Initial Study

1005 O'Brien Drive and 1320 Willow Road Life Sciences Project

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Table of Contents

SECTION **PAGE**

Acronyms and Abbreviations iii

1 Introduction 1
- 1.1 Project Overview 1
- 1.2 Purpose of this Initial Study 1
- 1.3 Lead Agency 2
- 1.4 Document Organization 2

2 Project Description 4
- 2.1 Introduction 4
- 2.2 Project Location and Existing Conditions 4
- 2.3 Project Objectives 6
- 2.4 Proposed Project 7
  - 2.4.1 Phase 1 7
  - 2.4.2 Phase 2 9
  - 2.4.3 Vehicle Circulation 10
  - 2.4.4 Other Site Improvements 10
  - 2.4.5 Utilities 12
  - 2.4.6 Public Services 14
  - 2.4.7 Sustainability Features 14
- 2.5 Construction Details, Phasing, and Timeline 15
- 2.6 Discretionary Actions 16

3 Initial Study Checklist 19
- 3.1 Aesthetics 23
- 3.2 Agriculture and Forestry Resources 30
- 3.3 Air Quality 34
- 3.4 Biological Resources 37
- 3.5 Cultural Resources 47
- 3.6 Energy 53
- 3.7 Geology and Soils 62
- 3.8 Greenhouse Gas Emissions 72
- 3.9 Hazards and Hazardous Materials 74
- 3.10 Hydrology and Water Quality 86
- 3.11 Land Use and Planning 97
- 3.12 Mineral Resources 103
- 3.13 Noise 104
- 3.14 Population and Housing 107

3.15 Public Services 108
3.16 Recreation 115
3.17 Transportation 117
3.18 Tribal Cultural Resources 119
3.19 Utilities and Service Systems 127
3.20 Wildfire 139
3.21 Mandatory Findings of Significance 144

4 References and Preparers 149
4.1 References Cited 149
4.2 List of Preparers 152

APPENDICES

A Biological Resources
A1 Biological Resources Assessment
A2 Tree Survey Report
B Built Environment Inventory and Evaluation Report
C CalEEMod Data
D Phase I and II Environmental Site Assessments
E Hydrology Reports, Phase 1 and Phase 2
F Zero Waste Management Plan

FIGURES

1 Project Location 153
2 Project Site 155
3 Phase 1 Construction 157
4 Phase 1 Landscape Plan 159
5 Phase 2 Construction 161
6 Phase 2 Landscape Plan 163

TABLES

Table 3.6-1. Total Proposed Project Construction Petroleum Demand 56
Table 3.10-1. Proposed Stormwater Treatment 91
Table 3.19-1. Consecutive Dry Year Demand and Supply (million gallons per year) 129

Acronyms and Abbreviations

Acronym or Abbreviation	Definition
AB	Assembly Bill
ABAG	Association of Bay Area Governments
ACM	asbestos-containing material
APN	Assessor's Parcel Number
BAAQMD	Bay Area Air Quality Management District
BAWSCA	Bay Area Water Supply and Conservation Agency
Bay	San Francisco Bay
BMP	best management practice
CAL FIRE	California Department of Forestry and Fire Protection
CalEEMod	California Emissions Estimator Model
CALGreen	California Green Building Standards Code
CARB	California Air Resources Board
CBC	California Building Standards Code
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CGS	California Geological Survey
City	City of Menlo Park
CRHR	California Register of Historical Resources
DTSC	California Department of Toxic Substances and Control
EIR	environmental impact report
ESA	Environmental Site Assessment
EV	electric vehicle
FEMA	Federal Emergency Management Agency
FHSZ	Fire Hazard Severity Zone
GHG	greenhouse gas
HCP	Habitat Conservation Plan
HVAC	heating, ventilation, and air conditioning
kBTU	thousand British thermal units
kWh	kilowatt-hour
LBP	lead-based paint
LEED	Leadership in Energy and Environmental Design
LRA	Local Responsibility Area
LS-B	Life Sciences-Bonus Available zoning district
mgd	million gallons per day
MPFPD	Menlo Park Fire Protection District
MPMW	Menlo Park Municipal Water
MPPD	Menlo Park Police Department
MRP	Municipal Regional Stormwater Permit
MTC	Metropolitan Transportation Commission
NAHC	Native American Heritage Commission

Acronym or Abbreviation	Definition
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
PCE	Peninsula Clean Energy Authority
PG&E	Pacific Gas and Electric Company
Project, Proposed Project	1005 O'Brien Drive/1320 Willow Road Project
RWQCB	Regional Water Quality Control Board
SFPUC	San Francisco Public Utilities Commission
SMCEHD	San Mateo County Environmental Health Department
SUHSD	Sequoia Union High School District
SVCW	Silicon Valley Clean Water
SWPPP	stormwater pollution prevention plan
SWRCB	State Water Resources Control Board
TDM	Transportation Demand Management
UWMP	Urban Water Management Plan
VMT	vehicle miles traveled
WBSD	West Bay Sanitary District
WSCP	Water Shortage Contingency Plan
WWTP	Wastewater Treatment Plant

1 Introduction

1.1 Project Overview

O'Brien Drive Portfolio, LLC (Project sponsor) has submitted an application to the City of Menlo Park (City) requesting approval of various discretionary entitlements in support of the proposed 1005 O'Brien Drive and 1320 Willow Road Research and Development Project (Proposed Project, or Project). The Proposed Project would involve demolition of existing site buildings and construction of two research and development (R&D) buildings, a parking garage, publicly accessible open space, and landscaping within the Bayfront Area of the City.

1.2 Purpose of this Initial Study

This Initial Study has been prepared by the City as the lead agency under the California Environmental Quality Act (CEQA) and in conformance with CEQA (Public Resources Code Section 21000 et seq) and the CEQA Guidelines (Title 14, California Code of Regulations, Chapter 3). The City is the lead agency under CEQA because the City is the public agency with the principal responsibility for approving this Project. The information, analysis, and conclusions contained in this Initial Study form the basis for deciding whether an Environmental Impact Report (EIR), a Negative Declaration, or a Mitigated Negative Declaration should be prepared. Where only certain topic areas warrant analysis in an EIR, the document is referred to as a focused EIR.

In 2016, the Menlo Park City Council adopted an update to the Menlo Park General Plan (herein referred to as ConnectMenlo) that modified the Land Use and Circulation Elements (City of Menlo Park 2016a), which serves as the City's comprehensive and long-range guide to land use and infrastructure development.

Because the General Plan is a long-range planning document, the ConnectMenlo EIR (City of Menlo Park 2016b) was prepared as a program EIR, pursuant to CEQA Guidelines Section 15168. In addition, in January 2023 the City adopted its 2023–2031 Housing Element update and certified a Subsequent EIR that tiers from the ConnectMenlo EIR (City of Menlo Park 2023a). Once a program EIR has been certified, subsequent activities within the program must be evaluated to determine whether additional CEQA review is needed. When subsequent activities are found to be within the program EIR's scope, additional environmental review may not be required (CEQA Guidelines Section 15198[c]), provided that feasible mitigation measures and the alternatives identified in the program EIR are incorporated into subsequent activities (CEQA Guidelines Section 15168[c][3]). If a subsequent activity would have effects that are not within the scope of a program EIR, the lead agency must prepare a new Initial Study, leading to a Negative Declaration, a Mitigated Negative Declaration, or an EIR.

Because the Proposed Project's location and development parameters are consistent with ConnectMenlo, the ConnectMenlo Program EIR and the Housing Element Update Subsequent EIR serve as the first-tier environmental analysis for the Project (e.g., is incorporated by reference pursuant to Sections 15150, 15130, and 15183). However, certain topics are required to be included in a Project-level EIR under the terms of the 2017 *City of East Palo Alto v. City of Menlo Park* Settlement Agreement, which settled a lawsuit regarding the ConnectMenlo EIR, regardless of whether subsequent activities could be within the program EIR's scope.

Section 15168(d) of the CEQA Guidelines provides for simplifying the preparation of environmental documents by incorporating relevant analyses and discussions. Where an EIR has been prepared or certified for a program or

plan, the environmental review for a later activity consistent with the program or plan should be limited to effects that were not analyzed as significant in the prior EIR or effects that could be substantially reduced or avoided (CEQA Guidelines Section 15152[d]). By tiering from the ConnectMenlo EIR and the Housing Element Update Subsequent EIR, the environmental analysis for this Project relies on those EIRs 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 ConnectMenlo EIR and/or Housing Element Update Subsequent EIR for which there is no significant new information or change in circumstance that would require further analysis,
- Assessment of cumulative impacts, and
- Mitigation measures adopted and incorporated in the ConnectMenlo EIR and as modified in the Housing Element Subsequent EIR.

