health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds being reached.” (Pub. Res. Code § 21000(d).) The Legislature has made clear in declarations accompanying CEQA’s enactment that public health and safety are of great importance in the statutory scheme. (Pub. Res. Code §§ 21000 (b), (c), (d), (g); 21001(b), (d) (emphasizing the need to provide for the public’s welfare, health, safety, enjoyment, and living environment.) (*California Building Industry Assn. v. Bay Area Air Quality Management Dist.* (2015) 62 Cal.4th 369, 386.)

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In order to fully understand these issues, the District requested that the Draft EIR include the following:

1. The existing and the anticipated vehicular traffic and student pedestrian movement patterns to and from school sites, including movement patterns to and from Menlo-Atherton High School, TIDE Academy, and Sequoia High School, and including consideration of bus routes.
2. The impact(s) of increased vehicular movement and volumes caused by the Project, including but not limited to potential conflicts with school pedestrian movement, school transportation, and busing activities to and from Menlo-Atherton High School, TIDE Academy, and Sequoia High School.
3. The estimated travel demand and trip generation, trip distribution and trip assignment by including consideration of school sites and home-to-school travel.
4. The cumulative impacts on schools and the community in general resulting from increased vehicular movement and volumes expected from additional development already approved or pending.
5. The direct, indirect, and cumulative impacts on the circulation and traffic patterns in the community as a result of traffic generated by the transportation needs of students to and from the Project and schools throughout the District during the Project build-out.
6. The impacts on the routes and safety of students traveling to school by vehicle, bus, walking, and bicycles.

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A5-8 cont. | The Draft EIR fails to analyze any of the above categories of information. There is, therefore, no way for the lead agency or the public to assess whether the Project will pose a traffic impact related to the District's provision of public services.

The Draft EIR shows that the proposed Project is anticipated to impede circulation and clog the access roads to, from, and around the Menlo-Atherton. (See, 5 Cal. Code Regs. § 14010(k), which requires that school facilities be easily accessible from arterial roads.) Menlo-Atherton is located a short distance from the proposed Project. Menlo Atherton and the proposed Project would be accessed by the same roads, including Middlefield Road, Ravenswood Avenue, and the immediately surrounding streets. (Draft EIR at 3.3-1.) Menlo-Atherton is located on Middlefield Road, which crosses both Ravenswood Avenue and Ringwood Avenue. The District anticipates that the construction and operation of the proposed Project will have significant impacts on traffic, transportation, circulation, and student safety on these areas.

A5-9 | The District's concerns are validated by the City's Transportation Impact Analysis, in which the City conducted a micro-simulation that showed that the intersections of Middlefield Road and Ravenswood Avenue as well as Middlefield Road and D Street/Ringwood Avenue would be adversely affected by the Project. (Transportation Impact Analysis at Pg. iii) Certain improvements were recommended for these areas, including physical intersection improvements, a roundabout, east/west phasing, and modified signal timing, however concrete plans and timing for the improvements were not discussed. (Transportation Impact Analysis at Pg. vii and ix.)

The Draft EIR discusses certain improvement measures that the City may take in relation to transportation. These measures include the payment of transportation impact fees to fund some (but not all) of the infrastructure associated with development (Draft EIR at 3.3-15), the implementation of a Transportation Demand Management Plan (Draft EIR at 3.3-23 and Draft Parkline Transportation Demand Management Plan.) It is unclear from the Draft EIR exactly when or if many of the improvement measures will be accomplished.

The construction of, and traffic generated by, the Project will severely exacerbate the existing inadequacies in the City's roadways/sidewalks noted above, the already stifling traffic in the general area and downtown, and the safety issues posed thereby. These impacts will severely inhibit the District's ability to operate its educational programs, including at Menlo-Atherton. However, none of these issues were properly analyzed in the Draft EIR.

A5-10 | In addition to drawing hundreds of new residents to the area, including many new high school students, the proposed Project will draw hundreds of daily office commuters, visitors, and emergency access vehicles from around the Bay Area. Accordingly, such increases to traffic in the area will not only make it much more difficult for students and staff to travel to and from Menlo-Atherton, but will also **drastically increase the risk of vehicular accidents to District families, students, and staff traveling to and from school.**

In addition to increased risks of vehicular accidents, the Draft EIR fails to analyze how traffic and parking impacts posed by the Project will impact the safety and convenience of Menlo-Atherton students who walk or bike to school. Title 5 of the California Code of Regulations requires that school sites be located within a proposed attendance area that encourages student

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walking and avoids extensive bussing. (5 Cal. Code Regs. § 14010(l).) To mitigate the impacts of increased traffic related to the Project, the City has committed to develop and implement a Travel Demand Management Plan (Draft EIR at 3.3-23 and Draft Parkline Transportation Demand Management Plan). This Plan would encourage employers and schools to bike, walk, carpool, and use transit. (Draft EIR at 3.3-30.)

The Draft EIR notes the following goals and policies from the City's General Plan related to the safe promotion of alternative modes of transportation:

- 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.
- Goal CIRC-2: Increase accessibility for and use of streets by pedestrians, bicyclists, and transit riders.
- Policy CIRC-2.14. Impacts of New Development. Require new development to mitigate its impacts on the safety...and efficiency...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.
- **Policy CIRC-6.4: Employers and Schools. Encourage employers and schools to promote walking, bicycling, carpooling, shuttles, and transit use.**

(Draft EIR at 3.13-14-3.13-15; emphasis added.)

While the Draft EIR purports to analyze whether the Project complies with the above policies, the Draft EIR does not include adequate information or analysis regarding the transportation needs and patterns of District students, including those attending Menlo-Atherton. The Draft EIR likewise fails to consider how extreme increases in traffic on roads that are already narrow and crowded will impact the safety of students traveling to and from Menlo Atherton. The Draft EIR further fails to consider the impact of students traveling to TIDE Academy or other District schools. Rather, in assessing whether the Project would be consistent with Policy CIRC-6.4 related to Employers and Schools, the Draft EIR states that “[t]he TDM plan estimates that vehicle trips could be reduced by between 30 and 45 percent, depending on whether transit passes or subsidies are provided.” (Draft EIR at 3.3-23.)

The Draft EIR's description of the proposed TDM is both speculative and conditional. The description in the Draft EIR makes no mention of schools or students and provides no concrete evidence that the TDM plan will actually work in reducing traffic in the area. (Draft EIR at 3.3-23.) The Draft Parkline Transportation Demand Management (TDM) Plan (“Draft TDM Plan”) merely states that many of the improvements the City of Menlo Park's Transportation Plan, adopted on November 17, 2020, are focused on enhancing access to Menlo Atherton. The Draft TDM then lists “key pedestrian projects” along Middlefield Road and Ravenswood Avenue with

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no timelines for completion. This analysis is not adequate under CEQA, as it does not provide the public with sufficient information as to whether the Project will comply with the City's General Plan policies.

A5-10 cont. The Draft EIR likewise provides only a surface-level analysis regarding the Project's compliance with other City policies related to the promotion of safe alternative modes of transportation. The analysis completely fails to consider how the probable increase in traffic congestion to the area could exacerbate existing deficiencies with pedestrian facilities, thereby posing severe safety issues to pedestrian use of the Project neighborhood. Contrary to assertions in the Draft EIR, the new criteria established in CEQA Guidelines section 15064.3 for analyzing transportation impacts does not excuse a lead agency from analyzing and mitigating traffic congestion impacts where such impacts may cause significant impacts on air quality, noise, and pedestrian safety. (Pub. Res. Code § 21099(b)(3).)

A5-11 The Draft EIR is also required to provide sufficient information regarding any secondary impacts that may result from inadequate parking, such as safety impacts to students traveling to and from school. (See, *Covina Residents for Responsible Development v. City of Covina* (2018) 21 CA5th 712, 728.) Any secondary impacts on pedestrian and student safety caused by inadequate parking must be analyzed in the Draft EIR.

A5-12 Finally, the Draft EIR's cumulative traffic impacts analysis is deficient. As noted above, EIRs must discuss cumulative impacts of a project when the project's effects on the environment, viewed in conjunction with impacts of other past, present, or reasonably foreseeable future projects, are cumulatively considerable. (CEQA Guidelines § 15130(a).) (See, *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 CA4th 713, 720.) While a lead agency may incorporate information from previously prepared program EIRs into the agency's analysis of a project's cumulative impacts, the lead agency must address all cumulative impacts that were not previously addressed in the program EIR. (Pub. Res. Code § 21083.3(c); 14 CCR 14183(b)(3).)

The Project's above-discussed anticipated traffic and safety impacts, combined with the anticipated traffic and safety impacts of the vast number of development projects that have recently been approved and are being considered for approval in Menlo Park are cumulatively considerable. Each of the large mixed-use projects proposed in the City promises to drastically increase traffic in the neighborhood, resulting in air quality, noise, and safety issues for District families and staff attending Menlo-Atherton. When considered together, their collective impacts on traffic, safety, and air quality in the neighborhood will be devastating. These cumulative impacts on Menlo-Atherton were not adequately discussed in the Draft EIR, and the City proposes no clear measures that could successfully mitigate the impacts.

ii. Air Quality

A5-13 The Draft EIR analyzes air quality impacts posed by construction and operation of the Project. The Draft EIR further recognizes that the proposed Project would pose a significant environmental impact if it would expose "sensitive receptors," including schools, to substantial pollutant concentrations. (Draft EIR at 3.4-17.) The Draft EIR does not, however, specifically discuss potential construction and operational air quality impacts as they pertain to Menlo-Atherton, and students traveling to and from Menlo-Atherton. Air quality impacts on the

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District, its students, and staff have the potential to disrupt classes, prevent students from being outside during construction, and prevent students from traveling to and from Menlo-Atherton. The Draft EIR is, therefore, required to analyze the following:

1. The direct and indirect air quality impacts of the Project on sensitive receptors, such as the District's Menlo-Atherton High School.
2. The cumulative air quality impacts on schools and the community in general resulting from increased vehicular movement and volumes expected from additional development already approved or pending in the area.

A5-13

In its analysis of air quality impacts on sensitive receptors, the City states BAAQMD regulations would be followed and thresholds would not be exceeded. Based on this, the City determined that the impact on sensitive receptors would be less than significant as it relates to asbestos, criteria air pollutants, and toxic air contaminants. (Draft EIR at 3.4-38-3.4.41.) Thus, the Draft EIR's assumption that the Project will comply with air quality plans and applicable regulations appears to serve as the deepest form of analysis related to air quality impacts on the District's students. There is no specific mention of District schools or students in this section of the Draft EIR. The District reiterates its desire for a more comprehensive analysis of air quality impacts.

As the Air Quality impacts discussion does not provide sufficient information needed to analyze air quality impacts on the District's students and Menlo-Atherton, the discussion of air quality impacts is lacking, and the Draft EIR is not in compliance with CEQA.

iii. Noise

In its analysis, the Draft EIR notes that Menlo-Atherton is 200 feet east of the Project site and that a school is a noise sensitive land use. (Draft EIR at 3.7-5.) As such, the Draft EIR appears to acknowledge that noise impacts on Menlo-Atherton must be analyzed and does so minimally. The Menlo Park Municipal Code sets noise thresholds of 60 dBA L_{eq} for daytime hours. (Draft EIR at 3.7-19.) The Draft EIR states that the temporary increase from noise resulting from construction would be considered substantial if the analysis predicts a 10 dB or more increase in the ambient noise level compared to the existing ambient noise level. The Draft EIR states that the noise level at Menlo-Atherton as a result of the daytime construction noise would be 71-75 dBA L_{eq} for Phase 1 construction and 60-63 dBA L_{eq} for Phase 2 construction. (Draft EIR at 3.7-21.) Thus, the noise levels at Menlo-Atherton during daytime construction would exceed the noise thresholds set by the Menlo Park Municipal Code. Construction of the Project is expected to occur over approximately 51 months. (Draft EIR at 3.7-19.)

A5-14

The Draft EIR determined that daytime construction noise would be a potentially significant impact. (Draft EIR at 3.7-25.) The Draft EIR concluded that even with the implementation of mitigation measures, the impacts related to construction noise would be significant and unavoidable with mitigation. (Draft EIR at 3.7-28.)

However, the Draft EIR's analysis of noise impacts generally contains insufficient quantifiable data and analysis that would allow the public and lead agency to understand whether noise and/or vibration generated from either construction or operation of the proposed Project, including in combination with all past, present, and reasonably foreseeable future projects, would

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cause specific significant impacts on the District's educational program at Menlo-Atherton. The Draft EIR's analysis only projects the dBA at Menlo-Atherton and states that the noise impact is significant and unavoidable.

A5-14
cont.

Noise impacts could disrupt classes, prevent students from being able to be outside due to overwhelming outside noise that would affect teachers' abilities to monitor and direct students because they cannot be heard, and lastly, could affect the interior of buildings in which students are housed. For these reasons, the District requested that the following information be discussed and analyzed in the Draft EIR:

1. Any noise sources and volumes which may affect school facilities, classrooms, and outdoor school areas.

Because the Draft EIR did not include sufficient quantifiable information related to the generation of noise and vibration impacts on Menlo-Atherton, the Draft EIR fails to serve its informational purpose.

iv. Population and Housing

The District anticipates that this Project will generate a significant increase in new students, and specifically requested that the Draft EIR analyze:

1. Historical, current, and future population projections for the District.
2. The impacts of population growth within the District on the District's ability to provide its educational program.

A5-15

The District notes that it is currently in the process of reviewing its student generation data and such data is subject to change.

Relatedly, the District requested that the following categories of information pertaining to housing be addressed:

3. The type and number of anticipated dwelling units indirectly resulting from the Project.
4. The average square footage for anticipated dwelling units, broken down by type of unit, indirectly resulting from the Project.
5. The estimated amount of development fees to be generated by development in accordance with implementation of the Project.

As explained in the NOP Response, population growth or shrinkage is a primary consideration in determining the impact that development may have on a school district, as a booming population can directly impact the District and its provision of educational services, largely because of resulting school overcrowding, while a district with declining enrollment may depend on new development to avoid school closure or program cuts. Overcrowding can constitute a significant impact within the meaning of the CEQA. (See, Cal. Code Regs., tit.14, §§ 15064(e).) This is

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particularly true where the overcrowding results in unsafe conditions, decreased quality of education, the need for new bus routes, and a need for new school construction. (See, *Chawanakee, supra*, 196 Cal.App.4th 1016.)

The foregoing categories of information are critical for determining the extent of both physical and fiscal impacts on the District caused by increased population growth. As discussed above, California school districts are dependent on developer fees authorized by the provisions of Government Code sections 65995, *et seq.*, and Education Code sections 17620, *et seq.*, for financing new school facilities and maintenance of existing facilities. The developer fees mandated by section 65995 provide the District the bulk of its local share of financing for facilities needs related to development. The adequacy of the statutory development fees to offset the impact of new development on local school districts can be determined only if the types of housing and average square footage can be taken into consideration. For instance, larger homes often generate approximately the same number of students as smaller homes. At the same time, however, a larger home will generate a greater statutory development fee, better providing for facilities to house the student being generated. It is for these reasons that the Government Code now requires a school district to seek – and presumably to receive – such square footage information from local planning departments. (Gov. Code § 65995.5(c)(3).)

In the City's Fiscal Impact Analysis Report for Parkline Master Plan, the City stated that the Project and Variant would generate fiscal surpluses of \$2.9 million annually. The City further stated that the Project would generate one-time impact fees to the District totaling approximately \$1.4 million while the Variant would generate one-time impact fees totaling approximately \$2.3 million. (Fiscal Impact Analysis at 35-36.)

A5-15

cont.

While the foregoing funding considerations present fiscal issues, they translate directly into physical, environmental impacts, in that inadequate funding for new school construction can result in overcrowding of existing facilities. Furthermore, fiscal and social considerations are relevant to an EIR, particularly when they either contribute to or result from physical impacts. (Pub. Res. Code § 21001(g); Cal. Code Regs., tit.14, §§ 15021(b), 15131(a)-(c), 15142 & 15382.)

Phasing of development is also a crucial consideration in determining the extent of impact on schools. Timing of development determines when new students are expected to be generated, and it therefore is an important consideration, particularly when considering the cumulative impact of a project in conjunction with other approved or pending development.

The District requests that the Draft EIR be modified to include or further explore the above categories of information so that the lead agency, District, and the public may adequately understand the direct and indirect impacts of the Project on the District. (CEQA Guidelines § 15126.2(a) [requires consideration of indirect impacts].)

IV. SB 50 does not absolve lead agencies of their responsibility to ensure General Plan consistency.

A5-16

In *Endangered Habitats League v. County of Orange* (2005) 131 Cal.App.4th 777, the Court held that project approvals and findings must be consistent with the lead agency's general plan, and that the EIR for such a project must provide sufficient information for the lead agency to

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make an informed decision regarding such consistency. A project is consistent with the general plan if it will further the objectives and policies of the general plan and not obstruct their attainment. (See *Endangered Habitats League, supra*, 131 Cal.App.4th 777, 782, quoting *Corona-Norco Unified School District v. City of Corona* (1993) 17 Cal.App.4th 985, 994.)

A5-16
cont.

Fostering quality education should be a priority to the City. As discussed above, the City's General Plan includes goals to support "Safe Routes to School programs to enhance the safety of school children who walk and bike to school," and to encourage schools to promote walking, bicycling, carpooling, shuttles, and transit use. (General Plan at CIRC-1.9, CIRC-6.4.) The General Plan also includes Land Use Policy LU-1.7, which states that the City shall "encourage excellence in public education citywide, as well as use of school facilities for recreation by youth to promote healthy living."

As discussed at length above, substantial evidence in the record establishes a significant possibility that the Project, in conjunction with all other projects being considered or approved in Menlo Park, by generating thousands of new residents and vehicles to the area within a few years, will have a negative impact on students, education, and educational facilities. These impacts, which were not adequately analyzed in the Draft EIR, will directly impede the fulfillment of the above General Plan policies and goals. As demonstrated in California case law, the mere payment of developer fees will not adequately mitigate the impacts of development on the District's schools. Thus, approval of the Project without adopting any feasible measures to address the negative impacts on schools would be contrary to the City's General Plan.

V. The proposed mitigation measures and Project alternatives are inadequate to reduce the impacts related to schools to a less than significant level.

A5-17

Based on the deficiencies of the Draft EIR described above, the Draft EIR's conclusion that payment of school impact fees will mitigate school impacts to a less than significant level is inaccurate. Since the Draft EIR is lacking in detailed discussion and analysis of existing and projected Project conditions, taking into account both the impact *on* school facilities and the impacts *related to* schools, the City cannot possibly reach the conclusion that developer fees are adequate to mitigate the Project's school impacts because all impacts have not been evaluated.

Furthermore, the Draft EIR's conclusion that SB 50 limits the City's ability to prescribe other types of school mitigation for the Project is unsupported by law. Rather, under the Government Code, the City has a duty to coordinate with the District to provide effective school site planning. The City should consider Project alternatives and/or alternative mitigation measures, such as those proposed below, to fulfill that duty.

A. The Legislature Intended Coordinated Planning for School Sites

A5-18

Government Code sections 65352 and 65352.2 (all subsequent code sections refer to the Government Code unless otherwise specified) require local cities and counties to coordinate planning of school facilities with school districts. The Legislature confirmed that the parties are meant to coordinate "[o]ptions for the siting of new schools and whether or not the local city or counties existing land use element appropriately reflects the demand for public school facilities,

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and ensures that new planned development reserves location for public schools in the most appropriate locations.”

A5-18
cont.

The Legislature recognized that new planned development should take into consideration and even “reserve” where schools would be located to serve the development because schools are as integral a part of planning for new development as is any other public service, such as fire, police, water and sewer. As it relates to this case, the intent behind sections 65350, *et seq.*, supports the District’s position that the City must analyze whether the District’s current facilities are adequate to accommodate and serve both its existing population and the new development, particularly in light of the Project impacts and cumulative factors addressed in this letter. The City can help the District provide adequate facilities resulting from any impacts of the Project, which are not addressed by developer fees, by requiring alternative mitigation measures to assure that there are adequate school facilities available to accommodate the District’s needs.

B. Alternative Mitigation Measures

District demands consideration of the following alternative mitigation measures to address impacts related to schools, each of which begin to address the actual school related impacts discussed above.

1. Land Dedication

One possible mitigation method which was not addressed in the Draft EIR, would be for the City to consider adopting findings requiring any developer building as part of the development allowed by the Project to dedicate land and/or funding pursuant to Government Code sections 65970, *et seq.*, which permit the City to require a developer to dedicate land to a school district.

A5-19

Section 65974 specifically states that “for the purpose of establishing an interim method of providing classroom facilities where overcrowded conditions exist, . . . a city, county, or city and county may, by ordinance, require the dedication of land, the payment of fees in lieu thereof, or a combination of both, for classroom and related facilities for elementary or high schools as a condition to the approval of a residential development.” Nothing in SB 50/Government Code section 65996 precludes this approach. Land dedication is a permissible mitigation measure under Government Code section 65995, *et seq.* Section 65995(a) specifically states that “[e]xcept for a fee, charge, dedication, or other requirement authorized under Section 17620 of the Education Code, or pursuant to Chapter 4.7 (commencing with Section 65970), a fee, charge, dedication or other requirement for the construction or reconstruction of school facilities may not be levied. . . .” (Emphasis added.) Section 65995 expressly excludes Chapter 4.7, inclusive of section 65974, from this limitation, thus permitting a city to address conditions of overcrowding in school facilities or inadequately sized school sites by requiring, for example, the dedication of land.

A land dedication requirement would be good public planning benefiting all residents of the community, including future residents of the Project. Land suitable for new school facilities in Menlo Park is already extremely scarce; it will only become more so if the Project is implemented and further development occurs. Under Government Code sections 65352 and 65352.2, the City has a duty to help plan for adequate services to its residents by ensuring that future sites are set aside for schools. Failure to do so leads to inadequate services, future

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controversies, and the potential need for a school district to exercise its rights under eminent domain, displacing existing residents. Therefore, mitigation for the impacts stemming from the Project that are not considered in the Draft EIR are and should be made available even after SB 50.

2. Phasing

A5-19
cont.

Another method by which the City should work cooperatively with the District within all legal constraints to ensure adequate school facilities with regard to new development allowed by the Project, and which therefore can serve as an appropriate mitigation measure, is the requirement that all future development be phased. It appears that this Project will be constructed in phases, and future projects within the City should be required to follow suit. Timing development so as to balance the availability of school facilities with new development can significantly aid the District in its attempt to provide for the additional students who will be generated as a result of the Project and development following approval of the Project. Such phasing is not a denial of new development on the basis of insufficient school facilities in contravention to SB 50; it is instead appropriate planning to offset the impacts of new development.

VI. Conclusion

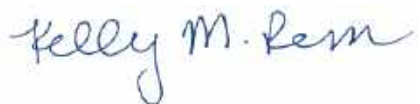
A5-20

It is the District's position that the Draft EIR is incomplete and does not adequately analyze the Project's potential impacts related to schools, or mitigation measures that would lessen these impacts. The safety of students is paramount to the District, and these safety concerns are not adequately addressed in the Draft EIR as currently constituted. Changes must be made to preserve the safety of the students and allow them to enjoy productive time at school, free from excessive traffic, noise, and pollution.

Therefore, the District requests that the Draft EIR be updated and recirculated. (See CEQA Guidelines § 15162(a); *Mountain Lion Coalition v. Fish & Game Com.* (1989) 214 Cal.App.3d 1043; *Laurel Heights Improvement Assn. v. Regents of University of California* (1993) 6 Cal.4th 1112, 1130, as modified on denial of reh'g (Feb. 24, 1994).) Further, the District requests that the City and Developer meaningfully involve the District in that process, so as to promote a positive educational environment for existing and incoming residents of Menlo Park.

Sincerely,

LOZANO SMITH



Kelly M. Rem

KMR/mag

Enclosures

cc: Crystal Leach, Superintendent



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January 9, 2023

By Email and U.S. Mail: cdsandmeier@menlopark.org

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Acting Principal Planner
Community Development
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Re: Response of Sequoia Union High School District to Notice of Preparation of the Environmental Impact Report for the Parkline Master Plan Project

Dear Ms. Sandmeier:

This office represents Sequoia Union High School District ("District"). The District appreciates the opportunity to provide comments and input regarding the Notice of Preparation of the Environmental Impact Report ("EIR") for the Parkline Master Plan Project ("Project").

A5-21

As should by now be abundantly clear from the District's scoping and comment letters recently submitted to the City regarding other projects, the District is very concerned about the numerous large residential and commercial development projects proposed in the City. The District's Menlo-Atherton High School is located approximately half a mile west of the Project, while the District's TIDE Academy and Sequoia High School are located approximately four miles from the Project. These Project is anticipated to result in extensive impacts on student safety, among other impacts. **As in the District's prior letters, the District requests that all direct and indirect impacts related to the Project's proximity to District schools, especially Menlo-Atherton High School, be thoroughly reviewed, analyzed, and mitigated.**

The Project application was submitted by Lane Partners, LLC, on behalf of SRI International. The 63.2-acre Project site is proposed to be located at 333 Ravenswood Avenue, 301 Ravenswood Avenue, 555 Middlefield Road, and 565 Middlefield Road. The Project site currently includes SRI International's research campus. The proposed Project would redevelop the research campus by creating a new office/R&D, transit-oriented campus with no net increase in commercial square footage, up to 550 new rental housing units at a range of affordability levels, new bicycle and pedestrian connections, and 25 acres of publicly accessible open space. The Proposed Project would organize land uses generally into two land use districts within the Project site, including 1) an approximately 10-acre residential district in the southwestern portion of the Project site; and 2) an approximately 53-acre office/R&D district that would comprise the remainder of the Project site. The Proposed Project would also establish a separate parcel of

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land that is proposed to be leased to an affordable housing developer for the future construction of a 100% affordable housing or special needs project which would be separately rezoned as part of the proposed Project for up to 100 residential units. As explained further below, this Project has the potential to cause severe detriment to the District and its students.

The Notice of Preparation (“NOP”) prepared for the Project concludes that the Project may have numerous impacts on the environment, including potential impacts on Public Services, Population and Housing, Transportation, Noise and Vibration, Air Quality and Utilities. The NOP thus correctly concludes that a subsequent full-scope EIR is required.

Preliminarily, the District notes that it is willing to participate in meetings or study sessions with City Staff and the applicant to discuss the proposed Project. The District is hopeful that opening the door to these discussions will yield solutions that benefit the District, the City, and the community as a whole.

The District requests that the following topics be analyzed and considered in the Draft EIR for the Project.

A. Transportation/Circulation/Traffic Analysis

- 1. Describe the existing and the anticipated vehicular traffic and student pedestrian movement patterns to and from school sites, including movement patterns to and from Menlo-Atherton High School, TIDE Academy, and Sequoia High School, and including consideration of bus routes.**
- 2. Assess the impact(s) of increased vehicular movement and volumes caused by the Project, including but not limited to potential conflicts with school pedestrian movement, school transportation, and busing activities to and from Menlo-Atherton High School, TIDE Academy, and Sequoia High School.**
- 3. Estimate travel demand and trip generation, trip distribution, and trip assignment by including consideration of school sites and home-to-school travel.**
- 4. Assess cumulative impacts on schools and the community in general resulting from increased vehicular movement and volumes expected from additional development already approved or pending in the City.**
- 5. Discuss the direct, indirect, and cumulative impacts on the circulation, and traffic patterns in the community as a result of traffic generated by the transportation needs of students to and from the Project and schools throughout the District during and after the Project build-out.**
- 6. Assess the impacts on the routes and safety of students traveling to school by vehicle, bus, walking, and bicycles.**

A5-21
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The District has significant concerns about the traffic, transportation, and circulation impacts that the Project may have on the District, including the District's staff, parents, and students that attend Menlo-Atherton High School. The foregoing categories of information are critical for determining the extent of those impacts.

(a) The City Must Consider All Traffic and Related Impacts, Including Impacts of Traffic on Student Safety, Caused by the Project.

A5-21
cont.

Any environmental analysis related to the Project must address potential effects related to traffic, noise, air quality, and any other issues affecting schools. (Pub. Resources Code, §§ 21000, *et seq.*; Cal. Code Regs., tit. 14, §§ 15000, *et seq.*; *Chawanakee Unified School District v. County of Madera, et al.*, (2011) 196 Cal.App.4th 1016.) Additionally, specifically regarding traffic, there must be an analysis of safety issues related to traffic impacts, such as reduced pedestrian safety, particularly as to students walking or bicycling to and from Menlo-Atherton High School; potentially reduced response times for emergency services and first responders traveling to these schools; and increased potential for accidents due to gridlock during school drop-off and pick-up hours. (See, Journal of Planning Education and Research, "Planning for Safe Schools: Impacts of School Siting and Surrounding Environments on Traffic Safety," November 2015, Chia-Yuan Yu and Xuemei Zhu, pg. 8 [Study of traffic accidents near Austin, Texas schools found that "[a] higher percentage of commercial uses was associated with more motorist and pedestrian crashes" around schools].)

The State Office of Planning and Research has developed new CEQA Guidelines which set forth new criteria for the assessment of traffic impacts, and now encourages the use of metrics such as vehicle miles traveled ("VMT"), rather than level-of-service ("LOS"), to analyze project impacts on traffic. (14 Cal. Code Regs. § 15064.3.) However, local agencies may still consider impacts on traffic congestion at intersections where appropriate, and must do so where, as here, such traffic congestion will cause significant impacts on air quality, noise, and safety issues caused by traffic. (Pub. Res. Code § 21099(b)(3).)

The City has experienced a drastic increase in traffic over the last ten to fifteen years as the City has continued to approve newer corporate campuses and mixed biotechnology, commercial, office, and residential land uses. **The construction resulting from and traffic generated by the Project will severely exacerbate the already stifling traffic in the area, and the safety issues posed thereby. These impacts will severely inhibit the District's ability to operate its educational programs, including at Menlo-Atherton High School.**

The proposed Project is anticipated to impede circulation in the Project area, and clog the access roads to, from, and around the District's Menlo-Atherton High School, including along Middlefield Road. (See, 5 Cal. Code Regs. § 14010(k), which requires that school facilities be easily accessible from arterial roads.) The District's Menlo-Atherton High School is located approximately half a mile west of the Project. Both Menlo-Atherton High School and the proposed Project would be accessed by the same roads, including those mentioned above. In addition to drawing a large number of new residents to the area, the proposed Project will draw thousands of daily office commuters, visitors, and emergency access vehicles from around the Bay Area. The immediate roads surrounding Menlo-Atherton High School, will bear the burden of the increased traffic patterns. Such increases to traffic in the area will not only make it much

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more difficult for students and staff to travel to and from Menlo-Atherton High School, but will also **drastically increase the risk of vehicular accidents to District families, students, and staff traveling to and from school.**

In addition to increased risks of vehicular accidents, the traffic and parking impacts posed by the Project may severely impact the safety and convenience of Menlo-Atherton High School students who walk or bike to school. Title 5 of the California Code of Regulations requires that school sites be located within a proposed attendance area that encourages student walking and avoids extensive bussing. (5 Cal. Code Regs. § 14010(l).)

The EIR must analyze and mitigate all of the above traffic and related impacts, including those impacts related to student safety and ability to get to school, the District's ability to implement its transportation and safety mitigation measures for Menlo-Atherton High School, and the District's ability to promote alternative modes of transportation to and from Menlo-Atherton High School. It is important that these traffic impacts are not only assessed through a VMT analysis, but also through a LOS analysis, as traffic congestion surrounding the District's Menlo-Atherton High School caused by the proposed Project will in turn cause significant issues related to safety, noise, and air quality. It is anticipated that these impacts will extend far beyond the Project area. Rather, the District requests that all intersections that could be impacted by the Project, including those within and outside of the Project area, be analyzed for LOS and related safety impacts.

A5-21
 cont.

(b) City Must Consider Cumulative Traffic and Related Impacts.

Environmental impact reports must address cumulative impacts of a project when the project's effects on the environment, viewed in conjunction with impacts of other past, present, or reasonably foreseeable future projects, is cumulatively considerable. (14 CCR 15130(a).) (See *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 CA4th 713, 720, finding that piecemeal approval of several projects with related impacts could lead to severe environmental harm.) While a lead agency may incorporate information from previously-prepared program EIRs into the agency's analysis of a project's cumulative impacts, the lead agency must address all cumulative impacts that were not previously addressed in the program EIR. (Pub. Res. Code § 21083.3(c); 14 CCR 14183(b)(3).)

The Project's above- and below-discussed anticipated impacts on the District, combined with the anticipated impacts of the vast number of development projects that have recently been approved and are being considered for approval in the City are cumulatively considerable. All of these impacts are exacerbated by the volume of projects that the City is considering and approving, as the District will be unable to accommodate the influx of students through facilities, infrastructure, and related improvements. When considered together, the collective impacts on traffic, safety, and air quality in the neighborhood will be devastating. **These cumulative impacts on the District's Menlo-Atherton High School, TIDE Academy, and Sequoia High School must be analyzed and mitigated.**

B. Air Quality

- 7. Identify and assess the direct and indirect air quality impacts of the Project on sensitive receptors, such as the District's Menlo-Atherton High School.**
- 8. Identify and assess cumulative air quality impacts on schools and the community in general resulting from increased vehicular movement and volumes expected from additional development already approved or pending in the area.**

The Bay Area Air Quality Management District's ("BAAQMD") CEQA Guidelines (May 2017) impose numerous limitations on the exposure of "sensitive receptors," such as schools, to odors, toxics, and pollutants, including pollutants from vehicular exhaust.

It is anticipated that the Project will have a significant impact on the air quality of the neighborhood surrounding Menlo-Atherton High School due to extensive construction activities and increases in vehicular traffic. Even more pressing, the proposed Project is anticipated to result in significant impacts to sensitive receptors as an increased number of vehicles enter and exit the Project area, creating increased levels of air toxins and particulate matter that could negatively impact student health. These impacts, as they relate to the District's students at Menlo-Atherton High School, must be analyzed in the Draft EIR. This analysis also dovetails with the discussion above regarding the necessity of LOS analysis. Decreased levels of service at intersections generally mean lengthier amounts of time for cars to idle, including near schools, resulting in decreased air quality and the potential for substantial impacts on students.

A5-21
cont.

C. Noise

- 9. Identify any noise sources and volumes which may affect school facilities, classrooms and outdoor school areas.**

It is expected that noise from construction stemming from the implementation of the proposed Project will cause impacts on the District's educational programs at Menlo-Atherton High School. Request No. 9 is intended to clarify that the EIR's consideration of noise issues take into account all of the various ways in which noise may impact schools, including increases in noise levels in the immediate vicinity of Menlo-Atherton High School.

D. Population

- 10. Describe historical, current, and future population projections for the District.**
- 11. Assess the impacts of population growth within the District on the District's ability to provide its educational program.**

In addition to 450 anticipated residential units, it is anticipated that the proposed Project's 1,500,000 gsf of Office/R&D District will draw thousands of residents into the area on a permanent, or at least a daily basis. Using the District's previously identified student generation

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rate of 0.2, 450 anticipated residential units are likely to generate approximately 90 new high school students to the District. Menlo-Atherton High School is currently already over capacity.

The District, therefore, specifically demands that historic, current, and future population projections for the District be addressed in the EIR. Population growth or shrinkage is a primary consideration in determining the impact that development may have on a school district, as a booming population can directly impact the District and its provision of educational services, largely because of resulting school overcrowding, while a district with declining enrollment may depend on new development to avoid school closure or program cuts. Overcrowding can constitute a significant impact within the meaning of CEQA. (See, 14 Cal. Code Regs. §§15064(e).) This is particularly true where the overcrowding results in unsafe conditions, decreased quality of education, the need for new bus routes, and a need for new school construction. The same can hold true for potential school closures or program cuts resulting from a declining population.

E. Housing

12. Describe the type and number of anticipated dwelling units indirectly resulting from the Project.

13. Describe the average square footage for anticipated dwelling units, broken down by type of unit, indirectly resulting from the Project.

14. Estimate the amount of development fees to be generated by development in accordance with implementation of the Project.

The foregoing categories of information are critical for determining the extent of both physical and fiscal impacts on the District caused by increased population growth.

California school districts are dependent on developer fees authorized by the provisions of Government Code sections 65995, *et seq.*, and Education Code sections 17620, *et seq.*, for financing new school facilities and maintenance of existing facilities. The developer fees mandated by Section 65995 provide the District a significant portion of its local share of financing for facilities needs related to development.

The adequacy of the statutory development fees to offset the impact of new development on local school districts can be determined only if the types of housing and average square footage can be taken into consideration. For instance, larger homes often generate approximately the same number of students as smaller homes. At the same time, however, a larger home will generate a greater statutory development fee, better providing for facilities to house the student being generated. It is for these reasons that the Government Code now requires a school district to seek – and presumably to receive – such square footage information from local planning departments. (Gov. Code § 65995.5(c)(3).)

While the foregoing funding considerations raise fiscal issues, they also translate directly into physical, environmental impacts, in that inadequate funding for new school construction results in overcrowding of existing facilities. Without funding to build new facilities or land on which

A5-21
cont.

to expand, students may need to attend schools outside their attendance boundaries, creating significant traffic impacts, among others. Furthermore, fiscal and social considerations are relevant to an EIR, particularly when they either contribute to or result from physical impacts. (Pub. Resources Code § 21001(g); 14 Cal. Code Regs. §§ 15021(b), 15131(a)-(c), 15142 & 15382.)

Phasing of development is also a crucial consideration in determining the extent of impacts on schools, which is especially relevant considering the volume of development occurring in the downtown area. The timing of the development will determine when new students are expected to be generated, and therefore is an important consideration particularly when considering the cumulative impact of a project in conjunction with other approved or pending development.

F. Public Services

- 15. Describe existing and future conditions within the District, on a school-by-school basis, including size, location and capacity of facilities.**
- 16. Describe the adequacy of both existing infrastructure serving schools and anticipated infrastructure needed to serve future schools.**
- 17. Describe the District's past and present enrollment trends.**
- 18. Describe the District's current uses of its facilities.**
- 19. Describe projected teacher/staffing requirements based on anticipated population growth and existing State and District policies.**
- 20. Describe any impacts on curriculum as a result of anticipated population growth.**
- 21. Identify the cost of providing capital facilities to properly accommodate students on a per-student basis, by the District (including land costs).**
- 22. Identify the expected shortfall or excess between the estimated development fees to be generated by the Project and the cost for provision of capital facilities.**
- 23. Assess the District's present and projected capital facility, operations, maintenance, and personnel costs.**
- 24. Assess financing and funding sources available to the District, including but not limited to those mitigation measures set forth in section 65996 of the Government Code.**
- 25. Identify any expected fiscal impacts on the District, including an assessment of projected cost of land acquisition, school construction, and other facilities needs.**

A5-21
cont.

26. Assess cumulative impacts on schools resulting from additional development already approved, pending, or anticipated.

27. Identify how the District will accommodate students from the Project who are not accommodated at current District schools, including the effects on the overall operation and administration of the District, the students and employees.

CEQA Guidelines, Appendix G, states that a project may have public services impacts on schools if the project would “result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives” for the provision of school services.

A5-21
cont.

There are a myriad of ways in which large residential and commercial development projects can impact a school district’s need for new or physically altered facilities in order to maintain performance objectives. The Draft EIR’s examination of the Project should analyze all potential impacts under this standard, including but not limited to: (1) whether the influx of students would require “physically altered” school facilities unrelated to the accommodation of additional enrollment; (2) whether other impacts of the Project, such as increased traffic, noise, or air pollutants in the neighborhood surrounding Menlo-Atherton High School, could impact the District’s need for new or physically altered school facilities; and (3) whether other impacts of the Project could otherwise interfere with the District’s ability to accomplish its own performance objectives. Consideration of the above-listed categories of information is essential to properly making these determinations.

Lead agencies often cite to SB 50 (specifically, Government Code sections 65995(h) and 65996(a)), for the proposition that the payment of school impact fees (commonly referred to as “developer fees”) excuses them from their obligations to analyze and mitigate impacts posed on school districts by development. This, however, is a misstatement of the law related to developer fees and CEQA. While SB 50 does declare that the payment of the developer fees authorized by Education Code section 17620 constitutes “full and complete mitigation of the impacts of any legislative or adjudicative act on the provision of adequate school facilities,” (Gov. Code § 65995(h)), SB 50 does not excuse lead agencies from analyzing such impacts on school facilities in the first place. Further, **California courts have since acknowledged that developer fees do not constitute full and complete mitigation for school-related impacts other than school overcrowding.** (*Chawanakee Unified Sch. Dist. v. County of Madera* (2011) 196 Cal.App.4th 1016.) Thus, the payment of fees does not constitute full mitigation for all impacts caused by development related to traffic, noise, biological, pedestrian safety, and all other types of impacts related to the District and its educational program. The District expects the City to analyze and mitigate all such impacts in the EIR for the Project.

Corinna Sandmeier
City of Menlo Park
January 9, 2023
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Conclusion

A5-21
cont.

The District does not oppose development within District boundaries, and recognizes the importance of housing on the health and welfare of the community. However, the District maintains that the community can only thrive if the District's educational program and its facilities are viable and sufficient, and District staff, families, and students are safe. Accordingly, the needs of the District must be appropriately considered in the environmental review process for all proposed new development that will impact the District, such as the very large project under consideration.

We request that all notices and copies of documentation with regard to the Project be mailed both to the District directly, and also to our attention as follows:

Crystal Leach, Associate Superintendent, Administrative Services
Sequoia Union High School District
480 James Avenue
Redwood City, CA 94062

Harold M. Freiman, Esq.
Lozano Smith
2001 North Main Street, Suite 500
Walnut Creek, CA 94596

Please feel free to contact us directly if we can be of any assistance in reviewing the above issues. Thank you.

Sincerely,

LOZANO SMITH



Harold M. Freiman

HMF/df

cc: Crystal Leach, Associate Superintendent, Administrative Services (cleach@seq.org)

A5. Response to Comment A5—Kelly M. Rem, Lozano Smith for Sequoia Union High School District

A5-1 *The commenter summarizes the Project description and states that the Project would generate new students who would attend the nearby Menlo-Atherton High School. The commenter accurately describes the Proposed Project. Although the commenter does not provide the specific number of students generated, Draft EIR Impact PS-3 determines there would be approximately 56 high school students associated with the residential component of the Proposed Project. In addition, through the increased employment, which would require 117 offsite residential units, the Proposed Project would indirectly generate 15 high school students. This comment is introductory material to the comment letter and does not raise any issues with the Draft EIR; therefore, no additional response is required.*

A5-2 *The commenter provides the history of their involvement in the CEQA process for other projects in Menlo Park, expresses the desire that the Proposed Project's impacts and mitigation be part of future discussions with the developer, and states the desire for coordination between the Sequoia Union High School District (District) and developer. The comments regarding past projects are not pertinent to impacts of the Proposed Project; however, the comments regarding past coordination are noted and included in the record for consideration by decision-makers. The Draft EIR discusses the Proposed Project's impacts on schools with feasible mitigation measures being adopted, to the extent required by CEQA, if a project or alternative is approved.*

Compared to other projects mentioned by the commenter, the Project Site is not in the Bayfront Area of Menlo Park or in proximity to the TIDE Academy. In addition, the District's scoping comment letter on the NOP for the Proposed Project was considered in preparation of the Draft EIR, as summarized on page 1-3 of the Draft EIR and referenced throughout the document.

A5-3 *The commenter states that the Draft EIR does not adequately address environmental impacts on schools and related to schools and that the Proposed Project, in combination with other pending projects in the city of Menlo Park, has the potential to result in negative effects on the District. The commenter also states that the Draft EIR does not correctly address the SBJ 50 requirement and that the Draft EIR should be revised and recirculated. This comment generally introduces the overall content of subsequent comments, which provide more detail than this general introductory comment. In summary, as addressed in more detail in Responses A5-4 through A5-21, below, the Draft EIR adequately addresses environmental impacts, both on schools and related to schools.*

Potential environmental impacts as a result of the Proposed Project related to schools, were addressed in the Draft EIR on pages 3.15-15 through 3.15-18; impacts specific to the District were discussed on page 3.15-17. As discussed on pages 3.15-17 and 3.15-18 of the Draft EIR, impacts on District facilities, the expansion of which could trigger physical environmental impacts, were determined to be less than significant.

The analysis of impacts on school facilities due to the increase in the onsite employee and residential population is included in the Draft EIR under Impact PS-3 on pages 3.15-15 through 3.15-18. As concluded in the Draft EIR, the Proposed Project's 550 residential units would be estimated to generate 30 elementary and middle school students and 56 high school students. In addition, through the increased employment, which would require 117 offsite residential units, the Proposed Project would indirectly generate 31 elementary school students, 14 middle school students, and 15 high school students. Based on the District's student generation rate of

0.10 student per multi-family unit and 0.14 student per townhome, the Proposed Project would generate 71 high school students as a result of both proposed onsite and offsite employment and proposed residential units. This represents a 3.3 percent increase in enrollment, according to Menlo-Atherton High School's most recent enrollment statistics, or approximately 14.7 percent of the enrollment capacity at Menlo-Atherton High School.

The Draft EIR includes a similar analysis in its discussion of the Project Variant, which reaches the same conclusions. As discussed on page 4-90 of the Draft EIR, with respect to Project Site-generated students, school-age students residing in the 800 residential units included in the Project Variant would be assigned to the Menlo Park City School District (CSD) for elementary and middle school. High school students would be within Menlo-Atherton High School's attendance area. For this analysis, the Menlo Park CSD student generation rates of 0.42 student per complex or townhome and 0.04 student per condominium or apartment were used to estimate the number of elementary and middle school students added by the Project Variant; the Sequoia Union High School District's (SUHSD's) student generation rates of 0.10 for multi-family units and 0.14 for townhomes were used to estimate the number of high school students added by the Project Variant. Approximately 46 percent of the Project Variant's residential units, currently estimated at approximately 369 if the maximum number of units (800) is constructed, would be studio and one-bedroom units; because these units would be less likely to have families in them, the student generation rate provides a conservative approach. Using the rates provided, the Project Variant's 800 residential units would be estimated to generate 50 elementary and middle school students and 82 high school students.

As concluded in the Draft EIR, the District would be able to accommodate the increase in the number of students potentially generated directly and indirectly by the Proposed Project and the Project Variant across its existing facilities. Despite concerns raised by the commenter regarding impacts on the District, the findings of the Draft EIR prepared for the Proposed Project remain valid. As stated on page 3.15-8 of the Draft EIR:

Under the provisions of Senate Bill (SB) 50, school districts are authorized to collect fees to offset costs associated with increasing school capacity as a result of development and related population increases. The funding goes toward acquiring school sites, constructing new school facilities, and modernizing existing school facilities. SB 50 establishes a process for determining the amount developers would be charged to mitigate the impact of development on school districts from increased enrollment. According to the California Government Code, development fees authorized by SB 50 are deemed to be "full and complete school facilities mitigation."

Fees are intended to provide school districts with the funds needed to plan for and accommodate expanding enrollment within their service areas. They are considered full and complete mitigation for potential impacts on school facilities that could occur as a result of new development, such as the Proposed Project. As discussed on page 3.15-8 of the Draft EIR, the District is eligible for levying Level 1 development impact fees on new residential and commercial development. Payment of these fees would be full and complete mitigation pursuant to SB 50 and would be required prior to issuance of a building permit. Furthermore, as noted on page 2-44 of the Draft EIR, the Proposed Project was required to conduct an FIA, which calls for certain projects to include an analysis of the potential fiscal impact on the city,

school districts, and special districts. The FIA prepared by BAE³¹ was conducted for the Proposed Project separately from the CEQA process; it will be considered by city decision-makers when taking final action on Project approval. The city may, but is not required to, impose conditions of approval, based on the findings of the FIA. The FIA is not required under CEQA, and its results are not related to physical impacts on the environment that require mitigation.

None of the conditions requiring recirculation of the Draft EIR under Section 15088.5 have been met. Therefore, recirculation is not required.

A5-4 *The commenter expressed concern that comments submitted on the NOP and Initial Study, dated January 9, 2023, were not adequately addressed in the Draft EIR. Specifically, the commenter states that 27 subcategories were identified by the District within the topic areas of population and housing, transportation/traffic, noise, air quality, and public services and that most of the subcategories were either not addressed or inadequately addressed.* The letter submitted by the commenter in January 2023 is included in Appendix 1 of the Draft EIR. As stated on page 1-3 of the Draft EIR, comments received by the city, including the District comment letter, were considered during preparation of the Draft EIR and addressed to the extent the comment raised an issue within the purview of CEQA. The Draft EIR has sections for transportation, noise, air quality, and public services. The commenter does not state in this comment which specific topics they think were not adequately addressed in the Draft EIR; therefore, no additional response can be provided.

A5-5 *The commenter expresses concern that the Draft EIR does not meet its purpose as an informational document because it does not provide an adequate description of the environmental setting related to schools, as well as District families and students, Menlo-Atherton High School, Sequoia High School, and the TIDE Academy. The commenter states that the Draft EIR did not adequately address current and future projected enrollment at Menlo-Atherton or other District schools affected by the Proposed Project, the District's educational program objectives at Menlo-Atherton, a description of how the District currently uses its facilities at Menlo-Atherton, and the paths of travel used by the District.* The applicable environmental setting, including surrounding land uses, is discussed on pages 2-1 through 2-9 in Chapter 2, *Project Description*, of the Draft EIR. In addition, each topical section of the Draft EIR begins with a description of the applicable physical setting or existing conditions for the Project Site and surroundings uses within Menlo Park for that specific topic area and to the level of detail necessary to understand environmental impacts, as required by CEQA. The Draft EIR includes the setting and an analysis for the environmental impact topics referenced by the commenter, as follows:

1. *Transportation:* The results of the Parkline TIA are presented in Section 3.3, *Transportation*, of the Draft EIR. The Parkline TIA was released after the Draft EIR was published but provided on the city's website at <https://menlopark.gov/parkline>. The Parkline TIA is also included as Appendix 2 of this document. The Draft EIR adequately and accurately describes the general traffic and pedestrian conditions within the study area. Because Menlo-Atherton High School is just east of the Project Site, across Middlefield Road, it is within the transportation study area.

The potential impacts of Project-generated vehicle traffic on pedestrian safety, including the safety of individuals biking or walking to Menlo-Atherton High School, are discussed on pages 3.3-24 to 3.3-33 and pages 3.3-35 and 3.3-36 of the Draft EIR in Section 3.3, *Transportation*. Traffic counts were based on 2022/2023 traffic counts conducted for the Proposed Project

³¹ Bay Area Economics. 2024. *Fiscal Impact Analysis Report for Parkline Master Plan*. June 19. Available: <https://menlopark.gov/parkline>.

and/or previous studies for other nearby developments. The counts were collected during a typical weekday when school was in session and included trips made by people attending Menlo-Atherton High School. In addition, pedestrian counts of AM and PM peak-period crossing volumes were collected at study intersections. Further, as presented on page 3.3-33 of the Draft EIR, the Proposed Project would have a less-than-significant impact related to conflicts with applicable plans, ordinances, and policies, including General Plan Policy CIRC-1.7, Bicycle Safety; Policy CIRC-1.8, Pedestrian Safety; and Policy CIRC-2.7, Walking and Biking, among others. As presented on pages 3.3-35 and 3.3-36 of the Draft EIR, the Proposed Project would also have a less-than-significant impact related to traffic hazards. Furthermore, as part of the TDM plan, the Project proposes the inclusion of commute-related trip reduction strategies and onsite amenities that would reduce the need to drive to other sites, thereby reducing the demand for vehicular parking. In addition, the Proposed Project would provide bicycle facilities and amenities, including secure and convenient bicycle parking.

The Project also proposes well-lit, continuous walkways throughout the site. As discussed in Table 3.3-5 of the Draft EIR, the Proposed Project would plan, design, and construct site access and circulation elements that would provide safe and convenient access for bicyclists, pedestrians, transit riders, people with mobility challenges, and people of all ages and abilities. The Proposed Project would construct bicycle and pedestrian facilities along the perimeter of the Project Site and throughout the interior to create east-west bicycle and pedestrian linkages that would connect the Project Site to Burgess Park, the future Caltrain undercrossing, and the Menlo Park downtown area. The Proposed Project would include a Class I multi-use bicycle and pedestrian path on the north side of the Project Site, along Ravenswood Avenue; a Class I multi-use bicycle and pedestrian path from Laurel Street at Burgess Drive, which would pass through Burgess Drive and the south side of the Project Site and continue to Middlefield Road; and a Class IV exclusive-use bicycle facility along Laurel Street from Ravenswood Avenue to Burgess Drive. In addition, a proposed loop road would incorporate Class II or Class III bicycle facilities as well as pedestrian walkways into the overall design. Furthermore, all pedestrian designs will be reviewed by city staff to ensure Americans with Disabilities Act compliance. These improvements would significantly enhance pedestrian safety and visibility in the area.

CEQA Guidelines Section 15125 indicates that the environmental setting should contain the detail necessary to understand the environmental impacts. As demonstrated by the evaluation of transportation impacts, the description of the environmental setting as it pertains to transportation is sufficient under CEQA.

2. *Public Services*: Potential impacts related to public service providers, including schools, as required by CEQA, were considered in the Draft EIR under Section 3.15, *Public Services and Recreation*. The existing setting information used to inform the impact analysis for schools was based on information provided by the school districts through public service questionnaires administered by the city, along with the most recent data from the California Department of Education. Included were total school capacity, current enrollment, remaining capacity, and student-to-teacher ratios. The potential impacts of Project-generated students on schools, including schools within the District, are discussed on pages 3.15-15 to 3.15-18 of the Draft EIR. Further, as presented on page 3.15-17 of the Draft EIR, the Proposed Project would have a less-than-significant impact on schools, including schools within the District.

CEQA Guidelines section 15125 indicates that the environmental setting should contain the detail necessary to understand the environmental impacts. As demonstrated by the evaluation of public service impacts, the description of the environmental setting as it pertains to public services is sufficient under CEQA.

Because the environmental settings, as described above, are sufficient for understanding the environmental impacts of the Proposed Project, no revisions were made to the Draft EIR in response to this comment.

- A5-6 *The commenter states that the Draft EIR did not analyze all potential impacts to schools, including the need for physically altered facilities as a result of the additional Project-generated students and increased traffic, noise, and air pollutants from the Proposed Project, as well as impacts to the District's performance objectives. The commenter also states that the Draft EIR did not adequately analyze cumulative public services impacts, and that sufficient mitigation measures were not incorporated to address the Proposed Project impacts on public services.* The city has revised Section 3.15, *Public Services and Recreation*, of the Draft EIR to clarify where information used to inform the school-related analysis came from. The commenter is also correct in saying that the reference to Menlo-Atherton High School's capacity, 2,125 students, was incorrect; the 2,125 figure pertained to enrollment and not capacity. The accurate capacity (as stated elsewhere in the Draft EIR) is 2,600 students; that figure is corrected in Chapter 4. The commenter also states that the Draft EIR was inadequate because it did not provide a methodology for calculating capacity, which is incorrect because the Draft EIR did not rely on a methodology but rather communications from the SUHSD itself in response to requests for enrollment capacity data by city staff members. Refer to Chapter 4 of this document, *Revisions to the Draft EIR*, for the revised text; these revisions do not alter the findings in the Draft EIR or require recirculation pursuant to CEQA Guidelines Section 15088.5.

The commenter asserts that the TIDE Academy is a small school with a specific program focus in the STEM fields and would not be appropriate for all students generated by the Proposed Project. As detailed in Section 3.15, *Public Services and Recreation*, of the Draft EIR, the Proposed Project could generate up to 71 new students in the District. Although the analysis conservatively assumes that the students generated by the Proposed Project would be enrolled in Menlo-Atherton High School or the TIDE Academy, it is currently unknown which schools, or school district, would enroll these students. The students associated with the Proposed Project who would live in Menlo Park would most likely be distributed throughout the various schools in the District, including Menlo-Atherton High School and the TIDE Academy, with some students very likely attending private schools, which, conservatively, was not assumed as part of the analysis; it is therefore speculative to assume that the 71 students generated by the Proposed Project would either all attend Menlo-Atherton High School or all attend the TIDE Academy. Nonetheless, as noted by the commenter, the TIDE Academy is considered a "small public school" that is part of the District and that limits enrollment capacity.³² In the event that there are more applicants to TIDE Academy than spaces, there is a lottery for admission. As such, if students generated by the Proposed Project could not be accommodated by Menlo-Atherton High School or the TIDE Academy, then the students would be accommodated at a different District facility.

³² Sequoia Union High School District. 2024. *A New Model in Education*. Available: <https://www.seq.org/ABOUT-US/Superintendent/Communications/Newsletters/NEWSLETTER-LINKS/A-New-Model-In-Education/index.html>. Accessed: August 21, 2024.

Nonetheless, the need for new or physically altered school facilities as a result of the Proposed Project was analyzed in Section 3.15, *Public Services and Recreation*, of the Draft EIR—specifically, pages 3.15-15 to 3.15-18 of the Draft EIR. As determined in the Draft EIR, using the District’s student generation rate, the students directly and indirectly generated by the Proposed Project would be able to be accommodated within the District’s existing facilities. As such, students generated by the Proposed Project would not result in the need for new or physically altered school facilities. In addition, the Proposed Project would be subject to SB 50 school impact fees, as established by the Leroy F. Greene School Facilities Act of 1998, thereby providing a mechanism to support Project demand. Because it would include both residential space and non-residential space, the Proposed Project would be subject to residential and non-residential school impact fees to fund improvements to existing school facilities required because of the Proposed Project’s impact on school enrollment. Although the payment of the school impact fees by the Proposed Project could contribute toward the construction or expansion of schools, any actual construction or expansion of school facilities would not be a direct result of the Proposed Project and would be required to undergo a separate environmental review process. As a result, the Draft EIR’s analysis of impacts on school facilities is adequate.

Regarding the commenter’s statement about using future changes in enrollment trends, CEQA Guidelines Section 15125 indicates that the environmental setting should contain the detail necessary for baseline conditions to understand the environmental impacts. The environmental setting information used to inform the impact analysis for schools was based on information provided by the school districts through public service questionnaires administered by the city, along with the most recent data from the California Department of Education, including total school capacity, current enrollment, remaining capacity, and student-to-teacher ratios. Future enrollment trends for the school districts are unknown and therefore were not used to inform the analysis. However, it is generally known that student enrollment across California school districts is declining.³³ Therefore, the existing-setting information used to analyze impacts on schools and districts provides a more conservative analysis.

Regarding cumulative impacts, as detailed on pages 3-6 and 3-7 of the Draft EIR, the cumulative land use assumptions for the Proposed Project include the citywide 2040 projections used in the Menlo Park Housing Element Update Subsequent Environmental Impact Report (SEIR) and projections by the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC) for 2040, with refinements to reflect development projects that are under construction, approved, or pending in Menlo Park, East Palo Alto, and Palo Alto. These development projects considered in the Draft EIR are listed in Table 3.0-2, Cumulative Projects—Menlo Park; Table 3.0-3, Cumulative Projects—Palo Alto; and Table 3.0-4, Cumulative Projects—East Palo Alto. Included are projects for which the city, as well as the cities of Palo Alto and East Palo Alto, had an application on file or projects that had been entitled but not yet constructed at the time the EIR analysis was initiated (i.e., December 2022). Cumulative impacts, including those related to sensitive receptors, such as Menlo-Atherton High School, are evaluated within each topical section of the Draft EIR. As summarized in the Draft EIR, the Proposed Project in combination with cumulative projects identified in Tables 3.0-2 through 3.0-4 would have a less-than-significant impact with respect

³³ Public Policy Institute of California. 2024. *Shifting School Enrollment Trends Across California’s Regions*. Available: <https://www.ppic.org/blog/shifting-school-enrollment-trends-across-californias-regions/#:~:text=The%20California%20Department%20of%20Finance%20projects%20that%20K%2D12%20enrollment,regions%20%2D%20will%20see%20declines>. Accessed: August 29, 2024.

to public services and recreation, including impacts on schools. The analysis presented within the Draft EIR appropriately and adequately describes the potential for cumulative public services impacts.

The potential impacts of the Proposed Project on schools, as well as other sensitive receptors, are evaluated throughout the Draft EIR—specifically, in Section 3.7, *Noise*, Section 3.4, *Air Quality*, and Section 3.3, *Transportation*. For more information regarding Project impacts on air quality and air pollutants as they pertain to schools and students, refer to Response A5-13, below; for more information on noise, refer to Response A5-14, below; and for more information on traffic, refer to Responses A5-8 through A5-12, below.

The comment regarding impacts on the CSD’s performance objectives does not raise an issue related to the environmental impacts of the Proposed Project. Please see Master Response 1 regarding comments for non-CEQA issues.

A5-7 *The commenter states that the Draft EIR does not include an adequate analysis of school-related impacts and instead relies on developer fees through SB 50 and Government Code section 65996. Refer to Response A5-3, above, regarding SB 50. The commenter’s assertion that SB 50 fees are financially inadequate is an economic consideration that is outside of CEQA’s purview. As stated on p. 3.15-8 of the Draft EIR, according to the California Government Code, development fees authorized by SB 50 are deemed to be full and complete school facilities mitigation. The commenter’s view that the state and city residents shoulder an unfair burden for school costs compared to the SB 50 fees paid by developers also is noted. Further, how the State has chosen to allocate the burden of funding education is a policy decision outside the scope of the Proposed Project’s CEQA analysis. Nonetheless, it is included in the record for consideration by decision-makers.*

To clarify, the Draft EIR does not claim that payment of school development fees constitutes mitigation for all impacts that could be caused by development, particularly those related to traffic, noise, biological resources, air quality, pedestrian safety, and other impacts, even assuming that such topics are “related to” schools, including District facilities. Refer to Response A5-5, above, regarding the Draft EIR analysis of impacts on schools and mitigation (other than fees) for impacts that are significant. The commenter also states that the CEQA analysis for the Proposed Project fails to adequately evaluate school-related impacts. As discussed throughout the Draft EIR, and further explained in Responses A5-8 through A5-15, below, potential impacts on school facilities (which are sensitive receptors) located within the vicinity of the Project Site were considered in the environmental impact analysis, with mitigation measures proposed as necessary. This comment does not provide evidence that the analysis is inadequate, that there would be any new significant impacts not addressed in the Draft EIR, or that impacts would be substantially more severe than those identified in the Draft EIR.

The commenter also asserts that students indirectly generated by the Proposed Project would need to travel greater distances to attend other District schools due to the lack of capacity at Menlo-Atherton High School and the TIDE Academy, resulting in an increase in VMT not analyzed in the Draft EIR. In addition to providing residential units on the Project Site, the Proposed Project would indirectly induce housing demand by increasing employment within Menlo Park. Specifically, as included on page 3.14-17 of Section 3.14, *Population and Housing*, of the Draft EIR, it estimated that up to 117 new Menlo Park households would be generated by the Proposed Project. Using the District student generation rate of 0.14 student per single-

family detached housing unit and 0.10 student per multi-family unit, the Proposed Project could indirectly generate up to 15 new students in the District. However, it is currently unknown which schools, or school district, would enroll these students. The students associated with employees of the Proposed Project who would live in Menlo Park would most likely be distributed throughout the various schools in the District, including Menlo-Atherton High School and the TIDE Academy; it is therefore speculative to assume that the 15 students indirectly generated by the Proposed Project would either all attend Menlo-Atherton High School or all attend the TIDE Academy. Nonetheless, TIDE Academy is considered a “small public school” that is part of the District and that limits enrollment capacity.³⁴ In the event that there are more applicants to TIDE Academy than spaces, there is a lottery for admission. As such, if students generated by the Proposed Project could not be accommodated by Menlo-Atherton High School or the TIDE Academy, then the students would be accommodated at a different District facility. Because the District as a whole has adequate capacity, it is not reasonably foreseeable that the Proposed Project would require the District to install portable classrooms at any District facilities.

Although the Project Site is located near Menlo-Atherton High School and the TIDE Academy, it is speculative to assume that Project employees who live in Menlo Park would live in proximity to Menlo-Atherton High School, the TIDE Academy, or the Project Site. Therefore, it is more likely that many employees would live in proximity to other District schools that are closer to residential areas and have the capacity to accommodate the additional 15 new students indirectly generated by the Proposed Project. Regardless, it is speculative to assume where these employees would live, and it is beyond the scope of this EIR. Specifically, with reference to Project-generated student impacts related to traffic/VMT, noise, air quality, and pedestrian safety, see the discussions below, along with Response A5-5, above, and Responses A5-8 through A5-14, below.

The 15 new students indirectly induced by the Proposed Project, regardless of where they would live or what school they would attend, would not affect VMT on a regional scale. The impact from the addition of students to the District indirectly generated by the Project would be minimal (15 new students), resulting in less-than-significant impacts related to school and district capacity, including vehicle trip distribution and the VMT generated by these students. Similarly, because the air quality and noise analyses, as well as operational impacts, are based in part on traffic information, including VMT and vehicle trip distribution, air quality and noise impacts would be less than significant because the traffic resulting from the students indirectly generated by the Project would not be considered substantial. In addition, potential impacts on pedestrian safety, including the safety of individuals walking to Menlo-Atherton High School, which could include the 15 new students, are discussed on pages 3.3-24 to 3.3-33 and pages 3.3-35 and 3.3-36 of the Draft EIR in Section 3.3, *Transportation*. The impacts were determined to be less than significant because the Proposed Project would provide adequate sight lines at Project Site access points and driveways, and there would be separated facilities for people walking. In addition, as with current practice, the Proposed Project, along with any future development, would be designed and reviewed in accordance with the city Public Works Department transportation program; the department would provide an engineering review to ensure that the Proposed Project would be constructed according to city specifications to avoid

³⁴ Sequoia Union High School District. 2024. *A New Model in Education*. Available: <https://www.seq.org/ABOUT-US/Superintendent/Communications/Newsletters/NEWSLETTER-LINKS/A-New-Model-In-Education/index.html>. Accessed: August 21, 2024.

impacts on pedestrian safety. Furthermore, Proposed Project impacts related to biological resources would be limited to the Project Site itself and would be less than significant with implementation of Project-specific mitigation measures. It is not anticipated that Project-generated students would have any impacts on biological resources beyond the Project Site.

Other potential impacts related to schools and Project-generated students are discussed in Responses A5-5 and A5-6, above.

- A5-8 *The commenter suggests that the Draft EIR does not adequately address traffic impacts related to schools. The commenter requests that the Draft EIR include an analysis of existing and future vehicle and pedestrian traffic volumes and patterns as well as Project-related travel demand.* The Draft EIR adequately and accurately describes general traffic and pedestrian conditions within the study area. The existing transportation and circulation network, including both vehicle and pedestrian activity, is discussed on pages 3.3-1 to 3.3-6 of the Draft EIR. As stated on page 3.3-1, existing roadway conditions are described for the major roadways at the key study intersections shown in Figure 3.3-1. Existing bicycle facilities are described for the study area in Figure 3.3-2. Existing pedestrian facilities are generally described within the immediate Project vicinity. Existing transit facilities with stops within 0.25 mile of the Project Site and the Menlo Park Caltrain station are described and included in Figure 3.3-3. Menlo-Atherton High School is within the immediate vicinity of the Project Site; as a result, the EIR addresses the existing transportation setting in the area. The TIDE Academy and Sequoia High School are approximately 3 to 4 miles from the Project Site and therefore not considered to be within the Project's study area. The Parkline TIA also includes a discussion of existing pedestrian and bicycle facility connectivity to schools within biking/walking distances (see Parkline TIA pages 15 and 16). Menlo-Atherton High School was included because of its proximity. The TIDE Academy and Sequoia High School are not considered to be within the Proposed Project's immediate vicinity, generally not considered to be within biking/walking distance, and therefore are not described.

The Draft EIR also analyzes transportation safety. Refer to Response A5-10, below, regarding transportation safety as it relates to schools.

Regarding travel demand, trip generation, and trip assignment, a TIA was conducted for the Proposed Project. Refer to Master Response 3, for more information regarding the Parkline TIA. Project-generated travel demand estimates are provided in Table 3.3-3 and Table 3.3-4 on pages 3.3-21 and 3.3-22 of the Draft EIR. The Proposed Project's impacts and cumulative impacts on circulation and traffic patterns are discussed on pages 3.3-24 to 3.3-37 of the Draft EIR, and additional non-CEQA analyses related to intersection and roadway segment vehicle LOS are presented in the Parkline TIA on pages 17 to 115. The Proposed Project evaluated cumulative hazards impacts related to pedestrian and traffic safety on page 3.3-37 of the Draft EIR under Impact C-TRA-3. The Draft EIR determined that the Proposed Project in combination with cumulative land use development and transportation projects would promote accessibility for people walking to and through the Project Site by conforming to general plan policies and zoning regulations and adhering to planning principles that emphasize the provision of convenient connections and safe routes for people walking, biking, driving, and taking transit. In addition, the Proposed Project and cumulative projects would be designed and reviewed in accordance with the city Public Works Department transportation program, which would provide engineering oversight and ensure that the Proposed Project, as well as cumulative projects, would be constructed according to city specifications and not result in pedestrian or traffic hazards. This impact would be less than significant. Furthermore, as discussed under Impact C-TRA-1 on page

3.3-36 of the Draft EIR, the Proposed Project in combination with other cumulative projects would not conflict with adopted policies, plans, or programs regarding public transit or bicycle or pedestrian safety by adhering to existing general plan policies and zoning regulations, which have been enacted to minimize potential impacts on transportation and circulation. Included are safety standards and the city's Capital Improvement Program. This impact would be less than significant.

Specific to emergency access, as documented in the Draft EIR on pages 3.3-36 and 3.3-37, the Proposed Project would result in less-than-significant impacts (Impact TRA-4 and Impact C-TRA-4). Although there would be a general increase in vehicle traffic resulting from the Proposed Project, the Proposed Project would not inhibit emergency access to the Project Site or materially affect emergency vehicle response from a fire station to the station's service area. Development of the Project Site, and associated increases in vehicles, pedestrians, and bicycle travel, would not substantially affect emergency vehicle response times or access to other buildings or land uses in the area or to hospitals.

Refer to Response A5-7, above, regarding other school-related impacts.

A5-9 *The commenter expresses the opinion that construction and operation of the Proposed Project would result in significant transportation impacts that would exacerbate existing inadequacies in the city's transportation network and that such impacts were not properly analyzed in the Draft EIR.* LOS is no longer a CEQA threshold. However, the city's TIA Guidelines require LOS to be retained as a local metric, in compliance with the city's General Plan. Actions to address LOS compliance could be conditions of approval but would not be CEQA-required mitigation. Operations analysis, including the micro-simulation analysis, is provided in the Parkline TIA for informational purposes. In addition, intersection modifications are identified in the Parkline TIA (see Table ES-3 on pages vii to ix of the Parkline TIA), where feasible. As part of the Proposed Project's conditions-of-approval process, the city would review these modifications and make the final recommendation on whether to proceed with the modifications. The Draft EIR also analyzes transportation safety. Refer to Response A5-10, below, regarding transportation safety as it relates to schools.

