INITIAL STUDY

October 13, 2022

To: State Clearinghouse
State Responsible Agencies
State Trustee Agencies
Other Public Agencies
Interested Parties and Organizations

From: Matt Pruter
Associate Planner
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Project Title: Hotel Moxy Project (File: PLN2019-00098)
Lead Agency: City of Menlo Park, 701 Laurel Street, Menlo Park, CA 94025-3469
Contact Person: Matthew Pruter, Associate Planner (650-330-6703)
Project Location: 3723 Haven Avenue (APN: 055-170-350)
Project Applicant/Owner: Richard Mielbye, FPG Development Group, LLC, 222 Lakeview Avenue, West Palm Beach, FL 33401
General Plan Designation: 3723 Haven Avenue (APN: 055-170-350)
Zoning: O-B (Office, Bonus)

Description of Project

This section describes the proposed Hotel Moxy project (proposed project) located at 3723 Haven Avenue, submitted by FPG Development Group, LLC (project sponsor), and evaluated in this initial study and mitigated negative declaration (IS/MND). A description of the proposed project's location, context, and objectives is followed by a breakdown of the project components and the necessary entitlements, approvals, and actions.

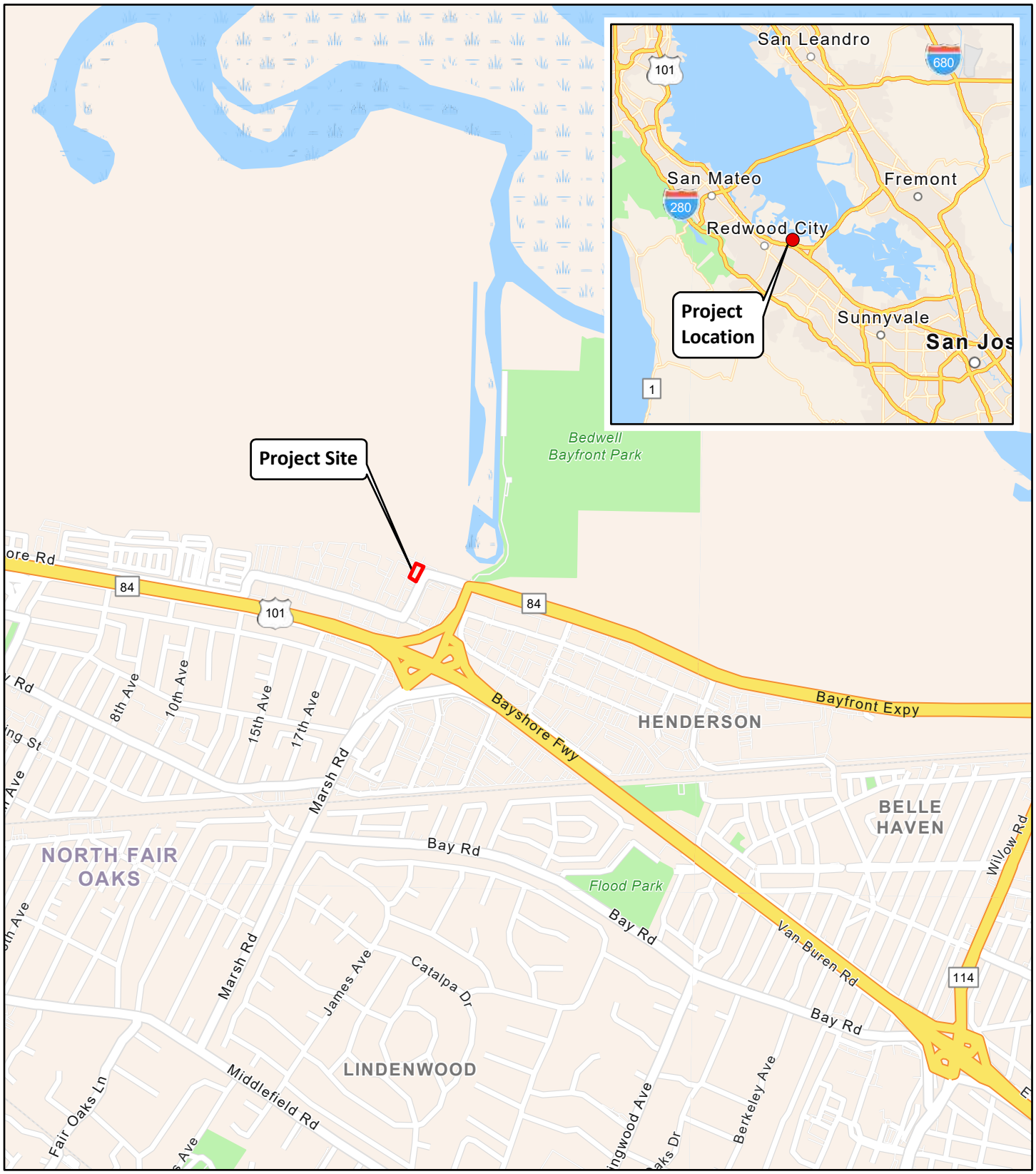
Project Site

The following describes the geographic context of the site for the proposed project and provides a brief overview of the existing land uses within and in the vicinity of the project site.

Regional location and site access

The proposed project is located at 3723 Haven Avenue on an approximately 0.76-acre lot, in the Bayfront area of Menlo Park. The project site is located in the O-B (Office, Bonus) zoning district. Menlo Park is located in southern San Mateo County, approximately 30 miles south of San Francisco and near the southern end of the San Francisco Bay.

Haven Avenue (at the project site) is considered to have a north-south orientation (before changing to an east to west direction parallel to US 101, to the south of the project site, and also at its approach to the Bayfront Expressway intersection, to the east of the project site), and all compass directions referenced in this document are based on this orientation. The project site is located to the west of the intersection of Marsh Road/Bayfront Expressway (State Route 84) and Haven Avenue, specifically at a bend in the road where Haven Avenue transitions from an east-west to a north-south orientation. East of the intersection, Haven Avenue intersects with Bayfront Expressway. Generally, Haven Avenue is an east-west street, running parallel to US 101. Atherton Channel is a neighboring waterway that runs parallel to Haven Avenue across the public right-of-way from the project site.



Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Figure 1-1

0 1000 2000 Feet

3723 Haven Avenue Project Initial Study
Project Location and Regional Vicinity Map

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Figure 1-2

0 250 500 Feet

3723 Haven Avenue Project Initial Study
Aerial Vicinity Map

Site characteristics and existing site conditions

The project site (APN: 055-170-350) is bounded by Haven Avenue to the east, and private properties in the other directions. The parcels to the west of the project site, within two separate developments, contain 540 multi-family dwelling units, ranging between three and four stories in height. The adjacent parcel to the south (addressed 3715 Haven Avenue) contains a two-story building with professional office uses, and parcels to the north include one-story buildings containing warehousing uses (self-storage) and an animal boarding/day care business. Slightly farther north, undeveloped wetlands connect to the San Francisco Bay, alongside Bedwell Bayfront Park.

The project site is currently improved with an existing one-story, approximately 13,681-square-foot office building and a surface parking lot with 36 parking spaces. A 40-foot-wide easement, serving Pacific Gas and Electric (PG&E) and occupied by high voltage transmission lines, is located along the southern portion of the site.

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Figure 1-3

N

0 100 200 Feet

3723 Haven Avenue Project Initial Study
Aerial Site Map

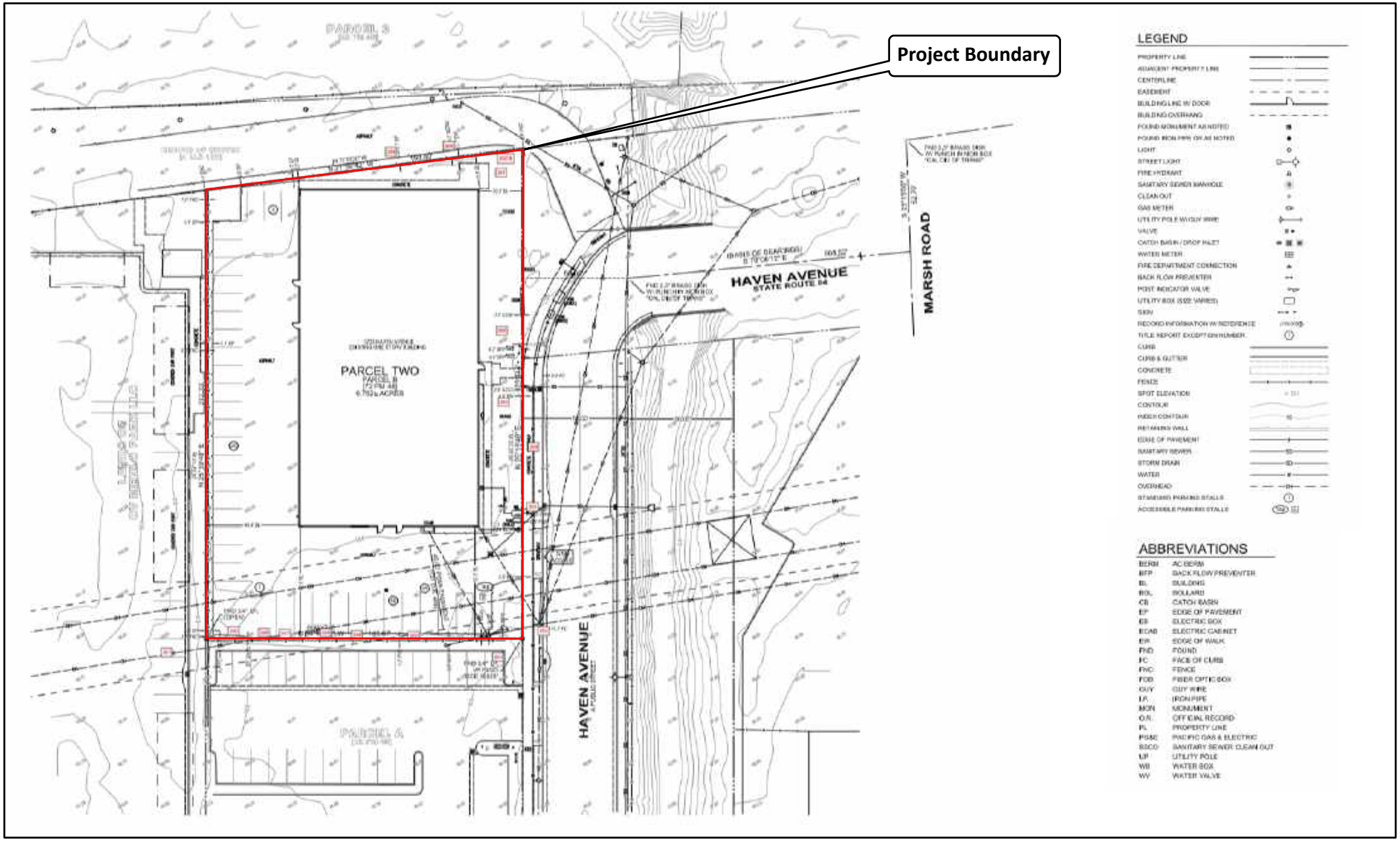


Figure 1-4

0 20 40 60
Feet

3723 Haven Avenue Project Initial Study
Existing Conditions

1 - Looking North along Haven Avenue

2 - View West toward Project Site

Figure 1-5

3 - View South along Haven Avenue

4 - Close-up View of Existing Office

Figure 1-5

3723 Haven Avenue Project Initial Study
Existing Site Photographs

California State Parks, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA

Figure 1-6

0 1000 2000 Feet

3723 Haven Avenue Project Initial Study
Proposed and Approved Bayfront Area Projects

Regulatory setting

The project site is designated as Office on the City of Menlo Park's (City) General Plan Land Use Designations Map, which was updated in late 2016 as part of the City's ConnectMenlo General Plan Update (General Plan).[1] The purpose of the General Plan was to create live/work/play environments while also encouraging office, research and development (R&D), residential, commercial, and hotel uses, all primarily within the Bayfront Area, which is a portion of the City located north of US 101 and facing the San Francisco Bay. The Office land use designation provides for office and R&D uses, business-oriented community education and training facilities, supportive sales and personal services, corporate housing, and hotel uses. This designation has a maximum base floor area ratio (FAR) of 45 percent and the maximum bonus FAR with community amenities is 100 percent, for most of the aforementioned uses. For hotels, the Office land use designation allows a maximum FAR of 175 percent.[2]

The project site is located within the Office, Bonus (O-B) zoning district. The purpose and intent of the O zoning district is to: (1) accommodate large-scale administrative and professional office development; (2) allow retail and service uses at administrative and professional office sites and nearby; (3) provide opportunities for quality employment and development of emerging technology, entrepreneurship, and innovation; (4) facilitate the creation of a "live/work/play" environment with goods and services that support adjacent neighborhoods and the employment base; and (5) accommodate light industrial and research and development uses that do not pose hazards to or disrupt adjacent businesses or neighborhoods. This particular property also has a Bonus (B) designation, which allows an increase in FAR and/or height beyond the base maximums, subject to obtaining a use permit or conditional development permit and based on the provision of identified community amenities. However, hotel uses in this zoning district have no bonus intensity beyond the base level maximum FAR of 175 percent. As such, this project is not pursuing bonus level development and thus is not subject to the bonus level requirements. Hotels require a conditional use permit in the O-B district, subject to approval by the Planning Commission.

Background

On November 29, 2016, the Menlo Park City Council certified the ConnectMenlo Final Environmental Impact Report (ConnectMenlo FEIR)[3,4] and approved updates to the Land Use and Circulation Elements of the General Plan. The General Plan also included changes to the City's zoning map and rezoned specific properties to reflect the General Plan updates, including the new land uses within the Bayfront Area of the City. The ConnectMenlo FEIR provided a program-level analysis of the development potential in the Bayfront Area. The General Plan specifically identifies new development potential in the Bayfront Area of up to 2.3 million square feet of non-residential space, 400 hotel rooms, 4,500 residential units, 11,570 residents, and 5,500 employees, which was studied by the ConnectMenlo FEIR. The buildout potential for future development was expected to occur over a 24-year buildout horizon (spanning 2016 to 2040).[5]

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

[1] City of Menlo Park. 2016. Menlo Park General Plan. November 29.
[2] City of Menlo Park. 2016. Menlo Park General Plan. November 29. Page LU-16.
[3] City of Menlo Park. 2016. ConnectMenlo: General Plan Land Use and Circulation Elements and M-2 Area Zoning Update, Public Review Draft Environmental Impact Report, SCH# 2015062054. June 1.
[4] City of Menlo Park. 2016. ConnectMenlo: General Plan Land Use and Circulation Elements and M-2 Area Zoning Update, Public Review Final Environmental Impact Report, SCH# 2015062054. October 10.
[5] Although the ConnectMenlo Final EIR assumed a buildout horizon of 2040, the maximum development potential may be reached sooner than anticipated. Nevertheless, the pace of development would not create additional impacts beyond those identified in the ConnectMenlo Final EIR for topic areas identified in this Initial Study and Mitigated Negative Declaration. The ConnectMenlo Final EIR evaluated the maximum development potential that could occur at any given time and did not consider the phased buildout of the development potential.

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

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

This initial study and mitigated negative declaration (IS/MND) analyzes the proposed project and tiers from the certified ConnectMenlo FEIR, as permitted by the California Environmental Quality Act (CEQA). Where appropriate, mitigation measures from the ConnectMenlo FEIR are carried forward as part of the IS/MND to be applied to this project, and where necessary additional project specific mitigation measures are incorporated.

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

1. Reciprocal Environmental Review for Future Development Projects. Menlo Park will prepare an EIR for any project located in the Office (O), Life Science (LS) or Residential Mixed Use (R-MU) district that exceeds 250,000 net new square feet and would require a use permit, that proposes bonus level development, that proposes a master plan project, or that may have a significant environmental impact. Menlo Park may, with the exception of housing and traffic (which were the focus of East Palo Alto's challenge), simplify the environmental review for future development projects by incorporating analysis and discussions from the ConnectMenlo FEIR pursuant to CEQA Guidelines Section 15168(d). East Palo Alto will prepare an initial study for future development projects in that city to determine the appropriate level of environmental review and will conduct that review, which can be simplified by incorporating by reference analysis and discussions from its General Plan update referred to as Vista 2035.

2. Reciprocal Traffic Studies. Menlo Park and East Palo Alto will work together to ensure that future development projects' potentially significant traffic impacts on the other jurisdiction are analyzed and mitigated.

3. Reciprocal Study of Multiplier Effect. When the preparation of an EIR is required as described above, Menlo Park or East Palo Alto, as applicable, will conduct a Housing Needs Assessment, which to the extent possible, will include an analysis of the multiplier effect for indirect and induced employment.[6]

The proposed project is exempt from the requirements listed in this settlement because the proposed project would be less than 250,000 net new square feet, does not include a request for bonus level development, and would not be developed as a master plan project. The City, as the Lead Agency, prepared a transportation impact analysis (TIA) to evaluate the proposed project's potential environmental effects, and the TIA determined that the project would not result in any project-specific significant and unavoidable impacts concerning transportation and traffic. The TIA identified a less-than-significant impact with mitigation measures incorporated. No other potentially significant and unavoidable impacts were identified through this initial study. All potentially significant impacts would be reduced to less than significant with mitigation incorporated (LTS/M) through the application of mitigation measures from the ConnectMenlo FEIR, in addition to some project-specific mitigation measures. The proposed project would not have a significant environmental impact.

Proposed Project

This section provides a description of the proposed project as identified in the project sponsor's application materials submitted to the City, dated May 23, 2022. The proposed project would result in the demolition of the existing office space and overall redevelopment of the project site with an approximately 58,014-square-foot, 163-room hotel. The building would contain three stories of podium parking, five levels of hotel rooms, and a ground floor lobby space and

[6] Nothing in the settlement agreement was intended to suggest that such an analysis is required by CEQA.

coffee shop, which would be open to the public, and a fourth floor bar and restaurant area, which would include an outdoor rooftop garden and would be publicly accessible (regardless of coffee shop and bar/lounge patronage) from 6:00 am to 10:00 pm.

Hotels are a conditional use, and require a use permit to locate in this zoning district. The proposed project also includes a use permit request to allow modifications to the Zoning Ordinance requirements for modulations and stepback design standards, which can be permitted through a use permit. The Zoning regulations ordinarily would require the hotel design to provide an overall stepback of 15 feet for portions of the building 70 feet in height or greater, and an additional 10 feet for portions of the building 85 feet in height or greater. The applicant is proposing reduced stepback distances at a lower building height than allowed, and these requests would be reviewed by the Planning Commission through the use permit. Architectural control review is also required to assess the design of the proposed building and associated site improvements. The Planning Commission is the final decision-making body for this project's discretionary actions, unless an appeal is made to the City Council. In that situation the City Council becomes the decision-making body instead.

Apart from the aforementioned modifications requested in the applicant's use permit, the proposed project complies with the O-B zoning design standards. These standards require a variety of construction, programmatic, and design features that align with the City's General Plan.

The proposed architectural style utilizes various contemporary and modern forms. Details include smooth-troweled stucco walls and faux wood and horizontal and vertical metal panels for accents. Along with the rooftop garden space as publicly accessible open space, a ground level open space area, between the front of the hotel and Haven Avenue, would include tables, chairs, short-term bicycle racks, and large planters.

The proposed hotel would have a parallelogram-shaped footprint with a landscaped courtyard along the front of the building, facing Haven Avenue. The front and left sides of the building would be eight stories in height, with the exception of some building breaks along both of these sides, while the rear and right side (generally the southwest corner of the building) would step down to four stories to provide an open area and outdoor rooftop garden, directly above the podium parking. A portion of this level would be publicly accessible open space.

The ground floor of the hotel would feature a front-facing lobby and coffee shop, which would both be publicly accessible. The ground floor would include a parking level and five uncovered parking spaces (outside the footprint of the building). The loading dock and trash area would be located along the northern façade of the building and accessed through an emergency vehicle access (EVA), for Menlo Park Fire Protection District (Menlo Fire) and other emergency vehicles to navigate on site. The second and third floors would be limited to parking. The fourth floor would contain several covered lobby spaces, a fitness center, a bar and restaurant (open to the public), and an outdoor rooftop garden. For the coffee shop and bar and restaurant, the applicant is requesting an administrative permit to accommodate outdoor seating. For the bar and restaurant specifically, the applicant is also requesting a Class 47 license through the California Department of Alcoholic Beverage Control, which additionally requires administrative permit approval, but is deferring this request to after the Planning Commission action. The applicant is also proposing a separate access stairwell and elevator along the front right corner of the building to allow the public to access the rooftop garden as publicly accessible open space. Lastly, a diesel-powered emergency back-up generator would be located on the ground floor, underneath the parking podium and toward the rear of the building, adjacent to other spaces containing electrical and mechanical equipment.

The proposed project requires the removal of one heritage size Monterey pine tree and two non-heritage size little leaf linden street trees, subject to City approval of a heritage tree removal permits. The required below market rate (BMR) housing allocation would be accounted for through payment of a commercial linkage in lieu fee, in compliance with the City's BMR housing program.

Site access, parking, and circulation

The project site currently has two vehicle access points on Haven Avenue, with the first connecting to a service road running along the northern portion of the property and servicing neighboring properties. The other curb cut is near the southern edge of the property and located within the PG&E easement, with high voltage overhead power lines above. Both of these curb cuts are proposed to remain, and the proposed project would maintain the 40-foot easement within the southern portion of the property and provide a 20-foot-wide fire lane for emergency vehicle access along the northern portion of the proposed building.

The proposed development includes 124 parking spaces, and apart from six surface level spaces wrapped around the building, 119 of the parking spaces would be provided within the three-level podium parking structure within the hotel. The applicant is proposing that parking would utilize a valet system for the podium parking structure, and 40 of the

spaces within the podium would be serviced by stacker spaces (specifically on the first floor). In total, 49 spaces are proposed on the first floor, 37 spaces are proposed on the second floor, and 39 spaces are proposed on the third floor.

The City is planning to install a Class II bicycle lane on Haven Avenue, which would provide bicycle access (independent of this project), and the applicant would be required to pay its fair share of costs. The total scope of work for the bicycle and pedestrian access improvements along Haven Avenue (referred to by the City as the Haven Avenue streetscape project) includes improvements to the curb and gutter, sidewalk, and driveway, and a pedestrian and bicycle bridge structure over Atherton Creek, all within the public right-of-way. As such, bicycle access would be from Haven Avenue (which is planned by the City for Class II bicycle lanes). These features are tentatively proposed to be constructed in 2023. While most of Haven Avenue's public ROW is owned by the City, a portion of the public right-of-way near the property and Marsh Road is owned by Caltrans, which requires encroachment permitting. The City has received the encroachment permit from Caltrans, independent of the proposed project, and the applicant would be required to provide the proposed project's fair-share portion to fund the improvement.

The applicant is proposing 10 short-term bicycle parking spaces within the outdoor area in the front of the property, one long-term bicycle locker within the second floor of the podium, and one long-term bicycle locker within the third floor of the podium, for a total of 12 bicycle parking spaces. The bicycle parking proposed on site is in compliance with the Zoning Ordinance requirements.

Construction and project phasing

Construction is estimated to span 24 months, which is typical for a project of this size. Demolition is likely to commence in Fall 2022, pending Planning Commission action on the proposed project and the building permit plan check process. The work would include construction of the building, on-site improvements, and required off-site improvements near the frontage with Haven Avenue. Demolition would take place over a period of approximately 60 days, and grading is proposed to span 98 days. The proposed project is anticipated to be fully operational and occupied by February 2024. The applicant has indicated that no pile driving would occur and instead auger cast piles are proposed to be used. The proposed project would be subject to the City of Menlo Park requirements for allowable noise and hours of construction contained in Chapter 8.06 of the Municipal Code.

Other public agencies and entities whose review and approval is required

Several permits, approvals, and/or review from other agencies would be required to allow development of the proposed project. As the lead agency for consideration of the proposed project, the City of Menlo Park would be responsible for the majority of the approvals required for project development. Other agencies also may have some authority related to carrying out the proposed project. A list of anticipated permits, approvals, and review, including the discretionary actions listed above that may be required by the City and other agencies, is provided in Table 1

Table 1: Anticipated Permits and Approvals for Project Implementation	
Lead Agency	**Permit/Approval**
City of Menlo Park	Adopt an IS/MND
	Architectural Control and Use Permit
	Below Market Rate Housing Agreement
	Heritage Tree Removal Permit (already issued)
	Administrative Permit for Outdoor Seating*
	Administrative Permit for Alcohol Licensing (deferred)*
	Administrative Permit for hazardous materials review, for diesel-powered emergency back-up generator (deferred)*
Responsible Agency	**Permit/Approval**
San Mateo County Environmental Health Division	Review of onsite generator
Menlo Park Fire Protection District (Menlo Fire)	Site plan review, review of onsite generator
West Bay Sanitary District (WBSD)	Approval of wastewater connections, review of onsite generator
Recology (private company)	Approval of solid waste disposal and access
Pacific Gas and Electric (PG&E)	Approval of electric improvements and connection permits
California Regional Water Quality Control Board/San Mateo Countywide Water Pollution Prevention Program	Approval of National Pollutant Discharge Elimination System (NPDES) permits
City/County Association of Governments (C/CAG)	Review of potential effects on Routes of Regional Significance
Bay Area Air Quality Management District (BAAQMD)	Permits for onsite generator and other utility equipment
San Mateo County Transportation Authority	Review of potential impact on public transit
Note: * All administrative permits could be combined with the use permit. The applicant has requested to combine the request for outdoor seating with the use permit and to have the administrative permits for alcohol and hazardous materials reviewed through a subsequent administrative permit process.	

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project.

Environmental Factors Potentially Affected					
Aesthetics	☐	Agricultural Resources	☐	Air Quality	☒
Biological Resources	☒	Cultural Resources	☒	Energy	☐
Geology and Soils	☒	Greenhouse Gas Emissions	☒	Hazards and Hazardous Materials	☒
Hydrology and Water Quality	☒	Land Use and Planning	☐	Mineral Resources	☐
Noise	☒	Population and Housing	☐	Public Services	☐
Recreation	☐	Transportation and Traffic	☐	Tribal Cultural Resources	☒
Utilities and Service Systems	☐	Wildfire	☐	Mandatory Findings of Significance	☐

Determination

(To be completed by the Lead Agency)

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature Matthew Pruter Digitally signed by Matthew Pruter DN: cn=Matthew Pruter, o=City of Menlo Park, ou=Community Development, email=mapruter@menlopark.org, c=US Date: 2022.10.12 22:22:43 -07'00'	For the City of Menlo Park
Matthew Pruter, Associate Planner	October 13, 2022

Environmental Checklist	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. AESTHETICS Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Pursuant to Public Resources Code Section 21099, certain types of projects located within a transit priority area are exempt from the consideration of environmental impacts related to aesthetics.

The nearest public transit stop to the project site is served by SamTrans Route 270 and is located at the southeast corner of the project site along Haven Avenue. Route 270 operates on an hourly timetable and provides access to the Redwood City Transit Center, located approximately 3 miles west of the project site. The Redwood City Transit Center offers Caltrain and SamTrans service.

Although the proposed project is a hotel development located on an infill site, the proposed project is not located within a transit priority area as defined by Public Resources Code section 21099, because the SamTrans Route 270 stop is not defined as a major transit stop (typically defined as stops with 15-minute headways) and because no other major transit stops are located within one half mile or less of the project site. Therefore, the proposed project's potential impacts related to aesthetics are discussed below.

a) Would the project have a substantial effect on a scenic vista (Less than Significant Impact).

As stated in the ConnectMenlo FEIR, scenic corridors are considered public views as seen along a linear transportation route and scenic vistas are views of a specific scenic feature. Scenic vistas are generally interpreted as long-range views, while scenic corridors are short-, middle-, and long-range views. The City of Menlo Park does not have any officially designated scenic vistas, although the ConnectMenlo FEIR stated that view corridors could be affected by development. In particular, Marsh Road is a major thoroughfare close to the project site. Like many of the roadways nearby, Bayfront Expressway offers views of salt ponds near the San Francisco Bay, the San Francisco Bay itself, and Bedwell Bayfront Park. Due to the natural topography and location of the Bayfront Area at the City's northern border, the far-field views of the Santa Cruz Mountain Range, foothills and San Francisquito Creek would not be impacted by new development occurring within the Bayfront Area. Because the topography in the Bayfront Area is essentially flat, the views from street-level to the scenic resources are currently inhibited by existing conditions such as buildings, structures, overhead utilities, and mature trees/vegetation. As such, the maximum heights currently

permitted limit the opportunity for views of scenic vistas from street-level public viewing. Therefore, the height increases permitted with the General Plan, which are limited to certain parcels in the Bayfront Area including the project site, would not cause any further substantial obstruction from the street level view to any scenic resource. The proposed project would be developed within the maximum height permitted by the Zoning Ordinance and studied in the ConnectMenlo FEIR.

The developed parcels in the Bayfront Area are not considered public Bay-viewing destination points. Public Bay-viewing destination points include the Bayfront Expressway (mentioned in the previous paragraph) and the San Francisco Bay Trail. No new development is planned for between the Bay and these viewing points; thus, no obstruction of views would occur under the General Plan.

The proposed project proposes landscaping along the perimeter of the site along with a fourth floor rooftop deck that would be partially accessible for members of the public. The proposed project would be subject to the City's existing architectural control process, in accordance with Section 16.68.020 of the Zoning Ordinance and would be required to comply with existing design standards outlined in the Zoning Ordinance. The design standards, which apply to all new construction unless a modification is approved by the Planning Commission through a use permit, ensure development within the O zoning district results in high-quality architectural design. The proposed project would seek a modification to the Zoning Ordinance design standards for building modulation and stepback requirements that would be subject to use permit and architectural control review by the Planning Commission. However, the proposed modifications to the Zoning Ordinance design standards would not impact a scenic vista. Therefore, impacts to scenic vistas or views would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway (Less than Significant Impact).

The project site is not within a state scenic highway, and no portions of the project site would be visible from the closest officially designated scenic highway, which is Interstate 280, approximately five miles away. The existing building is just 50 years old (built in 1971), which means that it could qualify as an historic resource. However, the applicant has provided an historic evaluation form, assessing the historical significance of this site, and this assessment determined that the existing office building is not historically significant. Staff evaluated the historical assessment and confirmed that the existing building is not historically significant. Therefore, this impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

c) In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? (Less than Significant Impact).