This Initial Study has been prepared to evaluate the potential environmental impacts of the Project and determine what level of additional environmental review is appropriate. In accordance with the requirements outlined in Section 15168 of the CEQA Guidelines, this Initial Study has been prepared to disclose the relevant impacts and mitigation measures covered in the ConnectMenlo EIR and the Housing Element Subsequent EIR and discuss whether the Project is within the parameters of the ConnectMenlo EIR and the Housing Element Subsequent EIR. Based on the findings in this Initial Study, a focused EIR will be prepared for impacts that need further discussion and/or mitigation beyond that provided in the ConnectMenlo EIR and the Housing Element Subsequent EIR. This is discussed in more detail in Chapter 3, Initial Study Checklist.

1.3 Lead Agency

Under CEQA, the lead agency is the public agency with primary responsibility over approval of the Project. The City of Menlo Park is the CEQA lead agency because it is responsible for discretionary approval of the Proposed Project.

1.4 Document Organization

This Initial Study is organized as follows:

Chapter 1: Introduction. This chapter provides an introduction to the environmental review process. It describes the purpose and organization of this document as well as presents a summary of findings.

Chapter 2: Project Description. This chapter provides a detailed description of the Project, including an overview of the existing conditions at and surrounding the Project site, Project objectives and design, and anticipated construction activities.

Chapter 3: Initial Study Checklist. This chapter presents analysis of the Project's potential effects on the environmental resources identified in the CEQA Environmental Checklist and determines if Project actions have the potential to result in impacts that are more severe than impacts identified in the ConnectMenlo EIR or significant impacts that were not evaluated in the ConnectMenlo EIR. The analysis in this Initial Study identifies several environmental resource areas for which more detailed Project-specific analysis is required, which will be presented in the Focused EIR that will be prepared for the Project.

Chapter 4: References. This chapter lists the references used in preparation of this Initial Study.

Chapter 5: List of Preparers. This chapter identifies City and consultant staff involved in preparation of this Initial Study.

2 Project Description

2.1 Introduction

O'Brien Drive Portfolio, LLC (Project sponsor) has submitted an application to the City of Menlo Park (City) requesting approval of various discretionary entitlements in support of the proposed 1005 O'Brien Drive and 1320 Willow Road Research and Development Project (Proposed Project or Project). The Project would include demolition of three existing buildings on the Project site, which contain office, research and development (R&D) and warehouse uses, and construction of two R&D buildings, a parking garage, and open space/pedestrian areas. The reasonably foreseeable and potentially significant adverse environmental effects of the Proposed Project are evaluated in this environmental impact report (EIR). Consistent with CEQA Guidelines Section 15124, the Project description provided in this chapter includes the location and boundaries of the Project site, as shown on a location map and regional map; a statement of the Project objectives; a general description of the Project's technical, economic, and environmental characteristics and supporting public utilities facilities; a description of discretionary approvals necessary to authorize the Project to proceed, including a list of the agencies that are expected to use the Project's CEQA compliance documentation (including this Initial Study and the Project's focused EIR) in their decision making; and a list of permits and other approvals required to implement the Project.

Information has been provided by O'Brien Drive Portfolio, LLC, as the Project sponsor, and by City staff. The following Project description serves as the basis for the environmental analysis contained in this Initial Study. As discussed in Chapter 1, Introduction, based on the findings in this Initial Study, a focused EIR will be prepared for impacts that need further discussion and/or mitigation beyond that provided in the ConnectMenlo EIR and the Housing Element Subsequent EIR. The City will serve as the lead agency with final decision making authority relative to the proposed Project and certification of the EIR.

2.2 Project Location and Existing Conditions

Project Location

The Proposed Project is located in the Bayfront Area of the City (as shown in Figure 2-1, Project Vicinity and Location). The City is located at the southern edge of San Mateo County and is generally bound by San Francisco Bay to the north and east; the cities of East Palo Alto and Palo Alto and Stanford University to the southeast; and Atherton, Redwood City and unincorporated North Fair Oaks to the northwest. Under the City's recent General Plan update, referred to as ConnectMenlo, the Bayfront Area is the focus of future land use changes. The Bayfront Area is generally bound by San Francisco Bay to the north; Redwood City to the west; East Palo Alto to the southeast; and Bay Road and the Menlo Park neighborhoods of Belle Haven, Flood Triangle, Suburban Park, and Lorelei Manor to the south, as shown in Figure 2-1. The Bayfront Area has historically been developed with industrial, warehousing, and office uses.

Existing Development

The 4.22-acre Project site (Assessor's Parcel Numbers [APNs] 055-421-160,055-421-050, and 055-421-060) is located at 1005 O'Brien Drive and 1320 Willow Road (as shown in Figure 2-2). The site is bounded on the north by right-of-way for the Hetch-Hetchy water line and the Mid-Peninsula High School, Willow Road to the west, O'Brien

Drive to the south and two adjoining properties on the east (1035 O'Brien Drive and 10 Kelly Court). Further, the site is located north of United States Route (U.S. Route) 101, south of Bayfront Expressway (State Route [SR] 84), and west of University Avenue (SR 109).

As shown on Figure 2-2, the Project site includes all of the three following contiguous parcels:

- APN 055-421-160 (1320 Willow Road) is 2.20 acres (95,973 square feet) located in the northwestern portion of the Project site and includes one building.
- APN 055-421-050 (985 O'Brien Drive) is 1.00 acre (43,561 square feet) located in the southwestern portion of the Project site and contains one building.
- APN 055-421-060 (1001 O'Brien Drive) is 1.02 acres (44,223 square feet) located in the southeastern portion of the Project site and contains one building.

In addition, approximately 1,230 square feet in the southwest corner of APN 055-421-190, which currently contains a portion of the surface parking lot for 1035 O'Brien Drive, would be added to the Project site while an equal area in the northeast corner of APN 055-421-060 would be added to the 1035 O'Brien Drive parcel, as shown in Figure 2-3. This land swap would be implemented by a lot line adjustment.

Environmental Conditions

This discussion provides an overview of the existing environmental conditions at the Project site. The information presented here is summarized from a range of technical studies that were prepared to support the environmental review process for the Project and are included as technical appendices to this Initial Study. These include:

- Appendix A1 Biological Resources Assessment
- Appendix A2 Tree Survey Report
- Appendix B Built Environment Inventory and Evaluation Report

The Project site is generally flat and is characterized by existing industrial uses within a developed portion of the Bayfront Area (Appendix A1). Specifically, the site consists of three existing office, R&D, and storage buildings totaling 90,631 square feet of building space as well as surface parking. All buildings were constructed between 1961 and 1968 and are single-story (Appendix B). Though the Project site largely consists of impermeable surfaces, including existing buildings and paved roads/parking areas, there is a small area of landscaping along the eastern border of the site as well as 11 trees onsite, with 4 located along the Willow Road frontage and 7 located along the O'Brien Drive frontage (Appendix A2). Sidewalks are present along Willow Road; however, there are no sidewalks on O'Brien Drive, along the southern border of the Project site.

The site is within the Federal Emergency Management Agency (FEMA) Zone AE (FEMA 2019), indicating it is likely to be subject to inundation during a 100-year flood (Appendix A1).

Existing industrial and office uses surround the Project site to the south and east. Some of the existing industrial buildings are leased for non-industrial uses, such as a church located directly west of the Project site. Mid-Peninsula High School is located immediately north of the Project site, with additional industrial and office buildings located north of the school. The area north and northeast of Mid-Peninsula High School is planned for redevelopment under the Willow Village project, which would replace the existing industrial and office buildings with a town square district, a residential/shopping district, and a corporate campus district, including a maximum of 1,730 multi-family

residential units. As shown on Figure 2-1, other schools in the vicinity include Belle Haven School to the west, Bright angel Montessori Academy to the southwest, Costano Elementary School to the northeast, Cesar Chavez Ravenswood Middle School to the southeast, KIPP Valiant Community Preparatory School to the south, Residential development is located west of the site, across Willow Road, as well as further south and east of the Project site (beyond intervening industrial/office uses). The San Francisco Bay is located approximately 0.5 mile north and 1.25 miles east of the Project site.