A5-10 *The commenter suggests that vehicle traffic generated by the Proposed Project would exacerbate or result in safety issues.* Pedestrian safety is discussed within the analysis of Project impacts related to conflicts with applicable plans, ordinances, and policies on pages 3.3-25 to 3.3-33 of the Draft EIR. In addition, as discussed under Impact TRA-3 (pages 3.3-35 and 3.3-36), the Proposed Project would not include any design features that could create potentially hazardous conditions; the Proposed Project would have a less-than-significant impact related to traffic hazards. Furthermore, as discussed on page 3.3-30 of the Draft EIR, the Proposed Project would have a less-than-significant impact related to conflicts with applicable plans, ordinances, and policies, including General Plan Policy CIRC-4.4, Safety. In addition, as discussed on page 3.3-28 of the Draft EIR, the Proposed Project would have a less-than-significant impact related to emergency access, including General Plan Policy CIRC-2.14, Impact of New Development.

The Proposed Project's TDM plan is summarized on pages 2-29 and 2-30 in Chapter 2, *Project Description*. Refer to Master Response 2 regarding the TDM plan, including monitoring and compliance. In addition, the Proposed Project would provide bicycle facilities and amenities, including secure and convenient bicycle parking on the Project Site. The Project also proposes enhancements to bicycle and pedestrian facilities fronting the Project Site. For these reasons, and as presented on pages 3.3-25 to 3.3-33 of the Draft EIR, the Proposed Project would have a less-

than-significant impact related to conflicts with applicable plans, ordinances, and policies. As presented in Draft EIR Table 3.3-5, the Proposed Project would be consistent with relevant general plan policies, including Policy CIRC-1.7, Bicycle Safety; Policy CIRC-1.8, Pedestrian Safety; and Policy CIRC-2.7, Walking and Biking, among others. In addition, the Proposed Project would provide safe and convenient access for pedestrians and bicycles, including students, and improve pedestrian and bicycle safety with the proposed multimodal improvements outlined on page 3.3-24 of the Draft EIR. Further, as presented on pages 3.3-35 and 3.3-36 of the Draft EIR, the Proposed Project would have a less-than-significant impact related to traffic hazards and pedestrian and bicycle facilities.

The analysis presented in the Draft EIR appropriately and adequately describes the potential for Project impacts related to traffic and pedestrian safety.

- A5-11 *The commenter states that the Proposed Project would not provide an adequate supply of parking on the Project Site and that the Draft EIR does not adequately consider secondary impacts on pedestrian and student safety related to vehicle parking supply. As detailed in Chapter 2, Project Description, of the Draft EIR, in accordance with SB 743, aesthetics and parking impacts shall not be considered in determining if a project has the potential to result in significant environmental effects, provided the project meets the criteria established under PRC Section 21099, Modernization of Transportation Analysis for Transit-Oriented Projects. Because the Proposed Project meets the criteria established under PRC Section 21099, the EIR prepared for the Proposed Project does not consider aesthetics or vehicular parking impacts in determining the significance of impacts under CEQA.*

Impacts on safety as a result of the Proposed Project were evaluated in Section 3.3, *Transportation*, of the Draft EIR through an assessment of site access and circulation for all modes. As presented in Draft EIR Table 3.3-5, the Proposed Project would have a less-than-significant impact related to conflicts with applicable plans, ordinances, and policies, including General Plan Policy CIRC-1.7, Bicycle Safety; Policy CIRC-1.8, Pedestrian Safety; and Policy CIRC-2.7, Walking and Biking, among others. In addition, as presented on pages 3.3-35 and 3.3-36 of the Draft EIR, the Proposed Project would have a less-than-significant impact related to traffic hazards. Furthermore, the Proposed Project would implement a TDM plan to reduce demand for travel by single-occupancy vehicles and provide bicycle and pedestrian connections along the Project frontages.

The analysis presented in the Draft EIR appropriately and adequately describes the potential for Project impacts related to pedestrian safety, including any secondary impacts that may result from inadequate parking. The commenter's concerns regarding possible secondary impacts from inadequate parking are general in nature. The commenter does not note any specific flaws that would affect the EIR's discussion of safety impacts or explain why the EIR does not adequately address safety impacts with respect to students traveling to and from schools in the Project vicinity. Parking itself is not a CEQA transportation impact.

- A5-12 *The commenter suggests that the Proposed Project's cumulative traffic impact analysis is inadequate. As detailed on pages 3-6 and 3-7 of the Draft EIR, CEQA Guidelines Section 15130(b)(1) sets forth two primary approaches to the analysis of cumulative impacts. The analysis can be based on (1) a list of past, present, and probable future projects producing related impacts that could combine with those of a proposed project or (2) a summary of projections contained in a general plan or related planning document. The methodology used depends on which approach*

appropriately captures the cumulative context for the resource topic being analyzed. An introductory statement that defines the cumulative geographic context being analyzed and states whether the approach is list based or projections based is included at the beginning of each cumulative impacts section. Thus, the Draft EIR follows the cumulative approach outlined in CEQA Guidelines Section 15130(b)(1).

The cumulative land use assumptions for the Proposed Project include the citywide 2040 projections used in the Menlo Park Housing Element Update SEIR and the projections by ABAG and MTC for 2040, with refinements to reflect development projects that are under construction, approved, or pending in Menlo Park, East Palo Alto, and Palo Alto. The development projects considered in the Draft EIR are listed in Table 3.0-2, Cumulative Projects—Menlo Park; Table 3.0-3, Cumulative Projects—Palo Alto; and Table 3.0-4, Cumulative Projects—East Palo Alto. Included are projects for which the city, as well as the cities of Palo Alto and East Palo Alto, had an application on file or projects that had been entitled but not yet constructed at the time the EIR analysis was initiated (i.e., December 2022). Cumulative impacts, including those related to sensitive receptors, such as Menlo-Atherton High School, are evaluated within each topical section of the Draft EIR. Specifically, analysis of the Proposed Project's transportation-related cumulative impact is presented on pages 3.3-36 and 3.3-37 of the Draft EIR. As summarized in the Draft EIR, the Proposed Project in combination with cumulative projects identified in Tables 3.0-2 through 3.0-4 would have a less-than-significant impact with respect to conflicts with applicable plans, VMT, hazards, and emergency access. The analysis presented within the Draft EIR appropriately and adequately describes the potential for cumulative transportation impacts. Furthermore, as evaluated in Section 3.15, *Public Services and Recreation*, of the Draft EIR, although the Proposed Project would generate new students, the four elementary/middle school districts and one high school district that serve Menlo Park would be able to accommodate these additional students. The Proposed Project would also be required to pay school impact fees established by SB 50, which is deemed to constitute full and complete mitigation for school impacts from development; therefore, the Proposed Project's impacts on public services, including schools, would be less than significant. In addition, the cumulative land use assumptions for the Proposed Project also considered citywide 2040 buildout under the Menlo Park Housing Element Update SEIR, which specifically identified new development potential in the city of up to 20.6 million gross square feet of non-residential space, 1,490 hotel rooms, 24,829 residential units, 63,810 residents, and 53,250 employees over a 19-year build-out horizon (from 2021 to 2040). The Menlo Park Housing Element Update SEIR evaluated the maximum development potential that could occur at any given time. Potential impacts on schools citywide, as a result of build-out under the Housing Element Update were addressed in Section 4.13, *Public Services and Recreation*, on pages 4.13-18 through 4.13-21 of the Menlo Park Housing Element Update SEIR. As detailed in the Menlo Park Housing Element Update SEIR, build-out of Housing Element Update would result in less-than-significant impacts on school facilities, including District facilities. The cumulative impact analysis is therefore adequate under CEQA.

This comment does not provide evidence that the analysis is inadequate, that there would be new significant impacts that were not addressed in the Draft EIR, or that impacts would be substantially more severe than those identified in the Draft EIR. No additional response is required.

- A5-13 *The commenter states that the Draft EIR is required to analyze the direct and indirect air quality impacts of the Proposed Project on sensitive receptors, such as the District's Menlo Atherton High School and the cumulative air quality impacts on schools and the community in general resulting*

from increased vehicular movement and volumes expected from additional development already approved or pending in the area. The commenter states that, because a specific discussion of air quality impacts on District students and Menlo-Atherton is not included in the Draft EIR, the Draft EIR is not in compliance with CEQA. As shown in Figure 3.4-1 of the Draft EIR, sensitive receptor locations associated with Menlo-Atherton High School are included in the analysis of health risks from the Proposed Project on offsite receptors within 1,000 feet of the Project Site, which captures impacts on the maximally exposed individual receptor (MEIR). As shown in Table 3.4-15 of the Draft EIR, unmitigated health risks due to Project construction and operation at the maximally exposed offsite receptor would be less than significant for all health-risk metrics including cancer risk, non-cancer chronic risk, non-cancer acute risk, and annual concentrations of particulate matter with a diameter of 2.5 micrometers or less (PM_{2.5}). Project-related health risks at Menlo-Atherton sensitive receptor locations would be less than or equal to the health risks shown in Table 3.4-15; therefore, the impact would also be less than significant. In addition, unmitigated cumulative health risks at the offsite MEIR are shown in Table 3.4-17; these would be less than significant for all health-risk metrics. Cumulative health risks at Menlo-Atherton sensitive receptor locations would be less than or equal to the health risks shown in Table 3.4-17. The Draft EIR contains an adequate analysis of air quality impacts; therefore, no revisions were made to the Draft EIR in response to this comment.

- A5-14 *The commenter summarizes information from the Draft EIR pertaining to Menlo-Atherton High School, including the distance from the Project Site, estimated noise levels from Phases 1 and 2 of construction, the duration of construction, and the overall significance conclusion for construction noise. The commenter also states that the Draft EIR contains insufficient quantifiable data that would allow the public to understand whether the Proposed Project would cause significant noise impacts at the high school. The commenter states that noise impacts could negatively affect students and teachers at the school and requests that “any noise sources and volumes which may affect school facilities, classrooms, and outdoor school areas” be discussed and analyzed in the Draft EIR.* Consistent with the summary in the comment, noise levels from construction of the Proposed Project were analyzed in the Draft EIR using the distance between the school and Phase 1 and Phase 2 construction activities (200 feet and 700 feet, respectively). These noise levels are cited on pages 3.7-21 and 3.7-25 of the Draft EIR and in Tables 3.7-9 (page 3.7-22) and 3.7-10 (page 3.7-34). Noise levels at the school would be 71 to 75 A-weighted decibels (dBA), equivalent noise level (L_{eq}), from Phase 1 construction, as a conservative scenario. However, most of the school buildings and facilities are located much more than 200 feet from the Project Site; for example, the “B-Wing” buildings are more than 400 feet away, and the “F-Wing” buildings are more than 750 feet away and would experience reduced noise impacts compared to the noise impact at 200 feet.

The Draft EIR evaluates the conservative scenario for the high school, which is represented by the 200-foot distance. Because of the many noise-sensitive land uses in the Project vicinity, the Draft EIR makes a general conclusion on page 3.7-25 that the “estimated construction noise levels from Phase 1... are generally greater than the measured noise levels, as shown in Table 3.7-3, which range from 53.5 to 65.2 dBA L_{eq} during daytime hours”. This conclusion applies to Menlo-Atherton High School.

Because noise levels from construction would exceed the existing ambient noise levels, the impact of construction noise at Menlo-Atherton High School is potentially significant, which is consistent with the overall construction noise conclusion. As such, Mitigation Measure NOI-1.1 is required, which would involve a noise reduction plan that will include measures to reduce noise such that

a 10-decibel (dB) increase over the ambient noise levels does not occur. The Draft EIR concludes that the impact would still be significant because noise could be as high as 97 dBA L_{eq} in some locations and the 10 dB increase limit would not be feasible. However, the noise level at the high school would be considerably lower than 97 dBA and Mitigation Measure NOI-1.1 is more likely to be effective at limiting the noise increase to 10 dB. For a worst-case scenario, noise at the high school could be 75 dBA L_{eq} during construction, which would be 17.2 dB above the average daytime noise level, as measured at LT-2 (57.8 dBA L_{eq}). Mitigation Measure NOI-1.1 is expected to reasonably achieve a reduction in noise of 10 dB, which would reduce noise at the high school to approximately 65 dBA L_{eq} , conservatively. This mitigated noise level of 65 dBA L_{eq} would be approximately 7 dB above the average daytime noise level measured at LT-2, which would not be considered a significant impact. However, the overall impact conclusion is conservatively determined to be significant and unavoidable because there are other noise-sensitive (non-school) land uses where the mitigation measure would not be able to limit the increase to 10 dB. As such, the Draft EIR necessarily provides a conclusion based on the conservative scenario for any noise-sensitive receptor to inform the public of the most severe potential impacts that could occur and because lesser impacts are captured within the conservative conclusion.

The Draft EIR found that operational noise impacts were found to be less than significant; thus, no significant noise would affect Menlo-Atherton High School during project operations. Vibration impacts during construction were found to be significant and unavoidable with mitigation; however, that conclusion applies only to sensitive land uses less than approximately 70 feet from where construction would occur. Menlo-Atherton High School would not experience significant vibration impacts during construction. The Draft EIR evaluates noise and vibration impacts in a way that discloses impacts on sensitive receptors; therefore, no revisions were made in response to this comment.

- A5-15 *The commenter requests an analysis of historical, current, and future population projections for the District. The commenter also requests the type and number of anticipated dwelling units that would result from the Proposed Project, the square footage of the dwelling units, and an estimate of development fees associated with the Proposed Project.* A discussion of District enrollment information is included on page 3.15-6 of the Draft EIR. As stated on pages 3.15-15 and 3.15-16 of the Draft EIR, the Proposed Project would directly generate up to 30 elementary and middle schools students who would be assigned to the Menlo Park City School District and 56 high school students who would be within Menlo-Atherton High School's attendance area. In addition, the Proposed Project would indirectly generate up to 45 elementary and middle school students and 15 high school students in the attendance areas of other districts because the potential exists for onsite employees to live elsewhere.

It is currently unknown which district would enroll these students; they would most likely be distributed throughout the districts. As explained in Responses A5-6 and A5-7, the Proposed Project could generate up to 71 new students in the District, which would represent approximately a 3.3 percent increase from Menlo-Atherton High School's most recent enrollment statistic. Therefore, the impact from the addition of Project-generated students would be minimal. For CEQA purposes, further information about student population projections is not needed to understand the environmental impacts on the school districts. Under CEQA, the impacts of a proposed project considers the adverse physical impacts associated with the provision of new or physically altered school facilities, the construction of which could cause a significant environmental impact. This topic was analyzed in the Draft EIR as Impact PS-3 (pages 3.15-15 to 3.15-18) and determined to result in a less-than-significant impact. Because the Proposed Project would not generate a substantial

number of new students or trigger the need for new or expanded school facilities, the CEQA impacts related to schools would be less than significant. Regarding the commenter's statement about using future enrollment trends, refer to Response A5-6, above.

Regarding anticipated dwelling units indirectly resulting from the Project, types of dwelling units, square footage of the dwelling units, and development fees associated with the dwelling units that might be indirectly induced because of employees of the Proposed Project are speculative. It is currently unknown where employees of the Proposed Project would live, what types of dwelling units they would live in, or what development fees may result. However, the city prepared an HNA for the Proposed Project. The HNA provides an analysis of the housing needs associated with the Proposed Project but does not speculate about the type or size of potential housing units that could be induced. In addition, an FIA prepared by BAE³⁵ was conducted for the Proposed Project separately from the CEQA process. Refer to Master Response 1, which addresses non-CEQA related issues such as this. Any development of additional housing units would be subject to separate review and separate development impact fees, if required.

- A5-16 *The commenter suggests that the Proposed Project in conjunction with other reasonably foreseeable development in the city would not be consistent with city General Plan goals related to students and educational facilities because the Proposed Project's generation of new residents and traffic would have a negative impact on students, education, and educational facilities. CEQA Guidelines Section 15125(d) requires that an EIR state that "the EIR shall discuss any inconsistencies between the proposed project and applicable general plans, specific plans, and regional plans." Refer to Response A5-6, above, regarding the EIR's analysis of the impacts discussed in the comment. In addition, as discussed in Responses A5-8 and A5-10, the Proposed Project would not impede or be inconsistent with the city's promotion of Safe Routes to School programs or efforts to encourage schools to promote bicycling, walking, carpooling, shuttles, and transit use. That is, if the Proposed Project is implemented, the city can still promote these programs and activities. The Proposed Project promotes safe walking and cycling by adding new pedestrian and bicycle connections, including a shared-use path that would separate pedestrians and bicyclists from automotive traffic along Ravenswood Avenue. As stated on pages 2-25 and 2-27 of the Draft EIR, new bicycle and pedestrian connections would be established to connect the Project Site to the surrounding community. The Proposed Project would include a Class IV bicycle pathway along Laurel Street; an internal loop road with Class II or Class III bicycle facilities and pedestrian walkways incorporated; a Class I shared-use path along the southern boundary of the Project Site, which would connect to the future Caltrain undercrossing at El Camino Real and Middle Avenue; and multiple pedestrian access points on the west, north, east, and south sides of the site. Based on the above, the Proposed Project would not impede or be inconsistent with General Plan Policy LU-1.7, which encourages excellence in public schools and the use of school facilities by youth. Therefore, there would be no inconsistency between the Proposed Project and the General Plan, and no revisions to the EIR are necessary.*
- A5-17 *The commenter states that the Draft EIR's analysis on schools is inadequate and that payment of development fees is not sufficient to mitigate impacts. In addition, the commenter states that the city should consider Project alternatives or other mitigation measures to reduce impacts related to schools to a less-than-significant level. Refer to Response A5-3, above, for information regarding the Proposed Project's impacts on schools and the payment of development fees pursuant to SB50. As detailed in Section 3.15, *Public Services and Recreation*, it was determined that the Proposed Project would result in less-than-significant impacts for all public services, including schools, and that no mitigation*

³⁵ Bay Area Economics. 2024. *Fiscal Impact Analysis Report for Parkline Master Plan*. June 19. Available: <https://menlopark.gov/parkline>.

measures were required. Therefore, the Draft EIR was not required to evaluate mitigation measures to reduce impacts. Furthermore, alternatives must meet most of a project's basic objectives and avoid or substantially lessen a significant effect of a project (CEQA Guidelines 15126.[c]). As detailed in Section 3.15, *Public Services and Recreation*, it was determined that the Proposed Project would result in less-than-significant impacts for all public services, including schools. Therefore, there are no significant public service effects that an alternative could be designed to avoid or substantially reduce to meet CEQA requirements for alternatives. No additional alternatives are required in the EIR.

A5-18 *The commenter states that the Draft EIR must analyze whether the District's current facilities are adequate to accommodate both the existing student population and new students as a result of development, and that the city should require alternative mitigation measures to ensure that there are adequate school facilities to accommodate the District's needs. Refer to Responses A5-5 through A5-7, above, for information regarding the Proposed Project's impacts on schools. In addition, refer to Response A5-19, below, for information regarding alternative mitigation measures.*

A5-19 *The commenter states that land dedication and buildout phasing should be considered as alternative mitigation measures to address Project-related impacts on schools. As detailed in Section 3.15, Public Services and Recreation, of the Draft EIR, it was determined that the Proposed Project would result in less-than-significant impacts for all public services, including schools, and that no mitigation measures were required to reduce Project-related impacts. Further, as stated on p. 3.15-8 of the Draft EIR, according to the California Government Code, development fees authorized by SB 50 are deemed to be full and complete school facilities mitigation. Therefore, the Draft EIR was not required to evaluate any mitigation measures to reduce impacts, and mitigation such as land dedication and phasing is not required.*

A5-20 *The commenter suggests that the Draft EIR should be recirculated, based on the commenter's opinion that the Draft EIR is incomplete and inadequate with respect to the Proposed Project's potential impacts related to schools and students. Under CEQA, an EIR is required to be recirculated when "significant new information" is added to an EIR after publication of the Draft EIR but before certification. New information added to an EIR is not "significant" unless the EIR is "changed in a way that deprives the public of meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement." CEQA Guidelines Section 15088.5 outlines the following circumstances in which an EIR is required to be recirculated:*

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- (3) A feasible project alternative or mitigation measure considerably different from the others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.
- (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

Recirculation is not required when the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an inadequate EIR.

No revisions were made to the Draft EIR in response to comments that would require recirculation pursuant to Section 15088.5; therefore, recirculation is unnecessary.

A5-21 *The commenter attached the NOP comment letter submitted for the Proposed Project on January 9, 2023. As stated on page 1-3 of the Draft EIR, the NOP was released for the Proposed Project on December 2, 2022, for a 30-day public review period. The NOP was sent to individuals, local interest groups, adjacent property owners, and responsible and trustee state and local agencies that have jurisdiction over or interest in environmental resources or conditions in the vicinity of the Project Site. In total, 65 comment letters were received in response to the NOP, including this letter from the District. Copies of the NOP comment letters, including this letter from the District, are included in Appendix 1 of the Draft EIR. A summary of potential areas of controversy raised during the NOP public review period, including the issues raised in the District letter, is provided on pages ES-2 through ES-4. Consistent with CEQA Guidelines 15084(c), all comments received on the NOP were considered during preparation of the Draft EIR and addressed in the respective CEQA topic sections, where applicable. Therefore, no further responses on the commenter's NOP letter, which was previously submitted and considered, are required.*

Letter O1

From: [Amy Buckmaster](#)
To: [_CCIN](#); [_Planning Commission](#)
Cc: [Dehn, Fran M](#); [Stolte, Stephen W](#); [Murphy, Justin I C](#); [Lennies Gutierrez](#); [Alex Arnold Mendoza](#); [Mark Murray](#)
Subject: Chamber San Mateo County Letter of Support For Parkline
Date: Monday, July 22, 2024 10:41:24 AM
Attachments: [ChamberSMCParklineLetterofSupport.pdf](#)

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

Dear Chair Schindler and Members of the Planning Commission,

O1-1

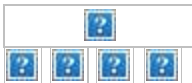
On behalf of the Board of Directors of Chamber San Mateo County, I am writing to express our enthusiastic support for Parkline, the project proposed for the 63-acre SRI campus in Menlo Park. After closely following the project throughout its lifetime and engaging in numerous conversations with the Parkline team, Chamber San Mateo County is confident that Parkline will substantially benefit the Menlo Park community and San Mateo County.

Please see our attached Formal Letter of Support.

Thank you for all you do for our communities.

All my best,
Amy

Amy Buckmaster (she/her/hers)
President & CEO
Chamber San Mateo County
255 Shoreline Drive, Suite 150, Redwood City, CA 94065
Office: [650-364-1722](tel:650-364-1722)
Learn more about our Chamber at:





ELEVATING BUSINESS.
ENGAGING COMMUNITY.
EMPOWERING THE FUTURE.

July 18, 2022

Chair Schindler
Menlo Park Planning Commission
City of Menlo Park
701 Laurel Street
Menlo Park, CA 90425

Dear Chair Schindler and Members of the Planning Commission,

On behalf of the Board of Directors of Chamber San Mateo County, I am writing on behalf to express our enthusiastic support for Parkline, the project proposed for the 63-acre SRI campus in Menlo Park. After closely following the project throughout its lifetime and engaging in numerous conversations with the Parkline team, Chamber San Mateo County is confident that Parkline will bring substantial benefits to the Menlo Park community and San Mateo County as a whole.

The Chamber, which supports Redwood City, San Carlos, Belmont, Menlo Park, and broader San Mateo County, is the largest business association on the Peninsula and serves 1,500 members and encompasses 175,000 residents and 100,000 employees. The Chamber is where San Mateo County organizations, businesses, and communities come together to create a brighter future.

Over the past three years, the Parkline team has demonstrated their commitment to collaborative planning by engaging with Menlo Park residents, fence line neighbors, advocacy groups, and city officials. The current-day iteration of Parkline has evolved in response to these ongoing conversations centered around a common goal of creating a plan that meets the growing needs of our community while respecting Menlo Park's historical neighborhood aesthetics.

O1-1 Key enhancements to the project, driven by community feedback, include:

cont.

- Increasing housing density from 550 to 800 units, with a new mixed-income neighborhood at Ravenswood & Middlefield.
- Dedicating 1.6 acres to affordable housing and ensuring reduced heights along Laurel Street, with a townhome buffer next to the Burgess Classics neighborhood.
- Implementing new bike lanes (Class 4 on Laurel St. and Class 2 on Loop Rd.) and altering site access to minimize car trips on Laurel Street and reduce impacts on Pine Street.

The Balanced Plan aims to transform the campus into a vibrant, accessible space with numerous public benefits including:

- Opening the campus for public access with pedestrian trails and bike networks.
- Replacing aged buildings with energy-efficient office/R&D space on a 1:1 space ratio.
- 800 residences, including up to 30% affordable housing and a 100% affordable housing project.
- Enhanced transit safety with new bike lanes (Class III and IV).
- A network of public green spaces for gathering, entertainment, and community use, including parks, playgrounds, a performance podium, and a broad field for public activities.
- Preserving heritage trees and converting existing surface asphalt to green spaces.

We urge the City of Menlo Park leadership to support this transformative project. We look forward to continued collaboration with Lane Partners and SRI and the city as Parkline moves towards formal approval.

Thank you for your attention and consideration.

Sincerely,

Amy N. Buckmaster
President & CEO

O1. Response to Comment O1—Amy N. Buckmaster, Chamber San Mateo County

- O1-1 *The commenter expresses support for the Proposed Project.* The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to the merits of the Proposed Project and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA; therefore, no additional response is required. Refer to Master Response 1, which addresses comments related to the merits of the Proposed Project.

Letter O2

From: [Dashiell Leeds](#)
To: [Sandmeier, Corinna D](#)
Cc: [CCIN](#); [Chow, Deanna M](#); [James Eggers](#); [Mike Ferreira](#); [Gita Dev](#)
Subject: SCLP Comments on Draft Environmental Impact Report, Parkline Project
Date: Tuesday, August 6, 2024 1:06:33 PM
Attachments: [2024.08.06 SCLP Comments Menlo Park Parkline Project DEIR .pdf](#)

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

Dear Ms. Sandmeier,

O2-1

The Sierra Club Loma Prieta Chapter's Sustainable Land Use Committee (SLU) advocates on sustainability and land use issues in San Mateo and Santa Clara Counties. In that role, we respectfully submit the following comments for the DEIR for the Parkline project at the old SRI site. The Parkline project is a wonderful opportunity to transform the heart of the City. While we share the general concerns about traffic and housing, we wish to focus here on the mix of uses proposed for this infill site, in particular the mix of housing with research labs.

Please read the attached letter for our full comments.

Respectfully submitted,
Gita Dev, FAIA, Chair
Conservation Committee
Sustainable Land Use Committee

cc:

Menlo Park City Council members <city.council@menlopark.gov>

Deanna Chow, Community Development Director, Menlo Park <dmchow@menlopark.gov>

Email sent from account of
Dashiell Leeds
Conservation Coordinator
Sierra Club Loma Prieta Chapter



SAN MATEO, SANTA CLARA & SAN BENITO COUNTIES

August 4, 2024

Ms. Corinna Sandmeier
Principal Planner
City of Menlo Park
via email to: cdsandmeier@menlopark.gov

Re: Comments on Draft Environmental Impact Report, Parkline Project

Dear Ms. Sandmeier,

O2-1
cont.

The Sierra Club Loma Prieta Chapter's Sustainable Land Use Committee (SLU) advocates on sustainability and land use issues in San Mateo and Santa Clara Counties. In that role, we respectfully submit the following comments for the DEIR for the Parkline project at the old SRI site. The Parkline project is a wonderful opportunity to transform the heart of the City. While we share the general concerns about traffic and housing, we wish to focus here on the mix of uses proposed for this infill site, in particular the mix of housing with research labs.

O2-2

Life Sciences have brought many benefits to mankind and the industry is important to the Peninsula. Biomedical researchers around the world work every day to improve global health. The Sierra Club is very supportive of the industry. However, Life Sciences labs, at the "high-containment" levels, are researching dangerous and, frequently, lethal pathogens. This can be dangerous and should not be mixed with housing.

Life Sciences labs are rated for biohazards with safety ratings ranging from biosafety levels 1 through 4 (BSL-1 thru BSL-4). While the majority of BSL-1 and BSL-2 labs are not all that different from commercial office buildings, at biosafety levels 3 & 4 (BSL-3 and BSL-4) they can be dangerous as they are working with extremely dangerous pathogens. It is of great concern that, while SRI accommodated biohazardous research on their campus in the past, the same is now being considered in a Mixed Use setting with residential buildings in close proximity to potentially highly infectious disease research facilities.

In addition, in the DEIR, biotech labs should also be recognized as one of the more unsustainable building types on the Peninsula.¹ Given that Climate Change is a serious and

¹ [Connections between laboratory research and climate change: what scientists and policy makers can do to reduce environmental impacts](#), The Scientists Forum

"... In 2015, the global pharmaceutical industry had a carbon emission intensity 55% higher than the automotive industry

... Given the immense environmental impact of scientific research, a dramatic shift in how research is conducted and supported is necessary to help combat the global climate crisis ... While voluntary
sierraclub.org/loma-prieta ~ 3921 East Bayshore Road, Suite 204, Palo Alto, CA 94303

O2-2
cont.

growing concern, mitigation of these environmental impacts takes on greater urgency.

1. Aesthetics



BSL-4 labs at University of Texas at Galveston

Exhaust stacks on rooftops are required for all levels of biolabs. BSL-3 and BSL-4 labs require more effective advanced mechanical systems to maintain negative air pressure to contain and safely exhaust highly infectious, often lethal pathogens. BSL-3 labs research airborne diseases, these can sometimes be more difficult to contain.

O2-3



Exhaust vents similar to Albany Medical Center, shown here, are currently being installed at the Biotech lab building at 1091 Industrial Road, San Carlos.

This equipment can be required to be screened. However, codes may have several restrictions on obstructions, such as screens, for the high velocity exhausts required.^{2 3}

Screening requirements should include the restrictions on exhaust systems.

Verify the height requirements for BSL-3 lab exhaust systems to provide appropriate mitigation for extreme height requirements and ensure these are screened from view.

programs and individual laboratory initiatives can have significant effects, an even greater lasting impact could be achieved through institutional, corporate, and government-level policy changes that incentivize and even require sustainability in laboratory environments.

²[American Laboratory](#): These shortcomings can be added to a relatively new concern in many locations, that is, the sight of tall exhaust stacks on a building's roof, which usually imparts negative connotations in a community, in other words, another neighborhood polluter.

³[Rooftop Exhaust Fans: Environmental considerations](#).

Tall exhaust stacks ...Another consideration when retrofitting or designing new roof exhaust systems includes the aesthetics of stack height. The lowest possible profile not only eliminates the smoke stack look and negative connotations perceived by many people, but may also help conformance to applicable ordinances

2. Air Quality

O2-4

Exhaust emissions from Biosafety Level (BSL) laboratories can be highly toxic and/or noxious, posing significant health risks ranging from mild irritation to severe illness. BSL-3 "high containment" laboratories rely on advanced mechanical systems to contain lab areas at uninterrupted negative air pressure with "fail safe" requirements, in order to safely contain and safely exhaust highly infectious, often lethal airborne pathogens. However, these systems are vulnerable to mechanical failure and human error.^{4 5} The fact that BSL-3 labs did exist on the SRI campus is not a sufficient reason to continue this practice when allowing Mixed Use. The inherent risks are compounded with the public moving onto and through the campus, and housing being allowed on the site. With appropriate protocols and oversight, which, unfortunately, is not always available for private labs, infectious disease sources need to be located at least ¼ mile distant from any sensitive receptors.

San Mateo County Emergency personnel reportedly are not trained in biohazards and the State databases that they depend upon also do not include the biohazard information that they might need.

If BSL-3 labs are included on the site, provide separation of ¼ mile for sensitive receptors, and robust requirements to attempt to notify and alert residents of any BSL-3 level accidents endangering the residential community, along with training for San Mateo County Emergency Response teams in BSL-3 biohazard accidents and clean up. Also include mandatory immediate notification requirements for the public entering the site.

Mitigation for longer periods of power outage, as could be increasingly experienced, are not sufficiently covered by the emergency generators provided.

3. Energy Use and Conservation

O2-5

Biolabs consume 5 to 10 times more energy than typical office spaces due to their complex exhaust and containment systems, an impact that may be magnified tenfold for clean rooms and other specialized facilities.⁶ Rooftop solar panels are often not feasible due to the mechanical equipment and numerous tall exhaust stacks required. It is essential to include and

⁴ [American Laboratory](#): Exhaust discharges from BSL laboratories may be highly toxic (or noxious) or both. Their danger to people covers a broad spectrum, which may be mildly annoying to seriously unhealthy. Also, government agencies are continually setting more stringent standards, with allowable exposure limits dropping lower and lower. Obviously there is no room for tolerance with regard to possible contamination from some agents that are exhausted at BSL Level 3 and 4 facilities. In many cases, even if the fumes are not toxic, public tolerance for odiferous discharges has decreased sharply in recent years.

⁵ [Rooftop Exhaust Fans: Environmental considerations](#), Exhaust re-entrainment can also be affected by building location, with regard to adjacent buildings, as well as prevailing wind and weather conditions. As a result, for both renovations and new construction, wind studies have become important with regard to IAQ, since harmful exhaust gasses must not be allowed to re-enter a building or adjacent buildings.

⁶ [Laboratories for the 21st century](#) Unfortunately, a laboratory is also a prodigious consumer of natural resources. For example, laboratories typically consume 5 to 10 times more energy per square foot than do office buildings. And some specialty laboratories, such as clean rooms and labs with large process loads, can consume as much as 100 times the energy of a similarly sized institutional or commercial structure.

O2-5
cont. | evaluate the energy consumption, assuming potentially 100% of the commercial space will be labs, within the framework of the City's Climate Action Plan.

Provide appropriate mitigation based on these revised calculations and assumptions.

4. Greenhouse Gas Emissions

In addition to traffic-generated GHG, we note that there will be emergency generator requirements. Gas powered generators are less polluting than diesel powered generators. However, if BSL-3 labs are allowed and animal research labs are allowed, then we question whether there is sufficient emergency power. We can anticipate longer outages than normally experienced in the past and outages also tend to coincide with disaster events.

O2-6 | In addition, electric battery storage is becoming rapidly more economically viable. These are less polluting and quieter in a residential neighborhood. Microgrids can be combined with battery storage for energy conservation and GHG reduction.

Do we need longer emergency generation periods if BSL-3 labs and animal research labs are allowed, in order to reduce risk?

Should a microgrid be required in order to provide more resilience to the system? Will solar panels be required on site as part of a microgrid?

Will electric battery storage be required, instead of only gas powered generators, as mitigation for the amount of emergency generators being used and for the noise considerations near housing?

5. Hazards and Hazardous Materials

In addition to the hazards of allowing BSL-3 labs, live animals in research present a particular hazard for the environment and for a Mixed Use campus. The provision for their care, handling, disposal, and, in particular, basic requirements for their containment, health and safety during disasters and emergencies need to be spelled out in the DEIR.

O2-7 | *Include discussion of this issue in the DEIR. In particular, provisions need to be included for the health and safety of the animals in the event of disasters or prolonged utility shutdowns. Please include careful and clear requirements, in the mitigation, if live animal research is an allowed use on-site in this Mixed Use site in the center of the City.*

The use of natural gas or other flammable gasses in laboratory research includes the potential release of toxins in explosions. This is not adequately addressed for BSL-3 labs where infectious agents may be located in proximity to other labs with flammable gasses.

Include discussion of this issue in the DEIR. In particular, provisions need to be included for immediate alerts and notifications to residential neighbors within a specified radius in the event of accidents. Mixing housing into uses that were previously confined to Industrial Zoning requires certain responsibilities for alerts and notifications to neighbors in the interest of reassurance as well as security and public safety.

O2-8 | 6. Noise and Vibration

O2-8

cont.

Biolabs require prominent rooftop mechanical equipment for ventilation systems essential for biological containment and odor prevention. These powerful air handling and exhaust systems are much noisier than conventional office equipment. Some of the exhaust stacks can be 30 ft tall. Noise attenuation is required to meet noise standards in proximity to Mixed Use facilities.

With residential buildings that are closer than ¼ mile from lab buildings, mechanical equipment will need more serious sound attenuation than the sound attenuation provided by normal acoustic screening. Appropriate sound attenuation would probably include solid concrete panel enclosures.

For noise mitigation, provide clear standards for sound mitigation for mechanical equipment, both rooftop mechanical as well as emergency generators, with the difference that there are multi-storied residential buildings adjacent to biolabs.

7. Utilities and Service Systems

- a) Water: Biolabs with wet laboratories consume 4 to 5 times more water than other uses and cannot utilize recycled water (except for landscaping). ⁷

Biotech research and manufacturing rely heavily on water for many uses: chemical reactions, refrigeration, cleaning and irrigation. Sustainability goals require ambitious - and measurable - standards.

The increased water demand compared to current usage and the impact on the local water supply must be more carefully evaluated, considering other projects in the pipeline for approval as well. It is essential to determine whether the impact that the project will have, with a 100% lab scenario, is acceptable for the overall water budget.

O2-9

In this era of water scarcity, the impact on the City's emergency water supplies must also be assessed.

Therefore

1. *Will the Parkline project have a water budget?*
2. *What would be a total maximum allowable square footage for biolabs in the project OR what is the total allocation of water for biolabs. This is necessary to calculate water requirements?*
3. *How will the water requirements for the project affect the emergency water supply available?*
4. *Will there be a policy that lab water needs will not preempt City residential water needs in drought water rationing? If labs cannot function without water supply, how will the project ensure that residents will not experience water rationing, before labs do, during water shortage periods?*

⁷: [Biotech's \(other\) Liquidity Problem: The area's most prized industry is the biggest contributor to water scarcity](#). Boston Business Journal. Nov. 2023

[My Green Lab](#) "It might surprise you to learn that laboratories can use a lot of water. Cage washers, autoclaves, DI water, and single-pass cooling all contribute to the substantial water requirements of many labs."

- O2-10 b) Waste: Labs generate significant amounts of waste and particularly single use plastics.⁸ Biomedical researchers work every day to improve global health. However, as part of this work, modern labs use and discard a significant amount of single-use plastics, most of which ends up incinerated, in landfills. Research scientists have largely gone unnoticed as major users of non recyclable material. Usually, laboratory waste plastics are bagged and “autoclaved”, an energy- and water-intensive sterilization process often using pressurized steam, and then they are sent to landfill. Labs are under pressure to decrease their waste because the reality of increasing plastics pollution is outweighing their convenience.
- “Laboratory plastics account for about 5.5 million tons of waste per year. These can include anything from packaging to syringes to beakers, and they have supplanted many other materials that (were used before) – sometimes for good reason.”⁹
- Government and City policies are critical to reducing plastics usage. In California, the single-use plastic bag ban, which went into effect nearly a decade ago, has already reduced the use of plastic bags by 70% in the state.¹⁰
- Mitigation requirements should include a waste management plan provided to the City, including monitoring requirements, detailing how the project applicant plans to minimize waste to landfill and incineration and to meet Climate Action Plan goals.*¹¹
- O2-11 c) Deliveries and Loading areas: It is well understood that labs frequently have to operate all night and that labs are very dependent on multiple deliveries and other outside services. For this reason, such activities need to be restricted to daylight hours in proximity to residential neighborhoods and in Mixed Use areas where residential buildings are allowed.
- As mitigation, service, delivery and pick up hours should be limited to daytime hours and service driveways and entry areas located away from residential buildings.*
- O2-12 d) Light at night: Lab buildings often operate through the night with lights on all night. Lab buildings that face residential or Mixed Use buildings should also be required to provide shielding at night such as automatic shades that are timed to close after daylight hours so that residents can get rest and landscaped areas are allowed to be generally darkened except for wayfinding lighting directed downwards.

⁸[Can Laboratories Curb Their Addition to Plastics? The Guardian](#)

⁹[Single Use Plastics in the Lab, Climate and Pharma](#), September 2020

¹⁰[We are Drowning in Single-use Plastics. Here’s Why and What We Can Do About It.](#)
Univ of Colorado, Boulder, April 2024

¹¹ The goal should be that R&D projects shall submit a zero-waste management plan to the city, with monitoring requirements, which will cover how the applicant plans to minimize waste to landfill and incineration in accordance with all applicable state and local regulations.

O2-12
cont.

As mitigation, because biotech labs often require operating through the night, require automatic shades that are timed to close after daylight hours for facades facing residential areas and all landscaped areas which provide habitat for nature, including insects, to respect the diurnal cycles of nature.

In summary, we also recommend that the DEIR include the following.

- a) A recommendation that **BSL-1 and BSL-2 labs are a conditional use** if it is within ¼ mile of residential property, schools, community centers or creeks in order to have an orderly process to address issues of safety as well as noise, lights at night, alerts, deliveries, animal lab facilities, smells from exhausts, transport of potentially hazardous agents, and other concerns residents may reasonably have.
The intent is not to discourage business applicants, but to secure public safety in a Mixed Use area and to ensure the City and County Emergency Response Team personnel are made aware of and are trained to respond to the presence of approved hazardous materials in buildings in an emergency or disaster situation.
- b) A recommendation that **BSL-3 & BSL-4 research labs are not allowed** in this proposed infill Mixed Use development, in the center of the City, for public safety reasons.

O2-13

Nearby cities have recently restricted BSL-3 labs from all parts of the city (San Carlos) or from Mixed Use neighborhoods (Redwood City Downtown area). It is essential that the City examine the potential environmental impacts of biotech labs on the City's public health and safety as well as its environmental sustainability and on its Climate Action Plan (CAP). We believe it could be helpful to review the following documents.

- [“Guidelines for BioSafety Labs”](#), Sierra Club Loma Prieta, Sustainable Land Use Committee, specifically to help decision makers plan for biotech labs
- [Redwood City’s Amendments: Conditional Use Permit for Research and Development](#) (page 10) that addresses these issues for Mixed Use neighborhoods
- [Menlo Park’s Life Sciences District](#) ordinance and include appropriate mitigation for the RBD-SPU sustainability concerns that are addressed

Thank you for the opportunity to comment on these important issues in the DEIR. We look forward to continuing to work with the City on this transformational infill Mixed Use project in the heart of the City.

Respectfully submitted,
Gita Dev, FAIA, Chair
Conservation Committee
Sustainable Land Use Committee

O2. Response to Comment O2—Gita Dev, FAIA, Sierra Club Loma Prieta Chapter, Sustainable Land Use Committee

- O2-1 *The commenter provides an introduction to the letter and summarizes general concerns. This comment is introductory material to the comment letter and does not raise any issues with the Draft EIR; therefore, no additional response is required. Refer to Responses O2-2 through O2-13, below, which address each concern in detail.*
- O2-2 *The commenter expresses concern regarding facilities associated with biosafety levels 3 and 4 (BSL-3 and BSL-4) in proximity to a mixed-use setting and states that biotech laboratories are unsustainable building types. Refer to Master Response 4 and the Biosafety Management White Paper included in Appendix 3 regarding biological research laboratories and BSL concerns, including building sustainability.*
- O2-3 *The commenter requests information about the height requirements for a BSL-3 lab exhaust system and appropriate mitigation to ensure it is screened from view. The office/R&D buildings would range from three to five stories (approximately 60 to 92 feet), as discussed on page 2-20 in Chapter 2, *Project Description*, of the Draft EIR. The floor-to-floor heights (an average of 16 feet per floor) would provide vertical flexibility for office, R&D, and life science tenants. Maximum building heights would be 110 feet, exclusive of mechanical screens and equipment, which could be up to 25 feet in height. The city's zoning ordinance requires screening for roof-mounted equipment (Section 16.08.095 of city's Municipal Code); such a requirement would apply to the Proposed Project. Roof screening design standards and requirements would be included in the conditional development permit as part of the entitlement review process. As discussed in more detail in Master Responses 1 and 4, the aesthetic impacts associated with the Proposed Project's laboratories, including impacts related to building height, are exempt from CEQA, per SB 743. Regardless, Appendix 3.1-1 of the Draft EIR includes a discussion of the Proposed Project's potential aesthetics, lighting, and shadow impacts for informational purposes. Refer to Master Responses 1 and 4 and Appendix 3.11 of the Draft EIR for more details.*
- O2-4 *The commenter expresses concern about exhaust emissions from BSL laboratories and requests that, if BSL-3 laboratories are included, more information be included related to emergency response and notification for sensitive receptors and visitors. Refer to Master Response 4 regarding biological research laboratories and BSL concerns, including emissions and emergency response. Together, the previously released Draft EIR and this document constitute the Final EIR for consideration by decision-makers.*
- O2-5 *The commenter expresses concern about the energy consumption of lab uses. Refer to Master Response 4 regarding biological research laboratories and BSL concerns, including energy use and building sustainability.*
- O2-6 *The commenter expresses concern about the emergency generators required for BSL facilities and issues regarding emergency power, outages, battery storage, and microgrids. Refer to Master Response 4 regarding biological research laboratories and BSL concerns, including GHG emissions, as well as the intended use of the emergency generators proposed at the Project Site. As explained in Master Response 4, and stated on pages 3.4-24 and 3.4-25 of the Draft EIR, the analysis assumes a maximum of 13 new generators (for a total of 17 emergency generators) operating for 50 hours per year, which is the maximum annual run time permitted by BAAQMD. Because emergency generator testing and maintenance activities could happen on any day of*

the year, emissions from the emergency generators were modeled as continuous emissions sources (i.e., assuming possible emissions from 24 hours per day, 365 days per year), based on 50 hours per year of operation. Therefore, the analysis accounts for ample additional run time (e.g., run time in the event of a power outage). Microgrids are not required and are not intended to be used at the Project Site. On-site renewable energy generation (e.g. solar panels) and battery energy storage (if any) would be provided in compliance with code requirements at the time of building permit submission.

- 02-7 *The commenter expresses concern regarding the use of live animals in research as well as the use of natural gas or other flammable gases, and questions the alerts and notification procedures in the event of an emergency.* Refer to Master Response 4 regarding biological research laboratories and BSL concerns, including the use of live animals in research and emergency response. Further, the city's emergency and disaster response services are authorized in the Menlo Park Municipal Code in Chapter 2.44. Emergency response is also described in the city's Emergency Operation Plan³⁶ and Multi-jurisdictional Local Hazard Mitigation Plan.³⁷ This multi-jurisdictional plan describes the member agencies, including the city and the Menlo Park Fire Protection District, and their role in responding to emergencies involving exposure to or an accidental release of hazardous materials, including natural gas or flammable gases.

San Mateo County Environmental Health, as a Certified Unified Program Agency (CUPA), is an umbrella organization with responsibility for addressing an accidental hazardous or biological release outside of a building. Further, as discussed above in Master Response 4, laboratories are required, as part of Title 8 and implemented by Cal/OSHA as well as under BMBL guidelines, to have internal procedures and training programs to control hazards and address emergency response issues in the event of an accidental release, as required for BSL-3 and above. NIH Guidelines, when applicable, include coordination meetings with local governments to plan for emergency events.

- 02-8 *The commenter expresses concern that the rooftop generators and mechanical equipment for biological containment and odor prevention would exceed noise standards, requiring additional screening and mitigation.* Refer to Master Response 4 regarding biological research laboratories and BSL concerns, including noise. No rooftop generators are currently proposed.
- 02-9 *The commenter is concerned about water consumption and emergency water supplies for proposed biolabs.* Refer to Master Response 4 regarding biological research laboratories and BSL concerns, including water demand.
- 02-10 *The commenter is concerned about laboratory waste generated by the Proposed Project.* Refer to Master Response 4 regarding biological research laboratories and BSL concerns, including solid waste disposal.
- 02-11 *The commenter questions the delivery and pickup hours associated with laboratory space.* Refer to Master Response 4 regarding biological research laboratories and BSL concerns, including noise associated with delivery and pickup.

³⁶ City of Menlo Park. 2014. *Emergency Operation Plan*. Available: <https://menlopark.gov/Government/Departments/City-Managers-Office/Emergency-Disaster-Preparedness/MenloPrepared/Emergency-alerts> and incorporated by reference. Accessed: October 24, 2024.

³⁷ County of San Mateo. 2021. *2021 Multijurisdictional Local Hazard Mitigation Plan* (incorporated by reference). Available: <https://www.smcgov.org/ceo/2021-multijurisdictional-lhmp> and. Accessed: October 24, 2024.

- 02-12 *The commenter requests that mitigation be provided to reduce potential light spillover from lab buildings at night.* As discussed in more detail in Master Responses 1 and 4, the aesthetic impacts associated with the Proposed Project's laboratories, including impacts related to light spillover, are exempt from CEQA, per SB 743. Regardless, Appendix 3.1-1 of the Draft EIR includes a discussion of the Proposed Project's potential aesthetics, lighting, and shadow impacts for informational purposes. Refer to Master Responses 1 and 4 and Appendix 3.11 of the Draft EIR for more details.
- 02-13 *The commenter requests that the Draft EIR include a recommendation that BSL-1 and BSL-2 laboratories be conditional uses and that BSL-3 and BSL-4 laboratories are not allowed under the Proposed Project.* Refer to Master Response 4 regarding biological research laboratories and BSL concerns. These comments are a matter of citywide policy and beyond the scope of the environmental review for the Proposed Project. The comment is noted and included in the record for consideration by the decision-makers.

Letter I1

From: [Cliff Fitzgerald](#)
To: [Sandmeier, Corinna D](#)
Subject: Fw: Parkline Off-site Plan / Traffic Mitigation
Date: Monday, July 1, 2024 4:06:49 PM
Attachments: [CMP_Email_Logo_100dpi_05d92d5b-e8e3-498f-93a6-d0da509bd60211111111.png](#)

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Hello Corinna,

Per the Parkline Draft EIR I am submitting this Comment. I include and reiterate my earlier comments provided in the emails below dated January 27 and December 29, 2023.

I am very concerned that the EIR still does not address the high likelihood of significant negative impact on local streets. On page 30 of the EIR I find this statement:

"Impacts related to the following areas would be *less than significant*, ***and no mitigation measures would be required*** for both the Proposed Project and the Project Variant:

- Land Use and Planning
- ***Transportation ...***" (emphasis added)

It is not clear to me how "significant impact" is determined in the case of my primary concern: increase in cut-through traffic on small local streets such as Marcussen Drive. It is a surety to my thinking that without mitigation the roughly 9500 forecasted additional daily trips arising from Parkline would lead to significant exacerbation of what is already an unacceptable rate of cut-through drivers on Marcussen Drive.

I do note in the EIR that our regulations require solving for this. Under Policy CIRC-2.14 (EIR page 184) a requirement is stated as follows: "...New development should minimize cut-through ... on residential streets..."

If there is anything I can do to help address this issue please let me know. Also, how will I know if this issue is being taken up -- or not -- as the Parkline plan moves forward?

Thank you,

Cliff Fitzgerald
1128 Marcussen Drive
Menlo Park

----- Forwarded Message -----

From: Cliff Fitzgerald <cliff_fitzgerald@ymail.com>
To: Sandmeier, Corinna D <cdsandmeier@menlopark.gov>
Sent: Friday, December 29, 2023 at 12:26:33 PM PST
Subject: Re: Parkline Off-site Plan / Traffic Mitigation

Hello Corinna,

This is follow-up to our correspondence eleven months ago regarding traffic mitigation for the Parkline project. I have just reviewed the online planning documents again and do not see this important topic addressed anywhere. Is the EIR for Parkline still pending? Is there a public comment period for the

Letter I1

I1-3 | Parkline EIR?

cont | An expansion of my comments:

I1-4

- I live on Marcussen Drive which is across from the current SRI (and future Parkline) main entrance off Ravenswood. Marcussen Drive is a residential sub-development with a narrow street, no sidewalks and a number of families with small children. Even without the added traffic brought on by Parkline we on Marcussen Drive already suffer from drivers using Marcussen Drive as a short cut, often driving over 15 miles an hour, which for this type of residential area would be a reasonable and safe speed. Short cutting on Marcussen Drive rewards a driver by facing one less traffic light for the following transits:
 - Eastbound Ravenswood turning northbound Middlefield
 - Westbound Ravenswood turning northbound Laurel
 - Eastbound Oak Grove turning southbound Middlefield
 - Southbound Middlefield / Eastbound Oak Grove working toward southbound El Camino
 - Northbound Middlefield working toward northbound El Camino

I1-5

- Also, because of the difficult traffic patterns into and out of MA High School, we daily have parents parking on both sides of the south end of Marcussen near Ravenswood when school gets out. Parents use Marcussen as a holding area while their students walk over to meet them. Because of its narrowness, Marcussen Drive becomes single lane when cars are parked on both sides.

I1-6

- If no countermeasure is put in plan, the added traffic brought on by Parkline will result in more short cutting, congestion and disruption to the quiet and pleasant residential life on Marcussen Drive. I have observed that while some short cutters drive in a way that is considerate of residents, there is a class of short cutters who 'go fast' -- maybe to convince themselves that they have done a smart thing by saving time this way.

I1-7

- Overall, I like the Parkline design. It seems to me the designers have created a project that balances the ongoing need for renewal and incremental increase in density while creating attractive amenities and minimizing negative impacts to adjacent property interests. The SRI site location near public transportation makes this a well conceived project, in my opinion. By contrast, I cannot overstate how absolutely **AWFUL** the redevelopment project is that is proposed for the old Sunset Headquarters. The Sunset property is far enough away from my house that my perspective on this cannot be ascribed to NIMBYism -- for the sake of the city I strongly object to this project and any project like it. MENLO PARK SHOULD EXERT **EVERY** EFFORT TO ENSURE THE SUNSET PROJECT DOES NOT PROCEED. If Parkline or other projects can be refined to help to meet state mandates and avert a builders recourse project like the Sunset project, it should be seriously considered.

Thank you for your consideration,

Regards,

Cliff Fitzgerald
1128 Marcussen Drive
Menlo Park, CA
34 year Menlo Park resident
650.380.3179

On Monday, February 6, 2023 at 09:57:02 AM PST, Sandmeier, Corinna D
<cdsandmeier@menlopark.gov> wrote:

Letter I1

Hi Cliff,

I apologize for the late response. Transportation impacts will be studied as part of the Environmental Impact Report (EIR). I'll check-in with the Transportation Division and get you more specific answers.

As you probably know, the study session that was started on 12/12/22 is continued tonight, so if you would like to send a comment letter before 5 pm, we can attach it to this agenda, but comment letters can be submitted at any time.

Please let me know if you have any other questions.

Thanks!
Corinna



Corinna D. Sandmeier

Principal Planner
City Hall - 1st Floor
701 Laurel St.
tel 650-330-6726
menlopark.gov

*Note our emails have changed to @menlopark.gov

From: Cliff Fitzgerald [mailto:cliff_fitzgerald@ymail.com]
Sent: Friday, January 27, 2023 11:43 AM
To: Sandmeier, Corinna D <[cgsandmeier@menlopark.gov](mailto:cdsandmeier@menlopark.gov)>
Subject: Parkline Off-site Plan / Traffic Mitigation

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Hello Corinna,

I1-8

I am a MP resident living on Marcussen Drive, which is situated across from the main SRI entrance on Ravenswood. Marcussen Drive is a narrow residential street that unfortunately is used by "short cutters" from both directions to avoid traffic signals on Middlefield. Short cutters too often drive too fast, so there

Letter I1

is already a concern on our street about unnecessary traffic, even before the advent of the Parkline Project.

I1-8
cont.

I do not see in the Parkline Master Plan (link below) any mention of traffic impact mitigation regarding surrounding residential zones. Can you please let me know when and how public comment will be solicited for this aspect? Is the city planning to measure traffic baselines before the Parkline Project gets underway? Is there someone I can talk to who would be interested in and responsible for these concerns?

Thank you,

Cliff Fitzgerald

1128 Marcussen Drive

Menlo Park

650.380.3179

I1. Response to Comment I1—Cliff Fitzgerald

- I1-1 *The commenter is concerned about traffic and the impact of cut-through traffic on local streets.* As noted on Draft EIR page 3.3-28, the Proposed Project would implement a TDM plan to provide trip reduction measures and reduce vehicle traffic in and around the Project Site. The driveways at the Project Site on Ravenswood Avenue would be designed so as not to be directly opposite local streets. This design would also minimize cut-through traffic onto residential streets. Refer to Master Response 3 regarding cut-through traffic and the scope of the Parkline TIA.
- I1-2 *The commenter asks how to know if the concerns will be addressed as the Proposed Project moves forward.* This chapter of the Final EIR (Chapter 3, *Responses to Comments*) includes the responses to all comments received during the 45-day review period. The responses to the commenter's concerns are included in Responses I1-1 through I1-9. All comments and responses are included in the record for consideration by decision-makers.
- I1-3 *The commenter questions why his former comments had not yet been addressed.* This comment was made in December 2023, during a period that was not open for public comments on the EIR. The NOP for the Proposed Project was released in December 2022, with the close of the comment period in January 2023. The Draft EIR was subsequently released in June 2024 and includes a discussion of traffic impacts as a result of the Proposed Project (Section 3.3, *Transportation*). Specific concerns made by the commenter are addressed in Responses I1-1 through I1-9 of this document.
- I1-4 *The commenter is concerned about cut-through traffic on Marcussen Drive.* The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to the commenter's observation of existing cut-through traffic on a specific street and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. The Proposed Project's driveways along Ravenswood Avenue would be offset from the residential streets to the north (e.g., Pine Street, Marcussen Drive) so that traffic generated by the Proposed Project would be discouraged from using these cut-through routes. Refer to Master Response 3, which discusses cut-through traffic and the scope of the Parkline TIA.
- I1-5 *The commenter offers observations about school traffic.* This comment is related to the commenter's observation of existing driver behavior and is not a CEQA issue. In addition, it should be noted that school parents' driving behaviors are not related to the Proposed Project. No further response is required.
- I1-6 *The commenter is concerned about the traffic generated by the Proposed Project resulting in additional short-cutting, congestion, and disruptions on Marcussen Drive.* The comment is noted and included in the record for consideration by decision-makers. However, this comment is related to the potential of cut-through traffic on a specific street and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. Refer to Master Response 1, which discusses non-CEQA level of service and traffic congestion, and Master Response 3, which discusses cut-through traffic and the scope of the Parkline TIA.
- I1-7 *The commenter expresses general support for the Proposed Project.* The commenter's support of the Proposed Project is noted and included in the record for consideration by decision-makers. However, this comment pertains to the merits of the Proposed Project and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. Refer to Master

Response 1, which addresses comments related to the merits of the Proposed Project. Comments on the former Sunset Headquarters property are not relevant to scope of the Proposed Project or the CEQA process for the Proposed Project and, therefore, are not addressed further.

- I1-8 *The commenter attaches letters that were previously submitted on the Proposed Project.* The Draft EIR describes the CEQA process for the Proposed Project. The NOP comments received are provided in Appendix 1 of the Draft EIR. The attached comment letter submitted by the commenter on January 27, 2023, was received after the close of the NOP commenter review period but is nonetheless included in Appendix 1 of the Draft EIR. Consistent with CEQA Guidelines 15084(c), all comments received on the NOP were considered during preparation of the Draft EIR and addressed in the respective CEQA topic sections, where applicable. Therefore, no further responses on the commenter's NOP letter, which was previously submitted and considered, are required. In addition, refer to Responses I1-1 through I1-7, above, which address the commenter's concerns.

Letter I2

From: [Clem Molony](#)
To: [Sandmeier, Corinna D](#)
Cc: [Mark Murray](#)
Subject: Parkline Draft EIR comments attached
Date: Wednesday, July 17, 2024 12:35:58 AM
Attachments: [Parkline EIR Draft - Molony 7-6-24.docx](#)

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TO: Corinna Sandmeyer, City of Menlo Park
cdsandmeier@menlopark.gov

7/6/24
 cc: Mark Murray

SUB: Parkline Draft EIR Comments

My name is Clem Molony, a 40-year homeowner in Menlo Park and a retired environmental manager from Silicon Valley. I have reviewed the Draft EIR and have these comments:

I strongly support the Parkline project because it provides so many benefits for our city, and it modernizes the SRI campus (a local business here supporting economic prosperity for Silicon Valley), and especially because it is a transit-oriented housing development.

Project positives include:

800 new homes (approximately 20% are affordable housing).
 Replaces 35 outdated office buildings with just half a dozen new ones.
 26 acres of open-space: for public recreation, bike and pedestrian paths, kids' playground.
 The campus will be all electric.

It is good planning that the Project Variant includes an emergency water reservoir, and that the EIR includes an evaluation of all utilities and of Caltrain potential track changes. The Project Variant is especially positive on the reorganization of housing opportunities in two positive ways: 1) the increase of housing by 250 units, which will help Menlo Park reach its housing goals, and 2) comments from adjacent homeowners have been included in the new design.

The environmental analysis process: I learned in my career that the EIR methodology is outstanding and can be trusted. There will be significant impacts which need to be studied, but the EIR process includes the evaluation of dozens of relevant potential impacts. Also, mitigation measures will reduce most of the impacts to less than significant level. One concern I do have is that car trips in the afternoon-commute-hour needs to be evaluated and mitigated.

Fiscal Impacts: I'm pleased that there is a fiscal impact analysis as part of this process, which will evaluate both the Proposed Project and the Project Variant. The evaluation of net increase in revenue and expenditures does show net fiscal impact on the City of Menlo Park, the Menlo Park Fire Protection District, school districts, and special districts. The bottom line is that there will be a positive net fiscal impact in all areas. And, the project will be required to pay various impact fees to the city and to the two school districts.

Water Supply: It is essential nowadays that there be a water supply assessment to evaluate net new demand for water. I know that the San Francisco Public Utilities Commission is implementing an alternative water supply planning program, to plan for and address future long-term water supply reliability. I'm also pleased that the emergency water storage reservoir is part of the Parkline project.

I highly recommend support for the Parkline development.

12. Response to Comment 12—Clem Molony

- I2-1 *The commenter expresses support for the Proposed Project.* The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to the merits of the Proposed Project and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA; therefore, no additional response is required. Refer to Master Response 1, which addresses comments related to the merits of the Proposed Project.
- I2-2 *The commenter is concerned about car trips in the afternoon commute hour.* The Parkline TIA evaluates traffic conditions during the commenter-requested afternoon commute hour. The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to the scope of the Parkline TIA and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. Refer to Master Response 3, which discusses the scope of the Parkline TIA.
- I2-3 *The commenter summarizes the fiscal impacts of the Proposed Project.* Fiscal issues and community benefits from the Proposed Project are topics that will be considered by decision-makers; they are included here for the record. Refer to Master Response 1, which addresses comments related to the fiscal impacts of the Proposed Project.
- I2-4 *The commenter states that preparation of a WSA is needed to evaluate water supply reliability and expresses support for the inclusion of the emergency water reservoir as part of the Project Variant.* The Proposed Project's WSA is included as Appendix 3.16-1 to the Draft EIR. As discussed in the WSA, MPMW purchases water from SFPUC to serve city customers. The availability and reliability of MPMW's water supplies, as described in the WSA, are based primarily on information contained in the MPMW 2020 Urban Water Management Plan (UWMP) and the SFPUC 2020 UWMP. In addition, as detailed in the WSA, the SFPUC is implementing an Alternative Water Supply Planning Program to investigate and plan for new water supplies to address future long-term water supply reliability challenges and vulnerabilities. The MPMW is also implementing an Emergency Water Storage/Supply Project to provide a backup water supply to the MPMW's Lower Zone, the area where the Proposed Project is located. For more information regarding the WSA, refer to Section 3.16, *Utilities and Service Systems*, of the Draft EIR. Because no specific comments were made regarding water supply or utilities impacts, no further response is provided.

Letter I3

From: [Kristen L](#)
To: [Planning Commission](#)
Subject: BMR units and parking for Parkline Project
Date: Saturday, July 20, 2024 12:54:01 PM

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Hello, Planning Commission!!

I3-1

I love that this property has below market rate (BMR) units mixed in with the market rate units as required by law. It's even better that the owner is including even more BMR units than required! However, it doesn't seem great to have the up to 154 even more BMR units in a separate building. We have learned over time that separate is not equal. That proved especially true in education and when some people were not allowed to purchase homes in some neighborhoods. It doesn't seem right to put the additional BMR units "over there" in the below market rate area of the property, which is coincidentally on the busiest corner. It seems like it creates an area for second class citizens. Why not incorporate all of the BMR units with the market rate units?

I3-2

Also, there is only one parking spot for every two additional BMR units, when there are 1.25 for every market rate unit and two for townhomes. That creates a hardship for BMR car owners who may walk, bike or take public transit to work but sometimes need their car to drive farther away to see family and friends or for errands that are far from transit hubs.

Thank you for taking these issues into consideration in planning for the future!

Kristen Leep
Menlo Park Preschool Teacher
35 Year Menlo Park Resident
4 Year Below Market Rate Renter

I3. Response to Comment I3—Kristen Leep

- I3-1 *The commenter expresses support for the Proposed Project but raised concerns about the stand-alone BMR building.* The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to the merits of the Proposed Project and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA; therefore, no additional response is required. Refer to Master Response 1, which addresses comments related to the merits of the Proposed Project. The commenter raised questions about the site plan related to the stand-alone BMR building, which is not a CEQA comment but is included for consideration by the decision-makers.
- I3-2 *The commenter questions the design of the Proposed Project with respect to the amount of parking provided for different types of units.* The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to the design of the Proposed Project and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA; therefore, no additional response is required. As detailed in Chapter 2, *Project Description*, of the Draft EIR, in accordance with SB 743, parking impacts shall not be considered in determining if a project has the potential to result in significant environmental effects, provided the project meets the criteria established under PRC Section 21099, *Modernization of Transportation Analysis for Transit-Oriented Projects*. Because the Proposed Project meets the criteria established under PRC Section 21099, the EIR prepared for the Proposed Project does not consider parking impacts in determining the significance of impacts under CEQA. Refer to Master Response 1, which addresses comments related to the design of the Proposed Project.

Letter I4

From: [Nancy Larocca Hedley](#)
To: [Sandmeier, Corinna D](#)
Subject: Parkline Comments
Date: Monday, July 22, 2024 11:07:03 AM

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Hi Corinna,

Thanks for the opportunity to share comments about the Parkline project. There are two things I would like to highlight:

- I4-1 | 1) Canopy Cover - It looks like about half of the trees will be removed, but I would really like to understand the impact on the canopy cover. For example, it would be helpful to understand the current canopy cover percentage with the existing trees, the canopy cover percentage after the project is complete and new trees are planted, and projections out 5, 10, 20 years for canopy coverage as the trees mature.
- I4-2 | 2) Parking Garages - The most appealing parking structures I've seen incorporate art and beauty in their designs. I'm imagining murals or mosaics on the outside walls; a nice open, airy design that ensures safety for people using the parking structure; and incorporating plants/trees around the edges. Would be nice if these structures added to the beauty and sense of community as opposed to being simply functional and or detracting from the beauty of our city.

Thanks!

Nancy

I4. Response to Comment I4—Nancy Larocca Hedley

- I4-1 *The commenter requests further information on the existing and future canopy cover at the Project Site. Impacts on tree canopies are associated with aesthetic and biological resource topics under CEQA. As detailed in Chapter 2, *Project Description*, of the Draft EIR, in accordance with SB 743, aesthetic and parking impacts shall not be considered in determining if a project has the potential to result in significant environmental effects, provided the project meets the criteria established under PRC Section 21099, *Modernization of Transportation Analysis for Transit-Oriented Projects*. Because the Proposed Project meets the criteria established under PRC Section 21099, the EIR prepared for the Proposed Project does not consider aesthetic or vehicular parking impacts in determining the significance of impacts under CEQA. In addition, as noted by the commenter, Project impacts on trees are evaluated and included under Impact BIO-3 on pages 3.10-33 and 3.10-34 of the Draft EIR. Refer to Section 3.10, *Biological Resources*, of the Draft EIR for more detail. Furthermore, information regarding the projection of tree canopy on the Project Site in 5, 10, and 20 years is beyond the scope of the required CEQA analysis. Per CEQA Guidelines Section 15204(a), CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. Lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers so long as a good-faith effort at full disclosure is made in the EIR. This comment regarding the tree removals and future canopy coverage is included in the record for decision-makers consideration during review of the land use entitlements.*
- I4-2 *The commenter provides suggestions regarding the parking garage design for the Proposed Project. The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to the design of the Proposed Project and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA; therefore, no additional response is required. Refer to Master Response 1, which addresses comments related to the design of the Proposed Project.*

Letter I5

From: [Nina Wouk](#)
To: [Sandmeier, Corinna D](#)
Cc: [CCIN](#)
Subject: SRI/Parkline comments
Date: Sunday, July 28, 2024 8:56:09 AM

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Hi, Principal Planner

I5-1

I sympathize with the people who will have to live through construction and hope that the city will limit construction hours and do everything possible to mitigate noise. I live next to the Belle Haven Child Development Center which was built with a tolerable degree of disruption to our neighborhood. If there are records of noise mitigations used back then, consult them.

I5-2

I want to see maximum new housing at SRI/Parkline. Menlo Park needs it. Our side of town is full (and then some) but people who work in Menlo Park still can't afford to live here. They won't all drive. Younger people aren't as car-dependent as my generation, and given the opportunity they will generate less traffic than an equal number of old people would. Plan transit for people who don't want to have to support a car.

Too many people are worried about 'the element' new housing would attract or 'the traffic' it would generate. Belle Haven has adjusted to lots of new neighbors. So can the rest of Menlo Park.

Sincerely

Nina Wouk

15. Response to Comment 15—Nina Wouk

- 15-1 *The commenter expresses concern about construction hours, supports construction noise mitigation, and cites the Belle Haven Child Development Center Project as a good example of how to mitigate noise impacts.* Construction noise impacts as a result of the Proposed Project are analyzed under Impact NOI-1 on pages 3.7-19 through 3.7-31 of the Draft EIR. As stated, construction equipment proposed for use during daytime hours would be in compliance with noise thresholds. Noise generated by construction of the Proposed Project would generally comply with the noise limits and hours specified in the Menlo Park Municipal Code. However, noise during Phase 1, Phase 2, and Phase 3 construction could reach a maximum of 97 dBA L_{eq} at a distance of 15 feet from sensitive land uses, 71 dBA L_{eq} at a distance of 250 feet from sensitive land uses, and 85 dBA L_{eq} at a distance of 50 feet from sensitive land uses, respectively, all of which are 10 decibels (dB) over the daytime ambient noise levels in the area. Furthermore, concrete pour activities during early-morning hours were modeled to result in a noise level of 72 dBA L_{eq} at the nearest sensitive land use, which would be greater than the applicable noise limit. Although the substantial increase in noise would be temporary, the estimated construction noise levels during daytime and early-morning hours would exceed the applicable thresholds. Implementation of Mitigation Measures NOI-1.1 and NOI-1.2 would reduce noise during Project construction by requiring a construction noise reduction plan and a noise barrier, respectively. However, these mitigation measures may not be able to ensure that noise would be below the applicable thresholds in all circumstances, and impacts related to construction noise would be significant and unavoidable with mitigation.

The mitigation measures required for the Proposed Project are generally consistent with standard mitigation measures required for similar projects in Menlo Park. However, the construction noise mitigation measures for the Proposed Project have been tailored to account for the size and scale of the Proposed Project, along with the location of the Project Site, which is adjacent to sensitive uses. The Proposed Project would follow construction noise requirements in the Menlo Park Municipal Code, similar to construction of the Belle Haven Child Development Center (as mentioned by the commenter). However, it is important to note that the Belle Haven Child Development Center was a substantially smaller project. Therefore, additional mitigation measures specific to the Proposed Project are included in the Draft EIR (pages 3.7-29 to 3.7-31).