The project site is in an urbanized area that already is improved, and the proposed development does not conflict with regulations governing scenic quality. The ConnectMenlo FEIR studied the land uses changes within the Bayfront Area and the associated increases in density, intensity, and height within the Bayfront Area and the ConnectMenlo FEIR determined that changes to the visual character would not be substantially adverse, and the impacts of the land use changes would be less than significant. Specifically, it was determined that land uses would change within the Bayfront Area, where the project site is located, to enable more office, technology, research and development, life sciences, and mixed uses, including residential and commercial uses, along with notable increases in intensity and the maximum building height from 35 feet to 120 feet. However, as there already exists a variety of residential, commercial, and industrial uses in the vicinity of the project site, the development of future projects like the proposed project would continue to remain compatible with the existing visual character and quality of the Bayfront Area and its surroundings.

The proposed project would comply with all objective development standards of the Zoning Ordinance with the exception of the stepback and major modulation requirements. However, the Zoning Ordinance permits applicants to seek a modification to any development standard through a use permit. The applicant has submitted a use permit request, including supporting materials for staff and the Planning Commission to consider. If the Planning Commission approves the modifications to the design standards, the proposed project would be considered compliant with the Zoning Ordinance and associated use permit. As such, the proposed project would not be in conflict with any applicable zoning regulations. Additionally, the proposed project would be compliant with the General Plan regulations concerning scenic quality. Therefore, the impact related to scenic quality would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

d) Would the Proposed Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Less than Significant Impact).

The ConnectMenlo FEIR identified that the City contains many existing sources of nighttime illumination, with sources including private security and street lighting, existing building lighting, lights from vehicle traffic on nearby US 101 and the Bayfront Expressway (which are both major sources of vehicle-based lighting and glare impacts). New development in the City, and within the Bayfront Area more specifically, could potentially increase the number of sources of light and glare. General Plan goals and policies provide requirements aimed at preventing additional sources of excessive light and glare. These goals and policies include the following:

- **Policy LU-1.1: Land Use Patterns.** Cooperate with the appropriate agencies to help assure a coordinated land use pattern in Menlo Park and the surrounding area.
- **Policy LU-2.2: Open Space.** Require accessible, attractive open space that is well maintained and uses sustainable practices and materials in all new multiple dwelling and mixed-use development.
- **Policy LU-4.2: Hotel Location.** Allow hotel uses at suitable locations in mixed-use and nonresidential zoning districts.
- **Policy LU-4.3: Mixed Use and Nonresidential Development.** Limit parking, traffic, and other impacts of mixed-use and nonresidential development on adjacent uses, and promote high-quality architectural design and effective transportation options.
- **Policy LU-4.5: Business Uses and Environmental Impacts.** Allow modifications to business operations and structures that promote revenue generating uses for which potential environmental impacts can be mitigated.
- **Policy LU-6.2: Open Space in New Development.** Require new nonresidential, mixed use, and multiple dwelling development of a certain minimum scale to provide ample open space in the form of plazas, greens, community gardens, and parks whose frequent use is encouraged through thoughtful placement and design.
- **Policy LU-6.3: Public Open Space Design.** Promote public open space design that encourages active and passive uses, and use during daytime and appropriate nighttime hours to improve quality of life.
- **Policy LU-6.8: Landscaping in Development.** Encourage extensive and appropriate landscaping in public and private development to maintain the City's tree canopy and to promote sustainability and healthy living, particularly through increased trees and water-efficient landscaping in large parking areas and in the public right-of-way.
- **Policy LU-6.11: Baylands Preservation.** Allow development near the Bay only in already developed areas.
- **Policy OSC-1.11: Sustainable Landscape Practices.** Encourage the enhancement of boulevards, plazas and other urban open spaces in high-density and mixed-use residential developments, commercial and industrial areas with landscaping practices that minimize water usage.
- **Policy OSC-1.12: Landscaping and Plazas.** Include landscaping and plazas on public and private lands, and well-designed pedestrian and bicycle facilities in areas of intensive non-vehicular activity. Require landscaping for shade, surface runoff, or to obscure parked cars in extensive parking areas.
- **Policy OSC-1.13: Yard and Open Space Requirements in New Development.** Ensure that required yard and open spaces are provided for as part of new multi-family residential, mixed-use, commercial and industrial development
- **Policy OSC-1.15: Heritage Trees.** Protect Heritage Trees, including during construction activities through enforcement of the Heritage Tree Ordinance (Chapter 13.24 of the Municipal Code).

The proposed project would include a fourth floor rooftop deck with outdoor access, which could create some additional glare concerns for neighboring residential properties. However, the applicant has proposed to allow access to the rooftop deck only until 10:00 p.m., and reducing illumination on the deck when closed only as needed for emergency access. The above General Plan policies encourage orderly development patterns that would limit the potential for excessive light or glare to proliferate within the vicinity of the project site. The proposed private and public open space for the site, both on the ground level and at the fourth floor rooftop deck, would adhere to General Plan policies, including LU-2.2, LU-4.3, LU-6.2, LU-6.3, LU-6.8, OSC-1.11, and OSC-1.12, which require open space areas to be made sustainably, with aesthetic and visual impacts given careful consideration to create areas that are attractive and not problematic for patrons and neighboring properties.

In addition, the proposed project would need to also adequately address lighting and glare impacts as part of the building permit review and approval process. The proposed project would be required to adhere to regulatory standards that would ensure that the proposed project would not cause any substantial light or glare on site or in the vicinity of the project site. As a condition of approval, and consistent with 2019 California Green Building Standards Code, the proposed project would be required to provide a full photometric study to assess potential lighting impacts, and demonstrate that the proposed lighting on the ground floor and fourth floor rooftop deck would not create glare or light spillover onto neighboring properties. Section A5.209.3.2 of the California Green Building Standards Code states the following requirement for outdoor lighting:

A5.209.3.2 Luminaire cutoff requirements. All outdoor luminaires that use lamps rated greater than 175 watts in hardscape areas including parking lots, building entrances, sales and non-sales canopies and all outdoor sales areas shall be designated Cutoff for light distribution. To comply with this requirement, the luminaire shall be rated Cutoff in a photometric test report that includes any tilt or other non-level mounting condition of the installed luminaire. Cutoff is a luminaire light distribution classification where the candela per 1000 lamp lumens does not numerically exceed 25 at or above a vertical angle of 90 degrees above nadir and 100 at or above a vertical angle of 80 degrees above nadir. Nadir is in the direction of straight down, as would be indicated by a plumb line. 90 degrees above nadir is horizontal. 80 degrees above nadir is 10 degrees below horizontal.[7]

In addition, Section 16.43.140 (6) of the Zoning Ordinance outlines specific bird-friendly design standards that reduce glare and light spillover and are required for the proposed project, which include but are not limited to occupancy sensors or switch control devices to be installed on all non-emergency lights, to be programmed to shut off during non-work hours and between 10:00 p.m. and sunrise. As stated earlier, the applicant would close access to the rooftop deck at 10:00 p.m., which, in effect, would prevent any non-emergency lighting from being in use associated with the bar and restaurant from 10:00 p.m. to sunrise. Together, these requirements would require the lighting on site to avoid being cast toward neighboring properties. Therefore, this impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

[7] California Building Standards Commission. 2020. California Green Building Standards Code. Effective January 1, 2020.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
2. AGRICULTURE AND FORESTRY RESOURCES Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with the existing zoning for, or cause rezoning of forest land (as defined in Public Resources Code section 1220 (g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104 (g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒

a) Would the Proposed Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (No Impact).

The subject property and its vicinity are located within an urban, largely developed area in the City of Menlo Park. No agricultural resources exist within or near the project site. According to the State Department of Conservation, the subject property is classified as "Urban and Built-Up Land."[8] The proposed project would not result in the conversion of any land containing Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, and there would be no impact. Therefore, there would be no impacts to farmland resources.

b) Would the Proposed Project conflict with existing zoning for agricultural use, or a Williamson Act contract? (No Impact).

The project site is located in the O-B zoning district and is not under a Williamson Act contract.[9] Thus, the proposed project would not conflict with any existing zoning for agricultural uses or a Williamson Act contract.

[8] California Department of Conservation. 2017. California Important Farmland Finder (GIS Map). Available at https://maps.conservation.ca.gov/DLRP/CIFF/. Accessed on October 12, 2022.

[9] San Mateo County Planning and Building Department. 2013. San Mateo County Land Conservation (Williamson) Act. Available at https://www.smcgov.org/media/73281/download?inline. Accessed on October 12, 2022.

c) Would the Proposed Project conflict with the existing zoning for, or cause rezoning of forest land (as defined in Public Resources Code section 1220 (g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104 (g))? (No Impact).

The project site is located within an urban, largely developed area in the City of Menlo Park and within the O-B zoning district. Thus, the proposed project would not conflict with any existing zoning for, or cause rezoning of forest land or timberland.

d) Would the Proposed Project result in the loss of forest land or conversion of forest land to non-forest use? (No Impact).

As noted in the previous subsection, the project site is located within an urban, largely developed area in the City of Menlo Park and within the O-B zoning district. Thus, the proposed project would not result in the loss of forest land or conversion of forest land to non-forest uses.

e) Would the Proposed Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? (No Impact).

As noted elsewhere in this section, the subject property and its vicinity are located within an urban, largely developed area in the City of Menlo Park. No conversion of any greenfield sites is proposed. Additionally, the development of the proposed project would not result in the conversion of any farmlands to non-agricultural uses or forest lands to non-forest uses.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
3. AIR QUALITY Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☒	☐	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

This section has been prepared using methodologies and assumptions recommended in the air quality impact assessment guidelines of the Bay Area Air Quality Management District (BAAQMD).[10] In keeping with these guidelines, this section describes existing air quality, impacts of the proposed project on local carbon monoxide (CO) levels, impacts of vehicular emissions that have regional effects, and exposure of sensitive receptors to toxic air contaminants (TACs). Mitigation measures to reduce or eliminate potentially significant air quality impacts are identified, where appropriate. The analysis and mitigations in this section comply with ConnectMenlo Mitigation Measure AQ-2b1, as further described below.

a) Would the Proposed Project conflict with or obstruct implementation of the applicable air quality plan? (Less than Significant Impact).

The ConnectMenlo FEIR examined the buildout of the General Plan, predominantly within the Bayfront Area, which encompasses a total 2.3 million square feet of non-residential space, 400 hotel rooms, 4,500 residential units, 11,570 residents, and 5,500 employees. The ConnectMenlo FEIR concluded that development in the city would be consistent with the 2010 Bay Area Clean Air Plan, prepared by the Bay Air Quality Management District (BAAQMD), and the impacts would be less than significant.

Following the publication of the ConnectMenlo FEIR, BAAQMD adopted an updated version of the aforementioned plan, the 2017 Bay Area Clean Air Plan (2017 Clean Air Plan). In this document, BAAQMD outlines how this plan would address attainment of all State and federal air quality standards and elimination of the health risk disparities relating to air quality affecting communities across the Bay Area. The 2017 Clean Air Plan also provides a vision to allow for a transition to a post-carbon economy, seeking ambitious greenhouse gas (GHG) emissions reduction targets for 2030 and 2050, while including specific strategies and various control measures aimed at achieving these GHG reductions and decreasing other forms of air pollution.[11]

[10] Bay Area Air Quality Management District (BAAQMD). 2017. California Environmental Quality Act, Air Quality Guidelines. May.

[11] Bay Area Air Quality Management District, 2017. Final 2017 Clean Air Plan. Adopted April 19, 2017. Available at https://www.baaqmd.gov/~/media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a_-proposed-final-cap-vol-1-pdf.pdf?la=en. Accessed on October 12, 2022.

The hotel room and employee count assessed in the ConnectMenlo FEIR, certified in 2016, has been prepared to account for the development of the proposed project, which would include an eight-story, 58,027-square-foot, 163-room hotel. Because the proposed project has been included within the development parameters of the ConnectMenlo FEIR, no new or additional air quality impacts are anticipated beyond those identified within the ConnectMenlo FEIR. Therefore, this impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

b) Would the Proposed Project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? (Less than Significant Impact with Mitigation).

As stated earlier, the proposed project is within the development parameters analyzed in the ConnectMenlo FEIR and would not result in additional significant impacts than are analyzed in those documents. In addition, there are no new or additional impacts that are peculiar to the site or project that are anticipated from the proposed project. However, cumulatively considerable net increases of any criteria pollutant are to be understood through the overall development history of the region, along with the Bayfront Area. BAAQMD currently holds a designation as a non-attainment area for State and national ozone standards and national particulate matter ambient air quality standards. The size and scale of the proposed project would preclude it from singlehandedly resulting in non-attainment of ambient air quality standards. Thus, BAAQMD identifies the threshold of significance for air pollutants by examining whether a project's individual emissions would be cumulatively considerable.

The ConnectMenlo FEIR identified Mitigation Measure AQ-3a to require a health risk impact assessment for any non-residential project within the city that both has the potential to generate 100 or more diesel truck trips per day or has 40 or more trucks with operating diesel-powered TRUs while being located within 1,000 feet of a sensitive land use. Because the project site is located within 1,000 feet of sensitive residential land uses, a technical assessment for the proposed project was conducted examining air quality and greenhouse gas emissions (Appendix B), which determined that the proposed project would not generate the number of trips specified by Mitigation Measure AQ-3a and BAAQMD. However, this study still included a health risk assessment for additional confirmation of potential construction- and operation-based impacts.

Per the air quality and greenhouse gas analysis, health risk associated with project construction at the maximally exposed individual (MEI) would be 54.2 in 1 million, which would exceed the BAAQMD cancer risk of 10 in 1 million.[12] The total chronic hazard index would be 0.036, which is below the threshold of 1.0. In addition, the total acute hazard index would be nominal (0.0), which also would not exceed the threshold of 1.0. The results of the analysis indicate that the total $PM_{2.5}$ concentration would be 0.38 micrograms per cubic meter ($\mu g/m^3$), which also would exceed the BAAQMD significance threshold of 0.3 $\mu g/m^3$. Therefore, since the maximum cancer risk for the sensitive receptor MEI would exceed the BAAQMD threshold, implementation of Mitigation Measure AIR-1 (described below) would be required to reduce substantial pollutant concentrations during project construction. This measure would specifically require the project contractor to ensure that all off-road diesel-powered construction equipment of 50 horsepower or more meet the California Air Resources Board Tier 2 emissions standards with Level 3 diesel particulate filters or equivalent. With this measure applied, the mitigated cancer risk at the receptor MEI would be reduced to 9.8 in one million, which would not exceed the BAAQMD cancer risk of 10 in one million. Further, the mitigated $PM_{2.5}$ concentration would be reduced to 0.07 $\mu g/m^3$, which would not exceed the BAAQMD significance threshold of 0.3 $\mu g/m^3$. As such, the construction-based health risk would be reduced to a less-than-significant level.

Per the air quality and greenhouse gas analysis, health risk associated with project operation at the MEI would be 0.2 in 1 million, which would not exceed the BAAQMD cancer risk of 10 in 1 million.[13] The total chronic hazard index and the total acute hazard index would be nominal (0.0), which would not exceed the threshold of 1.0. In addition, the total $PM_{2.5}$ concentration would be 0.05 µg/m3, which would not exceed the BAAQMD significance threshold of 0.3 $\mu g/m^3$. Therefore, operation of the proposed project would not exceed BAAQMD thresholds and would not expose nearby sensitive receptors to substantial
pollutant concentrations. As such, the operation-based health risk would be reduced to a less-than-significant level.

The proposed project's 163 hotel rooms exceed the BAAQMD screening thresholds for both construction- and operation-related air quality emissions. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions. Although construction-period activities would generate air pollutant emissions that could violate air quality

[12] LSA, 2022a. Air Quality and Greenhouse Gas Analysis – Hotel Moxy Project – Menlo Park, California. Page 56.

[13] LSA, 2022a. Air Quality and Greenhouse Gas Analysis – Hotel Moxy Project – Menlo Park, California. Page 57.

standards, the proposed project would implement ConnectMenlo Mitigation Measure AQ-2b1, which requires implementation of the BAAQMD's Basic Construction Measures as outlined in the ConnectMenlo FEIR.

The proposed project has implemented ConnectMenlo Mitigation Measure AQ-2a and AQ-2b2, described below, which require the applicant to prepare a technical assessment evaluating potential project operation-phase-related and construction-phase-related air quality impacts, respectively. Depending on results of the assessment, Mitigation AQ-2b2 may require added mitigation requirements.

In accordance with the aforementioned air quality mitigation measures identified in the ConnectMenlo FEIR, the applicant has prepared a technical assessment that examines project construction-phase-related and operation-phase-related air quality impacts. Regarding construction-phase-related air quality impacts, the air quality and greenhouse gas analysis completed for the proposed project indicated that construction emissions associated with the project would not exceed the BAAQMD's thresholds for ROG, NO_x, CO, exhaust PM_{10}, and exhaust $PM_{2.5}$ emissions.[14] In order to reduce construction $PM_{2.5}$ and PM_{10} fugitive dust impacts to a less-than-significant level, BAAQMD requires the implementation of BAAQMD Best Management Practices (BMPs, Basic Construction Mitigation Measures), which is already addressed in Mitigation Measure AQ-2b1 from the ConnectMenlo FEIR. As identified above, ConnectMenlo FEIR Mitigation Measure AQ-2b2 further requires implementation of additional BAAQMD-approved mitigation measures if it is determined during project-specific evaluation that individual development projects would generate construction exhaust emissions in excess of the BAAQMD significance thresholds. Since the proposed project would not exceed BAAQMD thresholds, implementation of the additional construction measures identified in ConnectMenlo FEIR Mitigation Measure AQ-2b2 would not be required. No additional mitigation measures are required from the air quality and greenhouse gas analysis.

Regarding operation-phase-related air quality impacts, the air quality and greenhouse gas analysis indicated that the proposed project would not exceed the daily and annual ROG, NO_x, PM_{10}, and $PM_{2.5}$ emissions outlined in the BAAQMD significance criteria. As such, the proposed project would not have a significant effect on regional air quality, and mitigation measures, including implementation of ConnectMenlo EIR Mitigation Measure AQ-2a, would not be required. Further, the air quality and greenhouse gas analysis determined that operation of the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or State Ambient Air Quality Standard.[15]

Therefore, this impact would be less than significant with mitigation incorporated, and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

ConnectMenlo Mitigation Measures

Mitigation Measure AQ-2a: Prior to issuance of building permits, development project applicants that are subject to CEQA and exceed the screening sizes in the Bay Area Air Quality Management District's (BAAQMD) CEQA Guidelines shall prepare and submit to the City of Menlo Park a technical assessment evaluating potential project operation-phase-related air quality impacts. The evaluation shall be prepared in conformance with the BAAQMD methodology in assessing air quality impacts. If operational-related criteria air pollutants are determined to have the potential to exceed the BAAQMD thresholds of significance, as identified in BAAQMD's CEQA Guidelines, the City of Menlo Park Community Development Department shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during operational activities.

Mitigation Measure AQ-2b1: Consistent with Connect Menlo Final EIR Mitigation Measure AQ-2b1, the proposed project would be required to comply with BAAQMD basic control measures for reducing construction emissions of PM_{10} (Table 8-2, Basic Construction Mitigation Measures Recommended for All Proposed Projects, of the BAAQMD CEQA Guidelines), as follows:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.

[14] LSA, 2022a. Air Quality and Greenhouse Gas Analysis – Hotel Moxy Project – Menlo Park, California. Page 52.

[15] LSA, 2022a. Air Quality and Greenhouse Gas Analysis – Hotel Moxy Project – Menlo Park, California. Page 54.

- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- Post a publicly visible sign with the telephone number and person to contact at the City of Menlo Park regarding dust complaints. This person shall respond and take corrective action within 48 hours. The phone number for BAAQMD shall also be visible to ensure compliance with applicable regulations.

Mitigation Measure AQ-2b2: Prior to issuance of building permits, development project applicants that are subject to CEQA and exceed the screening sizes in the BAAQMD's CEQA Guidelines shall prepare and submit to the City of Menlo Park a technical assessment evaluating potential project construction-related air quality impacts. The evaluation shall be prepared in conformance with the BAAQMD methodology in assessing air quality impacts. If construction-related criteria air pollutants are determined to have the potential to exceed the BAAQMD thresholds of significance, as identified in the BAAQMD CEQA Guidelines, the City of Menlo Park shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during construction activities to below these thresholds (e.g., Table 8-2, Additional Construction Mitigation Measures Recommended for Projects with Construction Emissions Above the Threshold of the BAAQMD CEQA Guidelines, or applicable construction mitigation measures subsequently approved by BAAQMD). These identified measures shall be incorporated into all appropriate construction documents (e.g., construction management plans) submitted to the City and shall be verified by the City's Building Division and/or Planning Division.

Project-specific Mitigation Measure

Mitigation Measure AIR-1: During construction of the proposed project, the project contractor shall ensure all off-road diesel-powered construction equipment of 50 horsepower or more used for the project construction at a minimum meets the California Air Resources Board Tier 2 emissions standards with Level 3 diesel particulate filters or equivalent.

c) Would the Proposed Project expose sensitive receptors to substantial pollutant concentrations? (Less than Significant Impact with Mitigation).

BAAQMD defines sensitive receptors as facilities where sensitive population groups (children, elderly, and/or acutely or chronically ill people) are likely to be located. These land uses include residences, schools, playgrounds, childcare centers, retirement homes, nursing homes, hospitals, and medical clinics. Exposure from diesel exhaust associated with construction activity contributes to both cancer and chronic non-cancer health risks. The closest sensitive receptors include the multifamily housing developments located at 3645 Haven Avenue, approximately 80 feet behind the proposed project and on an adjoining property to the west, and the closest school is the Tide Academy, located at 150 Jefferson Drive and approximately 0.5 miles to the southeast of the project site and across Bayfront Expressway/Marsh Road from the project site. The proposed project is located on Haven Avenue, and is also about 900 feet away from US 101, 2,900 feet from the Dumbarton Corridor railway tracks, and 9,150 feet from the Caltrain tracks. US 101 and active railway tracks are known to contain elevated concentrations of toxic air contaminants (TACs) and $PM_{2.5}$.

As stated earlier, a health risk analysis was completed for the proposed project, as part of a broader air quality and greenhouse gas analysis, for potential air quality impacts to sensitive receptors. The health risk associated with project construction at the maximally exposed individual (MEI) would be 54.2 in 1 million, which would exceed the BAAQMD cancer risk of 10 in 1 million, and the total $PM_{2.5}$ concentration would be 0.38 micrograms per cubic meter (µg/m3), which would exceed the BAAQMD significance threshold of 0.3 µg/m^3.[16] With implementation of Mitigation Measure AIR-1, the mitigated cancer risk at the receptor MEI would be reduced to 9.8 in one million, which would not exceed the BAAQMD cancer risk of 10 in one million, and the mitigated $PM_{2.5}$ concentration would be reduced to 0.07 µg/m^3, which would not exceed the BAAQMD significance threshold of 0.3 µg/m^3. As such, the construction-based health risk would be reduced to a less-than-significant level.

Concerning operation, health risk associated with project operation at the MEI would be 0.2 in 1 million, which would

[16] LSA, 2022a. Air Quality and Greenhouse Gas Analysis – Hotel Moxy Project – Menlo Park, California. Page 56.

not exceed the BAAQMD cancer risk of 10 in 1 million, and the total chronic hazard index and the total acute hazard index would be nominal (0.0), which would not exceed the threshold of 1.0. In addition, the total $PM_{2.5}$ concentration would be 0.05 µg/m^3, which would not exceed the BAAQMD significance threshold of 0.3 µg/m^3[17]. Therefore, operation of the proposed project would not exceed BAAQMD thresholds and would not expose nearby sensitive receptors to substantial pollutant concentrations.

As discussed later in the Transportation and Traffic section, the proposed project would not create any significant and unavoidable impacts with respect to vehicle miles traveled (VMT) or beyond the level analyzed in ConnectMenlo FEIR and would thus remain below BAAQMD thresholds, both during construction and operation of the proposed project. With the implementation of Mitigation Measure AQ-2b1, construction of the proposed project would not exceed BAAQMD thresholds and would not expose nearby sensitive receptors to substantial pollutant concentrations. Therefore, the air quality impacts to sensitive receptors in the area would be less than significant with mitigation incorporated, and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

ConnectMenlo Mitigation Measure

Mitigation Measure AQ-2b1: Implement ConnectMenlo Mitigation Measure AQ-2b1.

Project-specific Mitigation Measure

Mitigation Measure AIR-1: Implement Project-specific Mitigation Measure AIR-1.

d) Would the Proposed Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? (Less than Significant Impact).

In the ConnectMenlo FEIR, buildout of the General Plan was determined to include potential odor sources that could affect new sensitive receptors, such as composting, greenwaste, and recycling operations; food processing; and painting/coating operations. It was also noted that the odor responses could be subjective in nature, based on the individual affected and the land use type. The ConnectMenlo FEIR did not include hotels as a land use type that be required to undergo environmental review to ensure sensitive land uses are not exposed to objectionable odors. Further, the proposed project would not be a source of odors. In particular, the cooking needed to service the restaurant and bar would be contained within the hotel building, not outdoors, and it would likely not affect neighboring properties. As such, the proposed project would not result in other emissions, such as those leading to odors, that would adversely affect a substantial number of people. This impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

[17] LSA, 2022a. Air Quality and Greenhouse Gas Analysis – Hotel Moxy Project – Menlo Park, California. Page 57.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
4. BIOLOGICAL RESOURCES Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☒	☐	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☒	☐

Per the biological resources assessment prepared for the proposed project, the project site is located within the Bayfront Canal watershed in the City of Menlo Park's Bayfront Area at the San Francisco Bay margin.[18] The project site is within the Palo Alto U.S. Geological Survey 7.5-minute quadrangle map. The project site is a currently a flat, developed lot with a paved parking lot, an existing office building with associated ornamental landscaping along the margins and is surrounded by residential and commercial development. The site is at an elevation of 10 feet (3.05 meters).

[18] Swain Biological, Inc. 2021. Biological Assessment Report for the Moxy Hotel Project. April.

There are no jurisdictional aquatic resources within the project site, however, the proposed project is located near the Atherton Channel which drains to the Bayfront Canal which connects to the wetlands of Flood Slough and San Francisco Bay. There is no current hydrologic connection to the managed ponds of the Don Edwards National Wildlife Refuge, however, once the Bayfront Canal and Atherton Channel Flood Management and Restoration Project is complete the Bayfront Canal wiould be connected by underground drainage connections during peak flood flows. The connection would direct a portion of these peak flood flows into managed ponds that are part of the Ravenswood Pond Complex Portion of the South Bay Salt Pond Restoration Project within the Don Edwards National Wildlife Refuge.

Atherton Channel is an engineered channel that carries storm flow from the developed lands that surround it. The channel is comprised of weedy, non-native herbaceous vegetation (fennel, harding grass, perennial pepper weed, vetch, vinca, wild oats and radish) on the slopes. Trees along the top of bank include willow, coast live oak, palm, weeping willow and other plants. Cattails were present in the channel bottom and margins with less than 6" of water present in the channel. There are two box culverts at Haven Court to the south and Haven Avenue to the north that carry storm flows with evidence of high flows depositing debris piles in the upper channel slopes.

a) Would the Proposed Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? (Less than Significant Impact with Mitigation).

In the ConnectMenlo FEIR, buildout of the General Plan was determined to have a generally remote potential for occurrence of special-status species in developed areas in comparison to undeveloped lands with natural habitat that contain essential habitat characteristics for the range of species known to occur in the Menlo Park vicinity. The Bayfront Area, including the project site, is located within an urban, largely developed area of the City. As such, the General Plan included goals, policies, and programs and bird-safe regulations for the Bayfront Area that would help protect special-status species and birds and minimize impacts. The ConnectMenlo FEIR identified Mitigation Measure BIO-1 to reduce potentially significant impacts to less than significant. Mitigation Measure BIO-1 requires projects to provide a BRA to establish a baseline inventory of site conditions and biological resources that have the potential to be present within and/or immediately adjacent to a project site.

The project site is currently developed but is located across the street (about 50 feet) from Atherton Channel, which may contain sensitive habitats and special status species. In addition, the project site is also adjacent to the Don Edwards San Francisco Bay National Wildlife Refuge, and the proposed project would involve removal of trees and/or structures that could provide suitable nesting bird habitat. In accordance with the ConnectMenlo FEIR, the applicant has prepared a project-specific baseline BRA (Appendix C) pursuant to Mitigation Measure BIO-1.

The BRA analyzes potential biological impacts both within the project site and near the project site. While the BRA has determined that there may be potentially significant impacts as a result of the demolition of the existing site features and construction and operation of the proposed project, additional mitigation measures have been identified, in concert with Mitigation Measure BIO-1. These measures, which are specifically outlined in project-specific Mitigation Measure BR-1, are aimed at protecting roosting and breeding bats, nesting raptors and migratory birds, and special status plants. With these mitigation measures implemented, the impact would be less than significant.

ConnectMenlo Mitigation Measure

Mitigation Measure BIO-1: Implement ConnectMenlo Mitigation Measure BIO-1, which states the following:

Prior to individual project approval, the City shall require project applicants to prepare and submit project-specific baseline biological resources assessments on sites containing natural habitat with features such as mature and native trees or unused structures that could support special-status species and other sensitive biological resources, and common birds protected under Migratory Bird Treaty Act (MBTA). The baseline biological resources assessment shall be prepared by a qualified biologist. The biological resource assessment shall provide a determination on whether any sensitive biological resources are present on the property, including jurisdictional wetlands and waters, essential habitat for special-status species, and sensitive natural communities. If sensitive biological resources are determined to be present, appropriate measures, such as preconstruction surveys, establishing no-disturbance zones during construction, and applying bird-safe building design practices and materials, shall be developed by the qualified biologist to provide adequate avoidance or compensatory mitigation if avoidance is infeasible. Where jurisdictional waters or federally and/or State-listed special-status species would be affected, appropriate authorizations shall be obtained by the project applicant, and evidence of such authorization provided to the City prior to issuance of grading

or other construction permits. An independent peer review of the adequacy of the biological resource assessment may be required as part of the CEQA review of the proposed project, if necessary, to confirm its adequacy.

Project-specific Mitigation Measure

Mitigation Measure BR-1: In accordance with ConnectMenlo Mitigation Measure BIO-1, implement the following additional, project-specific measures recommended by the BRA:

A. Roosting and Breeding Bats
- If activities occur during the breeding season for bats (March 1 through August 31), young bats that cannot fly could be killed or injured during vegetation and building demolition.
- Preconstruction surveys should be completed by a qualified bat biologist if the structure or trees are scheduled to be removed during the breeding season. At least two weeks prior to tree removal or demolition activities a qualified bat biologist with demonstrated bat survey experience shall conduct a focused survey for bats and potential roosting sites within trees and the building to be removed through visual surveys and emergence acoustic surveys.
    - If no roosting sites or bats are found the biologist shall submit a letter report confirming the absence and no further measures are required.
    - If roosting bats are found during the above survey and roosts will be affected, an avoidance and minimization plan shall be developed by the qualified bat biologist in consultation with CDFW. Avoidance measures may include no-disturbance buffer zones during construction, temporal avoidance during the maternity season, or other measures deemed necessary based on the survey results.