City of Menlo Park General Plan and Zoning Designations

The Project site is designated under the General Plan as Life Sciences (LS) and is zoned as Life Sciences/Bonus Available (LS-B). Thus, development of the Project site is subject to the requirements of the Menlo Park Municipal Code Chapter 16.44, LS District. The purpose of this zoning designation is to provide opportunity for new life science and R&D uses, and high-tech offices with supportive sales and personal services. Specifically, Section 16.44.010 provides that the purpose and intent of the LS district is to:

(1) Attract research and development and light industrial uses, particularly those that support bioscience and biomedical product development and manufacturing and/or are potentially revenue generating businesses;

(2) Allow administrative and professional office uses and other services that support light industrial and research and development sites nearby;

(3) Provide opportunities for quality employment and development of emerging technology, entrepreneurship, and innovation;

(4) Facilitate the creation of a thriving business environment with goods and services that support adjacent neighborhoods as well as the employment base.

Development regulations for the LS District indicate a base level building height of 35 feet (up to 110 feet with Bonus Level designation), a maximum Floor Area Ratio of 55 percent for life science uses (up to 125 percent with Bonus Level designation), and a minimum open space requirement of 20 percent. The Project proposes to meet the open space requirement in part with publicly accessible open space, including a sports court, to be located in the northeast corner of the site. The Project proposes to utilize the bonus-level development provisions in exchange for payment of the City's in-lieu fee for community amenities.

The ConnectMenlo General Plan and zoning designations applied to the Project site extend to other properties in the Project vicinity. Specifically, surrounding uses are designated in ConnectMenlo as office uses, with zoning designations that include Office-Bonus (O-B), Life Sciences (LS), Residential Mixed Use (R-MU), and High Density Residential (R4) (City of Menlo Park 2016a).

2.3 Project Objectives

CEQA requires an EIR to include a statement of objectives for the Proposed Project, including the underlying purpose of the Project. As noted in the CEQA Guidelines, these objectives help the lead agency to determine which Project alternatives to evaluate in the EIR (Guidelines 15124(b)). The overarching intent of the Proposed Project is to deliver R&D uses that would support life science tenants within the Bayfront Area of the City, consistent with the General Plan and zoning, in addition to providing publicly accessible open space uses. More specifically, the objectives for the Proposed Project are as follows:

- To build a new cutting-edge life science building that will cater to the Bay Area and Stanford entrepreneurial community, as well as life sciences companies both regionally and nationally, by providing space for reliable laboratory and research uses, with accessory office areas and tenant amenities such as private outdoor areas.
- To develop an environmentally sustainable, high-quality aesthetic facility with the flexibility to accommodate a single life science tenant or meet the needs of multiple tenants.
- To create a Project that grows a broad socioeconomic base of jobs as well as a business-to business tax base for the City of Menlo Park.
- To develop space that will accommodate life science employees and jobs in the new Life Sciences district.
- To provide or pay in-lieu fees to fund community amenities for surrounding neighborhoods consistent with ConnectMenlo goals and policies.
- To achieve Leadership in Energy and Environmental Design (LEED) Gold certification or equivalent.
- To enhance public accessibility from O'Brien Drive and Willow Road to potential future public open spaces along the Hetch Hetchy aqueduct easement, while providing private (non-public) open space opportunities onsite

2.4 Proposed Project

The Proposed Project would include demolition of existing onsite buildings, construction of two R&D buildings and one parking structure, and development of open space, landscaping, and a sports court. The Project would be developed in two phases, as further described below. A lot line adjustment is proposed to merge the existing three parcels that comprise the Project site into a single parcel and relocate the boundary between APN 055-421-190 and APN 055-421-060 to accommodate the proposed site layout and internal vehicular circulation.

2.4.1 Phase 1

Phase 1 of the Project would include:

- Demolition of 985 O'Brien Drive and 1001 O'Brien Drive buildings (total 40,586 square feet) and demolition of the eastern half of 1320 Willow Road (approximately 24,032 square feet),
- Lot line adjustment in the central portion of the site to combine the existing parcels at 985 and 1001 O'Brien and the eastern portion of the parcel at 1320 Willow Road into a single parcel and to make the eastern property line perpendicular to O'Brien Drive, which would bring the western portion of the surface parking lot for 1035 O'Brien Drive into the Project site,
- Construction of one R&D building with 154,581 square feet at 1005 O'Brien Drive,
- Construction of chemical storage enclosure and solid waste/recycling enclosure, and installation of an emergency generator and enclosure west of the 1005 O'Brien Drive building,
- Construction of a five-level parking garage,
- Restriping existing asphalt south of the building at 1320 Willow Road to create surface parking, and
- Construction of landscaping, open space, and designated pedestrian areas.

Phase 1 of the Project would involve demolition of the existing buildings at 985 O'Brien Drive and 1001 O'Brien Drive. The eastern portion of the existing building at 1320 Willow Road would be removed as well, while the remaining western portion would be removed during Phase 2 of the Project and would remain in use until then.

During Phase 1, it is anticipated that the current tenant in the western side of 1320 Willow would continue operations. Once buildings at 985 O'Brien Drive and 1001 O'Brien Drive are demolished, a lot merger and lot line adjustment would take place in the central portion of the site to create a single parcel to contain the proposed building at 1005 O'Brien and the parking garage. A lot line adjustment would also take place along the southeast portion of the site to align the property line perpendicular to O'Brien Drive, as shown in Figure 2-3.

Phase 1 construction would include a new building at 1005 O'Brien Drive that would consist of approximately 155,000 square feet in 5 stories. A deck would be constructed on the southeast corner of the roof, to include seating areas, plants, and a trellis. The building would be primarily used for and designed to accommodate life science tenants. The Project sponsor's life science tenants in other nearby buildings have typically consisted of companies that design medical devices and services, develop clean technology products, and engineer environmentally sustainable foods. To accommodate such uses, the building would include 30 to 45 percent office space and 55 to 70 percent laboratory space.

Phase 1 also includes construction of a parking garage to accommodate vehicles for onsite users, totaling 139,500 square feet. During operation of Phase 1, four out of the five parking garage floors would be open for vehicular use and access to Level 5 would be blocked by bollards that could be removed for fire department/emergency access only. At completion of Phase 1, the four levels in the parking garage would provide 336 parking spaces, 102 of which would include electric vehicle (EV) charging stations, and an additional 50 would be "EV Ready," meaning conduit would be installed below the parking space surface to support future installation of additional EV charging stations.

Building Materials

The new buildings would be constructed using neutral-colored glass fiber reinforced concrete, reinforced metal, as well as tinted blue and clear (bird-safe) glass windows. Ceramic glass patterns would be applied to the building windows to reduce window glare, block sun/heat into the building, and reduce the potential for bird-strike occurrences.

Phase 1 Landscaping and Open Space

Under Phase 1, the Project proposes to remove ten trees: seven onsite trees, all of which are identified as heritage trees as defined in Menlo Park Municipal Code Chapter 13.24, Heritage Trees, plus three non-heritage trees from the adjacent parcel to accommodate changes in vehicular circulation and surface parking in the area of the proposed lot line adjustment.

During this phase, the Project would include development of approximately 38,559 square feet of open space, of which approximately 21,633 square feet would be publicly accessible, as shown in Figure 2-4. Landscaping would include planting 100 new trees. Open space would be situated along the northern and southern border of the site as well as the central portion of the site and would include the following components:

- meandering pedestrian paths/walkways,
- a main entry plaza,
- bioretention areas for stormwater,
- public gathering space,
- public seating and gathering areas,

- picnic and bistro tables,
- a sports court,
- outdoor terrace and activity space, and
- flex turf space (with emergency access).

2.4.2 Phase 2

Phase 2 of the Project would include:

- Demolition of the remaining western portion of the building at 1320 Willow Road (approximately 26,013 square feet);
- Construction of one R&D building at 1320 Willow Road consisting of 73,500 square feet;
- Construction of one full additional floor and one partial additional floor within the parking garage structure, resulting in a final seven-level garage with 6.5 floors of parking;
- Construction of chemical storage enclosure and solid waste/recycling enclosure south of the 1320 Willow Road building and west of the 1005 O'Brien Drive building, and installation of an emergency generator; and
- Construction of additional landscaping, open space, and designated pedestrian areas.