- 15-2 *The commenter expresses a preference for the Proposed Project to include more housing.* The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to the design of the Proposed Project and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA; therefore, no additional response is required. Refer to Master Response 1, which addresses comments related to the design of the Proposed Project.

Letter I6

From: [Mark McBirney](#)
To: [Sandmeier, Corinna D](#)
Subject: SRI Parkline proposed project
Date: Wednesday, July 31, 2024 7:10:30 PM

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Corinna Sandmeier – Comments regarding the subject proposed project:

- I6-1 | • I have submitted questions regarding the project on the public outreach emails but have never received the courtesy of a single response
- I6-2 | ◦ What are the protections for residents of Willow Road from the additional traffic generated by your project?
- I6-3 | ◦ What is the designated truck route to/from the project site? Needs to be El Camino – a state highway - not neighborhood street Willow Road

Thank you!
Mark McBirney

Mark McBirney
Director, Maintenance Operations
Maintenance Operations and Capital Projects
Residential & Dining Enterprises
Stanford University
M: 795 Escondido Road, Stanford, CA 94305-8581
Off: 650-725-9238
Cell: 650-223-1339
mcbirney@stanford.edu



16. Response to Comment 16—Mark McBirney

- I6-1 *The commenter states that no responses were received from previously submitted questions.* The Draft EIR describes the CEQA process for the Proposed Project; any letters received outside of the CEQA process are not addressed in this document. As stated on page ES-2 of the Draft EIR, an NOP was released for the Proposed Project on December 2, 2022, for a 30-day public review period. Although public comments received during this time were not addressed with direct responses to the commenters, they were considered during preparation of the Draft EIR. A summary of potential areas of controversy that were raised during the NOP comment period is provided on pages ES-2 to ES-4. As discussed on page 1-3 of the Draft EIR, in total, 65 comment letters were received in response to the NOP, including 20 comment letters received during the 30-day public review period and 45 comment letters received after the public review period ended. The NOP comments received are provided in Appendix 1 of the Draft EIR. Comments received during the 45-day review period for the Draft EIR, which closed on August 5, 2024, are responded to in this document.
- I6-2 *The commenter questions the protections for residents of Willow Road from the additional traffic generated by the Proposed Project.* The Parkline TIA evaluates intersection traffic operations along Willow Road. The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to traffic operations and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. Refer to Master Response 3, which discusses the scope of the Parkline TIA.
- I6-3 *The commenter requests information about the designated truck route to/from the Project Site and expresses concerns about truck routes along Willow Road.* As stated on page 3.7-16 of the Draft EIR, the construction haul routes involve trucks exiting either U.S. 101 or SR 84 to Willow Road and then traveling west toward the Project Site. When reaching Middlefield Road, the trucks would turn north and continue on Middlefield Road until reaching the Project Site. Trucks leaving the Project Site would take a nearly identical route to get to either U.S. 101 or SR 84 but would exit the Project Site on Ravenswood Drive just south of Middlefield Road and then turn east onto Middlefield Road.

The city has an approved truck route map that identifies Willow Road as a limited truck route, which prohibits trucks over 3 tons unless there is an origin or destination within the city of Menlo Park.³⁸ Therefore, because the Proposed Project is in Menlo Park, trucks used for construction of the Proposed Project are permitted to use Willow Road. In order to access U.S. 101, Willow Road would be used as a truck haul route for the Proposed Project. The Project Sponsor and contractor would be required to adhere to Menlo Park Municipal Code Chapter 11.48, which provides details related to truck routes and permits.

³⁸ City of Menlo Park. n.d. *Truck Route Map*. Available: www.menlopark.org/DocumentCenter/View/353/Truck-Route-Map?bidId=. Accessed: August 19, 2024.

From: [K Rennie](#)
To: [Sandmeier, Corinna D](#)
Subject: Parkline Master Plan Project
Date: Monday, July 8, 2024 9:01:54 PM

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

Dear Ms. Sandmeier,

Writing to express my thoughts and concerns with the proposed Parkline Master Plan Project located on the SRI International Campus at 333 Ravenswood Avenue.

Concerns:

- 17-1 | • Projects proposed 3719 parking spaces and the increased car and bus traffic in the surrounding roads and neighborhoods, for example, Woodland ave is used as a cut through during commute times, among other roads in the Willows neighborhood, which I didn't see listed in the EIR.
- 17-2 | • Cumulative projects not accounting for air quality with all House Element proposed projects.
- 17-3 | • There is a proposed Ringwood-Coleman bicycle and pedestrian project which I don't see listed in this EIR, which would close or make Coleman ave an one way, which will send more traffic on Bay rd and Middlefield rd.
- 17-4 | • Willows neighborhood during peak commute is challenging to exit and enter along Willow rd and more specially at Willow rd & Gilbert ave and Middlefield rd & Woodland ave.
- 17-5 | • There are not complete or safe sidewalks and bike lanes along Middlefield rd.
- 17-6 | • Overall, I believe this project has too large of a commercial footprint, which will impact the ability to preserve and extend the charm and beauty inherent to the residential character of the city; to regulate and limit the density of population; encourage the most appropriate use of land; to conserve land and stabilize the value of property; to provide adequate open space for light, air and fire protection; to lessen traffic congestion; to facilitate the provision of community facilities; to encourage building construction of pleasing design; to provide the economic and social advantages of a planned community.

To help mitigate the above concerns would like to see:

- 17-7 | • Complete the Middle Ave Caltrain bicycle and pedestrian tunnel.
- Class I Shared-Use Path adjacent to Ravenswood for the full length of Ravenswood: El Camino to Menlo-Atherton HS along with removal of car right turn lane from Ravenswood to Middlefield.
- Class I Shared-Use Path adjacent to Middlefield Rd, which would be building for future development along Middlefield.
- More Class I Shared-Use Path directly through the project site from Ringwood ave to Burgess Park to improve bicycle and pedestrian connectivity and safety

I7-7 cont.	within and between the site and adjacent neighborhoods to promote an active public realm and establish interconnected neighborhoods. • Surrounding neighborhoods need to be improved for bicycling and pedestrians before this project begins, for example, Ringwood-Coleman project, reconfigure intersections at Willow-Middlefield-Woodland and add sidewalks and crosswalks.
I7-8	• Create a thriving transit-oriented development that facilitates efforts to reduce vehicle miles traveled by siting retail, commercial, and residential uses near existing transit corridors and public transportation facilities, and requiring alternatives to car transit through implementation of TDM, new bicycle/pedestrian access, and providing free Caltran and other public transit passes as Stanford has done with the Go-Pass along with free electric bikes.
I7-9	• There needs to be more 3 Bedroom/2 Bath (townhouse) to support families long term viability in Menlo Park; 60% of housing being 1 bedroom is not ok.
I7-10	• Protected bicycle parking.
I7-11	• Discounted rent and/or other incentives for families that work in Menlo Park.
I7-12	• Add walkway/sidewalk/bike path rain gardens to combat increasing flooding due to climate change.
I7-13	• No construction parking out of the project site and on going street sweeping around the project site.

Best regards,

--

Kevin Rennie
Willows neighborhood
kmrennie@gmail.com
(650) 704-2271

17. Response to Comment 17—Kevin Rennie

- 17-1 *The commenter is concerned about cut-through traffic on streets in the Willows neighborhood.* The comment is noted and included in the record for consideration by decision-makers. However, this comment is related to the commenter's observation of existing cut-through traffic on a specific street and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. Refer to Master Response 3, which discusses cut-through traffic and the scope of the Parkline TIA.
- 17-2 *The commenter states that cumulative projects do not account for air quality with all Housing Element proposed projects.* As discussed on page 3.4-42 of the Draft EIR, the cumulative context for the air quality analysis includes the San Francisco Bay Area Air Basin (SFBAAB), which includes Menlo Park and the nine counties that make up the San Francisco Bay Area. Air pollution in its nature is largely a cumulative impact. Development of past, current, and future projects in the SFBAAB, including projects implementing the city's Housing Element, could contribute to the nonattainment of ambient air quality standards. Thus, there would be potential for cumulative impacts related to criteria pollutants. In developing thresholds of significance for air pollutants, the air districts have considered the emission levels at which a project's individual emissions would be cumulatively considerable in light of existing air quality. If a project exceeds the identified significance thresholds, its emissions would be significant and a cumulatively considerable contributor to significant cumulative air quality impacts in the region. As discussed under Impact AQ-2, the Proposed Project would not result in a cumulatively considerable net increase in any criteria air pollutant for which the SFBAAB is designated as a nonattainment area with respect to the federal or State ambient air quality standards after implementation of Mitigation Measures AQ-1.1, AQ-1.2, and AQ-1.3.
- 17-3 *The commenter questions the proposed Ringwood-Coleman bicycle and pedestrian project, which was not listed in the Draft EIR.* The project identified in the comment is undergoing its own process; the preferred design and timing are uncertain at this time. Therefore, the Ringwood-Coleman bicycle and pedestrian project is not considered in the cumulative analysis for the Proposed Project because, at the time when the NOP for the Proposed Project was released (December 2, 2022), this project was not considered a reasonably foreseeable project, as defined in CEQA Guidelines Section 15130. Additional comments on the Ringwood-Coleman bicycle and pedestrian project are not relevant to the Proposed Project and do not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. No further response is required. To the extent that the commenter is concerned about whether the Ringwood-Coleman bicycle and pedestrian project would affect the traffic analysis contained in the TIA, that comment pertains to the scope of the Parkline TIA; it does not pertain to the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. Refer to Master Response 3, which discusses the scope of the Parkline TIA.
- 17-4 *The commenter provides observations of existing traffic conditions.* The Willow Road and Gilbert Avenue intersection is studied in the Parkline TIA (intersection #12). The Middlefield Road and Woodland Avenue intersection is not analyzed in the Parkline TIA because it is an unsignalized intersection; the Proposed Project would add traffic only to uncontrolled movements. The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to the scope of the Parkline TIA and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. Refer to Master Response 3, which discusses the scope of the Parkline TIA.

- I7-5 *This comment provides observations of existing multimodal facilities and operations, which are not related to the Proposed Project.* The Proposed Project does not have frontage along Middlefield Road, except between Ravenswood Avenue and Ringwood Avenue. The Proposed Project has proposed multimodal improvements along its frontages on Ravenswood Avenue and Laurel Street and therefore would represent an improvement to multimodal facilities compared with existing conditions. The Draft EIR and the Parkline TIA did not find a nexus that would require the Proposed Project to conduct additional offsite multimodal improvements on Middlefield Road. The city has a list of capital improvement projects and plans to improve multimodal transportation within Menlo Park, including a multimodal improvement project along Middlefield Road.³⁹ Refer to Master Response 3, which discusses the scope of the Parkline TIA.
- I7-6 *The commenter states that the Proposed Project has a large commercial footprint that would affect several aspects of the community.* The commenter lists the following topics that are not considered impacts under CEQA: charm, beauty, neighborhood character, property values, open spaces for light and air, construction of a pleasing design, and the economic and social advantages of a planned community. The comment is noted and included in the record for consideration by decision-makers. However, this portion of the comment pertains to the design, aesthetics, and socioeconomic and fiscal impacts of the Proposed Project; it does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. Refer to Master Response 1, which addresses comments related to the merits of the Proposed Project. In addition, as discussed in more detail in Master Response 1, aesthetic impacts are not considered CEQA impacts for certain qualifying projects, including the Proposed Project, per SB 743. Regardless, Appendix 3.1-1 of the Draft EIR includes a discussion of the Proposed Project's potential aesthetics impacts for informational purposes only. Refer to Master Response 1 and Appendix 3.1-1 of the Draft EIR for more details.
- The commenter also lists other topics that are considered in the Draft EIR. The conservation of land within an urbanized context is discussed in Section 3.10, *Biological Resources*. Appropriate use of the land in the context of governing land use regulations and policies is discussed in Section 3.2, *Land Use and Planning*. Fire protection, the provision of community facilities, and the related impacts on public services are discussed in Section 3.15, *Public Services and Recreation*. Traffic congestion is discussed in Section 3.3, *Transportation*. Because no specific comments were made on these topics, no further response is necessary.
- I7-7 *The commenter provides a list of potential measures related to bicycle and pedestrian improvements to reduce traffic impacts related to the Proposed Project.* The Proposed Project has proposed multimodal improvements along its frontages on Ravenswood Avenue and Laurel Street and therefore would represent an improvement to multimodal facilities compared with existing conditions. The Proposed Project's revised plans include connections through the site; the site design has been modified to more directly connect Burgess Drive and Ringwood Avenue. Through the entitlement review, city decision-makers and the applicant may incorporate additional onsite and offsite multi-modal improvements. Because the Proposed Project's transportation impacts were found to be less than significant, transportation mitigation measures are not required under CEQA.
- I7-8 *The commenter suggests measures to be included in the TDM plan and site plan designs.* As discussed on the Draft EIR pages 2-29 and 2-30, the Project proposes a TDM plan that would reduce traffic generated by the office/R&D land use by at least 28 percent and traffic generated

³⁹ A complete list is provided on the city's website: <https://menlopark.gov/Government/Departments/Public-Works/Transportation-Division/b-Transportation-projects>.

by the residential land use by at least 25 percent. The Proposed Project would be required to conduct annual monitoring to ensure it meets the required standards of TDM effectiveness. Refer to Master Response 2 regarding the TDM plan, including monitoring and compliance. In addition, suggestions for site plan design do not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. Refer to Master Response 1, which addresses comments related to the design of the Proposed Project.

- I7-9 *The commenter suggests that more townhouses should be provided.* The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to the design of the Proposed Project and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA; therefore, no additional response is required. Refer to Master Response 1, which addresses comments related to the design of the Proposed Project.
- I7-10 *The commenter requests protected bicycle parking.* As stated on page 2-30 of the Draft EIR, proposed TDM measures for the Project could include onsite amenities, including bicycle amenities, to reduce trips offsite. Refer to Master Response 2 regarding the TDM plan for the Proposed Project. As stated on page 3.3-26, the Proposed Project would provide safe and convenient access for bicyclists and improve bicyclist safety through design efforts, including provisions for secure short- and long-term onsite bicycle parking.
- I7-11 *The commenter suggests that discounted rent or other incentives should be provided for families who work in Menlo Park.* The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to socioeconomic and fiscal impacts of the Proposed Project and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA; therefore, no additional response is required. Refer to Master Response 1, which addresses comments related to the socioeconomic and fiscal impacts of the Proposed Project.
- I7-12 *The commenter recommends adding bicycle and pedestrian paths to rain gardens to reduce flooding impacts.* Flooding impacts as a result of the Proposed Project are discussed under Impact HY-3 on pages 3.12-24 through 3.12-26 of the Draft EIR. As stated, the Proposed Project would reduce the amount of impervious surface area across the Project Site by introducing new landscaped areas and open spaces and reducing the area for surface parking and hardscape. Therefore, impacts related to flooding would be less than significant; any additional design features within the proposed rain gardens would not substantially reduce flooding impacts. Because the Project's flooding impacts are already less than significant, any additional design features are not required under CEQA. The comment regarding the design of bicycle and pedestrian paths with rain gardens is noted and included in the record for consideration by decision-makers. Refer to Master Response 1, which addresses comments related to the design of the Proposed Project.
- I7-13 *The commenter requests no construction parking outside of the Project Site and ongoing street sweeping around the Project Site.* As stated on page 2-42 of the Draft EIR, all construction staging is expected to be onsite. Regardless, construction parking is outside the scope of the CEQA analysis and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. The comment is noted and included in the record for consideration by decision-makers. As stated on page 3.10-19 of the Draft EIR, standard conditions under the Construction General Permit require an applicant to use best management practices (BMPs) for onsite sediment control, such as damp street sweeping. Therefore, ongoing street sweeping would occur at the Project Site during construction.

Letter I8

From: [Carole Micaelian](#)
To: [Sandmeier, Corinna D](#)
Subject: Parkline Project
Date: Tuesday, July 30, 2024 10:45:18 AM

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

Dear Corinna,

- I am a resident of Menlo Oaks, we live at 320 Ringwood Avenue, across the street from M. A. We are very concerned by the Parkline project and how it will impact traffic in our neighborhood: access from 101 to the offices, and housing will create a significant increase in traffic on Bay, Ringwood, Middlefield, and Ravenswood, and access from Menlo Oaks to Menlo Park downtown.
- 18-1 We have a very congested area that is impacted by schools (M.A. and Laurel) at peak hours, and the increase in traffic recently due to the addition of apartment complexes like Middle Plaza and Springline.
- Even though Parkline project is planned around sustainability and biking as the encouraged mode of transportation, it will impact the traffic in a significant way, as our streets are not built to sustain access to this increase in population.
- 18-2 The Parkline project combined with the Sunset Project will disfigure our neighborhood and impact the quality of life in this area.
- 18-3 I would like to know if a study on traffic has been completed specifically addressing how the increase of cars and traffic will be absorbed in both directions between 101 and downtown Menlo Park.
- 18-4 Is there anything else I should do to voice my concern before the end of the comment review period August, 5th?

Thank you for your time and consideration.

Regards,

Carole Ebrahimian
650 740 6050

18. Response to Comment 18—Carole Ebrahimian

- I8-1 *The commenter expresses concern about the increase in traffic as a result of the Proposed Project.* The comment is noted and included in the record for consideration by decision-makers. Refer to Master Response 3, which discusses the scope of the Parkline TIA and how the Parkline TIA selected study intersections. Comments pertaining to the scope of the Parkline TIA, which includes cut-through traffic, do not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA.
- I8-2 *The commenter expresses the opinion that the Proposed Project, combined with the Sunset Project, would disfigure the commenter's neighborhood and affect the quality of life in the area.* The comment is noted and included in the record for consideration by decision-makers. Refer to Master Response 1, which addresses comments related to the merits of the Proposed Project.

Comments on the 80 Willow Road Project (referred to as the "Sunset Project" by the commenter) do not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. The 80 Willow Road Project is not included in the cumulative analysis because not even a preliminary development application had been received by the city at the time the NOP for the Proposed Project was prepared (December 2, 2022, which is the date used in the Draft EIR for purposes of identifying the list of cumulative projects). On June 27, 2023, the applicant for the 80 Willow Road Project submitted two SB 330 preliminary applications for two different projects at that project site (PLN2023-00023 and PLN2023-00024). On December 7, 2023, the applicant submitted a new SB 330 preliminary application (PLN2023-00049), superseding the two prior SB 330 preliminary applications. On May 24, 2024, the city received a formal development application for the current proposal at 80 Willow Road; however, the city deemed the application complete on November 14, 2024, after deeming the application incomplete several times. Therefore, the 80 Willow Road Project is not considered in the cumulative analysis for the Proposed Project because, at the time when the NOP was released, this project had not submitted a preliminary development application and therefore was not considered a reasonably foreseeable project, as defined in CEQA Guidelines Section 15130.

CEQA case law also confirms that a jurisdiction has the discretion to select a cut-off date, using standard procedures.⁴⁰ Here, the city, according to its standard practice, considered the NOP release date to be the cut-off date for compiling a list of cumulative projects for the Draft EIR, which is even later than the application filing date for a project that the courts have allowed as a valid cut-off date for EIRs and, thus, more conservative.

- I8-3 *The commenter questions if a study on traffic has been completed to address traffic impacts on streets between U.S. 101 and downtown Menlo Park.* The Parkline TIA evaluates traffic operations on key intersections between U.S. 101 and downtown Menlo Park. However, this comment pertains to the scope of the Parkline TIA and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. The comment is noted and included in the record for consideration by decision-makers. Refer to Master Response 3, which discusses the scope of the Parkline TIA.

⁴⁰ See *Gray v. County of Madera* (2008) 167 Cal. App. 4th 1099, 1127–1128; see also *San Franciscans for Reasonable Growth v. City & County of San Francisco* (1984) 151 Cal. App. 3d 61, 74, fn. 14.

- I8-4 *The commenter questions if anything else should be done to voice concern during the Draft EIR comment review period.* As discussed in Chapter 1, *Introduction*, of this document, the Draft EIR was released for public review on June 20, 2024, for a 45-day review period that ended on August 5, 2024. The public review period also included a Planning Commission hearing on July 22, 2024, at which the public and Planning Commission commissioners provided comments on the Draft EIR. As the Lead Agency, the city must certify the Final EIR before action can be taken on the Proposed Project or the Project Variant. Upon completion of the Final EIR, certification hearings will be held for the Proposed Project, at which time members of the public can submit further comments. Certification requires the Lead Agency to find that the Final EIR complies with CEQA. Certification of this Final EIR in compliance with CEQA is independent of the Lead Agency's final decision on the requested land use entitlements.

Letter I9

From: [Naomi Goodman](#)
To: [Sandmeier, Corinna D](#)
Cc: [Wolosin, Jen](#)
Subject: Comments on Parkline Draft Environmental Impact Report
Date: Friday, August 2, 2024 7:06:49 PM
Attachments: [Goodman comments on Parkline DEIR.pdf](#)

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

Ms. Sandmeier,

Please accept the attached comments on the Draft EIR for the Parkline Project. The comments address the following topics:

- Proposed market rate and affordable housing units
- Hazards of siting residences adjacent to laboratories working with airborne, contagious, potentially lethal biological agents
- Adequacy of backup power for laboratories
- Evaluation of soil and groundwater contamination
- Traffic impacts to Menlo Park and neighboring communities
- Increase in worker/housing ratios in Menlo Park and gentrification of neighboring communities

Thank you for the opportunity to comment.

Naomi Goodman, M.S.P.H.
Woodland Avenue
Menlo Park

I9-1

August 4, 2024

Ms. Corinna Sandmeier
Principal Planner
City of Menlo Park
via email to: cdsandmeier@menlopark.gov

Re: Comments on Draft Environmental Impact Report, Parkline

Dear Ms. Sandmeier,

I9-1
cont. Please accept my comments on the Draft Environmental Impact Report (DEIR) for this project. I am commenting as a 35-year resident of the Willows neighborhood of Menlo Park, and as an environmental scientist with expertise in hazardous chemical risk evaluation. My principal comments are summarized below and all comments are detailed in the following pages.

I9-2

- It is inappropriate to site residences, public spaces, and children's play areas near bioscience research and development (R&D) laboratories that require strict biosafety measures (BSL-3 labs). SRI has not committed to restricting usage of new laboratory buildings to BSL-1 and BSL-2, and has not sufficiently evaluated the public safety implications of an accidental release of airborne, potentially lethal organisms or toxins from SRI and tenant laboratories. **BSL-1 and BSL-2 labs should require a conditional use permit and BSL-3 labs should be banned from this project.**¹

I9-3

- BSL-3 labs require uninterruptable power to prevent release of airborne, potentially lethal organisms or toxins to the environment. The DEIR proposes a total of 17 emergency generators, which are assumed to operate up to 50 hours per year. With worsening power outages due to climate change, and the potential for long-term power outages after an earthquake, **the assumed generator operating hours should be increased greatly for any buildings that accommodate BSL-3 research.**

I9-4

- The DEIR concludes that impacts on traffic will not be significant, although the number of trips to and from the project area are projected to rise 30-fold to more than 15,000 per day without vehicle miles travelled (VMT) mitigation measures. The proposed mitigations that produce the "no significant impact" conclusion are likely to be ineffective, as many of the up to 3,800 new workers will live in areas not served by mass transit. **The DEIR should propose more realistic mitigations, such as lower employee caps, trip caps, mandatory carpooling, and restrictions on parking.**

¹ SRI proposes to retain two laboratory buildings that, based on public information, include a BSL-3 biocontainment facility. Upgrades are planned to these buildings (P and T), but that is not a part of the Parkline project. To protect public safety, the project should consider fencing off those buildings from public access or postponing the project until SRI demonstrates that they are safe to operate near residential areas.

I9-5

- **There is no discussion in the DEIR of the impact of the additional workforce on housing/worker ratio in Menlo Park or of gentrification in lower-cost communities.** Even the 800-unit project variant will not provide enough housing to offset the up to 3,800 additional workers that the project would add to area housing needs. This is not a topic that California Environmental Quality Act (CEQA) requires to be addressed, but it should be in the forefront of any discussion of the merits of the project.

SPECIFIC COMMENTS

Where comments refer to specific findings, they also apply to any discussion of these findings in the Executive Summary or other parts of the report that are not referenced.

I9-6

1. Clarify the market rate and affordable housing distribution in the base and variant proposals

Table 2-3, Proposed Residential Use Buildout Summary (p. 2-15) and Table 4-3 (p. 4-10), are confusing because the table titles for the Phase 1 buildings vary (“market rate” and “market rate/mixed income”) and the column headers and Total lines list all units as “market rate”. The reader must read a footnote to learn that 15 percent of the Phase 1 units will be “affordable”. Break out the top parts of these tables into separate market rate and affordable sections and indicate the unit size distribution of the Phase 1 affordable units.

I9-7

2. Perform a detailed evaluation of the human health risks associated with a release of an airborne, potentially lethal biological agent or toxin from a BSL-3 laboratory on the project site (Impact HAZ-1)

Biosafety Level 3 laboratories are those that work with biological agents (bacteria and viruses) that are airborne, contagious, and potentially lethal.² The biosafety level determines the containment measures and practices that must be followed to promote safety for lab workers and the public. Although the DEIR states “It is anticipated that the Proposed Project could accommodate BSL-1 or BSL-2 laboratories.” (p. 3.13-15), it leaves open the possibility of leasing laboratory space to a future tenant needing BSL-3 facilities. And as noted in the footnote on Page 1 of this letter, SRI currently operates a biocontainment facility that has worked with select and pathogenic agents such as HIV, anthrax, Ebola, drug-resistant bacteria, and hepatitis C.³ A USA Today investigative project in 2014 identified the SRI Menlo Park campus as a BSL-3 facility and obtained federal audit reports in which the names of biological agents were redacted, on the basis that revealing them would pose a national security risk, as the organisms have the potential to be weaponized.⁴

BSL-3 facilities are required to employ sterilizers, containment and isolation measures, personal protective clothing and respiratory protection for workers. The labs have powerful HVAC

² <https://www.niaid.nih.gov/research/biodefense-biosafety-labs>

³ <https://www.eurekalert.org/news-releases/980390>

⁴ <https://www.usatoday.com/pages/interactives/biolabs/#lab/CA18>

I9-7
cont.

systems to increase airflow and HPPA filters to safely exhaust air to the outside.^{5 6} A HVAC system for a modern BSL-3 laboratory can add 30 feet of height to a building, and will have tall vents to prevent exhaust reentrainment and to ensure that no noxious odors or particles exit with the exhaust. An example of the rooftop profile of a medical research building is shown in Figure 1. The “Office Buildings” portrayed in the project nonresidential building plans do not include these vents,⁷ thus the building elevations shown may not be accurate for the 100% laboratory scenario. The DEIR should clarify the building heights, including any exhaust vents, for the 100% laboratory scenario.



Figure 1 – Biolab Exhaust Stacks

Albany Medical Center - rooftop equipment with the tall exhaust vents. Similar equipment is currently installed on a new San Carlos biotech building on Industrial Road.

I9-8

The Draft EIR assumes that adherence to federal, state, and local regulations will be sufficient to prevent any releases (p. 3.13-16). Regulatory compliance will minimize the chance of a release, but cannot eliminate it. Releases of dangerous pathogens from bioscience labs are rare, but they do occur.⁸ SRI receives federal grants, so they must follow federal biosafety guidelines and have audits and site inspections, but that may not be the case for life science tenants of the new buildings. San Mateo County Environmental Health staff report that they have no authority or responsibility in biohazard accidents, except for tracking Coronavirus. State hazardous materials databases that local fire departments and other emergency responders depend on to select personal protective clothing do not provide guidance on responding to biological hazards. The Menlo Park Safety Element does not address biological hazards.

⁵ National Institutes of Health (NIH). BSL-3 and ABSL-3 HVAC System Requirements - Part I.

⁶ [American Laboratory Managing Workstation Exhaust at Biosafety Level Laboratories. April 3, 2006.](#)

⁷ PARKLINE MENLO PARK, CA ARCHITECTURAL CONTROL PACKAGE, VOL. 1 _ NON-RESIDENTIAL, OCTOBER 31, 2022

⁸ <https://www.theguardian.com/commentisfree/2023/may/30/lab-leaks-shrouded-secrecy>

I9-9

Section 3: *Regulatory Setting* omits any citations or discussion of the governing regulations for bioscience laboratories. The DEIR should add to this section all federal, state, and local regulations and guidelines that pertain to the design, operations, record-keeping, and hazardous biowaste management for such laboratories.⁹ Any of those regulations that apply to the current or planned uses of the laboratory buildings should be discussed in detail.

The DEIR should discuss how the Menlo Park Emergency Coordinator will be kept informed of the select agents used at each SRI and tenant facility and how the public will receive notification of violations of biosafety regulations and of pathogen releases. Only by requiring transparency will Menlo Park residents have confidence that their health is a top priority.

The existing SRI biocontainment facility is not identified on the project map, but the two lab buildings to remain after redevelopment are Building P, which is located immediately adjacent to the planned Phase 1 residential area (see Figure 2), and Building T, which is immediately adjacent to housing on Kent Place and Waverley Street. These two buildings do not appear to meet current federal guidelines for BSL-3 lab design, having no vent stacks to prevent reentrainment. If the project proceeds as proposed, SRI should fence off these buildings from public access or postpone this project until the planned upgrades are presented to and approved by the city and certified by the federal select agent licensing authority.

I9-10



Figure 2. Location of SRI Building P in relation to planned housing

Life science research is of great value to society, and SRI has promoted public health by developing many new diagnostic tests and drugs for diseases. However, it is one thing to conduct such research in a secure facility and another to conduct it in an open campus where the biolabs will be sited near residences. The 100 percent R&D scenario places the new laboratory buildings within one quarter mile of sensitive populations, including schools, daycare centers, and playgrounds.

⁹ The list of regulations cited should include the NIH's [*Policy for Oversight of Dual Use Research of Concern and Pathogens with Enhanced Pandemic Potential*](#), which has not yet gone into effect, but will be in effect before this project is built.

I9-11 | Nearby cities have recently restricted BSL-3 labs from all parts of the city (San Carlos) or from dense residential neighborhoods (Redwood City). I recommend that Menlo Park follow their lead and enact zoning for the SRI campus that prohibits BSL-3 laboratories and requires a conditional use permit for BSL-1 or BSL-2 laboratories.

3. Sustainability: provide further information on the need for emergency diesel generators and natural gas

I9-12 | The project proposes to add 13 new diesel emergency generators, for a total of 17, and states that more powerful generators will be required for the 100% R&D scenario (p. 3.4-22). Powerful emergency generators are required for high-containment laboratories, such as those operating at biosafety level 3 (BSL-3).¹⁰ The DEIR should clarify whether lower horsepower (hp) generators would be allowable if lab uses are restricted to BSL-1 and BSL-2 activities.

The DEIR states that natural gas will be retained for existing laboratory buildings P and T, while all other new laboratory buildings will be all-electric (p. 2-34). The DEIR should explain why new labs can do without natural gas while existing labs cannot.

4. The evaluation of air emissions from emergency diesel generators underestimates potential environmental impacts (Impact AQ-4)

The air emissions and health risk evaluation for the proposed 17 emergency diesel generators ignores the possibility of extended outages, and does not address the potential health risks to the public if power is cut to a laboratory that requires uninterruptable power to HVAC systems to maintain containment of airborne, potentially lethal organisms or toxins.

I9-13 | The DEIR's analysis is based on 50 hours per year usage, which includes emergency usage, testing, and maintenance (p. 3.4-24 and Appendix 3.4-1, Table 24). This figure is based on historical data, which does not reflect current conditions. Climate change is leading to more severe wind events, causing more and lengthier power outages. A PG&E outage in February 2023 cut power to large areas of Menlo Park for up to 36 hours for some customers. An earthquake could cut power to the project area for many days if not weeks. Menlo Park's guidance is that in an emergency, residents should be prepared to do without power for 3 to 5 days, or up to 120 hours.¹¹ That guidance should also apply to this project.

A Tier 4 2,012 hp diesel generator, which the DEIR uses to model emissions for lab buildings, can use up to 150 gallons of fuel per hour at full load.¹² Thus, each Tier 4 generator can require up to 18,000 gallons of diesel for a 5-day outage. The DEIR should reevaluate the environmental impacts of emissions from these generators and fugitive emissions from the fuel

¹⁰ <https://www.facilitiesnet.com/powercommunication/article/The-Need-for-Reliable-Power-in-the-Lab--9383>

¹¹ <https://menlopark.gov/Government/Departments/City-Managers-Office/Emergency-Disaster-Preparedness/Hazards-and-emergencies/Power-outages>

¹² https://www.generatorsource.com/Diesel_Fuel_Consumption.aspx

I9-13 cont. tanks and discuss the logistics and potential hazards of storing so much fuel onsite. The quantities of fuel needed can be reduced by restricting usage of the new and existing buildings to uses that do not pose a severe threat to human health if power is unavailable. In an extended outage, a BSL-1 or BSL-2 lab may lose ongoing experiments, but is unlikely to cause severe health effects, unlike a BSL-3 lab.

5. Clarify regulatory requirements for investigating and mitigating soil vapor intrusion into buildings (Impact HAZ-2)

I9-14 Volatile organic compounds (VOCs), including solvents and petroleum products, have been detected in soil and groundwater within the project area above health-based screening levels (p. 3.13-16). Site investigation and mitigation plans for all new buildings should cite and follow State guidance for future buildings in areas with potential vapor intrusion.¹³

6. Investigate potential for US Geological Survey (USGS) groundwater contamination to impact project site (Impact HAZ-2)

I9-15 A recent site investigation at the USGS campus found a layer of light non-aqueous phase hydrocarbons (LNAPL) atop the water table.¹⁴ The DEIR should include a plan to sample groundwater at the property boundary to determine whether this contamination is impacting the project site and will pose a risk during construction or from vapor intrusion into future buildings.

7. The DEIR grossly underestimates the impact of up to 3,800 new workers on local and regional traffic

I9-16 Senate Bill SB743 requires that the only metric to be used to evaluate traffic impacts under CEQA is Vehicle Miles Traveled (VMT) per person. However, when there are limited options to reduce VMT, that metric does not accurately reflect the impact on the community. This is evident from the disconnect between the “no significant impact” finding using VMT and the Level of Service (LOS) analysis, which determined that up to 15,000 trips per day will occur (up to 10,000 after demand management). Many intersections along Ravenswood, Middlefield, and Willow will have unacceptable (LOS E or F) delays under near-term plus project conditions (TIA, p. 60, see Figure 3 below).

¹³ CA Department of Toxic Substances Control and Regional Water Quality Control Boards.

Supplemental Guidance: Screening and Evaluating Vapor Intrusion. FINAL DRAFT. February 2023.

¹⁴ Engineering/Remediation Resources Group, inc. *USGS Menlo Park Campus Sampling Plan.* Letter to San Mateo County Health Services Groundwater Protection Program, April 26, 2024.

https://geotracker.waterboards.ca.gov/regulators/deliverable_documents/2025815665/USGS%5FMenlo%20Park%5FGW%20Sampling%20Plan%5F1%2Epdf

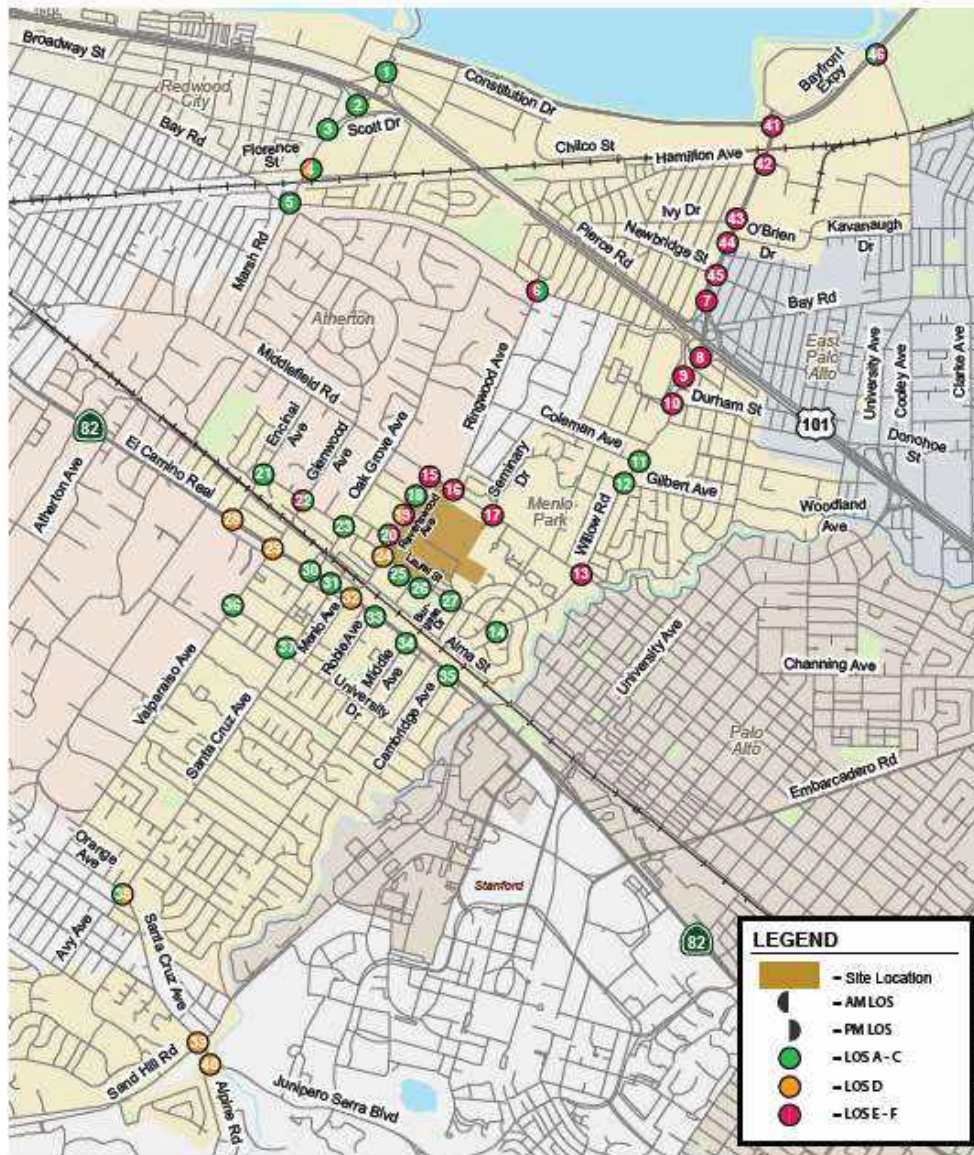


Figure 3. Level of Service – Near-term plus Project Conditions

The Traffic Impact Assessment (TIA) and DEIR rely on overly optimistic assumptions as to the ability of a Transportation Demand Management (TDM) plan to reduce worker trips per day by the proposed 28 percent. The Housing evaluation estimates that only five percent of the new workers will find homes in Menlo Park, the rest will commute to the project area. The DEIR should use publicly available data on Bay Area commute patterns to determine the proportion of commuters who will be coming from more affordable cities in the East Bay and Central Valley, where there is no convenient mass transit, and incorporate those findings into the VMT assessment.

To more accurately reflect the impacts of the project on the community, the TIA and DEIR should be revised as follows:

- I9-17 • Add the proposed 80 Willow Road Builders' Remedy project to the transportation analysis, as the application is likely to be complete before the EIR is finalized. That project would add 665 residential units and 555,996 square feet of hotel and office/commercial space to the Willow/Middlefield intersection.
- I9-18 • Add the Woodland/Middlefield, Woodland/Chaucer, and Woodland/University intersections to the TIA evaluation. Cut-through traffic on Woodland is likely to increase greatly. Exiting this neighborhood during commute hours is already challenging. The increased gridlock will further restrict the ability of Willows residents to exit and enter the neighborhood at peak hours and will obstruct emergency response.
- I9-19 • Account for additional commute traffic from areas not served by mass transit in the VMT calculation, for the 95% of the new workforce that the Housing analysis indicates will be unable to live in Menlo Park.
- I9-20 • Evaluate more realistic solutions to transportation demand management, such as a lower employee cap, trip caps, employee shuttles to Fremont BART, carpooling requirements, and reduction of parking spots.

Thank you for the opportunity to comment.



Naomi Goodman, M.S.P.H
Menlo Park

I9. Response to Comment I9— Naomi Goodman, MSPH

- I9-1 *The commenter summarizes concerns as an introduction to the letter.* Refer to Responses I9-2 through I9-20, below, which address each concern in detail.
- I9-2 *The commenter questions siting residential uses close to bioscience laboratories, suggests fencing off existing Buildings P and T, and suggests that BSL-1 and BSL-2 laboratories should require a conditional use permit and BSL-3 laboratories should be banned from the Proposed Project.* Refer to Master Response 4 regarding biological research laboratories and BSL concerns, including mixed-use projects that include both residential uses and biosafety laboratories and the existing uses within Buildings P and T. Public safety considerations related to the operation of biological research laboratories are taken into account by the myriad of federal, state, and local regulations that govern their use. These comments are a matter of policy and can be considered by the decision-makers while evaluating the entitlements for a project. The comment is noted and included in the record for consideration by decision-makers.
- I9-3 *The commenter requests an analysis that accounts for increased generator use since BSL laboratories require uninterruptible power.* Refer to Master Response 4 regarding biological research laboratories and BSL concerns, including increased generator use due to proposed BLS facilities, air quality emissions, and power sources.
- I9-4 *The commenter questions the less-than-significant impact conclusions in the Draft EIR and suggests potential strategies to reduce VMT impacts.* As discussed in the Draft EIR on pages 3.3-33 to 3.3-35, the Proposed Project, with implementation of its TDM plan, would generate a level of residential VMT and office/R&D VMT that would be at or below the respective city-established VMT impact thresholds. Therefore, the Proposed Project would generate a less-than-significant VMT impact, and no VMT mitigation measures would be required. The Proposed Project would be required to conduct annual monitoring to ensure that it meets the required standards of TDM effectiveness. Refer to Master Response 2 regarding the TDM plan, including monitoring and compliance.
- I9-5 *The commenter requests discussion in the Draft EIR about the housing/worker ratio and gentrification in lower-cost communities.* The comment is noted and included in the record for consideration by decision-makers. However, gentrification and the housing/worker ratio (or “jobs/housing balance”) pertain to socioeconomic and fiscal impacts of the Proposed Project and do not address the adequacy of the Draft EIR or the Proposed Project’s compliance with CEQA. Although not directly commented on by the commenter, Section 3.14 of the Draft EIR, *Population and Housing*, evaluates the potential environmental effects from the increased housing demand of the Proposed Project. Refer to Master Response 1, which discusses the HNA prepared for the Proposed Project and addresses comments related to the socioeconomic and fiscal impacts of the Proposed Project.
- I9-6 *The commenter suggests that Table 2-3 (page 2-15) and Table 4-3 (page 4-10) of the Draft EIR be revised to distinguish between market-rate and affordable units and indicate the unit size distribution.* The tables referenced are accurate and further clarified, as needed, in a table footnote (Table 4-3). The breakdown of market-rate housing and affordable housing is provided for informational purposes; it is not required for analysis under CEQA. The comment is noted and included in the record for consideration by decision-makers. Refer to Master Response 1, which addresses comments related to the socioeconomic impacts of the Proposed Project.

- I9-7 *The commenter requests a detailed evaluation of the human health risks associated with release of airborne agents or toxins from a BSL-3 laboratory on the Project Site under Impact HAZ-1 and expresses concern about the height of the vents.* Refer to Master Response 4 regarding the health risks associated with airborne agents or toxins. Attachment 1 to the Biosafety Management White Paper (Summary of BSL Controls),⁴¹ which is included in Appendix 3 of this document, provides a list of microbiological practices that apply to BSL-3 laboratories. In addition, refer to the Biosafety Management White Paper for additional detail regarding regulatory requirements and measures to ensure the safety of biolabs and emissions of biological agents from biolabs. As discussed in more detail in Master Responses 1 and 4, the aesthetic impacts associated with the Proposed Project's laboratories, including impacts related to height of vents, are exempt from CEQA, per SB 743. Regardless, Appendix 3.1-1 of the Draft EIR includes a discussion of the Proposed Project's potential building height impacts for informational purposes. Refer to Master Responses 1 and 4 and Appendix 3.11 of the Draft EIR for more details.
- I9-8 *The commenter is concerned that existing federal, state, and local regulations do not provide guidance on responding to biological hazards, requests the presence of an Emergency Coordinator onsite, and states that the Menlo Park Safety Element does not address biological hazards.* Refer to Master Response 4 for information regarding BSL laboratory uses and a summary of federal, state, and local regulations as they would apply to the Proposed Project, as outlined in the Biosafety Management White Paper. To the extent that laboratory facilities are utilized by future project tenants, such tenants would have dedicated Environment, Health & Safety (EH&S) compliance teams in place with onsite staff and reporting and monitoring protocols in place to ensure workplace safety. However, comments on the city's Safety Element or other federal, state, and local regulations do not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. The comment is noted and included in the record for consideration by decision-makers. No further response is required.
- I9-9 *The commenter states that the regulatory setting in the Draft EIR does not include citations or a discussion of governing regulations for bioscience laboratories and requests communication between the tenants and the Menlo Park Emergency Coordinator.* Biosafety is regulated at the federal, state, and local levels of government, as summarized in Master Response 4 and outlined in the Biosafety Management White Paper, which is included in Appendix 3 of this document. Together, the previously released Draft EIR and this document constitute the Final EIR for consideration by decision-makers. In the U.S., the BMBL and the NIH Guidelines go hand-in-hand as the standards of practice for exposure control, both for workers and the public, when it comes to managing biosafety and biosecurity in research operations. Both documents address the biohazards and controls for BSLs 1 through 4. These documents set forth the work practices related to containment, facility design, program management, oversight, and training that define the standard of accepted practice for biosafety. Where applicable, the EH&S teams would coordinate with the San Mateo County Department of Environmental Health Services to ensure implementation of standard best practices, including those in the 2020 CDC BMBL and the NIH Guidelines.
- I9-10 *The commenter expresses concern about mixed-uses being located in proximity to existing and proposed biolabs and requests that existing biocontainment facilities be identified on a map and that all facilities be fenced off to restrict public access.* Refer to Master Response 4 regarding

⁴¹ Harris & Lee Environmental Sciences, LLC. 2024. *Biosafety Management for the Parkline Project in Menlo Park*. August 26, 2024.

biological research laboratories and BSL concerns, for more details regarding existing facilities at the Project Site and the location of biolabs in proximity to residential areas and sensitive populations. SRI does have limited BSL-3 facilities on its current campus, comprising a very small portion of its overall campus (less than 2,000 square feet of lab space in total and less than 0.005 percent of its total square footage). Those facilities were commissioned to conduct research under a contract with the NIH, a federal agency, and have been on the campus for 20 years with no incidents of accidental releases or other issues. All operations have been in compliance with federal, state and local regulations, and the facilities have consistently passed all required inspections

- I9-11 *The commenter states that, as a matter of policy, BSL-1 and BSL-2 laboratories should require a conditional use permit and BSL-3 laboratories should be prohibited in the city of Menlo Park. Refer to Master Response 4 for a discussion of laboratory uses at the Project Site as a policy decision. The comment is noted and included in the record for consideration by decision-makers.*
- I9-12 *The commenter states that the Draft EIR should provide further clarification on the horsepower for emergency diesel generators and if they were restricted to BSL-1 and BSL-2 activities and questions the need for natural gas. Refer to Master Response 4 regarding biological research laboratories and BSL concerns, including the horsepower for emergency diesel generators for different BSLs and natural gas. Further, because the tenants for the Project are not known yet, any further detail on horsepower, fuel, etc., other than what has already been included in the EIR, is speculative at this point. Per CEQA Guidelines Section 15145, comments regarding unforeseeable, unrealistic, or speculative concerns do not need to be addressed. The existing Buildings P, S, and T would retain natural gas usage for continued laboratory and R&D purposes. However, although these buildings are on the Project Site, they are not included as part of the Proposed Project. Instead, for purposes of the Draft EIR analysis, the tenant improvements for these buildings are included in Table 3.0-2 as Project ID 35 (page 3-10 of the Draft EIR) as part of the cumulative project list. No further response is required for CEQA purposes.*
- I9-13 *The commenter suggests that the evaluation of air emissions from emergency diesel generators underestimates potential environmental impacts in Impact AQ-4 in Section 3.4, Air Quality, of the Draft EIR. Refer to Master Response 4 regarding biological research laboratories and BSL concerns, including the need for and assumptions made regarding emergency diesel generators.*
- I9-14 *The commenter suggests clarifying the regulatory requirements for investigating and mitigating soil vapor intrusion in Impact HAZ-2 in Section 3.13, Hazards and Hazardous Materials, of the Draft EIR. Mitigation Measure HAZ-2.4, Conduct a Focused Soil Vapor Intrusion Investigation, on page 3.13-20 of the Draft EIR would require an additional soil vapor investigation in areas designated for residential and office/R&D uses to address the potential soil vapor intrusion risk associated with the Proposed Project. Therefore, the regulatory requirements for investigating and mitigating soil vapor intrusion are described in Impact HAZ-2. The city has revised Section 3.13 of the Draft EIR to clarify the proposed uses for which additional soil vapor investigation would be required. In addition, the city has revised Mitigation Measure HAZ-2.4 to require adherence to any applicable oversight agency's current guidance. Refer to Chapter 4 of this document, *Revisions to the Draft EIR*, for the revised text; these revisions do not alter the findings in the Draft EIR or require recirculation pursuant to CEQA Guidelines Section 15088.5. Please also see Response A1-4, above.*

I9-15 *The commenter suggests including a plan to investigate groundwater contamination in Impact HAZ-2 in Section 3.13, Hazards and Hazardous Materials, of the Draft EIR.* The potential for groundwater contamination on the Project Site is addressed in Impact HAZ-2 in Section 3.13, *Hazards and Hazardous Materials*, of the Draft EIR. As discussed therein, the Phase I ESA prepared for the Proposed Project identified a controlled recognized environmental condition related to soil and groundwater hydrocarbon contamination within three underground storage tank areas on the Project Site. Mitigation Measure HAZ-2.1, Prepare and Implement an Environmental Site Management Plan, on pages 3.13-18 and 3.13-19 of the Draft EIR would require an Environmental Site Management Plan prior to the start of construction to minimize any potential exposure of construction personnel, future site occupants, and the general public to contaminated soils and unknown environmental conditions/subsurface features. In addition, Mitigation Measure HAZ-2.2, Require Groundwater Monitoring and Sampling prior to Dewatering Activity, on page 3.13-19 of the Draft EIR would require groundwater monitoring and sampling to ensure adequate treatment and disposal and address potential risks associated with contaminated groundwater encountered during dewatering, including contaminated groundwater from offsite sources that could have migrated onto the Project Site. In addition, Mitigation Measure HAZ-2.4 (as revised in Chapter 4 of this document, *Revisions to the Draft EIR*) would require a soil vapor intrusion investigation for future buildings as part of the Proposed Project. Therefore, the analysis of groundwater contamination in Impact HAZ-2 and inclusion of Mitigation Measures HAZ-2.1, HAZ-2.2, and HAZ-2.4 address the commenter's concerns. Refer to Response I9-14, above, for more detail regarding vapor intrusion impacts.

I9-16 *The commenter requests the incorporation of publicly available commute data into the VMT analysis from East Bay and Central Valley areas not served by transit and questions the assumptions in the TDM plan.* VMT for the Proposed Project was evaluated using the citywide travel demand model, which accounts for socioeconomic variables such as income, household size, population ages, and vehicle ownership, as well as commute patterns for the entire Bay Area. A description of the travel demand model is provided on page 3.3-33 of the Draft EIR. As explained, the model is a mathematical representation of travel within the nine Bay Area counties as well as Santa Cruz, San Benito, Monterey, and San Joaquin Counties. The base model structure was developed by the MTC and further refined by the C/CAG and Santa Clara Valley Transportation Authority for use within San Mateo County and Santa Clara County. The city further refined the model for applications within Menlo Park to add more detail to the zone structure and transportation network.

The TDM plan included for the Proposed Project would be subject to annual monitoring to ensure it meets the required standards of TDM effectiveness. Refer to Master Response 2 regarding the TDM plan, including monitoring and compliance.

I9-17 *The commenter suggests that the Parkline TIA and the Draft EIR should be revised to add the 80 Willow Road Project.* The 80 Willow Road Project is not included in the cumulative analysis because a complete, formal development application had not been received at the time the NOP for the Proposed Project was prepared (December 2, 2022). On June 27, 2023, the applicant for the 80 Willow Road Project submitted two preliminary applications. On December 7, 2023, the applicant submitted a new application (PLN2023-00049), superseding the two prior applications. On May 24, 2024, the city received a formal development application for the current proposal at 80 Willow Road; however, the city deemed the application complete on November 14, 2024, after deeming the application incomplete several times. Therefore, the 80 Willow Road Project is not considered in the cumulative analysis for the Proposed Project because, at the

time when the NOP for the Proposed Project was released, this project was not considered a reasonably foreseeable project, as defined in CEQA Guidelines Section 15130. Please see Response to Comment I8-2, above, for further discussion on this issue. Additional comments on the 80 Willow Road Project are not relevant to the Proposed Project and do not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. No further response is required.

- I9-18 *The commenter requests that certain intersections be added to the Parkline TIA evaluation and expresses concern about cut-through traffic and emergency response.* Refer to Master Response 3, which discusses cut-through traffic, the scope of the Parkline TIA, and how the Parkline TIA selected study intersections. Comments pertaining to the scope of the Parkline TIA, which includes cut-through traffic, do not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA, however, the comment is included in the record for consideration by decision-makers.

Specific to emergency access, as documented on pages 3.3-36 and 3.3-37 in Section 3.3, *Transportation*, of the Draft EIR, the Proposed Project would result in less-than-significant impacts (Impact TRA-4 and Impact C-TRA-4). Although there would be a general increase in vehicle traffic from the Proposed Project, the Proposed Project would not inhibit emergency access to the Project Site or materially affect emergency vehicle response from a fire station to the station's service area. Development of the Project Site, and associated increases in vehicles, pedestrians, and bicycle travel, would not substantially affect emergency vehicle response times or access to other buildings or land uses in the area, including hospitals.

- I9-19 *The commenter requests that the VMT analysis account for additional commute traffic from areas not served by mass transit.* Refer to Response I9-16, above, regarding the evaluation of VMT for the Proposed Project.
- I9-20 *The commenter asks for the TDM plan to evaluate more realistic solutions.* The Proposed Project would be required to conduct annual monitoring to ensure it meets the required standards of TDM effectiveness. Refer to Master Response 2 regarding the TDM plan, including monitoring and compliance.

Letter I10

From: [Maureen Grey](#)
To: [Sandmeier, Corinna D](#)
Subject: Draft EIR Parkline Project/ Ringwood Ave?
Date: Friday, August 2, 2024 4:34:42 PM

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I10-1 | This regards east side of Ringwood Ave between Middlefield Rd and Arlington Way; this block is in the City of Menlo Park. It is also directly across from the main entrance to Menlo-Atherton High School (approx 2100 students). Even without development, traffic is heavy at this location, and transportation demand management should consider this congestion.

I10-2 | Transportation demand management has a responsibility to mitigate impact on the Menlo Oaks District because cut-through traffic on Menlo Oaks Dr and Arlington Way spills over to Coleman and Bay Rd as drivers seek shortcut to Willow Rd and Hwy 101.

Thank you for this opportunity to comment.

Maureen Grey
125 Arlington Way, Menlo Park

I10. Response to Comment I10—Maureen Grey

- I10-1 *The commenter states that traffic is heavy on the east side of Ringwood Avenue, between Middlefield Road and Arlington Way, and TDM should consider this congestion.* The TDM plan would reduce the Proposed Project's vehicular trips, which would also reduce Project-generated trips through the Ringwood Avenue corridor. The Proposed Project would be required to conduct annual monitoring to ensure it meets the required standards of TDM effectiveness. Refer to Master Response 2 regarding the TDM plan, including monitoring and compliance.
- I10-2 *This comment lists observations of existing cut-through traffic routes.* The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to the scope of the Parkline TIA, which includes a discussion of cut-through traffic, and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. Refer to Master Response 3, which discusses the scope of the Parkline TIA.

Letter I11

From: [Thomas Hodgkin](#)
To: [Sandmeier, Corinna D](#)
Subject: Request for Rejection of the DEIR for Park View Development at SRI
Date: Friday, August 2, 2024 6:24:55 PM

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Dear Council Members,

- I11-1 I am writing to express my strong opposition to the proposed Park View Development at SRI in Menlo Park, and to urge the City Council to reject the Draft Environmental Impact Report (DEIR) until all identified inconsistencies and critical issues are thoroughly addressed. As a concerned resident, I believe that the current DEIR is inadequate and fails to properly assess the significant negative impacts that this development will have on our community.
- I11-2 ### Traffic, Noise, and Pollution
The proposed development will inevitably lead to increased traffic congestion, noise, and pollution. Menlo Park already faces significant traffic challenges, and adding more vehicles to our roads will exacerbate the situation, making daily commutes more difficult and less safe for pedestrians and cyclists. The DEIR does not provide a comprehensive traffic management plan that adequately mitigates these issues, nor does it fully consider the cumulative effects of increased traffic on air quality and noise levels in the surrounding neighborhoods.
- I11-3 ### Disproportionate Business Development
While the project has been presented as a housing initiative, it is, in reality, heavily weighted towards business development. The anticipated number of new employees significantly exceeds the number of housing units included in the project. This discrepancy will not only fail to address the housing shortage but will also put additional pressure on Menlo Park's already strained housing market, exacerbating the city's outstanding Regional Housing Needs Allocation (RHNA) deficit. The imbalance between commercial and residential components will likely lead to increased demand for housing without providing adequate supply, further driving up housing costs and displacing current residents.
- I11-4 ### Inadequacies in the DEIR
- I11-5 **Housing Needs Assessment (HNA)**
The HNA within the DEIR does not replicate the comprehensive approach seen in comparable projects, such as Willow Village. It lacks detailed sections on net housing availability and displacement impacts. A thorough HNA should compute the net housing deficit/surplus and local and regional displacement impacts to provide a clear picture of the development's consequences.
- I11-6 **Financial Impact Analysis (FIA)**
The FIA in the DEIR is insufficient. It fails to thoroughly address the financial impacts on both the city and SRI/Lane Partners. The analysis should include a comparison of land sale or rent revenues under different project alternatives, allowing decision-makers to assess the economic feasibility and benefits of each alternative, particularly the housing component.
- I11-7 **Market Analysis**
The market analysis is outdated and does not reflect current rental markets in Menlo Park, especially compared to new developments like Springline. It relies on data from less relevant areas, such as Redwood City, instead of comparable markets like Palo Alto. An updated market analysis is crucial for an accurate assessment of the project's economic impact and feasibility.
- I11-7 **RHNA Housing Cycle Impacts**
The analysis should include the impact of project alternatives on the City's RHNA obligations for current and future housing cycles. This is essential for ensuring consistency and clarity in assessing how the project affects housing obligations.

Letter I11

I11-8 | ****Land Use Compatibility****
There are inconsistencies regarding the project's compatibility with existing General Plan policies and zoning regulations. The removal of the Conditional Development Permit (CDP) restrictions would significantly increase the housing deficit potential, which the current analysis does not adequately address.

Critical Analysis

I11-9 | ****Methodology for Analyzing Alternatives****
The DEIR follows CEQA guidelines by considering a range of alternatives, including the "No-Project" Alternative. However, the analysis of these alternatives, such as reduced office density and increased housing scenarios, is insufficient. These alternatives should be thoroughly evaluated to determine their feasibility and potential benefits compared to the proposed project.

I11-10 | ****Impact on City Services and Infrastructure****
The DEIR does not provide a detailed analysis of the impact on municipal services and infrastructure. Any increase in density or changes in land use should not exceed the capacity of existing infrastructure or require significant upgrades, which the current DEIR fails to ensure.

I11-11 | ****Growth-Inducing Impacts****
The DEIR notes the elimination of CDP restrictions as growth-inducing, but the full implications are not thoroughly explored. The potential impacts on the community and infrastructure from additional development facilitated by these changes need comprehensive examination.

I11-12 | ****Transparency and Public Involvement****
The DEIR should ensure greater transparency in its methodology and findings, allowing for more effective public scrutiny and involvement. It should provide clear explanations of assumptions, data sources, and analytical methods, and address public concerns raised during the scoping and review processes comprehensively.

I11-13 | **### Conclusion**
The Parkline DEIR presents several inconsistencies and areas for critical analysis, particularly concerning housing needs assessment, financial impact analysis, market analysis, and land use compatibility. Addressing these issues thoroughly would enhance the robustness of the environmental review process and ensure that decision-makers have a comprehensive understanding of the potential impacts and benefits of the proposed project and its alternatives.

I urge the City Council to reject the DEIR in its current form and require a revised report that addresses these significant concerns. Ensuring a thorough and accurate review process is essential for the future of our community and the responsible development of Menlo Park.

Thank you for considering my concerns.

Sincerely,

Thomas Hodgin
172 Santa Margarita Avenue
Menlo Park, Calif, 94025
thodgin@earthlink.net
650 3231843

I11. Response to Comment I11—Thomas Hodgin

I11-1 *The commenter expresses opposition to the Proposed Project and states that the Draft EIR is inadequate.* The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to the merits of the Proposed Project and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA; therefore, no additional response is required. Refer to Master Response 1, which addresses comments related to the merits of the Proposed Project. Specific concerns raised by the commenter are addressed in Responses I11-2 through I11-13, below.

I11-2 *The commenter suggests that vehicle traffic generated by the Proposed Project would increase congestion and exacerbate or result in safety issues, particularly for bicycles and pedestrians.* Bicycle and pedestrian safety is discussed within the analysis of the Proposed Project's impacts related to conflicts with applicable plans, ordinances, and policies on pages 3.3-25 to 3.3-33 of the Draft EIR. The Proposed Project would include multiple bicycle and pedestrian connections between the Project Site and the surrounding roadway network, representing an overall improvement for these facilities in the vicinity of the Project Site. As shown in Table 3.3-5, the Proposed Project would be consistent with applicable transportation-related plans, ordinances, and policies related to bicycle and pedestrian safety. In particular, the Proposed Project would be consistent with General Plan Policy CIRC-4.4, Safety, as discussed on page 3.3-30 of the Draft EIR. In addition, the Proposed Project would be reviewed in accordance with the city's Public Works Department, Transportation Division, standards and guidelines. The department would provide oversight during the engineering review to ensure that the Proposed Project would be constructed according to city specifications, thereby ensuring the safety of new features.

As discussed under Impact TRA-3 (pages 3.3-35 and 3.3-36), the Proposed Project would not include any design features that could create potentially hazardous conditions; the Proposed Project would have a less-than-significant impact related to traffic hazards. In addition, as discussed on page 3.3-28 of the Draft EIR, the Proposed Project would have a less-than-significant impact related to emergency access, including General Plan Policy CIRC-2.14, Impact of New Development.

The analysis presented within the Draft EIR appropriately and adequately describes the potential for impacts related to traffic safety. The comment is noted and included in the record for consideration by decision-makers. However, comments on traffic congestion pertain to the scope of the Parkline TIA and do not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. Refer to Master Response 1, which discusses non-CEQA level of service and traffic congestion, and Master Response 3, which discusses the scope of the Parkline TIA.

I11-3 *The commenter states that the Draft EIR does not fully consider the cumulative effects of increased traffic on air quality and noise levels in the surrounding areas.* As discussed on page 3.4-42 of the Draft EIR, the cumulative context for the air quality analysis includes the SFBAAB, which includes Menlo Park and the nine counties that make up the San Francisco Bay Area. Air pollution in its nature is largely a cumulative impact. Development of past, current, and future projects in the SFBAAB, including projects implementing the city's Housing Element, could contribute to the nonattainment of ambient air quality standards. Thus, there would be potential for cumulative impacts related to criteria pollutants. In developing thresholds of significance for air pollutants, the air districts have considered the emission levels at which a project's individual emissions would be cumulatively considerable in light of existing air quality. If a project exceeds the identified significance thresholds, its emissions would be significant and a cumulatively

considerable contributor to significant cumulative air quality impacts in the region. As discussed under Impact AQ-2, the Proposed Project would not result in a cumulatively considerable net increase in any criteria air pollutant for which the SFBAAB is designated as a nonattainment area with respect to the federal or state ambient air quality standards after implementation of Mitigation Measures AQ-1.1, AQ-1.2, and AQ-1.3.

To determine cumulative noise increases as a result of the traffic generated by the Proposed Project, existing volumes were compared to cumulative-year with-Project volumes. In addition, cumulative-year no-Project vehicular traffic volumes were compared to cumulative-year with-Project volumes to isolate the effect of the Proposed Project. Cumulative traffic noise is discussed on pages 3.7-43 and 3.7-44 of the Draft EIR. Cumulative-level traffic noise impacts of the Proposed Project at each roadway segment are shown in Table 3.7-17 on page 3.7-43 of the Draft EIR. As stated, the cumulative operational traffic noise impact would be less than significant, and no mitigation is required.

- I11-4 *The commenter expresses concerns about the imbalance in the commercial and residential components of the Proposed Project (jobs/housing imbalance), which could lead to increased demand for housing, increased housing prices, and displacement and exacerbate the deficit with respect to meeting the city's Regional Housing Needs Allocation (RHNA).* The comment is noted and included in the record for consideration by decision-makers. However, the amount of office space and housing pertains to the design of the Proposed Project. The jobs/housing imbalance, housing prices, and displacement are socioeconomic and fiscal impacts. The topics do not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. Refer to Master Response 1, which discusses the HNA prepared for the Proposed Project and addresses comments related to the design of the Proposed Project and socioeconomic issues.
- I11-5 *The commenter expresses concern that the HNA does not replicate the comprehensive approach in comparable projects, such as the Willow Village Project, and cites specific issues.* This comment pertains to the HNA and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. The information in the HNA is used in this EIR to provide context for the evaluation of potential impacts of the Proposed Project related to population and housing as well as provide data for decision-makers during the entitlement process. The scope of analysis regarding the net impact on housing availability is comparable to that provided in the HNA for the Willow Village Project. However, The HNA analysis of displacement impacts (Section 7, pages 57 to 62) is qualitative in nature and more limited in scope than the displacement analysis provided for the Willow Village Project. The Proposed Project is not located in or adjacent to a community identified as at risk of displacement and not subject to the Settlement Agreement with the city of East Palo Alto that resulted in preparation of in-depth analyses of displacement impacts for specific development proposals in the Bayfront Area. For these reasons, the displacement analysis provided in the HNA for the Proposed Project is qualitative in nature and does not include a detailed quantitative assessment of displacement impacts as in prior HNAs for previous proposed developments that were subject to the Settlement Agreement and proximate to neighborhoods with an elevated risk of displacement. Refer to Master Response 1, which discusses the HNA prepared for the Proposed Project.
- I11-6 *The commenter states that the FIA in the Draft EIR is insufficient.* The market analysis referred to in the comment is inconsistent with the way the city structures the FIA. As noted in Master Response 1, an FIA prepared by BAE⁴² was conducted for the Proposed Project separately from

⁴² Bay Area Economics. 2024. *Fiscal Impact Analysis Report for Parkline Master Plan*. June 19. Available: <https://menlopark.gov/parkline>.

the CEQA process. Although the FIA for the Proposed Project is available online, the document was not included as an appendix to the Draft EIR. The comment is noted and included in the record for consideration by decision-makers. However, the comment pertains to fiscal impacts of the Proposed Project and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA; therefore, no additional response is required. Refer to Master Response 1, which discusses the FIA and addresses comments related to the fiscal impacts of the Proposed Project.

I11-7 *The commenter requests that the analysis determine the impact of Project alternatives on the city's RHNA obligations for current and future housing cycles.* The net decrease in regional housing availability identified in the Draft EIR and HNA has no bearing on the city's RHNA progress report or compliance during the 6th Cycle Housing Element reporting period. Because effects on RHNA obligations are not considered environmental impacts under CEQA, there is no requirement under CEQA to evaluate such effects for the proposed alternatives. Refer to Master Response 1, which discusses the HNA prepared for the Proposed Project and the RHNA process.

I11-8 *The commenter states that there are inconsistencies regarding the Proposed Project's compatibility with existing General Plan policies and zoning regulations and that the removal of the CDP restrictions would increase the housing deficit potential.* As discussed on pages 3.2-7 through 3.2-9 of the Draft EIR, the Proposed Project would be designed with an integrated master plan and subject to site-specific, tailored land use controls, including development standards, to guide development on the Project Site and reflect the Proposed Project's specific objectives through land use approvals by the city. Proposed Project entitlements would include General Plan amendments and zoning amendments. It is anticipated that the Proposed Project would be implemented through a Project-level permit (e.g., a CDP) to address site-specific topics such as public works requirements, open space improvements, rules for modifications, design controls, phasing, mitigation measures, operational requirements, and other conditions of approval. The CDP would also regulate density, intensity, and land uses for the Proposed Project. Further details related to proposed city General Plan amendments, land use designations, and CDP requirements would be developed through further review and coordination with the city during the entitlement review process.

Section 3.2, *Land Use and Planning*, evaluates the Proposed Project's potential to result in a significant environmental impact due to a conflict with land use policies adopted for the purpose of avoiding or mitigating environmental effects. The analysis found that the Proposed Project would be generally consistent with such plans. Removing existing CDP restrictions would not increase the housing deficit potential to a significant level under CEQA. The Draft EIR, on pages 3.2-18 through 3.2-24, discusses the Proposed Project's consistency with the 2023–2031 Housing Element. As shown, the Proposed Project would be consistent with the city's Housing Element, helping to reduce the housing deficit in the city.

Although the existing CDP would be eliminated, a new project-level development permit, such as a CDP, for the Project Site would regulate density, intensity, and land uses for the Proposed Project. Therefore, the Proposed Project would be subject to new CDP restrictions, which would be developed through further review and coordination with the city. The analysis of the additional density and intensity allowed by the new CDP is included throughout the Draft EIR. In particular, Section 3.14, *Population and Housing*, evaluates the potential for Project-induced population, housing, and employment changes that may trigger physical environmental effects; these potential environmental impacts are also examined in other sections of the Draft EIR (e.g.,

Sections 3.3, *Transportation*; 3.4, *Air Quality*; 3.7, *Noise*; 3.15, *Public Services*; and 3.16, *Utilities and Service Systems*, and Chapter 5, *Other CEQA Considerations*). Refer to Response I11-10, below, regarding impacts on infrastructure.

- I11-9 *The commenter states that the alternatives analysis considers a range of alternatives, including the "No-Project" Alternative, consistent with the CEQA Guidelines, but that the analysis of alternatives is insufficient and must include a determination of feasibility and potential benefits compared to the Proposed Project. CEQA Guidelines Section 15126.6(d) describes the content of an EIR's evaluation of alternatives. It states:*

The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. A matrix displaying the major characteristics and significant environmental effects of each alternative may be used to summarize the comparison. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed.