B. Nesting Raptors and Migratory Birds
- For project activities occurring during the nesting bird breeding season (February 1 through August 31) a preconstruction survey is required from a qualified biologist with demonstrated experience conducting surveys for nesting birds, including raptors. The survey shall be conducted for birds in all habitats within the project site, including all disturbance, staging and access areas and a 250-foot buffer. This survey should be conducted no more than fourteen days prior to the initiation of project activities during the breeding season. If there is a lapse in construction related activities for more than seven (7) days, a new survey should be conducted.
    - If an active nest is identified during preconstruction surveys, the qualified biologist shall establish species and site-specific no disturbance buffer zones for each nest using high-visibility fencing, flagging or other method deemed appropriate by the biologist. No construction activities shall be allowed to occur within the buffer zones. The size of the buffer shall be determined based on the species sensitivity to disturbance and the planned activities within the vicinity. The qualified biologist shall develop a schedule for monitoring and evaluating the status of the nest(s). The buffer shall remain in effect until the nest is no longer active as determined by the qualified biologist.
    - If determined necessary by the qualified biologist, consultation with the USFWS and/or CDFW may be required depending upon the species and the circumstances. The results of the preconstruction surveys and/or nest disturbance activities shall be provided in a memorandum detailing the survey results.

C. Special Status Plants
- Fourteen days prior to the initiation of project activities during the breeding season. If there is a lapse in construction related activities for more than seven (7) days, a new survey should be conducted.
    - Install bird perching deterrents along suitable perching sites to deter avian predators. Such deterrents may include bird spikes, netting, sound deterrents or perching deterrents approved by USFWS and CDFW.
    - Landscaping used on the rooftop garden should consist of species that do not exceed 30 feet in height and may include native or non-invasive ornamental species. Species with broad canopies are preferred. Trees that are planted on the rooftop garden should be located away from the edge of the roof.
    - Reduce large areas transparent or reflective glass.
    - Locate water features, trees and bird habitat away from building exteriors to reduce reflection.
    - Reduce or eliminate the visibility of landscaped areas behind glass.
    - Turn non-emergency lighting off at night, especially during the bird migration season (February to May and August to November).
    - Include window coverings that adequately block light transmission from rooms where interior lighting is used at night and installation motion sensors or controls to extinguish lights in unoccupied spaces.
    - Design or install lighting fixtures that minimize light pollution including light trespass, over-illumination, glare, light clutter, and skyglow while using bird-friendly colors for lighting when possible. San Francisco's

Standards for Bird-Safe Buildings (City and County of San Francisco, 2011) provides a good overview of building design and lighting guidelines to minimize bird/building collision.

b) Would the Proposed Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Less than Significant Impact with Mitigation).

In the ConnectMenlo FEIR, sensitive natural communities within the City, along with the Bayfront Area, consist of areas of coastal salt marsh vegetation in the baylands, native valley oaks in Saint Patrick's Seminary, and possibly areas of riparian scrubs and woodland along San Francisquito Creek and other drainages. As stated above in subsection a, the project site is currently developed and is located in the immediate vicinity of Atherton Channel and also near the Don Edwards San Francisco Bay National Wildlife Refuge, which may contain sensitive habitats. In accordance with the ConnectMenlo FEIR, the applicant has prepared a project-specific baseline BRA pursuant to ConnectMenlo Mitigation Measure BIO-1, and the BRA contains additional mitigation measures to ensure adequate protection of Atherton Channel, the project site, and other sensitive natural communities in the vicinity of the project site. With implementation of ConnectMenlo Mitigation Measure BIO-1 and project-specific Mitigation Measure BR-1, described above, this impact would be less than significant.

ConnectMenlo Mitigation Measure

Mitigation Measure BIO-1: Implement ConnectMenlo Mitigation Measure BIO-1.

Project-specific Mitigation Measure

Mitigation Measure BR-1: Implement project-specific Mitigation Measure BR-1.

c) Would the Proposed Project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Less than Significant Impact with Mitigation).

As stated in the ConnectMenlo FEIR, development within the Bayfront Area could have a significant adverse effect on wetlands by allowing development on previously undeveloped parcels in the Bayfront Area containing identified wetlands. The parcels in question are primarily located along University Avenue and near the City's eastern border with the City of East Palo Alto. The project site is currently developed and does not support any federally protected wetlands, but is in the immediate vicinity of Atherton Channel and also near the Don Edwards San Francisco Bay National Wildlife Refuge, which may contain sensitive habitats. Compliance with all applicable requirements associated with the protection of water quality in stormwater runoff would ensure that there are no impacts to wetlands within or beyond the Bayfront Area as a result of the proposed project. Stormwater quality requirements, along with the proposed project's compliance, are later discussed in Section 10, Hydrology and Water Quality.

In accordance with the ConnectMenlo FEIR, the applicant has prepared a project-specific baseline BRA pursuant to Mitigation Measure BIO-1, and the BRA contains additional mitigation measures to ensure adequate protection of Atherton Channel, the project site, and other sensitive natural communities in the vicinity of the project site, including wetlands and other protected wildlife habitats. With implementation of ConnectMenlo Mitigation Measure BIO-1 and project-specific Mitigation Measure BR-1 described above, this impact would be less than significant.

ConnectMenlo Mitigation Measure

Mitigation Measure BIO-1: Implement ConnectMenlo Mitigation Measure BIO-1.

Project-specific Mitigation Measure

Mitigation Measure BR-1: Implement project-specific Mitigation Measure BR-1.

d) Would the Proposed Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Less than Significant Impact with Mitigation).

The ConnectMenlo FEIR determined that development and land use activities consistent with the General Plan would

result in a reduction in the remaining natural habitat within the City. However, most wildlife in these areas are already acclimated to human activity in the developed, urbanized parts of the City. As noted above, the project site is currently developed and does not contain, any sensitive habitats However, it is in the immediate vicinity of Atherton Channel and also near the Don Edwards San Francisco Bay National Wildlife Refuge, which may contain sensitive habitats. Along with demolition of the existing building, some decorative landscaping and trees located throughout the project site would be removed. Common native bird species are capable of nesting in the vegetation and landscaping on site. All native birds and their nests, regardless of their regulatory status, are protected under the federal Migratory Bird Treaty Act and California Fish and Game Code.

In accordance with the ConnectMenlo FEIR, the applicant has prepared a project-specific baseline BRA pursuant to Mitigation Measure BIO-1, and the BRA contains additional mitigation measures to ensure adequate protection of Atherton Channel, the project site, and other sensitive natural communities in the vicinity of the project site, including wetlands and other potential habitats that could contain native or migratory wildlife species. With implementation of ConnectMenlo Mitigation Measure BIO-1 and project-specific Mitigation Measure BR-1 described above, this impact would be less than significant.

ConnectMenlo Mitigation Measure

Mitigation Measure BIO-1: Implement ConnectMenlo Mitigation Measure BIO-1.

Project-specific Mitigation Measure

Mitigation Measure BR-1: Implement project-specific Mitigation Measure BR-1.

e) Would the Proposed Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Less than Significant Impact with Mitigation Incorporated).

The City of Menlo Park Heritage Tree Ordinance defines heritage trees as: 1) all trees other than oaks which have a trunk with a circumference of 47.1 inches (diameter of fifteen (15) inches) or more, measured fifty-four (54) inches above natural grade; 2) an oak tree (Quercus) which is native to California and has a trunk with a circumference of 31.4 inches (diameter of ten (10) inches) or more, measured at fifty-four (54) inches above natural grade; and 3) a tree or group of trees of historical significance, special character or community benefit, specifically designated by resolution of the city council. Trees with more than one trunk shall be measured at the point where the trunks divide, with the exceptions being that multi-trunk trees containing a union below grade are to be measured as standalone trees, and multi-trunk trees less than 12 feet in height are not considered heritage size.

A total of 18 trees were surveyed on or in the vicinity of the site; four are considered heritage trees under the City's Heritage Tree Ordinance. One on-site heritage tree was found to be in poor health, and represents a safety hazard that should be removed, regardless of whether or not the proposed project is developed. The applicant applied for a heritage tree removal permit for this tree, which the City Arborist approved August 18, 2021.

The applicant also proposes relocating two street trees into the project site as part of the project. While not heritage trees, relocation presents a risk to the health of the trees, so they require a heritage tree removal permit (to be approved by the City Arborist). Finally, the project design requires removing two non-heritage trees on the property, which does not require a heritage tree removal permit.

City regulations require the applicant to plant two new replacement street trees within the public right-of-way: golden raintrees are proposed. Two replacement trees also are required for the heritage tree being removed; however, the applicant actually proposes four new trees on-site: three gingko bilobas and one golden raintree. In addition, the applicant plans to install five hopseed bush trees on the ground floor, and six elegant water gum trees plus two purple smoke trees on the fourth floor rooftop deck.

The Planning Commission has final authority over all development-based heritage tree removals occurring on a property. However, no development-based removals are proposed for heritage trees on the project site. As such, the City Arborist rather than Planning Commission has decision-making authority over the heritage tree removal and street tree relocation permits; however, Planning Commission consideration of project approval also includes the proposed placement of the two relocated street trees. Mitigations specified by the BRA to protect species using the trees must be satisfied before uprooting the two street trees for relocation, removing the heritage tree in poor health (even though not part of the project), and removing the two on-site non-heritage trees as part of project construction.

For all tree removals, consistent with the BRA for this site, the applicant would complete a bird and bat survey and

confirm whether additional mitigation for found bats and/or roosting sites is necessary, prior to removal. In the event that bats or habitats for bats are discovered, the qualified bat biologist would be required to develop an avoidance and minimization plan in consultation with CDFW. Avoidance measures may include no-disturbance buffer zones during construction, temporal avoidance during the maternity season, or other measures deemed necessary based on the survey results. In the event that an active nest for nesting raptors or migratory birds is discovered, the qualified biologist would be required to establish species and site-specific no disturbance buffer zones for each nest using high-visibility fencing, flagging, or another method deemed appropriate by the qualified biologist. No construction activities would be allowed to occur within the buffer zones.

In the event that no bats or roosting sites are found, then the biologist would prepare a letter stating this detail and no additional mitigation would be required.

Thus, three on-site trees would be removed (one being an on-site heritage tree being removed for health reasons), two street trees would be relocated, and the remaining trees would be preserved and protected. Nineteen new trees would be planted as part of the proposed project, including street trees. The proposed project is subject to the City's Heritage Tree Ordinance. The arborist report also identified tree preservation measures for the remaining trees, and compliance with the protection measures would be required with the building permit submittal. Therefore, the proposed project would not conflict with local policies or ordinances protecting biological resources. Compliance with Mitigation Measure BR-1, described above, would make this impact less than significant with mitigation incorporated, and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

Project-specific Mitigation Measure

Mitigation Measure BR-1: Implement project-specific Mitigation Measure BR-1.

f) Would the Proposed Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Less than Significant Impact).

The ConnectMenlo FEIR clarifies that portions of the City are located within the Stanford University Habitat Conservation Plan (Stanford HCP). However, the Stanford HCP is only applicable to the land under the ownership of Stanford University. Stanford University does not own the project site, and the Stanford HCP does not regulate the project site or the proposed project. Further, the project site is located within an urban, largely developed area in the City of Menlo Park and has no other conservation plans regulating it. Thus, the proposed project would not conflict with the provisions of a habitat conservation plan, natural community plan or other approved local, regional or State habitat conservation plan. This impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
5. CULTURAL RESOURCES Would the project:				
a) Cause a substantial adverse change in the significance of a historic resource pursuant to § 15064.5?	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

Pursuant to State Assembly Bill 52 (AB 52), the Native American Heritage Commission (NAHC) was requested on June 2, 2021, to perform a search of its Sacred Lands File for information regarding tribal cultural resources in the area and provide a list of Native American representatives who may have relevant information regarding such resources. The NAHC responded on June 16, 2021, stating that the search of the Sacred Lands File was determined to be positive. The NAHC provided a list of nine contacts for the following seven Native American tribes:

- Amah Mutsun Tribal Band of Mission San Juan Bautista
- Costanoan Rumsen Carmel Tribe
- Indian Canyon Mutsun Band of Costanoan
- Muwekma Ohlone Indian Tribe of the San Francisco Bay Area
- The Ohlone Indian Tribe
- Tamien Nation
- Wuksache Indian Tribe/Eshom Valley Band

On July 16, 2021, letters with Project details and a location map were sent to the contacts at all seven tribes listed above.

a) Would the Proposed Project cause a substantial adverse change in the significance of a historic resource pursuant to § 15064.5? (Less than Significant Impact with Mitigation Incorporated).

As indicated in the ConnectMenlo FEIR, historical archaeological deposits and historical architectural resources are noted as the two main types of historical resources that could be subject to adverse impacts, and the implementation of the General Plan was identified as having a potentially adverse impact on these resources. Please refer to the next subsection b, located just below this subsection, for an analysis of archaeological deposits.

There are several recognized historic properties within the city; however, the Bayfront Area, where the proposed project is located, does not contain any known historic properties. Mitigation Measure CULT-2a from the Connect Menlo FEIR requires site-specific historic resources evaluations for individual projects that are proposed on sites with a building more than 50 years old or any site adjoining a building more than 50 years old. The existing office building on the project site was constructed in 1971, and therefore meets the 50-year-old threshold. The applicant has provided an historic evaluation form, assessing the historical significance of this site, and determined that the existing office building is not historically significant. City staff conducted a review of the assessment and confirmed the conclusion that the existing building is not historically significant. Through this process, the assessment determined that the building does not appear to be eligible for listing in the National Register of Historical Places or the California Register of Historical Resources.[19] In addition, the adjoining properties do not include any buildings that are 50 years or older. Furthermore, none of the recognized historic properties within the City are located within the Bayfront Area or within

[19] City of Menlo Park. 2021. Request for Evaluation for Potential Historic Significance, 3723 Haven Avenue. April 8.

the immediate project vicinity. Therefore, the proposed project would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5 and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR; therefore, this impact would be less than significant with mitigation incorporated.

ConnectMenlo Mitigation Measure

Mitigation Measure CULT-2a: If a potentially significant subsurface cultural resource is encountered during ground disturbing activities, all construction activities within a 100-foot radius of the find shall cease until a qualified archeologist determines whether the resource requires further study. All developers in the study area shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Any previously undiscovered resources found during construction activities shall be recorded on appropriate California Department of Parks and Recreation (DPR) forms and evaluated for significance in terms of the California Environmental Quality Act (CEQA) criteria by a qualified archeologist. If the resource is determined significant under CEQA, the qualified archaeologist shall prepare and implement a research design and archaeological data recovery plan that will capture those categories of data for which the site is significant. The archaeologist shall also perform appropriate technical analyses; prepare a comprehensive report complete with methods, results, and recommendations; and provide for the permanent curation of the recovered resources. The report shall be submitted to the City of Menlo Park, Northwest Information Center (NWIC), and State Historic Preservation Office (SHPO), if required.

b) Would the Proposed Project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? (Less than Significant Impact with Mitigation).

The ConnectMenlo FEIR determined that it is highly improbable that archaeological deposits associated with the historic period of Menlo Park and Native American prehistoric archeological sites exist on the locations identified for future development (particularly but not exclusively the Bayfront Area), because these locations are generally concentrated on sites that have either already undergone redevelopment, or are located in close proximity to existing development, where new development would have a lesser impact on historical archeological resources.

However, all future projects requiring substantial excavation reaching significant depths below the ground surface could result in the disturbance of unidentified subsurface materials that could potentially contain prehistoric archaeological resources, which could also include unrecorded Native American prehistoric archaeological sites. Although no new information has been provided demonstrating more significant effects than those originally analyzed in the ConnectMenlo FEIR, the Tamien Nation and the Indian Canyon Mutsun Band of Costanoan expressed concern, believing that the area may contain archaeological resources, and requested additional mitigation measures, including preconstruction archaeological resources sensitivity training and archaeological and tribal construction monitoring. This could result in a potentially significant impact.

As noted earlier, the ConnectMenlo FEIR identified Mitigation Measure CULT-2a. Mitigation Measure CR-1 is a project-specific mitigation measure prepared to address the specific concerns that have been presented during the tribal consultation process, by requiring construction worker training. Lastly, Mitigation Measure CR-2 provides an additional project-specific mitigation measure to require that the applicant hires a licensed archaeologist to provide on-site monitoring, in addition to the training required by Mitigation Measure CR-1, to ensure that any found artifacts are handled appropriately. The archaeologist also would be required to consult tribal leadership, as needed, when findings occur. With a licensed archaeologist monitoring the site, tribal monitoring would not be necessary in order to ensure a less-than-significant impact. Together, these three mitigation measures would ensure this impact would be reduced to a less-than-significant level.

ConnectMenlo Mitigation Measure

Mitigation Measure CULT-2a: Implement ConnectMenlo Mitigation Measure CULT-2a.

Project-specific Mitigation Measure

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

following:

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

Mitigation Measure CR-2: On-site Licensed Archaeologist. During the demolition and excavation phases, the applicant shall hire a licensed archaeologist to be on-site and monitoring work activities to immediately handle and assess any archaeological resources encountered, along with engagement with tribal leadership.

c) Would the Proposed Project disturb any human remains, including those interred outside of formal cemeteries? (Less than Significant Impact with Mitigation).

The ConnectMenlo FEIR determined that it may be possible for human remains associated with pre-contact archaeological deposits to exist within the City and these remains could be encountered at the time potential future development occurs. The associated ground disturbing activities, such as site grading and trenching for utilities, have the potential to disturb human remains interred outside of formal cemeteries. This could result in a potentially significant impact.

Any human remains encountered as a result of ground disturbing activities are required to be treated in accordance with California Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98 and the California Code of Regulations Section 15064.5(e), which state the mandated procedures of conduct following any discovery of human remains. The ConnectMenlo FEIR identified Mitigation Measure CULT-4, which ensures that this impact would be reduced to a less-than-significant level.

ConnectMenlo Mitigation Measure

Mitigation Measure CULT-4: Implement ConnectMenlo Mitigation Measure CULT-4, which states the following:

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

Project-specific Mitigation Measure

Mitigation Measure CR-1: Implement project-specific Mitigation Measure CR-1.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
6. ENERGY Would the project:				
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

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

With a relatively mild Mediterranean climate and strict energy-efficiency requirements, California has lower energy consumption rates than other parts of the county. According to the U.S. Energy Information Administration, California's per capita energy consumption ranked 48th in the nation as of 2020.[20] California has among the lowest annual electrical consumption rates per person of any state; its industrial uses consume 2.2 percent of the energy consumed nationwide.[21] According to the U.S. Energy Information Administration, natural gas consumption in California totaled approximately 2,154.03 billion cubic feet in 2019. Commercial uses consumed approximately 12 percent of this total, followed by residential uses (22 percent), and industrial uses (36 percent), among others.[22] According to the California Energy Commission, total electric generation for California in 2021 (the most recent year for which data are available) was approximately 277,764 gigawatt hours. California's non-carbon-dioxide-emitting electric generation categories, including nuclear, hydroelectric, and renewable generation, accounted for more than 52 percent of total in-state generation in 2021. California's in-state electric generation was approximately 194,127 gigawatt hours.[23]

a) Would the Proposed Project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (Less than Significant Impact).

The ConnectMenlo FEIR provides an analysis of potential impacts associated with energy consumption, consistent with Appendix F of the CEQA Guidelines, and it also includes a discussion on energy use and conservation. The ConnectMenlo FEIR determined that any development pursuant to the General Plan would be subject to new requirements under rule-making that would be developed at the State and local level regarding greenhouse gas (GHG) emissions. In particular, the ConnectMenlo FEIR found that individual projects would be required to adhere to the

[20] U.S. Energy Information Administration. 2020. Total Energy Consumption Estimates per Capita by End-Use Sector, Ranked by State, 2020. Available at https://www.eia.gov/state/seds/seds-data-complete.php. Accessed on October 12, 2022.

[21] U.S. Energy Information Administration. 2022. Natural Gas Consumption by End Use—California. Available: https://www.eia.gov/dnav/ng/ng_cons_sum_dcu_SCA_a.htm. Accessed on October 12, 2022.

[22] Ibid.

[23] California Energy Commission. 2022. 2019. Total System Electric Generation. Available: https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/2019-total-system-electric-generation#:~:text=In%202019%2C%20total%20generation%20for,to%2055%20percent %20in%202018. Accessed on October 12, 2022.

Heavy Duty National Program, which has been adopted by the United States Environmental Protection Agency (EPA). The Heavy Duty National Program is responsible for setting fuel efficiency and GHG emission standards in the heavy-duty highway sector, which include such vehicles as combination tractors (semi-trucks), heavy-duty pickup trucks and vans, and vocational vehicles (including buses and refuse or utility trucks). In addition, as required by Mitigation Measure AQ-2b1 in the ConnectMenlo FEIR, individual development projects would be required to comply with current basic control measures for reducing construction emissions, as established by BAAQMD. Please review the Air Quality section of this document for further discussion on Mitigation Measure AQ-2b1. These requirements would improve the overall energy efficiency of the proposed project during the construction phase.

The ConnectMenlo FEIR determined that all new development pursuant to the General Plan would be constructed using energy efficient modern building materials and construction practices, in accordance with the CALGreen Building Code, the California Public Utility Commission's (PUC) Long Term Energy Efficiency Strategic Plan, and Chapter 12.18 of the Menlo Park Municipal Code. The Menlo Park Municipal Code also contains the Green Building Ordinance. Additionally, the ConnectMenlo FEIR found that new buildings would be required to also use new modern appliances and equipment, in accordance with the 2006 Appliance Efficiency Regulations.

As discussed in the ConnectMenlo FEIR, implementation of the General Plan inherently furthers objectives of energy conservation by focusing activities in areas of existing infrastructure and services. In addition, the Land Use, Circulation, and Open Space/Conservation elements of the General Plan contain several goals, policies, and programs that are designed to require local planning and development decisions to consider impacts to energy resources.

As a part of the General Plan, all new buildings located within the Bayfront Area, including the proposed project, would be required to comply with specific green building requirements for LEED certification, provide outlets for Electric Vehicle (EV) charging, provide on-site renewable energy generation, and enroll in the EPA's Energy Star Building Portfolio Manager.

Similar to buildout of the General Plan, the proposed project would increase the demand for energy during construction of the proposed project and would increase the demand for electricity and gasoline during operation of the proposed project. The proposed project would include the construction and potential operation of a diesel-powered back-up generator, to be used in the event of a power failure for the property. However, this generator would be used only when power is not available for the site and periodic testing. Testing would occur every first Monday of the month at 9:00 a.m. and would last 30 minutes.

The proposed project is based on a 24-month construction schedule, following project approval. The proposed project would require demolition, grading, site preparation, and building activities during construction. Construction of the proposed project would require energy for the manufacture and transportation of raw construction materials, preparation of the site for demolition and grading activities, and complete construction of the proposed project. Petroleum-based fuels, such as diesel and gasoline, would be the primary sources of energy for these activities. Consistent with ConnectMenlo FEIR Mitigation Measure AQ-2b1, during project construction, vehicle and equipment idling times would be required to be restricted to five minutes or less, and construction workers would be required to shut off any idle equipment. In addition, construction activities are not anticipated to result in an inefficient use of energy, as gasoline and diesel fuel would be supplied by construction contractors who would conserve the use of their supplies to minimize their costs on the proposed project. Energy usage on the project site during construction would be temporary in nature and would be relatively small in comparison to the State's overall energy supply. As such, construction energy impacts would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

In line with the General Plan buildout, energy use consumed during operation of the proposed project would be associated with electricity consumption and fuel used for vehicle trips associated with the proposed project. Additionally, the proposed project would comply with specific green building requirements for LEED certification, provide outlets for EV charging and active EV parking spaces, enroll in the EPA's Energy Star Building Portfolio Manager, use new modern appliances and equipment, and comply with current CALGreen standards, which would help to reduce overall energy consumption. Further, the City's Zoning Ordinance includes a requirement that the proposed project meet 100 percent of its energy demand through on-site energy generation or purchase 100 percent of its energy use from renewable resources. If any non-renewable energy is used for the proposed project (e.g., natural gas for a generator) then the proposed project would be required to offset that usage by purchase and installation of local renewable energy generation within the city of Menlo Park in an amount equal to the annual energy demand of the proposed project or purchase of certified renewable energy credits and/or certified renewable energy offsets annually in an amount equal to the annual energy demand of the proposed project. The City adopted reach codes for energy use as part of its adoption of the 2019 California Building Standards Code that require non-residential buildings to be all electric with some exceptions (e.g. nonresidential kitchens may use natural gas, but are required to

be pre-wired for future electric installation) and require solar installation on new buildings. However, the applicant is not proposing any natural gas usage, and apart from the aforementioned diesel generator, the site would be all-electric.

In addition, the proposed project would be consistent with ConnectMenlo energy conservation policies and City Zoning Ordinance requirements, as noted above, and would help further the goals of the City's Climate Action Plan (CAP). In particular, the proposed project would be consistent with four of the six strategies outlined in the CAP, and the other strategies are not applicable. The proposed project would be required to implement TDM measures as well, which would help reduce transportation energy usage, consistent with ConnectMenlo and City Zoning Ordinance requirements.

The City's Zoning Ordinance, the City's reach codes, and the 2019 California Building Standards Code ensure that the proposed project would not result in the wasteful, inefficient, or unnecessary consumption of fuel or energy and would incorporate renewable energy or energy efficiency measures into building design, equipment use, and transportation. Therefore, construction and operation period impacts related to consumption of energy resources would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

b) Would the Proposed Project Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (Less than Significant Impact).

As previously stated, the proposed project would be required to comply with the CALGreen Code, which includes provisions related to building insulation and design, with the focus on an overall reduction in energy consumption. The City's Reach Code requires new construction to be all electric (subject to specified exceptions). Per the zoning ordinance, the proposed project could apply for an exemption under the local building code to allow some use of natural gas (e.g., an emergency back-up generator); the exemption would require energy usage to be offset through credits. Compliance with the requirements would be ensured through conditions of approval. In addition, as described in the ConnectMenlo FEIR, new development within the General Plan would be constructed using modern and energy efficient building materials and construction practices, in accordance with the CALGreen Building Code, the California PUC's Long Term Energy Efficiency Strategic Plan, and Chapter 12.18 of the Menlo Park Municipal Code, which contains the Green Building Ordinance. In addition, the ConnectMenlo FEIR determined that new buildings would be required to also use new modern appliances and equipment, in accordance with the 2006 Appliance Efficiency Regulations.

On April 20, 2021, the Menlo Park City Council adopted an amended 2030 Climate Action Plan (CAP), which includes a zero-carbon goal, to be achieved community-wide by 2030. To the extent that the City Council enacts ordinances, programs, or requirements that are applicable to private development, the proposed project would comply with the requirements, as applicable. Similarly, the project conditions of approval would ensure that these requirements would be satisfied during the construction and operation stages of the proposed project.

As discussed in the ConnectMenlo FEIR, implementation of the General Plan focuses further on energy conservation through the implementation of several of the goals, policies, and programs, specifically in the Land Use, Circulation, and Open Space/Conservation elements, by containing goals, policies, and programs that would require local planning and development decisions to consider impacts to energy resources. Per the General Plan, new buildings proposed for the Bayfront Area would be required to comply with specific green building requirements for LEED certification, provide outlets for EV charging, provide on-site renewable energy generation, and enroll in the EPA's Energy Star Building Portfolio Manager.

The ConnectMenlo FEIR also made a determination that future development under the General Plan, as part of the City's project approval process, would be required to comply with existing regulations, including several General Plan policies and Zoning Ordinance regulations that promote energy conservation and efficiency. The regulatory measures require projects to implement sustainable building practices and reduce automobile dependency. Furthermore, the ConnectMenlo FEIR found that with continued implementation of the City's CAP, compliance with the CALGreen Building Code, and the other applicable State and local energy efficiency measures cited above, substantial energy conservation and reduction in usage would be realized from future development under the General Plan.

Additionally, as the ConnectMenlo FEIR indicates, the General Plan actions in the Bayfront would constitute infill development, and this form of development would reinforce objectives of energy conservation related to transportation by focusing activities in areas of existing infrastructure and services. Transportation features based on General Plan priorities promote non-motorized transportation modes throughout and into the development projects proposed for the Bayfront Area, as well as throughout the City, additionally causing further energy consumption reductions that would be likely related to motorized vehicle use (i.e., gasoline-powered automobiles).

Consistent with the requirements of the General Plan, the proposed project would comply with specific green building requirements for LEED certification, provide outlets for electric vehicle charging, provide on-site renewable energy generation, enroll in the USEPA's Energy Star Building Portfolio Manager, use new modern appliances and equipment, and comply with current CALGreen standards, in order to reduce energy consumption. The proposed project would comply with the City's renewable energy requirements from the Zoning Ordinance and the adopted Reach Code. The proposed project would be consistent with the energy conservation policies outlined in the General Plan, in addition to the City's CAP, by complying with specific green building requirements for LEED certification. In addition, the proposed project would constitute infill development within an urban area and the proposed project.

The proposed project would implement TDM measures, which would help reduce transportation energy usage and potential transportation-based air quality impacts, consistent with requirements of the General Plan.

In addition, as indicated above, the energy usage required for construction of the proposed project would be temporary in nature, and energy usage associated with the operation of the proposed project would be relatively small in comparison to the State's energy supply and the energy impacts would be negligible at the regional level. Because California's energy conservation planning actions are assessed and understood at a regional level, and because the proposed project's total impact to regional energy supplies would be minor, the proposed project would not conflict with energy conservation plans. Thus, as shown above, the proposed project would avoid or reduce any inefficient, wasteful, and unnecessary consumption of energy. Further, there would be no substantial change, or new specific effects, resulting from the proposed project. Therefore, the proposed project would be consistent with the CAP and other applicable plans related to renewable energy and energy efficiency. This impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
7. GEOLOGY AND SOILS Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42)	☐	☐	☒	☐
ii) Strong seismic shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☒	☐
f) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	☐	☒	☐	☐

a) Would the Proposed Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (Refer to Division of Mines and Geology Special Publication 42); ii. Strong seismic shaking; iii. Seismic-related ground failure, including liquefaction; or iv. Landslides? (Less than Significant Impact).

Fault Rupture

Surface fault rupture occurs when the ground surface is broken due to fault movement during an earthquake. Fault rupture is generally expected to occur along active fault traces.

Areas susceptible to fault rupture are delineated by the California Geological Survey Alquist-Priolo Earthquake Fault Zones and require specific geological investigations prior to development to reduce the threat to public health and safety and to minimize the loss of life and property posed by an earthquake-induced ground failure.