The remaining portion of the existing building at 1320 Willow Road would be demolished during Phase 2. Following demolition, the Project would construct an approximately 73,500 square-foot, four-story, building, as shown on Figure 2-5. The building would be intended for and designed to accommodate life science tenants. Similar to the building proposed at 1005 O'Brien Drive, the 1320 Willow Road building would also include 30 to 45 percent office space and 55 to 70 percent laboratory space. Construction of the 1320 Willow Road building would use building materials similar to the 1005 O'Brien Drive building, including neutral-colored glass fiber reinforced concrete, reinforced metal, and tinted blue and ceramic glass window patterns to reduce bird strikes. A roof deck would be constructed on the northern side of the building, to include seating areas, plants, and a trellis.

Phase 2 would also involve construction of one full additional parking garage floor and one partial additional parking garage floor, resulting in a total of 172,800 square feet. Construction staging for Phase 2 would occur on parking level 5 as well as outside the parking garage, within the Project site. At completion of Phase 2, 191 additional parking spaces would be added to the parking garage, 57 of which would include EV charging stations and 29 EV Ready, for a total of 527 parking spaces (159 with EV charging stations and 79 EV Ready).

Phase 2 Landscaping and Open Space

In Phase 2, the Project proposes to remove an additional three onsite trees, two of which are heritage trees and one non-heritage. The Project design preserves one existing tree onsite, which is a heritage tree.

During Phase 2, approximately 20,785 square feet of additional open space would be created within the Project site, of which approximately 9,902 square feet would be publicly accessible, and 45 additional trees would be planted (see Figure 2-6). New open space developed during this phase would be primarily located along the northwest and western boundary of the site and would include additional walking/pedestrian pathways, public gathering spaces, a public plaza, bioretention areas, public seating areas, bike racks, and a main entry plaza to the 1320 Willow Road Building along Willow Road. The public plaza is envisioned to function as a central gathering

space site within the open space area and would consist of a concrete pad with a trellis and backdrop screening and flexible seating, suitable for picnics and similar activities.

2.4.3 Vehicle Circulation

Site Access

Site Access is currently provided along Willow Road, on the western site boundary, and along O'Brien Drive to the south. There is limited pedestrian infrastructure in the Project area. There are existing sidewalks along Willow Road; however, no sidewalks are present on O'Brien Drive, along the southern border of the Project site.

Vehicular access to the site is currently provided by seven driveways off of O'Brien Drive which is proposed to be consolidated to a single driveway located along the west side of the proposed building at 1005 O'Brien Drive. Along the eastern property boundary, the existing driveway that provides access to 1035 O'Brien Drive would be used and an internal vehicular connection would be created to allow access between the Project parking lot and the parking lot at 1035 O'Brien Drive. There is also one existing driveway off of Willow Road that provides access to the western portion of the site; no change to this driveway is proposed.

Parking

As described above, upon completion of Phase 2, the Project would include a 7-level parking garage with 527 parking spaces available for site users. Of these spaces, 159 spaces would include EV charging stations and 79 spaces would be EV Ready.

Enclosed long-term bicycle parking would be provided in the parking garage, as well as in both the R&D buildings. Outdoor short term bicycle parking would also be provided in the western portion of the site, west of the 1320 Willow Road building, in the southern portion of the Project site, at the southeast corner of the 1005 O'Brien Drive building, and in the northern portion of the site, north of the parking garage. In total, 48 long-term and 20 short-term bicycle parking spaces would be provided.

Emergency Access

Emergency and fire access would be provided throughout the site. Specifically, fire lanes would be striped along O'Brien Drive on the southern boundary of the Project site, along the west side of the proposed parking garage, and between 1005 O'Brien Drive and the parking garage. A fire truck turnaround area would be designated within the central area of the site with access to each of the proposed buildings. Additionally, no on-street parking would be permitted along the Project site frontage on O'Brien Drive.

2.4.4 Other Site Improvements

Landscaping

As described above, landscaping would be incorporated in both Phases 1 and 2 of the Project. Approximately 59,344 square feet of open space would be developed, of which approximately 31,535 square feet would be available and accessible to the public (Tarlton Properties 2023). Landscaping would be provided throughout the site including within public open spaces (e.g., flex turf space, meandering pedestrian walkways/paths, gathering/event space, and seating on benches and at tables). Drought tolerant plantings and trees would be

incorporated as part of site landscaping. In addition to new plantings, public water/drinking fountains, ornamental areas with natural rocks, and games such as ping pong and cornhole would also be incorporated throughout the site.

The site would offer amenities accessible to the general public as well as amenities available only to site users. Public amenities focused along the northern site boundary would include active space (i.e., sports court and public event areas) and semi-active space (i.e., public gathering and respite areas). Additional public open space located on the south and west sides would include meditative space (i.e., strolling paths and seating areas) as well as a walking path that provides access from Willow Road on the west to the sports court area. Private amenities would include seating and tables, public gathering areas, and activity spaces, in addition to building entry plazas. Private amenities would be located between the proposed parking garage and the building at 1005 O'Brien Drive as well as on the roof deck on the 1005 building. These private spaces would only be accessible to building tenants and visitors.

As previously discussed, the Project would remove ten existing trees from the Project site and adjacent parcel in Phase 1 and remove an additional three onsite trees in Phase 2, preserving one onsite heritage tree. Approximately 100 new trees would be planted within the site as part of Phase 1 and an additional 45 new trees would be planted onsite as part of Phase 2. Trees would be located around pedestrian walking paths, public gathering areas, and within the proposed entry and public event plazas. New trees would consist of 14 street trees along O'Brien Drive (including trident maple, emerald sunshine elm, and wireless zelkova), 23 screening trees along the Project site's northern boundary (including Canary Island pine and coast live oak), 63 canopy trees located throughout the site (including October glory maple, autumn gold ginkgo, Keith Davey Chinese pistache, London plane tree, and Chinese elm), and 45 accent trees located throughout the site (including arbutus marina, western redbud, Brisbane box, Muskogee crape myrtle, and Chinese elm).

Project site landscaping would be required to comply with the City's Water-Efficient Landscaping ordinance (Municipal Code Chapter 12.44), which provides criteria for water conservation, soil management, irrigation, and stormwater management.

Bioretention Areas

The City of Menlo Park lies within the jurisdiction of San Francisco Bay Regional Water Quality Control Board (RWQCB) (Region 2) and the city is a co-permittee of the Municipal Regional Stormwater Permit (MRP; Order No. R2-2015-0049) and National Pollutant Discharge Elimination System (NPDES) Permit No. CAS612008. Under Provision C.3 of the MRP, the co-permittees use their planning authorities to include appropriate source control, site design, and stormwater treatment measures in new development and redevelopment projects to address both soluble and insoluble stormwater runoff pollutant discharges and prevent increases in runoff flows from new development and redevelopment projects. The Proposed Project is subject to the MRP requirements because it meets the definition of a regulated project under MRP section C.3.b.ii.(3)(a).

Accordingly, the Project design incorporates bioretention areas throughout the site to provide for onsite stormwater management and treatment by collecting water runoff in vegetated areas. Approximately 4,490 square feet of stormwater treatment areas would be provided in the Phase 1 portion of the Project site, while Phase 2 would introduce an additional 1,020 square feet of stormwater treatment areas (Tarlton Properties 2023). These bioretention areas would be designed as vegetated basins and swales incorporated into the landscaping along the Project site frontages on O'Brien Drive (Phase 1) and Willow Road (Phase 2). A Hydrology Report was prepared for each of the two Project phases; these reports are included in this Initial Study as Appendix E. The size and design of these areas were determined based on the size of the drainage basin each serves and the extent of impervious

surfaces within that basin, and each would be sized slightly larger than the required size under the San Mateo County C.3 Manual guidelines (Appendix E and Tarlton Properties 2023).

Lighting

Project lighting would be incorporated for building and site security and accessibility. Exterior building lights would be angled downward to prevent light pollution onto sensitive receptors, while security lighting throughout the site may consist of lighted pathways and gathering areas. Project site lighting must comply with the design standards for the LS-B District (Municipal Code Section 16.44.120), which require, in part, that lighting be designed to a pedestrian scale, that light fixtures be placed no more than 40 feet apart, that parking areas be well lit for safety, and that lighting fixtures and sources be energy efficient.

2.4.5 Utilities

The Project would include connections to existing infrastructure within the Project vicinity as described in the following paragraphs. Utility connections would extend from the public right-of-way to the interior of the Project site. While the Project is designed to tie into existing storm drain lines and water mains, it also includes points of connection to future storm drain, watermain, and reclaimed water lines that are anticipated to be installed in O'Brien Drive as a separate and unrelated project, described below.

Water

Potable water service to the Project site is provided by Menlo Park Municipal Water (MPMW). The existing water system within the Project vicinity includes a 10-inch water main that runs along the O'Brien Drive frontage between the curb and property line.