CEQA Guidelines Section 15382 clarifies that significant effects on the environment must be adverse. That is, the focus of the evaluation of alternatives in the EIR is their major characteristics and adverse environmental effects. Consistent with the CEQA Guidelines, the alternatives evaluation appropriately focuses on the physical adverse effects, rather than beneficial effects, of the alternatives in comparison to the Proposed Project.

CEQA necessitates consideration of benefits at the decision-making stage when there would be significant and unavoidable impacts. The Proposed Project would result in significant and unavoidable impacts, as summarized on Draft EIR page ES-8. CEQA Guidelines Section 15093(a) states that

CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

In this case, the city would need to make a statement of overriding considerations, noting that the statement is supported by substantial evidence in the record (CEQA Guidelines Section 15093[b]). Therefore, decision-makers would consider benefits within the CEQA process at the decision-making stage.

Regarding the feasibility of alternatives, CEQA Guidelines Section 15126.6(a) requires an EIR to contain a discussion of "potentially feasible" alternatives. The ultimate determination as to whether an alternative is definitively feasible or infeasible is made by the Lead Agency's decision-making body, which for the Proposed Project is the City Council. The Draft EIR's alternatives are potentially feasible. Alterations to buildings on the campus would cause a significant adverse change that would result in the loss of California Register of Historical Resources (CRHR) eligibility for the SRI Campus as a historic district. Therefore, the impact on the historic district would be significant and unavoidable. The Proposed Project would also result in the demolition of three buildings that are

individually eligible as historic resources, which would constitute a separate significant and unavoidable impact. As described on page 6-7 of the Draft EIR, a preservation alternatives analysis report was prepared by Page & Turnbull to analyze preservation alternatives for the Proposed Project. Preservation Alternative 1, Preservation Alternative 2, and Preservation Alternative 3 were identified and designed in this process; they are therefore presented as potentially feasible alternatives to the Proposed Project in the Draft EIR. For alternatives to the Project Variant, Draft EIR page 6-23 explains that the alternatives are similar in concept to those selected for the Proposed Project; however, the Project Variant alternatives include slightly altered site plans due to the differences between the Proposed Project and the Project Variant. Therefore, they are likewise presented as potentially feasible. The City Council will make the ultimate feasibility determination for these alternatives.

- I11-10 *The commenter states that the Draft EIR does not provide a detailed analysis of the impact on municipal services and infrastructure. An analysis of the Proposed Project's impacts on municipal services and infrastructure is provided in the Draft EIR in Section 3.15, *Public Services and Recreation*, and Section 3.16, *Utilities and Service Systems*. Section 3.15 identifies and evaluates the Proposed Project's potential impacts on public services and recreation, including police, fire, and emergency services; recreational facilities; libraries; and schools. Section 3.16 identifies and evaluates the Proposed Project's potential impacts on utilities and service systems, including water, wastewater, stormwater, natural gas, electricity, telecommunications, and solid waste. As explained in these sections of the Draft EIR, impacts of the Proposed Project would not exceed the capacity of existing infrastructure or require significant upgrades. All impacts would be less than significant, and no mitigation measures would be required.*
- I11-11 *The commenter states that the Draft EIR notes that the elimination of CDP restrictions would be growth inducing and that impacts related to impacts on the community and infrastructure are not fully evaluated. Per the Draft EIR, on page 2-14, although the existing CDP would be eliminated, a new project-level development permit, such as a CDP, for the Project Site would regulate density, intensity, and land uses for the Proposed Project. Therefore, the Proposed Project would be subject to new CDP restrictions, which would be developed through further review and coordination with the city. The analysis of the additional density and intensity allowed by the new CDP is included throughout the Draft EIR. In particular, Section 3.14, *Population and Housing*, evaluates the potential for Project-induced population, housing, and employment changes that may trigger physical environmental effects; these potential environmental impacts are also examined in other sections of the Draft EIR (e.g., Sections 3.3, *Transportation*; 3.4, *Air Quality*; 3.7, *Noise*; 3.15, *Public Services*; and 3.16, *Utilities and Service Systems*, and Chapter 5, *Other CEQA Considerations*). Refer to Response I11-10, above, regarding impacts on infrastructure.*
- I11-12 *The commenter requests greater transparency for the methodology and findings in the Draft EIR. The Draft EIR provides explanations of assumptions, data sources, and analytical methods throughout the document. Chapter 3 of the Draft EIR, *Environmental Impact Analysis*, explains the CEQA methodology and approach to analysis. As discussed on page 3-4, each CEQA environmental review topic is given its own section, with the following subsections: environmental setting, which describes the existing baseline conditions; regulatory setting, which describes regulations pertaining to the Proposed Project; and environmental impact analysis, which identifies methods for analysis and the Proposed Project's effects on the baseline conditions. Where needed, data sources are provided in footnote citations; the administrative record for the citations is available for review upon request. The commenter does not provide examples of instances in the Draft EIR that do not seem transparent; therefore, without specific references, this comment cannot be further addressed.*

I11-13 *The commenter summarizes concerns regarding the Draft EIR and other reports.* Please see Responses I11-1 through I11-12, above, which addresses the commenter's specific concerns. The commenter also lists several reports that are either separate from the CEQA process or intended to address mainly issues that are not required under CEQA, including the HNA, FIA, and market analysis. The comment is noted and included in the record for consideration by decision-makers. However, the comment does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. Refer to Master Response 1, which addresses comments related to the merits and the socioeconomic and fiscal impacts of the Proposed Project.

From: [Nick](#)
To: [Sandmeier, Corinna D](#); [_CCIN](#)
Subject: Observations on Parkline/SRI EIR
Date: Sunday, August 4, 2024 9:21:45 PM

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

Dear Corinna Sandmeier and Menlo Park City Council,

As a resident of Linfield Oaks, I am writing to share some observations regarding the draft Environmental Impact Report for the Parkline / SRI project.

Firstly, while I am generally supportive of the housing component of this project, I have several concerns about the project as a whole:

- **Increased Employment and Commuting Issues:** The project is projected to add up to 3,800 new employees above those currently working on the SRI campus. The EIR housing analysis indicates that only 5 percent of these employees will be able to live in Menlo Park. The remainder will commute, many from areas without access to mass transit. Also, as a long-time Caltrain commuter between Menlo Park and Sunnyvale for the past 20 years, I can assure you that Caltrain lacks the capacity to accommodate this additional influx of workers, even with the upcoming electrification.
- **Scale of Planned Office Space:** The amount of planned office space is out of scale with the reality of Menlo Park and the surrounding neighborhoods (Linfield Oaks, Willows, Central Menlo). This will further exacerbate our jobs-housing imbalance, especially when so much office space in the immediate area has remained vacant for years.
- **BSL-3 Facility Concerns:** The presence of a BSL-3 facility in this project demands attention. The risk associated with the current facility is already borderline tolerable. With increased housing density, the need for broad-scale intervention in case of an incident is vastly increased. Simultaneously, the increased traffic caused by the new office space will dramatically impact prompt and large-scale emergency response. A BSL-3 facility is simply incompatible with this project and must be relocated outside residential areas. In fact, I encourage the City Council to consider banning such facilities in all residential zones.
- **Traffic Impact:** The traffic analysis predicts that daily trips to and from the project area will increase from 500 to 10,000. This will disproportionately affect residents like me who need to cross Ravenswood / Laurel to take our children to school. The SRI project will effectively remove one outlet for an entire community, leaving us only with Willow / Middlefield, which is already heavily congested. Traffic is already slow during school days, and with the impending USGS and Sunset developments, it is disappointing that the City of Menlo Park is not taking any initiative to alleviate traffic but instead plans for more development in this neighborhood only. Ironically, when the housing ordinance was passed in January 2024, the City resisted including other areas (e.g., Sharon Heights) in the scope of increased density due to a lack of resources for an expedited EIR review, and now all new development is concentrated at the perimeter of

I12-6
cont.

Linfield Oaks.

I appreciate your attention to these concerns,

Sincerely,
Nicola Diolaiti
Linfield Oaks Resident

I12. Response to Comment I12—Nicola Diolaiti

- I12-1 *The commenter provides introductory text to the letter and expresses general support for the Proposed Project.* The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to the merits of the Proposed Project and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA; therefore, no additional response is required. Refer to Master Response 1, which addresses comments related to the merits of the Proposed Project. Specific concerns raised by the commenter are addressed in Responses I122 through I12-6, below.
- I12-2 *The commenter is concerned about commuters induced by the Proposed Project and the capacity of Caltrain.* As discussed on page 3.3-33 of the Draft EIR, the Caltrain electrification project is predicted to increase capacity by roughly 30 percent due to larger trains and increased frequency. As of November 2024 (latest data at the time of this response), Caltrain's average weekday ridership was roughly 42.4 percent of its pre-pandemic levels. In November 2019, 1,472,693 riders used Caltrain, compared to 625,074 riders in November 2024.⁴³ Therefore, given the currently low level of transit ridership compared to ridership prior to the pandemic, as well as the capacity enhancements as a result of the Caltrain electrification project, which has been implemented, it is reasonable to assume that the transit ridership generated by the Proposed Project would be accommodated.
- I12-3 *The commenter states that the amount of planned office space is out of scale with the surrounding neighborhood and would exacerbate the jobs/housing imbalance.* The comment is noted and included in the record for consideration by decision-makers. The Proposed Project is designed for "no net increase" in non-residential square footage. Moreover, the amount of office space pertains to the design of the Proposed Project; the jobs/housing imbalance pertains to socioeconomic and fiscal impacts. Neither topic addresses the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. Refer to Master Response 1, which addresses comments related to the design of the Proposed Project and socioeconomic issues, including jobs/housing imbalance.
- I12-4 *The commenter expresses concern regarding the presence of potential BSL-3 facilities at the Project Site in proximity to housing and the increased traffic that could affect emergency responses.* Refer to Master Response 4 regarding biological research laboratories and BSL concerns, including mixed-use projects that include both residential uses and biosafety laboratories. In addition, as explained on pages 3.3-36 and 3.3-37 in Section 3.3, *Transportation*, of the Draft EIR, the Proposed Project would have a less-than-significant impact related to emergency vehicle response.
- I12-5 *The commenter is concerned with traffic congestion on neighborhood streets.* The comment is noted and included in the record for consideration by decision-makers. The Ravenswood Avenue and Laurel Street intersection is studied in the Parkline TIA (intersection #24). This intersection is anticipated to operate at an acceptable LOS with the Proposed Project. This comment pertains to the scope of the Parkline TIA and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. Refer to Master Response 1, which discusses non-CEQA level of service and traffic congestion, and Master Response 3, which discusses the scope of the Parkline TIA. Additional comments on the USGS site and 80 Willow Road Project (referred to as "Sunset development" by the commenter) are also not relevant to the Proposed Project and do not

⁴³ San Mateo County Transit District. 2024. *Fare Media Sales-Based Ridership Estimates*. Available: <https://www.caltrain.com/about-caltrain/statistics-reports/ridership/fare-media-based>. Accessed: December 31, 2024.

address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. No further response is required. Please also refer to the responses to comments I8-2 and I9-17 regarding the 80 Willow Road Project.

- I12-6 *The commenter expresses concern for the location of new housing and density in the city of Menlo Park.* The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to the design of the other projects in the city and citywide land use planning issues and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. Refer to Master Response 1, which includes a discussion of the design of the Proposed Project.

Letter I13

From: [Phillip Bahr](#)
To: [Sandmeier, Corinna D](#)
Cc: [Murphy, Justin I C](#); [Wolosin, Jen](#); [Phillip Bahr](#); [_CCIN](#)
Subject: Bahr Comments - Parkline Project Draft EIR dated June 20, 2024
Date: Monday, August 5, 2024 4:33:18 PM
Attachments: [240805_MPK_Parkline_Comments-Draft-EIR-Combined.pdf](#)

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

Hi Corinna: Good Afternoon, attached herewith are my comments for the Parkline Project Draft EIR dated June 20, 2024 to be considered, entered into public records and for your response.

Best,

Phil

Phillip H. Bahr
1119 Pine Street
Menlo Park, CA 94025
Tel. 650.329.0990

MEMO

To: Corinna Sandmeier, Principal Planner (cdsandmeier@menlopark.gov)
 From: Phillip Bahr, Architect
 Date: August 5, 2024
 Re: Phillip Bahr Comments on Parkline Draft EIR dated June 20, 2024

My goal is to support balanced growth in Menlo Park and SRI's development plans that foster balance. They have been a good neighbor to us. I have previously commented on this project and those are included in my comments today. See attached comment memos dated May 18, 2024, and February 6, 2023. Draft EIR comments and previous comments for your response.

I13-1

The Draft EIR's findings state that there are no significant impacts except those outlined on Page ES-7 and the document lists other impacts that do not sufficiently rise to the category of significant impacts. SRI with its developer, Lane Partners initially presented their proposed Parkline project with approximately 450 housing units, one and two story housing to be constructed on their land, land area to provide some community designated green spaces/bicycle paths and provide replacement office/R&D space. As a neighbor I was excited to have SRI engaging with us and envisioning a project that would be good to the neighbors and our community. Over time the project expanded and changed in a material way, as follows: 800 housing units in five and six story buildings at the corner of Ravenswood and Laurel, over one million square feet of new office space added and demolition of the existing church among other changes to the envisioned project. This project will change this side of Menlo Park's existing scale and character from one- and two-story buildings to an urban development.

Most of the impacts identified as less than significant and no mitigation measures required, noted on Page ES-8, are SIGNIFICANT IMPACTS, as follows:

I13-2

- 1) TRANSPORTATION (Parking & Traffic): The increase in parking required during construction and after project build out, transportation needed for residents and office/R&D occupants and Traffic increase (during construction – three years at nearly a twenty-fold increase in traffic to/from project site). Furthermore, the additional wear and tear on existing roads (Middlefield, Laurel, Ravenswood, and Willow Roads) during and after construction. Traffic will be at gridlock on Middlefield, Ravenswood and again on Willow Rd and surrounding neighborhood streets.

I13-3

- 2) NOISE: During construction and after construction.

I13-4

- 3) HAZARDS: Response times for emergency response vehicles, fire, and ambulances, will be severely impacted during high commute times. Traffic choke points will be increased and new ones created.

- I13-5 | 4) POPULATION AND HOUSING: 800 Housing units will be added to our housing stock. However, the apartments will not be affordable. Refer to Springline housing prices and impact on housing affordability. Furthermore, with the addition of over 1 million square feet of office space the potential exists to add over 10,000 additional office workers contingent on the tenant's use factor. The increase in population will alter our Housing Element Update (HEU) assumptions and the HEU would need to be resubmitted based on approved changes by the City of Menlo Park.
- I13-6 | 5) PUBLIC SERVICES AND RECREATION: See comments in #4 above regarding additional site occupants. The additional site occupants and arbitrarily small number of cars have not been taken into account in the draft EIR. For example, Schools, police, fire, and ambulances response and access.
- I13-7 | 6) UTILITIES AND SERVICE SYSTEMS: All wet and dry utilities will need to be re-examined for capacity, as well as aging infrastructure impacts.

Other comments, for your response:

- I13-8 | 1. PINE STREET: The design change for project entry across from Pine Street exacerbates our access problem to/from Pine Street and does not solve our traffic problem created by the SRI-Parkline project. The proposed access solution to Parkline is similar to the one we now have at the Pine Street/Oak Grove intersection that makes it nearly impossible to make a left-hand turn from Pine onto Oak Grove safely during rush hours.
- I13-9 | 2. AFFORDABLE HOUSING: Many of my friends and neighbors are in for a big surprise in that the City Council's good intentions of providing affordable housing in Menlo Park will not be sufficiently realized with the Parkline project goal of providing affordability/senior housing/special needs affordable housing for some of their units. The proposed project affordability is vaguely stated and noncommittal, based on their strategy to segregate the affordable units into a different project with lesser quality construction and amenities from the market rate units. Historically, units built by non-profit developers generally rely on public subsidies (project-based Section 8) to the tenants to make the units affordable after construction; If a subsidy is required for low income households, then the units were never truly affordable. What will happen in the future if Section 8 subsidies are no longer available? Is this Menlo Park's The developer is handing off responsibility to someone else. Being segregated from the market rate units loses an opportunity for Menlo Park to facilitate low income children learning from their higher income neighbors.

Thank you for your attention to this important opportunity for balanced growth in Menlo Park.

Respectfully Submitted,

Phillip Bahr, Architect
Menlo Park, CA 94025

MEMO

To: Menlo Park City Council (email city.council@menlopark.gov)
From: Phillip Bahr
Date: May 18, 2024
Re: Parkline Study Session Variant Comments

I have previously commented on this project and are included in my comments today. See attached comment letter dated February 6, 2023. The proposed additional variants magnify my concerns, as follows:

1) PARKING: Project is not in compliance with currently approved planning/zoning regulations for building density, etc. Reductions in the required on-site parking is not realistic and will add to the existing neighborhood parking and traffic problems. There are times during the day that we cannot turn onto Ravenswood Ave or Oak Grove Ave from Pine Street because traffic is backed up at the traffic lights.

2) OCCUPANTS: Additional office space will add additional occupants on the SRI site, thereby increasing housing needs. This project will add to Menlo Park's housing deficit. Please calculate and provide the number of site occupants at full build-out and compare with the existing SRI occupants today. The summary of occupants would include the existing number of SRI occupants (5/21/2024), and number of all future site occupants at full build-out. Categories to help understand the occupant load impacts: SRI occupants as of 5/21/2024 (C-1(x)), estimated number of SRI occupants in three years (6/30/2027) and occupants at full site build-out, SRI, retail/commercial, parking structures, housing, office, and any additional R&D. Please include square footage by category with occupancy calculations and Code Requirements for occupant usage per CBSC (2023 California Build Standards Code with CA amendments).

3) TRAFFIC/SITE ENTRANCES: Parkline Project creates harmful traffic impacts on Laurel Street, Ravenswood Avenue and Ravenswood/Middlefield intersection. Emergency response times will increase to the project and to the surrounding neighborhood.

The project does not mitigate the traffic impact on nearby streets. For example, the proposed apartment complex entrance on Ravenswood Avenue that aligns with Pine Street is too close to the Laurel intersection and should not cross directly onto Pine Street. Pine Street is much too narrow at Twenty-Four feet wide to accommodate any additional local traffic. Vehicles are routinely damaged as parking is permitted on both sides of the street in the 1100 block. The City of Menlo Park previously notified in writing of the public safety and property damage concerns on the 1100 block of Pine Street.

I13-10

I13-10
cont.

4) CITY SERVICES AND INFRASTRUCTURE: City services will need to have increased capacity, including schools, police, fire, utilities, etc. What are the impacts and what are the anticipated costs?

5) ARCHITECTURAL CHARACTER: Housing originally proposed at 1 to 2 stories on Laurel and Ravenswood. Subsequent plans depicted increases of 3, 4 and 5 story buildings. The housing massing and density along the street and the proposed building elevations do not reflect the existing neighborhood scale and character. Mission Style architecture to replace the renowned SRI. I think you can be innovative and be a good neighbor.

6) NOISE AND ENVIRONMENTAL IMPACTS: Identify existing levels, levels during construction and project build-out.

7) PARKING GARAGE: Provide sight, noise and environmental impacts for the increased capacity, size, and height of the two parking garages. Also, provide view and shadow studies for the parking garage and the impact on neighboring properties, including Menlo McCandless Office Park.

8) 251 UNITS AFFORDABLE TO LOW INCOME HOUSEHOLDS: My comment is regarding the proposed housing mix and the location of the affordable housing. Placing all affordable housing and/or special needs in one building at the corner of Middlefield and Ravenswood sends the wrong message to those households and the community. Thereby sending the message of separation, not inclusion. The concept of housing separation by economic levels is hurtful and did not meet a happy ending during the 1960's and 1970's. See Pruitt-Igoe, St. Louis and other urban renewal projects.

Is senior housing included in this category?

INNOVATION: We can use this project opportunity to demonstrate and showcase design innovation and excellence. The Parkline project can complement SRI's "nearly 80-year legacy of innovation across a range of industries, our technologies, research, and ideas have had a meaningful impact on every one of our lives—at home, at work, at school, and at play" (Quote Credit from SRI website 5/18/2024). This project deserves for us to take the time to get it right.

Respectfully Submitted,

Phillip Bahr
Menlo Park, CA 94025

MEMO

To: Planning Department (PlanningDept@menlopark.gov), Corrina Sandmeier, Jen Wolosin

From: Phillip Bahr

Date: 2/06/2023 (5/18/2024 grammatical edits)

Re: SRI Comments 2/06/2023, 5/10/2022 and various dates. Staff Report #22-073-PC and #22-091-CC Item G.

We applaud SRI and their efforts toward proposing a project that offers Menlo Park well-being, green design, and sustainability goals.

C-1. HOUSING FOR OUR CHILDREN, LAW ENFORCEMENT, TEACHERS, ETC. The proposed project does not meet the needs of those residents and want-to-be residents who are in the income middle. What I hear and am told is that we need affordable two and three bedroom homes to buy, not just more apartments. FACT, a couple with two children, working a job in law enforcement and a healthcare provider, cannot afford a home here. The middle class is priced out of Menlo Park. We want this group to be able to get started in the housing market. How can we be assured by the City of Menlo Park, SRI, and the Developer that our own Menlo Park children and residents will have housing priority?

C-2. TRAFFIC/SAFETY. Study the option of removing the apartment complex driveway on Ravenswood (across from Pine Street). The vehicular access from the proposed Parkline housing along Ravenswood and Laurel is aligned with Pine Street. The proposed street intersection of Ravenswood/Pine Street is not acceptable for several reasons.

- A. There is already a traffic problem with traffic exiting from SRI onto Ravenswood.
- B. The Pine/Ravenswood intersection is too close to the intersection of Laurel/Ravenswood.
- C. There is major traffic congestion during commute hours now in the vicinity of Ravenswood/Laurel now. Imagine how this will be once the project is complete and all the other traffic returns to Menlo Park.

If vehicles and delivery trucks originating from the Parkline housing units enter and exit from the proposed housing units and cross across Ravenswood to Pine Street *this* will create a disastrous and deadly situation for the pedestrians and vehicles. Also, Pine Street can only accommodate one lane of traffic with parking on one side. For example, the existing traffic situation is unsafe and does not allow police or fire truck access. The City of Menlo Park must address this point now. Furthermore, installing traffic barriers on Ravenswood to prevent exiting from the Parkline project will not work. Currently the Springline project used this solution and I have personally observed cars simply going around the barriers and going straight across Oak Grove.

I13-10
cont.

BACKGROUND: We have a bigger and yet connected problem on Pine Street. Safety and Accessibility. Pine Street is approximately 23'-10" in width. This width does not comply with current transportation standards. Cars and trucks oftentimes park illegally on our sidewalks and California Water Service meter covers. I have been told that the reason folks park on our sidewalk is to avoid getting their vehicles damaged. They have damaged our sidewalks, street tree planting areas and utility covers.

Vehicles also use our street as a short cut (as depicted on the Waze app and google maps) I have witnessed cars darting across Ravenswood and Oak Grove onto Pine Street as they leave from a local business and school.

Of most concern, fire trucks and ambulances are unable to drive down our street in an emergency if cars are parked on both sides of the street. This is a hazardous condition, and the City was notified by me in writing on February 13, 2019.

C-3. SITE PLAN The proposed site plan adds over 1,000,000 sf of new office space. This adds to our housing deficit! The additional office/commercial sf adds to the existing traffic, parking and all other environmental impacts. Ironically, should SRI continue at their current level of employees and services, then the additional sf impacts will be additive and potentially put this area in gridlock. The ensuing gridlock will cut off access into and out of Menlo Park Downtown from 101. The access and flow of the site master plan does not respond to traffic conditions. For example, access points to the site are from Laurel and Ravenswood. Study a site plan that has access from Middlefield Road or close to Menlo Atherton High School.

C-4. BUILDING DESIGN AND SETBACK The proposed building design in a mission style is not reflective of good design. A six-story mission style building? The proposed setback for the residential location is it is too close to Ravenswood and Laurel streets. The housing should be set back at least the same distance as the existing SRI building on Ravenswood.

C-5. HOUSING LOCATION AND BUILDING HEIGHT. The Architect and Developer depicted the height of the residential buildings not to exceed two stories on Laurel or Ravenswood, not three to six stories as stated during tonight's presentation. The density of residential building massing does not reflect the surrounding neighborhoods of Pine, Laurel, etc. I am not saying that it is not desired to have taller buildings, but do not place them at the corner of Ravenswood and Laurel. Keep the building close to the street at the originally discussed one and two stories.

C-6. TRAFFIC COMMENT The traffic congestion on El Camino/Ravenswood/Laurel/Middlefield is already a problem. The HEU Update Draft SEIR depicts a population increase of over 30% for Menlo Park. The baseline used is traffic from 2021. This is not an apples-to-apples comparison as our traffic was down from 2020 through 2022 and continues to be low. Also, the newly approved or constructed projects, i.e., Parkline, are not fully occupied and some not constructed.

I13-10
cont.

The assumption of the distance to mass transit will reduce traffic is not viable in our case. Until the public transit system is improved to go to more destinations, with more connections it will not entice patrons to ride the bus or train.

I13-10
cont.

C-7. PARKING COMMENT: The Parkline project assumes that many of their residents will be enticed to take public transportation. All housing units need to provide enough parking garage or parking grade level parking to accommodate the Parkline's additional cars. The residential streets do not have the capacity to absorb all the Parkline's additional parking. For example, Pine Street does not have parking capacity to allow additional parking from Menlo Atherton High School, businesses, and nearby projects. Pine Street in front of our house is less than 23'-10" wide with parking on both sides of the street. This street is much too narrow to provide the health and safety necessary for the residents and visitors. The additional traffic from the Parkline/SRI project as well as traffic shortcuts will increase traffic flow on Pine Street.

All these comments have been made in writing by me and others previously as well as some other comments. SRI and their Developer & Architect have not addressed these community comments made during the outreach process.

Respectfully Submitted,

Phillip Bahr
Menlo Park, CA 94025

I13. Response to Comment I13—Phillip Bahr

- I13-1 *The commenter expresses concern about the size of the Proposed Project and community engagement.* As noted by the commenter, throughout the process, the Project Sponsor has had meetings and study sessions with the city and the community regarding the Proposed Project. A City Council meeting was held on May 21, 2024, to discuss changes to the proposed development, including the Project Variant, at which time the public was able to submit comments. The Draft EIR includes an analysis of the site plans discussed at this meeting. As summarized in Chapter 1, *Introduction*, of this document, the Draft EIR was released for public review on June 20, 2024, for a 45-day review period. The public review period also included a Planning Commission hearing on July 22, 2024, at which the public and Planning Commission commissioners provided comments on the Draft EIR. A study session for the proposed site plans was held after the Draft EIR public hearing. Aside from the public outreach done through the environmental and city's development review process, the Project Sponsor hosted a total of 12 community meetings to invite input from community stakeholder groups.

The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to the design of the Proposed Project and does not address the adequacy of the Draft EIR, which analyzed the May 2024 site plans for the Proposed Project and Project Variant. Refer to Master Response 1, which addresses comments related to the design of the Proposed Project.

As noted by the commenter, the Draft EIR lists the significant impacts related to the Proposed Project and the Project Variant on page ES-7 in the Executive Summary of the Draft EIR. These impacts, and mitigation measures to reduce the potential impacts, are discussed further by topic in Chapter 3, *Environmental Impact Analysis*, of the Draft EIR.

- I13-2 *The commenter states that there would be significant impacts related to an increase in parking and traffic congestion as a result of construction and operation of the Proposed Project.* The comment is noted and included in the record for consideration by decision-makers. As detailed in Chapter 2, *Project Description*, of the Draft EIR, in accordance with SB 743, aesthetic and parking impacts shall not be considered in determining if a project has the potential to result in significant environmental effects, provided the project meets the criteria established under PRC Section 21099, *Modernization of Transportation Analysis for Transit-Oriented Projects*. Because the Proposed Project meets the criteria established under PRC Section 21099, the EIR prepared for the Proposed Project does not consider aesthetic or vehicular parking impacts in determining the significance of impacts under CEQA. In addition, the comment is related to traffic congestion resulting from the Proposed Project and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA; therefore, no additional response is required. Refer to Master Response 1, which discusses non-CEQA level of service and traffic congestion, and Master Response 3, which discusses the scope of the Parkline TIA. The analysis presented in the Draft EIR appropriately and adequately describes the potential for Project transportation impacts during construction and operation of the Proposed Project. Parking and traffic congestion are not CEQA transportation impacts.

- I13-3 *The commenter states that there would be significant impacts related to noise during construction and after construction.* The commenter is correct. Construction noise impacts as a result of the Proposed Project are discussed under Impact NOI-1, Construction Noise, on pages 3.7-19 through 3.7-31 in Section 3.7, *Noise*, of the Draft EIR. The analysis of construction noise includes noise from

off-road equipment and haul trucks, daytime construction noise, and early-morning construction noise. To the extent that the comment suggests that the Draft EIR did not identify mitigation measures for construction noise impacts, the comment is incorrect. The Draft EIR identifies Mitigation Measures NOI-1.1 (Implement Noise Reduction Plan to Reduce Construction Noise) and NOI-1.2 (Install Sound Barrier) on pages 3.7-29 through 3.7-31. However, the Draft EIR concludes that, after implementation of the mitigation measures, impacts related to construction noise would remain significant and unavoidable. In addition, operational noise impacts are discussed under Impact NOI-2 on pages 3.7-29 through 3.7-38. Operational noise sources include emergency generators and other mechanical equipment, small events or gatherings, and traffic, all of which were determined to result in less-than-significant impacts. Refer to Section 3.7, *Noise*, of the Draft EIR for more details. Because no specific comments were made regarding noise impacts, no further response is provided.

- I13-4 *The commenter states that the Proposed Project would have significant impacts related to hazards because response times for emergency response vehicles would be affected during high commute times and traffic choke points would be increased with new ones created.* The impairment of emergency response times is discussed in Impact HAZ-5 on page 3.13-21. As stated, the Proposed Project would not impair implementation of, or interfere with, an emergency response plan. Development of the Project Site, and associated increases in vehicle, bicycle, and pedestrian travel, would not substantially affect emergency vehicle response times. Therefore, this impact would be less than significant. Refer to Response I13-2, above, regarding traffic impacts.
- I13-5 *The commenter states that the Proposed Project would have significant impacts related to population and housing because the proposed housing units would not be affordable and the increase in workers and population would alter the Housing Element update assumptions.* The 2023–2031 Housing Element was adopted in January 2023, along with associated amendments to the Land Use Element and a further amendment in January 2024 to incorporate revisions required by the California Department of Housing and Community Development. Table 3.2-1 in Section 3.2, *Land Use and Planning*, of the Draft EIR outlines the adopted general plan goals and policies that have been identified as applicable to the Proposed Project, describes environmental effects and potential conflicts, and provides a consistency determination. As shown on pages 3.2-18 to 3.2-24 of the Draft EIR, the Proposed Project would be generally consistent with the 2023–2031 Housing Element. The city’s Housing Element has been certified by the California Department of Housing and Community Development; approval of the Proposed Project would not trigger a resubmittal requirement. Development of the 550 housing units under the Proposed Project, including 168 BMR (i.e., affordable) units, or 800 housing units, including 251 BMR units if the Project Variant is approved, would exceed the development assumed in the city’s Housing Element (i.e., 400 units, including 60 BMR units). Therefore, approval of the Proposed Project would not reduce the number of units assumed in the Housing Element and would not trigger a requirement to identify alternative sites to meet the city’s RHNA. The environmental impacts that could result from development of the additional housing units are addressed throughout the Draft EIR for the Proposed Project. Refer to Master Response 1, which discusses the HNA prepared for the Proposed Project and further addresses comments related to the city’s RHNA.
- I13-6 *The commenter states that impacts on schools, as well as police, fire, and emergency response services, as a result of Project-generated employees and residents would be significant and that the impacts have not been adequately analyzed.* A discussion of Project impacts on public services, including schools and police, fire, and emergency response services, is provided in Section 3.15, *Public Services and*

Recreation, of the Draft EIR. Specifically, impacts on public services were evaluated on pages 3.15-12 through 3.15-23 of the Draft EIR. As detailed on page 3.15-12 of the Draft EIR, to conservatively analyze impacts on public services, the Draft EIR evaluated the “worst-case” scenario (i.e., the scenario that would have the greatest potential to result in significant environmental impacts). As such, the public services analysis evaluated Project-related impacts under the 100 percent office scenario because it would generate more residents in the city when considering the indirect residents (e.g., Project employees). Under the 100 percent office scenario, all impacts on public services, including schools and police, fire, and emergency services, were found to be less than significant, with no mitigation required. Therefore, impacts on public services were adequately evaluated in the Draft EIR. Furthermore, impacts on public services were also evaluated for the Project Variant, as included on pages 4-89 through 4-94 of the Draft EIR. Similar to the Proposed Project, impacts on public services as a result of the Project Variant were found to be less than significant.

I13-7 *The commenter states that impacts on utility infrastructure, including the capacity of wet and dry utilities, would be significant and would need to be re-examined.* Impacts on utilities, including capacity and infrastructure, as a result of the Proposed Project are discussed on pages 3.16-23 through 3.16-42 of the Draft EIR. Project-related impacts on utility infrastructure are discussed under Impact UT-1, and Project-related impacts on utility capacity are discussed under Impacts UT-1 through UT-4. These impacts were determined to be less than significant. Refer to Section 3.16, *Utilities and Service Systems*, of the Draft EIR for more details. Because no specific comments were made regarding impacts on utilities and service systems, no further response is provided.

I13-8 *The commenter is concerned about access from Pine Street.* The comment is noted and included in the record for consideration by decision-makers. However, the comment is related to site access and does not address the adequacy of the Draft EIR or the Proposed Project’s compliance with CEQA. Refer to Master Response 1, which discusses non-CEQA level of service and traffic congestion, and Master Response 3, which discusses the scope of the Parkline TIA. Regardless, a response is provided below for informational purposes only.

The Parkline TIA studied the intersection at Ravenswood Avenue and Pine Street (intersection #20) and identified Project-generated operational issues during the PM peak hour. Table ES-3 in the Parkline TIA recommended adding medians with left-turn pockets or a two-way left-turn lane along Ravenswood Avenue between the Proposed Project driveway at W. First Street and Laurel Street. This improvement could improve operations for vehicles turning left onto/off of Ravenswood Avenue and the overall traffic flow along Ravenswood Avenue. However, there are no feasible improvements that would bring this intersection’s operations back to an acceptable LOS, as defined in the city’s TIA Guidelines.

I13-9 *The commenter expresses concern about the location of the proposed affordable housing and the types of affordable housing that would be available.* A description of affordable housing is provided in the Draft EIR for informational purposes but is not required for analysis under CEQA. Although relevant to the Proposed Project, these concerns are unrelated to the environmental impacts of the Proposed Project. The comment is noted and included in the record for consideration by decision-makers. Refer to Master Response 1, which addresses comments related to the socioeconomic impacts of the Proposed Project.

I13-10 *The commenter attaches letters that were previously submitted on the Proposed Project.* The Draft EIR describes the CEQA process for the Proposed Project; any letters received outside of the CEQA process are not specifically addressed in this document. As stated on page ES-2 of the Draft EIR, an NOP was released for the Proposed Project on December 2, 2022, for a 30-day public review period. The NOP comments received are provided in Appendix 1 of the Draft EIR. The attached comment letter submitted by the commenter on February 6, 2023, was received after the close of the NOP commenter review period but is nonetheless included in Appendix 1 of the Draft EIR. Consistent with CEQA Guidelines 15084(c), all comments received on the NOP were considered during preparation of the Draft EIR and addressed in the respective CEQA topic sections, where applicable. Therefore, no further responses on the commenter's NOP letter, which was previously submitted and considered, are required.

Issues in the previously submitted and attached letters that pertain to CEQA are repeated throughout Letter I13 and addressed in Responses I13-1 through I13-8, above. Other issues listed in the previously submitted attached letters pertain to the design of the Proposed Project and do not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. Refer to Master Response 1, which addresses comments related to the design of the Proposed Project.

Letter I14

From: [Paul Collacchi](#)
To: [Sandmeier, Corinna D](#)
Cc: [CCIN](#)
Subject: Parkline/SRI Housing Needs Assessment Timing and Availability
Date: Saturday, June 22, 2024 11:26:11 AM

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

Hi Corinna,

Will the Parkline/SRI Housing Needs Analysis ("HNA") be prepared and available soon? If so, when?

Please recall that Planning Commission Staff Report #: 22-073-PC Page 2 states: "In addition, a Fiscal Impact Analysis (FIA), Water Supply Assessment (WSA), and **Housing Needs Assessment (HNA) will be prepared**. Additional actions and entitlements may be required as the project plans are refined"

I notice on the Parkline document page there is an FIA, and an WSA, but **no HNA**.

I found the Willow Village HNA to be extraordinarily informative and helpful, and I'm sure council and the public did too.

In my view, and hopefully council's view, the HNA is particularly important for mixed use projects that propose both jobs and housing to analyze

- **the total net** housing surplus/deficits created by the project,
- net displacement of low-income families in San Mateo County and Menlo Park resulting from the project, and
- the likely market conditions and rents that would apply to non deed-restricted units.

Knowing the likely rents of market rate units can be used to determine which income groups can afford these rents and which cannot, telling us who exactly will be the beneficiary of new market rate housing units in Central/Downtown Menlo Park.

Thanks for your consideration,

Paul Collacchi



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Letter I14

From: [Paul Collacchi](#)
To: [Sandmeier, Corinna D](#)
Cc: [CCIN](#)
Subject: Parkline DEIR Comments
Date: Monday, August 5, 2024 8:13:53 AM
Attachments: [PJC Parkline DEIR comments Aug 2024.pdf](#)

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

Aug 5, 2024

Honorable City Council Members
RE: Parkline DEIR comments

Thank you for the opportunity to comment on the Parkline DEIR.

The attached document pastes copied text from the DEIR and embeds comments inline. I generally try to follow the convention of using "[DEIR]" to indicate re-used sections of the DEIR and "[Comment]" to indicate my comments. Because I had limited time to read through many dense reports, I did not have time to organize the comments, so they appear somewhat disjoint. Where ever possible, I try to relate the relevance of a particular comment to a broader issue about the DEIR.

My comments also frequently reference the May 21, 2024 Council meeting which is available on video and on [Youtube.com](#)

The importance of this meeting cannot be overstated. I try to relate the relevance of technical comments made here to legitimate questions and concerns raised about the project by council members during that meeting.

Sincerely,

Paul Collacchi



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Paul Collacchi Parkline DEIR comments

Aug 4, 2024

Honorable City Council Members
RE: Parkline DEIR comments

Thank you for the opportunity to comment on the Parkline DEIR.

This document pastes copied text from the DEIR and embeds comments inline. I generally try to follow the convention of using "[DEIR]" to indicate re-used sections of the DEIR and "[Comment]" to indicate my comments.

I14-2

cont.

My comments frequently reference the May 21, 2024 Council meeting which is available on video on Youtube.com.

The importance of this meeting cannot be overstated. In general, I try to relate the relevance of technical comments made here to legitimate questions and concerns raised about the project by council members during that meeting.

Sincerely,

Paul Collacchi

Paul Collacchi Parkline DEIR comments

--- Page 27 ---

[DEIR] No-Project Alternative. The No-Project Alternative would continue the existing uses on SRI International's research campus, ... Under the No-Project Alternative, 3,308 employees could work in the existing buildings on the SRI campus, which is the maximum number of employees allowed under the current Conditional Development Permit (CDP). Therefore, the number of employees that would work at the Project Site would increase by approximately 2,208 compared to existing conditions...

I14-3

[Comment]: The No-project Alternative is deficient and not reasonable. Numerous city documents put historical SRI employment at no more than 2000 over the last three decades without exploding the figure into SRI and non-SRI counts. The current number is 1100 and SRI plans reductions to 700 on site. The FIA makes clear that SRI intends to enter into a 99-year lease with Lane partners. During the May 21, 2024 council meeting, Lane confirmed the FIA saying it will operate under a ground lease from SRI. It's hard to imagine that a declining not-for-profit research institute that is about to enter into a 99 year lease of nearly all of its 62 acre facilitates would grow to 3308 employees if the proposed project were not approved.

The DEIR seems to over-state the No-project Alternative. This impacts the logic determining the environmentally superior alternative.

[DEIR] However, in total, Preservation Alternative 1 would result in the same amount of total office/R&D floor area and the same amount of residential floor area as the Proposed Project

--- Page 28 ---

[DEIR] In total, Preservation Alternative 2 would result in the same total amount of office/R&D floor area as the Proposed Project but a decrease of 68,000 sf in residential floor area. Therefore, Preservation Alternative 2 would result in slightly less development than the Proposed Project, with approximately 44 fewer residential units

I14-4

[DEIR] In total, Preservation Alternative 3 would result in the same amount of office/R&D floor area as the Proposed Project but a decrease in residential floor area amounting to 68,000 sf. Therefore, Preservation Alternative 3 would result in slightly less development than the Proposed Project, with approximately 44 fewer residential units.

[Comment] The DEIR alternatives are inadequate. They study essentially the same preservation alternative three times. They do not study reduced intensity alternatives particularly for office.

I14-5

Below, under TDM, I will suggest that 1.) the alleged proposed "TDM plan" is sub-standard, 2.) is not prepared according to existing Menlo Park standards, 3.) admittedly uses methods or standards expected to be but not yet adopted by Menlo Park, and 4.) has not been checked for efficiency by CAPCOA or some other method, according to Menlo Park standards.

Paul Collacchi Parkline DEIR comments

I14-5
cont. *The DEIR presumes TDM as part of the project rather than as a project mitigation. Because of this, supposed TDM reductions are subtracted from trip generation volume counts prior to VMT calculations, leading to the erroneous conclusion of "NI" rather than "LTS/M."*

Because the true VMT impact is suppressed, the DEIR avoids studying reduced office alternatives, which were also requested by numerous members of the community.

Hence the DEIR is both inadequate and non-responsive with respect to including a reduced intensity office alternative.

--- Page 66 ---

I14-6 *[DEIR] The Project Site is currently governed by a CDP approved in 1975 and subsequently amended in 1978, 1997, and 2004. The CDP permits up to 1,494,774 sf of gross floor area but restricts the maximum building coverage to 40 percent of the site, maximum height to 50 feet, and maximum number of employees to 3,308, along with other restrictions.*

[Comment] The DEIR needs to explicitly state that the employee cap of 3,308 was subject to the further restraint that non-SRI employees were counted 2X for each X employee. Below, the DEIR states historical site counts of 1500 to 2000 without exploding those numbers into SRI and non-SRI counts. This is important because 1.) it impacts reasonableness of No-project Alternative logic, 2.) it severely restricts non-SRI employment numbers, and 3.) any non-SRI use of the site drastically diminishes total site employment density, which Council Members and the public don't know.

[DEIR] Existing Buildings P, S, and T, comprising approximately 286,730 sf, would remain onsite and continue to be operated by SRI International and its tenants

I14-7 *As discussed under "Approach to Cumulative Impacts" in Chapter 3, Environmental Impact Analysis, SRI International is proposing to construct tenant improvements at Buildings P, S, and T, as well as related site utility work, to modernize the buildings for SRI International's near-term and ongoing operations. The proposed tenant improvements in Buildings P, S, and T are not part of the Proposed Project but are included as a cumulative project for purposes of this EIR analysis.*

[Comment:] To my knowledge, there is no pending or complete application for these tenant improvements. These projects are not listed on the city's web site. However, there is a pending application, though incomplete, for the proposed developer remedy project at 80 Willow Road. The exclusion of 80 Willow Road from cumulative impacts analysis in the DEIR, if true, is not valid for many reasons, but if it's a fact that there is no application yet pending for the P, S, T tenant improvements and a pending incomplete application for 80 Willow Road, then the DEIR is biased and inconsistent with respect to standards for inclusion of projects for cumulative analysis.

The DEIR needs to clarify whether or not there was a complete application submitted for improvements to P, S, and T and, if so, at what date this determination was made, and it needs to explain if and why it did not include 80 Willow Rd, and it needs to update the FEIR by including 80 Willow Rd in the cumulative impact analysis.

Paul Collacchi Parkline DEIR comments

--- Page 75 ---

[DEIR] Approximately 1,100 people are currently employed at the Project Site; no residents currently live at the Project Site

- I14-8 Employment on the site has ranged between approximately 1,400 to 2,000 workers since 2003, with fewer employees now working onsite as a result of the COVID-19 pandemic and shifts in work patterns

[Comment] The DEIR needs to further clarify how many of these workers were SRI workers and how many were not SRI workers.

--- Page 78 ---

[DEIR] General Plan Land Use Element designates the Project Site as Commercial

The maximum residential density is 30 dwelling units per acre. Nonresidential uses are limited to a total floor area ratio (FAR) of 0.40.

--- Page 80 ---

[DEIR] For nonresidential development, the maximum building coverage is 0.40, the maximum FAR is 0.30 (lower than what is permitted under the current city General Plan), and maximum height is limited to 35 feet.

- I14-9 For residential development, the maximum building coverage is 0.50 and maximum height is limited to 40 feet. For development with mixed nonresidential and residential uses, the maximum building coverage is 0.55 and maximum height is limited to 40 feet. For development with mixed nonresidential and residential uses or a development with only residential uses, open space must occupy at least 25 percent of a site

The maximum density is 30 dwelling units per acre. The FAR for multiple dwelling units shall increase on an even gradient up to 90 percent for 30 dwelling units per acre. The maximum floor area ratio shall be allowed when the maximum number of dwelling units is proposed, even if less than 30 dwelling units per acre. In a mixed nonresidential and residential development that provides the maximum number of dwelling units, the combined maximum FAR is 1.20

The Project Site is currently governed by a CDP approved in 1975 and subsequently amended in 1978, 1997, and 2004. The CDP permits up to 1,494,774 sf of gross floor area but restricts the maximum building coverage to 40 percent of the site, maximum height to 50 feet, and maximum number of employees to 3,308, along with other restrictions. Residential uses are conditionally allowed in the C-1 district, although the CDP does not currently authorize residential uses.

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Paul Collacchi Parkline DEIR comments

--- Page 85 ---

[DEIR] Because future commercial tenants are not yet known, the EIR will evaluate two buildout scenarios: a 100 percent office scenario and a 100 percent R&D scenario. This will ensure the EIR evaluates the Proposed Project's maximum potential impact and any future commercial tenant mix is within the scope of the EIR analysis

Generally, R&D uses may involve the study, testing, engineering, design, analysis, or experimental development of products, processes, or services related to current or new technologies, including basic and applied research, as well as development research across a wide range of disciplines including material science (e.g., new uses for existing materials and polymers), medical and pharmaceutical, software and technology, manufacturing, and chemistry

[Comment] The DEIR should explicitly state that R&D uses include "software development" and "technology" which would social media. This is important because such "R&D" uses take place in office buildings, and, sometimes, at employment densities much, much denser than either ITE office or ITE R&D uses. Menlo Park has existing precedents for intense software development in M2, particularly at Facebook but not limited to Facebook. Facebook and other collaborative software environments can operate at much higher densities than 4/1000.

I14-9
cont.

Because some "R&D" uses are much, much more intense than ITE office and ITE R&D, the DEIR's claim to be "conservative" and to have included "worst case" analysis is questionable. The DEIR needs to specifically address this point. In particular, the DEIR needs to address this point in light of the May 21, Council discussion with the developer in which 1.) the developer said he would not agree to employment caps on the new project, and 2.) council asked if it were possible that future uncapped tenants could exceed limits studied in the DEIR, and 3.) council collectively expressed such concern.

To quote council member Jen Wolosin @ or near 2:20:33 of the May 21, 2024 video:

Jen Wolosin "I don't want to get too technical ...but, I'm sensing, ... we're all having similar thoughts and concerns about the number of trips and the number of employees coming to this campus. What mechanism do we get to regulate and at what point do we get to see that and opine on that and regulate that? [PJC: Answer, it should already be part of the proposed zoning or new CDP]

To make us comfortable and we're hearing from a lot of community members that even the lab numbers are too high. So like, to get us all, [to know] this is not like a beast ... I don't even know how we account, ... what mechanism... built in suspenders, checks and balances do we even have that is not going to come back and [make sure] they are [not] going to start cutting desks in half and that's even like going to double or something. What assurances can we have about how many employees are going to be working there.

[Lane] its hard to provide assurances, I can tell you nothing changed in relationship to our business plan, like these are no longer lab buildings. Nothing's changed.

[Wolosin] If a tenant comes into you and says we want to cram in do you have to stick with the EIR cap?" Is the 5000 workers . could you go even higher than that.

[Lane] I think I have to defer to staff on that. [Changes subject to traffic caps].

[Staff] "...would require a whole new zoning district ... council could provide inputs and those could be in the conditional development permit."

I14-10

[DEIR] The current land use and zoning designations for the Project Site cannot accommodate a range of uses and intensities that would be appropriate for a modern mixed-use development. The Proposed Project would be designed with an integrated master plan, with all parcels held in common ownership, allowing for a continuous and complementary site plan and program. To achieve this goal, the

Paul Collacchi Parkline DEIR comments

I14-10
cont.

Proposed Project would be subject to site-specific, tailored land use controls, including development standards, to guide development on the Project Site and reflect the Proposed Project's specific objectives, through land use approvals by the city. General Plan amendment(s), zoning ordinance and a zoning map amendment(s) would enable the Proposed Project

It is anticipated that the Proposed Project would be implemented through a Project-level permit (e.g., a CDP) that addresses site-specific topics, such as public works requirements, open space improvements, rules for modifications, design controls, phasing, mitigation measures, operational requirements, and other conditions of approval. The CDP would also regulate density, intensity, and land uses for the Proposed Project.

[Comment] Because the DEIR does not describe the CDP, it's impossible both for the public to know if the project meets public standards (there are none) and its impossible for the preparer to evaluate whether or not the proposed project meets community standards.

[DEIR] Amendment(s) to the city General Plan would be required to allow the Proposed Project. As amended, it is anticipated that the applicable General Plan designation would apply to the entire Project Site and allow the proposed residential and non-residential development for the Proposed Project and Project Variant

Further details related to the proposed city General Plan amendment(s) will be developed through further review and coordination with the city

I14-11

Amendment(s) to the city's zoning ordinance would be required to allow the Proposed Project. It is anticipated that a zoning ordinance amendment would create one new mixed-use, transit-oriented zoning district and establish discrete development standards including permitted uses, density, lot size and dimensions, building height and open space. It is anticipated that the zoning ordinance amendment would also regulate components such as design standards, transportation demand management (TDM) plans, LEED standards, use of renewable energy, water efficiency, waste management, and bird-friendly design. Details related to the proposed zoning amendment would be developed through further review and coordination with the city

[Comment] The description of the project or program in this DEIR seems incomplete and inadequate, because no part of the future regulatory environment is available for public inspection. If the EIR is really a program EIR then the zoning code and CDP would define the CEQA "project."

It's not my understanding that EIR analysis may assume and rely upon future regulatory approvals by a legislative body. All claims made in the is DEIR that rely upon these regulatory tools are speculative.

Because future "tenants" are unknown, on a commercial site, and there is no Master Plan, Zoning, CDP, etc for all we know the developer may decide to build an IKEA which would produce completely different analytics than those present in this DEIR. While most of us don't believe the developer will lease to a big box retail establishment, the point made above about a dense, modern software developer is reasonable.

The DEIR needs to discuss whether or not retail uses were permitted on the site, under the Master Plan, zoning, and CDP at the time of preparation of the DEIR. If not, how did the preparer know that. The

Paul Collacchi Parkline DEIR comments

I14-11
cont.

DEIR should include that document, and, if so, why didn't the preparer create a retail analysis scenario along with the office and R&D?

Council members are rightly concerned that future tenants and employment might exceed levels studied in the DEIR, and if so, how such uses would be detected and regulated.

During the May 21, 2024 council meeting, the one staff member present, who [I believe] was not the City Attorney did not answer council question about how future over-intensities might trigger further environmental review. Instead council was told "the project" would have a master plan, new zoning designation, new CDP, and Developer Agreement, which are part of the project and are not specified by the time of preparation of the DEIR.

The DEIR needs to discuss the proposed specific regulatory mechanism by which the city would regulate future occupancy that "significantly" exceeds that studied in the DEIR. I note that the project description is incomplete and inadequate because it currently lacks draft versions of these regulatory items. Because of the future uncertainty about buildings, uses, tenants, and occupant density, the EIR itself should be described as a Program EIR rather than a Project EIR, since the project description is conceptual and the future regulatory environment is absent.

Finally, I believe that both the public and decision makers should have the benefit of DEIR and a comment period under full definition of the Program, Project, and regulatory environment prior to a Final EIR. Since the public and decision makers will only see this definition at the time of approval there would be no time for re-consideration, hence the FEIR would be unresponsive to comments made by members of council and the public who will be seeing that data for the first time.

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I14-12

[DEIR]An amendment to the city's zoning map would be required to apply the new district to the Project Site. The Project Site is also anticipated to include a conditional development  overlay to facilitate development flexibility and identify Project Site-specific topics, as needed through issuance of a conditional development permit.

The multi-family residential buildings would be between three and six stories tall (approximately 45 to 85 feet); the townhouses would be two stories tall (approximately 25 feet). Table 2-3 summarizes the buildout of the area devoted to residential uses.

[Comment] Is it three stories or six? Again, the project is not defined nor is the regulatory environment governing the project well defined.

--- Page 88 ---

I14-13

[DEIR] Office/R&D Buildings. The Proposed Project would develop modern facilities to attract a variety of tenants.

Laboratories associated with R&D/life science uses are categorized by biosafety levels (BSLs) 1 through 4. It is anticipated that the Proposed Project could accommodate BSL-1 or BSL-2 laboratories, as BSL-3 and BSL-4 laboratories are less common (in

Paul Collacchi Parkline DEIR comments

I14-13 cont. [Comment] Are BLS-3 and BLS-4 uses permitted as of the time of the DEIR? Did the DEIR consider them as part of its analysis?

--- Page 89 ---

[DEIR] The construction of below-grade parking structures would generate approximately 230,000 to 255,000 cubic yards of earthwork export

--- Page 91 ---

The four multi-family residential buildings would be between three and six stories tall (approximately 45 to 85 feet).

I14-14 Maximum building heights would be 110 feet, inclusive of mechanical screens and equipment

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These structures would range from three to four stories (approximately 31 to 44 feet), yielding four to five levels of parking

[Comment] The DEIR makes assumptions about or is silent about structured parking contribution toward construction and FAR. I know of no other examples of structured parking outside of the former M2 area. Does structure parking count against FAR or FAL? The DEIR needs to explain whether structured parking is counted towards FAR metrics provided in the DEIR and it needs to describe the FAR including parking structures.

[DEIR] The Project Site fronts four roadways: Ravenswood Avenue, Middlefield Road, Laurel Street, and, partially, Burgess Drive. Ravenswood Avenue and Middlefield Road are minor arterials within the city that provide local access and crosstown circulation. Laurel Street provides access to the Menlo Park Civic Center, which is near Ravenswood Avenue; south of the civic center, Laurel Street is a neighborhood collector street. Burgess Drive provides access to the Classics of Burgess

--- Page 95 ---

I14-15 As part of the Proposed Project, certain off-site improvements would be constructed, including a new traffic signal at the intersection of Seminary Drive and Middlefield Road

--- Page 98 ---

Within the residential area, approximately 519 parking spaces would be provided within a combination of below grade

podium garages and limited surface parking areas. For each of the four multi-family residential buildings (i.e., market rate and affordable BMR dwelling

Paul Collacchi Parkline DEIR comments

I14-15
cont.

units), resident parking would be provided in above-grade, one-story podium garages

In addition to podium parking, below-grade parking would also be provided for the market rate multifamily residential buildings. All garages would have code-required electric-vehicle (EV) charging stations and monitored security systems.

[Comment] I do appreciate EV charging stations. The DEIR should tell us how many and where. And the DEIR should site the source of this claim.

--- Page 101 ---

[DEIR] The Proposed Project would include a project-specific TDM plan¹¹ for both the residential and commercial uses to reduce the total number of vehicle trips associated with the Proposed Project, consistent with C/CAG's TDM policy requirements. For projects of this type, C/CAG requires a 25 percent trip reduction. For mixed-use projects such as the Proposed Project, this 25 percent trip reduction would be applied to the net trip generation after accounting for internalization. The Proposed Project's TDM plan would meet the C/CAG trip reduction requirement, as it would provide for at least a 25 percent trip reduction for the proposed residential uses and at least a 28 percent trip reduction for the proposed office/R&D uses

but it is anticipated that the Proposed Project would include a range of design features (e.g., onsite amenities to reduce trips offsite, carpool parking, long-term bicycle storage, showers and changing rooms) and ongoing operational programs (e.g., a commute assistance center/kiosk information) to achieve TDM mode-shift targets and thereby reduce the number of trips made by office/R&D tenants and residents.

I14-16

[Comment] I appreciate many of these features, but I'm not warmed by the language "it is anticipated that the Proposed Project would include..." Shouldn't these features and their locations be fully defined either in the project description or as part of the (adopted) regulatory framework provide along with the project description?

The proposed "TDM plan" by Fehr & Peers doesn't seem to strictly follows Menlo Park's guidelines. It is vague. The DEIR can't construct a vague, boilerplate TDM plan, it needs to make an explicit list of each item in the proposed TDM plan, the number of instances of each proposed item, the location in buildings of those items, the assigned trip count reductions for each multiplied by the number of instances. And the then Plan has to be subjected to sensitivity and effectiveness analysis by CAPCOA or equivalent.

If there are showers and changing rooms the DEIR needs to describe in which buildings and how many. If there no specific floor plans at the time of the DEIR then the DEIR needs to cite a Master Plan, zoning code regulation, CPD requirement or equivalent that would guarantee future requirement of the elements alleged to be in the plan.

As stated earlier, the incomplete TDM plan is also considered to be part of the project rather than as a mitigation in the traffic VMT analysis. This suppresses a significant VMT impact. The presence of LTS/M traffic impact might warrant study of an alternative that would inform the public and decision makers of the difference in regulating impacts by reducing office scale and by attempting to reduce a full scale office campus perhaps ineffectively through TDM.

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I14-17

[DEIR] Because of the proposed unit sizes, estimates for the onsite population reflect a lower average household size than the city average of 2.50 pph. Across all units, it is expected that the average household size would be approximately 2.37 pph. This would result in a total onsite population of approximately 1,305.

[Comment] Noted. I've seen many different figures for household size in Menlo Park documents including EIR's, impact nexus studies etc. They do not seem to be harmonized or consistent. The DEIR should cite various different figures used for household size by the City in relatively current documents, and if the DEIR uses a different number either than existing empirical average, or current analytical figures, it explain why.

[DEIR] In general, R&D and life science uses accommodate fewer employees than office buildings of the same size

[Comment] In light of the comment made above about "software development" being included in the R&D, and that certain software/ social media/internet/technology environments being much more intense either than ITE Office or R&D standards, the DEIR should qualify, clarify or strike this statement wherever it occurs.

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I14-18

[DEIR] Under either buildout scenario, out of the approximately 1,100 existing employees at the SRI International Campus, it is anticipated that approximately 700 employees would continue to work at the Project Site in Buildings P, S, and T. The 100 percent office scenario would result in approximately 3,868 net new employees at the Project Site, accounting for the 400 existing employees who would no longer work at the Project Site with implementation of the Proposed Project. The 100 percent R&D scenario would result in approximately 2,667 net new employees at the Project Site, accounting for the 400 existing employees who would no longer work at the Project Site. Table 2-7 summarizes the net increase in employees at the Project Site under both buildout scenarios

[Comment] The DEIR needs to harmonize the future 700 employee figure with its future no-project build-out to 3308 employees. The DEIR also needs to tell us whether "the 400 existing employees who would no longer work at the Project Site" are "remote" employees or will no longer be employed by SRI. See the next comment below for the need to discuss remote and hybrid work environments.

[DEIR] Generation rates for commercial uses were provided by Project Sponsor in the Parkline Master Plan Project Description, dated October 31, 2022, and cite to lower employment generation rates based on current market trends for office and R&D/life science utilization. While generation rates provided by the Project Sponsor for life science uses are lower at 450 sf per employee, using the above generation rates of 350 sf per employee for R&D uses provides a more conservative scenario for this analysis.

[Comment] For reasons stated above, employment densities used in the DEIR under alleged worst-case scenarios are not adequate. Comments elsewhere discuss software/internet/social media production environments in Menlo Park with higher employment densities. The proposed office park at nearly 1.1M sf

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is large enough for a single HQ of a large campus for a company like Facebook which might have employment densities well in excess of those studied. During the May 21, 2024 council meeting the developer has clearly indicated he would not accept employment caps, and the DEIR has made no discuss or indication of how the city might detect and analyze future uses whose densities exceed those studied in the DEIR.

I14-18
cont.

Additionally, post pandemic emerging work trends like remote and hybrid work forms are already in place in much of Silicon Valley. It's not speculative. Facebook is a good example where employment exceeds site capacity. The DEIR needs to discuss this possibility and needs to discuss a regulatory environment or lack thereof whereby the Master Plan, zoning code, and CDP would address and regulate future tenancies that use the hybrid/remote model. The DEIR should also discuss the errors that might be introduced into its analysis by a lack of remote/hybrid work assumptions and describe where remote work with "hoteling" might produce possibly significant impacts.

--- Page 105 ---

[DEIR] Most of the existing buildings on the Project Site have reached or exceeded their useful life

I14-19

[Comment] Yes. The DEIR must harmonize this fact with its no-Project alternative projection for the site. How exactly would a not-for-profit research corporation with limited resources, which has twice failed in the past to remodel its entire campus, and which intends to reduce local employment to 700, somehow find a way to expand to expand to 3308 employees in buildings at the end of their useful life. I think the no-project alternative is not valid and needs to be redone.

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[DEIR] The Proposed Project is anticipated to be constructed in one development phase, with site preparation occurring over the course of 12 to 15 months and buildout of site infrastructure and vertical improvements occurring afterward over the course of 30 to 36 months

I14-20

Assuming the Proposed Project is constructed in one phase, construction is expected to occur over a total of approximately 51 months, or 4.2 years, conservatively assuming that construction durations will be on the longer end of the estimated ranges.

Building construction during Phase 1 would occur over approximately 21 months. In the residential area, Phase 1 would include the construction of the three market rate multi-family residential buildings and 19 townhouse dwelling units.

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Phase 2 would include construction of the remaining office/R&D buildings (Buildings 02, 03, and 04), parking garages (PG1 and PG2), and site improvements.

--- Page 115 ---

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I14-20
cont.

[DEIR] It is anticipated that each new building would be located on its own parcel the remaining open space, private streets, and common areas would be located on a separate parcel (or parcels).

[Comment] This is another reason why the DEIR project description seems incomplete because it lacks tentative vesting maps. The maps and the decision to aggregate and re-subdivide parcels as described is relevant to analysis in the DEIR. Since the common areas would be located on a separate parcel or parcels, the accuracy of their description as "publicly available" open space depends on the disposition of this parcel(s). I hope that the "open space" described in the DEIR becomes what the DEIR suggests it will, but there is no mechanism in any document that dedicates these parcels to the public uses as described in the DEIR nor is there any description in the DEIR to explicitly describe what kinds of passive/active access the public would be allowed under such dedications. As far as we know, this is private land between office buildings whose future disposition is unknown.

Because parcels are separable, the developer can sell off its vested approvals to 3rd parties. Unless those approvals are under strict transfer regulatory frameworks, there is no guarantee that some future 3rd party would propose and build floor plans as described in the DEIR. Where would the TDM showers, locker rooms, and bike racks be built in future building 3 by so-and-so equity partners? Would that 3rd party pass through in tenant leases requirements for TDM survey requests and/or employment density limits under the DEIR? How would that be enforced? The DEIR needs to describe how the analysis made by it would persist through the transfers of approvals or entitlements to 3rd parties from than the current developer. Specifically, not a theoretical mechanism. Otherwise such pass-through regulation is speculative.

I14-21

[DEIR] CEQA Guidelines Section 15130(b)(1) sets forth two primary approaches to the analysis of cumulative impacts. The analysis can be based on (1) a list of past, present, and probable future projects producing related impacts that could combine with those of a proposed project or (2) a summary of projections contained in a general plan or related planning document

[Comment] The DEIR should include the project at 80 Willow in its evaluation of cumulative impacts.

--- Page 134 ---

I14-22

[DEIR] This section identifies and evaluates the Proposed Project's potential to physically divide an established community or result in a significant environmental impact due to a conflict with land use policies adopted for the purpose of avoiding or mitigating environmental effects

This section also addresses the consistency of the Proposed Project with applicable land use goals and policies from the current city's General Plan,¹ the Menlo Park Municipal Code, and the city zoning ordinance

The city's General Plan and Menlo Park Municipal Code consistency analysis is provided for environmental review purposes only. The City Council will ultimately determine the Proposed Project's consistency with the goals and policies of the city's General Plan and the requirements of other city planning documents

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First Church of Christ, Scientist

Alpha Kids Academy, a day care and preschool

Beyond Ravenswood Avenue, to the north, is a mix of

--- Page 135 ---

residential neighborhoods and churches. This neighborhood in Menlo Park consists of detached single-family and multi-family dwellings. Trinity Church is located within this neighborhood along Ravenswood Avenue. Northeast of the Project Site, across Ravenswood Avenue, is a single-family residential neighborhood in Atherton

[DEIR] Across Middlefield Road, to the northeast and east, are Menlo-Atherton High School in Atherton and the Vintage Oaks neighborhood in Menlo Park; Vintage Oaks consists of single-family residential properties. Directly adjacent to the Project Site on the east is a small office park with three office buildings along Middlefield Road. The Project Site is bordered on the south by a variety of uses, including office complexes along Middlefield Road; also present are U.S. Geological Survey (USGS) offices, the Linfield Oaks neighborhood, and the Menlo Park Corporation Yard. The Linfield Oaks neighborhood consists of a mix of single- and multi-family residential units. GeoKids, an early childhood development center, is south of the USGS offices. The Classics of Burgess Park neighborhood, located south and west of the Project Site, consists of two-story, single-family residential units on small properties.

I14-22
cont.

Laurel Street and Burgess Park are adjacent to the Project Site on the west. Across Laurel Street, to the west, is Burgess Park, the Menlo Park Civic Center, and a day-care center. The 9.3-acre Burgess Park includes baseball and soccer fields, lighted tennis courts, playgrounds, a skate park, and picnic benches. The Menlo Park Civic Center includes two outdoor pools (Burgess Pool), the Arrillaga Recreation Center and Gymnasium, Menlo Park Police Department headquarters, City Hall, and the Menlo Park Library. The Menlo Children's Center, a preschool and facility for an after-school program, is across from the Project Site on Laurel Street.

As shown in Figure 2-1 in Chapter 2, Project Description, the parcels surrounding the Project Site are zoned PF (Public Facility), R2 (Low-Density Apartment District), R3 (Apartment District), R3X (Apartment District, Restrictive), R3A (Garden Apartment Residential District), and R1S (Single-Family Suburban Residential District). Land use designations include Residential, Public/Quasi-Public, and Parks and Recreation.

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[DEIR] Plan Bay Area 2050 also forecasts changes to the Bay Area population, including projected household and job growth, at the regional, county, and sub-county level. Plan Bay Area 2050 Final Blueprint includes ABAG's most recent projections for demographic, economic, and land use changes in the coming decades. According to Plan Bay Area 2050, the number of households in San Mateo

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County is expected to increase by 129,000 between 2015 and 2050, and the number of jobs is expected to increase by 114,000 during the same period. Prior to Plan Bay Area 2050, Plan Bay Area 2040, adopted in 2017, was the most recent regional transportation plan and sustainable communities strategy for the Bay Area region. Plan Bay Area 2050, which updates Plan Bay Area 2040, is consistent with the current Regional Housing Needs Allocation (RHNA) cycle. In addition to providing household and job growth projections at the regional, county, and sub-county levels, Plan Bay Area 2040 provided projections at the city level. However, city-level growth projections are not yet available in Plan Bay Area 2050.⁶ Because Plan Bay Area 2050 was adopted in late 2021, Plan Bay Area 2040 will continue to serve as the basis for regional and county-wide transportation models until the models are updated. Updates to the models are anticipated within the next several years. To be consistent with the transportation models, as well as projections used in the city's Housing Element Update and ConnectMenlo, 2040 projections from Plan Bay Area 2040 are used throughout this document.

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[DEIR] Although the Proposed Project would add intensified development in the area, the Project Site has been developed for decades with similar uses

The proposed multi-family residential units would act as a transition from the low-density apartments to the north to the single-family neighborhood to the south

I14-22
cont.

Impact LU-1: Conflicts with any Land Use Plan, Policy, or Regulation Adopted for the Purpose of Avoiding or Mitigating an Environmental Effect. The Proposed Project would not result in a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Proposed 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. (LTS

--- Page 141 ---

[DEIR] Amendments to the city's General Plan would be required to allow the Proposed Project to move forward

With establishment of General Plan amendments for the Project Site, there would be no impact. No mitigation is required

The determination of whether the Proposed Project would conflict with applicable policies would be based on the Project description in Chapter 2 or, for policies adopted for the purpose of mitigating an environmental impact, the environmental analysis provided in the applicable resource sections of this Draft EIR

Table 3.2-1, at the end of this section, outlines the adopted general plan goals and policies that have been identified as applicable to the Proposed Project, describes environmental effects and potential conflicts, and provides a determination of ☐consistent☐ or ☐inconsistent☐ for each policy. Although the

Paul Collacchi Parkline DEIR comments

table shows some inconsistencies with the general plan, the Proposed Project would be generally consistent with the goals and policies contained in the general plan

[Comment] I think this discussion is inadequate. Generally, some of the findings here should be LTS/M not NI.

I14-22
cont.

There are points at which differences in degree become differences in kind. The buildings are so tall that winter shadows fall upon homes that have never been shadowed before. The DEIR acknowledges "the table shows some inconsistencies with the general plan" but the table only shows "consistent." So what are these inconsistencies? The DEIR should list them.

The logic used in the next few sentences below, suggests essentially, that anything is consistent with existing land uses so-long as a council is willing to make the legislative approvals needed to make it so. Or put differently, nearly everyone in the community, including Council Member Wolosin, have complained loudly about 80 Willow drive, yet the logic used below to deny Parkline land-use impacts could also apply to 80 Willow. A 400' ft building is "consistent" with community standards so long as a council makes the regulatory approvals needed to approve it, but that's not an objective, stand-alone standard of analysis. In reality, the size and scope of the office component of this project is arguably inconsistent with the general plan, the nearby residential uses, the nearby low intensity offices, churches, daycares, schools, and anything that appears in the Menlo Park Downtown plan. There are numerous areas for potential use conflicts including have a point of ingress/egress at Ringwood which abuts a school. Certain findings should be LTS/M not NI.