Ground Shaking

Seismic ground shaking generally refers to all aspects of motion of the earth's surface resulting from an earthquake, and is normally the major cause of damage in seismic events. The extent of ground shaking is controlled by the magnitude and intensity of the earthquake, distance from the epicenter, and local geologic conditions. The magnitude of a seismic event is a measure of the energy released by an earthquake; it is assessed by seismographs that measure the amplitude of seismic waves. The intensity of an earthquake is a subjective measure of the perceptible effects of a seismic event at a given point.

Liquefaction

Soil liquefaction is a phenomenon primarily associated with saturated soil layers located close to the ground surface. During ground shaking, these soils lose strength and acquire a "mobility" sufficient to permit both horizontal and vertical movements. Soils that are most susceptible to liquefaction are clean, loose, uniformly graded, saturated, fine-grained sands that lie relatively close to the ground surface. However, loose sands that contain a significant amount of fines (silt and clay) may also liquefy. Based on testing at the project site, some of the fine grained soils encountered with a low plasticity may be prone to liquefaction settlement. Total settlement that could occur at the ground surface as a result of liquefaction is estimated to range from approximately 0.25 to 1.25 inches.

Lateral Spreading

Lateral spreading is a phenomenon in which surficial soil displaces along a shear zone that has formed within an underlying liquefied layer. Upon reaching mobilization, the surficial soils are transported downslope or in the direction of a free face by earthquake and gravitational forces.

Surface Settlement

Settlement can occur when non-saturated, cohesionless soil is densified by earthquake vibrations. The fill and native soils above the groundwater at the project site are typically composed of stiff to very stiff clays, and therefore the potential for settlement of these surface soils during a major earthquake is low.

Landslides

Seismically-induced landslides occur as the rapid movement of large masses of soil on unstable slopes during an earthquake. The Seismic Hazard Zones mapped by the California Geological Survey (CGS) delineate areas susceptible to seismically-induced landslides that require additional investigation to determine the extent and magnitude of potential ground failure.

With its *CBIA vs. BAAQMD* decision in 2015, the California Supreme Court concluded that "CEQA generally does not require an analysis of how existing environmental conditions would affect a project's future users or residents." In making this ruling, CEQA no longer factors in the potential impact of the environment on new projects (e.g., impacts of existing seismic hazards on future project occupants) to be an environmental impact, unless the proposed project could exacerbate an existing environmental hazard.

The project site is not located within an Alquist-Priolo Earthquake Fault Zone as designated by the California Geological Society, and no known active faults exist on the site. The nearest active fault to the project site is the San Andreas fault. Although the fault is not distant from the subject property, the proposed project is in a seismically active area, and, while unlikely, there is a possibility of future faulting and consequent secondary ground failure from unknown faults is considered low. Furthermore, the proposed project would comply with requirements set in the California Building Code (CBC) to withstand settlement and forces associated with the maximum credible earthquake. The CBC provides standards intended to permit structures to withstand seismic hazards. Therefore, the CBC sets standards for excavation, grading, construction earthwork, fill embankments, expansive soils, foundation investigations, liquefaction potential, and soil strength loss. Geotechnical investigations were prepared for the proposed project by AWR Environmental, in a Geotechnical Report that was amended, April 14, 2021. The report concluded that the site is suitable for the proposed hotel development provided the recommendations in the reports are followed during design and construction.

Liquefaction refers to the sudden, temporary transformation of loose, saturated granular sediments from a solid state to a liquefied state as a result of seismic ground shaking. Liquefaction-related phenomena include seismically induced

settlement, flow failure, and lateral spreading. While there would be considerable groundshaking, seismic ground failure, including liquefaction and subsidence of the land, is possible, but not likely at the site, based on the AWR geotechnical report prepared for the proposed project. Geotechnical studies are typically required for projects involving excavation for underground spaces, but the applicant has provided this document in advance of the building permit stage. Loose, saturated, and silty sands are most susceptible to liquefaction, and were not encountered at this site. Therefore, impacts related to seismically-induced ground failure and liquefaction would be considered less than significant with the implementation of the proposed project.

Landslides occur when forces, such as excessive rainfall or earthquakes, loosen unstable materials from hillsides, causing the material to slide downhill. The project site and surrounding vicinity are relatively flat and are thus not susceptible to slope instability. Therefore, the potential for landslides to occur within the project vicinity would be low.

As noted earlier, Public Resources Code Section 21083.3 and California Environmental Quality Act ("CEQA") Guidelines Section 15183 provide that proposed projects that are consistent with a "community plan" (including the ConnectMenlo General Plan) for which an EIR was certified are exempt from CEQA, "except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the proposed project or its site. The ConnectMenlo FEIR has accounted for all potential impacts at the project site, and no project-specific impacts have been identified. The proposed project would not change or exacerbate existing seismic hazards previously assessed in the ConnectMenlo FEIR, and, therefore, would not exacerbate existing hazards related to surface fault rupture, seismic ground shaking, liquefaction and other forms of seismic-related ground failure, or landslides. Therefore, this impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

b) Would the Proposed Project result in substantial soil erosion or the loss of topsoil? (Less than Significant Impact).

A site investigation report (SIR) was prepared for the proposed project, assessing groundwater and soil conditions on site.[24] The SIR does not identify topsoil on the project site. The project site is developed and has been mapped as a mixture of "urban land" and "Novato clay (0 to 1 percent slopes)" by the Natural Resources Conservation Service.[25] Areas designated as "urban land" have essentially no exposed soil and are covered by streets, parking lots, buildings, and other structures. The redevelopment of the project site would involve demolition and construction activities, such as grading and excavation, which could result in temporary soil erosion when the disturbed soils are exposed to wind or rainfall. However, this would be temporary and occurring only during grading. Upon completion of construction, the project site would be covered with structures, pavement, and landscaping, and would not include areas containing exposed soil. In addition, the ConnectMenlo FEIR determined that compliance with the Menlo Park Engineering Division's Grading and Drainage Control Guidelines would reduce the impacts from erosion and the loss of topsoil to the extent practicable. The proposed project would not result in substantial soil erosion or loss of topsoil, and this impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

c) Would the Proposed Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? (Less than Significant Impact).

As previously discussed in Section a, above, the soils at the project site are susceptible to liquefaction and seismically-induced settlement, but they are not susceptible to lateral spreading or landslides. As noted in the ConnectMenlo FEIR, the proposed project would be required to comply with the California Building Code to reduce the potential risks to people and structures as a result of liquefaction and seismically-induced settlement. Final grading, foundation, and building plans are required to be designed in accordance with the California Building Code. Therefore, this impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

d) Would the Proposed Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? (Less the Significant Impact).

Expansive soils can change characteristics dramatically based on fluctuations in the moisture content of the soil. The

[24] AWR Environmental, 2021. Site Investigation Report: 3723 Haven Avenue, Menlo Park, California, April 14.

[25] Natural Resources Conservation Service. 2022. Web Soils Survey, USDA Mapping. Available at: websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx. Accessed on October 12.

potential for soil to shrink or swell is impacted by the amount and type of clay minerals found in the affected soil and can be calculated by the percent change of the soil volume.

The ConnectMenlo Final EIR determined that expansive soils are most prevalent in the neighborhoods that lie closest to the San Francisco Bay. A liquefaction analysis performed at the project site determined that the near-surface soils encountered at the project site are generally moist but have a very low expansion potential. The report also concludes that the project site would be suitable for the proposed project to occur.[26] Even so, the report identifies best management practices aimed at ensuring adequate grading, drainage, shoring, and construction practices are implemented to limit soil expansion.

As stated in the ConnectMenlo Final EIR, final grading, foundation, and building plans must be designed to comply with the California Building Code. As noted in Section a, the City has adopted the 2019 California Building Code, and the proposed project would therefore be required to comply with the current code. Therefore, this impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

e) Would the Proposed Project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? (Less than Significant Impact).

The project site would connect to a wastewater conveyance system maintained by the West Bay Sanitary District (WBSD). Wastewater from the WBSD's collection system is conveyed to the Silicon Valley Clean Water (SVCW) Waste Water Treatment Plant (WWTP) in Redwood Shores, which is located in neighboring Redwood City. The ConnectMenlo FEIR has accounted for all potential impacts at the project site, and no project-specific impacts have been identified. Development of the proposed project would not involve the use of septic tanks or alternative wastewater disposal systems. Therefore, this impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

f) Would the Proposed Project directly or indirectly destroy a unique paleontological resource or site or unique geological feature? (Less than Significant Impact with Mitigation).

The ConnectMenlo Final EIR determined that no known fossils, unique paleontological resources, or unique geologic features are present within the study area; however, geological formations underlying Menlo Park have the potential for containing paleontological resources (i.e., fossils). As such, it is possible for a potentially significant impact to occur as a result of demolition, site preparation, and construction activities causing excavation to reach significant depths beneath the existing grade, where no prior excavation to this extent has previously occurred, and unrecorded fossils of potential scientific significance and other unique geologic features could be discovered. The proposed project would be required to adhere to **Mitigation Measure CULT-3** from the GP ConnectMenlo FEIR, which requires all work to halt if fossils or fossil bearing deposits are discovered during ground disturbing activities over a 50-foot radius, until a trained paleontologist has assessed the remains and provided further direction. In incorporating this mitigation measure, the impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

ConnectMenlo Mitigation Measure

Mitigation Measure CULT-3: In the event that fossils or fossil bearing deposits are discovered during ground disturbing activities anywhere in the city, excavations within a 50-foot radius of the find shall be temporarily halted or diverted. Ground disturbance work shall cease until a City-approved qualified paleontologist determines whether the resource requires further study. The paleontologist shall document the discovery as needed (in accordance with Society of Vertebrate Paleontology standards [Society of Vertebrate Paleontology 1995]), evaluate the potential resource, and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction activities are allowed to resume at the location of the find. If avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of construction activities on the discovery. The excavation plan shall be submitted to the City of Menlo Park for review and approval prior to implementation, and all construction activity shall adhere to the recommendations in the excavation plan.

[26] AWR Environmental, 2021. Amended Geotechnical Report: 3723 Haven Avenue, Menlo Park, California, April 14. Page 4.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
8. GREENHOUSE GAS EMISSIONS Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☒	☐	☐
b) Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

The ConnectMenlo Final EIR identified two significant and unavoidable impacts related to GHG emissions as a result of implementation of ConnectMenlo (Impacts GHG-1 and GHG-2). The ConnectMenlo FEIR identified Mitigation Measure GHG-1, which requires the City to update its CAP prior to January 1, 2020. However, because there are no post-2020 federal and State measures that would assist the City in achieving the efficient target at the ConnectMenlo buildout year of 2040, these impacts remained significant and unavoidable.

The 2030 CAP, was adopted in April 2021.[27] The 2030 CAP updated emissions inventories and adopted a climate goal that calls for zero carbon for the City by 2030. The CAP also aims for a 90 percent reduction in CO2e emissions from 2005 levels by 2030. To achieve GHG reductions, the CAP promotes six different strategies. Table 3 discusses the proposed project's consistency with the six 2030 CAP goals. As discussed in Table 3, the proposed project would be consistent with the goals of the 2030 CAP.

Construction activities associated with the proposed project would produce combustion emissions from various sources. During construction, GHGs would be emitted through the operation of construction equipment and from worker and builder supply vendor vehicles, each of which typically use fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs such as carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O). Furthermore, CH_4 is emitted during the fueling of heavy equipment. Exhaust emissions from on-site operation of the proposed project (i.e., residential-based trips, including commuting) would generate GHG emissions from area and mobile sources as well as indirect emissions from sources associated with energy consumption.

a) Would the Proposed Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Less than Significant Impact with Mitigation Incorporated).

Project-related construction activities, including parking lot demolition, building construction, and offsite improvements associated with the fair-share roadway infrastructure would generate GHG emissions. Specifically, heavy-duty off-road equipment operation, material transport, and workers' commutes during construction of the proposed project would result in GHG emissions from exhaust.

Demolition and construction activities for the proposed project would result in the temporary generation of GHG emissions. Emissions would originate from the exhaust of both mobile and stationary construction equipment as well as exhaust from employees' vehicles and haul trucks. Construction-related GHG emissions from each specific source would vary substantially, depending on the level of activity, length of the construction period, specific construction operations, types of equipment, and number of personnel.

[27] City of Menlo Park. 2020. Climate Change Action Plan. Available: http://www.menlopark.org/305/Climate-Action-Plan. Accessed: December 16, 2021.

The aforementioned construction activities would require mobile and stationary construction equipment, in addition to on-road vehicles like haul trucks for demolition debris removal and trucks from other vendors for deliveries. Site grading and excavation would be required for building foundations, utility infrastructure installation, and landscaping.

As described above, BAAQMD has not established a quantitative threshold for assessing construction-related GHG emissions. Rather, BAAQMD recommends evaluating whether construction activities would conflict with statewide emission reduction goals, based on whether feasible BMPs for reducing GHG emissions would be implemented. If a project fails to implement feasible BMPs identified by BAAQMD, its GHG emissions could conflict with statewide emission goals and represent a cumulatively considerable contribution to climate change, which would be a potentially significant impact.

The City's Zoning Ordinance, the City's reach codes, and the 2019 California Building Standards Code ensure that the proposed project would not result in the wasteful, inefficient, or unnecessary consumption of fuel or energy and would incorporate renewable energy or energy efficiency measures into building design, equipment use, and transportation.

The air quality and greenhouse gas analysis provides an assessment of potential greenhouse gas emissions, along with a compatibility analysis with applicable adopted plans. Based on the CalEEMod modeling provided in the study, the estimated potential increased electricity demand associated with the proposed project is 696,998 kilowatt-hours (kWh) per year. Total electricity consumption in San Mateo County in 2020 was 4,167 gigawatt-hours (GWh) or 4,167,506,557 kWh.1 Therefore, operation of the proposed project would increase the annual electricity consumption in San Mateo County by 0.02 percent.[28]

The proposed project is required to be built to LEED Silver standards, would include the application of solar panels, and would be 12 percent more energy efficient than the 2019 Title 24 standards. As such, the proposed project would include a variety of energy-saving building features. Based on this analysis, as required under Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines, the proposed project would not result in the wasteful, inefficient, or unnecessary consumption of fuel or energy and would incorporate renewable energy or energy efficiency measures into building design, equipment use, and transportation.[29]

Further, implementation of ConnectMenlo Mitigation Measure AQ-2b1 would require implementation of BAAQMD-recommended BMPs, thereby reducing this impact to less than significant with mitigation. Because Mitigation Measure AQ-2b1 would require implementation of all construction-related GHG reduction measures recommended in BAAQMD's CEQA guidance and CARB's 2017 Scoping Plan, construction of the proposed project would not generate GHG emissions that could have a significant impact on the environment.

ConnectMenlo Mitigation Measure

Mitigation Measure AQ-2b1: Implement ConnectMenlo Mitigation Measure AQ-2b1.

b) Would the Proposed Project conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Less than Significant Impact).

As discussed in the ConnectMenlo Final EIR, the State's GHG emissions reductions objectives are embodied in AB 32, Executive Order B-30-15, Executive Order S-03-05, and SB 375. Applicable plans adopted for the purpose of reducing GHG emissions include the Scoping Plan, Plan Bay Area, and the City's CAP. As such, the proposed project was evaluated for consistency with those plans to demonstrate whether the proposed project would conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the GHG emissions. As described in more detail in the tables below, in addition to the air quality and greenhouse gas analysis, the proposed project would be generally consistent with the City's CAP and Plan Bay Area. The air quality and greenhouse gas analysis concluded that the proposed project's potential emissions would be lower than the BAAQMD thresholds, which makes the project consistent with the GHG reduction goals and emission targets in the AB 32 Scoping Plan. The proposed project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the GHG emissions. Therefore, this impact would be less than significant.

[28] LSA, 2022a. Air Quality and Greenhouse Gas Analysis – Hotel Moxy Project – Menlo Park, California. Page 58.

[29] LSA, 2022a. Air Quality and Greenhouse Gas Analysis – Hotel Moxy Project – Menlo Park, California. Page 58.

Table 2: Project Consistency with Plan Bay Area 2040		
Goal	**Target**	**Project Consistency**
Climate Protection	1. Reduce per-capita CO2 emissions	Consistent. The proposed project would comply with specific green building requirements for LEED certification, provide outlets for EV charging, enroll in the USEPA Energy Star Building Portfolio Manager, use new modern appliances and equipment, and comply with current CALGreen standards. In addition, Section 16.45.130(2)(A) of the Zoning Ordinance requires all new construction to meet 100 percent of energy demand through any combination of the following measures: 1) on-site energy generation; 2) purchase of 100 percent renewable electricity through Peninsula Clean Energy or Pacific Gas and Electric Company in an amount equal to the annual energy demand of the proposed project; 3) purchase and installation of local renewable energy generation within the City of Menlo Park in an amount equal to the annual energy demand of the proposed project; and 4) purchase of certified renewable energy credits and/or certified renewable energy offsets annually in an amount equal to the annual energy demand of the proposed project. The proposed project also proposes solar energy generation on site. The proposed project would comply with these requirements.
Adequate Housing	2. House the region's population	Not Applicable. The proposed project does not involve residential development.
Healthy and Safe Communities	3. Reduce adverse health impacts	Consistent. As discussed in the Air Quality section, the proposed project would not result in the exposure of future guests or workers to adverse health effects.
Open Space and Agricultural Preservation	4. Direct development within urban footprint	Consistent. The proposed project would result in the demolition of existing office square footage and the redevelopment of the project site with a hotel building.

Equitable Access	5. Decrease share of lower-income households' budgets spent on housing and transportation	Not Applicable. The proposed project does not involve residential development.
	6. Increase share of affordable housing	Consistent. The non-residential project sponsor is proposing a BMR in-lieu fee payment to account for its share of affordable housing required, which would comply with the City's Below Market Rate Housing Program Ordinance, Chapter 16.96, and the City's Below Market Rate Guidelines.
	7. Do not increase share of households at risk of displacement	Consistent. The proposed project would result in the demolition of existing office square footage and the redevelopment of the project site with a hotel building. As discussed in detail in the Population and Housing section, the proposed project would not result in the direct or indirect displacement of existing housing.
Economic Vitality	8. Increase share of jobs accessible in congested conditions	Consistent: Employment is proposed to increase at the project site following development of the proposed project, from approximately 20 employees to 50 employees. This is discussed in more detail in the Population and Housing section.
	9. Increase jobs in middle-wage industries	Consistent: Employment, including within some middle-wage hospitality sector positions, is proposed to increase at the project site following development of the proposed project. The applicant has proposed six of the 50 employees would receive middle-wage salaries of $100,000 or more.
	10. Reduce per-capita delay on freight network	Not Applicable. This strategy is not applicable, as the proposed project would consist of a hotel building.
Transportation System Effectiveness	11. Increase non-auto mode share	Consistent. The proposed project would develop a TDM plan to provide trip reduction measures and reduce vehicle traffic in and around the project site. In addition, the project area is served by public transit facilities. The nearest bus stop to the project site is served by SamTrans Route 270, which runs on a loop from the Redwood City Transit Center to Atherton with hour-long headways, and is located near the southeast corner of the subject property,

		on Haven Avenue. The Menlo Park and Palo Alto Caltrain stations are located within 3 miles of the project site to the south. In addition, the proposed project would provide bicycle and pedestrian facilities, which would help to reduce the demand for travel by single occupancy vehicles.
	12. Reduce vehicle operating and maintenance costs due to pavement conditions	Not Applicable. This strategy is not applicable, as the proposed project would consist of a hotel building.
	13. Reduce per-rider transit delay due to aged infrastructure	Not Applicable. This strategy is not applicable, as the proposed project would consist of a hotel building.

Table 3: Project Consistency with 2030 Menlo Park Climate Action Plan Strategies	
Strategy	**Project Consistency**
Explore policy/program options to convert 95 percent of existing buildings to all-electric by 2030.	Consistent. The proposed project would not increase the demand for natural gas as the City's reach codes would require the building to be all electric, apart from nonresidential kitchens. In addition, the proposed project would comply with specific green building requirements for LEED certification, provide outlets for EV charging, enroll in the USEPA Energy Star Building Portfolio Manager, use new modern appliances and equipment, and comply with current CALGreen standards. In addition, Section 16.43.140(2)(A) of the Zoning Ordinance requires all new construction to meet 100 percent of energy demand through any combination of the following measures: 1) on-site energy generation; 2) purchase of 100 percent renewable electricity through Peninsula Clean Energy or Pacific Gas and Electric Company in an amount equal to the annual energy demand of the proposed project; 3) purchase and installation of local renewable energy generation within the City of Menlo Park in an amount equal to the annual energy demand of the proposed project; and 4) purchase of certified renewable energy credits and/or certified renewable energy offsets annually in an amount equal to the annual energy demand of the proposed project. Collectively, this would result in the proposed project providing fewer emissions per capita on site than the existing office.
Support setting regional goals for increasing EVs and decreasing gasoline sales.	Consistent. The proposed project would provide outlets for EV charging.
Expand access to EV charging for multifamily and commercial properties.	Consistent. The proposed project would provide outlets for EV charging.
Reduce vehicle miles traveled (VMT) by 25 percent or an amount recommended by the Complete Streets Commission.	Consistent. The proposed project would develop a TDM plan to provide trip reduction measures and reduce vehicle traffic in and around the project site (refer to Section 4.2, Transportation). In addition, the project area is served by public transit facilities and the proposed project would provide bicycle and pedestrian facilities, which would help to reduce the demand for travel by single occupancy vehicles.
Eliminate the use of fossil fuels from municipal operations.	Not Applicable. This action is not directly applicable to the proposed project.
Develop a climate adaptation plan to protect the community from sea level rise and flooding.	Not Applicable. This action is not directly applicable to the proposed project.

Table 4: Project Consistency with ConnectMenlo General Plan Policies	
General Plan Policy	**Project Consistency**
Policy LU-4.5: Business Uses and Environmental Impacts. Allow modifications to business operations and structures that promote revenue generating uses for which potential environmental impacts can be mitigated.	Not Applicable: The proposed project would involve new construction.
Policy LU-6.9: Pedestrian and Bicycle Facilities. Provide well-designed pedestrian and bicycle facilities for safe and convenient multi-modal activity through the use of access easements along linear parks or paseos.	Consistent. There are no linear parks or paseos on the project site, and the proposed project would not include bike lanes; however, there is a proposed bike lane improvement proposed to front the project site on Haven Avenue. The proposed project would pay its fair share in the design of this bike lane, helping to encourage pedestrian and bicycle access and reduce automobile use.
Policy LU-7.1: Sustainability. Promote sustainable site planning, development, landscaping, and operational practices that conserve resources and minimize waste.	Consistent. Section 16.43.140(2)(A) of the Zoning Ordinance requires all new construction to meet 100 percent of energy demand through any combination of the following measures: 1) on-site energy generation; 2) purchase of 100 percent renewable electricity through Peninsula Clean Energy or Pacific Gas and Electric Company in an amount equal to the annual energy demand of the proposed project; 3) purchase and installation of local renewable energy generation within the City of Menlo Park in an amount equal to the annual energy demand of the proposed project; and 4) purchase of certified renewable energy credits and/or certified renewable energy offsets annually in an amount equal to the annual energy demand of the proposed project. The proposed project would comply with these requirements. In addition, the proposed project would provide outlets for EV charging, and the waste management would be serviced by Recology San Mateo County for solid waste, recycling, and composting.
Policy LU-7.9: Green Building. Support sustainability and green building best practices through the orientation, design, and placement of buildings and facilities to optimize their energy efficiency.	Consistent. The proposed hotel is designed and positioned strategically to harness more solar energy (with solar energy generation on site), along with the placement of the fourth floor rooftop deck in terms of optimizing natural light capture.
Policy OSC-4.1: Sustainable Approach to Land Use Planning to Reduce Resource Consumption. Encourage, to the extent feasible, (1) a balance and match between jobs and housing, (2) higher density residential and mixed-use development to be located adjacent to commercial centers and transit corridors, and (3) retail and office areas to be located within walking and biking distance of transit or existing and proposed residential developments.	The proposed project would develop a TDM plan to provide trip reduction measures and reduce vehicle traffic in and around the project site. In addition, the proposed project is adjacent to several nearby employment centers, allowing shorter distances traveled by guests from the proposed hotel to offices they are visiting..
Policy OSC-4.2: Sustainable Building. Promote and/or establish environmentally sustainable building practices or standards in new development that would conserve water and energy, prevent stormwater pollution, reduce landfilled waste,	Consistent. Section 16.43.140(2)(A) of the Zoning Ordinance requires all new construction to meet 100 percent of energy demand through any combination of the following measures: 1) on-site energy generation; 2) purchase of 100

and reduce fossil fuel consumption from transportation and energy activities.	percent renewable electricity through Peninsula Clean Energy or Pacific Gas and Electric Company in an amount equal to the annual energy demand of the proposed project; 3) purchase and installation of local renewable energy generation within the City of Menlo Park in an amount equal to the annual energy demand of the proposed project; and 4) purchase of certified renewable energy credits and/or certified renewable energy offsets annually in an amount equal to the annual energy demand of the proposed project. The proposed project would comply with these requirements. In addition, the proposed project would provide outlets for EV charging, and the waste management would be serviced by Recology San Mateo County for solid waste, recycling, and composting. The site is increasing permeable surface area on site to lessen water usage, and the TDM plan offers several strategies aimed at lessening fossil fuel emissions for transportation purposes.
Policy OSC-4.3: Renewable Energy. Promote the installation of renewable energy technology, such as, on residences and businesses through education, social marketing methods, establishing standards and/or providing incentives.	Consistent. Section 16.43.140(2)(A) of the Zoning Ordinance requires all new construction to meet 100 percent of energy demand through any combination of the following measures: 1) on-site energy generation; 2) purchase of 100 percent renewable electricity through Peninsula Clean Energy or Pacific Gas and Electric Company in an amount equal to the annual energy demand of the proposed project; 3) purchase and installation of local renewable energy generation within the City of Menlo Park in an amount equal to the annual energy demand of the proposed project; and 4) purchase of certified renewable energy credits and/or certified renewable energy offsets annually in an amount equal to the annual energy demand of the proposed project. The proposed project also proposes solar energy generation on site. The proposed project would comply with these requirements.
Policy OSC-4.4: Vehicles Using Alternative Fuel. Explore the potential for installing infrastructure for vehicles that use alternative fuel, such as electric plug in recharging stations.	Consistent. The proposed project would provide outlets for EV charging.
Policy OSC-4.5: Energy Standards in Residential and Commercial Construction. Encourage projects to achieve a high level of energy conservation exceeding standards set forth in the California Energy Code for Residential and Commercial development.	Consistent. Section 16.43.140(2)(A) of the Zoning Ordinance requires all new construction to meet 100 percent of energy demand through any combination of the following measures: 1) on-site energy generation; 2) purchase of 100 percent renewable electricity through Peninsula Clean Energy or Pacific Gas and Electric Company in an amount equal to the annual energy demand of the proposed project; 3) purchase and installation of local renewable energy generation within the City of Menlo Park in an amount equal to the annual energy demand of the proposed project; and 4) purchase of certified renewable energy credits and/or certified renewable energy offsets annually in an amount equal to the annual energy demand of the proposed project. In addition, the proposed project would

	be required to meet LEED Silver status in construction and operation. The proposed project would comply with these requirements.
Policy OSC-4.6: Waste Reduction Target. Strive to meet the California State Integrated Waste Management Board per person target of waste generation per person per day through their source reduction, reuse, and recycling programs.	Consistent. Menlo Park residents are served by Recology San Mateo County for solid waste, recycling, and composting services. As such, the proposed project would provide composting services and effective waste diversion strategies to approach zero waste goals..
Policy OSC-4.8: Waste Diversion. Develop and implement a zero waste policy, or implement standards, incentives, or other programs that would lead the community towards a zero waste goal.	Consistent. Menlo Park residents are served by Recology San Mateo County for solid waste, recycling, and composting services. As such, the proposed project would provide composting services and effective waste diversion strategies to approach zero waste goals..
Policy OSC-5.3: Water Conservation. Encourage water-conserving practices in businesses, homes and institutions.	Consistent. The proposed project would provide a landscaped area providing stormwater treatment, drought and/or disease resistant landscaping, and energy-efficient appliances and efficient irrigation systems.
Policy CIRC-6.1: Transportation Demand Management. Coordinate Menlo Park's transportation demand management efforts with other agencies providing similar services within San Mateo and Santa Clara Counties.	Consistent. The proposed project would develop and implement a TDM Plan to provide trip reduction measures and reduce vehicle traffic in and around the project site.
Policy CIRC-6.4: Employers and Schools. Encourage employers and schools to promote walking, bicycling, carpooling, shuttles, and transit use.	Consistent. Along with on-site bicycle infrastructure improvements, the proposed project would develop and implement a TDM Plan to provide trip reduction measures and reduce vehicle traffic in and around the project site.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
9. HAZARDS AND HAZARDOUS MATERIALS Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☒	☐	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☒	☐

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

> [a] substance, or combination of substances, that, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may either (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness or (2) pose a substantial present or

potential hazard to human health or environment when improperly treated, stored, transported, or disposed of or otherwise managed (CCR Title 22 Section 66260.10).

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

a) Would the Proposed Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Less than Significant Impact).

The proposed project includes the demolition of the existing one-story office building and surface parking lot on the subject property and the construction of a new eight-story hotel, as well as associated site improvements. The ConnectMenlo Final EIR determined that these types of land use typically do not involve transport, use, or disposal of significant quantities of hazardous materials. Generally, small quantities of hazardous materials, such as paints, cleaning chemicals, and fertilizers would be used for routine maintenance and landscaping of the hotel and premises. Additionally, as noted earlier in the Project Description section, the proposed project would include a diesel-powered back-up generator. However, this generator would not be used under normal conditions and would be used only in the event of an emergency to provide electrical service to project residents, and would be periodically tested the first Monday of the month at 9:00 a.m., for 30 minutes. As shown in Table 1, the proposed generator would require review and approval by multiple regulatory agencies, including the City, BAAQMD, San Mateo County Environmental Health, and the Menlo Park Fire Protection District, which would ensure installation in compliance with manufacturer requirements and that the proposed generator would not pose a hazard to people living or working in the area. Thus, no significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials would occur. The impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

During construction of the proposed project, hazardous materials such as fuel, lubricants, paint, sealants, and adhesives would be transported to and used at the subject property. However, compliance with existing regulations that govern the transportation, use, and disposal of these hazardous materials would ensure that the proposed project would minimize the potential negative effects from accidental release into groundwater and soils. These actions would reduce the possibility of creating a significant hazard to the public or the environment during and after construction by ensuring that these materials are properly handled, and if spills or leaks occur, they are properly and promptly cleaned up and the materials disposed of at an appropriate waste-handling facility. Therefore, potential impacts of the proposed project associated with routine transport, use, or disposal of hazardous materials would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo Final EIR.

b) Would the Proposed Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Less than Significant Impact with Mitigation).