The MPMW 2018 Water System Master Plan identified a deficiency regarding the volume of water provided by the existing water main and found that a 12-inch main would be required to serve the O'Brien Drive life sciences service area. Accordingly, the City is in the process of developing a plan with property owners/project sponsors in the vicinity of the Project site for upsizing the existing water main. The water main would be upsized prior to occupancy of any new buildings within the life sciences service area. The Proposed Project's participation would be ensured through Project Conditions of Approval. The potential impacts and effects of the upgraded waterline in O'Brien Drive were analyzed in the Final EIR for the 1350 Adams Court Project (SCH#2018122017; City of Menlo Park 2022a). The Final EIR, which included the upgraded waterline in O'Brien Drive, was certified by the City of Menlo Park Planning Commission on September 12, 2022, and is available for review on the City's website. No additional study or discussion of waterline construction is required or intended as part of the EIR for the Proposed Project, as the certified 1350 Adams Court Project EIR satisfies the requirements of CEQA as to the waterline.

As part of Project construction activities in Phases 1 and 2, multiple service connections to the existing buildings would be removed and new connections to the MPMW water main would be provided for the new buildings. This would include separate connections for fire service and domestic water. The new fire service connections include backflow preventers and two new sprinkler risers for each of the buildings and parking garage would be installed. In addition, purple pipe will be installed for connection to future recycled water service when it becomes available. The Proposed Project would include water-conserving plant material and irrigation systems, in compliance with the Water-Efficient Landscape Ordinance.

The Project is anticipated to result in a total water demand of 20,245 gallons per day (gpd) of potable water, which includes 13,585 gpd under Phase 1 and an additional 6,660 gpd with completion of Phase 2.

Wastewater

Wastewater collection and conveyance to and from the Project site is provided by West Bay Sanitary District. Existing wastewater infrastructure is located within O'Brien Drive, including an 18-inch sanitary sewer line, as well as an 8-inch sanitary sewer line in Willow Road. The Project would tie into this existing wastewater infrastructure. Project-generated wastewater is calculated as a percent of the daily water demand and is dependent on Project waste fixtures (i.e., sinks, toilets), irrigation, etc. Wastewater generation is calculated as a percentage of the daily water demand. The Project is estimated to generate 11,696 gpd of wastewater, which includes 7,906 gpd under Phase 1 and an additional 3,790 gpd with completion of Phase 2.

Stormwater

The Project site contains existing stormwater infrastructure that collects runoff from paved parking areas, building surfaces, and hardscape areas and discharges directly into existing storm drain mains. Specifically, there is an existing 10-inch storm drain located along the northeastern portion of the site and a 10-inch drainage easement located along the eastern border of the existing 965 O'Brien Drive building.

Currently, approximately 98 percent of the Project site is covered with impervious surface. The Project would reduce the extent of impervious surfaces by approximately 23,346 square feet in Phase 1 and a total of 9,620 square feet in Phase 2. Of the impervious surface reduction that would occur during construction of Phase 2, 6,264 square feet would be located within the Phase 2 area while 3,356 square feet would be located within the Phase 1 area (Tarlton Properties 2023). This additional reduction in the Phase 1 area would result from replacing a portion of the building at 1320 Willow Road with landscaping as shown in Figures 5 and 6.

Stormwater and water runoff generated at the Project site would be drained by a new on-site storm drain system, which is required to meet stormwater quality control requirements outlined in the C.3 Regulated Projects Guide of the San Mateo County Water Pollution Prevention Program. Additionally, under Menlo Park Municipal Code Section 16.44.120, landscaping is required to be provided within a minimum of 25 percent of the setback area for the Project site frontages on O'Brien Drive and Willow Road, and to provide green infrastructure through on-site infiltration of stormwater runoff, such as bioretention basins and planters, within at least 50 percent of these landscaped areas. As part of this requirement, the Project would incorporate green infrastructure and stormwater treatment measures (i.e., bioretention basins, planters) within landscaped portions of the Project's off-site frontages that would treat runoff within the public right-of-way.

The proposed on-site storm drain system would collect runoff from the limited areas of surface parking on the eastern side of the Project, drive aisles, building roofs, and hardscape areas and convey it to bioretention basins/planters for stormwater treatment. After treatment, stormwater would be routed to the existing storm drain network surrounding the Project site (Tarlton Properties 2023). Because the Project would reduce the amount of impervious surface within the Project site and would provide on-site infiltration of stormwater runoff, the volume and rate of stormwater runoff would also be reduced.

Energy and Natural Gas

The Project site is served by Pacific Gas and Electric Company (PG&E) for electrical service. There is an existing 2-inch natural gas line within Willow Road and an existing electric line located off of Willow Road. The Project would include construction of a new underground electrical system connecting to the existing service on Willow Road.

Solid Waste Disposal

Most residents in the City are served by Recology San Mateo County for solid waste, recyclables, and composting collection, and businesses may also elect to contract with Recology, although other providers are available for business contracts. The Project plans have already been reviewed by Recology and determined acceptable for service levels and locations (Recology 2022). Solid waste generated in the City is disposed of at a number of local landfills. The Project would implement a Zero Waste Management Plan to minimize solid waste generation. This would include providing sorting stations for garbage, recycling, and organics; installing refillable water bottle stations, providing reusable hand towels/racks and/or hand dyers; and installing dishwashers in any kitchen areas (if included).

2.4.6 Public Services

The Project site would be served by the City of Menlo Park Police Department from the Menlo Park Police Station, approximately 2 miles southwest of the Project site, at 701 Laurel Street. Fire protection would be provided by the Menlo Park Fire Protection District (MPFPD). The closest fire station to the Project site is Station 77, approximately 0.5 miles northwest, at 1467 Chilco Street. The fire district would review the proposed building plans, including fire hydrant placement and emergency vehicle access and circulation, prior to issuance of building permits.

2.4.7 Sustainability Features

The following sustainable features would be part of the Proposed Project:

- 5-kilowatt rooftop photovoltaic system on the 1005 O'Brien Drive building
- 1005 O'Brien Drive Building would achieve LEED Gold, 1320 Willow Road Building would achieve LEED Silver
- High-efficiency (LED) lighting
- Outlets for charging EVs
- Low volatile organic compound–emitting coatings and sealants
- Enhanced ventilation, filtration, and cleaning protocols for better indoor environmental quality
- Transportation Demand Management (TDM) Program
- 100% renewable electric power(subject to possible use of natural gas instead of renewable electricity for space conditioning, appliances, or laboratory equipment if permitted by the City pursuant to Municipal Code Chapter 12.16, which allows use of natural gas in non-residential buildings containing a scientific laboratory if documentation is provided that demonstrates electricity is not feasible for this purpose)
- Dual plumbed for use of recycled water when it becomes available
- Bioswales and on-site water infiltration to reduce stormwater runoff
- Low-water native plantings
- Zero-waste management plan

2.5 Construction Details, Phasing, and Timeline

The proposed site design accommodates sea-level rise, and all proposed ground-level building floors would be raised 2 feet above the 12.8 feet FEMA base flood elevation, per the requirements of Menlo Park Municipal Code Section 16.44.130(4).

Demolition, Grading, and Construction

All existing buildings on the Project site (1320 Willow Road, 985 O'Brien Drive, and 1001 O'Brien Drive) as well as site pavement would be demolished, and approximately 3.17-acres of the Project site would be graded. Construction debris, such as concrete building foundations, asphalt pavement, and building materials, would be collected and hauled off site for disposal in accordance with Chapter 12.48 of the Menlo Park Municipal Code which establishes landfill diversion requirements for construction and demolition debris. Approximately 8,400 cubic yards of demolition waste would be generated by the Project.

Up to 2,190 cubic yards of soils would be removed from the Project site for excavation, utility trenching, and foundations. A total of 7,690 cubic yards of soils would be imported to the Project site to raise the site elevation 2 feet above the base flood elevation. Excavation would be needed for construction of bioretention areas, which would typically be approximately 3 feet below the final floor elevation for each building, and for installation of elevator pits, which would typically be up to 5 feet below grade. Excavation would also occur when auger cast piles are drilled. These would extend approximately 85 feet below grade and for construction of the foundation mat slab. Impact pile driving would not be required.