[DEIR] The ultimate determination of general plan consistency can and will be made by the City Council. The finding of general plan consistency does not require a project be entirely consistent with each individual general plan policy. A project can be generally consistent with a general plan, even if it does not promote every applicable goal and policy. Assuming approval, the Proposed Project would be generally consistent with applicable goals and policies, and the impact would be less than significant. No mitigation is required.

I14-23

A zoning ordinance amendment would create one new mixed-use, transit-oriented zoning district and establish discrete development standards regarding permitted uses, density, lot size and dimensions, building height, and open space

Details related to the proposed zoning amendment would be developed through further review and coordination with the city.

[Comment] Again, the DEIR analysis and findings rely upon a future regulatory change by a legislative body. And the project definition which lacks these proposed regulatory documents is incomplete.

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I14-24

[DEIR] As indicated in Section 3.14, Population and Housing, the city's jobs/housing ratio is projected to improve by 2050. The Proposed Project's development of housing, in addition to office/R&D uses, in the context of the city's already-high jobs/housing ratio further supports the balanced growth objectives of Plan Bay Area. As described in Section 3.14, Population and Housing, the indirect housing demand from the Proposed Project would represent

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I14-24
cont.

only a small percentage of ABAG's projected housing growth for Menlo Park. Therefore, the Proposed Project would be consistent with Plan Bay Area, and the impact would be less than significant. No mitigation is required.

[Comment] The associated Housing Needs Assessment puts the housing deficit of up to 1650 units. The project is not part of the Connect Menlo base. So it seems new to Plan Bay Area. The 1650 units seems to be a rather large part of Menlo Park's 6th cycle RHNA obligation, and combined with the large unplanned debt associated with Willow Village accounts for deficits of nearly 2500 units. I think the DEIR needs to harmonize its concept of "indirect housing demand" with whatever metric the HNA's are using to explain to us why creating and externalizing large housing deficits are not significant.

I14-25

Cumulative impacts are addressed only for those thresholds that would result in a Project-related impact. If the Proposed Project would result in no impact with respect to a particular threshold, it would not contribute to a cumulative impact. Therefore, no cumulative analysis is required

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[DEIR] Furthermore, as discussed above, the Proposed Project, with adoption of a general plan amendment, zoning amendment, and a Project-specific CDP, would be generally consistent with the city's General Plan, Menlo Park Municipal Code, and Plan Bay Area 2050

[Comment] And as commented above, if with all those adoptions the project would be "generally consistent" with the general plan, exactly what are the elements of the project that would still be inconsistent. The DEIR needs to discuss them, even if they don't rise to the level of being considered significant.

I14-26

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[DEIR] Although the proposed buildings could be visible from surrounding residential neighborhoods, they would not substantially alter the existing visual character of these neighborhoods. In general, views of the buildings would be limited, consisting mainly of blocked background views; therefore, the buildings would not be a dominant feature in the area.

[Comment] The shadow analysis shows winters shadows on homes. Therefore there is direct sight of the buildings from neighborhoods. That is one indicator of intensity particularly when the existing CPD height limit for office buildings is allowed to be tripled. The DEIR has to explain why the introduction of 100' buildings in a city where 50' has been the limit on a site where 35' is the limit is not significant.

I14-27

[DEIR] Although the proposed buildings would increase mass and scale compared to the existing visual setting, the Proposed Project would generally be consistent with the development pattern of the area

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- I14-27
cont.
- GOAL LU-3: Retain and enhance existing uses and encourage new neighborhood-serving commercial uses, particularly retail services, to create vibrant commercial corridors.
- CONSISTENT. The Proposed Project would involve redevelopment of an existing R&D campus into a modern office/R&D area. The office/R&D area would also introduce a new one-story community amenity building with approximately 2,002 gsf. The community amenity building would be on the northeast corner of the site, adjacent to a proposed recreational field. This building would include community-serving retail uses, which may include a bicycle repair shop and a juice bar, as well as publicly accessible restrooms
- [Comment] The DEIR needs to discuss whether there's a reasonable expectation that neighbors will use the amenity building and whether the amenity building is really consistent with the Menlo Park general plans concept of "neighborhood-serving retail."*
- I14-28
- The Proposed Project would generate revenue for the city's general fund and public agencies by increasing property values and property tax revenue. As
- [Comment] The DEIR needs to harmonize this statement with findings of the FIA, which seems to indicate that high-housing variants produce slight initial annual deficits, and that all configurations eventually produce annual deficits as city service cost increases (e.g labor contracts) outpace Prop 13 annual increases.*
- Page 147 ---
- [DEIR] Policy LU-4.4: Community Amenities.
- I14-29
- CONSISTENT. The office/R&D area would introduce a new one-story community amenity building with approximately 2,002 gsf.
- [Comment] Again, the DEIR needs to discuss whether the term of art "amenity" as used in the sense of LU-4.4 is the same meaning as used in lay description "amenity" building. During the May 21, 2024 council meeting, the developer cited downtown Menlo Park as having kind of amenities future tenants desire. This would suggest that rather than provide amenities the project is benefitting from already existing external amenities. In general, the lack of retail and lack of growth for retail in this area and downtown Menlo Park is a genuine planning concern, and the DEIR needs to discuss this projects alleged contribution in light of that concern. Also it seems that the DEIR is "double counting" the "amenity" build as both "neighborhood-serving" retail and a "community amenity." It's a weensy little building. It certainly couldn't possibly go a long way toward doing either for the community.*
- Page 154 ---
- I14-30
- [DEIR] Policy H4.4: Mixed-Use Housing
- properties zoned C-1, C-1-A, C-1-C, C-2 and C-2-A, C-2-B, C-2-S, and P
- CONSISTENT. The Project Site is not located near Willow Road or within the area covered by the El Camino Real/Downtown Specific Plan. However, the Project Site

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is located in proximity to transit (i.e., SamTrans and Caltrain) and services, such as the facilities at Burgess Park and the Civic Center. The Project Site is also within walking distance of downtown businesses. Therefore, the proposed mixed-use development would be located in proximity to existing facilities and services

I14-30
cont.

Policy H4.5: Redevelopment of Commercial Shopping Areas and Sites. Encourage housing development in conjunction with the redevelopment of commercial shopping areas and sites.

Although shopping areas are not proposed as part of the Proposed Project, a small community amenities building would provide some retail services

[Comment] So? Not consistent?

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I14-31

At the time of this study, the city of Menlo Park is in the process of updating its TDM requirements to be consistent with C/CAG's TDM requirements

[Comment] Right so evaluating the TDM plan in this light is not consistent with evaluating it in light of current standards.

--- Page 170 ---

The following goals and policies from the Circulation Element related to transportation were adopted to avoid or minimize environmental impacts and are relevant to the Proposed Project

--- Page 174 ---

I14-32

[DEIR] Adoption of a local VMT threshold requires City Council approval. On June 23, 2020, the City Council of Menlo Park approved local VMT thresholds for incorporation into the updated TIA Guidelines. The City Council, however, retained the requirement that calls for the TIA to also analyze LOS for local planning purposes. On January 11, 2022, the City Council approved changes to the local VMT thresholds. This Draft Environmental Impact Report (Draft EIR) uses the updated thresholds. Per the TIA Guidelines, the Transportation Impact Report for the Proposed Project includes both an assessment of VMT impacts, using the current local VMT thresholds included in the updated TIA Guidelines for purposes of determining potentially significant environmental impacts pursuant to CEQA, and a summary of the LOS analysis for an assessment of local congestion for planning purposes. However, in accordance with SB 743, for purposes of determining potentially significant environmental impacts, this Draft EIR addresses only VMT as the threshold of significance.

[Comment] Here are excerpts from the Jan 2020 guidelines

"5. Mitigation for Exceeding VMT Significance Criteria

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A. Projects that exceed the VMT significance criteria as defined above must demonstrate that they can reduce their VMT to below the threshold values using a mixture of trip reduction measures and transportation demand management (TDM) strategies **in order to be reduce their impacts to less than significant**. TDM strategies work by offering a wider range of transportation options to users of the development. Projects may select strategies from "Quantifying Greenhouse Gas Mitigation Measures" report by the California Air Pollution Control Officers Association (CAPCOA), or other peer-reviewed publications as newer data becomes available, including but not limited to:

...

The "Quantifying Greenhouse Gas Mitigation Measures" report by the California Air Pollution Control Officers Association (CAPCOA), or other peer-reviewed publications, **shall be used to determine the efficacy of TDM measures and land use context on reducing VMT"**

I14-32
cont.

It seems that methods for calculation VMT prescribed by the Menlo Park policy requires calculating VMT prior to and without debiting TDM reductions. There may be a basis for including TDM reductions in M-2 ("Bayfront") projects because the city has formally adopted an ordinance requiring TDM measures of 20% for such projects. No such ordinance applies to the SRI Site.

The DEIR needs to address both issues in its calculation; namely that it did not compute VMT in line with this policy, and that the TDM trips debited were not CAPCOA accredited.

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[DEIR]Because future tenants have not been identified,

I14-33

The **❖worst-case❖** scenario is the scenario with the greatest potential to result in significant environmental impacts. This approach ensures that the EIR evaluates the Proposed Project's maximum potential impact and that any future tenant mix is within the scope of the EIR, as discussed under **❖Approach to Analysis of Buildout Scenarios❖** in Chapter 3, Environmental Impact Analysis. The

[Comment] In light of comments made above about intense/dense software development environments present in Menlo Park, and in light of the conversation between council member Jen Wolosin and Lane/staff regarding the possibility that some future tenants might have. Neither Lane nor staff then asserted that the office buildout used in this DEIR was in fact a worst case scenario. Staff suggested measures might be taken in the CDP. This dialogue occurs at or near 2:54 of the Youtube video.

The 100 percent office scenario would generate more employees than the 100 percent R&D scenario (5,522 employees compared to 3,248 employees) and could result in a greater impact on transit facilities.

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I14-34

CONSISTENT. The Proposed Project would provide electric-vehicle charging stations onsite, in compliance with Menlo Park Municipal Code Chapter 5, Section 5.106.5.3, and Chapter 16, Section 16.72.010, and Policy OSC-4.4 of the Menlo Park General Plan

[Comment] This is a good example of where the project is deemed consistent within the light of an existing regulatory regime. It should serve to contrast with all those assertions made in the DEIR for

Paul Collacchi Parkline DEIR comments

I14-34 | which there is no draft documentation, no existing regulatory regime, and which would require adoption of
cont. | a future legislative act.

--- Page 187 ---

[DEIR] Circ 6.3: Shuttle Service. Encourage increased shuttle service between employment centers and the downtown Menlo Park Caltrain station.

I14-35 | CONSISTENT. The Proposed Project would develop and implement a TDM plan that would provide trip reduction measures and encourage the use of public transit and shuttles

[Comment] During the May 21, 2024 council meeting, the applicant promised a specific project shuttle running to and from Caltrain and circulating internally within the project area. I am hopeful for that, but the DEIR does not include it and it does not appear in the alleged "TDM plan". This lack of harmony between what the developer is saying and what appears in the DEIR further indicates lack of harmonization between what the public and council members are being told in this DEIR and by the applicant. The public has every right to expect enforceable, reliable information from both the applicant and the DEIR. The DEIR needs to visit the May 21, 2024 tape and discuss where and how the developer's promise for a shuttle and other TDM measures is documented in the alleged "project-level" TDM plan.

I14. Response to Comment I14—Paul Collacchi

- I14-1 *The commenter questions whether an HNA for the Proposed project would be prepared and available for review.* An HNA, dated April 2024, is included as Appendix 3.14-1 of the Draft EIR. As stated on page 3.14-1 of the Draft EIR, the information in the HNA is used in this EIR to provide context for the evaluation of potential impacts of the Proposed Project related to population and housing as well as provide data for decision-makers during the entitlement process.
- I14-2 *The commenter provides introductory text to the letter and references the May 21, 2024, City Council meeting.* Specific concerns raised by the commenter are addressed in Responses I14-32 through I12-35, below. As noted by the commenter, a City Council meeting was held on May 21, 2024, to discuss recent changes to the proposed development, including the Project Variant, at which time the public was able to submit comments. The Draft EIR includes an analysis of the site plans discussed at this meeting. It is important to note, however, that this City Council meeting was held prior to the release of the Draft EIR on June 20, 2024, and this meeting did not include a discussion the Draft EIR or the CEQA review for the Proposed Project. As discussed in Chapter 1, *Introduction*, of this document, the Draft EIR was released for public review on June 20, 2024, for a 45-day review period that ended on August 5, 2024. The Draft EIR public review period also included a Planning Commission hearing on July 22, 2024, at which the public and Planning Commission commissioners provided comments on the Draft EIR. Comments related to the Project design and other non-CEQA topics discussed at the May 21, 2024, hearing are included here as part of the record for consideration by decision-makers but are not addressed further. Refer to Master Response 1, which addresses comments related to the merits of the Proposed Project.
- I14-3 *The commenter states that the No-Project Alternative is not reasonable because of historical and planned SRI employment on the site and that the analysis overestimates the number of employees under the No Project Alternative at 3,308 employees.* CEQA Guidelines Section 15126.6(e) contains directions for evaluating the No-Project Alternative. Specifically, CEQA Guidelines Section 15126.6(e)(1) states that “The purpose of describing and analyzing a no-project alternative is to allow decision-makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project.” That is, analysis of a no-project alternative serves as a disclosure function so that decision-makers understand the impact of denying a project. In terms of the content of the evaluation, CEQA Guidelines Section 15126.6(e)(2) states that “The ‘no-project’ analysis shall discuss the existing conditions at the time the notice of preparation is published ... as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved....”

As the commenter notes, the No-Project Alternative contemplates 3,308 employees working at the Project Site. As explained on page 6-4 of the Draft EIR, this is the maximum number of employees allowed under the current CDP, increasing the total number of employees by 2,208 compared with existing employment on the site. Defining a No-Project Alternative in this case is challenging because it is difficult to predict workplace habits, which changed following the COVID-19 pandemic. Although remote work has generally increased,⁴⁴ the Project Site contains about 1.38 million square feet of mostly R&D and office space, and laboratory and R&D space demands have grown.⁴⁵ Without

⁴⁴ CBRE Investment Management. 2023. *The Future of Office Space: How the Rise of Remote Work Is Changing the Real Estate Landscape*. July 7. Available: <https://www.cbreim.com/insights/articles/stcwc-how-the-rise-of-remote-work-is-changing-the-real-estate-landscape>. Accessed: August 19, 2024.

⁴⁵ CBRE Investment Management. 2023. *Laboratory/R&D Trends*. Available: <https://www.cbre.com/insights/books/2023-us-life-sciences-outlook/laboratory-r-and-d-trends>. Accessed: October 24, 2024.

concrete plans from the Project Sponsor regarding the course to take should the Proposed Project be denied, the projected use relies on the available capacity for employment on the site under the existing legal constraints that pertain to the Project Site (i.e., the CDP).

If the No-Project Alternative assumed the projected number of SRI employees to be 700, as suggested by the commenter, this would not change any of the impact conclusions for the No-Project Alternative in the Draft EIR. Therefore, such an analysis is not needed in the Draft EIR to further the disclosure purposes of the No-Project Alternative. The CDP allows for a maximum of 3,308 SRI employees on the Project Site. Any remaining employees who are not employed by SRI would be allowed on the site at a rate equal to half the number of SRI employees. To illustrate, if 700 SRI employees are accounted for on campus, as suggested by the commenter, that would allow 1,304 non-SRI employees (i.e., $[3,308 - 700] \div 2 = 1,304$), again presuming a desire to maximize the use of currently underutilized space on campus. Therefore, there would be a total of 2,004 employees on the campus, a net increase of 904 compared with the 1,100 employees on the site now, per page 2-4 of the Draft EIR.

The Proposed Project contemplates increasing the number of employees to 3,868. The No-Project Alternative presented in the Draft EIR would reduce employment compared to the Proposed Project, having 560 fewer employees; the No-Project Alternative, using the commenter's employment parameters, would also decrease employment on the site by 1,864. As a result, all conclusions in the Draft EIR for the No-Project Alternative would remain the same under the commenter's version of the No-Project Alternative. The Draft EIR includes trip generation estimates that assume a net increase in trips associated with the No-Project Alternative because the No-Project Alternative would not be subject to trip reduction requirements or TDM standards. Therefore, even with fewer employees under the No-Project Alternative (e.g., 2,004 workers, or even 700 workers), there would be no change in the assessment of VMT impacts, which does not depend on the number of employees; impacts related to LOS are not relevant under CEQA, as discussed in Master Response 2 and Master Response 3. In addition, the cogeneration plant would continue to operate, which is a significant contributor to GHG emissions and a primary reason why the No-Project Alternative is considered to have greater impacts relative to the Proposed Project, in addition to the fact that the current campus is not energy efficient and does not include the same kinds of sustainability measures that would be part of the Proposed Project. As a result, regardless of the projected employment levels assumed, the No-Project Alternative would still result in increased impacts in certain areas (e.g., energy and GHG emissions) compared to the Proposed Project. However, it would avoid the significant and unavoidable impacts of the Proposed Project during construction, which are unrelated to employment. The commenter's implied assertion that the No-Project Alternative should be considered the environmentally superior alternative is therefore incorrect because major environmental benefits are associated with removal of the cogeneration plant, which would not occur under the No-Project Alternative, regardless of projected employment levels. Therefore, the No-Project Alternative analysis in the Draft EIR serves the disclosure purposes of the No-Project Alternative.

In response to this comment, the Draft EIR has been edited to reflect a range of employees under the No-Project Alternative (for both the Proposed Project and the Project Variant). Refer to Chapter 4 of this document, *Revisions to the Draft EIR*, for the revised text; these revisions do not alter the findings in the Draft EIR or require recirculation pursuant to CEQA Guidelines Section 15088.5.

- I14-4 *The commenter states that the alternatives are inadequate, the three preservation alternatives are essentially the same, and there is no reduced intensity alternative, particularly for office space.* The city respectfully disagrees with the commenter's assertion that the three preservation alternatives are essentially the same. Table 6-1 on page 6-5 of the Draft EIR compares the alternatives to the Proposed Project, demonstrating distinctions among the three alternatives with metrics such as existing office gross floor area to remain, gross floor area to be demolished and replaced, residential square footage, and open space. Table 6-3 on page 6-24 of the Draft EIR compares the alternatives to the Project Variant, demonstrating similar distinctions among the alternatives.

Regarding a reduced intensity alternative, the alternatives to the Proposed Project and Project Variant reduce the intensity of the residential development, as demonstrated in Table 6-1 and Table 6-3 in the Draft EIR, respectively.

Regarding an alternative with reduced intensity for office space, the Draft EIR considered but rejected a residential only alternative. This alternative was dismissed from further consideration because it would not satisfy most of the basic Project objectives, as explained on page 6-38 of the Draft EIR.

Regarding an alternative that has some level of reduced office space along with residential, note that CEQA Guidelines Section 15126.6(f)(3) states that "an EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative." The commenter suggested "reduced intensity alternatives, particularly for office." This description for an alternative is too vague to reasonably ascertain an effect; therefore, on those grounds, the EIR need not consider it. Nonetheless, a discussion is provided here to demonstrate that the city has fully evaluated the need to consider this alternative in the EIR. An alternative must, as explained in CEQA Guidelines Section 15126.6, "meet most of the basic project objectives, avoid or substantially reduce a significant impact of the proposed project, and be potentially feasible." It is not clear that a reduced office space alternative would avoid or substantially reduce a significant impact of the Proposed Project or the Project Variant, meet most of the basic project objectives, or be potentially feasible.

Many impacts of the Proposed Project and Project Variant are related to ground disturbance, including impacts on archaeological resources, tribal cultural resources, nesting birds, paleontological resources, and bats. An alternative with reduced office space would have a residential component, requiring grading across the site and subterranean components like trenches for utility lines, resulting in ground disturbance and impacts similar to those of the Proposed Project and Project Variant, particularly with respect to noise and vibration, which, in addition to impacts on historical resources, are the only significant and unavoidable impacts identified in the Draft EIR. In addition, a reduced office alternative is not certain to reduce impacts on historical resources because modifications could still occur, depending on specific site plans and configurations. Finally, impacts related to operational air emissions, for example, from the use of landscaping equipment, would still occur because it is reasonable to presume that there would still be landscaping under a reduced office space alternative. Therefore, even after attempting to ascertain the impacts, it does not appear that such an alternative would avoid or substantially reduce any of the significant impacts of the Proposed Project or Project Variant. Therefore, such an alternative does not need to be considered in the EIR. In addition, a reduced intensity alternative would not meet the basic objective of replacing unsustainable commercial buildings at a 1:1 ratio and creating a thriving transit-oriented district that reduces overall VMT by providing employment opportunities in a prime location within walking distance of transit and the city's downtown area.

- I14-5 *The commenter expresses concern that the TDM plan is not consistent with Menlo Park standards, leading to inaccurate conclusions in the Draft EIR and avoiding the need to evaluate a reduced intensity office alternative.* The Proposed Project incorporates a TDM plan for both the residential and commercial uses on the Project Site, consistent with C/CAG TDM policy requirements and pursuant to the anticipated requirement of the Project zoning and CDP. It is therefore part of the Proposed Project and not considered a mitigation measure. The Proposed Project would be required to conduct annual monitoring as part of Project conditions to ensure it meets the required standards of TDM effectiveness. Refer to Master Response 2 regarding the TDM plan, including monitoring and compliance. The commenter also claims that the approach taken in evaluating VMT impacts allowed the Draft EIR to avoid evaluating a reduced intensity office alternative. VMT is calculated on a per capita basis and does not depend on employment levels (i.e., the same VMT conclusions would apply regardless of whether the office component was smaller because they would be based on VMT per worker). As discussed throughout this document, VMT-related impacts would be less than significant. An alternative for transportation impacts is not warranted because it is not expected to reduce any significant impacts of the Proposed Project or Project Variant.
- I14-6 *The commenter states that the Draft EIR should explicitly state that the employee cap in the current CDP counts non-SRI employees as two employees and that this information is important because the number of future employees under the No-Project Alternative could be less than 3,308 if non-SRI employees are employed at the site.* The information requested by the commenter is explicitly stated in the EIR. Table 6-1, footnote “c,” on Draft EIR page 6-5 states that “given the current CDP requirement that counts non-SRI employees as two employees (i.e., at a 2:1 ratio), it is likely that under the No-Project Alternative fewer than the total number of allowed SRI employees [i.e., 3,308] would actually be working on the campus.” Refer to Response I14-3, above, regarding the reasonableness of the No-Project Alternative.
- I14-7 *The commenter claims that there is no pending or complete application for the tenant improvements in Buildings P, S, and T and states that the 80 Willow Road Project should be included in the cumulative analysis.* The application (PLN2023-00025) for an architectural control permit for Buildings P, S, and T was submitted on June 3, 2023, and is currently under review. These tenant improvements include construction of a new combined utility yard for existing Buildings P, S, and T; construction of a breezeway in Building P to create a new lobby; and removal of a mezzanine in Building S. In addition, this application includes a use permit for hazardous materials to install a new diesel emergency generator in the proposed utility yard. Because it is a smaller project, this project does not have a project page on the city website. As stated on pages 3-10 and 3-11 of the Draft EIR, the proposed tenant improvements and related site utility work are not part of the Proposed Project because they are not being proposed by the Project Sponsor. Instead, for purposes of the Draft EIR analysis, these tenant improvements are included in Table 3.0-2 as Project ID 35 (page 3-10 of the Draft EIR) as part of the cumulative project list. If approved and constructed, the tenant improvements are anticipated to add approximately 3,000 gross square feet to Building P and remove approximately 6,000 gross square feet from Building S. Buildings P, S and T will thereafter accommodate 700 employees.

The 80 Willow Road Project is not included in the cumulative analysis because a complete, formal development application had not been received at the time the NOP for the Proposed Project was prepared (December 2, 2022, which is the date used in the Draft EIR for purposes of identifying a list of cumulative projects). On June 27, 2023, the applicant for the 80 Willow Road Project submitted two preliminary applications and on December 7, 2023, the applicant submitted a new application (PLN2023-00049), superseding the two prior applications. On May 24, 2024, the city received a formal development application for the current proposal at 80 Willow Road; On May 24, 2024, the

city received a formal development application for the current proposal at 80 Willow Road; however, the city deemed the application complete on November 14, 2024, after deeming the application incomplete several times. Therefore, the 80 Willow Road Project is not considered in the cumulative analysis for the Proposed Project because, at the time when the NOP for the Proposed Project was released, this project had not been submitted and was not considered a reasonably foreseeable project, as defined in CEQA Guidelines Section 15130. See Response to Comment I8-2 for further discussion on why the 80 Willow Road Project was not included as a cumulative project. Additional comments on the 80 Willow Road Project are not relevant to the Proposed Project and do not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. No further response is required.

- I14-8 *The commenter requests further clarification on how many existing workers are SRI employees versus non-SRI employees.* The characterization of the existing workers as either SRI or non-SRI employees is not relevant to the CEQA analysis of the physical environmental impacts of the Proposed Project. The number of existing workers establishes the environmental baseline against which Proposed Project impacts are evaluated; the company that employs the workers does not influence their effect on the existing environment. For purposes of the Parkline TIA, which was prepared separately from the CEQA analysis, non-SRI workers associated with buildings other than P, S and T were assumed to total 400, based on information provided by the Project Sponsor.
- I14-9 *The commenter requests further information about the potential jobs associated with the R&D uses, such as social media, and expresses concern that the Proposed Project could result in higher employment than disclosed and analyzed in the Draft EIR.* The commenter is providing a summary of a City Council study session that was held before the environmental review process. The exact number of employees associated with the R&D uses is unknown at this time because tenants, beyond SRI (which owns the site and would continue to occupy Buildings P, S, & T), have not been identified. Buildout of the office/R&D buildings at the Project Site would depend on a number of factors, including market conditions, availability of financing, and tenancy requirements. As described on page 2-12 in Chapter 2, *Project Description*, of the Draft EIR, R&D uses *may* involve the study, testing, engineering, design, analysis, or experimental development of products, processes, or services related to current or new technologies, including basic and applied research, as well as development research across a wide range of disciplines, including material science (e.g., new uses for existing materials and polymers), medical and pharmaceutical, software and technology, manufacturing, and chemistry. Social media companies, as mentioned by the commenter, would most likely not be included in R&D spaces and instead would be accounted for in the 100 percent office use scenario.

The proposed buildings in the office/R&D area would be designed to accommodate either office/R&D uses or life sciences, or a combination of both. Therefore, as described on pages 3-1 and 3-2 in Chapter 3, *Environmental Impact Analysis*, of the Draft EIR, because future tenants in the office/R&D area have not been identified, this EIR evaluates two buildout scenarios: a 100 percent office scenario and a 100 percent R&D scenario. This approach ensures that the EIR evaluates the Proposed Project's maximum potential impact and that any future tenant mix will be within the scope of the EIR analysis. Each impact evaluation in the EIR evaluates the most impactful scenario, or "worst-case" scenario, for the resource area being analyzed. The most impactful scenario is the scenario with the greatest potential to result in significant environmental impacts.

The Draft EIR assumed an employee generation rate of 350 square feet per employee for R&D uses and 250 square feet per employee for office uses. These generation rates were based on a variety of precedents and reflect typically used generation rates from prior EIRs in the city of Menlo Park and throughout the Bay Area. In particular, these generation rates are generally

consistent with, or more conservative than, those used for the city's General Plan and M-2 Area Zoning Update (ConnectMenlo). Per page 4-3 of the ConnectMenlo EIR, employment is calculated by applying employment generation factors that are based on land use type, as follows:

- 1 employee per 155 to 450 square feet in the Office district
- 1 employee per 450 to 549 square feet in the Life Science district

Therefore, the employee generation rates used for the Proposed Project for both the 100 percent office scenario and 100 percent R&D scenario are reasonable and represent a conservative estimate of the number of employees who could work at the Project Site. Further, this employee generation rate for the 100 percent R&D scenario is also more conservative than the employment rate reflected by SRI's current occupancy (i.e., approximately 410 square feet per employee). A potentially higher rate of employee generation than that analyzed in the Draft EIR is speculative and extremely unlikely to occur. To the extent that the commenter's concerns are about traffic generation associated with more intensely occupied office space, those concerns would be addressed by the TDM plan, which sets performance standards that are based on ITE generation rates. To the extent that more workers would be occupying the building than assumed in the Draft EIR, greater TDM measures would be required in order to achieve the same performance standard.

Regarding traffic assumptions cited by the commenter, as discussed in the Draft EIR, pages 3.3-33 to 3.3-35, the VMT analysis conducted for the office/R&D land use of the Proposed Project is based on VMT per employee, which would not change regardless of the number of employees. For the purpose of maintaining consistency with the trip generation evaluation, the VMT analysis in the Parkline VMT memorandum assumed that the office and R&D component of the Proposed Project would be 100 percent office. This metric is calculated for only home-based work trips, per OPR's *Technical Advisory on Evaluating Transportation Impacts in CEQA*. According to the latest citywide travel demand model, regional average office VMT totals 15.9 per employee. Therefore, the city's office VMT impact threshold, at 15 percent below the regional average, would be 13.6 for daily VMT per employee. The other transportation-related impact determinations in the Draft EIR are not based on the number of employees. Although a cap on employees is not relevant for purposes of evaluating a project's potential impacts on the environment under CEQA, the comment regarding this topic of concern is included in the record for decision-makers.

I14-10 *The commenter states that it is not possible to know whether the proposed CDP will meet public standards or community standards because the Draft EIR does not describe the CDP in detail. State planning law provides a structured process for amending both zoning codes and general plans, recognizing that amendments are essential to ensure that land use regulations remain relevant and responsive to changing community needs and conditions (see, for example, Government Code Section 65860 and Government Code Section 65358). To implement a zone change and general plan amendment, local agencies must make several key findings to ensure that the changes are justified and align with broader planning goals. Key required findings include:*

- That the proposed changes promote the public health, safety, and general welfare;
- That the zoning code and general plan remain consistent with one another, and that all elements of the general plan remain internally consistent; and
- That the proposed changes comply with CEQA.

In approving the proposed CDP, the city would be required to make these findings. In addition, whether a project meets “public standards” or “community standards” is not relevant for purposes of evaluating a project’s potential impacts on the environment under CEQA, unless failure to meet any standard results in significant environmental impacts.

- I14-11 *The commenter expresses concerns that the description of the Proposed Project in the Draft EIR seems incomplete because the future regulatory environment is not available and states that the environmental analysis should be considered programmatic rather than project level. The commenter also expresses concerns about what level of environmental review would occur if the Project changes in the future or if employment levels are greater than those evaluated in the Draft EIR.* The specific concerns listed by the commenter are addressed in more detail throughout this document. Concerns related to the CDP are addressed in Responses I14-6 and I14-10, above. Concerns related to employee densities and tenants are addressed in Responses I14-8 and I14-9, above. Questions regarding the retail uses analyzed in the Draft EIR are addressed in Responses I14-27 and I14-29, below. Regulatory changes are addressed in Response I14-23. In general, CEQA requires an evaluation of the physical impacts of a proposed project on the environment, which is what is provided in the Draft EIR. Regulatory changes are required to facilitate a project, which, in this case, would include a Project-specific CDP tailored to the Proposed Project (or Project Variant). The commenter’s speculation that Project approvals could accommodate an IKEA store are not reasonable. The Draft EIR evaluates the Proposed Project described in the Project application materials and Project plans, which involve a mix of office and R&D uses with non-residential components, as required by CEQA. The project CDP would regulate the Proposed Project’s land uses consistent with the draft EIR; an IKEA store would not be consistent.

CEQA Guidelines Section 15168(a) provides a definition of a Program EIR. As stated, “[a] program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project.” The Proposed Project is not considered a series of actions but rather one action. Per Section 15161 of the CEQA Guidelines, a Project EIR “...examines the environmental impacts of a specific development project. This type of EIR should focus primarily on the changes in the environment that would result from the development project.” Therefore, as explained on page 1-1 of the Draft EIR, a project-level EIR has been prepared for the Proposed Project as an “informational document” that is intended to inform public-agency decision-makers and the public of the significant environmental effects of the Proposed Project, identify possible ways to avoid or substantially lessen the significant effects, and describe reasonable alternatives to the Proposed Project.

To the extent that future tenants of the Project occupy the buildings at employment levels that are greater than those assumed in the Draft EIR, which is unlikely, given how office and R&D buildings are being occupied in a post-pandemic world where hybrid and remote work are pervasive and employers are providing more, rather than less, square footage per employee, additional environmental review could be required if future discretionary actions by the city are required. To the extent that the commenter’s concerns are about traffic generation associated with more intensely occupied office space, those concerns would be addressed by the TDM plan, which sets performance standards that are based on ITE generation rates, independent of actual occupancy. To the extent that more workers are occupying the building than assumed in the Draft EIR, greater TDM measures would be required in order to achieve the same performance standard.

Finally, the commenter raises questions about why a “retail analysis scenario” was not evaluated. It is not clear what a retail analysis scenario would entail, but as indicated above, the Draft EIR included an evaluation of the Proposed Project (and Project Variant) described in the Project Sponsor’s application and plans, which do not include a significant retail component.

- I14-12 *The commenter asks if the proposed multi-family buildings would be three stories or six stories.* A description of building heights under the Proposed Project is included on page 2-15 of the Draft EIR. In addition, a description of building heights under the Project Variant is included on page 4-11 of the Draft EIR. As stated in the Draft EIR, the multiple residential buildings, as proposed, would vary in height between three and six stories.
- I14-13 *The commenter questions whether BSL-3 and BSL-4 uses would occur at the Project Site and whether the Draft EIR considered these facilities as part of the analysis.* Refer to Master Response 4 regarding biological research laboratories and BSL assumptions in the Draft EIR.
- I14-14 *The commenter states that the Draft EIR should explain whether structure parking is counted in the floor-area-ratio (FAR) metrics.* The FAR stated in the Draft EIR (page 2-12) was calculated pursuant to Menlo Park Municipal Code Section 16.04.325. Pursuant to Section 16.04.325(C)(3), structured parking is not included in the calculation. The FAR calculation is unrelated to the analysis under CEQA of the Proposed Project’s physical environmental impacts, which would be the same regardless of how FAR is calculated because the Draft EIR analyzes impacts associated with floor area (gross square feet). The analysis of the Proposed Project’s potential construction impacts evaluated the estimated gross square footage for the proposed structured parking.
- I14-15 *The commenter requests additional information about the proposed electric-vehicle (EV) parking spaces.* As explained on pages 3.5-14 and 3.5-15 of the Draft EIR, new multi-family residential developments and non-residential developments that are approximately 10,000 square feet or larger are required to comply with local amendments to the California Green Building Standards Code (CALGreen code), install EV chargers, and prepare for future installations. The Proposed Project is subject to these requirements. As included on page 2-35 of the Draft EIR, the Proposed Project would incorporate adequate EV-ready parking spaces within both the office/R&D area and residential area to meet code requirements. Within the residential area, the townhouses would have one EV-ready space; the market rate multi-family buildings would have one EV-ready space per unit, 15 percent of which would have EV chargers. Approximately 15 percent of the parking spaces in the office/R&D area would be EV ready, 10 percent of which would have EV chargers. At a minimum, the Proposed Project would comply with the EV parking requirements of the Menlo Park Municipal Code. Specific locations for electric-vehicle charging station (EVCS) spaces within each building or area are not yet known and remain subject to change until completion of architectural control approval.
- I14-16 *The commenter states that the TDM plan is vague and that more information should be provided, including information about showers and changing rooms.* The specific locations of showers and changing rooms remain subject to change until completion of architectural control approval and the subsequent building permit application. Refer to Master Response 2 regarding the TDM plan for the Proposed Project.
- I14-17 *The commenter questions the calculations for the average household size in Menlo Park and consistency with other documents in the city.* As stated on page 2-32 of the Draft EIR, the average household size in the city is 2.50 persons per household (pph). However, because of the proposed unit sizes on the Project Site, the onsite population would reflect a different average household size than the average

for the city. In fact, as the commenter suggests, all projects in Menlo Park include a project-specific household size generation rate, depending on the type of units proposed. California Health and Safety Code Section 50052.5(h) includes estimated household sizes for each unit type, which is consistently used to estimate the household size of specific projects in Menlo Park (e.g., see Table 3.13-8 on page 3.13-18 of the Willow Village Project Draft EIR). The data used for the Proposed Project are cited in Table 2-6 on page 2-32 and Table 4-27 on page 4-83 of the Draft EIR.

For the Proposed Project, the calculations for the estimated household size are provided in Table 2-6 on page 2-32 of the Draft EIR and based on the unit mix proposed by the Project Sponsor. As shown, across all units, it is expected that the average household size would be approximately 2.37 pph, which is slightly lower than the city average. (The city average is not relevant for purposes of determining the average household size for a specific project.) However, residential uses under the Project Variant would provide a slightly different mix of studio and one-, two-, and three-bedroom units and townhomes compared with the Proposed Project. As shown in Table 4-27 on page 4-83 of the Draft EIR, the average estimated household size of the Project Variant would be slightly higher than the city average, with 2.64 pph. The estimated household sizes specific to both the Proposed Project and the Project Variant are used to estimate the total population at the Project Site (1,305 residents and 2,117 residents, respectively). The onsite population estimates are used then to analyze the population impacts as a result of the Proposed Project (Section 3.14, *Population and Housing*) and the Project Variant (Chapter 4, *Project Variant Analysis*).

I14-18 *The commenter questions the definition of R&D uses, employment densities and generation rates, the use of the existing employment figures, and remote and hybrid work environments.* Refer to Response I14-9, above, regarding the definition of R&D uses and employee densities and generation rates. Regarding existing employment figures, there are 1,100 existing employees at SRI International Campus. Of the existing employees, 700 of those employees currently work in Buildings P, S, and T; those buildings and employees would remain after implementation of the Proposed Project. The remaining 400 employees are located in buildings that would be demolished and, therefore, would no longer work at the Project Site with implementation of the Proposed Project. For purposes of CEQA analysis of the Proposed Project's impacts on the physical environment, it is irrelevant whether those employees would become remote or hybrid employees or would no longer be employed by SRI or its existing tenants. An explanation of how the existing employees could be used to calculate potential employees for the No-Project Alternative is provided in Response I14-3, above. The commenter's observations about remote and hybrid work in a post-pandemic world are noted; average office attendance since the pandemic has stabilized at approximately 30 percent below pre-pandemic norms, which suggests that changes in worker behavior have generally resulted in fewer (not more) workers within a given building on a given day.⁴⁶

I14-19 *The commenter asks how SRI would remodel and expand its campus to accommodate 3,308 employees and states that the No-Project Alternative is not valid.* Refer to Response I14-3, above, regarding the employee assumptions for the No-Project Alternative.

I14-20 *The commenter states that the Draft EIR seems incomplete because it lacks tentative vesting maps and requests more information about the TDM components, employment density limits, and enforcement mechanisms.* The purpose of the Draft EIR is to analyze the physical environmental impacts of the development program described in the Chapter 2, *Project Description*, and the description of the

⁴⁶ McKinsey Global Institute. 2023. *Empty Spaces and Hybrid Places: The Pandemic's Lasting Impact on Real Estate*. July 13. Available: <https://www.mckinsey.com/mgi/our-research/empty-spaces-and-hybrid-places>. Accessed: October 24, 2024.

Project Variant in Chapter 4, *Project Variant Analysis*. Comments that say the EIR should include specifics regarding the mechanism(s) associated with Project approvals, which ensure that the Proposed Project or Project Variant would be consistent with the descriptions, do not raise any CEQA issues. City decision-makers, in advancing initial Project approvals that result in approval of a master plan for development of the Proposed Project or the Project Variant (e.g., through a General Plan amendment, zoning approvals, CDP), will make a determination as to whether Project approvals are within the scope of the EIR analysis prior to making a decision on the merits of the Proposed Project. The overall master plan program has been analyzed under worst-case scenarios so that revisions to the Proposed Project that do not exceed the scope of the CEQA analysis can be approved without further CEQA review. As such, it is not necessary for the EIR Project description to include the specific details of tentative vesting maps and other project entitlements, which, in and of themselves, do not cause physical changes to the environment.

Each building and phase of the Proposed Project or Project Variant would be subject to subsequent discretionary approvals (e.g., architectural control permits). At the time the city decision-makers consider such subsequent approvals, they will determine whether or not the development permitted under such approvals is within the scope of the EIR analysis or whether additional CEQA environmental review is needed.

The CDP and other Project approvals, which would require compliance with the TDM plan, would “run with the land” and be binding on any successor owners or assignees. Refer to Master Response 2 regarding the TDM plan, including monitoring and compliance.

I14-21 *The commenter states that the Draft EIR should include the project at 80 Willow Road in the cumulative analysis.* Refer to Responses I14-7 and I8-2, above, regarding the 80 Willow Road Project.

I14-22 *The commenter expresses the opinion that the discussion of the Proposed Project’s consistency with the General Plan is inadequate and references building heights, shadows, neighborhood compatibility, ingress/egress, and the proposed development at 80 Willow Road.* The comment is noted and included in the record for consideration by decision-makers. However, comments pertaining to the design of the Proposed Project, including building heights and associated shadows, do not address the adequacy of the Draft EIR or the Proposed Project’s compliance with CEQA. In addition, as discussed in more detail in Master Response 1, aesthetic impacts, including visual compatibility and shadows, are not considered CEQA impacts, per SB 743. Regardless, Appendix 3.1-1 of the Draft EIR includes a discussion of the Proposed Project’s potential aesthetics and shadow impacts for informational purposes. Refer to Master Response 1 and Appendix 3.1-1 of the Draft EIR for more details. Refer to Response 14-7, above, regarding the 80 Willow Road Project.

As stated on page 3.2-6, in accordance with Appendix G of the CEQA Guidelines, CEQA analysis for land use and planning needs to consider if “a proposed project would cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purposes of avoiding or mitigating an environmental effect.” The determination of whether or not the Proposed Project would conflict with applicable policies adopted of the purpose of mitigating an environmental impact is addressed in part by the regulatory setting and environmental analysis provided in each resource section of the Draft EIR. For example, transportation- and circulation-related policies are addressed in Section 3.3, *Transportation*, and noise- and vibration-related policies are addressed in Section 3.7, *Noise*. All impacts associated with a conflict with any land use plan, policy, or regulation adopted for the purposes of avoiding or mitigating an environmental effect were determined in the Draft EIR to be less

than significant. In addition, as described above, although aesthetic impacts, such as those related to building height, are not considered CEQA impacts, consistency with the goals and policies in the General Plan is discussed in the aesthetics memorandum in Appendix 3.1-1 of the Draft EIR for informational purposes.

The Draft EIR includes a detailed analysis regarding the Proposed Project's consistency with the General Plan in Section 3.2, *Land Use and Planning*. Consistency with each General Plan goal and policy that is applicable to the Proposed Project is included in Table 3.2-1 on pages 3.2-11 through 3.2-24 of the Draft EIR. The Proposed Project was determined to be generally consistent with each applicable goal and policy for the purposes of CEQA. However, the ultimate determination of General Plan consistency for both CEQA-related and non-CEQA-related goals and policies, can and will be made by the City Council. Assuming approval, the Proposed Project would be generally consistent with applicable goals and policies. The commenter's concerns appear to be focused primarily on subjective issues of neighborhood compatibility and not necessarily how a perceived incompatibility of the Project may result in adverse environmental impacts that need to be evaluated further under CEQA.

As the commenter notes, Table 3.2-1 concludes that the Proposed Project would be generally consistent with the goals and policies in the General Plan; no inconsistencies were determined. The city has revised Section 3.2, *Land Use and Planning*, of the Draft EIR to clarify the summary of Table 3.2-1. Refer to Chapter 4 of this document, *Revisions to the Draft EIR*, for the revised text; these revisions do not alter the findings in the Draft EIR or require recirculation pursuant to CEQA Guidelines Section 15088.5. No further analysis is required under CEQA; the comment has been included here for the decision-maker's consideration.

- 114-23 *The commenter suggests that the Draft EIR and findings rely on future regulatory change, but the Project definition lacks a discussion of proposed regulatory changes.* As stated on page 2-14 of the Draft EIR, the current land use and zoning designations for the Project Site cannot accommodate the range of uses and intensities that would be appropriate for a modern mixed-use development. The Proposed Project would be designed with an integrated master plan, allowing for a continuous and complementary site plan and program. To achieve this goal, the Proposed Project would be subject to site-specific, tailored land use controls, including development standards, to guide development on the Project Site and reflect the Proposed Project's specific objectives. Land use approvals from the city associated with General Plan amendment(s), the zoning ordinance, and zoning map amendment(s) would enable the Proposed Project. It is anticipated that the Proposed Project would be implemented through a Project-level permit (e.g., a CDP) that addresses site-specific topics. Further details related to the proposed city General Plan amendment(s) will be developed through further review and coordination with the city.

The description of the Proposed Project, as included in Chapter 2, *Project Description*, is consistent with the requirements in CEQA Guidelines Section 15124. As stated in Section 15124, a description of a project shall contain the location of the project site, a statement of objectives, and a general description of the project's technical, economic, and environmental characteristics. However, a project description should not supply extensive detail beyond that needed for evaluation and review of the environmental impacts. A plan, policy, or regulation that allows for a range of development, like the proposed CDP, meets CEQA's definition of a project and is subject to environmental review. The conceptual site plan, with a range of potential uses and development, as presented in Chapter 2 of the Draft EIR, provides enough

information for the evaluation and review of environmental impacts for the purposes of CEQA. Further details on future regulatory changes are beyond the scope of CEQA and not needed for the analysis in the Draft EIR. Refer to Response A4-13, above, regarding CEQA analysis of General Plan consistency.

- I14-24 *The commenter questions the housing deficit of 1,650 units and the relationship to the RHNA and suggests that the Draft EIR should harmonize the concept of “indirect housing demand” with the metric in the HNA.* The number of housing units that were issued building permits in a city determines progress toward the city’s RHNA. The net decrease in regional housing availability identified in the Draft EIR and HNA, as cited by the commenter, has no bearing on the city’s RHNA progress report or compliance during the 6th Cycle Housing Element reporting period. Refer to Master Response 1, which discusses the HNA prepared for the Proposed Project.

As stated on pages 3.14-16 through 3.14-18 of the Draft EIR, because of the assumed regional housing demand from the Proposed Project’s onsite and induced employment, there would be a 1,656-unit deficit in housing supplied by the Proposed Project in Menlo Park compared to the demand created by the Proposed Project in the region. However, the approximately 1,656-unit decrease across the region as a result of the Proposed Project, as induced by onsite and offsite employment, could be accommodated within other allowable construction in the city and housing in the rest of the region. Within the city alone, the Housing Element (2023–2031) EIR evaluates the development of up to 4,000 new residential units within the 8-year planning period. These housing units would be constructed at various sites throughout the city; therefore, it is anticipated that some of the housing demand as a result of the Proposed Project could be accommodated within the projected housing studied in the Housing Element. As stated on page 3.14-18 of the Draft EIR, housing demand in the city as a result of the Proposed Project can be accommodated in the city, and the anticipated housing demand in the region has been anticipated in regional growth plans. Further, the discussion of induced housing demand associated with the Proposed Project in the Draft EIR assumes that all onsite and offsite workers are new to the region and need housing, which is a very conservative assumption and a worst-case scenario for the housing deficit in the region. For example, if the future commercial buildings are occupied by an existing company in the region that is moving for reasons such as a need for upgraded office space, better opportunities for its workers, to be closer to transit, etc., then the company’s workers are likely to be existing Bay Area residents. There would be no direct induced housing demand associated with the workers.

Finally, the Project Site is an urban infill site and served by existing infrastructure and services. The Proposed Project would not induce a substantial level of unplanned population growth, either directly or indirectly, resulting in less-than-significant impacts. No mitigation is required.

- I14-25 *The commenter questions why the Proposed Project is considered generally consistent with the city’s General Plan, Menlo Park Municipal Code, and Plan Bay Area 2050.* Refer to Responses I14-22 and I14-23, above, regarding CEQA analysis of General Plan consistency. The ultimate determination about policy consistency will be made by decision-makers. For the purposes of the CEQA analysis in the Draft EIR, a determination of “generally consistent” was made based on a policy-by-policy analysis provided on pages 3.2-11 to 3.2-24 of the Draft EIR that demonstrated that the Proposed Project is consistent with the majority of applicable policies intended to avoid or mitigate an environmental effect.

I14-26 *The commenter expresses concern regarding proposed building heights at the Project Site and impacts related to views and shadows.* The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to the design of the Proposed Project and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA; therefore, no additional response is required. In addition, as discussed in more detail in Master Response 1, aesthetic impacts, including views and shadows, are not considered CEQA impacts, per SB 743. Regardless, Appendix 3.1-1 of the Draft EIR includes a discussion of the Proposed Project's potential aesthetics, lighting, and shadow impacts for informational purposes. Refer to Master Response 1 and Appendix 3.1-1 of the Draft EIR for more details.

I14-27 *The commenter suggests that the Draft EIR should discuss whether there is a reasonable expectation that neighbors would use the amenity building and if it is consistent with the General Plan concept of "neighborhood-serving retail."* As stated on page 3.2-13 of the Draft EIR, the Proposed Project would be consistent with Goal LU-3 of the General Plan, which promotes neighborhood-serving commercial uses and amenities. As described on page 2-18 of the Draft EIR, the Project Site would include a commercial amenity building (40,000 square feet) and a community amenity building (2,002 square feet). The two-story commercial amenity building of approximately 40,000 square feet would serve as a social hub for workers in the office/R&D area. However, the first floor of the building would be publicly accessible and would include a full-service café with kitchen, servery, and dining areas. The community amenity building would be adjacent to a proposed recreational field. Under the Proposed Project, this amenity building would be a stand-alone building on the northeast corner of the Project Site. Under the Project Variant, the amenity space would be provided on the ground level of Building R3. The amenity space would include community-serving retail uses, which may include a bicycle repair shop, a juice bar, and publicly accessible restrooms. The retail uses in these two buildings are expected to be open to the public, with activities on the weekend. Programming is conceptual at this stage; however, the intent for the uses in the commercial amenity building and community amenity building is to be public serving. Therefore, the Proposed Project would be consistent with the General Plan concept of "neighborhood-serving retail."

Comments that pertain to the design of the Proposed Project do not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. Refer to Master Response 1, which addresses comments related to the design of the Proposed Project.

I14-28 *The commenter states that the Draft EIR should include findings from the FIA.* As noted in Master Response 1, the FIA process is separate from the CEQA process. Although the FIA for the Proposed Project is available online, the document is not included as an appendix to the Draft EIR. The comment is noted and included in the record for consideration by decision-makers. However, the comment pertains to fiscal impacts of the Proposed Project and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA; therefore, no additional response is required. Refer to Master Response 1, which addresses comments related to the fiscal impacts of the Proposed Project.

I14-29 *The commenter requests that clarification be provided regarding the neighborhood-serving retail and community amenity.* As stated on page 3.2-14 of the Draft EIR, the Proposed Project would be consistent with Policy LU-4.4 of the General Plan, which promotes neighborhood-serving commercial uses and amenities. Refer to Response I14-27, above, regarding the consistency of the Proposed Project with the General Plan concept of "neighborhood-serving

retail.” Comments that pertain to the design of the Proposed Project do not address the adequacy of the Draft EIR or the Proposed Project’s compliance with CEQA. Refer to Master Response 1, which addresses comments related to the design of the Proposed Project.

- I14-30 *The commenter questions why the Proposed Project is considered consistent with General Plan Policies H4.4 and H4.5.* As stated on page 3.2-21 of the Draft EIR, the Proposed Project is a mixed-use development in proximity to transit and services, which is the general core value of these two policies. Therefore, the Proposed Project is generally consistent with Policies H4.4 and H4.5. Policy H4.5 encourages housing developments in conjunction with commercial shopping areas. As noted by the commenter, it is acknowledged on page 3.2-21 that shopping areas are not proposed as part of the Proposed Project. However, some retail services, which would be open to the public, would be provided at the Project Site as part of the Proposed Project. Therefore, the Proposed Project is considered generally consistent with Policy H4.5.
- I14-31 *The commenter questions if evaluating the TDM plan is consistent with current standards.* The Proposed Project’s proposed TDM plan is consistent with the city’s practice in the type of TDM plans required from developments as well as C/CAG’s current requirements. Refer to Master Response 2 regarding the TDM plan, including monitoring and compliance.
- I14-32 *The commenter questions the methods for VMT calculations and the inclusion of TDM reductions.* The city’s current practice allows TDM plans to calculate the effectiveness of individual TDM measures by referencing standards set by the California Air Pollution Control Officers Association (CAPCOA). Regardless of the method for the calculation of the effectiveness of TDM measures, the Proposed Project would be required to conduct annual monitoring to ensure it meets the required standards of TDM effectiveness. Refer to Master Response 2 regarding the TDM plan, including monitoring and compliance.
- I14-33 *The commenter questions whether the employee assumptions in the Draft EIR are considered the worst-case scenario and suggests measures be included in the CDP.* Refer to Response I14-9, above, regarding the employee assumptions used in the Draft EIR analysis.
- I14-34 *The commenter suggests that the Draft EIR relies on future regulatory changes for Proposed Project consistency.* Refer to Response I14-23, above, regarding proposed regulatory changes.
- I14-35 *The commenter questions the TDM plan for the Proposed Project.* The TDM plan includes elements that reduce the Project’s trips by a minimum of 25 percent for residential uses and 28 percent for office/R&D uses. The city would work with the Project Sponsor on the specific details of the proposed TDM plan. Refer to Master Response 2 regarding the TDM plan, including monitoring and compliance.

Letter I15

From: [Ann Diederich](#)
To: [Sandmeier, Corinna D](#)
Subject: SRI EIR comment
Date: Monday, August 5, 2024 1:10:51 PM

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Hello,

I15-1

I am a Menlo Park resident residing on Laurel Street. I am generally in favor of infill housing, particularly in close proximity to the train station (a Yimby given that I too live an easy walk to that station), and I have spoken at City Council in favor of the SRI project. I was however a little shocked to learn this week that there is a BSL-3 lab on that property and this proposal puts high rise housing in very close proximity to what appear to be shorter than usual contaminated air dispersal towers (perhaps because the facility is partly underground?). I'd really like to understand if this is consistent with current standards for a BSL in a densely populated area (which we are increasingly becoming, unlike when the facility was built) and if it has been done elsewhere and has been shown to be safe in practice. I would love to be directed to any reading which might put my mind at ease on this.

Thank you so much, Ann

I15-2



Sent from my iPhone

I15. Response to Comment I15—Ann Diederich

- I15-1 *The commenter expresses general support for the Proposed Project.* The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to the merits of the Proposed Project and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA; therefore, no additional response is required. Refer to Master Response 1, which addresses comments related to the merits of the Proposed Project.
- I15-2 *The commenter expresses concerns about biological research laboratories in proximity to populated areas, particularly potential BSL-3 facilities at the Project Site, and has questions about facilities that would be partly underground.* Refer to Master Response 4 regarding measures to ensure the safety of mixed-use projects, including residential uses in proximity to biolabs. In addition, Master Response 4 addresses concerns regarding the presence of potential BSL-3 facilities at the Project Site. SRI does have limited BSL 3 facilities on its current campus, comprising a very small portion of its overall campus (less than 2,000 square feet of lab space in total and less than 0.005 percent of its total square footage). Those facilities were commissioned to conduct research under a contract with the NIH, a federal agency, and have been on the campus for 20 years with no incidents of accidental releases or other issues. All operations have been in compliance with federal, state and local regulations, and the facilities have consistently passed all required inspections. Under the currently proposed design, two of the new buildings would have below-grade parking structures as well as building mechanical, electrical, and plumbing support spaces (e.g., electrical rooms, fire protection system spaces). However, lab operations or commercial spaces are not proposed for underground locations.

Letter I16

From: [Patti Fry](#)
To: [Sandmeier, Corinna D](#)
Cc: [CCIN; Planning Commission](#)
Subject: Parkline Draft EIR comments
Date: Monday, August 5, 2024 1:49:28 PM
Attachments: [Parkline comments P Fry 20240805.pdf](#)

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Dear City of Menlo Park,

Attached are comments on the Draft EIR for the Parkline project. I am deeply concerned that the Project definition seems to be a moving target, and that some data and important conclusions in the DEIR are extremely misleading.

Once the Project definition is settled, the DEIR can be adjusted and re-noticed so that the public can comment on what is actually proposed. Then and only then the Council would have a more clear picture about what the project really is and what its impacts (environmental and financial) and benefits are.

Respectfully submitted,

Patti Fry, former Menlo Park Planning Commissioner

I16-1

Comments on the DEIR.

THE PROJECT DEFINITION IS A MOVING TARGET

I16-2

The Project is not defined in a way that makes it possible to adequately assess potential environmental or financial impacts. Without more clarity, **the project proposal is akin to a “signed blank check”** with the developer able to bank approvals without the city knowing exactly what development will occur and what impacts are likely. For decisionmakers to be able to make prudent decisions about appropriate mitigation and about the benefits of the project to our community, the Project must be much more clearly defined.

Of note, in the July 22, 2024 meeting during which the current Planning Commission reviewed the DEIR, the next agenda item was a Study Session regarding an increased residential “Variant” on an acre of additional land that may be acquired, and a developer “could” develop. This is not normal or acceptable. In the time during and since I served as a Menlo Park Planning Commissioner (2000-2004) I have never seen a study session regarding major aspects of a potential additional major addition to a project at the same time as “the” DEIR public hearing about the same Project. The addition is part of the Project or it is not.

The Project is vaguely described - Examples of how it is not clear in this document on page ES-1 (vague terms underlined and *italicized* for emphasis) about what the Project comprises:

I16-3

- Amount of residential development (“Project”) – This is described as up to 550 new dwelling units comprising 450 multi-family units and townhomes, along with a proposed land dedication to an affordable-housing developer that could accommodate up to 100 affordable units).
As written, the Project could contain zero or 550 units, or some number in between. A specific number is needed.
- Expanded residential development (“Project Variant”) – This is described as including “up to 250 additional residential rental dwelling units compared to the Proposed Project (an increase from 550 to 800 units, inclusive of up to 154 units to be developed by an affordable-housing developer).
Again, this “Variant” could contain zero or 800 units or some number in between. It is on an additional acre of land, a material change to the physical site, circulation, financial impacts, etc.

- I16-4
- Type of non-residential uses – The uses are lumped together as Office/R&D and later evaluated as 100% Office or 100% R&D. These uses could have material differences in their impacts such as use of hazardous materials. The building design and construction requirements (including utilities) could vary substantially from offices to certain types of R&D (wet labs).
Each use could vary between zero and 100% as written.
- A Project must have a specific quantity of housing units and specific non-residential uses (and relative amounts) so that calculations are valid for such impacts as the number and timing of trips, internal trip capture, financial impacts on city, school, and special districts, impacts on demand for - and provision of - housing units, and other impacts related to the number of people and types of activities that are proposed to occur onsite. Decisionmakers would be unable to make valid decisions about the risks and benefits of the Project without more specificity of what it is.
- I16-5
- Other Projects in the area are not even mentioned** The potential massive project on the nearby former Sunset Magazine site is not mentioned and should be part of the analysis.
- I16-6
- Public suggestions regarding Alternatives and Variants have been ignored**
The DEIR does not analyze important Alternatives recommended by commenters during the Scoping period and presents certain “scenarios” that would be more appropriately evaluated as Alternatives.
- REDUCED OFFICE ALTERNATIVE - At least 6 comments regarding the Scoping mentioned the need for analyzing a reduced Office Alternative. The DEIR does not analyze that and should as an Alternative (i.e., Reduced Non-Residential Alternative). Instead, it looks at not replacing certain existing buildings in the “Preservation” Alternatives.
The comments referenced C-1 zoning limits or lowered maximum employee count from the current CDP limit in a similar way that prior CDP updates have done when land was rezoned for non-SRI uses (e.g., Burgess Classics).
- I16-7
- RESIDENTIAL ALTERNATIVE – The DEIR rejected outright both a Residential Only Alternative and an increased Housing Alternative (DEIR pages 6-37-39). Although these Alternatives would provide more than double the housing units (1,896 and 1,769 respectively) provided in the Variant (800), they are then dismissed because they do not fit with the developer’s objectives to create a new commercial park. That is a deviation from its current role as an R&D center.

COMMENTS – PARKLINE DRAFT ENVIRONMENTAL IMPACT REPORT August 5,2024

- I16-8
- NON-RESIDENTIAL - The alternative “scenarios” of 100% Office and 100% R&D should be labeled as Alternatives with a specific proposed use (or mix of uses) defined clearly as the Project. Alternatives thus could be defined with a different mix of each non-residential use for comparison purposes during decision-making.
- I16-9
- VARIANT -- **The “Project Variant” should be defined as a separate Project.** It materially increases the project site by nearly an acre of land (43,749 SF), and brings impacts, costs and benefits that are different than the Project. This scenario could be defined as the proposed Project but it is not. It is improper to call this a Variant. Its impacts should be properly noticed and published as a revised Project.
- I16-10
- SIGNIFICANT IMPACTS to traffic and the housing shortage are obfuscated**
- The DEIR incorrectly states that there are not Significant Impacts in several areas, such as Transportation, Population and Housing. The impacts should be described as Significant and Unavoidable (S) or Less Than Significant with Mitigation (LTS/M) instead. The following comments relate to the 100% Office Project and Variant scenarios.
- I16-11
- Transportation – traffic could increase 18-fold AFTER mitigation**
- The section about the 100% Office scenario asserts that there would be Less Than Significant impacts on Transportation. This conclusion is not valid for seven primary reasons:
1. The DEIR’s concludes that the increased trip impacts are Less than Significant based on comparing the change in VMT **after mitigation (only)** with regional VMT metrics, not Menlo Park’s. **This is highly misleading because the comparison should be made before the TDM mitigation.** Because the data shown (Project VMT and Variant VMT of 13.5) is nearly at the regional threshold of significance for employee VMT (13.6), the impacts at best must be considered Less Than Significant with Mitigation (LTS/M) relative to VMT.
- Note that VMT information is not provided for the project area or Menlo Park so it is impossible to make a comparison with local VMT conditions. Instead, the analysis only shows a comparison with a broad regional VMT.
- I16-12
2. There is not a specific number of housing units in either the Project or Project Variant, so the Internal Trip Capture is uncertain. If there is no housing, or less housing, the internal capture could be much less and the impact much greater.

3. **The DEIR's conclusions obscure the actual impact** because they already incorporate TDM. **The data show that trips increase in a significant way** for the scenarios of the Project and Project Variant, when viewed before TDM. It also does not compare new trips against current trips.

As shown in the table below, even after deducting Internal Capture, TDM, and Existing Trips from the buildings to be replaced, the net new Trips is 9,508 more than the Existing 518 trips. **That is 18.4 times the number of Existing trips** on the Project site. This is Significant, not Less Than Significant -- even with the TDM mitigation.

To put this further in perspective: the Existing trips from the entire site are 1,425 (calculated by multiplying the per person rate for the 400 displaced employees [518/400] times the current total number of 1,100 employees). The Net New Project trips are nearly 7 times the trips on the entire SRI site trips (divide 9,508 by the current 1,425 trips), even when TDM is considered.

Looking at it either way, this increase of trips is Significant, not Less Than Significant, even with the TDM mitigation.

	Project Trips Before TDM					Project Trips After TDM		
	Gross Project Trips	Existing Trips (except not P,S, T)	minus Internal Trip Capture	Project Trips (excluding Existing and Internal Trip Capture)	Multiple of Existing Trips	TDM Trip Reduction	Net New Trips after TDM	Multiple of Existing Project Trips
Net New Trips - Project	14,501	518	679	13,304	25.6	3,796	9,508	18.4
Net New Trips - Project Variant	15,722	518	735	14,469	27.9	3,685	10,784	20.8

4. The additional trips for the Project Variant are even greater at 27.9 times the Existing Project trips (20.8 times after internal TDM is considered). This is Significant even with the TDM mitigation.

5. **Traffic could be far worse than 18-fold increase**

A higher employee density is reasonably foreseeable. The calculations for the 100% Office scenario ignore Scoping comments

regarding the assumed employee density. The DEIR uses 250 SF/office employee instead of local tech employee densities utilized in other EIR's in Menlo Park (e.g., Facebook/Meta projects). Some tech organizations (e.g., incubators) pack employees in at 50 SF/employee. There is no explanation why these local practices are ignored in the analysis. When these are applied, as shown below, the potential number of new employees could be 72% greater at tech employee density and 435% greater at incubator employee density. It is reasonably foreseeable that there would be far more employees than analyzed.

COMPARISON OF # of NET NEW EMPLOYEES AT DIFFERENT DENSITIES	TYPE OF NEW OFFICE EMPLOYEES			Source
	Office worker	Tech worker	Incubator worker	
Office/R&D Building	4,206	7,011	21,032	calculated
Minus current employees	-400	-400	-400	
New Office/R&D Building employees	3,806	6,611	20,632	
Office & Public Amenity Bldg employees	62	62	62	interpolated*
Total Employees	3,868	6,672	20,694	DEIR page 3.14-13
% above DEIR net new employee assumption	0%	72%	435%	
<i>*interpolated by subtracting DEIR total net new employees from calculated net Office/R&D employees</i>				

6. Trip Cap -- Currently there is an employee cap as part of the CDP governing the site. The CDP cap has been lowered in the past when land was allocated for non-SRI purposes (e.g., Burgess Classics). There have been 3 revisions to the CDP since its origin in 1975. There is no discussion of the cap as an existing policy or as an additional mitigation measure. The additional number of workers identified in the DEIR would exceed the current cap, and far exceed it when local tech employee densities are applied. As a mitigation measure, it would be consistent with past practices to reduce the cap for the proportional share of the 10 acres of land proposed to be allocated for residential uses (i.e., reduce the CDP cap by the percentage of the total current SRI site acreage that 10 acres represents).

I16-17

Since a much higher employee count is reasonably foreseeable, the EIR must conclude that the Transportation impacts TRA-2 and C-TRA-2 are Significant. If the CDP trip cap remains, possibly Less Than Significant with Mitigation (LTS/M) for both the Project and the Project Variant. This will help highlight the need for the Development Agreement and Conditional Development Permit to incorporate appropriate terms related to the mitigation and the mix of uses of the Project.

Traffic Congestion will increase greatly, in conflict with Menlo Park's Transportation Policy

The DEIR concludes inappropriately in TRA-1 and C-TRA-1 that there is no impact or *"Conflict with an Applicable Plan, Ordinance, or Policy Addressing the Circulation System"*.

Clearly there is a conflict with this policy:

I16-18

The DEIR analysis of impacts on Level of Service (LOS) shows that the Project would degrade intersections at one or more peak hour time and would be non-compliant with local policies:

- Near Term Plus Project Intersection LOS – worsen 9 intersections (7 of these would already be unacceptably operating), and 5 more intersections that would degrade from acceptable conditions to unacceptable conditions at peak hour.
from page 59 of Hexagon's TIA report.
- Cumulative (2040) Plus Project Intersection LOS – worsen 14 intersections (5 would already be considered non-compliant)
from page 70 of Hexagon's TIA report.
- The Project Variant's Near Term and Cumulative impacts would be even greater (not cited here).

Despite these impacts, the DEIR concludes on page 3.3-29 regarding Menlo Park's Policy CIRC-3.4 that: *"some intersections surrounding the Project Site would exceed the applicable LOS under existing, near-term, near-term plus-Project, and cumulative conditions. However the Proposed Project would pay TIF and fair-share payments and/or construct improvements to address its contribution to the deficiencies."*

Thus the impacts remain Significant and should be noted as such and are, at best, LTS with Mitigation (LTS/M). While LOS is not a current CEQA metric, Menlo Park wisely includes it in the analysis of project impacts. This conflict with existing town policy regarding congestion is extremely important in consideration of benefits and impacts to acknowledge the significant negative impacts on roadways and intersections in the heart of our town.

Population and Housing and Growth Inducing – the current housing shortage will increase, even with the Variant

These sections about the 100% Office scenario conclude that there would be Less Than Significant impacts on Population and Housing. These conclusions are not valid:

- I16-19
1. As shown in the above section, it is reasonably foreseeable that the number of employees could be much higher in the absence of the existing CDP cap and if local tech company practices are considered. This in turn would bring much greater demand for housing, affect the internal trip capture, and affect the need for city services and utilities, rippling through the DEIR's analysis and conclusions in a number of DEIR sections.
 2. The DEIR's conclusion that the impact on Housing and growth inducement is Less Than Significant ignores its own data. The Housing Needs Assessment shows that the Project results in a regional deficit of 1,656 housing units, and that nearly half of the deficit is for households with Extremely Low to Moderate Income (page 6 of Housing Needs Assessment).

I16-20

This is dismissed as insignificant because it is a small amount in the regional picture. However, this conclusion ignores that there currently is a housing shortage and that this project adds to that shortage by at least the 1,656 units. Further, it seems that every municipality makes decisions the same way, essentially saying that the new need for additional housing will be provided "somewhere" else by "someone" but without taking responsibility to actually reduce the deficit.

To further put this need in perspective: **The new unmet need for housing from this project is more than ½ Menlo Park's current RHNA allocation.** Further, the new demand could be a lot worse if the assumed employee density is wrong. The DEIR should conclude this is a Significant impact.

CONCLUSION

I16-21

This Project would cause substantial adverse impacts, helping the developer but worsening the housing shortage, traffic, and our quality of life.

The DEIR must be updated with a specific Project defined, and then re-noticed for additional public comment.

I16. Response to Comment I16—Patti Fry

- I16-1 *The commenter expresses concern for the Proposed Project, questions the definition of the Proposed Project, and states that the Proposed Project should be re-noticed.* The comment is noted and included in the record for consideration by decision-makers. Specific concerns raised by the commenter, including re-noticing, are addressed in Responses I16-2 through I11-21, below. The Draft EIR includes a description and analysis of the most recent site plans, which the Project Sponsor presented at a City Council meeting on May 21, 2024 (i.e., the Project Variant, which is the preferred project being advanced by the Project Sponsor). The Draft EIR includes an analysis of the site plans discussed at this meeting. Comments related to the Project design and other non-CEQA topics discussed at the May 21, 2024, hearing are included here as part of the record for consideration by decision-makers but are not addressed further. It is also common for large master-plan projects to undergo design revisions and refinements prior to approval in response to community and city feedback; that is routinely anticipated under the CEQA process, which is why the Draft EIR fully evaluates the Project Variant separately in Chapter 4. Refer to Master Response 1, which addresses comments related to the merits of the Proposed Project.
- I16-2 *The commenter states that the Proposed Project is not defined and questions the inclusion of a Project Variant.* The description of the Proposed Project, as included in Chapter 2, *Project Description*, is consistent with the requirements in CEQA Guidelines Section 15124. As stated in Section 15124, the description of a project shall contain the location of the project site, a statement of objectives, and a general description of the project's technical, economic, and environmental characteristics. However, a project description "should not supply extensive detail beyond that needed for evaluation and review of the environmental impact." Therefore, a conceptual site plan with a range of potential uses and development is presented in Chapter 2 of the Draft EIR and in Chapter 4 with respect to the Project Variant.