It is possible for the public, along with the environment, to be affected by the release of hazardous materials from the project site into the environment in a few ways. First, the proposed project could expose workers and/or the public to potentially contaminated soil and groundwater during the construction and operation phases of the proposed project. Second, the proposed project could expose workers and/or the public to hazardous building materials (e.g., Polychlorinated Biphenyls or PCBs, lead paint, and asbestos) during demolition of the existing office building. In addition, the proposed emergency generator could create a hazard if it were improperly installed. However, as noted above in the preceding section, the proposed generator would require approval from multiple regulatory agencies to ensure it is installed properly.

The ConnectMenlo FEIR determined that future development associated with the General Plan could occur on properties that possibly are contaminated, due to the aforementioned hazardous conditions. Future development would be required to comply with existing regulations, including General Plan policies that have been identified to minimize impacts related to hazardous material spill and accident conditions. In particular, Policy S-1.18 of the General Plan, which requires developers to conduct an investigation of soils, groundwater and buildings affected by hazardous material potentially released from prior land uses in areas historically used for commercial or industrial uses, and to identify and implement mitigation measures, where appropriate, to avoid adversely affecting the environment or the health and safety of residents or new uses.

A Phase I Environmental Site Assessment (Phase I ESA) was prepared for the project site in March 2018 and amended in April 2021 (Appendix D).[30] The Phase I ESA reviewed past uses of the project site and surrounding vicinity to evaluate whether past uses or releases of hazardous materials may have impacted the project site. The Phase I ESA indicated that historical site operations included the manufacture of polished silicon wafers. Additionally, it was determined that chlorinated volatile organic compounds (VOCs) were used on site, and in 1994, VOCs were detected in the local soil and groundwater. Detected VOCs include trichloroethylene (TCE) and is-1,2-dichloroethene (cis-1,2-DCE). In addition, a vapor encroachment condition (VEC) was also identified as having the potential to be present at the subject property due to residual concentrations of the aforementioned chlorinated solvents on site.

The Phase I ESA determined that the earlier 1994 release appears to have been resolved, and no additional investigation or remediation would be necessary. In addition, the Phase I ESA also determined that no Phase II ESA would be necessary. Specifically, the Phase I ESA reports that a deed restriction was recorded in 1999 for the subject property, along with the neighboring 3705 Haven Avenue property and a portion of the 3715 Haven Avenue property, specifying prohibitions on certain site uses for, and outlining certain monitoring responsibilities of the property owners, including practices specified in the Risk Management Plan (RMP). The RMP (Appendix E) has been documented by the Regional Quality Control Water Board, and the applicant would work in coordination with the Regional Water Quality Control Board to ensure completion of all RMP measures identified to address soil contamination concerns on site throughout the construction and operation phases of the proposed project. These include such items as managing vehicular travel within and from the project site, sub-surface activity, utility line work, grading and stockpiling of the soil, and other subterranean activities.[31] In addition, the Phase I ESA also determined that no Phase II ESA would be necessary. Typically, Phase II ESAs are intended to assess if any known or suspected contamination identified in a preceding Phase I ESA might be present or absent at a property, but the Phase I ESA determined that this measure was not necessary.[32] However, the Phase I ESA and RMP both contain recommended actions for the project to implement, which are included as project-specific Mitigation Measure HM-1.

In addition, the ConnectMenlo FEIR identified Mitigation Measures HAZ-4a and HAZ-4b, which are similarly presented below, to ensure that impacts associated with potential exposure to hazardous soil, soil vapor and groundwater conditions during project construction and operation would be reduced to a less-than-significant level.

ConnectMenlo Mitigation Measures

ConnectMenlo Final EIR Mitigation Measure HAZ-4a: Implement ConnectMenlo Mitigation Measure HAZ-4a, which states the following:

Construction at any site in the City with known contamination shall be conducted under a project-specific Environmental Site Management Plan (ESMP) that is prepared in consultation with the Regional Water Quality Control Board (RWQCB) or the Department of Toxic Substances Control (DTSC), as appropriate. The purpose of the ESMP is to protect construction workers, the general public, the environment, and future site occupants from subsurface hazardous materials previously identified at the site and to address the possibility of encountering unknown contamination or hazards in the subsurface. The ESMP shall summarize soil and groundwater analytical data collected on the project site during past investigations; identify management options for excavated soil and groundwater, if contaminated media are encountered during deep excavations; and identify monitoring, irrigation, or other wells requiring proper abandonment in compliance with local, State, and federal laws, policies, and regulations.

The ESMP shall include measures for identifying, testing, and managing soil and groundwater suspected of or known to contain hazardous materials. The ESMP shall: 1) provide procedures for evaluating, handling, storing, testing, and disposing of soil and groundwater during 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.

ConnectMenlo Final EIR Mitigation Measure HAZ-4b: Implement ConnectMenlo Mitigation Measure HAZ-4b, which states the following:

For those sites throughout the city with potential residual contamination in soil, gas, or groundwater that are planned for redevelopment with an overlying occupied building, a vapor intrusion assessment shall be performed by a licensed

[30] AWR Environmental, 2021. Phase I Environmental Site Assessment: 3705 and 3723 Haven Avenue, Menlo Park, California, April 14.

[31] AWR Environmental, 2021 Risk Management Plan: 3723 Haven Avenue, Menlo Park, California, April. Page 7.

[32] Ibid.

environmental professional. If the results of the vapor intrusion assessment indicate the potential for significant vapor intrusion into an occupied building, project design shall include vapor controls or source removal, as appropriate, in accordance with regulatory agency requirements. Soil vapor mitigations or controls could include vapor barriers, passive venting, and/or active venting. The vapor intrusion assessment and associated vapor controls or source removal can be incorporated into the ESMP (Mitigation Measure HAZ-4a).

Project-specific Mitigation Measures

Mitigation Measure HM-1: Implement the following additional, project-specific measures, as recommended by the Phase I ESA and RMP:

- Prior to issuance of a building permit, the applicant shall prepare a site-specific Health and Safety Plan (HASP), in accordance with California Occupational Safety and Health Administration (CAL-OSHA) Construction Safety Orders within Title 8 of the California Code of Regulations (CCR). The general contractor for the proposed project shall be responsible for notifying subcontractors and visitors of pertinent environmental conditions to ensure adequate protection for workers and visitors while on site, and subcontractors shall adopt the general contractor's HASP or prepare their own.
- Prior to issuance of a building permit, the general contractor shall document and provide training for all workers involved with contact and/or management of contaminated soil or groundwater, in accordance with California Code of Regulations, Title 29, Part 1910.120 (Hazardous Waste Operations and Emergency Response [HAZWOPER] standards).
- During excavation and construction, the applicant shall implement additional dust control measures when there is the potential for contaminated soil to affect the nearby community. It is anticipated that following placement of fill, hardscapes, and building pads, air monitoring will not be required, as there will not be exposed soil surfaces with concentrations exceeding residential and shallow soil exposure concentrations (if present).
- Prior to issuance of a demolition permit or any other actions involving soil disturbance, the general contractor and subcontractors shall read the Risk Management Plan for the proposed project and sign the Agreement and Acknowledgement Statement to certify that they have read, understood, and agreed to abide by its provisions.
- During demolition and throughout the construction process, the applicant shall notify the RWQCB, and other agencies, where applicable, of all site development activities in accordance with the following protocols:
    - The applicant shall notify the RWQCB within 24 hours of discovery of:
        - Releases, spills, or releases of hazardous substances or petroleum hydrocarbons to soil or water that are considered, based on best professional judgement and/or physical evidence (including but not limited to olfactory, visual, field instrument, and laboratory data), to be an immediate threat to human health and the environment; and/or
        - Discovery of unknown conditions (underground storage tanks, sumps, vaults, piping, etc.) or newly found contamination. In this latter case, the applicant shall notify Menlo Park Fire Protection District within 24 hours of discovery as well.
    - The applicant shall notify the RWQCB 72 hours prior to any ground disturbing activities in areas of known or suspected contamination.
    - All notification to the RWQCB and the Menlo Park Fire Protection District shall be via email and phone.
- Prior to issuance of a building permit, the applicant shall confirm and update all agency contacts provided in the RMP accordingly, and provide an agency contact sheet to the general contractor, which shall be posted in an accessible and suitable location at the project site.
- During the construction period, if necessary, the general contractor and/or environmental consultant shall document any groundwater removal or soil excavation and disposal in daily field reports, which shall be kept at the project site and be made available to the RWQCB upon request. Documentation will include at a minimum the following, as applicable:
    - Groundwater: Groundwater is at approximately five feet below ground surface. Based on the current construction design, it is not expected to be encountered in excavations during construction activities. However, building support piers shall be advanced through groundwater. If groundwater is encountered, documentation shall include the location, volume of groundwater that is removed, characterization, treatment, and destination (transported to temporary holding tanks, used as dust suppression, and/or disposed of off-Site);
    - Underground Structures: type, contents, characterization, and destination (abandoned in place or disposed of off-site) of any underground structures discovered during site development activities;
    - Impacted Soil: origin, volume, characterization, and destination of any contaminated soil removed from the project site;
    - Imported Soil: origin, volume, characterization, and destination (location used on-site) of imported fill if

obtained from a non-commercial quarry;
    - Disposal Records: date, time, trucking company, drivers and vehicles used for the trip, equipment decontamination and tarping, waste/material type, volume, copies of bills-of-lading, and hazardous waste manifests;
    - Dust Complaint Logs: time, name and contact information, compliant description, earthwork activities associated with complaint, and measures taken to mitigate dust;
    - Analytical Reports: laboratory analytical reports of samples of soil, groundwater, dust, and soil vapor, if samples are collected.
- Prior to any soil disturbance, the applicant shall confirm with the RWQCB whether the requirement to continue sampling groundwater from the remaining monitoring well MW-8 (located on site) is still necessary, and if this well could instead be destroyed in compliance with applicable regulations and procedures of the RWQCB.
- Prior to any soil disturbance, the applicant shall evaluate the following additional soil details and demonstrate that no further measures are needed for soil disturbance:
    - The quality of soil gas and potential risks to indoor air at the subject properties.
    - The amount of lead in the soil due to lead-based paint.

c) Would the Proposed Project Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (No Impact).

The proposed project would not involve handling or emissions of acutely hazardous materials, substances, or wastes. The Tide Academy, a high school within the Sequoia Union High School District, began operation in Fall 2019 at 150 Jefferson Drive, and is located approximately 0.5 miles to the southeast of the project site, which exceeds the one-quarter mile threshold. Regardless, as noted in subsections a and b, the proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste, and therefore, there would be no impact related to hazardous emissions within proximity to a school. Further, vehicles removing demolition materials and/or soil from the project site would travel along Marsh Road, either to US 101 or the Bayfront Expressway, and would not drive near schools. No additional impacts would occur beyond those examined in the ConnectMenlo Final EIR.

d) Would the Proposed Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Less than Significant Impact with Mitigation).

The provisions of Government Code Section 65962.5 require the California Department of Toxic Substances Control (DTSC), the State Water Resources Control Board, the California Department of Health Services, and the California Department of Resources Recycling and Recovery (formerly the California Integrated Waste Management Board) to submit information pertaining to sites associated with solid waste disposal, hazardous waste disposal, leaking underground tank sites, and/or hazardous materials releases to the Secretary of the California Environmental Protection Agency (Cal/EPA). Based on a review of regulatory databases performed as part of the Phase I ESA prepared for the project site, including listed hazardous materials release sites compiled pursuant to Government Code Section 65962.5, the project site did not feature Recognized Environmental Conditions (REC), or Historical Recognized Environmental Conditions (HREC). The neighboring 3705 Haven Avenue property is identified in the State's Hazardous Waste and Substances Site List (Cortese List). Implementation of the ConnectMenlo FEIR Mitigation Measures HAZ-4a and HAZ-4b, which are described above, would ensure that implementation of the proposed project would not result in release of hazardous materials. Therefore, this impact would be less than significant with mitigation and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

<u>ConnectMenlo Mitigation Measures</u>

ConnectMenlo Mitigation Measure HAZ-4a: Implement ConnectMenlo Mitigation Measure HAZ-4a.

The ESMP shall include measures for identifying, testing, and managing soil and groundwater suspected of or known to contain hazardous materials. The ESMP shall: 1) provide procedures for evaluating, handling, storing, testing, and disposing of soil and groundwater during 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.

ConnectMenlo Mitigation Measure HAZ-4b: Implement ConnectMenlo Mitigation Measure HAZ-4b.

e) Would the Proposed Project be located within an airport land use plan or, where such a plan has not been

adopted, within two miles of a public airport or public use airport, would the Proposed Project result in a safety hazard or excessive noise for people residing or working in the project area? (No Impact).

The ConnectMenlo Final EIR determined that the study area would not be subject to any airport safety hazards, and no impact would occur. The project site is located approximately 3.8 miles west of the Palo Alto Airport and approximately 3.8 miles east of the San Carlos Airport. The project site is not located within an airport land use plan, or within two miles of a public airport.[33,34] Therefore, the proposed project would have no impact, as no additional impacts would occur beyond those examined in the ConnectMenlo Final EIR.

f) Would the Proposed Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Less than Significant Impact).

The ConnectMenlo Final EIR determined that implementation of ConnectMenlo does not include potential land use changes that would impair or physically interfere with the ability to implement the City's Emergency Operation Plan.

The proposed project would be consistent with the policies outlined in the General Plan and would not obstruct emergency evacuation routes. The proposed project would not substantially alter the adjacent roadways and, therefore, would not be expected to impair the function of nearby evacuation routes. Therefore, the impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

g) Would the Proposed Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires? (Less than Significant Impact).

As noted in the ConnectMenlo FEIR, the City is located in a highly urbanized area, is not surrounded by woodlands or vegetation, and does not contain any areas of moderate, high, or very high Fire Hazard Severity Zones for the Local Responsibility area, nor does it contain any areas of moderate, high, or very high Fire Hazard Severity for the State Responsibility area. Future development throughout the City, including the proposed project, would be required to comply with the existing regulations as described in Section 4.7.1.1 of the ConnectMenlo FEIR. In particular, all development in the study area would be constructed pursuant to the California Building Code, California Fire Code, and the Menlo Park Fire Protection District Code. Since the project site is in an urbanized area, is not within or adjacent to a wildland fire hazard area, and would be subject to existing regulations, the proposed project would not expose people or structures to a significant loss, injury, or death involving wildland fires. Therefore, the impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

[33] Santa Clara County Airport Land Use Commission. 2008. Comprehensive Land Use Plan, Santa Clara County, Palo Alto Airport. November 19.

[34] City/County Association of Governments of San Mateo County. 2015. Comprehensive Airport Land Use Compatibility Plan for the Environs of San Carlos Airport. October 2015.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
10. HYDROLOGY AND WATER QUALITY Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
iv) impede or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk the release of pollutants due to project inundation?	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

The project site is within the alluvial fan of the lower San Francisquito Creek watershed. The headwaters of the watershed are in the Santa Cruz Mountains, above Menlo Park; these waters eventually flow into southwest San Francisco Bay. The tidal mudflats and marshes in the Bay, the Refuge, Ravenswood Slough, and the salt ponds, some of which are within the Don Edwards San Francisco Bay National Wildlife Refuge (Refuge), are across Bayfront Expressway and to the north. The project site is approximately 1 mile inland from the Refuge and Lower San Francisco Bay.

Water typically flows from southwest to northeast through natural creeks and streams as well as channelized waterways. Major surface waters in the project vicinity include Atherton Channel, also known as Atherton Creek, to the east; Westpoint and Flood Slough to the north; Ravenswood Slough to the northeast; San Francisquito Creek to the southeast; and Lower San Francisco Bay to the north.

Atherton Channel is an alternating earthen-lined/concrete-lined channel that carries flows from the upper reaches of Atherton Creek to Westpoint Slough. Westpoint Slough is less than 2 miles northwest of the project site and one of several sloughs that run through the salt ponds and salt marshes north of Bayfront Expressway. The slough drains into Lower San Francisco Bay. Ravenswood Slough, a wetland feature that flows into the Bay, is approximately one mile to the north of the project site. Levees are located throughout the salt ponds. San Francisquito Creek, approximately 2.3 miles south of the project site, is a natural channel that flows into the Bay and serves as a boundary between San Mateo and Santa Clara Counties.

a) Would the Proposed Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? (Less than Significant Impact).

The ConnectMenlo FEIR states that the San Mateo Countywide Water Pollution Prevention Program (SMCWPPP) regulates water quality in stormwater runoff, and also includes the C.3 provisions set by the RWQCB. Adherence to these regulations requires all new development projects to incorporate treatment measures, an agreement to maintain them, and other appropriate source control and site design features that reduce pollutants in runoff to the maximum extent practicable. As the project site would include more than 10,000 square feet of ground disturbance, the proposed project would be required to comply with San Mateo County's C.3 Technical Guidance for stormwater treatment. Many of the SMCWPPP requirements factor in Low Impact Development (LID) practices, such as the use of on-site infiltration systems through landscaping and vegetated swales that minimize pollutant loading. Incorporation of these measures have the potential to improve existing conditions on site.

The proposed project would result in the construction of an eight-story, 58,027-square-foot, 163-room hotel, consisting of three stories of podium parking and five stories of hotel rooms. Construction is proposed to involve auger cast piles, grading, and paving improvements. The potential at the proposed project site for erosion and sediment transport is low because the site is relatively flat, and sedimentation would be managed using standard construction and engineering best management practices (BMPs). The BMPs would be a condition of project approval and are standard practices used to reduce erosion and sedimentation during construction activities. All on-site runoff must also comply with the SMCWPPP. Therefore, this impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

b) Would the Proposed Project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (Less than Significant Impact).

The proposed project would not rely on groundwater for its water supply. The site would be supplied by the Menlo Park Municipal Water District (MPMWD); as such, the proposed project would not have the potential to affect groundwater supplies. Additionally, although no use of groundwater is proposed as part of the proposed project's operation, some dewatering may be required during construction due to the depth of excavations performed and the shallow water table within the Bayfront Area. This dewatering would be temporary and would focus on the uppermost shallow groundwater zone (a zone that contains a relatively small amount of groundwater that is generally not utilized for water supply). The proposed project would not reduce groundwater recharge because the project site currently is fully developed, and may increase recharge through new landscaping areas. Therefore, this impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

c) Would the Proposed Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: i. Result in substantial erosion or siltation on- or off-site; ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv. Impede or redirect flood flows? (Less than Significant Impact).

The proposed project's drainage system has been designed in accordance with the City's grading and drainage guidelines, and is subject to Engineering Division review and approval. Additionally, all construction is required to comply with the RWQCB's Nonpoint Discharge Permit, which prohibits surface grading between October 15 and April

15, unless an erosion control plan is prepared by the applicant and approved by the City Engineer. As part of this permit, standard erosion control measures and BMPs would be implemented to reduce sedimentation of waterways or loss of topsoil. The proposed project incorporates landscaping to minimize stormwater runoff from paved surfaces. The proposed project would not alter any of these requirements or introduce any new obstructions to drainage patterns. No upstream or downstream drainage patterns would be altered. In addition, the City's standard conditions of approval would ensure that potential impacts on local drainage remain the same.

Because much of the proposed site is currently paved and occupied by a building footprint, development of the project site would decrease the amount of surface runoff with the removal of hardscape and addition of perimeter landscaping. As stated earlier, the proposed project would incorporate LID facilities to decrease the total peak stormwater flows in the City storm drain system, thereby increasing the surface pervious areas on site. In addition, the site meets the San Mateo County C.3 requirements with self-retaining and LID facilities to treat storm water flows from impervious services. The proposed project would increase the landscape area of the lot, through the reduction in building coverage and impervious surface areas. Drought-resistant plants and landscaping would be implemented throughout the site. Additionally, adherence to the goals and objectives of the SMCPPP and City policies requires that storm water runoff rates remain the same or decrease. Thus, this impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

d) Would the Proposed Project, in flood hazard, tsunami, or seiche zones, risk the release of pollutants due to project inundation? (Less than Significant Impact).

The ConnectMenlo Final EIR determined that compliance with the City's aforementioned existing stormwater regulations, implementation of LID design guidelines, and engineering review of drainage calculations and development plans by the City's Public Works Department would ensure that there are no significant increases in peak flow rates or stormwater runoff volume resulting from the proposed project.

The project site is located within a special flood zone, as mapped by FEMA (AE), with a base flood elevation of 10.0 feet. As noted in Section 1.0, Project Information, the grade of the project site would be raised approximately one foot to meet FEMA requirements, which would ensure the project site is not inundated by flood flows in the event of a 100-year storm event.

Therefore, because the proposed project would be elevated above the flood zone, comply with existing stormwater regulations, and implement LID design measures for the site, source control measures, and SMCWPPP's construction BMPs, the proposed project would not risk release of pollutants due to project inundation. Therefore, this impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

e) Would the Proposed Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (Less than Significant Impact).

As described above, the proposed project would be required to comply with the City's existing stormwater regulations, and would include implementation of LID design measures for the site, source control measures, and SMCWPPP's construction BMPs as project components. In addition, the proposed project would be connected to the MPMWD water system, would avoid using on-site groundwater, and would be elevated to a grade above the 100-year flood zone. Therefore, the proposed project would not conflict with or obstruct the implementation of a water quality control plan or sustainable groundwater management plan. This impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo Final EIR.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
11. LAND USE AND PLANNING Would the project:				
a) Physically divide an established community?	☐	☐	☒	☐
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

a) Would the Proposed Project physically divide an established community? (Less than Significant Impact).

The physical division of an established community typically refers to the construction of a physical feature (such as an interstate highway or railroad tracks) or removal of a means of access (such as a local road or bridge) that would impair mobility within an existing community, or between a community and outlying areas. The ConnectMenlo FEIR determined that implementation of the General Plan would not result in the creation of any new roadways or other physical features within the Bayfront that would bisect existing residential neighborhoods or other communities that would result in additional barriers within the City. The proposed project would involve the construction of a new hotel in the same general location as the existing office building, and would not result in any bifurcation of existing neighborhoods or barriers to access within the City. Other existing residential and commercial uses would continue to surround the proposed project. The proposed project would not physically divide an established community. Therefore, this impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

b) Would the Proposed Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (Less than Significant Impact).

The project site is located within the Office, Bonus (O-B) zoning district. The purpose and intent of the O zoning district is to: (1) accommodate large-scale administrative and professional office development; (2) allow retail and service uses at administrative and professional office sites and nearby; (3) provide opportunities for quality employment and development of emerging technology, entrepreneurship, and innovation; (4) facilitate the creation of a "live/work/play" environment with goods and services that support adjacent neighborhoods and the employment base; (5) accommodate light industrial and research and development uses that do not pose hazards to or disrupt adjacent businesses or neighborhoods. This particular property also has a Bonus (B) designation, which allows an increase in FAR and/or height beyond the base maximums, subject to obtaining a use permit or conditional development permit and based on the provision of identified community amenities. This project is not pursuing bonus level development and thus is not subject to the bonus level requirements. The proposed project, in seeking a hotel as a conditional use through the use permit process, would be consistent with the applicable goals, policies, and programs provided in the General Plan, and thus would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Further, Table 5 below illustrates the consistency of the proposed project with the General Plan.

Table 5: Project Consistency with ConnectMenlo General Plan Policies	
General Plan Goal/Policy	**Project Consistency**
Goal LU-2: Maintain and enhance the character, variety, and stability of Menlo Park's residential neighborhoods.	CONSISTENT. The proposed project would involve construction of a new hotel, which would be developed following City architectural control approval, along with other discretionary actions.
Policy LU-2.2: Open Space. Require accessible, attractive open space that is well maintained and uses sustainable practices and materials in all new multiple-dwelling and mixed-use development.	CONSISTENT. To satisfy its required open space allocation, the proposed project would provide a combination of open space areas alongside the hotel and a publically accessible rooftop deck, which would be publically accessible.
Policy LU-2.3: Mixed-Use Design. Allow mixed-use projects with residential units if the project design addresses potential compatibility issues, such as traffic, parking, light spillover, dust, odors, and the transport and use of potentially hazardous materials.	NOT APPLICABLE. The proposed project would not provide any residential units.
Policy LU-2.5: Below-Market-Rate Housing. Require residential developments of five or more units to comply with the provisions of the City's Below-Market-Rate Housing Program, including eligibility for increased density above the number of market-rate dwellings otherwise permitted by the applicable zoning as well as other exceptions and incentives.	CONSISTENT. Through approval of a below-market-rate program, the proposed project would pay commercial in-lieu fees.
GOAL LU-3 Retain and enhance existing uses and encourage new neighborhood-serving commercial uses, particularly retail services, to create vibrant commercial corridors.	CONSISTENT. In addition to the hotel use on site, the proposed project would contain a coffee shop on the ground floor and a bar and restaurant on the fourth floor. Both of these components would be publically accessible.
Policy LU-3.1: Underutilized Properties. Encourage underutilized properties in and near existing shopping districts to redevelop with attractively designed commercial, residential, or mixed-use development that complements existing uses and supports bicycle and pedestrian access.	CONSISTENT. The proposed project would provide a 163-room hotel with a coffee shop and bar and restaurant, occupying approximately 58,000 square feet, at a location where a one-story office building, occupying approximately 13,000 square feet currently stands. The proposed development would provide 10 long-term and 12 short-term bicycle parking spaces on site as well.
Policy LU-3.2 Neighborhood Shopping Impacts. Limit the impacts from neighborhood shopping areas, including traffic, parking, noise, light spillover, and odors, on adjacent uses.	CONSISTENT. The proposed project is subject to the requirements established in the Zoning Ordinance, the California Green Building Standards Code, which would require several measures that would limit potential impacts from the publicly accessible coffee shop and bar and restaurant. This also includes a full photometric study to assess potential lighting impacts, which would be required to demonstrate that the proposed lighting on the ground floor and fourth floor rooftop deck would not create glare or light spillover onto neighboring properties.
Policy LU-3.3: Neighborhood Retail. Preserve existing neighborhood-serving retail, especially small businesses, and encourage the formation of new neighborhood retail clusters in appropriate areas while enhancing and preserving the character of the neighborhood.	CONSISTENT. In addition to the hotel use on site, the proposed project would contain a coffee shop on the ground floor and a bar and restaurant on the fourth floor. Both of these components would be publically accessible.