Construction Phasing and Timeline

If approved, construction of Phase 1 of the Project is anticipated to begin immediately after Project approval and would last approximately 21 months. Phase 2 is anticipated to begin after the completion of Phase I as early as Spring 2025. However, an existing business would continue to occupy 1320 Willow Road for the duration of Phase 1 and could remain in place through 2034. Phase 2 could therefore begin as late as 2034, and a Development Agreement is requested to accommodate this future phasing. Phase 2 construction would occur over a duration of 15 months.

In Phase 1, building demolition is expected to require approximately 30 work days, followed by 10 days of site preparation (e.g., clearing and grubbing), then 30 days of grading, and 300 days of building construction. This phase would be completed with paving and application of architectural coatings requiring 20 days.

Under Phase 2, demolition of the remaining portion of the building on Willow Road is expected to require approximately 20 days, followed by 5 days of site preparation and 20 days of grading. Construction of the new Willow Road building and two additional levels of the parking garage would require 230 days. The first four levels of the garage would remain available for tenant and visitor use during Phase 2 construction. The surface parking lot and vehicle drive aisles would be resurfaced, requiring five days. Application of architectural coatings would require 15 days.

Construction staging would take place within the confines of each respective component; however, if a portion of the Project is not under construction, that component would be used for staging, which would include material and equipment storage, and construction trailer parking.

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

2.6 Discretionary Actions

City Approvals

As lead agency for consideration of the Proposed Project, the City would be responsible for many of the approvals required for Project development. The Project would require the following City discretionary approvals:

- **Use Permit**. Use permit for bonus-level development, per Menlo Park Municipal Code Chapter 16.82, and for the use and storage of hazardous materials for two diesel generators.
- **Architectural Control**. Per Menlo Park Municipal Code Chapter 16.68, architectural control review and approval of the specific building design.
- **Lot Line Adjustment and Lot Merger**. Lot line adjustment and lot merger to merge the existing 985 and 1001 O'Brien Drive parcels, alter the lot lines between 1001 O'Brien Drive and the neighboring 1035 O'Brien Drive, and to merge the newly created 1005 O'Brien Drive parcel with the 1320 Willow Road parcel.
- **Development Agreement**. A Development Agreement is requested to allow for Project phasing through 2034.
- **Heritage Tree Removal Permit**. A tree removal permit would be required for each heritage tree proposed for removal, per Menlo Park Municipal Code Section 13.24.040.
- **Community Amenity Approval.** Planning Commission approval of the proposed community amenity in-lieu fee payment as required by Menlo Park Municipal Code Section 16.44.070 to allow for bonus-level development within the LS-B zoning district.
- **Below-Market-Rate Housing In-Lieu Fee Approval**. Planning Commission approval of payment of the Below-Market-Rate Housing Program in-lieu fees per Menlo Park Municipal Code Section 16.96.03.
- **Natural Gas Usage Approval.** City approval for use of natural gas for space conditioning, appliances, or laboratory equipment per Menlo Park Municipal Code Section 12.16,010 which allows use of natural gas in non-residential buildings containing a scientific laboratory if documentation is provided that demonstrates use of electricity would be infeasible or not cost-effective.
- **Environmental Review**. This would include circulating a Notice of Preparation, including this Initial Study, for public review, and preparation, public review, and certification of a focused EIR, with approval of a Mitigation Monitoring and Reporting Program and possibly the need for a Statement of Overriding Considerations to the extent the Final EIR discloses any potentially significant impacts that cannot be mitigated to less-than-significant levels.

Responsible and Trustee Agencies

Section 21104 of the California Public Resources Code requires that all EIRs be reviewed by state responsible and trustee agencies (see also 14 CCR 15082 and 15086[a]). As defined by CEQA Guidelines Section 15381, "the term 'Responsible Agency' includes all public agencies other than the Lead Agency which have discretionary approval power over the project." A trustee agency is defined in CEQA Guidelines Section 15386 as "a state agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of

California." There are no such resources that could be affected by this Project and thus there are no applicable trustee agencies.

Other Agency and Service District Reviews and Approvals

This EIR may be used by other agencies and service districts that have some approval authority over the Proposed Project (e.g., to issue a permit). The Project sponsor would obtain all permits, as required by law. The following list identifies the other agencies and service districts that may rely on this EIR when considering the Proposed Project and the general review and approval responsibilities for each entity.

- Bay Area Air Quality Management District: Permit for asbestos removal during demolition; permit for on-site generators;
- California Department of Transportation: Review of traffic circulation effects and consultation on potential traffic improvements that may affect state highway facilities, ramps, and intersections;
- California Regional Water Quality Control Board/San Mateo Countywide Water Pollution Prevention Program: Approval of National Pollutant Discharge Elimination System permit for stormwater discharge;
- City/County Association of Governments of San Mateo County: Review of potential effects on Routes of Regional Significance;
- Menlo Park Fire Protection District: Site Plan Review;
- Menlo Park Municipal Water: Approval of water hookups;
- PG&E: Approval of electric/natural gas improvements and connection permits;
- San Francisco Public Utilities Commission: Approval for encroachment into Hetch Hetchy aqueduct easement, if necessary based on final Project design and construction plans; no such encroachment is currently anticipated;
- San Mateo County Environmental Health Services Division: Review of on-site generators;
- San Mateo County Transportation Authority: Review of potential effects on public transit;
- San Mateo County Water Pollution Prevention Program: C.3 and C.6 Development Review Checklist; and
- West Bay Sanitary District: Approval of wastewater hookups.

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3 Initial Study Checklist

1. **Project title:**

   1005 O'Brien Drive and 1320 Willow Road Life Sciences Project

2. **Lead agency name and address:**

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

3. **Contact person and phone number:**

   Chris Turner, Associate Planner
   650-330-6724

4. **Project location:**

   1005 O'Brien Drive and 1320 Willow Road, Menlo Park, CA 94025

5. **Project sponsor's name and address:**

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

6. **General plan designation:**

   Life Sciences (LS)

7. **Zoning:**

   Life Sciences/Bonus Available (LS-B)

8. **Description of project. (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary):**

   Refer to Section 2, Project Description.

9. **Surrounding land uses and setting (Briefly describe the project's surroundings):**

   The Project site is surrounded by existing industrial and office uses to the south and east. The Hetch Hetchy aqueduct right-of-way owned by the San Francisco Public Utilities Commission (SFPUC) runs along the northern boundary. Mid-Peninsula High School is approximately 100 feet north of the Project site, with additional industrial and office buildings (including the Willow Village development) located north of the

school. Residential development is located west of the site, across Willow Road, as well as further south and east of the Project site (beyond industrial/office uses). The San Francisco Bay is located approximately 0.5 mile north and 1.25 miles east of the Project site.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or agreement):

- City of Menlo Park: Use Permit, Architectural Control, Lot Line Adjustment, Development Agreement, Heritage Tree Removal Permit, Community Amenity Approval, Below-Market-Rate Housing In-Lieu Fee Approval, and Environmental Review.
- Bay Area Air Quality Management District: Job Number (J) Permit for asbestos removal during demolition; permits for on-site generators, boilers, and other utility equipment
- California Department of Transportation: Review of traffic circulation effects and consultation on potential traffic improvements that may affect state highway facilities, ramps, and intersections
- California Regional Water Quality Control Board/San Mateo Countywide Water Pollution Prevention Program: Approval of National Pollutant Discharge Elimination System permit for stormwater discharge
- City/County Association of Governments of San Mateo County: Review of potential effects on Routes of Regional Significance
- Menlo Park Fire Protection District: Site Plan Review
- Menlo Park Municipal Water: Approval of water hookups
- PG&E: Approval of electric/natural gas improvements and connection permits
- San Francisco Public Utilities Commission: Approval for encroachment into Hetch Hetchy aqueduct easement, if necessary based on final Project design and construction plans; no such encroachment is currently anticipated
- San Mateo County Environmental Health Services Division: Review of on-site generators
- San Mateo County Transportation Authority: Review of potential effects on public transit
- San Mateo County Water Pollution Prevention Program: C.3 and C.6 Development Review Checklist
- West Bay Sanitary District: Approval of wastewater hookups

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

In accordance with Assembly Bill (AB) 52, the City provided notification of the Proposed Project to the following Native American tribes in November 2022:

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

The 30-day review period concluded in December 2022. As of May 2023, none of the above listed tribes have requested consultation and no responses to the notifications were received. Refer to Sections 3.5, Cultural Resources, and 3.18, Tribal Cultural Resources for more information.