The scope of CEQA review is limited to analyzing the physical environmental impacts of a proposed development. As is common in CEQA environmental analysis, although a range of development is presented in the Draft EIR, the Draft EIR analyzes the maximum amount of development that could be approved under the proposed master plan of development for the Proposed Project and the Project Variant in order to evaluate the worst-case scenario in terms of physical environmental impacts. The maximum amount of development may not be constructed, but the Draft EIR analyzes the impacts of development of the maximum amount to ensure a conservative analysis.

As discussed in Chapter 4, *Project Variant Analysis*, in addition to describing the Proposed Project, the environmental impact report includes a description and evaluation of a variant of the Proposed Project, called the "Increased Development Variant" (Project Variant). The Project Variant is a variation of the Proposed Project at the same Project Site (although the Project Site would be slightly expanded to include 201 Ravenswood Avenue), generally with the same objectives, background, and development controls but with the differences listed on page 4-1 and in Table 4-1 on page 4-2 of the Draft EIR. An analysis of project variants is commonly used under CEQA when a different version of a proposed project could plausibly be approved.

The Project Variant has been put forth by the Project Sponsor as its preferred vision for the Project and made available for selection by the decision-makers as part of the approval action. The city could also approve a modified version of the Project Variant with either or both of the residential and water reservoir components (i.e., additional dwelling units and no emergency water

reservoir, emergency water reservoir and no additional dwelling units, or additional dwelling units and emergency water reservoir). For purposes of the EIR analysis, the Project Variant includes both the additional dwelling units and the emergency water reservoir, in addition to the other site plan changes proposed, to ensure a complete analysis of potential environmental effects. Because the Project Variant could result in different impacts compared to the Proposed Project, Chapter 4 of the Draft EIR describes and analyzes the associated impacts of the Project Variant. The Project Variant would modify limited features or aspects of the Proposed Project to address the potential variations in the Proposed Project that could occur.

- I16-3 *The commenter states that the verbiage used to describe the number of housing units for the Proposed Project is vague.* Refer to Response I16-2, above, which addresses the adequacy of the description of the Proposed Project in Chapter 2, *Project Description*, of the Draft EIR. Because the Proposed Project entails the adoption of a new CDP for the Project Site that would allow for a range of housing units to be developed, the maximum permitted number of units may not be constructed. Therefore, the Draft EIR presents the maximum number of units to be included under the Proposed Project and the Project Variant and analyzes the impacts of development of the maximum stated number of units to ensure a conservative analysis.
- I16-4 *The commenter states a project must have a specific number of housing units and a specific number of non-residential uses for calculations to be valid.* Refer to Responses I16-2 and I16-3, above, which address the adequacy of the description of the Proposed Project in Chapter 2, *Project Description*, of the Draft EIR. The maximum number of housing units and non-residential uses is presented and analyzed in the Draft EIR, which represents a worst-case scenario. Therefore, the calculations for CEQA topics such as vehicular trips (and associated environmental impacts related to air quality, GHG emissions, and noise) and the demand for housing (and associated environmental impacts related to population and housing) are conservative. Contrary to the comment, CEQA case law establishes that flexibility in a project description is permissible, provided the overall project description remains stable and finite (see, for example, *South of Market Community Action Network v. City and County of San Francisco* [2019]). Financial impacts and the types of activities proposed on the Project Site, beyond those described in Chapter 2, *Project Description*, are not considered impacts under CEQA. The portion of the comment pertaining to fiscal impacts is noted and included in the record for consideration by decision-makers, but does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. Refer to Master Response 1, which addresses comments related to the merits of the Proposed Project.
- I16-5 *The commenter states that other projects in the area, including the Sunset Magazine site, are not mentioned but should be part of the analysis.* As detailed on pages 3-6 and 3-7 of the Draft EIR, CEQA Guidelines Section 15130(b)(1) sets forth two primary approaches to the analysis of cumulative impacts. The analysis can be based on (1) a list of past, present, and probable future projects producing related impacts that could combine with those of a proposed project or (2) a summary of projections contained in a general plan or related planning document. The methodology used depends on which approach appropriately captures the cumulative context for the resource topic being analyzed. An introductory statement that defines the cumulative geographic context being analyzed and states whether the approach is list based or projections based is included at the beginning of each cumulative impacts section. A list of past, present, and probable future projects in the city of Menlo Park is included in Table 3.0-2 of the Draft EIR (pages 3-8 to 3-10). These projects are considered in the cumulative analysis for each CEQA topic in Chapter 3, *Environmental Impact Analysis*, of the Draft EIR.

Response I8-2, above, describes why the 80 Willow Road Project (referred to as the “former Sunset Magazine property” by the commenter) is not included in the cumulative analysis of the Draft EIR.

- I16-6 *The commenter states that a reduced office alternative should be considered, as referenced in the scoping comments. This comment references applying C-1 zoning limits or lowering maximum employee counts, as done with prior CDP updates.* The current zoning of C-1(X) is considered as part of the No-Project Alternative, as explained on page 6-6 of the Draft EIR. Therefore, application of C-1 District zoning restrictions are appropriately considered as an alternative to the Proposed Project and the Project Variant in the EIR. However, reducing office/R&D uses at the Project Site would be unlikely to reduce any significant environmental impacts. As stated in Section 15126.6(c) of the CEQA Guidelines, viable alternatives need to substantially lessen or avoid significant environmental effects associated with the Proposed Project. Residential uses would still be constructed as proposed, and although office/R&D uses would be reduced, it is unknown if this reduction would reduce significant impacts to a level that would be less than significant. In addition, due to constraints associated with existing zoning densities, an alternative with a reduction in office/R&D space would not meet the Project Sponsor’s objectives of orienting new office/R&D buildings in a configuration that would leverage operational efficiencies and ensure that the business and security needs of future commercial tenants would be met while creating more jobs and local economic and revenue opportunities. A Residential Only Alternative, which would not include office/R&D uses at the Project Site, was considered and rejected (see pages 6-37 and 6-38 of the Draft EIR).
- I16-7 *The commenter references the Draft EIR’s rejection of a residential only alternative and an increased housing alternative and appears to be stating that the objectives related to creating a new commercial park are different from the objectives of the current R&D function for the Project Site.* As explained on pages 6-37 through 6-39 of the Draft EIR, the Residential Only and Increased Housing Alternatives were not considered feasible and eliminated from further evaluation because they would not satisfy most of the basic Project objectives and would be unlikely to eliminate the significant impacts associated with the Proposed Project. This comment does not identify or make claims about any deficiencies within the analysis in the EIR but instead notes that the Project objectives contemplate a land use that is different from that currently on the site. Therefore, no response is required; nonetheless, this comment is included in the record for consideration by decision-makers.
- I16-8 *The commenter states that there should be two alternative scenarios (all office or all R&D use) and then specific proposed uses or mixed uses identified as the Project so that alternatives contain an array of uses to consider during decision-making.* CEQA Guidelines Section 15126.6(a) states that “an EIR shall describe a reasonable range of alternatives to the project” and that “there is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.” The EIR brings forward three alternatives for consideration for both the Proposed Project and the Project Variant, and the city believes this is a reasonable range for this Project. Furthermore, “an EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation” (CEQA Guidelines Section 15126.6[a]). In addition, the alternatives should meet most of the basic Project objectives and avoid or substantially lessen a significant effect of the Proposed Project (CEQA Guidelines 15126.6[c]). The commenter’s suggested approach for consideration in an EIR would put forward a voluminous number of combinations of non-residential uses to be considered in the EIR that would not foster informed

decision-making or public participation. Furthermore, identifying alternatives as varying combinations of types of development also does not comport with the purposes of CEQA alternatives to reduce impacts while meeting most of the basic Project objectives because the various combinations of development would be chosen independent of whether they meet the CEQA requirements. Therefore, no revisions have been made to the alternatives analysis in the EIR in response to this comment.

- I16-9 *The commenter states that the Project Variant should be defined as a separate project and should be properly re-noticed as a revised project.* Refer to Response I16-2, above, which addresses the Project Variant and the analysis in Chapter 4, *Project Variant Analysis*, of the Draft EIR. As stated on page ES-2 of the Draft EIR, an NOP was released for the Proposed Project on December 2, 2022, for a 30-day public review period. The NOP and NOP comments received during this time are provided in Appendix 1 of the Draft EIR. Although the Proposed Project and Project Variant have changed slightly since release of the NOP, the NOP included a description on a Project Variant on page 5. As provided in the NOP, the description and analysis of the Project Variant is equal in detail to the description and analysis of the Proposed Project.

The city has complied with all noticing requirements outlined in CEQA Guidelines Section 15082; therefore, the Proposed Project and Project Variant do not need to be re-noticed. Although the maximum amount of development has changed between the time when the NOP was released in December 2022 and the time when the Draft EIR was released in June 2024, there were no changes to the location, proposed uses, or the probable environmental effects of the Proposed Project or Project Variant, as listed in the NOP. As explained in CEQA Guidelines Section 15004(b):

Choosing the precise time for CEQA compliance involves balancing of competing factors. EIRs... should be prepared as early as feasible in the planning process to enable environmental considerations to influence the project program and design and yet late enough to provide meaningful information for environmental assessment.

After the close of the NOP scoping period, the Project Sponsor considered various environmental considerations and non-CEQA-related study session comments received from City Council, Planning Commission, agencies and organizations, and members of the public. In doing so, the Project Sponsor complied with CEQA Guidelines Section 15004(b)(3) and incorporated environmental considerations into the revised conceptualizations, designs, and plans for the Proposed Project and Project Variant. The changes that were made to the Proposed Project and Project Variant following release of the NOP did not deprive the public, agencies, or decision-makers of an opportunity to comment meaningfully on the scope of the environmental analysis. The analysis in the Draft EIR included an analysis that considered the revised site plans. Therefore, no further noticing is required.

- I16-10 *The commenter states that significant impact conclusions should be made for traffic and population and housing.* This comment is provided as introductory text. Refer to Responses I16-11 through I16-20, below, for responses to specific concerns.
- I16-11 *The commenter suggests that the VMT analysis should be made before TDM mitigation and that VMT information is not provided for the Project area or Menlo Park.* The VMT analysis followed the city's TIA Guidelines, as discussed in detail on page 3.3-33 of the Draft EIR. As explained, VMT for the Proposed Project was evaluated using the citywide travel demand model, which accounts for commute patterns for the entire Bay Area rather than just the Project area or Menlo Park. The model is a mathematical representation of travel within the nine Bay Area counties as well as

Santa Cruz, San Benito, Monterey and San Joaquin Counties. The base model structure was developed by the MTC and further refined by the C/CAG and Santa Clara Valley Transportation Authority for use within San Mateo County and Santa Clara County. The city further refined the model for applications within Menlo Park to add more detail to the zone structure and transportation network.

Per the city's standard practice, TDM is assumed as part of the Project description (see Chapter 2 of the Draft EIR) because the Proposed Project includes an applicant-proposed TDM plan to reduce vehicle trips from the office/R&D component by a minimum of 28 percent and from the residential component by a minimum of 25 percent. Compliance with the Proposed Project's TDM plan would be ensured through annual monitoring, which would be a required condition of approval. Therefore, there would be no informational value in presenting VMT metrics based on a scenario in which no TDM measures would apply, given that Project operations would never occur without TDM measures in place. Refer to Master Response 2 regarding the TDM plan, including monitoring and compliance. Therefore, the Draft EIR correctly analyzes the Proposed Project's VMT impact, which resulted in a less-than-significant impact.

- I16-12 *The commenter states that there is no specific number of housing units proposed for either the Proposed Project or Project Variant; therefore, the internal trip capture is uncertain.* Internal trip capture, as described on page 3.3-23 of the Draft EIR and on page 2 of the Vehicle Miles Traveled Analysis Memorandum included as Appendix 3.13-1 of the Draft EIR, was calculated using the industry-wide modeling for the mix of uses provided in the Project description. As stated throughout the Draft EIR, the Proposed Project would include up to 550 new dwelling units, and the Project Variant would include up to 800 new dwelling units. Refer to Responses I16-2 and I16-3, above.
- I16-13 *The commenter expresses the concern that the conclusions in the Draft EIR regarding trips generated by the Proposed Project obscure the actual impact because they already incorporate TDM measures.* Increases in Project trip generation is not a CEQA transportation impact. Refer to Master Response 3 regarding the scope of the Parkline TIA, which includes an analysis of Project trips. VMT, which is a CEQA transportation impact criterion, is evaluated on a per-employee basis for the office/R&D land use and per-resident basis for the residential land use. As stated in Response I16-11, above, TDM measures are included as part of the Project description and, therefore, considered in the VMT analysis. Refer to Master Response 2 regarding the TDM plan, including monitoring and compliance. Further, the applicable threshold of significance for transportation impacts under CEQA is VMT and not congestion, which is trip based. In general, locating employment uses and residential uses close to transit (i.e., transit-oriented development) is also considered an environmentally beneficial and sustainable form of development.
- I16-14 *The commenter expresses concern that the trips under the Project Variant are even greater than those under the Proposed Project.* Refer to Response I16-13, above, regarding trip generation for the Proposed Project, which applies to the Project Variant as well.
- I16-15 *The commenter expresses the opinion that a higher employee density than that analyzed in the Draft EIR is reasonably foreseeable and that employee density for tech organizations (e.g., incubators) should be applied.* Potential jobs associated with the R&D and office uses at the Project Site are speculative at this time because tenants, beyond SRI, have not been identified. Per CEQA Guidelines Section 15145, CEQA prohibits a lead agency from engaging in speculative analysis. Buildout of the office/R&D buildings at the Project Site would depend on a number of factors,

including market conditions, availability of financing, and tenancy requirements. The proposed buildings in the office/R&D area would be designed to accommodate either office/R&D uses or life sciences, or a combination of both. Therefore, as described on page 2-14 of the Draft EIR, because future commercial tenants are not yet known, the Draft EIR evaluates two buildout scenarios: a 100 percent office scenario and a 100 percent R&D scenario. This ensures that the Draft EIR evaluates the Proposed Project's maximum potential impact and any future commercial tenant mix is within the scope of the EIR analysis. As explained on page 3-2 of the Draft EIR, each impact evaluation in Chapter 3, *Environmental Impact Analysis*, evaluates the most impactful scenario, or "worst-case" scenario, for the resource area being analyzed. The most impactful scenario is the scenario with the greatest potential to result in significant environmental impacts. The most impactful scenario can vary by resource topic and by impact. In some cases, the level of impact is not related to whether the uses involve office as opposed to R&D uses, in which case the analysis accounts for either scenario.

The Draft EIR assumed an employee generation rate of 350 square feet per employee for R&D uses and 250 square feet per employee for office uses. These generation rates were based on a variety of precedents and reflect typically used generation rates from prior EIRs in the city of Menlo Park and throughout the Bay Area. In particular, these generation rates are generally consistent with, or more conservative than, those used for ConnectMenlo. Per page 4-3 of the ConnectMenlo EIR, employment is calculated by applying employment generation factors that are based on land use type, as follows:

- 1 employee per 155 to 450 square feet in the Office district
- 1 employee per 450 to 549 square feet in the Life Science district

Therefore, the employee generation rates used for the Proposed Project for both the 100 percent office scenario and 100 percent R&D scenario represent a conservative estimate of the number of employees who could work at the Project Site. Further, this employee generation rate for the 100 percent R&D scenario is also more conservative than the employment rate reflected by SRI's current occupancy (i.e., approximately 410 square feet per employee). A potentially higher rate of employee generation than that analyzed in the Draft EIR is speculative and extremely unlikely to occur. See also Response I14-11.

I16-16 *The commenter requests that a trip cap, similar to the existing employee cap in the CDP for the Project Site, be implemented as a policy or an additional mitigation measure.* The Proposed Project would be required to conduct annual monitoring to ensure it meets the required standards of TDM effectiveness, which is comparable to a trip cap. Refer to Master Response 2 regarding the TDM plan, including monitoring and compliance. Please also refer to Responses I16-6, above, and I16-19, below, regarding the existing employee cap in the CDP.

I16-17 *The commenter expresses the opinion that a higher employee count is reasonably foreseeable; therefore, impact conclusions in the Draft EIR must be updated.* Refer to Response I16-15, above, regarding employee density assumptions in the Draft EIR. Regardless, VMT, which is a CEQA transportation impact criterion, is evaluated on a per-employee basis for the office/R&D land use and per-resident basis for the residential land use. A higher employee count, as suggested by the commenter, would not result in higher VMT per employee and would not affect the impact conclusions. The Proposed Project would be required to conduct annual monitoring to ensure it meets the required standards of TDM effectiveness. Refer to Master Response 2 regarding the TDM plan, including monitoring and compliance.

I16-18 *The commenter is concerned that traffic congestion will increase as a result of the Proposed Project.* As the commenter notes, the Parkline TIA identifies various adverse Project-generated intersection effects. Feasible intersection improvements were identified in the Parkline TIA. The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to the scope of the Parkline TIA and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. Refer to Master Response 3, which discusses the scope of the Parkline TIA and LOS-related analysis for the Project.

I16-19 *The commenter asserts that the number of employees as a result of the Proposed Project would be higher if local tech company practices are considered, which would affect the Draft EIR's conclusions, including the conclusions regarding impacts associated with population and housing.* Refer to Response I16-15, above, regarding the employee generation rates used for the analysis in the Draft EIR. As explained in the Draft EIR, the Proposed Project is an infill development in an already-developed area of the city within walking distance to transit. The Proposed Project would increase the supply of housing in Menlo Park by providing new housing. However, non-residential Proposed Project components would increase employment and most likely result in demand for additional housing within commuting distance for workers.

Non-residential Proposed Project components would increase employment and most likely result in demand for additional housing within commuting distance for workers. As stated on page 3.14-18 of the Draft EIR, the housing demand in the city as a result of the Proposed Project can be accommodated in the city, and the anticipated housing demand within the Bay Area region as a whole has been anticipated in regional growth plans. The Project Site is an urban infill site and served by existing infrastructure and services. Because there is no housing currently onsite, the Proposed Project would not displace substantial numbers of people or housing. Even if the commenter's speculation that significantly more workers could occupy the site (which, in general, would be considered environmentally beneficial due to the smaller carbon footprint from employment centers being located adjacent to transit), that would not affect the Draft EIR's conclusions regarding population and housing impacts, which are focused on whether a project would result in substantial unplanned population growth (e.g., greenfield development in an area without infrastructure or planning measures in place to accommodate substantial growth) or displacement.

Other potential environmental impacts that could result from the new employees on the Project Site are evaluated throughout Draft EIR. These include impacts related to vehicle travel (including attendant air and noise impacts) and increased demand for public services and utilities. Refer to Section 3.3, *Transportation*; Section 3.4, *Air Quality*; Section 3.6, *Greenhouse Gases*; Section 3.7, *Noise*; Section 3.15, *Public Services and Recreation*; and Section 3.16, *Utilities and Service Systems*. These sections evaluate whether activities associated with the Project's employees would cause significant impacts on the environment.

I16-20 *The commenter questions the housing deficit of 1,656 units, especially if employee generation rates are wrong, and the relationship to the RHNA and suggests that the Draft EIR ignores data.* The number of housing units built in a city determines progress toward the city's RHNA. The net decrease in regional housing availability, as identified in the Draft EIR and HNA and cited by the commenter, has no bearing on RHNA progress reporting or compliance. Refer to Master Response 1, which discusses the HNA prepared for the Proposed Project. For a description of employee generation rates, refer to Response I16-15, above.

As stated on pages 3.14-16 through 3.14-18 in Section 3.14, *Population and Housing*, of the Draft EIR, because of regional housing demand from the Proposed Project's onsite and induced employment, there would be a 1,656-unit deficit in housing supplied by the Proposed Project in Menlo Park compared to the demand created by the Proposed Project in the region. However, the approximately 1,656-unit deficit across the region as a result of the Proposed Project, as induced by onsite and offsite employment, could be accommodated within other allowable construction in the city and housing in the rest of the region. Within the city alone, the Housing Element Update EIR evaluates the development of up to 4,000 new residential units within the 8-year planning period. These housing units would be constructed at various sites throughout the city; therefore, it is anticipated that some of the housing demand as a result of the Proposed Project could be accommodated within the projected housing studied in the Housing Element. As stated on page 3.14-18 of the Draft EIR, housing demand in the city as a result of the Proposed Project can be accommodated in the city, and the anticipated housing demand in the region has been anticipated in regional growth plans. The Project Site is an urban infill site and served by existing infrastructure and services. The Proposed Project would not induce a substantial level of unplanned population growth, either directly or indirectly, resulting in less-than-significant impacts.

Please refer to Master Response 1 for the HNA and Response I14-24 for a discussion of why the HNA and the analysis in the Draft EIR are conservative by assuming a worst-case scenario in which all of the future workers associated with the Proposed Project are new to the region and in need of new housing.

- I16-21 *The commenter concludes the letter by stating that the Proposed Project would cause adverse impacts (contributing specifically to a housing shortage, traffic, and quality of life) and suggests that the Draft EIR should be updated with a specific project defined and re-noticed. Refer to Responses I16-1 through I16-20, above, which addresses specific concerns.*

Letter I17

From: [Richard Morris](#)
To: [Sandmeier, Corinna D](#)
Cc: ["Steve Sund\(O\)"](#)
Subject: RE: Parkline Project - McCandless Management Corp.
Date: Monday, August 5, 2024 4:56:36 PM
Attachments: [image001.png](#)
[Screenshot \(40\).png](#)

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

Corinna

Attached is another screenshot

Richard G. Morris
(818) 903-7335

From: Richard Morris <rgmorris@polarisnet.net>
Sent: Monday, August 5, 2024 4:51 PM
To: cdsandmeier@menlopark.gov
Cc: Steve Sund(O) <ssund@mccandlessco.com>
Subject: Parkline Project - McCandless Management Corp.

Corinna

I17-1

I am an attorney representing McCandless Management Corp. ("MMC"), which manages the McCandless-Triad, LLC ("Triad") property on Middlefield Road in Menlo Park. The property is outlined in red on the screenshot below which I took of page 43 of the Masterplan on the Parkline project which you provided via this link https://menlopark.gov/files/assets/public/v/1/parkline_updated-project-variant-plan-set.pdf.

I17-1
cont.

On June 20, 2024, in your website, you requested comments on the Draft EIR via email by 5:30 PM today.

I17-2

MMC, acting for McCandless-Triad, LLC ("Triad"), the owner of this project, objects to the height of proposed parking garages 1 and 2, which are 65' high, right on the P/L, towering over of Triad's three 2-story office buildings which have been there for nearly 50 years, significantly impacting the light, noise, open space and quality of life of our tenants, both during the developer's proposed construction and thereafter, as well as the value of this property.

I saw nothing in the EIR addressing these significant impacts, which impacts could be significantly mitigated by limiting the stories of these garages to 2-story, one of which would be subterranean, and relocating the remaining parking elsewhere on the project, including subterranean parking if necessary and increasing the stories of other parking structures elsewhere on the site. Please notify the developer and request that they mitigate this severe impact. I'm available by phone or email.

I17-3

We reserve comment on other aspects of this project until we have the time to review those aspects. Thank you.

Richard G. Morris
(818) 903-7335



I17. Response to Comment I17—Richard Morris, McCandless Management Corp.

- I17-1 *The commenter provides introductory text to the letter.* The commenter's understanding of the public review period is correct. The location of the property owner in relation to the Project Site is noted and included in the record for consideration by decision-makers.
- I17-2 *The commenter expresses concerns about the height of proposed Parking Garages 1 and 2, specifically in relation to light, noise, open space, and quality of life for the adjacent building tenants.* The comment is noted and included in the record for consideration by decision-makers. However, issues related to height, open space, quality of life, and property values pertain to the design of the Proposed Project and do not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. Although the Project design could have an impact on existing aesthetics and visual resources in the surrounding areas, this is not considered an environmental impact under CEQA for the Proposed Project. As explained on page 3.1-1 of the Draft EIR, Senate Bill (SB) 743 establishes that aesthetics and parking shall not be considered in determining if a project has the potential to result in significant environmental effects, provided the project meets the qualifying criteria established under PRC Section 21099. As further described in Chapter 2, *Project Description*, the Proposed Project meets the criteria; therefore, this EIR does not consider aesthetics in determining the significance of impacts under CEQA.

Noise impacts on adjacent properties are analyzed in Section 3.7, *Noise*, of the Draft EIR. The commenter notes that the office buildings could be affected by noise from "construction and thereafter..." The office buildings are discussed on page 3.7-5 of the Draft EIR in *Surrounding Land Uses and Noise Sensitivity* (see *East of the Project Site*). The buildings are noted as being 40 feet from the Project boundary; it is also stated that "office buildings are generally not considered noise-sensitive land uses." Further, Tables 3.7-9 through 3.7-11 in the Draft EIR present the noise levels by distance for each construction activity and for Phases 1 through 3, respectively. Although office buildings are not considered noise-sensitive land uses, the approximate range of noise levels that would occur at the office buildings can be inferred. For example, Table 3.7-9 includes noise levels at distances of 25 and 50 feet (conservatively assuming use of the three loudest pieces of equipment at the property line simultaneously, which represents a worst-case analysis); thus, for the demolition activity, a reader could infer that noise levels at 40 feet would be, approximately, in the midpoint between 87 and 93 dBA L_{eq} . The construction noise tables in the Draft EIR prioritize presenting noise levels at noise-sensitive land uses because those land uses have the greatest sensitivity to noise levels; however, the Draft EIR also includes sufficient information to determine the noise levels at other distances where non-sensitive land uses may be located.

Mitigation Measure NOI-1.1 in the Draft EIR is included to reduce noise impacts at noise-sensitive land uses; however, the mitigation measure would also reduce noise levels at non-noise-sensitive land uses, such as the office buildings east of the site. For example, the mitigation measure would include numerous noise-reducing measures, which may include installing "noise-reducing sound walls or fencing (e.g., temporary fencing with sound blankets) around noise-generating equipment, to the extent feasible and practical, where no perimeter wall is provided" and providing the contact information for an onsite construction liaison. The exact noise-reducing measures will be determined at a later stage; however, whichever measures are selected will very likely reduce noise universally during construction, not just at noise-sensitive land uses.

During project operations, noise at the parking garages would involve mostly minor and/or near-instantaneous sources of noise, such as doors closing, tires squealing, or car engines starting. These sources of noise are difficult to predict because of many variables (e.g., parking structure design, the number of vehicles moving through the structure at any given time) but are unlikely to be substantially noticeable at the office buildings, given the attenuation that would occur over the distance of 40 feet and through the building shells. Another source of noise in the parking garage could include occasional car alarms; however, this source of noise would be speculative to include in the analysis because of the unpredictable nature of car alarms. As noted above and in the Draft EIR, office buildings are generally not considered to be sensitive to noise under CEQA thresholds. Therefore, periodic noise from the parking garages would not be considered a nuisance noise effect.

The commenter's suggestion to limit the parking garages to two stories would still result in construction noise, and that noise level would very likely be similar to the noise levels presented in the Draft EIR because much of the same equipment would be required. The commenter's suggestion to relocate the remaining parking elsewhere on the site could shift construction noise exposure from non-noise-sensitive land uses (i.e., the office buildings) to residences and other noise-sensitive land uses. Such a shift would not be consistent with the city's ordinances and overall planning guidelines and could be viewed as a more severe environmental impact under CEQA.

- 117-3 *The commenter would like to reserve the right to comment on other aspects of the Proposed Project at a later date.* No other comments were received from the commenter during the public review period for the Draft EIR, which closed on August 5, 2024. Upon completion of the Final EIR, hearings will be held to consider whether to certify the EIR and approve the Proposed Project, at which time members of the public can submit further comments. Certification requires the Lead Agency to find that the Final EIR complies with CEQA. Certification of this Final EIR in compliance with CEQA is independent of the Lead Agency's final decision on the requested land use entitlements.

Letter I18

From: [Jerome Leugers](#)
To: [Sandmeier, Corinna D](#)
Subject: Parkline
Date: Thursday, July 25, 2024 8:00:48 AM

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

I18-1

"We usually build to 1.25-1.5 parking spaces per unit these days." A quote from my son who is a multi-family real estate developer in the mid-Atlantic area.
Jerry Leugers

I18. Response to Comment I18—Jerome Leugers

- I18-1 *The commenter provides parking ratios for housing units.* The comment is noted and included in the record for consideration by decision-makers. However, issues related to parking pertain to the design of the Proposed Project and do not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. Refer to Master Response 1, which addresses comments related to the design of the Proposed Project. Further, as detailed in Chapter 2, *Project Description*, of the Draft EIR, in accordance with SB 743, parking impacts shall not be considered in determining if a project has the potential to result in significant environmental effects, provided the project meets the criteria established under PRC Section 21099, Modernization of Transportation Analysis for Transit-Oriented Projects. Because the Proposed Project meets the criteria established under PRC Section 21099, the EIR prepared for the Proposed Project does not consider vehicular parking impacts in determining the significance of impacts under CEQA.

1 BOB MACDONALD: Perfect. Hi. I'm Bob MacDonald.
2 I am a member of the Christian Science Church at 301
3 Ravenswood, and our property is now part of the Parkline
4 Project. And I am in charge of the committee at our
5 church for the transition of our church to a better,
6 right-sized facility in our future.

7 And what I'd like to do tonight is just speak in
8 support of the Parkline Project. Coincidentally, with SRI
9 and Lane Partners getting together with the Parkline
10 Project, it was in the same time frame that our church
11 congregation realized that we needed to right-size our
12 church operation for a much smaller congregation today
13 than we've had in the past. And as we were evaluating all
14 of our options, we determined that selling our property
15 into the Parkline Project, after over 70 years as a
16 partner with SRI, seemed to make the most sense.

17 We're very supportive of the project and what
18 it's bringing to the community, especially the need for
19 housing and especially affordable housing. I think the
20 proximity -- we think the proximity, especially to Menlo
21 Atherton High School, and other schools in the area, as
22 well as for the City government operations is going to be
23 a wonderful thing.

24 On our own, we had been looking at what we might
25 do to help the housing situation, and becoming part of

PC1-1

PC1-1
cont.

1 Parkline seemed to be the best thing. We have been
2 partnered with SRI for over 70 years because they've been
3 providing parking for our services for all of this time.

4 We are also working -- we currently have a
5 daycare that is using our facility during the week; Alpha
6 Kids. And we're also working with them to find a new home
7 because of how the project is going to move forward. So,
8 anyway, it's been, you know -- we're in great support of
9 this plan and how it's come together, and especially the
10 housing component of that which has us very pleased.

11 That's it.

12 CHAIR SCHINDLER: Thank you for your comment.

13 CHRISTINE BEGIN: Okay. Our next speaker is
14 Kevin Rennie.

15 Kevin, I will now allow you to speak. Again, you
16 do not have to provide your name and address or locality
17 with your public comment, but you're free to do so, if you
18 choose.

19 You can please go ahead and un-mute yourself,
20 when you're ready, and you have three minutes.

21 Thanks.

22 KEVIN RENNIE: Hi. My name is Kevin Rennie. I'm
23 from the Willows neighborhood.

PC1-2

24 Chair, Commission members, staff, thank you for
25 taking the time and organizing all of this. I just -- I

1 read, as well as I could, through the Draft, and I just
2 wanted to list a couple of my concerns.

PC1-2
cont.

3 I read that the number of parking spaces was
4 going to be 3,719. I'm extremely concerned with the
5 amount of traffic that will bring in cars and buses in the
6 surrounding neighborhoods. For example, in the Willows
7 neighborhood, there's a cut-through, Woodland Avenue,
8 that's used during commute times, among other roads in the
9 Willows neighborhood. I didn't see it listed in the ERI
10 -- EIR.

11 Additionally, cumulative proposed projects not
12 being accounted for air quality, which are listed in all
13 the housing elements' projected projects to come.

PC1-3

14 Additionally, there's a proposed Ringwood/Coleman
15 bicycle/pedestrian project, which I didn't see listed in
16 this EIR, which would -- which is proposed to close
17 Coleman to a one-way, which would send more traffic to Bay
18 Road and Middlefield.

PC1-4

19 Additionally, Willows neighborhood, during peak
20 commute, is challenging to exit or even enter along Willow
21 Road and more specifically, Willow and Gilbert Avenue and
22 Middlefield, at Woodland Avenue. A lot of times I have to
23 -- if I could bike, and it was safe -- it's not safe to
24 bike, or I would do that. There's no complete or safe
25 sidewalks or bike lanes along Middlefield, the complete

PC1-4
cont.

1 lane.

PC1-5

2 Overall, I believe this project has a larger
3 commercial footprint. Everybody keeps talking about the
4 housing, but it's basically a commercial project with some
5 housing.

PC1-6

6 And I don't -- to extend the charm and beauty
7 inherent to our Menlo Park community, I think more needs
8 to be done. I think this is blurred with the congestion
9 of having 7,500 -- 3.7 parking lots, I think it's going to
10 impact congestion and property values and air quality.

PC1-7

11 Some of the things I would like to see completed
12 before the project gets going, complete the Middle Avenue
13 Caltrain bus/when-shared bike lanes all along Ravenswood,
14 all along Middlefield, and a more direct path from
15 Ringwood to Burgess Avenue.

PC1-8

16 I do see you guys have taken some time to put
17 some bike lanes in -- or bike paths, but it's truly not
18 enough. It looks nice, but it's not functional.

19 Thank you for the time. I yield back.

20 CHAIR SCHINDLER: Thank you for your comment.

21 CHRISTINE BEGIN: Thank you. Our next speaker is
22 Pattie F.

23 Pattie, I will now allow you to speak. And you
24 do not have to provide your name and address or locality
25 with your public comment, but you're free to do so, if you

1 choose.

2 And when you're ready, you may, please, un-mute
3 yourself. And I will start now, and you'll have three
4 minutes to speak.

5 Thanks.

6 PATTIE FRY: Okay. Hi. Can you hear me?

7 CHAIR SCHINDLER: Yes. Thank you.

8 PATTIE FRY: Okay. I'm Pattie Fry, from central
9 Menlo Park. And I'm a former Planning Commissioner.

10 I'm concerned about some of the impacts being
11 understated in the EIR, the Draft EIR. In particular is
12 the number of employees, potential employees. As
13 commented before, I'm aware that current corporate and
14 especially technology companies' worker density is about
15 150 square feet per worker; whereas, it looks like this
16 assumed 250 square feet per worker, meaning that the
17 number of employees could easily be 166 percent of the
18 number in the document. It's understating impacts.

19 I also note that in 3.3-18 and 3.14-12, the
20 number of employees is different by a substantial amount.
21 I don't understand why those numbers are different. So I
22 think there's an error in at least one place.

23 I'm also concerned that there's no mention of the
24 current CDP employee cap that's been in place since 1975.
25 Every time SRI let property go for other projects, the cap

PC1-11
cont.

1 was reduced; whereas, this seems to be assuming quite a
2 number more employees and workers on-site than has been
3 what we've all known. And that was a policy. That was
4 part of the zoning. And so I don't -- I don't think
5 that's been adequately addressed.

PC1-12

6 The last topic is about the impact on population
7 and housing. I'm really concerned that, as stated on
8 3.14-13, there's a net decrease of 1,656 housing units in
9 the region as a result of this project, but that's on top
10 of a current shortage. And this implies that, you know,
11 Menlo Park's share of that problem is of the modest
12 amount. But in reality, most cities are assuming the same
13 thing; somebody else is going to take care of the problem
14 that their projects create. And so even 800 housing units
15 is not going to, you know, take care of even half of this
16 shortage that's in addition to the current one. So I'm
17 very much concerned about that. And that's not addressed
18 properly, in my opinion, in this document.

19 Thank you.

20 CHAIR SCHINDLER: Thank you for your comment.

21 CHRISTINE BEGIN: Thank you. Our next speaker is
22 Naomi Goodman.

23 Naomi, you do not have to provide your name and
24 address or locality with your public comment, but you are
25 free to do so, if you choose.

1 I will now allow you to speak, and you'll have
2 three minutes.

3 Thank you.

4 NAOMI GOODMAN: Thank you. My name is Naomi
5 Goodman. I'm a long-time Menlo Park resident and a
6 retired environmental scientist.

7 My comment on the Draft EIR addresses the
8 proposed use of the nonresidential buildings for
9 bioscience R&D. Although the document states that the new
10 buildings could accommodate the relatively low risk
11 Biosafety Level 1 or 2 labs, it has not rejected hosting
12 BSL-3 labs, which work with potentially lethal airborne
13 pathogens and toxins.

14 It's expressed that there will be no hazard
15 impacts from a BSL-3 lab because SRI and its future
16 tenants will comply with all state, federal, and local
17 regulations, and that any accidents that can occur will be
18 addressed by local emergency response.

19 This is, frankly, blue-sky thinking. The county,
20 the city, and the fire department have zero expertise,
21 training, or protective equipment to respond to an
22 airborne release of a potentially lethal biological
23 accident.

24 The DER site map should also identify the
25 location and discuss the operation of SRI's existing

PC1-13

PC1-13
cont.

1 bio-containment facility, which their own publicity
2 indicates is used for research into drugs and diagnostics
3 for agents such as HIV, Ebola, drug-resistant bacteria,
4 anthrax, and Hepatitis C. Even if the existing facility
5 will not be modified in this project, opening the fenced
6 SRI campus to the public creates a new risk that the EIR
7 must evaluate.

8 This is critical, considering the proximity of
9 the project to schools, daycare centers, and the new
10 residential areas.

11 Finally, a BSL-3 lab requires a continuous power
12 supply to the HVAC system to ensure that airflow is drawn
13 into the containment rooms and out through the tall
14 rooftop stacks. The DEIR proposes 14 new emergency
15 generators, for a total of 17. The type of generator is
16 not stated in the EIR, but the models that were cited in
17 the noise analysis are all diesel-fueled.

18 The EIR needs to state how many days of fuel will
19 be stored on-site and also evaluate the emissions from
20 those units, in the event of a multi-day power outage,
21 such as the one we experienced recently.

22 Thank you for the opportunity to comment.

23 CHRISTINE BEGIN: Thank you.

24 CHAIR SCHINDLER: Thank you for your comment.

25 CHRISTINE BEGIN: Thank you.

1 Our next speaker is Adina Levin.

2 Adina, I will now allow you to speak. You have
3 three minutes.

4 Thank you.

5 ADINA LEVIN: Hello. Good evening, Planning
6 Commissioners. Adina Levin, Menlo Park resident. And so
7 --

8 CHRISTINE BEGIN: Sorry about that. Adina, can
9 you --

10 CHAIR SCHINDLER: Yes. We can't hear you.

11 CHRISTINE BEGIN: Sorry.

12 ADINA LEVIN: Okay. Aha. Here we go. Great.
13 So hopefully I will not need the extra 15
14 seconds. Adina Levin, Menlo Park resident.

15 And in general, I want to support the
16 environmental benefits of this project, in terms of it
17 being a really great location for infill, mixed-use
18 development near the downtown area, with lots of services,
19 and near the public transportation. Our community has
20 been, you know, long in the habit of doing the larger
21 developments in -- near the Bay side, with less access to
22 services and less access to public transportation. And
23 so, you know, there's just really good benefits of the
24 infill development, especially with regard to our largest
25 source of greenhouse gas emissions and particulate

PC1-14

PC1-14
cont.

1 pollution with, you know, driving cars.

2 In general, the amount of anticipated cars, with
3 the amount of parking, and then the transportation demand
4 management programs to help, you know, the amount of
5 driving, in line with or less than the amount of parking
6 available is overall not unreasonable for the location.

PC1-15

7 As a previous speaker mentioned, a trip cap
8 strategy would be a potentially-reasonable thing to do for
9 this location as well, as well as a previous speaker
10 mentioned having good quality bike lanes in the area,
11 which may already be included or supported. At any rate,
12 hopefully that will be clarified because the -- you know,
13 at the location, improving the quality of walking and
14 biking, both for residents and people in the area, help
15 overall reduce the amount of cars driving and pollution.

PC1-16

16 And the green space, including the paths,
17 likewise, help people, you know, enjoy the area,
18 supporting quality of life and help people get around with
19 less driving and with the environmental benefit and --
20 like, the housing is really important, contributing to our
21 housing element, supporting diversity in our community for
22 people at a variety of different income levels.

23 And so, overall, in general, supportive of these
24 different aspects of the project and its environmental
25 benefits.

1 Thank you.

2 CHAIR SCHINDLER: Thank you for your comment.

3 CHRISTINE BEGIN: Thank you, Chair Schindler. At
4 this time, I do not see any more hands raised, and I have
5 not received any comment cards.

6 CHAIR SCHINDLER: Thank you. Let's just give it
7 another 10 seconds, just in case.

8 Do we have any additional commenters that have
9 raised their hands during that time?

10 CHRISTINE BEGIN: Thank you, Chair Schindler. I
11 can confirm no public comments have been submitted.

12 CHAIR SCHINDLER: Okay. Then I will go ahead and
13 close public comment, Item F-1, the public hearing for the
14 Draft EIR, and we will bring the discussion back to the
15 dais for questions, comments, and discussion.

16 Just as a reminder, there will be no action by
17 the Planning Commission, and there will be no motions and
18 no vote this evening.

19 So with that, do we have a commissioner who would
20 like to begin with questions or discussion?

21 Commissioner Do?

22 COMMISSIONER DO: Thank you, Chair Schindler.

23 I had a question on transportation, given
24 concerns from community members, Council, about
25 transportation.

PC1-17

1 It always surprises me how a project so large can
2 say transportation impacts will be less than significant.
3 And I always have to remind myself, reflecting on the
4 handful of EIRs I've looked at, that it doesn't say we are
5 not going to see changes in our community. And I always
6 have to remind myself that. But it is more that it's set
7 as certain criteria, as stated in the EIR, it does not
8 exceed the defined threshold.

9 So through the Chair, if I could just ask the EIR
10 consultant, maybe just refresh my understanding -- I mean
11 for the benefit of any community members concerned about
12 transportation.

13 One of the ways significance is determined is the
14 vehicle miles traveled, and that it does not exceed the
15 threshold. And there's a chart with a number. And so the
16 vehicles' miles traveled is the amount someone is driving
17 -- an employee or a resident -- as it relates to them
18 going from home to work and back.

19 Is that kind of the concept of VMT?

20 JESSICA VIRAMONTES: Generally, yes.

21 But I do have Ollie Zhou on the line. If we
22 could promote him to be able to answer this question.

23 Thanks, Ollie.

24 OLLIE ZHOU: Hi, Commissioners. Ollie Zhou, from
25 Hexagon.

PC1-17
cont.

1 Yes, you are correct. VMT for office is analyzed
2 as the home-to-work VMT, and it is only per-employee
3 basis.

4 Similarly, for residential VMT, it is analyzed
5 for all home-related vehicle miles traveled, including
6 home to work -- you know, going from home to shopping, et
7 cetera.

8 And that is -- also analyzes -- as you mentioned,
9 it's based on VMT per resident.

10 COMMISSIONER DO: Okay. No. That's helpful.
11 It's for residents also doing errands and such.

12 And then, can you just refresh my memory, how is
13 that threshold number determined?

14 OLLIE ZHOU: Yeah. So for the City of Menlo
15 Park, the TIA guidelines require -- establish the
16 threshold as -- I believe it is the city-wide 15 percent
17 below the -- I'm just trying to make sure I'm saying the
18 correct things here.

19 Let me -- I think it's regional duration. Right.
20 So it is 15 percent below the regional. So San Francisco
21 Bay Area regional average VMT per employee, and VMT per
22 resident.

23 COMMISSIONER DO: All right. So there's just a
24 very specific. And I don't -- thank you. I don't mean to
25 get into the nitty-gritty too much. It's, just, when you

PC1-17
cont.

PC1-17
cont.

1 look at the trip-generation tables -- and currently,
2 there's about 500 trips generated on-site -- and then you
3 look at the projected, whether it's office or R&D, it's
4 about 10,000. And someone can do the math and say,
5 "That's 20 times more than what we see today. How is that
6 not significant?"

7 So it's just helpful for me to remind myself how
8 significance is determined, in the lens of the EIR.

9 Thank you so much.

10 And I had another question, if I can, through the
11 Chair, to staff.

12 Ms. Sandmeier -- and I had e-mailed you earlier,
13 and I don't know if this is an appropriate time to ask
14 that about the EIR studies' 25 and 28 percent VMT
15 reductions for the residents and the nonresidential
16 portions respectively.

PC1-18

17 And I was just curious how that compared to
18 comparable projects in the area, that are also close to
19 transit.

20 CORINNA SANDMEIER: Yeah. Thank you for that
21 question.

22 I think two projects you had brought up, when
23 asking me about this, was the 500 ECR, the Middle Avenue,
24 Middle Crossing Project; and then 1300 ECR, the Springline
25 Project.

PC1-18
cont.

1 So both of those kind of went through the review
2 process before, when "level of service" was still the CEQA
3 analysis that was done instead of VMT, vehicle miles
4 traveled.

5 And the C/CAG hadn't updated their TDM policy,
6 and so there were no specific percentages for those TDM
7 plans that were required. They did submit plans and then
8 were required to implement those, but it wasn't based on a
9 specific percentage.

10 So it's difficult to compare -- compare with
11 project's currently going through the process.

12 COMMISSIONER DO: Oh, okay. Got it. Thank you.
13 I think that's all I have for now on the Draft
14 EIR.

15 Thank you.

16 CHAIR SCHINDLER: Thank you, Commissioner Do.
17 Commissioner Silverstein.

18 COMMISSIONER SILVERSTEIN: I have a couple
19 questions regarding trips.

20 But before I begin, just for clarification sake,
21 is the financial impact report in scope for this
22 discussion?

23 Is there anyone to either speak to that if I had
24 related questions?

25 CORINNA SANDMEIER: Yeah. Thank you for that

1 question.

2 The FIA isn't part of the environmental review.
3 So I think that would be best addressed during the study
4 session portion of the evening.

5 COMMISSIONER SILVERSTEIN: Totally fine. Okay.

6 So following up on Commissioner Do's questions
7 around trips, I am very confused as to how the current
8 estimates were calculated. If you look at the existing
9 number of trips per worker, you have less than one. And
10 then the scenarios in the Environmental Impact Report
11 assume more than two trips per worker. And if you compare
12 the office, 100 percent office scenario, which would
13 expect more employees, you have fewer estimated trips.
14 And you compare that to the 100 percent R&D scenario, with
15 fewer employees, you have more estimated trips.

16 And I am reading this because the calculations
17 are seemingly done based on ITE Land Use code, "Square
18 Footage." But that -- just by sheer fact that we're
19 estimating more trips would come from fewer people, to me,
20 calls into question some of the conclusions made on the
21 potential kind of transportation impact around this.

22 So if anyone has any kind of clarifications on
23 that specifically.

24 OLLIE ZHOU: Yes. Commissioner, I can answer
25 that question.

PC1-19

1 So, first, I think your first question was, how
2 were the existing trips generated. So those are based on
3 actual count. So that was how those were conducted.

4 And then the -- I believe your second question
5 was regarding how the 100 percent office came out with
6 less trips than 100 percent R&D. And the answer is -- so
7 on a peak hour basis, the 100 percent office had more
8 trips than the 100 percent R&D. You know, and that's just
9 based on, you know, data collected by ITE, which is
10 slightly more than the R&D scenario. So on a daily basis,
11 there's a different scenario. And this is all based on
12 data that's collected by ITE.

13 And the hypothesis here is potentially that R&D
14 workers don't always arrive and leave during the peak
15 hour. Maybe they're more spread out throughout the day
16 than the office workers. So that's why you're seeing
17 that, on a daily basis, 100 percent R&D has slightly more
18 trips generated than the 100 percent office.

19 I believe there may have been another question,
20 but -- that I'm forgetting. Please remind me.

21 COMMISSIONER SILIN: Could I just make a quick
22 request?

23 Since there's so many documents, maybe you can
24 refer to what document page number you're looking at?

25 COMMISSIONER SILVERSTEIN: Yes. So in terms of

PC1-20

1 the number of employees, I was looking at the Financial
2 Impact Report that page 8 of -- page 8 of the PDF, page 5
3 of the actual report, shows that the "Estimated" note,
4 total employees of the office scenario would be 4,974.

5 And the total employees of the R&D scenario would
6 be 3,773. So roughly 1,200 employees difference. More
7 employees in the office scenario.

8 And then, when looking at item -- or kind of item
9 No. 3.3-21, which is page 178 of the Environmental Impact
10 Report, that's where it goes through the trip generation
11 estimates and includes more estimated trips for the
12 scenario with fewer employees than the subsequent page,
13 where it would have -- yeah. The opposite. I'm glad
14 everyone's following along.

15 Okay. I have a couple, kind of, other comments
16 about the -- well, one other question around the
17 environmental impact scope as a whole, and then would love
18 to get into some of the details of the project.

19 So I can't find the study today, but I did read a
20 study that most environmental impact analyses only
21 consider the impact that any given development would have
22 within the boundaries of the local municipality. So this
23 example would be Menlo Park and, specifically, this
24 project itself, which is not unreasonable, but it doesn't
25 consider the broader global benefit of giving more people

PC1-20
cont.

1 the opportunity to live in a more-dense apartment building
2 closer to downtown, instead of, potentially, in a
3 further-away suburb, with longer commutes.

4 And so my question is, when thinking about the
5 environmental impact of this project specifically, did we
6 at all consider the opportunity cost of not building it?

7 Does it include the opportunity cost of people
8 living here, versus their next best option?

9 JESSICA VIRAMONTES: As part of Chapter 4 of the
10 Draft EIR, we analyzed -- let me make sure I'm quoting the
11 correct chapter. Excuse me.

12 Chapter 6 "Alternatives Analysis," we analyzed a
13 "no project" alternative. So that evaluates what could
14 happen if this project isn't approved and constructed. So
15 that kind of walks down the path of evaluating and
16 describing what would happen, if this project doesn't
17 occur.

18 And an example of that would be that folks don't
19 get to live so close to downtown Menlo Park.

20 COMMISSIONER SILVERSTEIN: But really quickly, as
21 a follow up: Is the scope of that analysis still within
22 the purview of Menlo Park environment?

23 Or is that thinking about where else in the world
24 would people live, and what their emissions are, or kind
25 of, like, what the average CO2 emissions are per capita,

PC1-20
cont.

PC1-20
cont.

1 on a relative basis between this project and kind of the
2 no-build alternative?

3 JESSICA VIRAMONTES: It does do a
4 semi-qualitative and also semi-quantitative analysis that
5 compares the project to -- or compares the no-project
6 alternative to the project's impacts. But I think it
7 might be getting into a -- kind of a speculative
8 territory, if we were to take it to that level of detail.

9 And I'll pause there for a second. I have my
10 colleague Kirsten on, and she led the charge on the
11 alternative analysis.

12 Did I capture everything correctly, Kirsten?
13 Last name is "Chapman."

14 KIRSTEN CHAPMAN: Hi. Yes. Kirsten Chapman, ICF.
15 Yes.

16 No. Jessica covered that correctly. At that
17 level of detail that you were describing, that is
18 speculative. And so CEQA doesn't get into that level of
19 detail of where in the world other people could live and
20 their emissions, and their sort of environmental impacts.

21 So as Jessica mentioned, yes. It's included in
22 the no-project, but we don't get into a -- speculative
23 assumptions for that.

24 COMMISSIONER SILVERSTEIN: Thank you.

25 Should I just keep going?

1 CHAIR SCHINDLER: Yeah. Go ahead.

2 COMMISSIONER SILVERSTEIN: So on this specific
3 project itself, I had a quick question on canopy and
4 trees. And I know this was something that was mentioned
5 in a public comment to the Commission.

6 But just out of curiosity, do the renderings that
7 are kind of presumed and published and as part of the
8 presentations and as part of the project, does that
9 represent the theoretical tree cover on day one?

10 Or would it potentially take years or decades to
11 establish that level of beautiful trees?

12 And kind of, what is the expectation of canopy
13 starting when the project is built, versus over time?

14 JESSICA VIRAMONTES: I'd have to ask the project
15 applicant to take that question.

16 KYLE PERATA: Sure. So through the Chair, we can
17 definitely call the applicant up.

18 I wonder, though, if that might be more of a
19 study session item and just to maybe take a step back here
20 and try to focus the Commission's comments and discussion
21 right now on the EIR, and the adequacy or the content, the
22 scope, the analysis in the EIR.

23 So if that question relates to an EIR comment, we
24 can definitely take it now. If it is more about the
25 architecture, the landscaping, the kind of design of the

PC1-21

1 project, I would just keep that in mind and hold it for
2 the study session next.

3 COMMISSIONER SILVERSTEIN: That's fine. I'll
4 hold that.

5 CHAIR SCHINDLER: Thank you.

6 COMMISSIONER SILVERSTEIN: Great. So, yeah.

7 My last comment, specifically on the EIR itself,
8 it has been, you know, noted multiple times and is
9 something that the applicant also has brought up, which is
10 the -- you know, the extensive use -- and to whatever
11 extent we can encourage biking and pedestrians, not only
12 within the project, but also to and from it.

13 And I do want to echo some of the comments that
14 were made by, I believe Mr. Rennie, talking about the
15 currently insufficient bike lanes on Middlefield and
16 Ravenswood and really thinking about the overall
17 connectivity of how people could get through Menlo Park
18 without having to kind of face some dangerous biking
19 situations.

20 And I think that -- to whatever extent we can be
21 either confident or promote alternative transportations
22 will certainly ameliorate a lot of the traffic concerns
23 that people have, and the broader community concerns that
24 anyone might have, when it comes to a larger project like
25 this.

PC1-22

1 CHAIR SCHINDLER: Thank you, Commissioner.

2 Vice Chair Ehrich.

3 VICE CHAIR EHRICH: Thank you, Chair Schindler.

4 Through the Chair, I have just a clarifying question for
5 staff.

6 I know the schedule of approvals was presented
7 and I'm sorry if I missed this detail, but -- so the Final
8 EIR is scheduled to come to Council some time late this
9 year, is my understanding.

10 Is that also when the Use Permit, development
11 agreement would come to Council, or is that at a later
12 date?

13 CORINNA SANDMEIER: Yes. That would all go
14 together.

PC1-23

15 What would happen later would be architectural
16 control approvals through the Planning Commission that
17 would -- those would likely be in 2025.

18 VICE CHAIR EHRICH: Okay. Thank you. That's
19 helpful.

20 So related to the EIR, then, for the applicant --
21 so thank you for the timeline that you presented in your
22 -- in your presentation.

23 By my calculation, it's taken around about 18
24 months, maybe a little bit more, to get from the drafted
25 Notice of Preparation to the EIR to right now. I can

1 imagine that the EIR was not the only thing going on for
2 the planning process during that time.

3 But I guess my question is, if we didn't have to
4 do an EIR, how much sooner could we be at Council? How
5 much sooner -- you know, obviously speculation -- could we
6 be at the City Council meeting that's currently scheduled
7 for December?

8 Would we have gotten there a year earlier? Six
9 months earlier? A full 18 months earlier?

10 Do we have any way of estimating that?

11 CORINNA SANDMEIER: Yeah. I'm not sure about
12 that. I think -- I mean, any project of this scope would
13 require an EIR. So I'm not sure. Yeah. There's really
14 no examples to look at.

15 VICE CHAIR EHRICH: I guess -- sorry. I'm
16 curious, from the applicant's perspective.

17 CORINNA SANDMEIER: Oh.

18 KYLE PERATA: I might step in from a staff
19 perspective, and I think that question could probably be
20 better handled through the study session.

21 It's not necessarily related to the content, the
22 analysis in the EIR. And my goal here with that statement
23 is to try to keep the comments focused. We are having a
24 court reporter transcribe these comments for use in the
25 Response to Comments' component of the Draft EIR. So just

PC1-23
cont.

1 trying to keep the dialogue this evening, during the Draft
2 EIR public hearing, really focused on the EIR.

3 So the scheduling comment and the implications, I
4 think that is a valid question that could be addressed by
5 the applicant during the Study Session, if that's okay
6 with Vice Chair Ehrich.

7 VICE CHAIR EHRICH: That's totally fine. I have
8 no further comments on the Draft EIR.

9 CHAIR SCHINDLER: Thank you, Vice Chair Ehrich.
10 Commissioner Silin.

11 COMMISSIONER SILIN: Thank you. So, yeah. I
12 have a few questions about some of the information in the
13 EIR.

14 So the EIR has very specific numbers on the
15 number of employees we expect in the two different
16 scenarios, R&D or office. And I just wanted to
17 double-check where those numbers come from and how -- I
18 guess what those numbers mean. Like -- because
19 realistically, I'm assuming it's not going to be that
20 perfect number.

21 So which things would change if the number goes
22 up or down, depending on, you know, market conditions or
23 the tenants that occupy the office buildings?

24 JESSICA VIRAMONTES: In reference to Table 2-7 in
25 the Project Description on page 2 -33, that's, I believe,

PC1-24

1 what shows the different employee generation rates based
2 on the 100 percent office or the 100 percent R&D scenario
3 that you are referring to. Those estimates are, number
4 one, based on existing employees. So that was provided,
5 you know, by the current tenants and owners.

6 And then the estimates for the possible or
7 potential future employees were based on kind of a variety
8 of examples and also typically-used generation rates from
9 other prior EIRs in the city, too, for the sake of
10 consistency.

11 And then I believe your third question was what
12 would change if in fact the employee generation rates were
13 higher or lower than what was disclosed in this table and
14 analyzed in the EIR. So, for example -- and Kirsten can
15 correct me if I miss anything, but, you know, public
16 services and school impacts are heavily -- and population
17 and housing. Those topics are heavily reliant on the
18 estimates here. And those topics, including -- or those
19 topics rely on the HNA that was prepared by Keyser
20 Marston, that analyzes the housing needs' assessment
21 impacts of the project.

22 So if this EIR did underestimate the employees
23 under either scenario and -- it could potentially
24 underestimate the potential impacts. And then that's not
25 to say that the impacts would raise to a level of

PC1-24
cont.

1 "significance"; whereas, right now, they're less than
2 significant.

3 So it just could kind of be moving the dial a
4 little bit, one way or another, but not necessarily
5 increase an impact to a different level.

6 COMMISSIONER SILIN: Thanks.

7 And so -- just so I'm clear on how this works.
8 So today, we're sort of providing comment, and we're going
9 to be making a decision on this project based on this EIR.
10 And if it turns out that the reality is much different
11 from what was assumed in the EIR, I understand that has,
12 like, real-life impacts, but does it have impacts on,
13 let's say, procedural things?

14 Like, does a new EIR need to be done, or do we
15 revisit any of these things at any point, or it's just,
16 like, we tried our best, and it ended up being different?

17 JESSICA VIRAMONTES: If we're talking before the
18 project is constructed, but there might be a change to the
19 project where, you know, more square footage is proposed
20 that would result in more or less employees, then I defer
21 to the City, but the decision could be made to do kind of
22 a follow-up CEQA analysis, in terms of, like, an addendum
23 or a subsequent EIR, or something like that, to kind of
24 capture and evaluate those changes, if it's deemed
25 necessary.

PC1-24
cont.

PC1-24
cont.

1 COMMISSIONER SILIN: Thanks. I was referring to,
2 like, after. So once the project is built, it turns out a
3 lot more employees are coming to these buildings, let's
4 say.

5 JESSICA VIRAMONTES: I'll defer to the City on
6 that question.

7 CHAIR SCHINDLER: And with staff, I'm wondering
8 if that is a question that we would cover in the Study
9 Session, where we're talking about some of the long-term
10 time horizons associated with different outcomes, as
11 opposed to the specific EIR. But...

12 KYLE PERATA: I think that's a valid question for
13 now.

14 I do want to take a minute to step back to part
15 of the introduction of the item where staff and our CEQA
16 consultant, ICF, identified that this is an opportunity to
17 receive comments, receive questions. We're not going to
18 necessarily respond in detail to all comments and
19 questions this evening.

20 So this would be one where we could certainly
21 take that and respond in the Response to Comments. I
22 think the high-level response, and I know our City
23 Attorney is also on this evening and can kind of chime in
24 here after I speak, but I think the high-level response to
25 that -- you know, the analysis does include a lot of data

1 that are used from multiple different sources.

2 So in terms of, like, trips and looking at number
3 of trips to and from the site, you're looking at source
4 data from the Institute of Transportation Engineers. So a
5 lot of studies use a lot of data collected.

6 I think, from a staff perspective, we feel very
7 confident in that data. Otherwise, there are a number of
8 other data sources that we -- from staff and our
9 consultant team -- have looked at and feel confident in
10 this evening. That being said, we'll certainly take your
11 comment and respond to it in the Final EIR Response to
12 Comments, as appropriate.

13 And I'll turn over to Mr. Biddle to identify
14 anything else I -- to add to that.

15 MICHAEL BIDDLE: Good evening. I would just -- I
16 would just add that after the -- after the project is --
17 or some component of it is approved and built, you don't
18 get to go back and revisit mitigation measures and
19 conditions, if that -- if that's the thrust of the
20 question there. If I understood it.

21 COMMISSIONER SILIN: Thank you. Yeah. That's
22 sufficient.

23 And I have a similar question on the office --
24 100 percent office versus 100 percent R&D scenarios. Is
25 that something that -- by the time we're -- or Council is

PC1-25

PC1-25
cont.

1 voting to approve this project, that will be a finalized
2 thing, or are these just two different -- and I realize
3 it's going to be somewhere in the middle.

4 But are these just two different scenarios we are
5 considering for the purpose of analysis, and the applicant
6 has leeway to steer it whichever way, once the project is
7 approved?

8 CORINNA SANDMEIER: Yeah. I think -- let's see.
9 I think the way it was studied in the EIR was that either
10 would be possible, or a combination of R&D and office.

11 I think, certainly, if the City Council approves
12 the Master Plan, they could condition it to, you know,
13 have a certain percentage office or R&D. That would be
14 possible, or it could potentially be approved, I think,
15 with either scenario -- with the option of either
16 scenario.

17 KYLE PERATA: And if I may just add to that.

18 So the Draft EIR analysis does look at both
19 scenarios, as Ms. Sandmeier mentioned. What is, I think,
20 key to note -- and Ms. Viramontes can chime in as well,
21 but the scenario was identified on each topic area based
22 on the more-conservative analysis so that the Draft EIR
23 would cover the range that kind of most -- for lack of a
24 better word -- impactful range of effects from the
25 project.

1 So studying both or either office and R&D based
2 on which land use scenario would create or potentially
3 result in that more-greater effect, and then utilizing
4 those mitigation measures to reduce it to
5 less-than-significant, if feasible.

6 So the EIR does provide that flexibility for the
7 applicant team to consider. And as Ms. Sandmeier
8 mentioned, certainly from a policy standpoint, separate
9 from the EIR, the Planning Commission and City Council
10 could consider those land-use components as part of the
11 entitlements for the project.

12 So hopefully that answers the question. And if
13 there's anything to add, I'll look to ICF, if necessary.

14 JESSICA VIRAMONTES: Yes. What was said was
15 correct, with the additional note that each and every
16 topic section in the methods for analysis discussion, it
17 identifies what was just referenced as the most impactful
18 scenario and provides a brief discussion as to why, to
19 help readers see what was evaluated and why, and the
20 impact analysis for that topic and for that significance
21 threshold.

22 COMMISSIONER SILIN: Thank you.

23 I had a -- so in terms of the mitigation
24 measures, one of the ones I ended up focusing on was the
25 construction process; noise, pollution, et cetera. One of

PC1-26

1 the things I was a little bit confused about was, the
2 noise section, you know, states that our construction
3 hours in Menlo Park are 8:00 to 6:00. But then there are
4 potentially concrete pours happening at 6:00 a.m. or 7:00
5 a.m., and then there's different requirements for those.
6 So I was just hoping to get clarification from staff
7 regarding what the public should expect, in terms of when
8 there will be construction happening.

9 I know that there's mention that the water
10 reservoir requires overnight construction. But just
11 outside of, kind of, exceptions to that, what -- you know,
12 what should we expect?

13 And also, what level of monitoring will be
14 happening from, like, a third party, whether that be the
15 City or a different party, to see if those noise levels
16 are in compliance with the EIR?

17 CORINNA SANDMEIER: Yeah. I think there are
18 options to get exemptions from the noise, those daytime
19 hours, for construction, when needed. And that's why it
20 was kind of analyzed in the EIR that way.

21 I believe, generally, noise complaints would be
22 -- go through code enforcement and/or the police and be
23 based on -- be on a complaint basis.

24 COMMISSIONER SILIN: So will there be a point in
25 which the public is aware of construction happening

PC1-26
cont.

1 outside of regular hours, or is that just something that
2 kind of happens, as the process unfolds, between the City
3 and the builder?

4 KYLE PERATA: Yeah. No. Great question.

5 So as Ms. Sandmeier mentioned, the City does have
6 a typical noise exemption hours. So those are the 8:00 to
7 6:00 hours.

8 With projects of this scale, it's very common for
9 projects to have to do night work for certain activities,
10 whether it's the concrete pours for certain foundations
11 that need to occur during an uninterrupted duration,
12 usually not in the heat of day, if it's during summer,
13 stuff like that, as well as off-site improvements to limit
14 disruptions to traffic in the area for, kind of, purposes.

15 And so the City does have a process, as
16 mentioned, that allows for those exemptions -- or
17 exceptions, excuse me, to be reviewed and granted. And
18 there can sometimes be notification there. So that's
19 something we can certainly look at as part of the project.

20 But the process is an evaluation by the Community
21 Development Department for -- to make sure that the
22 request is necessary to actually construct and can't be
23 done during the typical hours.

24 But with projects of these scales, you do see
25 work that needs to occur outside those hours. I don't

PC1-26
cont.

1 want to say frequently, but it does occur, just based on
2 the necessity of those types of activities.

3 And so we do have that process. That's certainly
4 something we can look into outside of the EIR, in terms
5 of, you know, the entitlements for the project; how it may
6 or may not structure that component.

7 COMMISSIONER SILIN: Thank you.

8 And I see that the mitigation measures include
9 the assignment of a liaison, a construction liaison to --
10 for the public to contact with concerns. And I just
11 wanted to clarify whether that's someone from the City or
12 from the builder or the developer?

13 Just -- you know, my personal experience with
14 construction happening on El Camino, for example, during
15 Middle Plaza, was that it was often hard to figure out,
16 you know, who's doing what. I think people were sometimes
17 using the ACT Menlo app.

18 But I do think it would be nice to have a point
19 of contact that people could go to, especially, you know,
20 residents in that area.

21 CORINNA SANDMEIER: Yeah. I believe the
22 construction liaison would be part of the applicant's
23 construction team. It wouldn't be a City employee.

24 COMMISSIONER SILIN: Okay. Thank you.

25 And my last question is going back to the trip

PC1-26
cont.

PC1-27

1 counts that Commissioner Silverstein was asking. I was
2 surprised to see that out of the approximately 10,000
3 trips that are being estimated, only about 22 percent of
4 those are during peak hours.

5 I guess my assumption is that, you know, the
6 majority of trips, specifically for the office or R&D
7 portion, would be people commuting to work in the morning
8 and going home in the afternoon, during, you know, what we
9 would consider rush hour, peak hour.

10 And given that there are about 2,800 parking
11 spots, presumably, that's what the developer is assuming
12 will be needed and will be mostly full. So that seems
13 like a lot higher number than the peak-hour trip counts
14 that are in the report.

15 So I'm just wondering how that calculation was
16 done, and what those other, you know, 80 percent of
17 trips -- when those would be taking place in the report or
18 the model?

19 OLLIE ZHOU: Yeah. Ollie, from Hexagon, again.
20 So thank you for that comment.

21 So, first, the public peak hour is only just the
22 one hour; 60 minutes in the morning. You know,
23 presumably, like, the morning commute is a much longer
24 period. It usually goes from 7:00 a.m. -- you know, it
25 used to go until 10:00, or sometimes 11:00 a.m. in the

PC1-27
cont.

1 morning before, and then similarly for the afternoon.

2 What we are calculating is just the one hour, the
3 peak one-hour volume used to know the entire PM commute
4 period. Right? That is going to be way longer than --
5 not everybody is going to be arriving within the same one
6 hour. You know, somebody might -- might need to be
7 picking up or dropping off their kids during that time,
8 and then they'll be coming way later into the office.
9 Right?

10 And then this is why you see that traffic is on
11 the roadways for -- you know, it's very heavy traffic on
12 the roadway for more than one hour. That's because
13 traffic is occurring during multiple hours -- not just one
14 hour.

15 And all of this data is based on IT's data
16 collection in the field in various areas. And that's the
17 -- I guess the best information that transportation
18 engineers have to use to be able to estimate traffic for
19 this type of analysis.

20 COMMISSIONER SILIN: That makes a lot more sense.
21 Thank you.

22 I don't have any more questions at this time.
23 Chair Schindler, thank you.

24 CHAIR SCHINDLER: Thank you, Commissioner.
25 Commissioner Silverstein.

1 COMMISSIONER SILVERSTEIN: You know, one last
2 question, as part of the EIR.

3 So I recognize that this project doesn't meet the
4 significance threshold regarding VMT. But it doesn't mean
5 that there aren't any colloquial significant impacts to
6 potential neighboring residents. One big concern that has
7 been expressed is the increase in hyper local car traffic
8 and specifically how it would increase the cut-through
9 nature of nearby local residential streets.

10 So my question is, what is the opportunity --
11 what opportunity does the Commission have to recommend any
12 traffic flow changes or street scheme improvements to slow
13 down cars on any cut-through streets?

14 Is -- I guess my question is, is that in the
15 scope of the EIR?

16 Or because there's no significant VMT impact on
17 the aggregate level, there are no mitigations needed
18 whatsoever, even at the hyper local level?

19 OLLIE ZHOU: Staff, I didn't know if you wanted
20 me to answer this.

21 KYLE PERATA: Yeah. Ollie, we can start with
22 you, and then staff can follow up. If you want to start
23 from the CEQA technical side.

24 OLLIE ZHOU: Sure. Okay. Yeah.

25 So, Commission -- so the CEQA analysis, you are

PC1-28

1 correct. It only looks at VMT -- you know, the colloquial
2 local roadway intersection operations that is being
3 analyzed in terms of level of service, and that is being
4 wrapped up in the Transportation Impact Analysis report.
5 I believe that is an attachment to the Staff Report,
6 although it is separate from the CEQA analysis. It is
7 something that the City of Menlo Park requires to be
8 analyzed, and it has been analyzed.

9 But in terms of cut-through traffic, that is
10 something that has been taken into account when we
11 assigned the project traffic in the local roadway network.
12 You know, we took into account, you know, the nature
13 cut-through route that may be present in this area when we
14 assigned that traffic and analyzed intersection operations
15 accordingly.

16 In terms of what traffic-calming opportunities
17 are made to be conditioned on this project, the TIA report
18 did not identify any because it is looking at it from an
19 intersection operation's perspective. Although I do
20 believe we made the recommendation at the intersection of
21 Middlefield Road and Seminary Drive to prevent traffic
22 from being able to go from the project site onto Seminary
23 Drive that eventually you said it's a cut-through to
24 Willow Road. And we recommended that potentially some
25 traffic-calming be considered along Seminary Drive.