Goal LU-4: Promote and encourage existing and new businesses, and attract entrepreneurs and emerging technologies that will provide goods, services, amenities, local job opportunities, and tax revenue for the community while avoiding or minimizing potential environmental and traffic impacts.	CONSISTENT. The proposed project would provide goods, services, amenities, local job opportunities, and tax revenue to the Bayfront area and the City. As evaluated throughout this initial study, the proposed project would minimize potential environmental and traffic impacts through various project components or mitigation measures.
Policy LU-4.1: Priority Commercial Development. Encourage emerging technology and entrepreneurship, and prioritize commercial development that provides fiscal benefits to the city, local job opportunities, and/or the goods or services needed by the community.	CONSISTENT. The proposed project would include commercial (including hotel and retail) development that would provide fiscal benefits to the City, local job opportunities, and goods and services needed by the community.
Policy LU-4.2: Hotel Location. Allow hotel uses at suitable locations in mixed-use and non-residential zoning districts.	CONSISTENT. The proposed project would include an up to 163-room hotel in an area currently zoned as O, which conditionally permits this use through a use permit.
Policy LU-4.3: Mixed-Use and Non-residential Development. Limit parking, traffic, and other impacts of mixed-use and non-residential development on adjacent uses, and promote high-quality architectural designs and effective transportation options.	CONSISTENT. Overall, the proposed project would include onsite parking, implement a TDM program, and require a building-specific architectural control permit. The proposed project would provide 124 parking spaces; proposed parking requires review and approval by the City's Transportation, Building, and Planning Divisions, along with approval by the Planning Commission as part of the requested land use entitlements. The TDM programs would encourage project workers and guests to use alternative modes of transportation, thereby reducing the number of vehicles traveling to/from the project site. Architectural design would be subject to review and approval of architectural control plans to ensure high-quality design.
Policy LU-4.4: Community Amenities. Require mixed-use and non-residential development of a certain scale to support and contribute to programs that benefit the community and the city, including programs related to education, transit, transportation infrastructure, sustainability, neighborhood-serving amenities, child care, housing, job training, and meaningful employment for Menlo Park youth and adults.	NOT APPLICABLE. The proposed project is not being developed at the bonus level, and thus does not require community amenities.
Policy LU-4.5 Business Uses and Environmental Impacts. Allow modifications to business operations and structures that promote revenue-generating uses for which potential environmental impacts can be mitigated.	NOT APPLICABLE. The proposed project would involve new construction.
GOAL LU-6: Preserve open space lands for recreation, protect natural resources and air and water quality, and protect and enhance scenic qualities.	CONSISTENT. The proposed project would provide more than the required open space for the site. Specifically, the proposed project would provide 10,869 square feet of open space, of which 5,393 square feet would be publically accessible, in addition to other landscaping areas.
Policy LU-6.2: Open Space in New Development. Require new non-residential, mixed-use, and multiple-dwelling development of a certain scale to provide ample open space in the form of plazas, greens, community gardens, and parks whose frequent use is encouraged through thoughtful placement and design.	CONSISTENT. The proposed project would provide more than the required open space for the site. Specifically, the proposed project would provide 10,869 square feet of open space, of which 5,393 square feet would be publically accessible, in addition to other landscaping areas.
Policy LU-6.3: Public Open Space Design. Promote a public open space design that encourages active and passive uses,	CONSISTENT. The proposed project would provide an open space area along the Haven Avenue frontage for public

with use during daytime and appropriate nighttime hours, to improve quality of life.	access, along with a publically accessible rooftop deck on the fourth floor that would be available during daytime and appropriate nighttime hours.
Policy LU-6.4: Park and Recreational Land Dedication. Require new residential development to dedicate land, or pay fees in lieu thereof, for park and recreational purposes.	NOT APPLICABLE. The proposed project would not provide any residential units.
Policy LU-6.6: Public Bay Access. Protect and support public access to the Bay for the enjoyment of open water, sloughs, and marshes, including restoration efforts and completion of the Bay Trail.	CONSISTENT. The proposed project would include the publicly accessible rooftop deck. There is a proposed bike lane improvement proposed to front the project site on Haven Avenue. The proposed project would pay its fair share in the design of this bike lane, helping to encourage pedestrian and bicycle access and reduce automobile use. In addition, the proposed project is providing 10 long-term and 12 short-term bicycle parking spaces on site.
Policy LU-6.8: Landscaping in Development. Encourage extensive and appropriate landscaping in public and private development to maintain the city's tree canopy and promote sustainability and healthy living, particularly through additional trees and water-efficient landscaping in large parking areas and the public right-of-way.	CONSISTENT. The proposed project would plant approximately 19 trees, thereby meeting the heritage tree replacement requirements. Landscaping at the project site would include a combination of native, drought-tolerant, and adapted species and comply with the Menlo Park Water-Efficient Landscaping Ordinance (WELO).
Policy LU-6.9: Pedestrian and Bicycle Facilities. Provide well-designed pedestrian and bicycle facilities for safe and convenient multi-modal activity through the use of access easements along linear parks or paseos.	Consistent. There are no linear parks or paseos on the project site, and the proposed project would not include bike lanes; however, there is a proposed bike lane improvement proposed to front the project site on Haven Avenue. The proposed project would pay its fair share in the design of this bike lane, helping to encourage pedestrian and bicycle access and reduce automobile use. In addition, the proposed project is providing 10 long-term and 12 short-term bicycle parking spaces on site.
Policy LU-6.11 Baylands Preservation. Allow development near the Bay only in already-developed areas.	CONSISTENT: Although the proposed project would be located near the San Francisco Bay, all development would be located on the project site, which is an existing developed site. No portion of the proposed project would encroach on Bay lands.
GOAL LU-7 Promote the implementation and maintenance of sustainable development, facilities and services to meet the needs of Menlo Park's residents, businesses, workers, and visitors.	CONSISTENT: The proposed project is subject to the requirements established in the Zoning Ordinance, the California Green Building Standards Code, and LEED Silver requirements, which would implement and maintain sustainable development measures.
Policy LU-7.1 Sustainability. Promote sustainable site planning, development, landscaping, and operational practices that conserve resources and minimize waste.	CONSISTENT. As part of landscaping plans, the proposed project would include a combination of native, drought-tolerant, and adapted species and comply with the Menlo Park Water-Efficient Landscaping Ordinance. The proposed project would be Leadership in Energy and Environmental Design (LEED) Silver certified. The project site would comply with the City's applicable reach codes, and include strategies to optimize energy performance.
Policy LU-7.9: Green Building. Support sustainability and green building best practices through the orientation, design, and placement of buildings and facilities to optimize their	CONSISTENT. The proposed hotel is designed and positioned strategically to harness more solar energy (with solar energy generation on site), along with the placement of the fourth floor

energy efficiency.	rooftop deck in terms of optimizing natural light capture.
OSC1.5 Invasive, Non-Native Plant Species. Avoid the use of invasive, non-native species, as identified on the lists of invasive plants maintained at the California Invasive Plant Inventory and United States Department of Agriculture invasive and noxious weeds database, or other authoritative sources, in landscaping on public property.	CONSISTENT. All proposed landscaping would include a combination of native, drought-tolerant, and adapted species and comply with the Menlo Park WELO.
Policy OSC1.11: Sustainable Landscape Practices. Encourage the enhancement of boulevards, plazas, and other urban open spaces in high-density and mixed-use residential developments, as well as commercial and industrial areas, with landscaping practices that minimize water usage.	CONSISTENT. The proposed project would plant approximately 19 trees, thereby meeting the heritage tree replacement requirements. Landscaping would include a combination of native, drought-tolerant, and adapted species and comply with the Menlo Park WELO.
Policy OSC1.12: Landscaping and Plazas. Include landscaping and plazas on public and private lands and well-designed bicycle and pedestrian facilities in areas of intensive non-vehicular activity. Require landscaping to provide shade, reduce surface runoff, or obscure parked cars in extensive parking areas.	CONSISTENT. The proposed project would include landscaping throughout the project site, along with walkways, roads, parks, and plazas.
Policy OSC1.13: Yard and Open Space Requirements in New Development. Ensure that required yards and open spaces are provided as part of new multi-family residential, mixed-use, commercial, and industrial development.	CONSISTENT. The proposed project would provide more than the required open space for the site. Specifically, the proposed project would provide 10,869 square feet of open space, of which 5,393 square feet would be publically accessible, in addition to other landscaping areas..
Policy OSC1.15 Heritage Trees. Protect Heritage Trees, including during construction activities through enforcement of the Heritage Tree Ordinance (Chapter 13.24 of the Municipal Code).	CONSISTENT. The proposed project would involve a series of tree protection measures to protect the existing heritage trees on site. These measures have been reviewed by the City Arborist.
Policy OSC-4.1: Sustainable Approach to Land Use Planning to Reduce Resource Consumption. Encourage, to the extent feasible, (1) a balance and match between jobs and housing, (2) higher density residential and mixed-use development to be located adjacent to commercial centers and transit corridors, and (3) retail and office areas to be located within walking and biking distance of transit or existing and proposed residential developments.	CONSISTENT. The proposed project would develop a TDM plan to provide trip reduction measures and reduce vehicle traffic in and around the project site. In addition, the proposed project is adjacent to several nearby employment centers, allowing shorter distances traveled by guests from the proposed hotel to offices they are visiting.
Policy OSC-4.2: Sustainable Building. Promote and/or establish environmentally sustainable building practices or standards in new development that would conserve water and energy, prevent stormwater pollution, reduce landfilled waste, and reduce fossil fuel consumption from transportation and energy activities.	CONSISTENT. Section 16.43.140(2)(A) of the Zoning Ordinance requires all new construction to meet 100 percent of energy demand through any combination of the following measures: 1) on-site energy generation; 2) purchase of 100 percent renewable electricity through Peninsula Clean Energy or Pacific Gas and Electric Company in an amount equal to the annual energy demand of the proposed project; 3) purchase and installation of local renewable energy generation within the City of Menlo Park in an amount equal to the annual energy demand of the proposed project; and 4) purchase of certified renewable energy credits and/or certified renewable energy offsets annually in an amount equal to the annual energy demand of the proposed project. The proposed project would comply with these requirements. In addition, the proposed project would

	provide outlets for EV charging, and the waste management would be serviced by Recology San Mateo County for solid waste, recycling, and composting. The TDM plan offers several strategies aimed at lessening fossil fuel emissions for transportation purposes.
Policy OSC-4.3: Renewable Energy. Promote the installation of renewable energy technology, such as, on residences and businesses through education, social marketing methods, establishing standards and/or providing incentives.	CONSISTENT. Section 16.43.140(2)(A) of the Zoning Ordinance requires all new construction to meet 100 percent of energy demand through any combination of the following measures: 1) on-site energy generation; 2) purchase of 100 percent renewable electricity through Peninsula Clean Energy or Pacific Gas and Electric Company in an amount equal to the annual energy demand of the proposed project; 3) purchase and installation of local renewable energy generation within the City of Menlo Park in an amount equal to the annual energy demand of the proposed project; and 4) purchase of certified renewable energy credits and/or certified renewable energy offsets annually in an amount equal to the annual energy demand of the proposed project. The proposed project also proposes solar energy generation on site. The proposed project would comply with these requirements.
Policy OSC-4.4: Vehicles Using Alternative Fuel. Explore the potential for installing infrastructure for vehicles that use alternative fuel, such as electric plug in recharging stations.	CONSISTENT. The proposed project would provide outlets for EV charging.
Policy OSC-4.5: Energy Standards in Residential and Commercial Construction. Encourage projects to achieve a high level of energy conservation exceeding standards set forth in the California Energy Code for Residential and Commercial development.	CONSISTENT. Section 16.43.140(2)(A) of the Zoning Ordinance requires all new construction to meet 100 percent of energy demand through any combination of the following measures: 1) on-site energy generation; 2) purchase of 100 percent renewable electricity through Peninsula Clean Energy or Pacific Gas and Electric Company in an amount equal to the annual energy demand of the proposed project; 3) purchase and installation of local renewable energy generation within the City of Menlo Park in an amount equal to the annual energy demand of the proposed project; and 4) purchase of certified renewable energy credits and/or certified renewable energy offsets annually in an amount equal to the annual energy demand of the proposed project. In addition, the proposed project would be required to meet LEED Silver status in construction and operation. The proposed project would comply with these requirements.
Policy OSC-4.6: Waste Reduction Target. Strive to meet the California State Integrated Waste Management Board per person target of waste generation per person per day through their source reduction, reuse, and recycling programs.	CONSISTENT. The proposed project would be served by Recology San Mateo County for solid waste, recycling, and composting services. As such, the proposed project would provide composting services and effective waste diversion strategies to approach zero waste goals.
Policy OSC-4.8: Waste Diversion. Develop and implement a zero waste policy, or implement standards, incentives, or other programs that would lead the community towards a zero waste goal.	CONSISTENT. The proposed project would be served by Recology San Mateo County for solid waste, recycling, and composting services. As such, the proposed project would provide composting services and effective waste diversion

	strategies to approach zero waste goals.
Policy OSC-5.3: Water Conservation. Encourage water-conserving practices in businesses, homes and institutions.	CONSISTENT. The proposed project would provide a landscaped area providing stormwater treatment, drought and/or disease resistant landscaping, and energy-efficient appliances and efficient irrigation systems.
GOAL CIRC-2 Increase accessibility for and use of streets by pedestrians, bicyclists, and transit riders.	CONSISTENT. The proposed project would provide pedestrian connections to adjacent sidewalks. There is also a proposed bike lane improvement proposed to front the project site on Haven Avenue. The proposed project would pay its fair share in the design of this bike lane, helping to encourage pedestrian and bicycle access and reduce automobile use. In addition, the proposed project is providing 10 long-term and 12 short-term bicycle parking spaces on site. Furthermore, the TDM programs would promote bicycle and transit use.
Policy CIRC-2.9 Bikeway System Expansion. Expand the citywide bikeway system through appropriate roadway design, maintenance, effective traffic law enforcement, and implementation of the City's Transportation Master Plan (following completion; until such time the Comprehensive Bicycle Development Plan and the El Camino Real/Downtown Specific Plan represent the City's proposed bicycle network).	CONSISTENT. There is a proposed bike lane improvement proposed to front the project site on Haven Avenue. The proposed project would pay its fair share in the design of this bike lane, helping to encourage pedestrian and bicycle access and reduce automobile use. In addition, the proposed project is providing 10 long-term and 12 short-term bicycle parking spaces on site.
Policy CIRC-2.11: Design of New Development. Require new development to incorporate designs that prioritize safe bicycle and pedestrian travel and accommodate senior citizens, people with mobility challenges, and children.	CONSISTENT. The proposed project would facilitate bicycle and pedestrian accessibility and connectivity, both within the project site (new streets with bike lanes and sidewalks and new multi-use pathways), and via the proposed bike lane improvement proposed to front the project site on Haven Avenue. The proposed project would pay its fair share in the design of this bike lane, helping to encourage pedestrian and bicycle access and reduce automobile use.
Policy CIRC-3.1 Vehicle Miles Traveled. Support development and transportation improvements that help reduce per service population (or other efficiency metric) vehicle miles traveled.	CONSISTENT. The proposed project would provide pedestrian connections to adjacent sidewalks. There is also a proposed bike lane improvement proposed to front the project site on Haven Avenue. The proposed project would pay its fair share in the design of this bike lane, helping to encourage pedestrian and bicycle access and reduce automobile use. In addition, the proposed project is providing 10 long-term and 12 short-term bicycle parking spaces on site. Furthermore, the TDM programs would promote bicycle and transit use.
Policy CIRC-5.7 New Development. Ensure that new nonresidential, mixed use, and multiple-dwelling residential development provides associated needed transit service, improvements and amenities in proportion with demand attributable to the type and scale of the proposed development.	CONSISTENT. There are no public transit stops adjacent to the project site. However, the proposed project's TDM programs would provide subsidized public transit passes and a shuttle service that would connect the project site to public transit stations.
Policy CIRC-6.1: Transportation Demand Management. Coordinate Menlo Park's transportation demand management efforts with other agencies providing similar services within San Mateo and Santa Clara Counties.	CONSISTENT. The proposed project would develop and implement a TDM Plan to provide trip reduction measures and reduce vehicle traffic in and around the project site.
Policy CIRC-6.4: Employers and Schools. Encourage employers and schools to promote walking, bicycling,	CONSISTENT. Along with on-site bicycle infrastructure improvements, the proposed project would develop and

carpooling, shuttles, and transit use.	implement a TDM Plan to provide trip reduction measures and reduce vehicle traffic in and around the project site.
GOAL CIRC-7: Utilize innovative strategies to provide efficient and adequate vehicle parking	CONSISTENT. In addition to onsite vehicle parking, the proposed project would include TDM programs that would encourage employees and residents to use alternative modes of transportation, thereby reducing the number of vehicles traveling to/from the project site.
Policy CIRC-7.1: Parking and New Development. Ensure that new development provides appropriate parking ratios through the application of appropriate minimum and/or maximum ratios, unbundling, shared parking, electric-car charging, car-sharing, and Green Trip–Certified strategies to accommodate employees, customers, and visitors.	CONSISTENT. Section 16.43.140(2)(A) of the Zoning Ordinance requires all new construction to meet 100 percent of energy demand through any combination of the following measures: 1) on-site energy generation; 2) purchase of 100 percent renewable electricity through Peninsula Clean Energy or Pacific Gas and Electric Company in an amount equal to the annual energy demand of the proposed project; 3) purchase and installation of local renewable energy generation within the City of Menlo Park in an amount equal to the annual energy demand of the proposed project; and 4) purchase of certified renewable energy credits and/or certified renewable energy offsets annually in an amount equal to the annual energy demand of the proposed project. The proposed project would comply with these requirements. In addition, the proposed project would provide outlets for EV charging, and the waste management would be serviced by Recology San Mateo County for solid waste, recycling, and composting.
Policy CIRC-7.2: Off-Street Parking. Ensure both new and existing off-street parking is properly designed and used efficiently through shared parking agreements and, if appropriate, parking in-lieu fees.	CONSISTENT. The proposed project would provide adequate off-street parking and encourage the use of alternative modes of transportation.
Policy H1.7: Local Funding for Affordable Housing. Seek ways to reduce housing costs for lower-income workers and people with special needs by developing ongoing local funding resources and continuing to use local, state, and federal assistance to the fullest extent possible. The City will also maintain the Below-Market-Rate Housing Program requirements for residential and non-residential developments.	CONSISTENT. Through approval of a below-market-rate program, the proposed project would pay commercial in-lieu fees.

The proposed design includes a request for a use permit to modify the design standards of the Zoning Ordinance for step backs and modulations. The architectural design of the building would include visually interesting features/elements and materials, which would supplement the modifications from the stepback and modulation requirements and offset the potential that proposed deviations from stepback and modulation standards might cause visual impacts that the designs standards are intended to avoid. These aesthetic requests are required to be examined by the Planning Commission as part of their discretionary review, and the proposed project can deviate from these aesthetically focused standards, while remaining in overall compliance with the zoning district regulations. Therefore, this impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
12. MINERAL RESOURCES Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	☒

a) Would the Proposed Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (No Impact).

The ConnectMenlo FEIR determined that any future development associated with the General Plan would not have an impact on mineral resources, as there are no mineral resource recovery operations within the City and no known mineral resource below or near the project site that the proposed project would affect. Therefore, the proposed project would have no impact relating to availability of a known mineral resource.

b) Would the Proposed Project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? (No Impact).

As stated in the previous subsection, development associated with the General Plan would not have an impact on mineral resources. The ConnectMenlo FEIR prepared for the General Plan does not identify any locally-important mineral resource recovery sites in the vicinity of the project site. Therefore, the proposed project would have no impact relating to any locally-important mineral resource recovery sites.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
13. NOISE Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☒	☐	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

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

According to the City General Plan Noise Element, noise levels up to 60 A-weighted decibels (dBA), day-night level (L_{dn}), are considered normally acceptable for single-family residential land uses; noise levels of up to 70 dBA L_{dn} are considered conditionally acceptable for such uses as long as noise insulation features are included in the design to reduce interior noise levels. For multi-family residential and hotel uses, noise levels of up to 65 dBA L_{dn} are considered normally acceptable; noise levels of 70 dBA L_{dn} considered conditionally acceptable. For office buildings and commercial uses, noise levels of up to 70 dBA L_{dn} are considered normally acceptable; noise levels of up to 77.5 dBA L_{dn} are considered conditionally acceptable. For industrial uses, noise levels up to 75 dBA L_{dn} are considered normally acceptable; noise levels of up to 80 dBA L_{dn} are considered conditionally acceptable. For schools, churches, playgrounds, and neighborhood parks, noise levels up to 70 dBA L_{dn} are considered normally acceptable; there are no separate conditionally acceptable noise limits for these uses.

a) Would the Proposed Project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Less than Significant Impact with Mitigation).

The City's Noise Ordinance (Chapter 8.06 of the Municipal Code) sets standards of 60 dBA for daytime noise, and 50 dBA for nighttime noise measured at the nearest residential property line. The proposed project would include an outdoor rooftop deck on the fourth floor, which could affect noise levels during evening hours, especially toward the neighboring residential properties. Similarly, the proposed rooftop deck would be subject to these noise requirements and would be required to maintain noise levels below the daytime and nighttime thresholds.

Construction
Large equipment would be used for any construction and would create temporary construction noise impacts. Municipal Code Chapter 8.06 (Noise), however, provides an exception for construction activity between the hours of 8:00 a.m. and 6:00 p.m. on Monday through Friday. Proposed construction at the project site would be required to comply with the following standard construction noise control measures:

> *Construction activity shall be allowed to exceed the noise limitations in Section 8.06.030 only between the hours of 8:00 a.m. and 6:00 p.m. on Monday through Friday. Construction is prohibited to exceed the noise limitation on Saturdays, Sundays, and federal holidays.*
>
> *All powered equipment shall comply with the limits set forth in Section 8.06.040 of the Municipal Code including powered equipment used on a temporary, occasional or infrequent basis operated between the hours of eight (8) a.m. and six (6) p.m. Monday through Friday. No piece of equipment shall generate noise in excess of eighty-five (85) dBA at fifty (50) feet.*
>
> *Signs shall be posted at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and a day and evening contact number for the City in the event of problems.*
>
> *Contact information for an on-site complaint and enforcement manager shall be posted to allow for responses to and tracking of complaints.*

In addition, to implement ConnectMenlo Mitigation Measure NOI-1a (described below), a noise and vibration study was completed for the proposed project (Appendix F), to determine whether any short-term or long-term noise impacts would be potentially significant, and thus requiring additional mitigation. In this study, it was determined that construction-related noise levels would remain below the daytime 90 dBA L_{eq} (the equivalent continuous noise level) 1-hour construction noise level criteria established by the Federal Transit Administration for residential and similar sensitive uses. However, construction noise would be 83 dBA L_{eq} at the nearest receptor (an apartment complex to the west of the project site), which is 27.4 dBA greater than the measured average noise level of 55.6 at this receptor location. Therefore, construction would increase ambient (existing) noise at the nearest sensitive receptor by more than 10 dBA, which is the increase that the City considers a potential significant impact.[35]

As such, additional mitigation would be required. Implementation of a 16-foot-high construction noise barrier at the western project site boundary, through project-specific Mitigation Measure NOI-1, would provide an approximately 14 dBA reduction in noise levels to the 1st floor of the closest residential receptors to the west. At second floor and third receptors, the barrier would reduce construction noise levels by approximately 11 to 13 dBA. As presented in the study, additional barrier calculations were completed to test the effectiveness of increasing the barrier to heights of 18 or 20 feet. The results indicate that each 2-foot increase only reduces noise by less than another 2 dBA. The City determined that a barrier height of 16 feet would be the most effective, given the limited additional noise reduction from increased heights. The noise barrier would require a minimum density of 2 lb/ft^2, or a minimum Sound Transmission Class (STC) rating of 28 or higher. With these minimum material requirements, it is expected that noticeable noise would not be transmitted through the barrier, thus, increasing the barrier thickness would provide negligible increased noise reduction overall.[36]

In addition, implementation of ConnectMenlo FEIR Mitigation Measure NOI-1c would require the plans and construction activities to complete a series of actions to reduce construction noise, which include restrictions on the timing of construction, locations of specific construction equipment and activities, and limitations on the amount of engine idling and public address systems. These measures would reduce noise reaching surrounding receptors, thus reducing the short-term construction noise impacts to sensitive receptors.

Construction period impacts still would occur despite implementation of the noise control measures detailed above. However, because they would be short-term in duration, and substantially reduced by the above practices, construction-related noise impacts of the proposed project would be less than significant with mitigation incorporated.

Operation
Potential ongoing impacts could be affected by the back-up generator, the outdoor rooftop deck (located on the fourth

[35] LSA, 2022b. Noise Impact Analysis – Hotel Moxy Project – Menlo Park, California. Page 20.

[36] LSA, 2022b. Noise Impact Analysis – Hotel Moxy Project – Menlo Park, California. Page 20.

floor), and the roof-mounted heating, ventilation, and air conditioning (HVAC) units.

The project is estimated to have 18 rooftop HVAC units on the proposed building to provide ventilation to the proposed hotel rooms and restaurant. The HVAC equipment could operate 24 hours per day, and would generate sound pressure levels (SPL) of up to 72 dBA L_{eq} at 5 feet, based on manufacturer data (Trane) for similar equipment expected to be used. The combined equipment has the potential to approach 61 dBA L_{eq} at the property line. The parapet wall that is a minimum of 7 feet tall around the perimeter of the roof would provide a reduction of 7 dBA, resulting in a noise level of 54 dBA L_{eq}. In order to achieve a noise level of 50 dBA L_{eq}, the City's nighttime stationary noise standard, an additional noise reduction of 4 dBA L_{eq} would be necessary. With the implementation of Project-specific Mitigation Measure NOI-2 (described below), which requires either using quieter HVAC equipment or adding noise reduction features, operational noise levels would be reduced to below 50 dBA L_{eq} at the property line.[37]

The proposed project would include two decks, one public and one hotel deck, on the west side of the building on the fourth floor. There would be no hosted events or amplified sound at either deck. Both decks would be closed daily at 10:00 p.m. Published data for human speech noise levels were used to estimate additional noise from adults talking on the decks. Reference speech noise levels in the noise and vibration analysis were used to examine people in various noise environments. It was assumed that up to 10 adults (five male and five female) might be talking in loud voices simultaneously on the roof deck for extended periods of time. Based on the calculations in the analysis, the generated noise levels would be approximately 58 dBA L_{eq} at the residential use to the west. This noise level would be as much as 9 dBA higher than the quietest hour of ambient noise measured between 7:00 a.m. and 10:00 p.m., the hours defined as "daytime" by the City Municipal Code. However, the potential noise level from the deck would be only 2 dBA above the average ambient noise level measured during daytime hours, 56 dBA L_{eq}, This would be below the daytime noise level standard of 60 dBA Leq, and less than the 10 dBA over ambient measure of a noise impact; therefore, the two decks would not result in significant noise impacts to off-site receptors.[38]

Therefore, long-term noise impacts would be reduced to a less-than-significant level.

ConnectMenlo Mitigation Measure

Mitigation Measure NOI-1a: Implement ConnectMenlo Mitigation Measure NOI-1a, which states the following:

To meet the requirements of Title 24 and General Plan Program N-1.A, project applicants shall perform acoustical studies prior to issuance of building permits for development of new noise-sensitive uses. New residential dwellings, hotels, motels, dormitories, and school classrooms must meet an interior noise limit of 45 dBA CNEL or Ldn. Developments in areas exposed to more than 60 dBA CNEL must demonstrate that the structure has been designed to limit interior noise in habitable rooms to acceptable noise levels. Where exterior noise levels are projected to exceed 60 dBA CNEL or Ldn at the façade of a building, a report must be submitted with the building plans describing the noise control measures that have been incorporated into the design of the project to meet the 45 dBA noise limit. Project applicants must perform acoustical studies for all new multi-family residential projects within the projected Ldn 60 dB noise contours, so that noise mitigation measures can be incorporated into project design and site planning.

Mitigation Measure NOI-1c: Project applicants shall minimize the exposure of nearby properties to excessive noise levels from construction-related activity through CEQA review, conditions of approval and/or enforcement of the City's Noise Ordinance. Prior to issuance of demolition, grading, and/or building permits for development projects, a note shall be provided on development plans indicating that during on-going grading, demolition, and construction, the property owner/developer shall be responsible for requiring contractors to implement the following measures to limit construction- related noise:

- Construction activity is limited to the daytime hours between 8:00 a.m. to 6:00 p.m. on Monday through Friday, as prescribed in the City's Municipal Code.
- All internal combustion engines on construction equipment and trucks are fitted with properly maintained mufflers, air intake silencers, and/or engine shrouds that are no less effective than as originally equipped by the manufacturer.
- Stationary equipment such as generators and air compressors shall be located as far as feasible from nearby noise-sensitive uses.
- Stockpiling is located as far as feasible from nearby noise-sensitive receptors.

[37] LSA, 2022b. Noise Impact Analysis – Hotel Moxy Project – Menlo Park, California. Page 22.

[38] LSA, 2022b. Noise Impact Analysis – Hotel Moxy Project – Menlo Park, California. Page 23.

- Limit unnecessary engine idling to the extent feasible.
- Limit the use of public address systems.
- Construction traffic shall be limited to the haul routes established by the City of Menlo Park.

Project-specific Mitigation Measure

Mitigation Measure NOI-1: The construction contractor shall ensure that a minimum 16-foot-high barrier, such as a plywood structure or flexible sound control curtain that has a density of 2 lb/ft^2 or is sound rated with a minimum Sound Transmission Class (STC) rating of 28 or higher, shall be erected on the western project site boundary adjacent to the sensitive receptors to minimize the amount of noise during construction.

Mitigation Measure NOI-2: The following mitigation measure is required to reduce heating, ventilation, and air conditioning (HVAC) operational noise levels:

- Once specifications of the rooftop HVAC equipment are determined, an analysis shall be prepared and submitted to the satisfaction of the City Planning Director to confirm that the operation of rooftop equipment would meet the City's nighttime 50 dBA equivalent continuous sound level (L_{eq}) noise level standard. This can be achieved by the following design features:
    1. Choosing rooftop mechanical equipment that has a reference noise level of 68 dBA L_{eq} at 5 feet or less, or
    2. Installation of silencers or enclosures capable of reducing noise levels by a minimum of 4 dBA.

b) Would the Proposed Project result in generation of excessive groundborne vibration or groundborne noise levels? (Less than Significant Impact with Mitigation).

Operation of the proposed project would not result in perceivable groundborne vibration or groundborne noise levels. However, heavy equipment associated with construction activities on the project site could generate perceptible vibration in the immediate vicinity of the site. Heavy trucks passing by and the use of jackhammers during concrete or pavement removal are the most likely activities that would cause temporary groundborne vibration. The proposed project would incorporate auger-cast piles instead of conventional pile driving. To accommodate the potential for vibration-related impacts, the proposed project would be required to implement ConnectMenlo FEIR Mitigation Measure NOI-2a, which requires a noise and vibration analysis to assess and more precisely mitigate against potential impacts during construction. Therefore, the impact resulting noise and vibration exposure associated with the proposed project would be less than significant with mitigation incorporated.

ConnectMenlo Mitigation Measure

Mitigation Measure NOI-2a:

To prevent architectural damage as a result of construction-generated vibration:

- Prior to issuance of a building permit for any development project requiring pile driving or blasting, the project applicant/developer shall prepare a noise and vibration analysis to assess and mitigate potential noise and vibration impacts related to these activities. The maximum levels shall not exceed 0.2 inch/second, which is the level that can cause architectural damage for typical residential construction. If maximum levels would exceed these thresholds, alternative methods such static rollers, non-explosive blasting, and drilling piles as opposed to pile driving shall be used.

To prevent vibration-induced annoyance as a result of construction-generated vibration:

- Individual projects that involve vibration-intensive construction activities, such as blasting, pile drivers, jack hammers, and vibratory rollers, within 200 feet of sensitive receptors shall be evaluated for potential vibration impacts. A vibration study shall be conducted for individual projects where vibration-intensive impacts may occur. The study shall be prepared during the project's approval process and by an acoustical or vibration engineer holding a degree in engineering, physics, or allied discipline and who is able to demonstrate a minimum of two years of experience in preparing technical assessments in acoustics and/or groundborne vibrations. The study shall be submitted to and approved by the City prior to issuance of building permits.

Vibration impacts to nearby receptors shall not exceed the vibration annoyance levels (in RMS inches/second) as follows:

- Workshop = 0.126
- Office = 0.063
- Residential Daytime (7AM–10PM) = 0.032
- Residential Nighttime (10PM to 7 AM) = 0.016

If construction-related vibration is determined to be perceptible at vibration-sensitive uses, additional requirements, such as use of less-vibration-intensive equipment or construction techniques, shall be implemented during construction (e.g., nonexplosive blasting methods, drilled piles as opposed to pile driving, preclusion for using vibratory rollers, use of small- or medium-sized bulldozers, etc.). Vibration reduction measures shall be identified as mitigation measures in the environmental document and/or incorporated into the site development plan as a component of the proposed project.

c) Would the Proposed Project be located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, so that the Proposed Project might result in a safety hazard or excessive noise for people residing or working in the project area? (No Impact).

Refer to subsection e of the Hazards and Hazardous Materials section of this document. The project site is not located within the vicinity of a private airstrip or an airport land use plan, or within two miles of a public use airport. The proposed project would not expose people working or temporarily residing within the project area to excessive noise levels because of an airport. Therefore, the proposed project would have no impact, as no additional impacts would occur beyond those examined in the ConnectMenlo Final EIR.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
14. POPULATION AND HOUSING Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

a) Would the Proposed Project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Less than Significant Impact).

The proposed project includes the construction of an eight-story, 58,027-square-foot, 163-room hotel, consisting of three stories of podium parking and five stories of hotel rooms, and no housing would be displaced or constructed. No road or other infrastructure extensions are included in or required by the proposed project. Construction of the proposed project, including site preparation, building demolition, and excavation would increase construction employment temporarily. Given the relatively common nature and relatively small scale of the construction associated with the proposed project, the demand for construction employment would be met within the existing and future labor market in the City and the County. The size of the construction workforce would vary during the different stages of construction, but a substantial quantity of workers from outside the City or County would not be expected to relocate permanently. Therefore, the proposed project would not induce substantial population growth in the project area, either directly or indirectly, and there would be a less-than-significant impact related to population growth as a result of the construction of this project.

The current operation of the existing office building features approximately 20 employees for the various suites on site. Operation of the proposed project, upon completion, would require a total of 50 employees. As such, the operation of the proposed project would result in an increase of approximately 30 employees. Although the proposed project would not result in onsite residential population increases, the new employees could generate households within the City and the region. Using the average of 1.91 workers per work household in San Mateo County,[39] the proposed project would generate approximately 16 new households. On average, approximately 6.5 percent of the City's workforce also resides in the City. Using these numbers, the proposed project could result in two new households in the City. Based on an average persons-per-household (PPH) ratio of 2.6 PPH, the proposed project could generate approximately three new residents within Menlo Park. This represents a fraction of a percent of the total City population, which, based on the latest 2021 US Census population tabulation of 32,475,[40] results in a percentage of 0.009 percent.