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this Project, involving at least one impact that is a "Potentially Significant Impact," as indicated by the checklist on the following pages. Mitigation measures have been included in this Initial Study to reduce significant or potentially significant impacts to cultural resources and tribal cultural resources to less-than-significant levels. Thus, those potential impacts have been fully addressed in this Initial Study and will not be further discussed in the focused EIR. The other environmental factors checked below will be addressed in the focused EIR.

☐ Aesthetics	☐ Agriculture and Forestry 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	☒ 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:

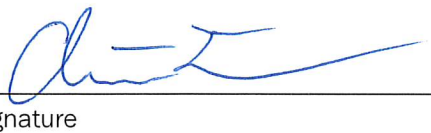
☐ I find that the Proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ 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 ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the Proposed Project, nothing further is required.



Signature

6/1/23

Date

Evaluation of Environmental Impacts

3.1 Aesthetics

	Further Evaluation Needed in EIR	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS – Except as provided in Public Resources Code Section 21099, 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 non-urbanized 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?	☐	☐	☐	☒	☐

Environmental Setting

As described in Section 2, Project Description, the Project site is located on the eastern side of the Bayfront Area of the City. The site comprises approximately 4.22 acres and is bounded on the north by the right-of-way for the Hetch-Hetchy water line and Mid-Peninsula High School beyond, Willow Road to the west, O'Brien Drive to the south and two adjoining properties on the east (1035 O'Brien Drive and 10 Kelly Court) which both support existing office uses. The Project site is characterized by existing industrial uses within a developed portion of the Bayfront Area and consists of three existing buildings that contain office, R&D, and warehouse uses.

As discussed in Section 2.2 and shown in Figure 2-1, the Proposed Project is located in the Bayfront Area of the City). The Bayfront Area has historically been developed with industrial, warehousing, and office uses but under ConnectMenlo, it is the focus of future land use changes (City of Menlo Park 2016a). Specifically, multi-family housing is currently permitted in some parts of the Bayfront Area but not in the LS district. The road network in the Bayfront Area includes US 101, divided arterial roads (e.g., Willow Road, Bayfront Expressway, Marsh Road), and local streets, which vary in width (many are without sidewalks). The local streets are laid out in an ad-hoc pattern to serve groups of parcels. Building placement and landscaping vary, but buildings are usually surrounded by parking or other paved areas on all sides; siting and landscaping do not fit a consistent pattern. Almost all buildings have flat roofs,

many are rectangular in form, and most have metal or cementitious exterior wall materials. In general, buildings in the Bayfront Area range from one to three stories in height. The contrast between the differing land uses and the natural setting of the Bay to the north provides limited unity and inconsistent visual patterns.

The City has not designated any scenic vistas or corridors within the Project vicinity. According to the ConnectMenlo EIR, views of the Santa Cruz Mountain Range and foothills, the Bay, and San Francisquito Creek are considered to be scenic vistas (City of Menlo Park 2016b). However, there are no views from the Bayfront Area to the Santa Cruz Mountain Range and foothills to the south or of San Francsiquito Creek to the west. The ConnectMenlo EIR also found that the relatively flat topography combined with the existing level of development throughout the Bayfront Area generally limits the opportunity for views of scenic vistas and other long-range views from street-level public viewing areas. In addition, mature trees and vegetation provide visual separation and screening between existing buildings and along streets. Visual resources to the north, such as the Bay, the hilly open space at Bedwell Bayfront Park (Bayfront Park), the salt marshes, Don Edwards San Francisco Bay National Wildlife Refuge, and Dumbarton Bridge, are generally not visible from the majority of vantage points in the vicinity of the Proposed Project; these resources are visible only from areas immediately adjacent to Bayfront Expressway. No scenic resources, such as rock outcroppings, cliffs, or knolls, are present in the Proposed Project's vicinity, although mature trees are present throughout the area.

The ConnectMenlo EIR identified seven distinct subareas within the Bayfront Area for the purpose of describing existing general characteristics and development patterns. The Project site is within the O'Brien Drive subarea. As explained in the ConnectMenlo EIR, the parcels and buildings fronting O'Brien Drive are relatively small compared with the rest of the commercial lots in the Bayfront Area, making it a unique subarea. Winding block patterns define O'Brien Drive and connect to Willow Road and University Avenue. Historically, this area has been developed with one-story tilt-up buildings, typified by utilitarian architecture and minimal windows/openings, with small parking areas located in the front setback and limited side and rear setbacks – smaller than similar types of development in other Bayfront subareas. However, recent development applications have proposed larger buildings up to the maximum Floor Area Ratio proposed under ConnectMenlo, with either structured parking or surface lots located towards the back of the properties. Newer buildings show more articulation and include mirrored or colored windows/openings on the ground and upper floors and typically range from two to three stories in height (City of Menlo Park 2016b). O'Brien Drive is generally lined with mature trees.

The Project site is also part of the Menlo Park Labs campus, which comprises a variety of life science and biotech companies. The entire campus provides approximately 1.4 million square feet of building space and includes landscaping, surface parking lots, onsite food services, and recreational facilities for tenants (Tarlton Properties 2021). The recently approved development at 1350 Adams Court is under construction and will add another 260,000 square feet of building space to the campus.

Existing industrial and office uses within this campus surround the Project site to the south and east. Some of the existing industrial buildings are leased for non-industrial uses, such as a church located directly west of the Project site. There are additional industrial and office buildings located north of Mid-Peninsula High School, however the City recently approved the Willow Village development for that location, which will redevelop the area with a mixed-use community to include residential, office, and industrial uses. Existing residential development is located west of the site, across Willow Road, as well as further south and east of the Project site (beyond intervening industrial/office uses). The San Francisco Bay is located approximately 0.5 mile north and 1.25 miles east of the Project site.

Scenic Highways, Corridors and Vistas

The California Department of Transportation has designated the segment of Interstate 280 (I-280) that runs from the Santa Clara County line to the San Bruno city limit as a scenic highway. This State-designated scenic highway runs approximately 1 mile along the southern edge of the city (City of Menlo Park 2016b). I-280 is located approximately 5.2 miles southwest of the Project site.

Scenic Corridors and vistas are viewed as a single entity that encompasses the total field of vision from a specific point, or series of points, along a linear transportation route. Public view corridors are areas where short-range, medium-range, and long-range views are available from publicly accessible viewpoints, such as city streets. As noted above, the relatively flat topography combined with the existing level of development and associated landscaping throughout the Bayfront Area generally limits the opportunity for scenic vistas and public view corridors in the short-range and medium-range. However, the majority of the city, particularly the Bayfront Area, is afforded views of the Santa Cruz Mountains. Scenic resources also include the Bay itself and its natural features, including the salt ponds and Bayfront Park, as viewed from the eastern and northern portions of the city. Per the ConnectMenlo EIR, the city has no designated scenic corridors or scenic vistas; however, the ConnectMenlo EIR considers views to the Santa Cruz Mountains, the Bay, and the foothills and San Francisquito Creek within the city as scenic vistas (City of Menlo Park 2016b).

Because of the relatively flat topography of the Project site and vicinity, as well as the prevalence of buildings and vegetation, views from at-grade locations are largely restricted. Views at the Project site consist mainly of onsite surface parking lots and buildings, perimeter landscaping, and immediately adjacent buildings and power lines. Views of the salt ponds, marshes, the Don Edwards San Francisco Bay National Wildlife Refuge, the Bay, and the Santa Cruz Mountains are obstructed from pedestrian-level viewpoints. The Project site is visible from Willow Road and O'Brien Drive.

Light and Glare

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

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

General Plan Goals and Policies

The City of Menlo Park General Plan (General Plan) (specifically the Land Use Element and the Open Space/Conservation Element) contains general goals, policies, and programs that require local planning and

development decisions to consider impacts on aesthetics. The following General Plan goals and policies would serve to reduce impacts on the visual quality and character in the Bayfront Area: Goal LU-1, Policy LU-1.1, Goal LU-4, Policy LU-4.3, Policy LU-4.5, Goal LU-6, Policy LU-6.2, Policy LU-6.8, Goal OSC-1, Policy OSC-1.11, OSC-1.13, and OSC-1.15.

Environmental Checklist and Discussion

a) Would the project have a substantial adverse effect on a scenic vista?