1 The City also have a separate policy to implement
2 traffic-calming through your Slow Streets Program.

3 So I'll stop there and see if staff wanted to add
4 anything to that.

5 KYLE PERATA: Thank you.

6 So not necessarily EIR related, excuse me, as
7 mentioned. So some of these questions regarding, kind of,
8 other off-site improvements or connectivity to and from
9 the site could definitely be a study session topic for the
10 Commission to provide feedback on. That can certainly be
11 something that staff and the applicant can receive this
12 evening as feedback. And we can look into it and follow
13 up.

14 But as Mr. Zhou mentioned, I think we're -- we've
15 identified, in the City's TIA guidelines, the VMT
16 component for the EIR and then the non-CEQA LOS component
17 in that supporting document, the TIA, the Transportation
18 Impact Analysis, already.

19 CHAIR SCHINDLER: Thank you.

20 Commissioner Do, did you have a follow-up
21 question?

22 COMMISSIONER DO: Yes, I did.

23 And, Chair Schindler, I realize we haven't
24 received your insights on the Draft EIR, so I will be
25 quick. First, a comment, and then a question to the EIR

PC1-29

1 consultant.

2 My first comment is I feel like we would be
3 remiss if we didn't comment on the -- the fact that the
4 reduced-parking alternative is always rejected. And I
5 think the rationale is that if you reduce parking too
6 much, people will drive around the neighborhood and end up
7 creating more problems.

8 I would like to believe that if an employee
9 experienced that after one or two days, they would figure
10 out a way, how to get to work without their car. But,
11 maybe, you know, parking and other strategies, like
12 Commissioner Silverstein is referring to, that can be
13 studied on the study session side of things. That's my
14 comment.

15 My question is -- it was brought up by a Council
16 member and also by a public commenter this evening, just a
17 concern that impacts aren't represented -- aren't fully
18 represented.

19 Mr. Perata, you stated that the point of an EIR
20 is to be conservative and study the worst case scenario.
21 So I am just wondering why the office space -- I think 250
22 square feet per worker is used and just question why --
23 why and where the number comes from. The number that
24 we've heard is 150 square feet. So I'm just curious if
25 we're trying to figure out the worst and most-extreme

PC1-30
cont.

1 impacts, why the 250 number is used, through the Chair.

2 JESSICA VIRAMONTES: Kirsten, do you have any
3 input on where that difference in square footage came
4 from?

5 KIRSTEN CHAPMAN: So, let's see. Kirsten
6 Chapman, ICF. So let's see.

7 So this is going back to Table 2-7 in the Project
8 Description, which is on page 2-33. And the generation
9 rate that we used for office is -- I'm sorry. It's 250
10 square feet. So that was given to us by the project
11 sponsor. Sorry. Sorry. Sorry.

12 That was actually not given to us by the project
13 sponsor. That was based on current market trends for
14 office-generation rates. And I believe it is consistent
15 with other office-generation rates that have been used in
16 other EIRs in the City of Menlo Park, based on existing
17 office trends.

18 So I do believe that it is consistent with
19 projects like Willow Village and other projects in the
20 ConnectMenlo study area.

21 JESSICA VIRAMONTES: Yeah. And just to add on to
22 what Kirsten said, footnote B in the table that Kirsten
23 cited -- while generation rates provided by the sponsor
24 for Life Science uses are lower, at 450 square feet per
25 employee, the EIR went the conservative route and assumed

1 350 square feet for current employee for R&D uses.

2 So we did try to take a more conservative
3 approach.

4 COMMISSIONER DO: Okay. Thank you. Both of you,
5 thank you.

6 CHAIR SCHINDLER: Thank you, Commissioner Do.

7 So I, myself, do not have any significant
8 additions or corrections that I would like to nominate to
9 be included in the next iteration of the EIR.

10 I did want to take the opportunity to support and
11 amplify some things that other commissioners and staff
12 have also alluded to here. You know, this EIR, like
13 others, may not be looking at impact the way that members
14 of our community does, or they're for their fit for
15 themselves, for their families, or for their city. But we
16 do have a standardized process across the state for how
17 things are structured, how this report is structured, the
18 criteria for quantifying things, the criteria for
19 determining what is significant as an impact, what
20 mitigation looks like, and what the impact of that
21 mitigation looks like.

22 In my very-limited experience, especially
23 compared to our consultants, our staff, and the
24 applicants, but in my very limited experience, I've
25 experienced -- I've seen a benefit of having that

PC1-31

1 standardized process between projects. So while I
2 appreciate that many of the assumptions could potentially
3 be out -- you know, would have a mild degree of wiggle
4 room around them, I think there's value in following this
5 consistent process.

6 I do want to, again, thank -- thank the EIR team
7 for the incredible amount of content and work that is in
8 that very large document. I personally expect to come
9 back to the following sections at length, when we get into
10 the next phases of this project. When we start talking
11 about the nuances of the development agreement, I'm
12 definitely going to be relying heavily on the Traffic
13 section, the Public Services and Recreation section, as we
14 define things that we would like to see put in as
15 constraints or as requests on behalf of the city and the
16 community.

17 I expect, when we get into the zoning amendments
18 and the rezoning components of this process, the Land Use
19 and Planning section is going to be incredibly useful.

20 There are a lot of other -- there's a lot of
21 other valuable content in there, but those, in particular,
22 I think will be front of mind for me in the next section
23 tonight and in subsequent meetings.

24 And so I will quickly just turn and see if other
25 commissioners have follow-up questions.

PC1-31
cont.

1 Commissioner Silin.

2 COMMISSIONER SILIN: Thank you.

3 Going back to circulation and traffic, which
4 sounds like a shared concern among many commissioners, I
5 saw that in the Staff Report, it mentions that other
6 projects, such as the META campuses and other projects on
7 that side of 101, have trip caps from the City. The Staff
8 Report talks about ways to do the counting and
9 enforcement.

10 But I'm wondering if implementing a trip cap is
11 part of the EIR or the TDM, if that's appropriate?

12 Or, like, at what stage is that typically done, I
13 guess?

14 KYLE PERATA: Yeah. So thanks for the question.

15 I think the discussion on whether or not there is
16 a trip cap or a monitoring plan, some of that actually is
17 more related to the policy decisions regarding the
18 entitlements.

19 There certainly would be a monitoring plan
20 associated with ensuring that the Transportation Demand
21 Management Plan, that was used in the environmental
22 analysis, is implemented.

23 But certainly regarding how that actually plays
24 out with all the details, a lot of that will get flushed
25 out in the potential -- or potentially get flushed out in

PC1-32

1 the Conditional Development Permit. And so I think a lot
2 of those items are bringing up our, kind of, broader
3 policy decisions regarding, you know, the appropriate,
4 kind of, monitoring plan or caps, and where those caps may
5 or may not be applied to across the site.

6 But certainly the EIR -- and I'll look to our
7 CEQA consultant to confirm exactly how this translates
8 into the EIR -- but the EIR found a less-than-significant
9 impact to vehicle miles traveled with implementation of
10 the applicant's proposed TDM plans for the office and
11 residential.

12 So those would be required to be implemented as
13 part of the project, at a minimum.

14 JESSICA VIRAMONTES: I don't have anything to
15 add.

16 Ollie, is there anything you want to add to that?

17 OLLIE ZHOU: No.

18 CHAIR SCHINDLER: Commissioner Silverstein.

19 COMMISSIONER SILVERSTEIN: I just wanted to echo
20 what Commissioner Do said about the reduced-parking
21 alternative. And I know we can talk about it in the study
22 session, but specifically as relates to the EIR language
23 itself.

24 I noticed that in Table 3-6 -- or 3.3-6, on
25 Potential Mitigation Measures of TDM and Estimated Trips,

PC1-33

1 that the amount of available parking is non-existent in
2 those potential measures.

3 And then, in the kind of qualitative text
4 regarding a reduced-parking alternative, it states that,
5 "Precise changes in travel or behavior, in response to
6 constrained parking alone, are difficult to predict and
7 are not anticipated to reduce overall VMT."

8 While I agree with the "difficult to predict"
9 part, I am in agreement with the previous statement that I
10 would certainly anticipate that a lack of parking would
11 reduce overall VMT.

12 I recognize that that's not a requirement at this
13 point because the project is not above VMT thresholds, but
14 I do take slight umbrage with the conclusion on -- on that
15 alternative.

16 CHAIR SCHINDLER: Thank you, Commissioners.

17 Seeing no more questions indicated, I just want
18 to confirm with staff and with the EIR team that you have
19 received the feedback that you were seeking tonight, and
20 ask if there are any points of clarification that we could
21 offer?

22 CORINNA SANDMEIER: No. I think we've received
23 the feedback. And we'll include that, of course, with the
24 comments in the Final EIR.

25 CHAIR SCHINDLER: Thank you.

PC1-33
cont.

PC1. Response to Comment PC1—Planning Commission Hearing⁴⁷

PC1-1 *The commenter expresses support for the Proposed Project.* The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to the merits of the Proposed Project and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA; therefore, no additional response is required. Refer to Master Response 1, which addresses comments related to the merits of the Proposed Project.

PC1-2 *The commenter presents observations regarding existing cut-through traffic on specific streets.* The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to the scope of the Parkline TIA and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. Refer to Master Response 1, which discusses non-CEQA level of service and traffic congestion, and Master Response 3, which discusses the scope of the Parkline TIA.

PC1-3 *The commenter states that cumulative projects do not account for air quality and that the proposed Ringwood/Coleman bicycle/pedestrian project should be included in the cumulative analysis.* As discussed on page 3.4-42 of the Draft EIR, the cumulative context for the air quality analysis includes the SFBAAB, which includes Menlo Park and the nine counties that make up the San Francisco Bay Area. Air pollution in its nature is largely a cumulative impact. Development of past, current, and future projects in the SFBAAB, including projects implementing the city's Housing Element, could contribute to nonattainment of ambient air quality standards. Thus, there would be potential for cumulative impacts related to criteria pollutants. In developing thresholds of significance for air pollutants, the air districts have considered the emission levels at which a project's individual emissions would be cumulatively considerable in light of existing air quality. If a project exceeds the identified significance thresholds, its emissions would be significant and a cumulatively considerable contributor to significant cumulative air quality impacts in the region. As discussed under Impact AQ-2, the Proposed Project would not result in a cumulatively considerable net increase in any criteria air pollutant for which the SFBAAB is designated as a nonattainment area with respect to the federal or state ambient air quality standards after implementation of Mitigation Measures AQ-1.1, AQ-1.2, and AQ-1.3.

The Ringwood/Coleman bicycle/pedestrian project identified in the comment is undergoing its own design process; the preferred design and timing are not known at this time. Therefore, this project is not considered in the cumulative analysis for the Proposed Project because, at the time when the NOP was released (December 2, 2022), this project was not considered a reasonably foreseeable project,⁴⁸ as defined in CEQA Guidelines Section 15130. Additional comments on the Ringwood-Coleman bicycle and pedestrian project are not relevant to the Proposed Project and do not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. No further response is required.

PC1-4 *The commenter provides observations of existing traffic conditions.* The Willow Road and Gilbert Avenue intersection is studied in the Parkline TIA (intersection #12). The Middlefield Road and Woodland Avenue intersection is not analyzed in the Parkline TIA because it is an unsignalized

⁴⁷ The Planning Commission public hearing transcript provided in this chapter includes only the portion of the transcript with public comments. The Planning Commission public hearing transcript is provided in its entirety in Appendix 1 of this document.

⁴⁸ City of Menlo Park. 2024. *City Transportation Projects Updates*. February 7. Available: <https://menlopark.gov/News-articles/Public-safety/20240207City-transportation-projects-updates>. Accessed: October 24, 2024.

intersection; the Proposed Project would add traffic only to uncontrolled movements. The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to the scope of the Parkline TIA and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. Refer to Master Response 1, which discusses non-CEQA level of service and traffic congestion, and Master Response 3, which discusses the scope of the Parkline TIA.

PC1-5 *The commenter states that the Proposed Project has a larger commercial footprint, with some housing.* The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to the merits of the Proposed Project and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA; therefore, no additional response is required. Refer to Master Response 1, which addresses comments related to the merits of the Proposed Project. The Proposed Project would include a commercial component as part of the development; however, the resultant square footage would not increase gross non-residential square footage onsite.

PC1-6 *The commenter expresses concern that the Proposed Project would add congestion, affect property values, and result in air quality impacts.* The comment is noted and included in the record for consideration by decision-makers. However, comments regarding property values and traffic congestion do not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. Refer to Master Response 1, which addresses comments related socioeconomic impacts and congestion of the Proposed Project. In addition, refer to Master Response 3 for a discussion of the scope of the Parkline TIA, which includes an analysis of traffic congestion.

Air quality impacts as a result of the increased number of vehicle trips under the Proposed Project are discussed on pages 3.4-34 through 3.4-38 of the Draft EIR. Although operational emissions could result in a potentially significant net increase in criteria pollutants, mobile sources associated with the Proposed Project would not contribute to a cumulatively considerable increase. As discussed in Section 3.3, *Transportation*, of the Draft EIR, the Proposed Project would comply with the city's VMT threshold. Therefore, mitigated operation of the Proposed Project would not result in a cumulatively considerable net increase in any criteria air pollutant for which the SFBAAB is designated as a nonattainment area with respect to the federal or state ambient air quality standards; such impacts would be less than significant.

PC1-7 *The commenter requests that other projects be completed prior to the Proposed Project.* The comment is noted and included in the record for consideration by decision-makers. The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to the approval and/or construction of other projects in the city and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA; therefore, no further response is required. Some of the referenced projects are included as part of the Proposed Project and would be implemented if the Proposed Project moves forward. The Proposed Project would provide new bicycle lanes. Specifically, it would construct bicycle and pedestrian facilities along the perimeter of the Project Site and throughout the interior to create east-west bicycle and pedestrian linkages that would connect the Project Site to Burgess Park, the future Caltrain undercrossing, and the Menlo Park downtown area.

PC1-8 *The commenter expresses concerns that new bicycle lanes in the city are not functional or that the proposed bicycle facilities at the Project Site are not adequate.* The comment is noted and included in the record for consideration by decision-makers. This comment potentially pertains to existing bicycle lanes in the city and does not address the adequacy of the Draft EIR or the Proposed Project's

compliance with CEQA; therefore, no further response is required. If the commenter is referring to proposed bicycle facilities, comments addressing the Project design are better addressed during the architectural control process for the Proposed Project rather than in the EIR. However, this comment pertains to the merits of the Proposed Project and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA; therefore, no additional response is required. Refer to Master Response 1, which addresses comments related to the merits of the Proposed Project.

PC1-9 *The commenter expresses concern that the Draft EIR understates the impact related to employees due to the employee density assumptions used.* The exact number of employees associated with the R&D uses is unknown at this time because tenants, beyond SRI, have not been identified. Buildout of the office/R&D buildings at the Project Site would depend on a number of factors, including market conditions, availability of financing, and tenancy requirements. The proposed buildings in the office/R&D area would be designed to accommodate either office or R&D uses or life sciences, or a combination of both. Therefore, as described on page 2-14 of the Draft EIR, because future commercial tenants are not yet known, the Draft EIR evaluates two buildout scenarios: a 100 percent office scenario and a 100 percent R&D scenario. This ensures that the Draft EIR evaluates the Proposed Project's maximum potential impact and any future commercial tenant mix is within the scope of the EIR analysis. As explained on page 3-2 of the Draft EIR, each impact evaluation in Chapter 3, *Environmental Impact Analysis*, evaluates the most impactful scenario, or "worst-case" scenario, for the resource area being analyzed. The most impactful scenario is the scenario with the greatest potential to result in significant environmental impacts. The most impactful scenario can vary by resource topic and by impact. In some cases, the level of impact is not related to whether the uses involve office as opposed to R&D uses, in which case the analysis accounts for either scenario.

The Draft EIR assumed an employee generation rate of 350 square feet per employee for R&D uses and 250 square feet per employee for office uses. These generation rates were based on a variety of precedents and reflect typically used generation rates from prior EIRs in the city of Menlo Park and throughout the Bay Area. In particular, these generation rates are generally consistent with, or more conservative than, those used for ConnectMenlo. Per page 4-3 of the ConnectMenlo EIR, employment is calculated by applying employment generation factors that are based on land use type, as follows:

- 1 employee per 155 to 450 square feet in the Office district
- 1 employee per 450 to 549 square feet in the Life Science district

Therefore, the employee generation rates used for the Proposed Project for both the 100 percent office scenario and 100 percent R&D scenario represent a conservative estimate of the number of employees who could work at the Project Site. Further, this employee generation rate for the 100 percent R&D scenario is also more conservative than the employment rate reflected by SRI's current occupancy (i.e., approximately 410 square feet per employee). Any potential for a higher rate of employee generation than those that analyzed in the Draft EIR is speculative and unlikely to occur.

PC1-10 *The commenter states that the Draft EIR includes a discrepancy in the number of potential employees on pages 3.3-18 and 3.14-12.* The number of employees stated on page 3.14-12 of the Draft EIR is correct and consistent with the number of employees assumed in the rest of the document. As stated on page 3.14-12, the 100 percent office scenario is expected to generate approximately 3,868 employees, which is more than the approximately 2,667 employees that would be generated under the 100 percent R&D scenario.

The number of potential employees stated on page 3.3-18 of the Draft EIR is a typographical error. It was not used for any calculations in Section 3.3, *Transportation*, or elsewhere in the Draft EIR. Upon further review of the Draft EIR, this is the sole page that included these incorrect employee numbers. The city has revised the text in Table 3.3-2 in Section 3.3 of the Draft EIR to correct the number of potential employees. Refer to Chapter 4 of this document, *Revisions to the Draft EIR*, for the revised text; these revisions do not alter the findings in the Draft EIR or require recirculation pursuant to CEQA Guidelines Section 15088.5.

PC1-11 *The commenter is concerned that there is no mention of the current CDP employee cap for the Project Site.* Refer to Response PC1-9, above, regarding the employee generation rates used for the analysis in the Draft EIR. Because the Draft EIR analyzes a conservative scenario, the requirement for an employment cap to be included in the CDP, as suggested by the commenter, would not reduce any potential impacts. For example, the existing employment cap in the CDP is 3,308 employees, which also includes existing employees at the Project Site. Therefore, using the existing CDP employment cap, the Proposed Project would result in a maximum net increase in the number of employees of approximately 2,208, assuming these were all SRI employees (and a decrease at a 2-to-1 ratio if the employees were non-SRI employees). Therefore, analyzing a specific employee cap, like the one in the existing CDP, would not represent a conservative analysis in the Draft EIR. In comparison, for population-driven impacts, the Draft EIR analyzed a conservative scenario (100 percent office scenario) of approximately 3,868 net employees compared to existing conditions. Therefore, the implementation of employee caps is not within the scope of the CEQA analysis, and the comment does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA; nevertheless, this comment is included in the record for consideration by decision-makers. The analysis of the No-Project Alternative considers a scenario in which the existing CDP employee cap of 3,308 employees (with a maximum net increase of approximately 2,208 employees, assuming these were all SRI employees) is implemented. Please refer to pages 6-41 through 6-49 in Chapter 6, *Alternatives Analysis*, of the Draft EIR for an analysis of the No-Project Alternative. Also refer to Response I14-3.

PC1-12 *The commenter expresses concern that the Proposed Project would result in a net decrease in the number of housing units in the region, a 1,656-unit deficit on top the current shortage, even though housing units are proposed.* As stated on pages 3.14-16 through 3.14-18 of the Draft EIR, because of the regional housing demand from the Proposed Project's onsite and induced employment, there would be a 1,656-unit deficit in housing supplied by the Proposed Project in Menlo Park compared to the demand created by the Proposed Project in the region. However, the approximately 1,656-unit decrease across the region as a result of the Proposed Project, as induced by onsite and offsite employment, could be accommodated within other allowable construction in the city and housing in the rest of the region. Within the city alone, the Housing Element (2023-2031) EIR evaluates the development of up to 4,000 new residential units within the 8-year planning period. These housing units would be constructed at various sites throughout the city; therefore, it is anticipated that some of the housing demand as a result of the Proposed Project could be accommodated within the projected housing studied in the Housing Element. As stated on page 3.14-18 of the Draft EIR, housing demand in the city as a result of the Proposed Project can be accommodated in the city, and the anticipated housing demand in the region has been anticipated in regional growth plans. The Project Site is an urban infill site and served by existing infrastructure and services. The Proposed Project would not induce a substantial level of unplanned population growth, either directly or indirectly, resulting in less-than-significant impacts. Also refer to Response I14-24.

- PC1-13 *The commenter expresses concern about the potential use of biological research laboratories at the Project Site and the storage of generator fuel.* Refer to Master Response 4 regarding biological research laboratories, BSL concerns, and the storage of potential hazardous materials at the Project Site. Please also refer to the responses in Letter I9 in this document.
- PC1-14 *The commenter expresses general support for the Proposed Project.* The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to the merits of the Proposed Project and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA; therefore, no additional response is required. Refer to Master Response 1, which addresses comments related to the merits of the Proposed Project.
- PC1-15 *The commenter suggests a trip cap strategy and quality bike lanes in the area.* The Proposed Project would be required to conduct annual monitoring to ensure it meets the required standards of TDM effectiveness. Refer to Master Response 2 regarding the TDM plan, including monitoring and compliance. The Proposed Project would provide new bicycle lanes. It would construct bicycle and pedestrian facilities along the perimeter of the Project Site and throughout the interior to create east-west bicycle and pedestrian linkages that would connect the Project Site to Burgess Park, the future Caltrain undercrossing, and the Menlo Park downtown area. The Proposed Project would include a Class I multi-use bicycle and pedestrian path on the north side of the Project Site, along Ravenswood Avenue; a Class I multi-use bicycle and pedestrian path along the southern Project boundary, with transitions to a Class II or Class III bicycle facility running west along Burgess Drive to Laurel Street; and a Class IV bicycle facility along Laurel Street from Ravenswood Avenue to Burgess Drive. In addition, a proposed loop road would incorporate Class II or Class III bicycle facilities as well as pedestrian walkways into the overall design.
- PC1-16 *The commenter expresses support for the Proposed Project and the Project design.* The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to the merits of the Proposed Project and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA; therefore, no additional response is required. Refer to Master Response 1, which addresses comments related to the merits of the Proposed Project.
- PC1-17 *The commenter request clarification on how transportation impacts would be less than significant.* The comment is related to understanding the CEQA transportation VMT analysis, which is explained in detail in the Draft EIR on pages 3.3-33 to 3.3-35. VMT for residential land use is analyzed using the metric for home-based VMT per resident. VMT for office/R&D land use is analyzed using the metric for home-to-work VMT per employee. Both metrics are evaluated against the city-established threshold of 15 percent below existing regional averages, as prescribed by the city's TIA Guidelines. A project would generate a potentially significant VMT impact if its VMT metric were above the city-established threshold. The Draft EIR concluded that the Proposed Project's transportation impacts would be below this threshold.
- PC1-18 *The commenter requests information about the VMT reductions for the Proposed Project in comparison to other projects in the area.* The environmental analysis for projects mentioned by the commenter were prepared when LOS was a threshold under CEQA; therefore, specific VMT reduction percentages were not required by C/CAG. As such, the analysis for these projects is not comparable to that of the analysis prepared for the Proposed Project. Refer to Master Response 1, which discusses non-CEQA level of service and traffic congestion, and Master Response 3, which discusses the LOS analysis and the Parkline TIA. The Proposed Project would

be required to conduct annual monitoring to ensure it meets the required standards of TDM effectiveness as well as specific VMT reductions. Refer to Master Response 2 regarding the TDM plan, including monitoring and compliance.

PC1-19 *The commenter seeks clarification on the trip generation estimates.* Project trip generation is not a CEQA transportation impact. Refer to Master Response 1, which discusses non-CEQA level of service and traffic congestion, and Master Response 3 regarding the scope of the Parkline TIA, which includes an analysis of Project trips. Trip generation estimates follow the city's TIA Guidelines, which use the average rates presented in ITE's *Trip Generation Manual*, 11th edition. The Proposed Project's R&D land use trip generation estimates and office land use trip generation estimates were created using their respective ITE land use trip rates, which may vary from existing trip generation on the site, based on actual survey counts on the site in 2021. Because the future tenants or occupants of the site are unknown at this time, it is standard practice to use ITE trip rates that provide a conservative analysis.

PC1-20 *The commenter questions the number of employees analyzed in the Draft EIR and the FIA.* Refer to Response PC1-10, above, regarding the number of employees analyzed in the Draft EIR. The numbers included on page 3.3-21 of the Draft EIR, as referenced by the commenter, are consistent throughout the Draft EIR and appendices and no edits are needed. As noted in Master Response 1, the FIA process is separate from the CEQA process. Both FIA and CEQA documents apply different assumptions and data in calculating employee numbers for different scenarios. Although the FIA for the Proposed Project is available online, the document is not included as an appendix to the Draft EIR. Refer to Master Response 1, which addresses comments related to the fiscal impacts of the Proposed Project.

The commenter also questions the environmental impact scope as a whole, impacts on the broader global benefit, and whether the opportunity cost of not building the Proposed Project was considered. CEQA necessitates consideration of benefits at the decision-making stage when there would be significant and unavoidable impacts. The Proposed Project would result in significant and unavoidable impacts, as summarized on Draft EIR page ES-8. CEQA Guidelines Section 15093(a) states that

CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

In this case, the city would need to make a statement of overriding considerations, noting that the statement is supported by substantial evidence in the record (CEQA Guidelines Section 15093[b]). Therefore, decision-makers would consider benefits within the CEQA process at the decision-making stage.

Regarding the analysis of impacts of not approving the Proposed Project, CEQA Guidelines Section 15126.6(e)(1) states that "the purpose of describing and analyzing a no-project alternative is to allow decision-makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project." That is, analysis of a no-project alternative serves as a disclosure function so that decision-makers understand the impact of denying a project.

Therefore, an analysis of not building the Proposed Project or Project Variant is included in Chapter 6, *Alternatives Analysis*, of the Draft EIR as the No-Project Alternative. The no-project analysis discusses the existing conditions at the time the NOP was published as well as what would be reasonably expected to occur in the foreseeable future if the project is not approved and development continues to occur in accordance with existing plans and consistent with available infrastructure and community services (CEQA Guidelines Section 15126.6[e][2]). The environmental impacts of the No-Project Alternative are analyzed on pages 6-41 through 6-49 of the Draft EIR; impacts outside of the scope of CEQA as well as impacts that are too speculative to be characterized are not analyzed. This includes, for example, the potential for people to live farther away from job centers and increase their GHG and air pollutant emissions, given that it is unknown where people would live instead if the Proposed Project were not built.

PC1-21 *The commenter requests further information on Project renderings and future canopy cover at the Project Site.* The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to the design of the Proposed Project and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA; therefore, no additional response is required. Refer to Response I4-1, which addresses the tree canopy on the Project Site, as well as Master Response 1, which addresses comments related to the design of the Proposed Project.

PC1-22 *The commenter suggests alternative modes of transportation for the Proposed Project to reduce traffic concerns.* The Proposed Project would include a TDM plan that would encourage alternative modes of transportation. The Proposed Project would also be required to conduct annual monitoring to ensure it meets the required standards of TDM effectiveness. Refer to Master Response 2 regarding the TDM plan, including monitoring and compliance. Also Refer to Response PC1-15 regarding bicycle and pedestrian improvements proposed as part of the Project. The city also has a list of capital improvement projects and plans to improve multimodal transportation within Menlo Park.⁴⁹

PC1-23 *The commenter asks about the schedule for the CEQA process and if the process could have been faster if an EIR was not prepared.* This comment was asked at the meeting of the Planning Commission for the Draft EIR; planning staff members responded, saying that any project of this scope would require an EIR. This comment does not speak to the adequacy of the environmental analysis in the EIR; therefore, no additional response is required.

PC1-24 *The commenter questions the employee assumptions in the Draft EIR and wonders if the impact conclusions in the Draft EIR could change if the employee number goes up or down.* Refer to Response PC1-9, above, regarding employee assumptions and generation rates used for the Proposed Project. As demonstrated, the employee number generated for the EIR is based on a sound and supported methodology. Per CEQA Guidelines Section 15145, CEQA does not require a lead agency to engage in speculative analysis. Therefore, evaluating impacts of an increased or decreased number of employees is not required, and the Draft EIR analysis is adequate as written.

PC1-25 *The commenter questions the potential for either 100 percent office scenario or 100 percent R&D scenario to occur at the Project Site.* Refer to Response PC1-9, above, regarding the use and analysis of two different scenarios in the Draft EIR. As stated, the exact number of employees

⁴⁹ A complete list is provided on the city's website: <https://menlopark.gov/Government/Departments/Public-Works/Transportation-Division/b-Transportation-projects>.

associated with the R&D uses is unknown at this time because tenants, beyond SRI, have not been identified. Therefore, as described on page 2-14 of the Draft EIR, because future commercial tenants are not yet known, the Draft EIR evaluates two buildout scenarios: a 100 percent office scenario and a 100 percent R&D scenario. This ensures that the Draft EIR evaluates the Proposed Project's maximum potential impact and any future commercial tenant mix is within the scope of the EIR analysis.

PC1-26 *The commenter raised questions regarding the hours of construction and the construction mitigation measures, such as whether construction would occur overnight and who would conduct noise monitoring during construction to ensure compliance with the EIR. The commenter also asks whether the public would be informed of construction occurring outside of regular hours.* As noted on page 3.7-15 of the Draft EIR, concrete pouring would begin at 6:00 a.m.; that activity would occur twice per week for approximately 14 months. As noted on page 4-45, the Project Variant would require 24-hour activity for 10 days during construction of the well for the emergency water reservoir. All other construction would occur during the typical daytime construction hours of 8:00 a.m. to 6:00 p.m. In accordance with Mitigation Measure NOI-1.1 for the Proposed Project (pages 3.7-29 and 3.7-30 of the Draft EIR) or Mitigation Measure NOI-1.3 for the Project Variant (pages 4-46 to 4-48 of the Draft EIR), the Project Sponsor would need to obtain a permit to complete work outside of normal daytime construction hours; this may be incorporated into the CDP. Therefore, a permit would be needed for concrete pouring that begins at 6:00 a.m. and/or overnight construction of the emergency water reservoir.

The Project Sponsor is responsible for preparing the construction noise control plan and receiving complaints during construction, which will be facilitated by a construction liaison. The construction liaison would not be a city employee but would be hired by Project Sponsor to address noise-related complaints and serve as a point of contact. In addition, noise monitoring would occur, per Mitigation Measure NOI-1.1 (page 3.7-30), to ensure that construction noise complies with the Menlo Park Municipal Code. If the Project Variant is implemented, the city would be responsible for receiving complaints and monitoring noise for the overnight emergency water reservoir work. The mitigation measure does not require public notification when construction occurs outside of standard daytime hours, but information for the construction liaison will be posted if the public has noise-related complaints that need to be addressed. Although the Draft EIR does not require it, it also does not preclude the public from being notified by the city of non-daytime construction.

PC1-27 *The commenter seeks clarification regarding the trip generation estimates.* Project trip generation is not a CEQA transportation impact. Refer to Master Response 3 regarding the scope of the Parkline TIA, which includes an analysis of Project trips. Trip generation estimates follow the city's TIA Guidelines, which uses the average rates presented in ITE's *Trip Generation Manual*, 11th edition. ITE provides average trip rates for the AM and PM peak hours as well as a daily trip rates. The AM and PM peak-hour trip rates account for only trips that occur during the busiest 1 hour in the morning and evening. The entire morning and evening commute periods are much longer than 1 hour.

PC1-28 *The commenter expresses concern regarding cut-through traffic on neighborhood streets.* The comment is noted and included in the record for consideration by decision-makers. However, this comment pertains to cut-through traffic and traffic calming and does not address the adequacy of the Draft EIR or the Proposed Project's compliance with CEQA. Refer to Master Response 1, which discusses non-CEQA level of service and traffic congestion, and Master Response 3, which discusses the scope of the Parkline TIA.

PC1-29 *The commenter wondered why the “no-parking alternative” was rejected under the guise that reducing parking will create secondary issues, like motorists driving around the neighborhood.* The Draft EIR explains the rationale for dismissing the Reduced Parking Alternative on page 6-39. Principally, from a CEQA perspective, the key function of alternatives is to avoid or substantially lessen any significant effect of a project (CEQA Guidelines Section 15126.6[a]). A Reduced Parking Alternative is not expected to reduce any significant impacts of the Proposed Project or Project Variant. Significant impacts related to VMT include the VMT impact itself as well as any significant air quality or GHG emissions impact that is tied to VMT. As discussed throughout this document, VMT-related impacts would be less than significant.

As explained further on page 6-39 of the Draft EIR, precise changes in traveler behavior in response to constrained parking alone are difficult to predict and are not anticipated to reduce overall VMT. They involve numerous external variables (e.g., availability of alternate travel options and alternate destinations) as well as personal preference (e.g., willingness to seek out alternative travel options and alternate destinations). In fact, fewer parking spaces could have unintended consequences and result in greater impacts, such as increased air quality and greenhouse gas impacts. Reductions in the Proposed Project’s parking supply could also lead to an increase in vehicles trips if visitors and workers turn to ride hailing to make their trips to the site. In addition, insufficient parking could cause spillover parking impacts in the adjacent neighborhoods, which generally do not have controlled parking through permits, time-limited parking, or on-street market-rate parking (metered parking).

PC1-30 *The commenter questions the employee generation rates used in the Draft EIR and whether the analysis was conservative.* Refer to Response PC1-9, above, about employee generation rates how these factored into the analysis in the Draft EIR.

PC1-31 *The commenter summarizes the CEQA review process and cites sections of the Draft EIR that will be helpful to decision-makers.* The summary provided by the commenter is noted and included in the record for consideration by decision-makers. Refer to Master Response 1, which addresses comments related to the merits of the Proposed Project.

PC1-32 *The commenter questions if implementing a trip cap is part of the EIR or TDM.* Refer to Response PC1-15, above, regarding a trip cap. The Proposed Project would be required to conduct annual monitoring to ensure it meets the required standards of TDM effectiveness. Refer to Master Response 2 regarding the TDM plan, including monitoring and compliance.

PC1-33 *The commenter questions why a reduction in parking would not reduce overall VMT and why a reduced parking alternative was not considered in more detail.* Refer to Response PC1-29, above, regarding the rationale for dismissing the Reduced Parking Alternative.

Letter PC2

From: [Ross Silverstein](#)
To: [Choy, Kristiann M](#); [ozhou](#); [Mekkelson, Heidi](#); [Viramontes, Jessica](#)
Subject: Parkline Trip Estimates
Date: Tuesday, July 23, 2024 1:15:24 PM

Hello Kristiann, Ollie, Jessica and Heidi,

Thank you so much for the conversation last night - I appreciate everyone taking the time to stay late and discuss the Parkline EIR to the Planning Commission. I'm sorry we didn't get to spend more time on this point, but felt that in the interest of time we needed to move on. I am still having a hard time understanding the trip estimates in the Parkline EIR, however.

According to tables 3.3-3 and 3.3-4, we have the following scenarios:

1. Existing Site (observed data):
 - 1,118 workers
 - 518 trips (0.46 trips/worker)
2. Office Use Case (ITE code 710):
 - 4,947 estimated workers
 - 11,855 estimated daily trips (2.38 trips/worker)
3. R&D Use Case (ITE code 760):
 - 3,773 estimated workers
 - 12,117 estimated daily trips (3.2 trips/worker)

Can you elaborate how it's possible to get more than 2 trips/worker as an estimate for the site? That would need to assume the following:

- 100% of workers go to work every single day (nobody is sick or on vacation)
- 100% of workers drive to work (nobody ever walks, bikes, or takes public transportation)
- And then on top of that, every single day has incremental visitors beyond that. In the R&D scenario, it would be to the tune of thousands of extra trips per day beyond every single worker.

It's my understanding that the data used was "average rates published in the 2021 ITE Trip Generation Manual, 11th edition".

My questions are:

1. Is my understanding above correct? That the data is estimating between 2.3 and 3.2 trips per worker per day?
2. If so, why did we use and accept that data? Why didn't we look at those figures and realize that they were impossible?

Thank you,
Ross Silverstein

PC2-1

PC2. Response to Comment PC2— Ross Silverstein, Planning Commissioner

PC2-1 *The comment is seeking clarification regarding the trip generation estimates.* Project trip generation is not a CEQA transportation impact. Refer to Master Response 3 regarding the scope of the Parkline TIA, which includes an analysis of Project trips. Trip generation estimates follow the city's TIA Guidelines, which use the average rates presented in ITE's *Trip Generation Manual*, 11th edition. The trip rates presented in the ITE manual are developed through empirical research, using data collected for each land use. A typical office or R&D land use does not simply include employee trips coming into work in the morning and leaving work in the evening. Employees may leave during the day for meetings, lunch, or errands, just to list a few examples. There may also be business visitors and deliveries coming into and leaving the development. All of these potential activities would be counted as part of the development's daily trip generation. Therefore, developments generate more than two trips per worker on a daily basis.

Chapter 4

Revisions to the Draft EIR

This chapter includes revisions to the Parkline (Proposed Project) Draft Environmental Impact Report (Draft EIR) by errata, as allowed by the California Environmental Quality Act (CEQA) (CEQA Guidelines Section 15132). The revisions are presented in the order they appear in the Draft EIR, with the relevant page number(s). New or revised text is shown with underline for additions and ~~strike-out~~ for deletions.

All text revisions are to provide clarification or additional detail; these revisions do not alter the findings in the Draft EIR. After considering all comments received on the Draft EIR, the Lead Agency has determined that the changes do not result in a need to recirculate the Draft EIR. Under the CEQA Guidelines, recirculation is required when new significant information identifies at least one of the following:

- A new significant environmental impact resulting from the project or from a new mitigation measure proposed to be implemented.
- A substantial increase in the severity of an environmental impact, unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- A feasible project alternative or mitigation measure considerably different from others that were previously analyzed that would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt.
- The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded (CEQA Guidelines Section 15088.6[a]).

Recirculation of a Draft EIR is not required when new information merely clarifies, amplifies, or makes minor modifications to an adequate EIR (CEQA Guidelines Section 15088[b]). The information provided below meets those criteria.

Executive Summary

Table ES-1, beginning on page ES-11 of the Draft EIR, has been revised to reflect revisions made to impact statements and mitigation measures, consistent with the revisions provided later in this chapter under the respective sections. The revisions to Table ES-1 are included below.

The impact statement for Impact AQ-1 in the "Impacts" column on page ES-12 of the Draft EIR has been revised as follows:

Impact AQ-1: Conflict with or obstruct implementation of the applicable air quality plan.
The Proposed Project ~~would not~~ could conflict with or obstruct implementation of the applicable air quality plan.

The impact statement for Impact AQ-2 in the "Impacts" column on page ES-13 of the Draft EIR has been revised as follows:

Impact AQ-2: Cumulatively Considerable Net Increase in Criteria Pollutants. The Proposed Project ~~would not~~ could result in a cumulative net increase in a criteria pollutant for which the Project region is classified as a nonattainment area under an applicable federal or State ambient air quality standard.

The first paragraph of Mitigation Measure NOI-1.3 for the Project Variant on page ES-15 of the Draft EIR has been revised as follows:

Mitigation Measure NOI-1.3: Implement Noise Reduction Plan to Reduce Construction Noise (Project Variant)

Prior to issuance of any demolition, grading, and/or building permits for construction of the ~~Proposed Project~~ Project Variant, the Project Sponsor and/or contractor(s) shall (i) develop a construction noise control plan to reduce noise levels and demonstrate how the ~~Proposed Project~~ Project Variant will comply with Menlo Park Municipal Code daytime (i.e., during non-exempt hours) and nighttime noise standards to the extent feasible and practical, subject to review and determination by the Community Development Department, and (ii) provide a note on all development plans, stating that, during ongoing grading, demolition, and construction, the Project Sponsor shall be responsible for requiring contractors to implement measures to limit construction-related noise, as set forth in the plan and in this mitigation measure (NOI-1.3). The plan shall also include measures to reduce noise levels such that a 10-decibel (dB) increase over the ambient noise level does not occur at nearby noise-sensitive land uses to the extent feasible and practical, as determined by the city of Menlo Park. For concrete pouring occurring during early-morning hours, the closest distance that equipment for concrete pouring shall operate to noise-sensitive land uses is 100 feet, which applies to residential properties and the church property on the north side of Ravenswood Avenue. Equipment for concrete pouring shall operate no closer than 200 feet from the property line of residential properties in the Classics of Burgess Park or Linfield Oaks neighborhoods. These distances are based on the anticipated locations for the concrete pouring activities.

The last paragraph of Mitigation Measure NOI-1.3 for the Project Variant on page ES-17 of the Draft EIR has been revised as follows:

The Project Sponsor and/or the contractor(s) shall obtain a permit to complete work outside the normal daytime construction hours outlined in the Menlo Park Municipal Code (i.e., 8:00 a.m. to 6:00 p.m. Monday through Friday); this may be incorporated into the conditional development permit for the ~~Proposed Project~~ Project Variant. Furthermore, the plan shall require verification that construction activities will be conducted at adequate distances or otherwise shielded with sound barriers, as determined through analysis, from noise-sensitive receptors when occurring outside normal daytime construction hours; compliance with the Menlo Park Municipal Code will be verified through measurement.

The first paragraph of Mitigation Measure CR-1.2 for the Proposed Project on page ES-22 of the Draft EIR has been revised as follows:

Mitigation Measure CR-1.2: Interpretive Program

The Project Sponsor, in consultation with a qualified historian or architectural historian who meets the Secretary of the Interior's professional qualification standards and an experienced exhibit design professional, shall develop an interpretive program for the site. The interpretive program plan shall be reviewed by the Menlo Park Planning Division and/or a qualified historic consultant prior to the issuance of any permits for demolition, grading, or construction on the site. The plan shall include information regarding the proposed format and location of the content, along with information regarding the high-quality graphics and written narratives that will be incorporated. The interpretive display/feature shall be fully implemented and/or

installed concurrent with the completion of common public open spaces and/or pathways along Ravenswood Avenue but not later than prior to issuance of the final certificate of occupancy for Parkline (~~Project Variant~~ Proposed Project) and inspected by Menlo Park Planning Division staff members or a qualified historic consultant to confirm its adherence to requirements ~~for mitigation measures of the approved interpretive program~~.

The first paragraph of Mitigation Measure CR-1.2 for the Project Variant on page ES-22 of the Draft EIR has been revised as follows:

Mitigation Measure CR-1.2: Interpretive Program

The Project Sponsor, in consultation with a qualified historian or architectural historian who meets the Secretary of the Interior's professional qualification standards and an experienced exhibit design professional, shall develop an interpretive program for the site. The interpretive program plan shall be reviewed by the Menlo Park Planning Division and/or a qualified historic consultant prior to the issuance of any permits for demolition, grading, or construction on the site. The plan shall include information regarding the proposed format and location of the content, along with information regarding the high-quality graphics and written narratives that will be incorporated. The interpretive display/feature shall be fully implemented and/or installed concurrent with the completion of common public open spaces and/or pathways along Ravenswood Avenue but not later than prior to issuance of the final certificate of occupancy for Parkline (~~Project Variant~~ Proposed Project) and inspected by Menlo Park Planning Division staff members or a qualified historic consultant to confirm its adherence to requirements ~~for mitigation measures of the approved interpretive program~~.

The last paragraph of Mitigation Measure CR-1.3 on page ES-24 of the Draft EIR, for both the Proposed Project and the Project Variant, has been revised as follows:

The SRI International Monument relocation plan shall be reviewed by the Menlo Park Planning Division ~~or a qualified historic consultant~~ prior to the issuance of any permits for demolition, grading, or construction on the Project Site. The final SRI International Monument relocation plan shall be submitted to the construction superintendents and confirmation of receipt shall be documented via email.

The first paragraph of Mitigation Measure CR-1.4 for the Project Variant on pages ES-24 to ES-25 of the Draft EIR has been revised as follows:

Prior to issuance of a demolition permit for the First Church of Christ, Scientist and Alpha Kids Academy (Chapel buildings), the Project Sponsor shall undertake documentation of the Chapel at 201 Ravenswood Avenue. The documentation shall be funded by the Project Sponsor and undertaken by a qualified professional(s) who meets the Secretary of the Interior's Professional Qualification Standards for history, architectural history, or architecture (Code of Federal Regulations, Title 36, Part 61, Appendix A) and be submitted for review by the Menlo Park Planning Division ~~or a qualified historic consultant~~ prior to issuance of a demolition permit for the Chapel buildings. The documentation package created shall consist of the items listed below, consisting of (a) digital photography and (b) a historical report. The documentation materials shall be submitted to the Northwest Information Center at Sonoma State University, the repository for the California Historical Resources Information System. The documentation shall also be offered to local repositories, including the Menlo Park Public Library, Menlo Park Historical Association, and San Mateo County History Museum. Materials shall either be provided in archival digital and/or hard copy formats, depending on the

capacity and preference of the repository. This measure would create a collection of reference materials that would be available to the public and inform future research. Although the documentation would use some of the guidelines and specifications developed for the Historic American Buildings Survey (HABS), the documentation package would not need to be delivered as HABS documentation to the Library of Congress.

The impact statement for Impact TCR-1 in the “Impacts” column on page ES-28 of the Draft EIR has been revised as follows:

Impact TCR-1. Tribal Cultural Resources. The Proposed Project ~~would not~~ could cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as a site, feature, place, 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:

Mitigation Measure TCR-1 on page ES-28 of the Draft EIR, for both the Proposed Project and Project Variant, has been revised as follows:

Mitigation Measure TCR-1: Stop Work if Tribal Cultural Resources Are Encountered during Ground-Disturbing Activities

If Native American cultural resources are encountered during ground-disturbing activities, ~~the~~ all construction activities within a 100-foot radius of the find shall cease until an archaeological consultant ~~shall~~ can review, identify, and evaluate the find to determine if the discovery could qualify as a tribal cultural resource, as defined in Public Resources Code Section 21074. Tribal representatives from the city’s Assembly Bill 52 notification lists shall be consulted regarding this determination. If the discovery is determined to qualify as a tribal cultural resource, it shall be subject to treatment/mitigation that prevents an adverse effect on the resource, in accordance with Public Resources Code Section 15064.5. Mitigation shall be determined through consultation between the city and the tribe(s).

Mitigation Measure GS-5.1 on page ES-33 of the Draft EIR, for both the Proposed Project and the Project Variant, has been revised as follows:

Mitigation Measure GS-5.1: Conduct Worker Awareness Training

Before the start of excavation or grading activities, the Project Sponsor shall retain a Project Paleontologist, as defined in ~~Mitigation Measure GS-5.1 by the Society of Vertebrate Paleontology,~~ who is experienced in teaching non-specialists. The paleontologist shall train all construction personnel who are involved with earthmoving activities, including the site superintendent, regarding the possibility of encountering fossils, the appearance and types of fossils that are likely to be seen during construction, and proper notification procedures should fossils be encountered. Procedures to be conveyed to workers include halting construction within 50 feet of any potential fossil find and notifying the Project Paleontologist, who shall evaluate the significance of the find.

Mitigation Measure GS-5.2 on page ES-33 the Draft EIR, for both the Proposed Project and the Project Variant, has been revised as follows:

Mitigation Measure GS-5.2: Conduct Protocol and Procedures for Encountering Paleontological Resources

In the event that fossils or fossil bearing deposits are discovered during ground disturbing activities, excavations within a 50-foot radius of the find shall be temporarily halted or diverted. Ground disturbance work shall cease until a ~~city-approved~~ qualified paleontologist determines

whether the resource requires further study. The paleontologist shall document the discovery as needed (in accordance with Society of Vertebrate Paleontology standards [Society of Vertebrate Paleontology 2010]), evaluate the potential resource, and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction activities are allowed to resume at the location of the find. If avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of construction activities on the discovery. The excavation plan shall be submitted to the city of Menlo Park for review and approval prior to implementation, and all construction activity shall adhere to the recommendations in the excavation plan.

The impact statement for Impact HY-1 in the “Impacts” column on page ES-35 of the Draft EIR has been revised as follows:

Impact HY-1: Water Quality. The Proposed Project ~~would not~~ could violate ~~any~~ water quality standards or waste discharge requirements or otherwise substantially degrade surface water or groundwater quality.

Mitigation Measure HAZ-2.1 on pages ES-35 and ES-36 of the Draft EIR, for both the Proposed Project and the Project Variant, has been revised as follows:

Mitigation Measure HAZ-2.1: Prepare and Implement an Environmental Site Management Plan

Prior to commencement of any ground-disturbing activities, the Project Sponsor shall retain the services of a qualified environmental engineering firm to prepare and implement an Environmental Site Management Plan (ESMP) for review and approval by the appropriate regulatory agency ~~prior to issuance of building permits and commencement of construction~~. The purpose of the ESMP is to protect construction workers, the general public, the environment, and future site occupants from subsurface hazardous materials previously identified at the site and to address the possibility of encountering unknown contamination or hazards in the subsurface. The ESMP shall summarize soil and groundwater analytical data collected on the project site during past investigations; identify management options for excavated soil and groundwater, if contaminated media are encountered during deep excavations; and identify monitoring, irrigation, or other wells requiring proper abandonment in compliance with local, state, and federal laws, policies, and regulations.

The ESMP shall include measures for identifying, testing, and managing soil and groundwater suspected of or known to contain hazardous materials (including imported fill/soils, if imported fill/soils are needed as part of project construction). The ESMP shall: 1) provide procedures for evaluating, handling, storing, testing, and disposing of soil and groundwater during project ~~excavation~~ earthwork and dewatering activities, respectively; 2) describe required worker health and safety provisions for all workers potentially exposed to hazardous materials in accordance with State and federal worker safety regulations; and 3) designate personnel responsible for implementation of the ESMP. The ESMP shall be prepared by a commercial environmental engineering firm with expertise and experience in the preparation of ESMPs and stamped by an appropriately licensed professional. In addition, the ESMP shall adhere to applicable oversight agency guidance associated with the handling of the aforementioned impacted media.

In addition, the ESMP shall establish protocols and measures for addressing the discovery of presently unknown environmental conditions or subsurface structures such as underground storage tanks (USTs), sumps, or wells, would include procedures for evaluating, handling, storing, testing and disposing of these unknown materials (as applicable), and would also establish required health and

safety provisions for all workers who could be exposed to said hazardous materials (in accordance with state and federal worker safety regulations). If the environmental engineering firm subsequently identifies the need for further sampling, the Project Sponsor shall implement this and any other requirements identified in the ESMP.

The first paragraph of Mitigation Measure HAZ-2.3 on page ES-37 of the Draft EIR, for both the Proposed Project and the Project Variant, has been revised as follows:

Mitigation Measure HAZ-2.3: Conduct a Hazardous Building Materials Survey

Prior to the issuance of any demolition permit, the Project Sponsor shall conduct a Hazardous Building Materials Survey in accordance with DTSC's Preliminary Endangerment Assessment (PEA) Guidance Manual. The survey shall be performed by a licensed contractor at structures that are scheduled to be demolished but have not been surveyed previously (i.e., as part of the 2021 Limited Hazardous Materials Survey). The Hazardous Building Materials Survey shall identify the presence of hazardous building materials, including asbestos-containing materials (ACMs), lead-based paint (LBP), and polychlorinated biphenyls (PCBs). Should this survey determine that hazardous building materials are present, the following actions shall be implemented by the Project Sponsor:

Mitigation Measure HAZ-2.4 on pages ES-38 and ES-39 of the Draft EIR, for both the Proposed Project and the Project Variant, has been revised as follows:

Mitigation Measure HAZ-2.4: Conduct a Focused Soil Vapor Intrusion Investigation

Prior to construction, the Project Sponsor shall retain the services of a qualified environmental consulting firm to conduct a focused soil vapor investigation. The investigation shall be conducted in areas that are designated for residential and office/R&D uses; such uses shall be designed to protect building occupants from potential long-term impacts associated with vapor intrusion. The investigation shall provide the data needed to determine whether long-term engineering controls shall be needed as part of proposed building development. The soil vapor investigation's methodology and sampling program shall be conducted by an environmental consulting firm with applicable expertise and experience and would be performed under any applicable oversight agency's current guidance. The soil vapor investigation shall be implemented by the Project Sponsor prior to construction of buildings on the Project Site.

If the environmental consulting firm or appropriate regulatory agency providing oversight determines engineering controls are required, they shall be designed by a qualified engineer in compliance with requirements of the appropriate regulatory agency and/or the city of Menlo Park to address vapor conditions by redirecting and/or minimizing soil vapor (e.g., the February 2023 Supplemental Guidance: Screening and Evaluating Vapor Intrusion prepared by the California Department of Toxic Substances Control and the California State Water Resources Control Board or the prevailing applicable requirements at the time the Proposed Project is implemented). The performance of the installed vapor mitigation systems shall be confirmed by appropriate quality assurance/quality control inspection and test methods, as certified by the design engineer, and the certification shall be provided to the appropriate regulatory agency providing oversight and city of Menlo Park as needed.

Specific engineering controls may include, but shall not be limited to:

- Installation of subsurface migration barriers; and/or
- Inclusion of ventilated foundations for any proposed structures; and/or
- The use and implementation of an alternative method or structural design to address soil gas releases and reduce the potential for hazardous conditions to occur.

Appropriate engineering control systems shall be determined with concurrence, approval, and oversight from the appropriate regulatory agency providing oversight and shall be dependent on building placement and construction.

Chapter 2, Project Description

The fourth bullet on page 2-10 of the Draft EIR has been revised as follows:

- Replace obsolete and unsustainable commercial and/or institutional buildings with new state-of-the-art, highly sustainable commercial buildings with flexible floor plates that can accommodate a variety of office and/or R&D tenants.

The first bullet under the subheader “Office/R&D Area” on page 2-16 of the Draft EIR has been revised as follows:

- Three existing buildings of approximately ~~283,730~~ 286,730 sf to be retained and operated by SRI (Buildings P, S, and T);

The last paragraph on page 2-17 of the Draft EIR, which continues on page 2-18, has been revised as follows:

Laboratories associated with R&D/life science uses are categorized by biosafety levels (BSLs) 1 through 4. It is anticipated that the Proposed Project could accommodate BSL-1, ~~or BSL-2, or BSL-3~~ laboratories; BSL-3 and BSL-4 laboratories are less common (in fact, there are only ~~four~~ 13 operational BSL-4 labs in the United States).⁸ BSL-4 laboratories would not be included as a use at the Project Site. No tenants for the proposed laboratories are identified. While laboratory uses in Menlo Park have typically not been regulated by its zoning ordinance, the Proposed Project is proposing a new mixed-use, transit-oriented zoning district allowing for office, commercial, R&D and residential uses in proximity to each other, which zoning could address BSLs for laboratory uses. Regardless of the BSL, the Proposed Project would comply with required federal, state, and local standards, including Title 8 of the California Code of Regulations that establishes Cal/OSHA minimum occupational safety & health standards. Furthermore, in accordance with standard industry practice, the Proposed Project would also meet relevant Biosafety in Microbiological and Biomedical Laboratories (BMBL) and National Institute of Health (NIH) guidelines. Refer to Section 3.13, *Hazards and Hazardous Materials*, for further discussion of potential impacts related to laboratory operations.

Compliance with existing laws, regulations, and standard industry practices would ensure that impacts associated with the accidental release of biohazardous material would be less than significant, regardless of the Proposed Project’s BSL level. Although not required to reduce impacts to a less-than-significant level, the city, at its discretion, could also require, as conditions of approval for the Proposed Project, that the Project Sponsor include in the lease agreement for every future tenant of the building a standard clause requiring that, prior to commencement of operation of a BSL-3 laboratory, the tenant inform the city of Menlo Park Planning Division of its intent to operate a BSL-3 laboratory and notifying the tenant of the city’s requirement to have the tenant provide the city with documentation for such a laboratory that could include:

- (1) Third-party certification and commissioning completed by or under the supervision of a qualified Certified Industrial Hygienist (CIH) with demonstrated practice in biosafety, Registered Biosafety Professional (RBP), or Certified Biosafety Professional (CBSP), including confirmation of compliance with relevant regulatory requirements as well as BMBL and NIH guidelines (whether or not the lab receives federal funding);

- (2) Adequate mechanical/HVAC equipment capacity to satisfy regulatory requirements and serve the proposed use; and
- (3) Implementation of standard required containment protocols, including primary and secondary barriers appropriate for the biohazard level, as the first line of defense in the event of complete building failure (including electrical and/or HVAC failure) and compliance with existing and applicable regulations that require biosafety plans that establish emergency procedures in the event of an accidental biohazard release.
- ⁸ National Institute of Allergy and Infectious Diseases. 2018. *The Need for Biosafety Labs*. Available: <https://www.niaid.nih.gov/research/biosafety-labs-needed>. Accessed: July 13, 2023. Harris & Lee Environmental Sciences, LLC. 2024. *Biosafety Management for the Parkline Project in Menlo Park*. August 26.

The second bullet on page 2-27 of the Draft EIR has been revised as follows:

- **Class I Shared-Use Path along southern Project boundary:** A Class I multi-use bicycle and pedestrian path would extend from the west end of the project site at Burgess Drive and continue along the south side of the Project Site before connecting to Middlefield Road ~~at Seminary Drive~~. To the west, the path would connect to a Class II or Class III bicycle facility along Burgess Drive to Laurel Street and connect to the future Caltrain undercrossing at El Camino Real and Middle Avenue.

The first two paragraphs under the subheader “Water” on page 2-36 of the Draft EIR have been revised as follows:

The Project Site is fed from two water sources: (1) a 10-inch-high pressure water distribution main located at the westerly side of the Project Site, off Laurel Street, which includes a water meter and back flow prevention device and (2) a 10-inch water distribution main located at the easterly side of the ~~project site~~ Project Site, off of Middlefield Road, which includes a water meter and back flow prevention device. The existing water system within the Project Site consists of 8-inch and 10-inch water mains configured in a looped system that provides water distribution to the existing commercial buildings and feeds the existing fire water system for both existing buildings and fire hydrants.

The Proposed Project would install a dedicated fire service and metered domestic water service for each proposed building. The design of the proposed onsite water system for the Project would be required to comply with all applicable Menlo Park Fire Protection District standards and other city requirements related to fire flow and could consist of upsizing existing pipes to provide ~~The proposed onsite water system for Project would consist of an approximately 10-inch to 12-inch looped water system that would also be used for domestic water use and fire systems to the onsite buildings and fire hydrants. In addition, there would be metered irrigation service provided to the Project Site campus for the landscaped areas. This proposed system would continue to use the existing 10-inch water distribution mains.~~ The existing off-site water system serving the Project Site is expected to provide adequate flow for fire and domestic flow for both the 100 percent office scenario and the 100 percent R&D scenario, without the need for off-site upgrades or additional facilities.¹⁴

The last lines of the paragraph under the sub-heading “Solid Waste” on page 2-39 of the Draft EIR have been revised as follows:

Each component of the Proposed Project would be subject to the ~~city's~~ zero-waste management requirements during both construction and operation. The zero-waste management requirements are anticipated to be included in the proposed zoning district, and compliance would be required through the Proposed Project approvals (e.g., CDP).

Chapter 3, Environmental Impact Analysis

The third paragraph under the subheader “Approach to Analysis of the Buildout Scenarios” on page 3-2 of the Draft EIR has been revised as follows:

Buildout of the office/R&D area as part of the Proposed Project would depend on a number of factors, including market conditions, the availability of financing, and tenancy requirements. Because future tenants in the office/R&D area have not been identified, this EIR evaluates two buildout scenarios: a 100 percent office scenario and a 100 percent R&D scenario. This approach ensures that the EIR evaluates the Proposed Project’s maximum potential impact and that any future tenant mix will be within the scope of the EIR analysis. Each impact evaluation in the EIR evaluates the most impactful scenario, or “worst-case” scenario, for the resource area being analyzed. The most impactful scenario is the scenario with the greatest potential to result in significant environmental impacts. The most impactful scenario can vary by resource topic and by impact. In some cases, the level of impact is not related to whether the uses involve office as opposed to R&D uses, in which case the analysis accounts for either scenario.

Section 3.2, Land Use and Planning

The second paragraph under the subheader “Goals and Policies” on page 3.2-8 of the Draft EIR has been revised, as follows:

Table 3.2-1, at the end of this section, outlines the adopted general plan goals and policies that have been identified as applicable to the Proposed Project, describes environmental effects and potential conflicts, and provides a consistency determination of “consistent” or “inconsistent” for each policy. ~~Although the table shows some inconsistencies with the general plan, As shown in Table 3.2-1, the~~ Proposed Project would be generally consistent with the goals and policies contained in the general plan. The ultimate determination of general plan consistency can and will be made by the City Council.

Section 3.3, Transportation

The paragraph under the subheader “Environmental Setting” on page 3.3-1 of the Draft EIR has been revised as follows:

This section describes the existing conditions for transportation facilities in the vicinity of the Project Site, including the roadway network, bicycle and pedestrian facilities, and transit service. Figure 3.3-1 shows the location of the Project Site within the existing roadway network as well as the key intersections studied in the *Parkline Draft Transportation Impact Analysis* (Parkline TIA).³ The existing roadway network discussion below summarizes the key regional and local roadways in Figure 3.3-1.

The source for Table 3.3-1 on page 3.3-8 of the Draft EIR has been revised as follows:

Source: The *Parkline Draft Transportation Impact Analysis*, which was prepared by Hexagon Transportation Consultants for the Proposed Project and will be appended to the Final EIR.

The right-hand column for Impact TRA-1 in Table 3.3-2 on page 3.3-18 of the Draft EIR has been revised as follows:

Transit Facilities. The 100 percent office scenario would generate more employees than the 100 percent R&D scenario (~~5,522~~ 3,868 employees compared to ~~3,248~~ 2,667 employees) and could result in a greater impact on transit facilities. Therefore, the 100 percent office scenario is analyzed when considering impacts related to conflicts with plans or policies due to an increase in transit ridership.

The last row in Table 3.3-5 on page 3.3-26 of the Draft EIR has been revised as follows:

Policy CIRC-2.1: Accommodating All Modes. Plan, design, and construct transportation projects to safely accommodate the needs of pedestrians, bicyclists, transit riders, motorists, people with mobility challenges, and persons of all ages and abilities.	CONSISTENT. The Proposed Project would plan, design, and construct site access and circulation elements that would provide safe and convenient access for bicyclists, pedestrians, transit riders, drivers, people with mobility challenges, and people of all ages and abilities. The Proposed Project would construct bicycle and pedestrian facilities along the perimeter of the Project Site and throughout the interior to create east-west bicycle and pedestrian linkages that would connect the Project Site to Burgess Park, the future Caltrain undercrossing, and the Menlo Park downtown area. The Proposed Project would include a Class I multi-use bicycle and pedestrian path on the north side of the Project Site, along Ravenswood Avenue; a Class I multi-use bicycle and pedestrian path would extend from the west end of the Project Site at Burgess Drive and continue along the south side of the Project Site before connecting to Middlefield Road at Seminary Drive. To the west, the path would connect to a Class II or Class III bicycle facility along Burgess Drive to Laurel Street and a Class IV bicycle facility along Laurel Street from Ravenswood Avenue to Burgess Drive

Section 3.4, Air Quality

Under sub-heading “Waste Management Control Measures” the paragraph on page 3.4-30 of the Draft EIR has been revised as follows:

The Proposed Project would comply with ~~local~~ requirements for waste management (e.g., recycling and composting), including preparation of zero-waste plans to increase diversion rates during the occupancy phase of each building, per the requirements ~~of the requirement of the~~ outlined in the Proposed Project zoning city's Zoning Ordinance. The Proposed Project zero-waste management requirements would be established with the city through the review and entitlement process. Therefore, the Proposed Project would be consistent with the waste management control measures of the Clean Air Plan.

The impact statement for Impact AQ-1 on page 3.4-28 of the Draft EIR has been revised as follows:

Impact AQ-1: Conflict with or Obstruct Implementation of the Applicable Air Quality Plan. The Proposed Project ~~would not~~ could conflict with or obstruct implementation of the applicable air quality plan. (LTS/M)

The impact statement for Impact AQ-2 on page 3.4-32 of the Draft EIR has been revised as follows:

Impact AQ-2: Cumulatively Considerable Net Increase in Criteria Pollutants. The Proposed Project ~~would not~~ could result in a cumulative net increase in a criteria pollutant for which the Project region is classified as a nonattainment area under an applicable federal or State ambient air quality standard. (LTS/M)

Section 3.5, Energy

The first paragraph under the subheader “Operation” on page 3.5-19 of the Draft EIR has been revised to make footnote 31 superscript as follows:

Operation of the Proposed Project would result in the consumption of electricity, diesel, and gasoline (e.g., for emergency generator testing and maintenance, water conveyance, mobile uses). Operational energy consumption was evaluated under existing-year (2022) and buildout-year (2031) conditions. The Proposed Project would implement a number of strategies to reduce energy consumption (e.g., by earning Leadership in Energy and Environmental Design [LEED] and Fitwel certification, complying with the increasingly stringent Title 24 Building Energy Efficiency and Green Building standards, complying with the Menlo Park Municipal Code, and being consistent with the intent of the city’s adopted Reach Code).³¹³⁴ The amount of fuel for mobile uses would be reduced through an extensive Transportation Demand Management (TDM) plan. In addition, some use of gasoline and diesel would be displaced as EV charging stations are incorporated under the Proposed Project. The amount of energy used related to solid waste would be reduced through diversion, recycling, and composting programs. The Proposed Project would also incorporate water and waste reduction measures, including low-flow drip irrigation systems, drought-tolerant plants, low-flow fixtures, and options for greywater and recycled water for landscape irrigation. In addition, the Proposed Project is exploring the use of solar arrays and energy storage as a strategy for achieving compliance with the intent of the city’s adopted Reach Code and generating power onsite. This would offset energy use at each building and power the EV charging stations. The analysis does not quantify all of the Proposed Project’s energy-saving measures. Therefore, the analysis is a conservative analysis. Table 3.5-5 provides an estimate of the energy consumption of the Project during operation. The Proposed Project’s net energy consumption is the difference in operational energy consumption between existing (2022) conditions at the Project Site and 2031 with-Project conditions.

Section 3.7, Noise

The first full paragraph on page 3.7-36 of the Draft EIR has been revised as follows:

In Menlo Park, typically a special event application must be filed if a proposed gathering would have 150 or more attendees. As noted above, there may be occasional events with more than 150 people; thus, the Project Sponsor or event host would need to obtain a permit on those occasions. Through the project entitlement process, a specific number of special events could be allowed through conditions in the CDP and not through the special events application process. For smaller

³¹ In March 2024, the California Restaurant Association and the city of Berkeley entered into a settlement agreement halting enforcement of the city of Berkeley’s ban on natural gas piping as the City Council takes steps to repeal the ordinance in compliance with the Ninth Circuit ruling. As a result of the *California Restaurant Association v City of Berkeley* ruling, enforcement of the city of Menlo Park’s Reach Code has been paused.

routine events that would not require a special permit, it is reasonable to conclude that event noise would not exceed the limits in the Menlo Park Municipal Code. However, it is possible that larger events could result in noise levels in excess of Menlo Park Municipal Code noise standards at the nearest sensitive land use. Larger events beyond those stipulated in the CDP would be required to obtain an event permit and comply with the stipulations of the permit, which include adherence to the applicable Menlo Park Municipal Code limits or measures to reduce noise effects from the event. Furthermore, Menlo Park Municipal Code Section 8.60.050, Review Process, stipulates that the police chief or designee shall issue permits only if it is determined that the events do not present substantial noise hazards. Because larger events with amplified music or voices would be in compliance with the requirements of the applicable permit or conditions in the CDP, noise from such events would be in compliance with local regulations and would not result in substantial noise increases. Operational noise impacts related to other operational noise sources would be *less than significant*. No mitigation is required.

Section 3.8, Cultural Resources

The first paragraph of Mitigation Measure CR-1.2 on page 3.8-29 of the Draft EIR has been revised as follows:

CR-1.2: Interpretive Program

The Project Sponsor, in consultation with a qualified historian or architectural historian who meets the Secretary of the Interior's professional qualification standards and an experienced exhibit design professional, shall develop an interpretive program for the site. The interpretive program plan shall be reviewed by the Menlo Park Planning Division and/or a qualified historic consultant prior to the issuance of any permits for demolition, grading, or construction on the site. The plan shall include information regarding the proposed format and location of the content, along with information regarding the high-quality graphics and written narratives that will be incorporated. The interpretive display/feature shall be fully implemented and/or installed concurrent with the completion of common public open spaces and/or pathways along Ravenswood Avenue but not later than prior to issuance of the final certificate of occupancy for Parkline (Proposed Project) and inspected by Menlo Park Planning Division staff members or a qualified historic consultant to confirm its adherence to requirements ~~for mitigation measures of the approved interpretive program~~.

The last paragraph of Mitigation Measure CR-1.3 on page 3.8-30 of the Draft EIR has been revised as follows:

The SRI International Monument relocation plan shall be reviewed by the Menlo Park Planning Division ~~or a qualified historic consultant~~ prior to the issuance of any permits for demolition, grading, or construction on the Project Site. The final SRI International Monument relocation plan shall be submitted to the construction superintendents, and confirmation of receipt shall be documented via email.

Section 3.9, Tribal Cultural Resources

The impact statement for Impact TCR-1 on page 3.9-5 of the Draft EIR has been revised as follows:

Impact TCR-1. Tribal Cultural Resources. The Proposed Project ~~would not could~~ cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as a site, feature, place, 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:

Mitigation Measure TCR-1 on page 3.9-6 of the Draft EIR has been revised as follows:

TCR-1: Stop Work if Tribal Cultural Resources Are Encountered during Ground-Disturbing Activities

If Native American cultural resources are encountered during ground-disturbing activities, ~~the all construction activities within a 100-foot radius of the find shall cease until an~~ archaeological consultant ~~shall~~ can review, identify, and evaluate the find to determine if the discovery could qualify as a tribal cultural resource, as defined in Public Resources Code Section 21074. Tribal representatives from the city's Assembly Bill 52 notification lists shall be consulted regarding this determination. If the discovery is determined to qualify as a tribal cultural resource, it shall be subject to treatment/mitigation that prevents an adverse effect on the resource, in accordance with Public Resources Code Section 15064.5. Mitigation shall be determined through consultation between the city and the tribe(s).

Section 3.10, Biological Resources

The paragraph under the subheader "Porter-Cologne Water Quality Control Act" on page 3.10-20 of the Draft EIR has been revised as follows:

The State Water Board 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. The RWQCB's authority comes from the CWA and the 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 may overlap and exceed the boundaries of waters of the United States, pursuant to the CWA. Under Porter-Cologne, the State Water Board and the nine RWQCBs are responsible for granting CWA NPDES permits and waste discharge requirements for certain point-source and nonpoint-source discharges to waters. These regulations limit impacts on aquatic and riparian habitats from a variety of urban sources. ~~However, no waters of the state or riparian habitats regulated by the RWQCB are present on the Project Site; therefore, waste discharge requirements from the RWQCB are not required.~~

Section 3.11, Geology and Soils

Mitigation Measure GS-5.1 on page 3.11-21 of the Draft EIR has been revised as follows:

GS-5.1: Conduct Worker Awareness Training

Before the start of excavation or grading activities, the Project Sponsor shall retain a Project Paleontologist. Before the start of excavation or grading activities, the Project Sponsor shall retain a Project Paleontologist, as defined in ~~Mitigation Measure GS-5.1 by the Society of Vertebrate Paleontology~~, who is experienced in teaching non-specialists. The paleontologist shall train all construction personnel who are involved with earthmoving activities, including the site superintendent, regarding the possibility of encountering fossils, the appearance and types of fossils that are likely to be seen during construction, and proper notification procedures should fossils be encountered. Procedures to be conveyed to workers include halting construction within 50 feet of any potential fossil find and notifying the Project Paleontologist, who shall evaluate the significance of the find.