The proposed project, in terms of the hotel room count generated, was considered as part of the growth analyzed in ConnectMenlo and accounted for in regional planning efforts and projections. Therefore, the induced housing demand associated with the proposed project in the City, County, and region was also accounted for. The General Plan anticipates the construction of approximately 3,000 residential units. New residents induced by jobs at the

[39] The San Mateo County average is 1.9077 workers per housing unit. For calculations throughout this section, 1.9077 is used for accuracy. However, for rounding purposes, 1.91 is used in the text.

[40] United States Census Bureau. 2022. Quick Facts: Menlo Park city.

project site could be accommodated within this new construction. In addition, the current vacancy rate in the City, according to the California Department of Finance, is 8.2 percent of 13,916 housing units.[41] This represents approximately 1,139 vacant units in the city. The approximately four housing units that would be needed to accommodate the new households generated within the City by the proposed project could be accommodated by the vacant units. As such, the proposed project's demand for housing could be accommodated within the city's anticipated housing construction and/or vacant units. Thus, this impact would be less than significant.

b) Would the Proposed Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (No Impact).

As stated in the subsection directly above, the proposed project would involve no displacement or construction of housing units. Since no housing units would be demolished or relocated, construction of replacement housing would not be required. Therefore, the proposed project would not have any impacts in displacing housing units or persons.

[41] California Department of Finance. 2022. Table 2: E-5 City/County Population and Housing Estimates, 1/1/2022.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
15. PUBLIC SERVICES Would the project:				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services?				
i. Fire protection?	☐	☐	☒	☐
ii. Police protection?	☐	☐	☒	☐
iii. Schools?	☐	☐	☒	☐
iv. Parks?	☐	☐	☒	☐
v. Other public facilities?	☐	☐	☒	☐

Fire Protection

Fire protection services in the project area are provided by the Menlo Park Fire Protection District (MPFPD). The MPFPD service boundary covers 30 square miles and includes Menlo Park, Atherton, and East Palo Alto plus some unincorporated areas in San Mateo County.[42] Seven MPFPD fire stations serve an estimated population of approximately 90,000.[43] The MPFPD responds to approximately 8,500 emergencies per year and is part of the greater San Mateo County boundary-drop plan (i.e., the closest apparatus responds to each call, regardless of the department).[44,45] The adopted performance standard for response times establishes a goal that would have the first-response unit arrive on the scene of all Code 3 emergencies within 7 minutes, starting from the time of the call to the dispatch center, 90 percent of the time. Code 3 emergencies are commonly defined as emergency responses characterized as posing an immediate danger to an officer or public safety that require an expedited priority response utilizing lights and sirens. The goal of the MPFPD's multi-unit response units is to arrive on scene within 11 minutes

[42] Menlo Park Fire Protection District. 2021. About the Fire District. Available at https://www.menlofire.org/about-the-fire-district. Accessed on October 12, 2022.

[43] Ibid.

[44] Ibid.

[45] Menlo Park Fire Protection District. 2021. 2021–2022 Original Budget. Available: https://www.menlofire.org/media/Admin/Financials%20and%20Budget/Menlo%20Park%20Fire%20Protection%20District%27s%20Budget%20Reports/MPFPD%20Adopted%20Budget%20FY2021-22. Accessed on September 28, 2021.

from the time of the call to the dispatch center. The MPFPD's average response times fall under the currently adopted 7-minute standard for first-response units.[46]

The MPFPD is organized into five Fire District Divisions as follows: Administrative Services, Human Resources, Fire Prevention, Operations, and Support Services. As of 2019, the MPFPD was budgeted for approximately 148.5 full-time-equivalent (FTE) employees. These data are currently unchanged. Of those, 109 FTE employees provide direct fire services, while the other 39.5 staff members handle daily administrative tasks related to financial services, maintenance of the MPFPD's fleet of vehicles, emergency preparedness, and the management of citizen volunteers in the Community Emergency Response Team program.[47]

Police Protection

Police services in the vicinity of the project site are provided by the Menlo Park Police Department (MPPD). The project site is located within Beat 3. The MPPD is headed by a chief of police who oversees two divisions, the Patrol Operations Division and Special Operations Division with a total of 59.5 FTE employees currently servicing the MPPD.[48]

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

Schools

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

Parks

The Menlo Park Library and Community Services Department is responsible for providing recreational, educational, and cultural programs for residents of Menlo Park. Its facilities include 13 parks, three community centers, two public pools, three child care centers, two gymnasiums, and one gymnastics center. Included in the park and recreational areas are tennis courts, softball diamonds, picnic areas, dog parks, playgrounds, swimming pools, gymnastics centers, a skate park, a shared-use performing arts center, soccer fields, and open space.[49] An adopted City General Plan policy (Policy OSC-2.4) calls for maintaining a ratio of 5 acres of developed parkland per 1,000 residents. Currently, Menlo Park has an estimated population of approximately 32,475.[50] The City provides 221 acres of parkland for its residents, a ratio of 6.80 acres[51] of parkland per 1,000 residents.[52] Therefore, the City currently exceeds its goals.

[46] Menlo Park Fire Protection District. 2015. Standards of Cover Assessment. Volume 1, Executive Summary. June 16. Available at https://evogov.s3.amazonaws.com/media/6/media/4966.pdf. Accessed on October 12, 2022.

[47] Menlo Park Fire Protection District. 2021. 2021–2022 Original Budget. Available: https://www.menlofire.org/media/Admin/Financials%20and%20Budget/Menlo%20Park%20Fire%20Protection%20District%27s%20Budget%20Reports/MPFPD%20Adopted%20Budget%20FY2021-22. Accessed on October 12, 2022.

[48] City of Menlo Park. 2021. Current Organizational Chart April 2021. Available at https://www.menlopark.org/DocumentCenter/View/1782/Organizational-Chart?bidId. Accessed on October 12, 2022.

[49] City of Menlo Park Library and Community Services Department. 2021. Library and Community Services Department. Available at https://www.menlopark.org/212/Community-Services. Accessed on October 12, 2022.

[50] U.S. Census Bureau. 2021. QuickFacts, Menlo Park city, California (Population, Estimate, July 1, 2021). Available at https://www.census.gov/quickfacts/menloparkcitycalifornia. Accessed on October 12, 2022.

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

[52] A total of 221 acres divided by 32,475 (existing population per 2021 estimate) multiplied by 1,000 = 6.80 acres per 1,000 residents.

Libraries

Menlo Park has two libraries, Menlo Park Library on Alma Street and the Belle Haven Branch Library on Ivy Drive. In total, the libraries have approximately 37,800 gross square feet (gsf) of space and approximately 14 FTE staff members. Operating as a department of the City of Menlo Park, the municipal libraries have approximately 23,600 registered borrowers and circulate 677,846 books and multi-media resources, including digital content.[53] The Belle Haven Branch Library is proposed for reconstruction as part of the Menlo Park Community Center, which is anticipated to open in 2023.

a) Would the Proposed Project Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services: i. Fire protection; ii. Police protection; iii. Schools; iv. Parks; or v. Other public facilities? (Less than Significant Impact).

Police and Fire

The Menlo Park Fire Protection District (MPFPD) and Menlo Park Police Department (MPPD) currently serve the site. The fire station in closest proximity to the subject site is MPFPD Station #5 at 4101 Fair Oaks Avenue, in the neighboring community of North Fair Oaks. The proposed project would not result in a substantial increase in population growth or employment and, therefore, the demand for new services would be minimal. The MPFPD has given tentative approval of the current proposal, and would review the building plans before building permits are issued to ensure compliance with all applicable fire code standards, and to ensure that adequate fire and life safety measures are incorporated into the proposed project in compliance with all applicable State and City fire safety regulations. In MPFPD's review, they have clarified that they maintain the adequate resources and infrastructure to service the proposed project. This would include, but is not limited to, necessary ladder and truck equipment, and staffing, to accommodate emergencies for this proposed eight-story hotel. As such, no new facilities would be needed to address emergency response for the project site.

In addition, the limited increase in population and employment resulting from the proposed project, highlighted in more detail in the preceding Population and Housing topic section, would not result in a substantial demand for police services. Development of the proposed project has been accounted for in the ConnectMenlo FEIR. The ConnectMenlo FEIR provided confirmation from MPPD that no expansion or addition of facilities would be required to accommodate the additional sworn officers or equipment that would be needed as a result of the buildout of the General Plan. As such, the ConnectMenlo FEIR determined a less-than-significant impact on police services resulting from the potential expansion.

Because the proposed project would not result in the need for new or expanded public services, the proposed project's potential impact on fire and police protection services would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

Schools

Per the ConnectMenlo FEIR, any development associated with the General Plan, such as the proposed project, would be subject to payment of development impact fees, which under Senate Bill 50 (SB 50) are deemed to be full and complete mitigation. In addition, future development would be required to comply with existing regulations, including General Plan policies and Zoning Ordinance regulations that have been prepared to minimize potential impacts affecting schools. These General Plan policies include the following:

- **Policy LU-4.4 Community Amenities.** Require mixed-use and nonresidential development of a certain minimum scale to support and contribute to programs that benefit the community and the City, including education, transit, transportation infrastructure, sustainability, neighborhood-serving amenities, child care, housing, job training, and meaningful employment for Menlo Park youth and adults.
- **Policy LU 4.5: Business Uses and Environmental Impacts.** Allow modifications to business operations and structures that promote revenue generating uses for which potential environmental impacts can be mitigated.

[53] City of Menlo Park. 2016. Menlo Park Library Strategic Plan, 2016–2020. Available at https://menlopark.org/DocumentCenter/View/15808/Library-Strategic-Plan-2016-2020?bidId. Accessed on October 12, 2022.

The proposed project would be consistent with these policies, as the hotel use would offer additional and differing employment opportunities, in terms of the hotel operations, coffee shop, restaurant, and bar. Regarding potential environmental impacts, the mitigation measures outlined in this document assess the potential modifications that could be applied to the proposed project in order to reduce impacts to a less-than-significant level. Therefore, because the proposed project would comply with existing regulations prepared to minimize impacts related to schools and would be subject to the mandatory payment of developer impact fees pursuant to SB 50, the impact from the proposed project would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

Parks

Please refer to the Recreation section for additional information. The proposed project would be consistent with the type and intensity of development and population projections assumed for the project site in the ConnectMenlo FEIR and would include private and publicly accessible open space facilities, and therefore the proposed project would not require the construction of new or altered park facilities or result in substantial or accelerated physical deterioration of any existing recreational facilities. Therefore, the impact from the proposed project would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

Other Public Facilities

As discussed earlier, the proposed project would not result in a substantial increase in population growth or employment. The City, throughout the 2040 buildout horizon, would implement the General Plan programs that require the adoption of development impact fees to address infrastructure and service needs in the community. As described in the above discussion, the proposed project's negligible increase in population and employment would likely not result in any significantly increased demand for other governmental services (e.g., libraries and community centers). Therefore, the impact from the proposed project would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
16. RECREATION Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

The Menlo Park Library and Community Services Department is responsible for providing recreational and cultural programs for the residents of Menlo Park. Its facilities include 13 parks, three community centers, two public pools, three child care centers, two gymnasiums, and one gymnastics center. Included in the park and recreational areas are tennis courts, baseball and softball diamonds, picnic areas, dog parks, playgrounds, swimming pools, gymnastics centers, a skate park, a shared-use performing arts center, soccer fields, and open space.[54] An adopted City General Plan policy (Policy OSC-2.4) calls for a ratio of 5 acres of developed parkland per 1,000 residents. Currently, Menlo Park has an estimated population of approximately 32,475.[55] The City provides 221 acres of parkland for its residents, a ratio of 6.89 acres[56] of parkland per 1,000 residents.[57] Therefore, the City currently exceeds its goals

Discussion

a) Would the Proposed Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Less than Significant Impact).

The ConnectMenlo FEIR determined that the increase in residents associated with the General Plan would lead to an increase in the demand for recreational facilities within the City. This projection would be anticipated as occurring citywide and incremental in nature, over the General Plan's 24-year buildout horizon. As a part of this update, the City's goal for parkland provision is a ratio of five acres of developed parkland per 1,000 residents. At the buildout horizon, and presuming a buildout increase of 14,150 net new residents, the parkland ratio would be approximately 5.2 acres per 1,000 residents.

As a hotel, the proposed project would construct no dwelling units, resulting in no net increase in residential units. As discussed in the Population and Housing section, due to the nature of the hotel use, the proposed project would not result in a substantial increase in population growth within the vicinity of the project site. However, the proposed project would include a total of approximately 4,979 square feet of publicly accessible open space, primarily comprised of an area fronting the hotel entrance, as well as a rooftop deck on the building's fourth floor, accessed by either a separate

[54] City of Menlo Park Library and Community Services Department. 2021. Library and Community Services Department. Available at https://www.menlopark.org/212/Community-Services. Accessed on October 12, 2022.

[55] U.S. Census Bureau. 2021. QuickFacts, Menlo Park city, California (Population, Estimate, July 1, 2021). Available at https://www.census.gov/quickfacts/menloparkcitycalifornia. Accessed on October 12, 2022.

[56] A total of 221 acres divided by 32,475 (existing population per 2021 estimate) multiplied by 1,000 = 6.80 acres per 1,000 residents.

[57] City of Menlo Park. 2016. Menlo Park Library Strategic Plan, 2016–2020. Available at https://menlopark.org/DocumentCenter/View/15808/Library-Strategic-Plan-2016-2020?bidId. Accessed on October 12, 2022.

elevator or stairwell. The proposed project would have a negligible increase in the City's population and employment, and thus would not result in significant demand for recreational facilities. Therefore, this impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

b) Would the Proposed Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (No Impact).

The proposed project would redevelop the project site with a hotel and supporting commercial uses. The proposed project would not include or require the construction or expansion of existing public recreational facilities that might have an adverse environmental effect. There is no reason to conclude that the proposed project's proposed recreational facilities (rooftop deck and ground-level open space) might cause an adverse environmental effect not addressed elsewhere in this report (i.e., light and noise effects on neighbors from the rooftop deck).

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
17. TRANSPORTATION AND TRAFFIC Would the project:				
a) Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle and pedestrian facilities?	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

For the purposes of disclosing potential transportation impacts, projects in the City of Menlo Park use the City's current TIA Guidelines to ensure compliance with both State and local requirements.[58] Up until July 1, 2020, the City's TIA Guidelines used roadway congestion or level of service (LOS) as the primary study metric for planning and environmental review purposes. However, Senate Bill (SB) 743 required the Governor's Office of Planning and Research (OPR) to establish a new metric for identifying and mitigating transportation impacts under CEQA in an effort to meet the State's goals to reduce greenhouse gas (GHG) emissions, encourage infill development, and improve public health through more active transportation. CEQA Section 21099(b)(2) states that upon certification of the revised guidelines for determining transportation impacts 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. OPR identified vehicle miles traveled (VMT) as the required CEQA transportation metric for determining potentially significant environmental impacts.[59] In December 2018, the California Natural Resources Agency certified and adopted the CEQA Guidelines update package, including the section implementing SB 743 (CEQA Guidelines Section 15064.3). OPR developed a Technical Advisory on Evaluating Transportation Impacts in CEQA*,* which contains OPR's technical recommendations regarding assessment of VMT, thresholds of significance, and mitigation measures.[60] As of July 1, 2020, VMT (not LOS) is the only legally acceptable threshold for transportation-related environmental impacts pursuant to CEQA

a) Would the Proposed Project conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle and pedestrian facilities? (Less than Significant Impact).

As part of the City's entitlement process, the proposed project would be required to comply with existing regulations, including General Plan policies and zoning regulations. The proposed project would be reviewed in accordance with the City's Public Works Department Transportation Program standards and guidelines, and the Public Works

[58] Menlo Park, City of. 2020a. Transportation Impact Analysis Guidelines. Available at https://beta.menlopark.org/files/sharedassets/public/public-works/documents/transportation/transportation-projects/tia-guidelines-modifications-approved.pdf. Accessed on July 14, 2022.

[59] California Office of Planning and Research (OPR). 2016. Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA, Implementing Senate Bill 743 (Steinberg, 2013). January 20.

[60] OPR. 2018. Technical Advisory on Evaluating Transportation Impacts in CEQA. Available at opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf. Accessed on September 28, 2021.

Department would provide engineering review and oversight to ensure that the proposed project is constructed according to City specifications.

The proposed project would promote bicycle use by providing long-term and short-term bicycle parking spaces, as per the requirements of the O zoning district. The proposed project would meet the Zoning Ordinance requirements for bicycle parking and implement transportation demand management measures in an effort to reduce project-generated vehicle trips and encourage travel by other modes. Additionally, the proposed project would meet the required standard vehicle parking, electric vehicle (EV) parking, and Americans with Disabilities Act parking for accessible spaces.

Below is a list of relevant General Plan policies for which the proposed project would be consistent:

- **Policy CIRC-1.7: Bicycle Safety.** Support and improve bicyclist safety through roadway maintenance and design efforts.
- **Policy CIRC-1.8: Pedestrian Safety.** Maintain and create a connected network of safe sidewalks and walkways within the public right of way ensuring that appropriate facilities, traffic control, and street lighting are provided for pedestrian safety and convenience, including for sensitive populations.
- **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.
- **Policy CIRC-2.2**: **Livable Streets.** Ensure that transportation projects preserve and improve the aesthetics of the city.
- **Policy CIRC-2.9: Bikeway System Expansion.** Expand the citywide bikeway system through appropriate roadway design, maintenance, effective traffic law enforcement, and implementation of the City's Comprehensive Bicycle Development Plan, and the El Camino Real/Downtown Specific Plan.
- **Policy CIRC-2.14: Impacts of New Development.** Require new development to mitigate its impacts on the safety (e.g., collision rates) and efficiency (e.g., VMT per capita) 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-3.1: Vehicle Miles Traveled.** Support development and transportation improvements that help reduce per capita vehicle miles traveled.
- **Policy CIRC-3.2: Greenhouse Gas Emissions.** Support development, transportation improvements, and emerging vehicle technology that help reduce per capita greenhouse gas emissions.
- **Policy CIRC-3.4: Level of Service.** Strive to maintain level of service (LOS) D at all City-controlled signalized intersections during peak hours, except at the intersection of Ravenswood Avenue and Middlefield Road and at intersections along Willow Road from Middlefield Road to US 101. The City shall work with Caltrans to ensure that average stopped delay on local approaches to State-controlled signalized intersections does not exceed LOS E.
- **Policy CIRC-4.1: Global Greenhouse Gas Emissions.** Encourage the safer and more widespread use of nearly zero-emission modes, such as walking and biking, and lower emission modes like transit, to reduce greenhouse gas emissions.
- **Policy CIRC-4.3: Active Transportation.** Promote active lifestyles and active transportation, focusing on the role of walking and bicycling, to improve public health and lower obesity.
- **Policy CIRC-6.1: Transportation Demand Management.** Coordinate Menlo Park's transportation demand management efforts with other agencies providing similar services within San Mateo and Santa Clara Counties.
- **Policy CIRC-6.4: Employers and Schools.** Encourage employers and schools to promote walking, bicycling, carpooling, shuttles, and transit use.

The proposed project would ensure consistency with these policies by providing its fair-share payments to improve bicycle and pedestrian infrastructure improvements in the vicinity of the project site, providing required short-term and long-term bicycle parking, thereby promoting transportation alternatives to lessen greenhouse gas emissions and increase active transportation modes. In addition, the proposed project would be required to complete a transportation demand management (TDM) plan and implement a series of TDM measures to reduce vehicle trips and general traffic impacts associated with the proposed project. This requirement is City-mandated, and it does not affect the vehicle miles traveled (VMT) analysis that follows in this document. These measures include the following, occurring over two phases. The first phase measures are required to help achieve the required 20-percent trip reduction; the second phase contains optional measures that the project could implement to achieve additional trip reduction, though these measures may be required if the project does not achieve 20 percent trip reduction despite the Phase 1 measures.

- Phase 1:
    - Subsidizing transit passes for employees
    - Secure bicycle storage racks
    - Preferential parking for carpoolers
    - Operation of a dedicated shuttle service
    - Install and maintain alternative transportation kiosk at lobby
    - Survey employees and guests to monitor use
- Phase 2
    - Subsidizing employees that walk or bike to work
    - Operation of commute assistance center at concierge/reception desk
    - Provide access to motor vehicles on site for employee/guest use
    - Join Commute.org's guaranteed ride home (GRH) program

In addition, Section 16.43.120 of the Zoning Ordinance would require the proposed project to implement street improvements on public street edges of the property, in compliance with the adopted city of Menlo Park street construction requirements for the adjacent street type (Haven Avenue in this case).

With these actions taken, the proposed project would establish and maintain compliance with all relevant regulations affecting the circulation system. Thus, the impact would be less than significant, and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

b) Would the Proposed Project Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)? (Less than Significant Impact).

A transportation impact analysis (TIA) was prepared for the proposed project (Appendix G). In order to determine potential impacts to VMT, a travel demand forecast model is required. Typically, the model is used to estimate a project's effect on total daily VMT, in accordance with City's TIA Guidelines. The evaluated daily VMT accounts for the entire distance of a trip associated with the proposed project. For example, the entire length of a trip made by a hotel staff person traveling between their home and the project site would be captured in the daily VMT analysis.

Unlike such use types as office and residential uses, which use an efficiency metric, hotel uses require a total VMT assessment to be made using a combination of factors in order to determine whether a significant impact would occur. Accordingly, the trips associated with the hotel rooms and jobs generated by the proposed project are estimated separately. In the TIA for the proposed project, service employees are used to represent the hotel employees. For hotel guest travel, the TIA used the residential land use as a proxy to resemble the behavior pattern of a hotel guest. With that understanding, the TIA identified residential trips to offices and restaurants and shops in the area to simulate likely hotel guest activities occurring at a typical hotel (one involving home-based work and home-based shopping trips). The TIA modeled service employee trips to account for the hotel employee trips and VMT. Through consultation with the City, the TIA consultant team modeled these activities and VMT analysis using a three-mile radius, because this distance is considered appropriate for the types and locations of activities, uses, and destinations likely utilized by a hotel guest. The TIA assessment of VMT accounts for the entire length of the various trips during operation of the proposed project even when extending beyond the three-mile radius. Per the TIA, analyzing a radius greater than three miles is not ideal, as it could reflect changes in VMT that are not related to the proposed project but rather merely the result of normal variations that can occur during the model's trip assignment process.[61]

Table 6 below shows total daily VMT for all trips generated by existing land uses within a three-mile radius of the project site compared with conditions after the hotel is open. The analysis indicates that the proposed project would result in a 0.5-percent (0.5%) reduction in total daily VMT from existing conditions.

[61] Hexagon. 2021. 3723 Haven Avenue Hotel Development Transportation Impact Analysis. May 10. Page 38.

Table 6: Project Vehicle Miles Traveled (VMT) Evaluation			
	Three-mile Radius of Project Site		
	Existing Condition	Existing with Project Condition	Percent Change (%)
Total Daily VMT	**7,126,189 miles**	**7,092,216 miles**	**-0.5**
Note: Total daily VMT includes VMT generated by all trips having at least one trip-end in the analysis area, as estimated by the citywide travel demand model			
Source: Hexagon. 2021. 3723 Haven Avenue Hotel Development Transportation Impact Analysis. May 10.			

The TIA determined this reduction is due to the fact that the proposed project would be located within close proximity to the major business and employment activities in the Bayfront Area, so patrons of the new hotel would travel generally shorter distances to their business destinations than currently traveled by visitors staying at hotels further away. Per the TIA, although some trips may occur at longer distances, the majority of the change in VMT is expected to occur within the three-mile radius, and the analysis factored in the total VMT generated by all land uses within this particular area. Because the proposed project would not cause an increase in total VMT generated by the analysis area, it is concluded that impact of the proposed project on VMT would be less than significant, and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

c) Would the Proposed Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Less than Significant Impact).

The proposed project would involve some driveway changes to the roadway network outside the proposed project site. Specifically, two existing driveways at each end of the project site's Haven Avenue frontage would be slightly relocated and widened. However, the proposed project would not include any design features that could cause potentially hazardous conditions. The new driveway is positioned far enough from the curvature of Haven Avenue to provide sufficient and safe line-of-sight distance for motorists turning along Haven Avenue and motorists entering and exiting the project site. Vehicle access to the project site would be provided via a new full-access driveway, generally in the same location as the existing parking lot driveway, fronting onto Haven Avenue, near the southern side of the property, offering two-way access to and from the parking structure and nearby lobby drop-off area. Thus, outbound traffic would travel primarily using this driveway exit, which would contain a stop sign, onto Haven Avenue. Haven Avenue would continue to be uncontrolled along the project frontage. The northern paved access road, located next to the northern property line, also offers vehicular access to a few parking spaces along the northern side of the hotel. However, this driveway would serve the EVA easement as well, and would not be a primary driveway for access to the parking structure or lobby drop-off area. Neither driveway improvement associated with the project site would increase hazards or incompatible uses for the project site or the surrounding roadway. Therefore, this impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

d) Would the Proposed Project result in inadequate emergency access? (Less than Significant Impact).

Emergency access to the project site, hospitals, and other nearby emergency facilities would remain similar to existing conditions. The fire station in closest proximity to the subject site is MPFPD Station #5 at 4101 Fair Oaks Avenue, in the neighboring community of North Fair Oaks. The TIA has indicated that minor increases in traffic delay would occur at intersections as described in the Transportation section but these changes would not measurably impair emergency response or evaluation plans within the vicinity of the project site. Although there would be a general increase in vehicle traffic coming from the project site (more daily trips than the existing office use, but trips would be shorter, resulting in the VMT reduction described above), the proposed project would not inhibit emergency access to the project site or affect emergency vehicle response times out of the station. The required EVA easement located along the northern side of the project site would remain, and any associated increases in vehicles, pedestrians, and bicycle travel would not affect emergency vehicle response times or access to other buildings or land uses in the vicinity of the project site, hospitals, and other emergency facilities. Further, emergency vehicle access would be designed and built according to local Fire District standards and State Building Code standards. All project plans would be reviewed by the City's Planning, Engineering, Transportation, and Building Departments, in addition to MPFPD for compliance with the Zoning and Building Code and Engineering Standards, and the Fire Code, further ensuring that emergency access by fire or emergency services personnel would not be impaired. As such, adequate emergency access would be maintained for the site. This impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

Non-CEQA Level of Service Analysis

As discussed previously, effects on traffic level of service (LOS) are no longer considered an environmental effect requiring study under CEQA. The findings of an intersection LOS compliance analysis prepared for the project are presented in this subsection for informational purposes. The analysis scope and methodology, analysis scenarios, data collection, and level of service policy standards are detailed in Appendix G of this document.

As stated above, LOS is no longer a CEQA threshold. However, the City's TIA Guidelines require that the TIA also analyze LOS for local planning purposes. The LOS analysis determines whether the proposed project traffic would cause an intersection LOS to exceed the City's LOS thresholds or cause either the average delay or average critical delay to exceed the City's intersection delay thresholds under near-term and cumulative conditions. These thresholds vary depending on the street classifications as well as whether the intersection is on a State route or not. The City's TIA Guidelines further require an analysis of the proposed project in relation to relevant policies of the Circulation Element and consideration of specific measures to address noncompliance with local policies which may occur as a result of the addition of project traffic. An analysis may be prepared separately from an EIR or mitigated negative declaration to determine if there are potential measures that could bring the proposed project into conformance with Circulation Policy 3.4 (to strive to maintain LOS D at all city-controlled intersections). Implementation of any such measures would require review and approval by City decision makers and implementation through project conditions of approval.

In total, the following seven intersections were assessed in the TIA for LOS impacts:

- Intersection #1, Marsh Road and US 101 Northbound Off Ramp
- Intersection #2, Marsh Road and US 101 Southbound Off Ramp
- Intersection #3, Marsh Road and Haven Avenue/Bayfront Expressway (SR 84)
- Intersection #4, Chrysler Drive and Bayfront Expressway (SR 84)
- Intersection #5, Chilco Street and Bayfront Expressway (SR 84)
- Intersection #6, University Avenue (SR 109) and Bayfront Expressway (SR 84)
- Intersection #7, Willow Road (SR 114) and Bayfront Expressway (SR 84)

Existing Plus Project Conditions
The following analysis is based on the City's TIA Guidelines for intersection LOS under Existing Plus Project Conditions. The LOS definitions, policy standards, and thresholds are also presented in Appendix G, along with the turning movement volumes, lane and roadway configurations, and VISTRO (computer model) outputs for the Existing Plus Project Conditions. With implementation of the proposed project, five of the seven intersections studied (#1, #2, #3, #4, and #5) would continue operating at acceptable LOS D or better and would comply with the City's TIA Guidelines with the proposed project. Two of the seven intersections assessed (#6 and #7) would exceed the established threshold; however, these intersections would not meet the criteria established by the City of Menlo Park to define non-compliance with local policies for intersections involving two State routes.

Near Term (2022) Plus Project Conditions
The following analysis is based on the City's TIA Guidelines for intersection LOS under Near Term (2022) Plus Project Conditions. The LOS definitions, policy standards, and thresholds are also presented in Appendix G, along with the turning movement volumes, lane and roadway configurations, and VISTRO (computer model) outputs for the Near Term (2022) Plus Project Conditions. As explained in the subsequent paragraphs, with implementation of the proposed project, four of the seven intersections studied (#1, #2, #4, and #5) would continue operating at acceptable LOS D or better and would comply with the City's TIA Guidelines with the proposed project. Two of the seven intersections (#6 and #7) assessed would exceed the established threshold, but would not meet the criteria established by the City of Menlo Park to define non-compliance with local policies for intersections involving two State routes.

Intersection #3 (Marsh Road and Bayfront Expressway [SR 84]) would continue operating at LOS E during the AM peak hour under near-term (2022) plus project conditions and the proposed project would cause the critical movement delay on the local approach to increase by more than 0.8 seconds per vehicle. This could cause the intersection to be non-compliant with local policies during the AM peak hour.

Per the TIA, the City's planned Haven Avenue streetscape project would restripe the eastbound approach at the intersection of Marsh Road and Bayfront Expressway to include a shared through-left lane, a shared through-right lane, and a right-turn only lane. With the planned reconfiguration, the intersection at Marsh Road and Bayfront Expressway would operate at an acceptable level of service (LOS) D during both the AM and PM peak hours. Because the proposed project would pay the City of Menlo Park's Transportation Impact Fee, which would provide partial funding for the Haven Avenue streetscape project and associated improvements for the affected intersections, the

proposed project would comply with local policies related to intersection levels of service.[62]

Cumulative (2040) Plus Project Conditions
The following analysis is based on the City's TIA Guidelines for intersection LOS under Cumulative (2040) Plus Project Conditions. The LOS definitions, policy standards, and thresholds are also presented in Appendix G, along with the turning movement volumes, lane and roadway configurations, and VISTRO (computer model) outputs for the Cumulative (2040) Plus Project Conditions. As explained in the subsequent paragraphs, with implementation of the proposed project, two of the seven intersections studied (#1 and #2) would continue operating at acceptable LOS D or better and would comply with the City's TIA Guidelines with the proposed project. Two of the seven intersections (#6 and #7) assessed would exceed the established threshold, but would not meet the criteria established by the City of Menlo Park to define non-compliance with local policies for intersections involving two State routes.

Under cumulative (2040) no project conditions, Intersections #3, #4, and #5 would be non-compliant with local policies during either the AM or PM peak hour.[63] Intersections #3 and #5 would have a delay of the critical movement on the local approach by more than 0.8 seconds during the AM peak hour, while Intersection #4 would have a delay of the critical movement on the local approach by more than 0.8 seconds during the PM peak hour.

The City is currently in the process of implementing a traffic signal adaptive coordination on the Marsh Road, Bayfront Expressway, and Willow Road corridors to improve traffic flow overall. Adaptive traffic control is a technology that automatically adjusts traffic signal timing based on actual traffic demand at an intersection, in real time. This measure could improve intersection operations and could reduce the delays at these intersections. However, per the TIA, the reduction in delay due to adaptive signal coordination is not expected to bring the intersections into compliance with the City's level of service policy. Other physical intersection improvements have been assessed, but were deemed infeasible due to right-of-way constraints and/or adverse effects on pedestrian and bicycle travel. Caltrans approval would be needed for any improvements as well.[64]

Although some intersection deficiencies have been identified, their impact on emergency vehicle access and emergency service would be minimal. After factoring in the required TDM trip reductions and crediting existing trips, the proposed project is expected to generate a net total of 957 daily vehicle trips with 46 trips (22 in and 24 out) during the AM peak hour and 62 trips (37 in and 25 out) during the PM peak hour.[65] The roadways and specific intersections involving potential deficiencies contain considerable lane width and shoulder width to accommodate vehicle movement in the event that emergency vehicles need access through these identified intersections. As such, emergency vehicles would continue to have adequate access through these intersections and roadways to address emergencies. Therefore, this impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

[62] Hexagon. 2021. 3723 Haven Avenue Hotel Development Transportation Impact Analysis. May 10. Page 38.

[63] Hexagon. 2021. 3723 Haven Avenue Hotel Development Transportation Impact Analysis. May 10. Page 39.

[64] Hexagon. 2021. 3723 Haven Avenue Hotel Development Transportation Impact Analysis. May 10. Page 40.

[65] Hexagon. 2021. 3723 Haven Avenue Hotel Development Transportation Impact Analysis. May 10. Page iv.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
18. TRIBAL CULTURAL RESOURCES				
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	☐	☒	☐	☐
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subsection (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	☐	☒	☐	☐

a) Would the Proposed Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: Listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code Section 5020.1(k), or ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subsection (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe? (Less than Significant Impact with Mitigation).

As indicated in the ConnectMenlo FEIR, no tribal cultural resources have been identified in the Bayfront Area, where the project site is located. However, as discussed in the earlier Cultural Resources section, there could be impacts resulting from future development on the subject property affecting unknown archaeological resources, which could include Native American artifacts and human remains.

AB 52 was enacted to establish a system of consultation between lead agencies and Native American tribal organizations throughout the CEQA process for a given project. Prior to the release of this document, like all EIRs, negative declarations, and mitigated negative declarations, the lead agency is required to give an opportunity for consultation with local tribes. City staff, serving as the lead agency for this CEQA document, sent a request form describing the proposed project to the Native American Heritage Commission (NAHC) in West Sacramento, seeking a list of tribes that are traditionally and culturally affiliated to the geographic area surrounding the project site, in accordance with Public Resources Code section 21080.3.1. As noted earlier in the Cultural Resources section, a total

of nine contacts from seven tribes were contacted during the consultation process. Members of the Tamien Nation and the Indian Canyon Mutsun Band of Costanoan expressed concern, believing that the area may contain archaeological resources, and requested additional mitigation measures, including preconstruction archaeological resources sensitivity training and archaeological and tribal construction monitoring. The proposed project's implementation of Mitigation Measures CULT-2a and CULT-4 from the ConnectMenlo FEIR, and project-specific Mitigation Measure Measures CR-1 and CR-2 from the Cultural Resources section of this Initial Study, would reduce the potential impacts to a less-than-significant level.

ConnectMenlo Mitigation Measure

Mitigation Measure CULT-2a: Implement Mitigation Measure CULT-2a.

Mitigation Measure CULT-4: Implement Mitigation Measure CULT-4.

Project-specific Mitigation Measure

Mitigation Measure CR-1: Implement project-specific Mitigation Measure CR-1.

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

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

Mitigation Measure CR-2: Implement project-specific Mitigation Measure CR-2.

On-site Licensed Archaeologist. During the demolition and excavation phases, the applicant shall hire a licensed archaeologist to be on-site and monitoring work activities to immediately handle and assess any archaeological resources encountered.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
19. UTILITIES AND SERVICE SYSTEMS Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Domestic Water

Menlo Park Municipal Water provides water to approximately 16,000 residents through 4,000 service connections within two service areas, the Upper Zone (providing water to the Sharon Heights area) and the Lower Zone (providing water to areas east of El Camino Real). All water provided is purchased from the San Francisco Public Utilities Commission (SFPUC) and piped from the Hetch Hetchy reservoir in Yosemite National Park to Menlo Park through the San Francisco Regional Water System. The City does not own or operate a water treatment plant (WTP). Water purchased from the SFPUC may be treated at one or more of the WTPs operated by SFPUC, which periodically makes improvements to its WTPs in order to increase system reliability and accommodate projected growth in its regional service areas. On average, 85 percent of the regional water system's water comes from the Tuolumne River watershed; 15 percent comes from local watersheds in the East Bay and Peninsula.[66]

In 2021, the City adopted its 2020 Urban Water Management Plan (UWMP), which was an update to the 2015 UWMP. The 2020 UWMP carries forward information from the 2016 UWMP that remains current and relevant while providing additional information as required by amendments to the UWMP Act (California Water Code 10610–10657). The 2020

[66] Menlo Park Municipal Water. 2022. Menlo Park Municipal Water. Available at https://beta.menlopark.org/Government/Departments/Public-Works/Utilities/Menlo-Park-Municipal-Water. Accessed on October 12, 2022.

UWMP concludes that, with water conservation measures implemented through its Water Shortage Consistency Plan (WSCP), the City would have water resources available to serve anticipated growth, which includes the growth anticipated in the ConnectMenlo EIR. The WSCP serves as a standalone document to be engaged in the case of a water shortage event, such as a drought or supply interruption, and defines specific policies and actions that can be implemented for various shortage-level scenarios (e.g., implementing customer water budgets and surcharges or restricting landscape irrigation to specific days and/or times). Consistent with DWR requirements, the WSCP includes six levels for addressing shortage conditions, ranging from a 10 percent to more than a 50 percent shortage.[67,68]

Onsite water lines connect to Menlo Park Municipal Water facilities. An existing eight-inch water main runs along the Haven Avenue frontage, closer to the side of the project site, between the curb and property line.

Wastewater Collection and Treatment

The sanitary sewer system in this area of the city is owned and operated by the West Bay Sanitary District, which provides wastewater collection and conveyance services to Menlo Park, Atherton, Portola Valley, and portions within the Cities of East Palo Alto and Woodside, and portions within unincorporated San Mateo and Santa Clara Counties. The district conveys raw wastewater through the Menlo Park pump station and force main to the Silicon Valley Clean Water (SVCW) pump station in Redwood City for treatment and discharge to San Francisco Bay.[69] The project site connects to an existing 24-inch sanitary sewer that runs under Haven Avenue on the opposite side of the street, and ultimately discharges to the SVCW pump station.

As noted in the ConnectMenlo EIR, the SVCW wastewater treatment plant (WWTP) treats raw wastewater from the city and discharges it to a deep-water channel in the Bay. The SVCW WWTP has an average dry-weather flow capacity of 29 million gallons per day (mgd) and a peak wet-weather flow of 71 mgd. In general, conveyance systems and treatment plants are designed and constructed to accommodate future capacity expansion, including additional base flows due to approved growth plus estimated wet-weather flows.

Stormwater

The project site covers approximately 0.76 acres. Stormwater would flow from the project site to four different outlets: one storm drain catch basin is located in the northwest (rear-right corner) of the site, another storm drain catch basin would collect stormwater in the southwest (rear-left corner) of the site, and two more storm drain catch basins would be positioned near the southeast (front-left corner) of the site, adjacent to the main hotel entrance driveway. Currently, approximately 84.8 percent of the total surface area is impervious, consisting of buildings, parking lots, and driveway aisles; with development of the proposed project and its increased landscaped area, the project site would be approximately 76.5 percent impervious.

Solid Waste

Recology Incorporated provides solid waste collection and conveyance service for Menlo Park. Collected recyclables, organics, and garbage are conveyed to the Shoreway Environmental Center (Shoreway) in San Carlos for processing and shipment. Shoreway is owned by RethinkWaste (former South Bayside Waste Management Authority), a joint powers authority that comprises 12 public agencies, including the City of Menlo Park. Since 2011, Shoreway continues to be operated by South Bay Recycling (a joint venture between Recology and Potential Industries Incorporated) under a contract with RethinkWaste.[70] The primary goal of RethinkWaste is to provide cost-effective waste reduction, recycling, and solid waste programs to member agencies through franchised services and the services of other

[67] City of Menlo Park. 2021. 2020 Urban Water Management Plan for Menlo Park Municipal Water. Available at https://www.menlopark.org/DocumentCenter/View/28016/Draft-Urban-Water-Management-Plan. Accessed on September 28, 2021.

[68] As mentioned above, the City receives its water from SFPUC. In April 2021, SFPUC issued a draft UWMP for adoption in July 2021. SFPUC's draft UWMP identified several potential future water supply scenarios. Scenarios that involve full adoption of the Bay-Delta Plan indicate substantial long-term water deficits during multi-year droughts. Such deficits could result in cities not receiving their full annual water allocations from the SFPUC. However, the City's WSCP would be implemented should this scenario occur, along with further reductions, as needed. Compliance with City code and ordinance requirements, the 2020 UWMP, and the WSCP, as well as any additional water reductions, would apply across the City's water department to all customers.

[69] West Bay Sanitary District. 2022. About Us. Available at https://westbaysanitary.org/about-us/. Accessed on October 12, 2022.

[70] Shoreway Environmental Center. 2022. About Us. Available at https://www.sbrecycling.net/location/. Accessed on June 29, 2022.

recyclers to divert 50 percent (minimum) of the waste stream from landfills, as mandated by California state law (Assembly Bill [AB] 939).[71]

Shoreway facilities consist of a transfer station, a materials recovery facility, a public recycling center, an environmental education center, Recology offices, and South Bay Recycling offices. Shoreway serves as a regional solid waste and recycling facility for the receipt, handling, and transfer of refuse, recyclables, and organic materials collected from the RethinkWaste service area (southern and central San Mateo County). Shoreway is separately permitted by the California State Integrated Waste Management Board to receive 3,000 tons per day of solid waste and recyclables.[72]

In 2019 (the most recent year available), the RethinkWaste service area (San Mateo County) produced approximately 105,930 tons of commercial solid waste, 44,184 tons of multi-family waste, and 190,060 tons of residential waste.[73] Overall, the service area experienced a 50 percent diversion rate by recycling and composting waste materials. Menlo Park had a slightly higher diversion rate than the county average, with approximately 62 percent of waste diverted from the landfill.[74] In 2019, Menlo Park's per capita solid waste disposal rate for residents was 5.3 pounds per day (ppd); the target per capita disposal rate for residents is 7.5 ppd. Menlo Park's per capita solid waste disposal rate for employees in 2019 was 3.7 ppd; the California Department of Resources Recycling and Recovery (CalRecycle) target per capita disposal rate for employees is 9.2 ppd.[75]

Natural Gas

PG&E's natural gas (methane) pipe delivery system includes 42,000 miles of distribution pipelines and 6,700 miles of transmission pipelines. Gas delivered by PG&E originates in gas fields in California, the Southwest, the Rocky Mountains, and Canada. Transportation pipelines send natural gas from fields and storage facilities in large pipes under high pressure. Smaller distribution pipelines deliver gas to individual businesses and residences. PG&E's gas transmission pipeline systems serve approximately 15 million energy customers in California. The system is operated under an inspection and monitoring program in real time on a 24-hour basis, with leak inspections, surveys, and patrols taking place along the pipelines.[76]

Telecommunications

There are numerous telecommunications providers in Menlo Park that offer DSL, wireless, cable, fiber, and copper services, including AT&T, XFINITY from Comcast, MegaPath, Etheric Networks, and CenturyLink Business, to residents and businesses in the city. The project site receives services from AT&T, EarthLink, and XFINITY.[77] Telecommunications facilities include underground conduits and overhead cables throughout the vicinity of the project site.

a) Would the Proposed Project require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications

[71] RethinkWaste. 2022. About Us—Mission, Vision, Core Values and Strategic Priorities. Available at https://rethinkwaste.org/about/rethinkwaste/mission-vision-core-values-strategic-priorities/. Accessed on October 12, 2022.

[72] RethinkWaste. 2021. About Shoreway. Available at http://www.rethinkwaste.org/shoreway-facility. Accessed on October 12, 2022.

[73] RethinkWaste. 2020. 2020 Annual Report. Available at https://rethinkwaste.org/wp-content/uploads/2021/07/2020-Annual-Report.pdf. Accessed on October 12, 2022.

[74] Recology San Mateo County. 2020. *Annual Report to the SBWMA for Year 2019.* Available at https://rethinkwaste.org/wp-content/uploads/2020/02/recology-annual-report-2019.pdf. Accessed on October 12, 2022.

[75] CalRecycle. 2020. Jurisdiction Diversion/Disposal Rate Detail. Menlo Park. Available at https://www2.calrecycle.ca.gov/LGCentral/DiversionProgram/JurisdictionDiversionPost2006. Accessed on October 12, 2022.

[76] Pacific Gas & Electric. 2021. Learn about the PG&E Natural Gas System. Available at https://www.pge.com/en_US/safety/how-the-system-works/natural-gas-system-overview/natural-gas-system-overview.page#:~:text=The%20PG%26E%20natural%20gas%20system%20spans%20central%20and%20northern%20California,source%20for%20customers%20in%20California. Accessed on October 12, 2022.

[77] BroadbandNow. 2022. Internet Providers in Menlo Park, California. Available: https://broadbandnow.com/California/Menlo-Park?zip=94025. Accessed on October 12, 2022.

facilities, the construction or relocation of which could cause significant environmental effects? (Less than Significant Impact).

Domestic Water:
As indicated in the ConnectMenlo FEIR, the Menlo Park Municipal Water (MPMW) receives 100 percent of its potable water from the San Francisco Public Utilities Commission (SFPUC). The City, and thus MPMW, do not own or operate a water treatment plant (WTP). The water purchased from the SFPUC may be treated at one or more WTPs operated by SFPUC. SFPUC periodically makes improvements to its WTPs in order to improve system reliability and accommodate projected growth in its regional service areas. As noted above, the proposed project would be consistent with the type and intensity of development and population projections that have been assumed for the project site in the General Plan. In addition, WSBD plans to build a recycled water facility that would provide the Bayfront Area with recycled water, which would reduce demand for water from SFPUC.[78] Therefore, the proposed project would not prompt a need to expand treatment facilities or regional water system conveyance and storage facilities. Therefore, this impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

The proposed project would connect to existing water delivery systems within the vicinity of the project site. It is anticipated that these pipelines would have sufficient capacity to support delivery of water to the proposed project. No fire flow issues have been identified for the project site; however, the project sponsor would be required to ensure the existing water delivery infrastructure is sufficient to serve the proposed project, and would coordinate details with Menlo Park Municipal Water. Therefore, this impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

Wastewater:
As indicated in the ConnectMenlo FEIR, the SVCW WWTP receives and treats raw wastewater from the City and discharges it to the deep water channel of the Bay. The SVCW WWTP has an average dry weather design capacity of 29 million gallons per day (MGD) and a peak wet weather capacity of 71 MGD. Conveyance systems and treatment plants are typically designed and constructed to accommodate future capacity expansion, including additional base flows due to approved growth plus estimated wet weather flows. The ConnectMenlo FEIR determined that the increase in wastewater flows from implementation of the General Plan would cause increased capacity demand on the WWTP and its conveyance system. However, the effect is not substantial and it would be integrated into the ongoing planning and budgeting processes to improve the conveyance system, treatment processes, and capacity at SVCW WWTP. As noted above, the proposed project would be consistent with the type and intensity of development and population projections assumed for the project site in the General Plan. Therefore, the proposed project would not require a need for treatment facilities or regional water system conveyance and storage facilities to expand. Therefore, this impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

The proposed project would connect to the existing sanitary sewer systems within the vicinity of the site. It is anticipated that these pipelines would have sufficient capacity to support the proposed project's wastewater flows. However, as noted in Table 1, the project applicant would be required to coordinate with the WBSD to assess wastewater flow requirements, and ensure the existing wastewater infrastructure is sufficient to serve the proposed project. Therefore, this impact would be less than significant and additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

Stormwater Drainage:
As discussed in Section 10 (Hydrology and Water Quality) of this IS/MND and indicated in the ConnectMenlo FEIR, the Menlo Park Public Works Department manages and maintains the storm drain system throughout the City. The proposed project would connect to the existing stormwater infrastructure within the vicinity of the site. Development of the proposed project would result in an increase of impervious surfaces on the site from 28,174 square feet of existing impervious surface coverage to 28,240 square feet of impervious surface coverage. Runoff would be treated in accordance with the SMCWPPP before flowing to the City's storm drain system.

The proposed project would include the following elements to reduce the demand for and impacts to stormwater infrastructure: an on-site bio-retention area located along the western (rear) property line; drought-tolerant landscaping; energy-efficient appliances and efficient irrigation systems. Therefore, the proposed project would not require the relocation or construction of new stormwater drainage facilities that are not already evaluated in Section 3.10, Hydrology and Water Quality, of this IS/MND. Therefore, this impact would be less than significant and no

[78] West Bay Sanitary District. 2019. Bayfront Recycled Water Facilities Plan. May. Available at https://westbaysanitary.org/wp-content/uploads/2019/12/WBSD-Bayfront-RWFP_Final_Rev1_May-2019.pdf. Accessed on October 12, 2022.

additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

Electricity, Natural Gas, and Telecommunications:
As indicated in the ConnectMenlo FEIR, new development under the General Plan would continue to be served by Pacific Gas & Electric (PG&E), or Peninsula Clean Energy (PCE) when it commences transmission of energy over PG&E facilities. Buildout of the General Plan would not increase energy demands significantly within the service territory and would not require new energy supply facilities. As noted above, the proposed project would be consistent with the type and intensity of development and population projections assumed for the project site in the General Plan and the proposed development would be all electric, apart from the back-up generator, in accordance with the City's recently adopted reach code that would apply to the proposed project and BAAQMD regulations. Per the BAAQMD regulations, nonresidential kitchens must be electric-powered. The diesel-powered back-up generator would be located on the ground floor, within the parking podium, and would be utilized only in the event of a power outage, with the exception of testing. Testing for the generator would occur for approximately 30 minutes on the first Monday of the month, at 9am. The proposed project, per the current reach codes, would be required to maintain all-electric appliances to avoid natural gas usage. However, as the development is part of the buildout of the General Plan, it would not cause the existing electrical facilities to require expansion. Further, while it is likely that the proposed hotel's energy needs would be greater than the energy needs of the existing office, the LEED Silver, Building Code, and O zoning district requirements for energy conservation would result in substantially more efficient energy usage. The proposed project would contain a roof-mounted solar energy system, providing an on-site energy source that would further limit the dependency on energy coming from the electrical grid. Therefore, this impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

Similar to the electrical infrastructure, the project site is already served with telecommunications infrastructure. Following implementation of the proposed project, telecommunication service would continue to be provided on site. In addition, the proposed project would be required to include undergrounding of existing utilities, and would be required to coordinate with the applicable telecommunications provider to adequately maintain service for the site. Therefore, this impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

b) Would the Proposed Project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years? (Less than Significant Impact).

As indicated in the ConnectMenlo FEIR, buildout of the General Plan —predominantly focused within the Bayfront Area—would cause an increase in water demand of 343 million gallons per year (MGY). This increase would represent 21 percent of the planning level water demand forecasted in the City's Urban Water Management Plan (UWMP). The ConnectMenlo FEIR concluded that water supply would be adequate to meet increased demands in normal years and would be sufficient to supply the additional demand generated by the increase in development associated with implementation of the General Plan.

During single-dry and multiple-dry year scenarios occurring prior to the buildout year of 2040, MPMW's total annual water demand, including development associated with the General Plan, is estimated to exceed total annual supply by approximately 333 MGY and 506 MGY, respectively. These values would represent shortfalls of 21 percent and 31 percent, respectively. However, with MPMW's Water Shortage Contingency Plan in place, the shortages during multiple dry years would be managed through demand reductions of up to 50 percent.

In addition, the General Plan includes green and sustainable building standards in the Bayfront Area. These standards require all new buildings within the Bayfront Area to be maintained without requiring well water and include dual plumbing systems for the use of potential future recycled water. As such, water usage would be substantially limited, and the proposed project would be required to be in compliance with the Water Efficient Landscape Ordinance (WELO). In addition, piping for recycled water would be provided in the proposed building for urinals and toilets; and irrigation piping would connect to the future Bayfront Recycled Water Treatment Facility. Under the Zoning update, no potable water shall be used for decorative features, unless the water recirculates, and single pass cooling systems are prohibited. Accordingly, the O zoning district provides codified requirements for the proposed project that reflect these requirements. The ConnectMenlo FEIR determined that implementation of MPMW's Water Shortage Contingency Plan and green and sustainable building standards would ensure this impact would be less than significant.

As stated earlier, the site currently contains a one-story office building. The water demand is likely to increase with the proposed project, which would contain an eight-story hotel with new landscape features. However, the required actions found in the WELO, the LEED Silver requirements for additional water conservation, and Green Building Code and O

zoning district requirements for water conservation and usage, would help reduce the water demand,

In addition, the proposed project would be 58,014 square feet in size. Per the Green Building Standards in the O zoning district regulations, new buildings that are 100,000 square feet in size or greater would be required to provide a water budget, which closely restricts water usage for a site and would require a water conservation program in the event that actual water consumption exceeds the water budget. However, the proposed project does not meet the threshold that would require a water budget, due to its size. In addition, the project is too small to require a Water Supply Assessment under State law. Thus, in a local regulatory sense, the proposed project does not warrant additional water budget requirements to minimize water use impacts.

As noted above, the proposed project would be consistent with the type and intensity of development and population projections assumed for the project site by the General Plan. In particular, the ConnectMenlo FEIR analyses included future development of new hotel rooms, which required assessment of water volume and system needs to factor in potential water usage unique to a hotel site. This included recognizing that hotels likely use more water for plumbing fixtures within each hotel room than the same amount of square footage in other uses. Therefore, there would be sufficient water supplies available to serve the proposed project and reasonably foreseeable future development during normal, single-dry, and multiple-dry years. Therefore, this impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

c) Would the Proposed Project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Less than Significant Impact).

As noted earlier in this impact section, the SVCW WWTP has an average dry weather design flow of 29 MGD and a peak wet weather flow of 71 MGD. Currently, the SVCW WWTP has an average dry weather flow of 16 MGD. The ConnectMenlo FEIR determined that full buildout of the General Plan would result in an estimated net increased wastewater generation rate of 309 MGY, or 0.85 MGD, which would not be significant relative to currently available excess dry weather design capacity flow of 13 MGD.

As stated earlier, the site currently contains a one-story office building. The wastewater demand would result in a likely increase with the proposed project, which would contain an eight-story hotel with new landscape features. However, with the required actions found in the WELO, the LEED Silver requirements to retain and limit wastewater, and Green Building Code and O zoning district requirements for water conservation and usage, the overall usage would allow for adequate capacity to remain for the wastewater treatment provider.

The proposed project would be consistent with the type and intensity of development and population projections assumed for the project site in the General Plan. In particular, the ConnectMenlo FEIR analyses included future development of new hotel rooms, which required assessment of wastewater volume and system needs to factor in potential wastewater production unique to a hotel site. This included recognizing that hotels likely produce more wastewater from plumbing fixtures within each hotel room than the same amount of square footage in other uses. Therefore, there would be sufficient wastewater treatment capacity available to serve the proposed project's projected demand when combined with the provider's existing commitments. Therefore, this impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

d) Would the Proposed Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? (Less than Significant Impact).

As indicated in the ConnectMenlo FEIR, about three-quarters (or approximately 74.4 percent or 21,658 tons) of solid waste from the City is transported to the Corinda Los Trancos Landfill (Ox Mountain Landfill), which is located near the City of Half Moon Bay along the west coast of San Mateo County. The three other landfills receiving most of the remaining waste accounted for 20.5 percent (or 5,966 tons) combined. Those three landfills include Monterey Peninsula Landfill in Marina (3,988 tons), Recology Hay Road Landfill in Vacaville (1,075 tons), and Potrero Hills Landfill in Suisun City (903 tons). The ConnectMenlo FEIR determined that the estimated additional solid waste generated by development associated with implementation of the General Plan would be approximately 58.3 tons per day, representing under 1.5 percent of the daily capacity of the Ox Mountain Landfill, and less than 2 percent of the permitted daily capacity of the landfill with the smallest daily capacity that could receive waste as a result of implementation of the General Plan.

The ConnectMenlo FEIR determined that the Ox Mountain Landfill is likely to reach its permitted maximum capacity

prior to 2040 (the anticipated buildout horizon for implementation of the General Plan). However, the other three landfills that serve the City, Monterey Peninsula Landfill, Recology Hay Road Landfill, and Potrero Hills Landfill are not estimated to close until 2107, 2077, and 2048, respectively. In addition, there are 15 other landfills that were receiving lesser amounts of waste from the City in 2014. If one or more of the four landfills were unavailable in the future, it is likely the City's solid waste volume would be increased at one or more of the other landfills already serving the City.

The General Plan includes green and sustainable building standards for Bayfront Area zoning that require all applicants to submit a zero-waste management plan to the City. The zero-waste management plan must clearly outline the applicant's plan to reduce, recycle, and compost waste from demolition, construction and occupancy phases of the building. Zero waste is defined as 90 percent overall diversion of non-hazardous waste from landfill and incineration.

As stated earlier, the site currently contains a one-story office building. The solid waste demand is likely to increase with the proposed project, which would contain an eight-story hotel with new landscape features. However, with the required actions found in the WELO, the LEED Silver requirements to limit and divert solid waste, and the zero waste management plan requirements, the proposed project would not result in exceedance of solid waste reduction goals set by State or local standards.

The proposed project would be consistent with the type and intensity of development and population projections assumed for the project site in the General Plan and would be required to comply with existing regulations related to solid waste. In particular, the ConnectMenlo FEIR analyses included future development of new hotel rooms, which required assessment of solid waste needs to factor in patterns unique to a hotel site. This included recognizing that hotels likely produce more solid waste than the same amount of square footage in other uses. Therefore, this impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

e) Would the Proposed Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (Less than Significant Impact).

As noted in the above subsection d, the proposed project is required to comply with Zoning Ordinance Update associated with the General Plan. As such, the proposed project would comply with all federal, State, and local solid waste statutes and/or regulations related to solid waste. Therefore, this impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
20. WILDFIRE If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

a) Would the Proposed Project substantially impair an emergency response plan or emergency evacuation plan? (Less than Significant Impact).

As indicated in the ConnectMenlo FEIR, the Bayfront Area, inclusive of the project site, contains no areas identified as moderate, high, or very high for Fire Hazard Severity for the State Responsibility Area (SRA). Additionally, in subsection (f) of the Hazards and Hazardous Materials section of this document, the proposed project would not impair the implementation of, or physically interfere with, any adopted emergency response plans. The TIA identified that there would be no additional congestion impacts affecting LOS (and thus emergency response capabilities), as the LOS would remain at D for the key intersections identified in the TIA, and minor increases in traffic delay at intersections as described in the Transportation section would not measurably impair emergency response or evaluation plans. The proposed project would be required to meet all Building Code and Fire Code requirements for site and building egress as well, to enable effective first responder access. The existing EVA easement along the side of the property would be maintained. Therefore, this impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

b) Would the Proposed Project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? (No Impact).

As stated in the previous subsection, the subject property contains no areas identified as moderate, high, or very high for Fire Hazard Severity for the SRA. Per the project description, the project site is relatively flat in nature, and is surrounded by development, apart from Haven Avenue along its front property line. As such, the proposed project would not exacerbate wildfire risks or expose future occupants to pollutant concentrations from a wildfire or the

uncontrolled spread of a wildfire and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

c) Would the Proposed Project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (No Impact).

As stated in the first subsection, the subject property contains no areas identified as moderate, high, or very high for Fire Hazard Severity for the SRA. The proposed project would not be located within an SRA for fire service. Therefore, no infrastructure required for the proposed project would exacerbate fire risk or result in other impacts, and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

d) Would the Proposed Project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? (No Impact).

As stated in the first and second subsections, the subject property contains no areas identified as moderate, high, or very high for Fire Hazard Severity for the SRA. The proposed project would not be located within an SRA for fire service, and the project site contains a relatively flat topography. Thus, the proposed project would not expose people or structures to such significant risks as downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes, and additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
21. MANDATORY FINDINGS OF SIGNIFICANCE Would the project:				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Less than Significant Impact).

Based on background research and site visits, the proposed project does not have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. The property already is fully developed so there are no onsite resources to be adversely affected, and development and operation of the proposed project would not cause the effects described. Therefore, the impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? (Less than Significant Impact).

The proposed project includes the construction of an eight-story, 58,027-square-foot, 163-room hotel, consisting of three stories of podium parking and five stories of hotel rooms, and no housing would be displaced or constructed. Potential impacts that have been identified in this document have been determined to be less than significant, some with implementation of mitigation measures, and would not result in significant cumulative environmental impacts. In

addition, compliance with applicable land use and environmental regulations would ensure that environmental effects associated with the Project would not combine with the effects of reasonably foreseeable future development in Menlo Park and cause cumulatively significant impacts. No substantial new information has been presented that shows more significant effects than those originally analyzed in the ConnectMenlo FEIR; therefore, there would be no new specific effects as a result of the Project, and all impacts would be less than significant, both individually and cumulatively.

c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? (Less than Significant Impact).

The proposed project would not cause substantial effects on human beings during construction activities or during operation of the hotel, as the proposed project would adhere to standard requirements and procedures. Therefore, this impact would be less than significant and no additional impacts would occur beyond those examined in the ConnectMenlo FEIR.