Mitigation Measure GS-5.2 on page 3.11-21 of the Draft EIR has been revised as follows:

GS-5.2: Conduct Protocol and Procedures for Encountering Paleontological Resources

In the event that fossils or fossil bearing deposits are discovered during ground disturbing activities, excavations within a 50-foot radius of the find shall be temporarily halted or diverted. Ground disturbance work shall cease until a ~~city-approved~~ Proposed Project qualified paleontologist determines whether the resource requires further study. The paleontologist shall document the discovery as needed (in accordance with Society of Vertebrate Paleontology standards [Society of Vertebrate Paleontology 2010]), evaluate the potential resource, and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction activities are allowed to resume at the location of the find. If avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of construction activities on the discovery. The excavation plan shall be submitted to the city of Menlo Park for review and approval prior to implementation, and all construction activity shall adhere to the recommendations in the excavation plan.

Section 3.12, Hydrology and Water Quality

The first paragraph under the subheader “Groundwater Quality” on page 3.12-6 of the Draft EIR has been revised as follows:

Groundwater tends to be hard (i.e., high mineral content), with high concentrations of iron and manganese. Nitrates/nitrogen groundwater concentrations in the San Mateo Plain subbasin are also in excess of maximum contaminant levels established by the California Department of Public Health ~~California Department of Health Services~~ and EPA.

The last paragraph on page 3.12-7 of the Draft EIR has been revised and footnote 17a has been added as follows:

The Project Site was developed as an army hospital in the early 1940s and later occupied by the Stanford Research Institute in 1946. Documented releases involved the UST associated with a structure that housed the institute’s original boiler. Soil contamination remains beneath the UST. Although fuel oil had migrated vertically at least 40 feet down, soil and groundwater downgradient of the UST were unaffected. One 1,500-gallon diesel UST was removed from the Project Site in November 1998. Subsurface investigations detected total petroleum hydrocarbons as diesel (TPHd) at a concentration of 200 parts per million in soil collected from the base of the UST excavation. However, concentrations of TPHd, benzene, toluene, ethylbenzene and total xylenes (BTEX) in groundwater were below their respective laboratory detection levels. The presence of chloroform in groundwater was identified at concentrations above the groundwater vapor intrusion environmental screening level (ESL) for a commercial/industrial site. Chloroform concentrations slightly exceed the groundwater vapor intrusion ESLs on the north and west sides of the site. Although chloroform only slightly exceeded the groundwater vapor intrusion ESLs, and due to the depth to groundwater, chloroform vapor intrusion is not a threat to existing or future site occupants under a commercial/industrial land use, an additional investigation may be warranted to determine the extent of the affected groundwater. In addition, PFAS (per- and polyfluoroalkyl substances,

specifically PFOA (perfluoro-n-octanoic acid) and PFOS (perfluorooctanesulfonic acid) samples collected from groundwater monitoring wells from the shallow aquifer, were ~~was~~ reported above the California Drinking Water Notification Level at some monitoring locations. The notification level is a non-regulatory, precautionary health-based level that may require reporting to public drinking water customers. However, various forms of per- and polyfluoroalkyl substances were analyzed, and were predominantly below California Drinking Water Notification Levels or response levels.^{17a} Combined PFOA and PFOS levels were below drinking water notification or response levels. ~~However, g~~Given the concentrations of PFAS identified, PFAS did not represent a threat to groundwater.¹⁸ In addition, drinking water wells would draw from the deep aquifer (greater than 400 feet below ground surface). Other hazards and contaminants of concern are also present on the Project Site, as discussed in detail in Section 3.13, *Hazards and Hazardous Materials*.

^{17a} Low detection limits of PFASs were PFBS (perfluoro-1-butanesulfonic acid), PFHxS (perfluorohexanesulfonic acid), PFBA (perfluoro-n-butanoic acid), PFHpA (perfluoro-n-heptanoic acid), PFHxA (perfluoro-n-hexanoic acid), PFNA (perfluoro-n-nonanoic acid), and PFPeA (perfluoro-n-pentanoic acid).

Footnote 18 on page 3.12-7 of the Draft EIR has been revised as follows:

¹⁸ ATC Group Services LLC. 2021. *Phase I Environmental Site Assessment*, SRI International, 333 Ravenswood Avenue, Menlo Park, California 94025. ATC Project No. NPLANE2002. March 12. ATC. 2021. *Site Assessment Report*, 333 Ravenswood Avenue, Menlo Park, California. March 12.

The impact statement for Impact HY-1 on page 3.12-19 of the Draft EIR has been revised as follows:

Impact HY-1: Water Quality. The Proposed Project ~~would not~~ could violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface water or groundwater quality.

Footnote 38 on page 3.12-21 of the Draft EIR has been revised as follows:

³⁸ ATC Group Services LLC. 2021. *Phase I Environmental Site Assessment*, SRI International, 333 Ravenswood Avenue, Menlo Park, California 94025. ATC Project No. NPLANE2002. March 12. ATC. 2021. *Site Assessment Report*, 333 Ravenswood Avenue, Menlo Park, California. March 12.

Section 3.13, Hazards and Hazardous Materials

The paragraph under the subheader “Schools” on page 3.13-8 of the Draft EIR has been revised as follows:

The Project Site is within 0.25 mile of two existing schools, the Alpha Kids Academy and Menlo-Atherton High School. The Project Site is also within 0.25 mile of two existing daycares, the Menlo Children’s Center and the GeoKids Early Childhood Development Center.

Table 3.13-1 on page 3.13-14 of the Draft EIR has been revised as follows:

HAZ-3: Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school.	100 percent R&D scenario	The Project Site is within 0.25 mile of Alpha Kids Academy, ~~and~~ Menlo-Atherton High School, <u>Menlo Children's Center, and GeoKids Early Childhood Development Center.</u> Construction of the Proposed Project would be the same under either scenario. As explained above, during operation, R&D uses could involve storing more hazardous materials than office uses. Therefore, the 100 percent R&D scenario has greater potential to result in significant impacts related to hazardous emissions or the handling of hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school. However, regardless of the type of development, these materials would be used, stored, and disposed of according to federal and state regulations and guidelines.

The second paragraph on page 3.13-18 of the Draft EIR has been revised as follows:

MITIGATION MEASURES. To address potential risks associated with an accidental release of hazardous materials from affected media onsite, the Proposed Project would be required to incorporate the recommendations described in the technical reports noted above. Implementation of Mitigation Measures HAZ-2.1 through HAZ-2.3 would reduce potential impacts associated with construction and operation by requiring an Environmental Site Management Plan prior to the start of construction to minimize any potential exposure of construction personnel, future site occupants, and the general public to contaminated soils and unknown environmental conditions/subsurface features. The mitigation measures would also require monitoring and sampling groundwater to ensure adequate treatment and disposal to address potential risks associated with contaminated groundwater encountered during dewatering, and implementing proper abatement procedures for buildings and structures that would be demolished as part of the Proposed Project that have known hazardous building materials. In addition, implementation of Mitigation Measure HAZ-2.4 would require an additional soil vapor investigation in areas designated for residential and office/R&D uses to address the potential soil vapor intrusion risk associated with the Proposed Project. Implementation of these mitigation measures would reduce potentially significant impacts related to the release of hazardous materials from affected media onsite to ***less than significant with mitigation.***

Mitigation Measure HAZ-2.1 on page 3.13-18 of the Draft EIR has been revised as follows:

HAZ-2.1: Prepare and Implement an Environmental Site Management Plan

Prior to commencement of any ground-disturbing activities, the Project Sponsor shall retain the services of a qualified environmental engineering firm to prepare and implement an Environmental Site Management Plan (ESMP) for review and approval by the appropriate regulatory agency ~~prior to issuance of building permits and commencement of construction.~~ The purpose of the ESMP is to protect construction workers, the general public, the environment, and future site occupants from subsurface hazardous materials previously identified at the site and to address the possibility of

encountering unknown contamination or hazards in the subsurface. The ESMP shall summarize soil and groundwater analytical data collected on the project site during past investigations; identify management options for excavated soil and groundwater, if contaminated media are encountered during deep excavations; and identify monitoring, irrigation, or other wells requiring proper abandonment in compliance with local, state, and federal laws, policies, and regulations.

The ESMP shall include measures for identifying, testing, and managing soil and groundwater suspected of or known to contain hazardous materials (including imported fill/soils, if imported fill/soils are needed as part of project construction). The ESMP shall: 1) provide procedures for evaluating, handling, storing, testing, and disposing of soil and groundwater during project ~~excavation~~ earthwork and dewatering activities, respectively; 2) describe required worker health and safety provisions for all workers potentially exposed to hazardous materials in accordance with State and federal worker safety regulations; and 3) designate personnel responsible for implementation of the ESMP. The ESMP shall be prepared by a commercial environmental engineering firm with expertise and experience in the preparation of ESMPs and stamped by an appropriately licensed professional. In addition, the ESMP shall adhere to applicable oversight agency guidance associated with the handling of the aforementioned impacted media.

In addition, the ESMP shall establish protocols and measures for addressing the discovery of presently unknown environmental conditions or subsurface structures such as underground storage tanks (USTs), sumps, or wells, would include procedures for evaluating, handling, storing, testing and disposing of these unknown materials (as applicable), and would also establish required health and safety provisions for all workers who could be exposed to said hazardous materials (in accordance with state and federal worker safety regulations). If the environmental engineering firm subsequently identifies the need for further sampling, the Project Sponsor shall implement this and any other requirements identified in the ESMP.

The first paragraph of Mitigation Measure HAZ-2.3 on page 3.13-19 of the Draft EIR has been revised as follows:

HAZ-2.3: Conduct a Hazardous Building Materials Survey

Prior to the issuance of any demolition permit, the Project Sponsor shall conduct a Hazardous Building Materials Survey in accordance with DTSC's Preliminary Endangerment Assessment (PEA) Guidance Manual. The survey shall be performed by a licensed contractor at structures that are scheduled to be demolished but have not been surveyed previously (i.e., as part of the 2021 Limited Hazardous Materials Survey). The Hazardous Building Materials Survey shall identify the presence of hazardous building materials, including asbestos-containing materials (ACMs), lead-based paint (LBP), and polychlorinated biphenyls (PCBs). Should this survey determine that hazardous building materials are present, the following actions shall be implemented by the Project Sponsor:

Mitigation Measure HAZ-2.4 on page 3.13-20 of the Draft EIR has been revised as follows:

HAZ-2.4: Conduct a Focused Soil Vapor Intrusion Investigation

Prior to construction, the Project Sponsor shall retain the services of a qualified environmental consulting firm to conduct a focused soil vapor investigation. The investigation shall be conducted in areas that are designated for residential and office/R&D uses; such uses shall be designed to protect building occupants from potential long-term impacts associated with vapor intrusion. The investigation shall provide the data needed to determine whether long-term engineering controls shall be needed as part of proposed building development. The soil vapor investigation's

methodology and sampling program shall be conducted by an environmental consulting firm with applicable expertise and experience and would be performed under any applicable oversight agency's current guidance. The soil vapor investigation shall be implemented by the Project Sponsor prior to construction of buildings on the Project Site.

If the environmental consulting firm or appropriate regulatory agency providing oversight determines engineering controls are required, they shall be designed by a qualified engineer in compliance with requirements of the appropriate regulatory agency and/or the city of Menlo Park to address vapor conditions by redirecting and/or minimizing soil vapor (i.e., the February 2023 Supplemental Guidance: Screening and Evaluating Vapor Intrusion prepared by the California Department of Toxic Substances Control and the California State Water Resources Control Board or the prevailing applicable requirements at the time the Proposed Project is implemented). The performance of the installed vapor mitigation systems shall be confirmed by appropriate quality assurance/quality control inspection and test methods, as certified by the design engineer, and the certification shall be provided to the appropriate regulatory agency providing oversight and city of Menlo Park as needed.

Specific engineering controls may include, but shall not be limited to:

- Installation of subsurface migration barriers; and/or
- Inclusion of ventilated foundations for any proposed structures; and/or
- The use and implementation of an alternative method or structural design to address soil gas releases and reduce the potential for hazardous conditions to occur.

Appropriate engineering control systems shall be determined with concurrence, approval, and oversight from the appropriate regulatory agency providing oversight and shall be dependent on building placement and construction.

The first paragraph under Impact HAZ-3 on page 3.13-21 of the Draft EIR has been revised as follows:

The handling or emission of hazardous or acutely hazardous materials near schools must consider potential health effects on children, who are considered sensitive receptors. Improper handling of these materials could result in airborne emissions or spills during use and transport, resulting in exposure to such materials. The Project Site is within 0.25 mile of Alpha Kids Academy (immediately adjacent to the northern portion of the Project Site), Menlo-Atherton High School (adjacent to the northern portion of the Project Site, across Middlefield Road), ~~and~~ Menlo Children's Center (across Laurel Street west of the Project Site), and GeoKids Early Childhood Development Center (across Seminary Drive and Survey Lane southeast of the Project Site). As discussed under Impact HAZ-2, construction activities associated with the Proposed Project could encounter residual contamination in soil during ground disturbance as well as affected groundwater during dewatering. In addition, demolition activities could expose construction personnel and the surrounding environment to hazardous building materials, which would be a ***potentially significant*** impact.

The first paragraph under the subheader "Operation" under Impact HAZ-1 on page 3.13-15 of the Draft EIR has been revised as follows:

As mentioned in Table 3.13-1, the analysis under Impact HAZ-1 considers a 100 percent R&D scenario. Because of the nature of R&D uses, the possibility exists for hazards related to the handling of hazardous materials. Laboratories associated with R&D/life science uses are

categorized as biosafety levels (BSLs) 1 through 4. It is anticipated that the Proposed Project could accommodate BSL-1, ~~or BSL-2, or BSL-3~~ laboratories; BSL-3 and BSL-4 laboratories are less common (in fact, there are only ~~four~~ 13 operational BSL-4 labs in the United States).¹⁵ Although laboratory uses in Menlo Park have typically not been regulated by zoning ordinance, the Proposed Project is proposing a new research and development mixed-use zoning district that would allow office, commercial, R&D, and residential uses in proximity to each other; zoning could address the BSLs for laboratory uses. Regardless of the BSL, the Proposed Project would comply with required federal, state, and local standards, including Title 8 of the California Code of Regulations (CCR). Furthermore, in accordance with standard industry practice, any R&D tenant that handles qualifying hazardous materials would be required to meet relevant Biosafety in Microbiological and Biomedical Laboratories (BMBL) and National Institute of Health (NIH) guidelines. All new laboratories that use hazardous materials or generate biohazardous waste are required to obtain a permit for hazardous materials and/or medical waste generation within the city.

¹⁵ ~~National Institute of Allergy and Infectious Diseases. 2018. *The Need for Biosafety Labs*. Available: <https://www.niaid.nih.gov/research/biosafety-labs-needed>. Accessed: July 13, 2023.~~ Harris & Lee Environmental Sciences, LLC. 2024. *Biosafety Management for the Parkline Project in Menlo Park*. August 26.

Section 3.14, Population and Housing

The second full paragraph on page 3.14-17 has been revised, as follows:

Within Menlo Park, onsite and offsite induced employment would generate a demand for 117 housing units within the city. However, the net increase in housing availability in Menlo Park as a result of the Proposed Project would amount to 550 units. Therefore, the proposed housing at the Project Site would offset the housing demand from onsite and offsite induced employees who would both live and work in Menlo Park. In addition, the proposed housing at the Project Site ~~Proposed Project~~ was considered as part of the growth accounted for in regional planning efforts and projections, including the Menlo Park Housing Element. Therefore, the Proposed Project's induced housing demand in the city, county, and region was also accounted for. The remaining employees who would not live in Menlo Park would very likely find housing throughout the region, with the majority living in San Mateo, Santa Clara, Alameda, and San Francisco Counties.

The last paragraph on page 3.14-17, continuing to page 3.14-18, has been revised as follows:

Housing at the Project Site is included in Table 7-6 of the city's 2023–2031 Housing Element as a pipeline project. It was anticipated that the Project Site would include 400 new housing units (340 market-rate units and 60 below-market-rate units), along with an office/R&D campus.⁴⁸ As such, much of the residential development proposed under the Proposed Project is accounted for under city and regional projections. The Proposed Project would construct more housing (550 units) than originally analyzed under the Housing Element, but the units would be absorbed within the 4,000 total residential units analyzed in HEU EIR. Therefore, the Proposed Project would be consistent with the intensity of residential development, ~~job development~~, and associated population increases considered by the General Plan and Housing Element and would not result in residential ~~or employment~~ growth beyond that already analyzed in previous EIRs.

The second full paragraph on page 3.14-18 has been revised as follows:

The Proposed Project is an infill development within an already-developed area of the city. ~~The employment growth under the Proposed Project is accounted for in the city's Housing Element and regional growth plans, such as ABAG projections.~~ The Proposed Project would increase the supply of housing in Menlo Park by providing new housing. However, non-residential Proposed Project components would increase employment and likely result in the demand for additional housing within commuting distance for workers. The housing demand in the city as a result of the Proposed Project can be accommodated in the city, and the anticipated housing demand in the Bay Area region has been anticipated in regional growth plans. The Project Site is an urban infill site and served by existing infrastructure and services. The Proposed Project would not induce a substantial level of unplanned population growth, either directly or indirectly, resulting in *less-than-significant* impacts. No mitigation is required.

Section 3.15, Public Services and Recreation

A footnote reference has been added to a sentence in the first paragraph on page 3.15-6 of the Draft EIR as follows:

Student enrollment in the SUHSD, which is steadily increasing, was 8,806 as of the 2023-2024 school year.^{26a}

^{26a} Marquez, Cecilia. Senior Administrative Secretary, Sequoia Union High School District. February 9, 2024—email to Payal Bhagat, contract principal planner, city of Menlo Park.

A footnote reference has been added to a sentence in the first paragraph on page 3.15-6 of the Draft EIR as follows:

The school's capacity is estimated to be 2,600; therefore, the school is under capacity.^{30a}

^{30a} California Department of Education. 2023e. DataQuest: 2022–2023 Enrollment by Grade, Sequoia Union High School District. Available: <https://dq.cde.ca.gov/dataquest/dqcensus/EnrGrdLevels.aspx?cds=4169062&agglevel=district&year=2022-23>. Accessed: September 15, 2023.

The paragraph under the subheader “High Schools” on page 3.15-17 of the Draft EIR has been revised to as follows:

Menlo-Atherton High School's ~~capacity-enrollment~~ was 2,125 as of the 2022-2023 school year.⁵² As stated above, Menlo-Atherton High School's capacity is 2,600.^{52a}

⁵² California Department of Education. 2023e. DataQuest: 2022–2023 Enrollment by Grade, Sequoia Union High School District. Available: <https://dq.cde.ca.gov/dataquest/dqcensus/EnrGrdLevels.aspx?cds=4169062&agglevel=district&year=2022-23>. Accessed: September 15, 2023.

^{52a} Marquez, Cecilia. Senior Administrative Secretary, Sequoia Union High School District. February 9, 2024—email to Payal Bhagat, contract principal planner, city of Menlo Park.

Chapter 3.16, Utilities and Service Systems

The paragraph under the subheader “Existing Water Supply Infrastructure and Water Demand at the Project Site” on page 3.16-4 of the Draft EIR has been revised as follows:

The Project Site is fed from two water sources: (1) a 10-inch-high pressure water distribution main located at the westerly side of the Project Site, off Laurel Street, which includes a water meter and back flow prevention device and (2) a 10-inch water distribution main located at the easterly side of the ~~project-site~~Project Site, off of Middlefield Road, which includes a water meter and back flow prevention device. The existing water system within the Project Site consists of 8-inch and 10-inch water mains configured in a looped system that provides water distribution to the existing commercial buildings and feeds the existing fire water system for both existing buildings and fire hydrants.

Based on further evaluation subsequent to the publication of the Draft EIR, the design of the proposed onsite water system have been refined to ensure compliance with all applicable Menlo Park Fire Protection District standards and other city requirements related to fire flow. As a result, the second and third paragraphs under the subheader “Water” on pages 3.16-23 to 3.16-24 of the Draft EIR have been revised as follows:¹

The Proposed Project would install dedicated fire-service water and metered domestic water at each proposed building. The design of the proposed onsite water system for the Project would be required to comply with all applicable Menlo Park Fire Protection District standards and other city requirements related to fire flow and could consist of upsizing existing pipes to provide ~~The onsite water system for the Proposed Project would consist of an approximately 10- to 12-inch looped water system for domestic water and fire systems within the onsite buildings and for fire hydrants. In addition, a metered irrigation service would be provided to the Project Site for landscaped areas. This proposed system would use the existing 10-inch water distribution mains.~~ The existing water connections to Buildings P, S, and T, which are unaffiliated with the Proposed Project and currently operational, would remain as is under existing conditions.

Correspondence with MPMW and modeling of the water distribution system for the Proposed Project determined that flows from the 10-inch high-pressure water line from Laurel Street would amount to approximately 1,625 gpm, and flows from the 10-inch line from Middlefield Road would amount to approximately 1,250 gpm. As stated above, the Proposed Project would use approximately 313,212 gpd of water, or approximately 217.5 gpm. Given the available flows from the lines in Laurel Street and Middlefield Road, the anticipated demand flows of the Proposed Project would be significantly less than the available flows of 1,250 to 1,625 gpm.⁴⁰ Therefore, the existing off-site water system at the Project Site can provide an adequate flow for fire and domestic water under the Proposed Project without the need for off-site upgrades or additional facilities.

¹ As stated on page 3.16-24, the installation of new or expanded water lines on or adjacent to the Project Site would require excavation, trenching, soil movement, and other activities that are typical during construction of development projects. These construction impacts are part of the Project Description, and the potential impacts that would result from construction of these facilities are evaluated throughout this EIR (e.g., refer to Section 3.4, *Air Quality*; Section 3.6, *Greenhouse Gas Emissions*; Section 3.7, *Noise and Vibration*; and Section 3.12, *Hydrology and Water Quality*). Thus, these revisions do not alter the findings in the Draft EIR or require recirculation pursuant to CEQA Guidelines Section 15088.5.

The second paragraph on page 3.16-38 of the Draft EIR has been revised as follows:

Each component of the Proposed Project would be subject to the ~~city's~~ zero-waste management plan requirements during both construction and operation, as outlined in the Proposed Project zoning. The Proposed Project zero-waste management requirements would be established with the city through the review and entitlement process. Therefore, construction of the Proposed Project is not expected to have a significant impact on existing landfills.

The third paragraph on page 3.16-38 of the Draft EIR has been revised as follows:

As described in Chapter 2, Project Description, each component of the Proposed Project would be subject to the ~~city's~~ zero-waste management plan requirements during both construction and operation, as outlined in the Proposed Project zoning. With implementation of the Proposed Project's zero-waste management plans, the Proposed Project would achieve state and local requirements for waste reduction. The Proposed Project zero-waste management requirements would be established with the city through the review and entitlement process.

The second paragraph under Impact UT-5 on page 3.16-39 of the Draft EIR has been revised as follows:

In addition, the Proposed Project would be required to adhere to the ~~city's~~ construction and demolition recycling and zero-waste management plans during operation of the Proposed Project during construction, as outlined in the Proposed Project zoning. The Proposed Project zero-waste management requirements would be established with the city through the review and entitlement process.

Chapter 4, Project Variant Analysis

Table 4-1 on page 4-2 of the Draft EIR has been revised as follows:

	Proposed Project	Project Variant
Residential Component		
Residential Development	675,200 sf (550 dwelling units)	1,096,000 sf (800 dwelling units)
Maximum Building Heights	85 feet	90 feet
Parking Spaces	519 spaces	919 spaces
Office/R&D Component		
Commercial Development	Total Office/R&D Buildings: 1,051,600 sf Office Amenity Building: 40,000 sf Public Amenity Building: 2,002 sf	No Change No Change No Change (public amenity space to be included in Building R3)
Pump Station/Utility Room for Water Reservoir	Not Applicable	1,500 sf
Well and Surge Tank for Water Reservoir	Not Applicable	350 sf
Maximum Building Heights	110 feet	No Change
Parking Spaces	2,800 spaces	No Change

	Proposed Project	Project Variant
Total Project Site		
Existing Buildings to Be Demolished	1,093,602 sf	1,106,302
Existing Buildings to Be Retained	286,730 sf	No Change
Building Area Coverage	752,117 sf	918,000 sf
Open Space	26.4 acres ^a	29.3 acres ^b
Maximum Excavation Depth	15 feet below the current grade	15 feet below the current grade, and 30 feet below current grade for the emergency water reservoir
Maximum Depth for Emergency Well	Not Applicable	430 feet below current grade
Excavation Volume ^c	281,605 cubic yards export	174,905 cubic yards export
Trees to Be Removed	708 trees	~~768~~ 810 trees ^d
Trees to Be Planted	873 trees	860 trees
Emergency Generators ^{de}	13	No Change

Source: Lane Partners and SRI International, 2024.

Notes:

- a. The 26.4 acres of open space includes all open space at grade. At the time the Project Sponsor submitted this information, specific acreage allocations of public versus private open space were not yet available.
- b. The 29.3 acres of Project Variant open space includes approximately 19.8 acres of open space, 5 acres of private office open space, and 4.6 acres of private at-grade residential open space. Values may not total due to rounding.
- c. Export volumes assume that all disturbed soil is off-hauled rather than reused onsite. Soils have not yet been fully characterized; it is currently unknown how much soil would be reused. Therefore, to provide conservative estimates, this document assumes that all excavated soil would be hauled offsite.
- d. The Proposed Project would remove approximately 708 trees, including approximately 198 heritage trees, and plant approximately 873 new trees, resulting in a total of approximately 1,505 trees on the Project Site. The Project Variant would remove approximately 810 trees, including approximately 264 heritage trees, and plant approximately 860 new trees, resulting in a total of 1,392 trees on the Project Site.
- e. There are six existing generators, along with a cogeneration power facility, in place today, with one additional generator proposed to be installed by SRI in connection with its separate tenant improvements prior to buildout (subject to separate city review and approval). The Proposed Project would remove three of the six existing SRI generators, along with the cogeneration power facility, and install 13 new generators onsite, yielding a total of 17 generators at Project buildout, inclusive of the one additional generator proposed to be installed by SRI in connection with its separate tenant improvements. Under the Project Variant, one of the 13 emergency generators would be used for the proposed emergency water reservoir.

The first bullet on page 4-13 of the Draft EIR has been revised as follows:

- State Water Resources Control Board Division of Drinking Water – The State will need to review and approve the proposed reservoir and well location prior to considering and granting approval to drill the proposed well construction. In addition, a water supply permit amendment will be required to add the proposed reservoir and well to the city's current drinking water system. ~~Water Supply Permit per Article 7 of the California State Drinking Water Act for drilling of a well to be used for potable water supply in the event water from SFPUC is reduced, interrupted, or unavailable.~~

The paragraph under Open Space on page 4-13 of the Draft EIR has been revised as follows:

Although the Project Variant would increase ~~in~~ the number of dwelling units and would incorporate additional facilities associated with the emergency water reservoir, the Project Variant would include more open space than the Proposed Project. The Project Variant would include approximately 29.3 acres of open space areas and supporting amenities (compared to approximately 26.4 acres under the Proposed Project). The Project Variant would also result in the removal of approximately ~~768~~ 810 trees (compared to approximately 708 trees under the Proposed Project).

The impact statement for Impact AQ-1 on page 4-25 of the Draft EIR has been revised as follows:

Impact AQ-1: Conflict with or Obstruct Implementation of the Applicable Air Quality Plan. The Project Variant ~~would not~~ could conflict with or obstruct implementation of the applicable air quality plan. (LTS/M)

The impact statement for Impact AQ-2 on page 4-26 of the Draft EIR has been revised as follows:

Impact AQ-2: Cumulatively Considerable Net Increase in Criteria Pollutants. The Project Variant ~~would not~~ could result in a cumulative net increase in a criteria pollutant for which the Project region is classified as a nonattainment area under an applicable federal or State ambient air quality standard. (LTS/M)

The first paragraph of Mitigation Measure NOI-1.3 on page 4-46 of the Draft EIR has been revised as follows:

NOI-1.3: Implement Noise Reduction Plan to Reduce Construction Noise (Project Variant)

Prior to issuance of any demolition, grading, and/or building permits for construction of the ~~Proposed Project~~ Project Variant, the Project Sponsor and/or contractor(s) shall (i) develop a construction noise control plan to reduce noise levels and demonstrate how the ~~Proposed Project~~ Project Variant will comply with Menlo Park Municipal Code daytime (i.e., during non-exempt hours) and nighttime noise standards to the extent feasible and practical, subject to review and determination by the Community Development Department, and (ii) provide a note on all development plans, stating that, during ongoing grading, demolition, and construction, the Project Sponsor shall be responsible for requiring contractors to implement measures to limit construction-related noise, as set forth in the plan and in this mitigation measure (NOI-1.3). The plan shall also include measures to reduce noise levels such that a 10-decibel (dB) increase over the ambient noise level does not occur at nearby noise-sensitive land uses to the extent feasible and practical, as determined by the city of Menlo Park. For concrete pouring occurring during early-morning hours, the closest distance that equipment for concrete pouring shall operate to noise-sensitive land uses is 100 feet, which applies to residential properties and the church property on the north side of Ravenswood Avenue. Equipment for concrete pouring shall operate no closer than 200 feet from the property line of residential properties in the Classics of Burgess Park or Linfield Oaks neighborhoods. These distances are based on the anticipated locations for the concrete pouring activities.

The first paragraph on page 4-48 of the Draft EIR (last paragraph of Mitigation Measure NOI-1.3) has been revised as follows:

The Project Sponsor and/or the contractor(s) shall obtain a permit to complete work outside the normal daytime construction hours outlined in the Menlo Park Municipal Code (i.e., 8:00 a.m. to 6:00 p.m. Monday through Friday); this may be incorporated into the conditional

development permit for the ~~Proposed Project~~ **Project Variant**. Furthermore, the plan shall require verification that construction activities will be conducted at adequate distances or otherwise shielded with sound barriers, as determined through analysis, from noise-sensitive receptors when occurring outside normal daytime construction hours; compliance with the Menlo Park Municipal Code will be verified through measurement.

The first paragraph of Mitigation Measure CR-1.4 on page 4-58 of the Draft EIR has been revised as follows:

Prior to issuance of a demolition permit for the First Church of Christ, Scientist and Alpha Kids Academy (Chapel buildings), the Project Sponsor shall undertake documentation of the Chapel at 201 Ravenswood Avenue. The documentation shall be funded by the Project Sponsor and undertaken by a qualified professional(s) who meets the Secretary of the Interior's Professional Qualification Standards for history, architectural history, or architecture (Code of Federal Regulations, Title 36, Part 61, Appendix A) and be submitted for review by the Menlo Park Planning Division ~~or a qualified historic consultant~~ prior to issuance of a demolition permit for the Chapel buildings. The documentation package created shall consist of the items listed below, consisting of (a) digital photography and (b) a historical report. The documentation materials shall be submitted to the Northwest Information Center at Sonoma State University, the repository for the California Historical Resources Information System. The documentation shall also be offered to local repositories, including the Menlo Park Public Library, Menlo Park Historical Association, and San Mateo County History Museum. Materials shall either be provided in archival digital and/or hard copy formats, depending on the capacity and preference of the repository. This measure would create a collection of reference materials that would be available to the public and inform future research. Although the documentation would use some of the guidelines and specifications developed for the Historic American Buildings Survey (HABS), the documentation package would not need to be delivered as HABS documentation to the Library of Congress.

The impact statement for Impact TCR-1 on page 4-61 of the Draft EIR has been revised as follows:

Impact TCR-1. Tribal Cultural Resources. The Proposed Project ~~would not~~ could cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as a site, feature, place, 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:

The third paragraph on page 4-64 of the Draft EIR has been revised as follows:

The mature vegetation on the Project Site supports a number of bird species that could have active nests and could be affected during Project Variant construction. The Project Variant would remove approximately ~~768~~ 810 trees, including approximately ~~244~~ 264 heritage trees. Although construction impacts would be temporary, the disruption to nesting and foraging habitat could harm migratory bird populations. In addition, implementation of the Project Variant could temporarily reduce available nesting habitat for birds that currently use the Project Site as well as foraging habitat and cover for migrants and wintering birds through the removal of trees and landscape vegetation. This could result in a temporary decline in the number of migratory bird species and individuals that use the Project Site. Any disturbance of nesting birds that results in the abandonment of active nests or the loss of active nests through vegetation or structure removal would be a potentially significant impact.

The fourth paragraph on page 4-64 of the Draft EIR has been revised as follows:

The proposed land use program under the Project Variant was developed to ensure that existing and new trees would be distributed throughout the Project Site, which currently has approximately ~~1,355~~ 1,342 trees. As mentioned above, the Project Variant would remove approximately ~~768~~ 810 trees, including approximately ~~244~~ 264 heritage trees, and plant approximately 860 new trees, resulting in a total of ~~1,447~~ 1,392 trees on the Project Site, an overall increase in the number of trees compared to existing conditions. Thus, many of the existing trees on the Project Site would be preserved and would continue to be available for nesting habitat following construction of the Project Variant. Once the new trees and vegetation mature, the Project Variant would result in an overall increase in nesting and foraging resources for the migratory birds that currently use the site compared to existing conditions. In addition, although the habitat on the Project Site does provide nesting and foraging habitat for migratory birds, this developed area represents only a small portion of the habitats that support these species regionally. Although many habitats in the vicinity of the Project Site support species of migratory birds that nest on the site, these birds are expected to nest in nearby habitats if they become displaced from the Project Site.

The first paragraph under Bird Collisions on page 4-65 of the Draft EIR has been revised as follows:

Conditions on the site attract an abundance of avian species. Under existing conditions, there are approximately ~~1,355~~ 1,342 trees on the Project Site, including ~~593~~ 600 heritage trees, which are distributed across the Project Site. The mature, native coast live oaks and valley oaks on the Project Site provide relatively high-quality nesting and foraging habitat for native birds. According to the Parkline BRR, the large number of nonnative trees, shrubs, and landscape plants also present on the Project Site supports fewer of the resources required by native birds than native vegetation, and the structural simplicity of the vegetation on the Project Site (i.e., without well-developed ground cover and an understory or canopy layers) further limits the resources available to birds. Nevertheless, this nonnative vegetation contributes to habitat quality on the Project Site, providing nesting and foraging opportunities. Because of the number of mature trees (both native and nonnative) present, native bird abundance on the Project Site is relatively high. However, particularly rare species or species of conservation concern are not expected to occur on the Project Site.

The second paragraph under Bird Collisions on page 4-65 of the Draft EIR has been revised as follows:

With implementation of the Project Variant, the Project Site would provide habitat of similar or slightly greater value to landbirds compared to existing conditions. The Project Variant would remove approximately ~~768~~ 810 trees, including ~~244~~ 264 heritage trees, and plant approximately 860 new trees, resulting in a total of ~~1,429~~ 1,392 trees on the Project Site, an overall increase in the number of trees compared to existing conditions. The trees that would be planted as part of the Project Variant would increase the vegetative cover and the extent of habitat and foraging resources for the native resident birds that use the Project Site, especially as the replacement trees mature. Based on these combined factors, the number of birds that use the Project Site is expected to be similar to, or slightly greater than, existing conditions following implementation of the Project Variant. In addition, a moderate number of migrants are expected to use vegetation on the Project Site for foraging and resting opportunities during spring and fall migration because of the Project Site's proximity to adjacent habitats at St. Patrick's Seminary & University and the Corpus Christi Monastery as well as the presence of large numbers of trees on the Project Site.

The first paragraph under Impact BIO-3 on page 4-66 of the Draft EIR has been revised as follows:

The proposed land use program, which considers site orientation, was developed to ensure that existing and new trees would be distributed throughout the Project Site, which currently has approximately ~~1,355~~ 1,342 trees. (This total does not include approximately 58 trees, of which approximately 24 are heritage trees, near Buildings S and T, which are being evaluated separately as part of the entitlement review for proposed tenant improvements in Buildings P, S, and T and associated utility work, including the addition of a combined utility yard.)

The second paragraph under Impact BIO-3 on page 4-66 of the Draft EIR has been revised as follows:

In total, the Project Variant would remove approximately ~~768~~ 810 trees, including ~~244~~ 264 heritage trees, and plant approximately 860 new trees, resulting in a total of ~~1,447~~ 1,392 trees on the Project Site, an overall increase in the number of trees compared to existing conditions. The number of heritage trees and total trees that would be removed from the Project Site increased since publication of the Draft EIR due to several factors, as outlined in the final arborist report dated January 2025. First, the Draft EIR identified impacts on trees that were included in the Preliminary Tree Disposition and Tree Assessment prepared by HortScience in 2021, which were submitted as part of the Project's Heritage Tree Permit Removal Application. HortScience subsequently reassessed the Project Site in 2024 and, as documented in the arborist report, found that the baseline number of trees on the Project Site had changed due, in part, to the removal of trees that were damaged during intervening storm events in the city and the addition of a handful of trees that were inadvertently missed in the preliminary assessment. The number of heritage trees also increased as the result of HortScience's reclassification of tree sizes for multi-stem trees since the preliminary assessment. With respect to the number of trees proposed for removal, minor adjustments to the site plan, in terms of the location of residential building footprints, parking structures, and roads and walkways, as well as the refinement of civil plans, also resulted in the identification of additional trees that would need to be removed in order to avoid design conflicts.^{35a,35b} In accordance with Menlo Park Municipal Code Chapter 13.24, Heritage Trees, permits from the city's Director of Public Works or designee and payment of a fee would be required for the removal of any heritage trees, as defined in the Regulatory Setting. Removing or pruning heritage trees protected by the Menlo Park Municipal Code is considered a potentially significant impact. However, the Project Variant would comply with the city's Heritage Tree Ordinance, Sections 13.24.030 and 13.24.050, by obtaining a permit from the city to remove protected trees, submitting and implementing a tree protection plan to protect remaining heritage trees near work areas, and paying any applicable fees. The Project Variant would include the provision of replacement trees for all heritage trees removed during construction (in accordance with Heritage Tree Ordinance Section 13.24.090). Furthermore, a greater number of trees would be planted than removed (approximately 860 new trees would be planted). Therefore, impacts related to conflicts with local policies or ordinances that protect heritage trees would be less than significant. No mitigation is required.

^{35a} HortScience, 2025. *Preliminary Arborist Report, Stanford Research Institute, Menlo Park, CA.* Prepared for Land Partners. January 2025.

^{35b} HortScience, 2025. *Parkline (333 Ravenswood Avenue, Menlo Park, CA) – Responses to City Arborist's Comments.* February 11, 2025.

The impact statement for Impact HY-1 on page 4-72 of the Draft EIR has been revised as follows:

Impact HY-1: Water Quality. The Proposed Project ~~would not~~ could violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface water or groundwater quality.

The first paragraph under Impact HAZ-3 on page 4-81 of the Draft EIR has been revised as follows:

The Project Site is within 0.25 mile of Alpha Kids Academy, Menlo-Atherton High School, ~~and Menlo Children's Center, and GeoKids Early Childhood Development Center.~~ Under the Project Variant, the buildings at 201 Ravenswood Avenue, including the site where Alpha Kids Academy currently operates, would be demolished during Phase 1 of construction (unlike under the Proposed Project). In addition, the six-story Building R3 and the three-story TH2 townhomes would be constructed in the northeast corner of the Project Site, across Middlefield Road from Menlo-Atherton High School. The emergency water reservoir would be buried 30 feet under the current grade in the northeast portion of the Project Site. In comparison, under the Proposed Project, development in this area would include recreational fields, a small public amenity building, and a surface parking lot. Therefore, the intensity of construction activities, including soil excavation and dewatering, in proximity to Menlo-Atherton High School would be greater under the Project Variant. However, construction in the northwest corner of the Project Site, across Laurel Street from the Menlo Children's Center, would be slightly less intense because construction of the below-grade parking under the residential buildings would not occur.

Based on further evaluation subsequent to the publication of the Draft EIR, the design of the proposed onsite water system has been refined to ensure compliance with all applicable Menlo Park Fire Protection District standards and other city requirements related to fire flow. As a result, the second and third paragraphs under the subheader "Water" on pages 4-95 to 4-96 of the Draft EIR have been revised as follows:²

Similar to the Proposed Project, the Project Variant would install dedicated fire-service water and metered domestic water at each proposed building. The design of the proposed onsite water system for the Project would be required to comply with all applicable Menlo Park Fire Protection District standards and other city requirements related to fire flow and could consist of upsizing existing pipes to provide ~~The onsite water system for the Project Variant would consist of an approximately 10- to 12-inch looped water system for domestic water and fire systems within the onsite buildings. Like the Proposed Project, the Project Variant would use the existing 10-inch water distribution mains.~~ In addition, the Project Variant would also include an approximately 2- to 3-million-gallon emergency water reservoir that would be buried below grade at the northeast corner of the Project Site (beneath a proposed surface recreational use) near the intersection of Ravenswood Avenue and Middlefield Road, west of the 100 percent affordable building (Building R3). These facilities, associated with the emergency water reservoir, would include a pump station building, surge tank, and a well head. The facilities would be located aboveground adjacent to the community amenity building and surrounded by a fence or screen. The area for the

² As stated on page 3.16-24, the installation of new or expanded water lines on or adjacent to the Project Site would require excavation, trenching, soil movement, and other activities that are typical during construction of development projects. These construction impacts are part of the Project Description for the Project Variant, and the potential impacts that would result from construction of these facilities are evaluated throughout Chapter 4, *Project Variant Analysis*, in the Draft EIR. Thus, these revisions do not alter the findings in the Draft EIR or require recirculation pursuant to CEQA Guidelines Section 15088.5.

emergency water reservoir and associated facilities would be leased by the city. The emergency water reservoir was identified as a needed citywide improvement in the 2018 Menlo Park Municipal Water's Water System Master Plan.⁷⁷

Correspondence with MPMW and modeling of the water distribution system for the Project Variant determined that flows from the 10-inch high-pressure water line from Laurel Street would amount to approximately 1,625 gpm, and flows from the 10-inch line from Middlefield Road would amount to approximately 1,250 gpm. As stated above, the Project Variant would use approximately 340,034 gpd of water, or approximately 236 gpm. Given the available flows from the lines in Laurel Street and Middlefield Road, the anticipated demand flows of the Project Variant would be significantly less than the available flows of 1,250 to 1,625 gpm.⁷⁸ Therefore, the existing off-site water system at the Project Site can provide an adequate flow for fire and domestic water under the Project Variant without the need for off-site upgrades or additional facilities.

The first paragraph on page 4-102 of the Draft EIR has been revised as follows:

Each component of the Project Variant would be subject to the city's zero-waste management plan requirements during both construction and operation, as outlined in the Proposed Project zoning. The Proposed Project zero-waste management requirements would be established with the city through the review and entitlement process. Therefore, construction of the Project Variant is not expected to have a significant impact on existing landfills.

The last paragraph on page 4-102 of the Draft EIR has been revised as follows:

In addition, the Project Variant would be required to adhere to the city's Construction and Demolition Recycling Ordinance and zero-waste management plan requirements, as outlined in the Proposed Project zoning, during the occupancy phase.

Chapter 5, Other CEQA Considerations

The last paragraph on page 5-4 of the Draft EIR, which continues on page 5-5, has been revised as follows:

As discussed in Section 3.12, *Hazards and Hazardous Materials*, accidents such as release of hazardous materials may trigger irreversible environmental damage. With respect to accident conditions involving hazardous materials, the use of hazardous materials would be subject to existing laws, regulations, and CUPA programs regarding hazardous materials, including a spill contingency plan. Adherence to these standards would reduce the potential for an accidental release. With respect to routine hazardous materials uses, because of the nature of R&D uses, the possibility exists for hazards related to the handling of hazardous materials. Laboratories associated with R&D/life science uses are categorized as biosafety levels (BSLs) 1 through 4. It is anticipated that the Proposed Project could accommodate BSL-1, ~~or~~ BSL-2, or BSL-3 laboratories; BSL-3 and BSL-4 laboratories are less common (in fact, there are only ~~four~~ 13 operational BSL-4 labs in the United States).¹ Although laboratory uses in Menlo Park have typically not been regulated by its zoning ordinance, the Proposed Project is proposing a new research and development mixed-use zoning district allowing for office, commercial, R&D, and residential uses in proximity to each other; zoning could address BSLs for laboratory uses. Regardless of the BSL, the Proposed Project would comply with required federal, state, and local standards, including Title 8 of the California Code of Regulations. The Project Sponsor

would also consult with San Mateo County Environmental Health Services and apply for applicable permits for any regulated substance that may pose a threat to public health and safety or the environment because of its highly toxic, flammable, or explosive nature. Tenants must comply with the safety procedures mandated by applicable federal, state and local laws and regulations. In addition, hazardous materials would be registered through the San Mateo County Environmental Health Services Hazardous Materials Business Plan Program to ensure safe and responsible handling of such materials. Compliance with state and local regulations would ensure that buildings would be equipped with safety devices such as sprinklers and alarms to minimize potential impacts resulting from the presence of hazardous materials. Prior to issuance of a certificate of occupancy for completed structures, the city would require a final inspection from the Menlo Park Fire Protection District to ensure that all building systems are in conformance with the city's Fire Code and National Fire Protection Association requirements. Finally, the Proposed Project would comply with California Department of Transportation regulations to ensure that all necessary safety precautions would be taken during the transportation of hazardous materials. The Project is not expected to create a significant hazard to public health or the environment or to result in significant irreversible damage related to environmental accidents associated with the Project.

¹ ~~National Institute of Allergy and Infectious Diseases. 2018. *The Need for Biosafety Labs*. Available: <https://www.niaid.nih.gov/research/biosafety-labs-needed>. Accessed: July 13, 2023. Harris & Lee Environmental Sciences, LLC. 2024. *Biosafety Management for the Parkline Project in Menlo Park*. August 26.~~

The paragraph on page 5-11 of the Draft EIR has been revised as follows:

As discussed in Chapter 4, *Project Variant Analysis*, under section, *Hazards and Hazardous Materials*, accidents such as release of hazardous materials may trigger irreversible environmental damage. With respect to accident conditions involving hazardous materials, the use of hazardous materials would be subject to existing laws, regulations, and CUPA programs regarding hazardous materials, including a spill contingency plan. Adherence to these standards would reduce the potential for an accidental release. With respect to routine hazardous materials uses, because of the nature of R&D uses, the possibility exists for hazards related to the handling of hazardous materials. Laboratories associated with R&D/life science uses are categorized as biosafety levels (BSLs) 1 through 4. It is anticipated that the Proposed Project could accommodate BSL-1, ~~or BSL-2, or BSL-3~~ laboratories; BSL-3 and BSL-4 laboratories are less common (in fact, there are only ~~four~~ 13 operational BSL-4 labs in the United States).⁶ Although laboratory uses in Menlo Park have typically not been regulated by its zoning ordinance, the Proposed Project is proposing a new research and development mixed-use zoning district allowing for office, commercial, R&D, and residential uses in proximity to each other; zoning could address BSLs for laboratory uses. Regardless of the BSL, the Project Variant would comply with required federal, state, and local standards, including Title 8 of the California Code of Regulations. The Project Sponsor would also consult with San Mateo County Environmental Health Services and apply for applicable permits for any regulated substance that may pose a threat to public health and safety or the environment because of its highly toxic, flammable, or explosive nature. Tenants must comply with the safety procedures mandated by applicable federal, state and local laws and regulations. In addition, hazardous materials would be registered through the San Mateo County Environmental Health Services Hazardous Materials Business Plan Program to ensure safe and responsible handling of such materials. Compliance with state and local regulations would

ensure that buildings would be equipped with safety devices such as sprinklers and alarms to minimize potential impacts resulting from the presence of hazardous materials. Prior to issuance of a certificate of occupancy for completed structures, the city would require a final inspection from the Menlo Park Fire Protection District to ensure that all building systems are in conformance with the city's Fire Code and National Fire Protection Association requirements. Finally, the Project Variant would comply with California Department of Transportation regulations to ensure that all necessary safety precautions would be taken during the transportation of hazardous materials. The Project Variant is not expected to create a significant hazard to public health or the environment or to result in significant irreversible damage related to environmental accidents associated with the Project Variant.

- ⁶ ~~National Institute of Allergy and Infectious Diseases. 2018. *The Need for Biosafety Labs*. Available: <https://www.niaid.nih.gov/research/biosafety-labs-needed>. Accessed: July 13, 2023.~~ Harris & Lee Environmental Sciences, LLC. 2024. *Biosafety Management for the Parkline Project in Menlo Park*. August 26.

Chapter 6, Alternatives Analysis

The second bullet on page 6-3 of the Draft EIR has been revised as follows:

- Replace obsolete and unsustainable commercial and/or institutional buildings with new state-of-the-art, highly sustainable commercial buildings with flexible floor plates that can accommodate a variety of office and/or R&D tenants.

The first bullet under subheader 6.3, "Description of Proposed Project Alternatives Selected for Evaluation" on page 6-4 of the Draft EIR has been revised as follows:

- **No-Project Alternative.** The No-Project Alternative would continue the existing uses on SRI International's research campus, which consists of 38 buildings with approximately 1.38 million square feet (sf) of mostly R&D space and areas for supporting uses. The existing cogeneration plant would continue to operate. Under the No-Project Alternative, 3,308 employees ~~could~~ would work within the existing buildings at the SRI campus, which is the maximum number of employees allowed under the current Conditional Development Permit [CDP] if all employees were SRI workers. This would amount to a net increase in 2,208 employees compared to existing conditions. Because the current CDP counts non-SRI workers at a 2:1 ratio (meaning that one non-SRI worker counts as two SRI workers), if the campus were to be partially occupied by SRI workers and non-SRI workers (i.e., tenants), then the potential net increase would be smaller than 2,208 employees, but would still likely be higher than existing conditions. It is speculative to assume how many workers would be employed at the campus under the No-Project Alternative. No new construction would occur and no housing would be provided at the Project Site. However, this alternative ~~would~~ is assumed to include renovations and tenant improvements to the existing buildings, as needed, to ensure modern seismic safety features to meet all standards set forth by the California Building Standards Code, address hazards, remediate known hazardous materials, etc.

Table 6-1 on page 6-5 of the Draft EIR has been revised as follows:

Table 6-1. Comparative Description of the Proposed Project Alternatives

	Proposed Project	No-Project Alternative	Preservation Alternative 1	Preservation Alternative 2	Preservation Alternative 3
Site Development					
Total Existing Office Floor Area to Remain	286,730 sf	1.38 million sf	295,736 sf	743,829 sf	878,939 sf
Gross Floor Area to Be Demolished and Replaced	1,094,197 sf	0 sf	1,084,596 sf	636,503 sf	501,393 sf
Residential (sf)	675,200 sf	0 sf	Same as Project	607,200 sf	607,200 sf
Housing Units	550 units	0 units	Same as Project	506 units	506 units
Maximum Building Heights	110 feet (Office/R&D) 85 feet (Residential)	48 feet	Same as Project	Same as Project	Same as Project
Parking	2,800 spaces (Office) 519 spaces (Residential)	~3,000 spaces ^a	Same as Project	2,800 spaces (Office) 456 spaces (Residential)	2,800 spaces (Office) 456 spaces (Residential)
Open Space	26.4 acres ^b	n/a ^b	Same as Project	25.8 acres	26.2 acres
Onsite Activity					
Total Net New Onsite Employees	3,868 employees	Up to 2,208 employees ^d	Same as Project	Same as Project	Same as Project
Total Residents	1,305 residents	0 residents	Same as Project	1,200 residents	1,200 residents
Historic Resources					
<i>Buildings Individually Eligible for CRHR (3 total)</i>					
Retained	0	3	1	3	3
Demolished	3	0	2	0	0
<i>Contributing Buildings (26 total)</i>					
Retained	3	26	4	6	7
Demolished	23	0	22	20	19
<i>Contributing Landscape Features (2 total)</i>					
Retained	1	2	1	1	1
Demolished	1	0	1	1	1

Source: Page & Turnbull. 2024. *Parkline Project SRI International Campus Preservation Alternatives Analysis Report Revised & Restated*, City of Menlo Park, San Mateo County. June 4. Refer to Appendix 3.8-2 of this EIR.

Notes:

- Based on estimates of current parking spaces at the Project Site.
- Although a limited amount of useable open space is currently present at the Project Site, this is not quantified for purposes of this analysis because information is not available.
- Per current CDP requirements, up to 3,308 employees could work at the Project Site. Therefore, because approximately 1,100 people are currently employed at the Project Site, the No-Project Alternative ~~would~~ could result in a net increase of approximately up to 2,208 workers on the assumption that the existing buildings on the site would be retrofitted and re-tenanted such that the campus would be occupied at the levels allowed by the existing CDP. Given the current CDP requirement that counts non-SRI employees as 2 employees (i.e., at a 2:1 ratio), it is likely that under the ~~no project alternative~~ No-Project Alternative fewer than the total number of allowed SRI employees would actually be working on the campus.

Starting with the second paragraph under the subheader “No-Project Alternative” on pages 6-6 to 6-7 of the Draft EIR has been revised as follows:

Approximately 1,100 people are currently employed at the Project Site; there are currently no residents on the Project Site. Under the No-Project Alternative, 3,308 employees ~~would~~could work in the existing buildings on the SRI campus, which is the maximum number of employees allowed under the current CDP. Therefore, the number of employees that would work at the Project Site ~~would~~could increase by approximately 2,208 compared to existing conditions. As discussed above, however, because non-SRI workers count as two SRI workers, it is more likely that the net increase in employees under the No-Project Alternative would be fewer than 2,208 workers. It is speculative to forecast what would occur on the site under the No-Project Alternative given the variable conditions within the existing buildings on-site, but some increase in employment relative to current conditions (which are low due to SRI keeping many buildings vacant and not entering into new leases with tenants) would be anticipated up to a theoretical maximum of 2,208 new workers.

Under the No-Project Alternative, onsite parking would be provided primarily in the existing large surface parking areas, which would require extensive impervious areas and limited opportunities for landscaping and accessible open space. No new publicly accessible open space would be created. No new construction would occur, and no housing would be provided at the Project Site. All eligible SRI International historic district contributors, as well as Buildings 100, A, and E, would be retained.

The No-Project Alternative would also include renovations and tenant improvements to the existing buildings, as needed, to ensure modern seismic safety features to meet all standards set forth by the California Building Standards Code, address hazards, remediate known hazardous materials, etc. Examples of the type of work anticipated would include installing wheelchair lifts, painting and exterior renovations, interior renovations, and seismic upgrades. These types of improvements would likely be entitled ministerially, but could also require discretionary approvals (e.g., architectural design review). Even if discretionary approvals are required, they would likely qualify for an exemption under CEQA (e.g., Class 1 Categorical Exemption for existing facilities). Since the specific renovations and improvements that would occur are unknown and speculative at this time, the analysis in this chapter for the No-Project Alternative is qualitative.

The fourth row in Table 6-2 on page 6-18 of the Draft EIR, under the header “Objectives,” has been revised as follows:

Replace obsolete and unsustainable commercial and/or institutional buildings with new state-of-the-art, highly sustainable commercial buildings with flexible floor plates that can accommodate a variety of office and/or R&D tenants.

The last sentence in the first paragraph on page 6-22 of the Draft EIR has been revised as follows:

As such, Preservation Alternative 2 would only partially meet the objectives to “redevelop an aging R&D campus into a financially viable mixed-use neighborhood” and “replace obsolete and unsustainable commercial and/or institutional buildings with new state-of-the-art, highly sustainable commercial buildings with flexible floor plates that can accommodate a variety of office and/or R&D tenants.”

Table 6-3 on page 6-24 of the Draft EIR has been revised as follows:

Table 6-3. Comparative Description of the Project Variant Alternatives

	Project Variant	No-Project Alternative	Variant Preservation Alternative 1	Variant Preservation Alternative 2	Variant Preservation Alternative 3
Site Development					
Total Existing Office Floor Area to Remain	286,730 sf	1.38 million sf	295,736 sf	743,829 sf	878,939 sf
Gross Floor Area to Be Demolished and Replaced	1,094,197 sf	0 sf	1,084,596 sf	636,503 sf	501,393 sf
Residential (sf)	1,096,000 sf	0 sf	990,000 sf	722,000 sf	722,000 sf
Housing Units	800 units	0 units	710 units	510 units	510 units
Maximum Building Heights	90 feet	48 feet	90 feet	90 feet	90 feet
Parking	3,719 spaces	~3,000 spaces ^a	3,670 spaces	3,420 spaces	3,420 spaces
Emergency Water Reservoir	2 million gallons	n/a	2 million gallons	2 million gallons	2 million gallons
Open Space	29.3 acres	n/a ^b	28.8 acres	28.8 acres	29.3 acres
Onsite Activity					
Total Net New Onsite Employees	3,856 employees	<u>up to 2,208 employees</u> ^c	3,856 employees	3,856 employees	3,856 employees
Total Residents	1,896 residents	0 residents	1,683 residents	1,209 residents	1,209 residents
Historic Resources					
<i>Individually Eligible Buildings (4 total, including the Chapel)</i>					
Retained	0	4	2	4	4
Demolished	4	0	2	0	0
<i>Contributing Buildings (26 total)</i>					
Retained	3	26	4	6	7
Demolished	23	0	22	20	19
<i>Contributing Landscape Features (2 total)</i>					
Retained	1	2	1	1	1
Demolished	1	0	1	1	1

Source: Page & Turnbull. 2024. *Parkline Project SRI International Campus Preservation Alternatives Analysis Report Revised & Restated*, City of Menlo Park, San Mateo County. June 4.

Notes:

- a. Based on estimates of current parking spaces at the Project Site.
- b. Although a limited amount of useable open space is currently present at the Project Site, this is not quantified for purposes of this analysis because information is not available.
- c. Per current CDP requirements, up to 3,308 employees could work at the Project Site. Therefore, because approximately 1,100 people are currently employed at the Project Site, the No-Project Alternative would result in a net increase of approximately up to 2,208 employees assuming that the existing buildings are adaptively reused and occupied at the level permitted by the current CDP.

The fourth row in Table 6-4 on page 6-28 of the Draft EIR, under the header “Objectives,” has been revised as follows:

Replace obsolete and unsustainable commercial and/or institutional buildings with new state-of-the-art, highly sustainable commercial buildings with flexible floor plates that can accommodate a variety of office and/or R&D tenants.

The paragraph under the subheader “Transportation” page 6-42 of the Draft EIR has been revised as follows:

The No-Project Alternative would continue existing uses at the Project Site but ~~result in a reduction in the number of~~ have fewer employees on the Project Site compared to the Proposed Project (i.e., at least 1,460 fewer employees). Because there would be no residential units or open space onsite, all vehicle trips associated with those proposed land uses would also be removed. However, the No-Project Alternative would not be subject to the trip reduction requirements of the Proposed Project. As shown in Table 6-5 and Table 6-6, the No-Project Alternative would generate a net increase in the number of daily, AM, and PM peak-hour trips under either the 100 percent office or 100 percent R&D scenario. No circulation improvements would be constructed, unlike the Proposed Project, which would be responsible for several circulation improvements off-site including implementation of some intersection improvements identified in the city’s Transportation Master Plan.

The second paragraph on page 6-45 of the Draft EIR has been revised as follows:

Vehicle Miles Traveled. Under the No-Project Alternative, the number of employees working at the Project Site ~~would~~ could increase by approximately 2,208 compared to existing conditions, as allowed under the current CDP. ~~The additional 2,208, although the actual number of future employees under the No-Project Alternative is speculative. If the current employment levels were to continue, then there would be 1,100 employees on-site. Regardless of the number of employees, VMT is measured on a per capita or per worker basis, and employees under the No-Project Alternative~~ would generate 19.7 VMT per employee because, under the current CDP, uses on the Project Site are not required to achieve any trip reduction through TDM measures and/or internalization. This would be greater than the 13.5 VMT per employee under the Proposed Project and would exceed the city’s VMT impact threshold of 13.6 VMT per employee. Therefore, compared to the Proposed Project and the city’s VMT threshold, the No-Project Alternative’s VMT impact would be significant and unavoidable and greater than the Proposed Project. VMT impact would be significant and unavoidable and greater than the Proposed Project. (SU)

The second paragraph under the subheader “Air Quality” on page 6-45 of the Draft EIR has been revised as follows:

Criteria pollutants would be generated by the increased number of employees during buildout (i.e., operations) but anticipated to remain below applicable Bay Area Air Quality Management District (BAAQMD) thresholds. There would be an increase in toxic air contaminant (TAC) emissions due to the increased number of employees, but health risks are anticipated to remain below applicable BAAQMD thresholds. There ~~would~~ could be an increase in the generation of odors due to emissions from the increased number of employee commute vehicles, but impacts would be considered less than significant. Impacts related to construction and operational air quality would be less than significant, and less than the impact of the Proposed Project. As a result, the No-Project Alternative would not contribute to any cumulative air quality impacts. (LTS)

The paragraph under the subheader “Energy” on pages 6-45 to 6-46 of the Draft EIR has been revised as follows:

~~Under the No-Project Alternative, there would be no construction or buildout. Although this alternative would include~~ The No-Project Alternative could result in renovations and tenant improvements to the existing buildings, as needed, to ensure modern seismic safety features to meet all standards set forth by the California Building Standards Code, address hazards, remediate known hazardous materials, and other similar types of improvements. These improvements would likely involve minor construction activities, which could require minimal energy use in the form of construction equipment and vehicles. Therefore, for the purposes of this analysis, there would be minimal energy used for construction and no increase in energy use onsite from additional buildout. Sustainability and transportation demand management features would not be implemented as part of the No-Project Alternative, and any sustainability requirements applying to new buildings would not be implemented except as otherwise required by the California Building Standards Code. Therefore, compared to the Proposed Project, the No-Project Alternative would not be as efficient and as sustainable. In addition, increased energy consumption during operations would result from the increased number of employees on the Project Site. Furthermore, the onsite natural gas cogeneration plant would remain operational under the No-Project Alternative, which would result in continued inefficient energy use. Impacts of energy use would be increased compared to the Proposed Project’s impacts. As a result, compared to the Proposed Project which would have a less than significant energy impact, the No-Project Alternative would contribute to a significant and unavoidable energy impact and have greater impacts relative to the Proposed Project. (SU)

The paragraphs under the subheaders “Population and Housing,” “Public Services,” and “Utilities and Service Systems” on pages 6-48 to 6-49 of the Draft EIR has been revised as follows:

Population and Housing

As with the Proposed Project, the No-Project Alternative would have no impact related to the displacement of people and housing. However, under the No-Project Alternative, ~~the maximum number of employees (i.e., 3,308) could work within the existing buildings. Therefore, there could be approximately 2,208 additional employees at the Project Site~~ as permitted by the current CDP. Unlike the Proposed Project, the No-Project Alternative would not result in a direct population increase due to onsite residents because no residential uses would be constructed. However, the increase in employment at the Project Site (i.e., up to 2,208 net new employees) would result in an increase in housing demand and new residents in the region. ~~Regardless~~ Although future levels of employment under the No-Project Alternative are speculative, the number of new employees at the Project Site under the No-Project Alternative would be less than under the Proposed Project due to the current CDP’s limit on workers, which would result in less-than-significant impacts related to unplanned growth and displacement. As a result, the No-Project Alternative would not contribute to any cumulative population and housing impacts. Therefore, there would be less-than-significant impacts on population and housing under the No-Project Alternative, and impacts under the No-Project Alternative would be less or the same as under the Proposed Project. (LTS)

Public Services

Under the No-Project Alternative, no new construction (beyond renovation of existing buildings and tenant improvements) would occur and no housing would be provided at the Project Site. However, ~~the No-Project Alternative would assume the maximum number of employees (i.e., 3,308) allowed under the current CDP could work within the existing buildings. Therefore, there would~~ could be approximately 2,208 additional employees at the Project Site as allowed by the current CDP and, thus, a potential increase in demand compared with current conditions for fire protection services, police protection services, school facilities, parks and recreational facilities, and library facilities. Although the No-Project Alternative could result in increased demand for public services compared to existing conditions, demand for public service providers would still be reduced compared to the Proposed Project, which would generate up to approximately 3,868 net new employees and 1,305 new residents. As a result, impacts related to fire protection services, police services, school facilities, parks and recreational facilities, and library facilities would be reduced compared to the Proposed Project's impacts. Therefore, the No-Project Alternative would not contribute to any cumulative public services impact. (LTS)

Utilities and Service Systems

Under the No-Project Alternative, there would be no buildout on the site. Although, this alternative would include renovations and tenant improvements to the existing buildings, as needed, to ensure modern seismic safety features to meet all standards set forth by the California Building Standards Code, address hazards, remediate known hazardous materials, and other similar types of improvements. These improvements would likely involve minor construction activities, and existing utility connections to these buildings would be maintained. Therefore, for the purposes of this analysis, there would be no impacts to utilities and service systems during construction.

~~The approximately 2,208 net new employees at the Project Site under~~ Regardless of future employment levels on-site, the No-Project Alternative would result in ~~slightly higher demand and generation rates than under existing conditions~~ reduced demand and generation rates for utilities ~~would still be reduced~~ as compared to the Proposed Project, which would include up to approximately 3,868 net new employees and 1,305 new residents. As a result, impacts related to water, wastewater treatment, stormwater drainage, electric power, ~~natural gas,~~ telecommunications, and solid waste services would be reduced compared to the Proposed Project, with the exception of the use of natural gas which would be greater than the Proposed Project due to the onsite natural gas cogeneration plant. The No-Project Alternative would not contribute to any cumulative utilities and service systems impact. (LTS)

The second paragraph on page 6-62 of the Draft EIR has been revised as follows:

Exposure of Schools to Hazardous Materials. The Project Site is within 0.25 mile of Alpha Kids Academy, Menlo-Atherton High School, ~~and~~ Menlo Children's Center, and GeoKids Early Childhood Development Center. As discussed above, construction activities associated with Preservation Alternative 1, similar to the Proposed Project, could encounter residual contamination in soil during ground disturbance as well as affected groundwater during dewatering. In addition, demolition activities could expose construction personnel and the surrounding environment to hazardous building materials, which would be a potentially significant impact, although to a slightly lesser extent compared to the Proposed Project due

to the retention of Building 100. Implementation of Mitigation Measures HAZ-2.1 through HAZ-2.3 would reduce potential impacts related to the handling of hazardous or acutely hazardous materials near schools to less than significant with mitigation. (LTS/M)

The second paragraph on page 6-64 of the Draft EIR has been revised as follows:

In addition, Preservation Alternative 1 would be required to adhere to the city's construction and demolition recycling and zero-waste management plans, as outlined in the Proposed Project zoning, during operations.

The first paragraph on page 6-81 of the Draft EIR has been revised as follows:

In addition, Preservation Alternative 2 would be required to adhere to the city's construction and demolition recycling and zero-waste management plans, as outlined in the Proposed Project zoning, during operations.

The last paragraph on page 6-95 of the Draft EIR has been revised as follows:

In addition, Preservation Alternative 3 would be required to adhere to the city's construction and demolition recycling and zero-waste management plans, as outlined in the Proposed Project zoning during operations.

The first paragraph under the subheader "No-Project Variant Alternative" on page 6-97 of the Draft EIR has been revised as follows:

This alternative would continue the existing uses on SRI International's research campus, which consists of 38 buildings with approximately 1.38 million sf of mostly R&D space and areas for supporting uses. The No-Project Alternative analyzed for the Project Variant would be the same as analyzed for the Proposed Project and would also include the continued use at 201 Ravenswood Avenue with the First Church of Christ, Scientist and Alpha Kids Academy. Because ~~no construction would occur, and~~ the existing land uses would continue to operate under the No-Project Variant Alternative, impacts would be less than those of the Proposed Project for the following topics: land use, construction air quality emissions, construction noise, cultural resources, tribal and cultural resources, biological resources, geology and soils, hydrology, hazards and hazardous materials, population and housing, public services, and utilities. However, under the No-Project Variant Alternative, the number of employees working at the Project Site ~~would~~ could increase by approximately 2,208 compared to existing conditions, as allowed under the current CDP. ~~Employee trips from the Chapel would remain the same as under existing conditions. The additional 2,208 employees, although it is speculative to forecast future employment levels at the site under the No-Project Alternative and a more modest or even no change in future employment levels is possible. Regardless, employees under the No-Project Alternative~~ would generate 17.7 VMT per employee because, under the current CDP, uses on the Project Site are not required to achieve any trip reduction through TDM measures ~~and/or~~ and no internalization would occur. This would be greater than the 12.2 VMT per employee under the Proposed Project and would exceed the city's VMT impact threshold of 13.6 VMT per employee. Therefore, compared to the Project Variant and the city's VMT threshold, the No-Project Variant Alternative's VMT impact would be significant and unavoidable. (SU)

The last row, third column, in table on page 6-114 of the Draft EIR has been revised as follows:

Construction and operation of Preservation Alternative 1 would comply with all applicable statutes and regulations related to solid waste, such as AB 939 and SB 1016. Preservation Alternative 1 would adhere to the city's Construction and Demolition Recycling Ordinance and zero-waste management plan, as outlined in the Proposed Project zoning, during the

~~operational phase. Preservation Alternative 1 would target recycling more than 80 percent of construction and demolition waste, and would be required to adhere to the city's Construction and Demolition Recycling Ordinance and zero waste management plan during the occupancy phase.~~

The first row, third column, in the table on page 6-135 of the Draft EIR has been revised as follows:

Construction and operation of Preservation Alternative 2 would comply with all applicable statutes and regulations related to solid waste, such as AB 939 and SB 1016. ~~Preservation Alternative 2 would target recycling more than 80 percent of construction and demolition waste, and would be required to adhere to the city's Construction and Demolition Recycling Ordinance and zero waste management plan during the occupancy phase.~~ Preservation Alternative 2 would target recycling more than 80 percent of construction and demolition waste, and would be required to adhere to the city's Construction and Demolition Recycling Ordinance and zero waste management plan, as outlined in the Proposed Project zoning during the occupancy phase. Preservation Alternative 2 would adhere to the city's Construction and Demolition Recycling Ordinance and zero-waste management plan, as outlined in the Proposed Project zoning, during the operational phase.

The last row, third column, in the table on page 6-154 of the Draft EIR has been revised as follows:

Construction and operation of Preservation Alternative 3 would comply with all applicable statutes and regulations related to solid waste, such as AB 939 and SB 1016. ~~Preservation Alternative 3 would target recycling more than 80 percent of construction and demolition waste, and would be required to adhere to the city's Construction and Demolition Recycling Ordinance and zero waste management plan during the occupancy phase.~~ Preservation Alternative 3 would adhere to the city's Construction and Demolition Recycling Ordinance and zero-waste management plan, as outlined in the Proposed Project zoning, during the operational phase.