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact AES-1 and was determined to be less than significant because no publicly accessible views of scenic resources would be blocked or obstructed by increasing height limits in the Bayfront Area. Similar views would continue to be visible between buildings and over lower-intensity areas. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

The physical conditions, as they relate to scenic vistas, have not changed in the Project vicinity since preparation of the ConnectMenlo EIR. The Proposed Project would demolish three existing buildings, construct two new 4 and 5 story R&D buildings and a 7-story parking garage, and install 59,344 square feet of open space of which approximately 31,535 square feet would be accessible to the public. The open space would include landscaping, pedestrian paths, seating and gathering areas, and a sports court. Because of the relatively flat topography of the Project site and vicinity, as well as the presence of existing buildings and vegetation, views from locations at grade are largely restricted. Further, there are no long- or short-distance scenic views visible towards or from the Project site. Although the Project would include construction of new two buildings and a parking structure that would be taller than existing buildings at the site, there are no scenic vistas in the vicinity that the new site elements could interrupt.

Conclusion

The Proposed Project is consistent with the General Plan as amended by the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. Thus, there would be no new site-specific effects as a result of the Project. **No impact** would occur, and no further study is required.

b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact AES-2. The EIR determined that impacts would be less than significant because none of the potential new development resulting from buildout of the ConnectMenlo General Plan would be within the I-280 viewshed. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

The physical conditions related to scenic resources adjacent to a scenic highway have not changed in the ConnectMenlo study area since preparation of the ConnectMenlo EIR. The Project site is not adjacent to, or visible from, a state scenic highway, including I-280. No additional highways have been designated as a scenic highway since preparation of the ConnectMenlo EIR.

Conclusion

The Proposed Project is consistent with the General Plan as amended by the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. Thus, there would be no new specific effects as a result of the Project. **No impact** would occur, and no further study is required.

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 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?

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact AES-3. The EIR concluded that the impacts would be less than significant. Although the General Plan changes adopted under ConnectMenlo permit more intense development with taller and larger buildings to occur in the Bayfront Area, the ConnectMenlo EIR found that future development would not result in a substantial change to the existing visual character of the Bayfront Area or its surroundings. No mitigation measures were required. It is noted that this checklist item has been revised since preparation of the ConnectMenlo EIR. For projects in urbanized areas, such as the City of Menlo Park, the impact analysis is now focused on consistency with zoning and other regulations related to scenic quality rather than the potential to degrade visual character and quality (City of Menlo Park 2016b).

Project-Specific Discussion

Construction

As described above, the Project site is not considered visually sensitive because of its urbanized and industrial surroundings with industrial and office buildings. Project construction would include demolition, grading, and construction activities on the Project site. These construction activities would occur in two phases, with the first phase requiring approximately 21 months and the second phase requiring approximately 15 months. The Project would remove ten existing trees from the Project site and adjacent parcel in Phase 1 and remove an additional three onsite trees in Phase 2, preserving one onsite heritage tree. Approximately 100 new trees would be planted within the site as part of Phase 1 and an additional 45 new trees would be planted onsite as part of Phase 2.

The construction activities would temporarily degrade the existing visual character of the Project site and the surrounding area but would not be inconsistent with the urbanized nature and extent of redevelopment planned for the Bayfront Area. Construction materials and equipment would be staged entirely onsite.

During construction of Phase 2, much of the material storage would occur within the upper levels of the parking structure. Construction fencing would provide visual screening of the Project site from sensitive users and passersby. Although construction would be visible from public view corridors (e.g., Willow Road and O'Brien Drive), construction activities would be temporary.

Operation

After construction, the proposed 4 and 5 story R&D buildings would be primarily used for and designed to accommodate life science tenants. The buildings would be clad with neutral-colored glass-fiber-reinforced concrete, reinforced metal, as well as tinted blue and clear (bird-safe) glass windows. Ceramic glass patterns would be applied to the building windows to reduce window glare, block sun/heat into the building, and reduce the potential for bird-strike occurrences. Rooftop heating, ventilation, and air-conditioning (HVAC) and other equipment would be housed within metal roof screens. The above-ground garage would be constructed from pre-cast concrete. Landscaping and open space would be incorporated throughout the site. Additional site amenities would include pedestrian pathways, seating and gathering spaces, bike racks, and main entry plazas to each of new R&D buildings.

Operation of the Project would result in visual changes to the existing Project site resulting from new site buildings, the parking garage, and landscaping/open space. The Project would be subject to the City's architectural control process, in accordance with Section 16.68.020 of the zoning ordinance. Through review of the Project's site and building plans, City staff would ensure that the Project design complies with applicable design standards established in the zoning ordinance and other City regulations governing scenic quality. Specifically, the Proposed Project would be subject to the zoning ordinance development regulations established in Section 16.44.050, design standards established in Section 16.44.120, and the Heritage Tree ordinance in Municipal Code Chapter 13.24. The development regulations address setbacks, building height, and onsite open space while the design standards address the site improvements relationship to the street (frontage uses and landscaping), building mass and scale, ground floor exterior (building façade considerations to enhance pedestrian experience and ensure visual continuity along the street), open space, building design (such as materials and colors, screening of equipment and trash/storage areas, and rooflines), and parking and access. At the time of preparation of this Initial Study, the Proposed Project application and site plans reflect consideration of these development regulations and design standards. City staff and reviewing bodies will ensure that compliance with the City's regulations related to scenic quality is attained as the Project design is refined throughout the planning and review process.

Conclusion

As noted previously, the ConnectMenlo EIR analysis of scenic quality focused on the degree to which projects could affect the visual character of the Project area, but revisions to the CEQA Guidelines made since preparation of the ConnectMenlo EIR now require the analysis of projects in an urbanized area to consider consistency with regulations governing scenic quality. The Proposed Project is consistent with the land use designations established under ConnectMenlo and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Project would be subject to the City's architectural control process and would be required to comply with applicable development regulations and design standards, as established in the zoning ordinance. In addition, General Plan goals and policies, as listed above, would serve to minimize potential adverse impacts on aesthetic resources. Therefore, there would be no new

specific effects as a result of the Project and the Project would have **no impact** due to conflicts with zoning and other regulations governing scenic quality. No further study is required.

d) Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact AES-4 and the impact was determined to be less than significant because new development would be required to comply with general best management practices and General Plan policies. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

Existing exterior lighting at the Project site and areas surrounding the Project site is limited to building and parking lot accessibility and security lighting as well as street lighting along Willow Road. There is ambient nighttime lighting associated with the existing office, industrial, residential, and public uses in the vicinity, which affects views of the nighttime sky. As described in Section 2, Project Description, Project lighting would be incorporated for building and site security and accessibility. Exterior building and parking structure lights would be angled downward to prevent light pollution onto sensitive receptors, while security lighting throughout the site may consist of lighted pathways and gathering areas. New lighting associated with the parking garage would include interior illumination. No exterior mounted lighting would be installed. All new lighting associated with buildout of the Project would be required to comply with the City's Lighting Design Standards (Municipal Code Section 16.44.120), which outlines requirements related to lighting design, placement, safety, and energy efficiency. Ceramic glass patterns would be applied to the building windows, which would reduce the potential for the Project to create glare.

Conclusion

The physical conditions, as they relate to light and glare, have not changed in the Project vicinity since preparation of the ConnectMenlo EIR. The Proposed Project is consistent with the General Plan as amended by the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. Therefore, there would be no new specific effects as a result of the Project. When compared to existing conditions at the Project site, the Project would result in increased light and glare, which would adversely affect daytime and nighttime views. However, the Project would be subject to the City's architectural control process, in accordance with Section 16.68.020 of the zoning ordinance, and the City's development regulations and design standards. Through the architectural control process, the City would ensure that new light sources included in the Project would be consistent with the City's regulations that limit the potential for adverse light and glare effects. Thus, the Project's impact would remain **less than significant,** consistent with the findings of the ConnectMenlo EIR**.** No further study is required.

3.2 Agriculture and Forestry Resources

	Further Evaluation Needed in EIR	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☐	☒
d) Result in the loss of 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 or conversion of forest land to non-forest use?	☐	☐	☐	☐	☒

Environmental Setting

The Project site does not contain Farmland, nor is it adjacent to any Farmland. The Project site is considered Urban and Built-Up Land (i.e., land that is occupied by structures with a building density of at least one unit to 1.5 acres) (DOC 2022). It is not used for agricultural production, nor does it support forestry resources. In addition, the Project site is not currently protected under the Williamson Act or zoned for agricultural uses (San Mateo County 2016). The Project site is zoned LS-B, which does not allow for agricultural uses.

There are currently 34 trees within or immediately adjacent to the Project site (Arbor Resources 2022). However, these are not considered to be forestry resources, per the definitions of Public Resources Code Section 12220(g); the site does not contain timberland as defined by Public Resources Code Section 4526; and the Project site is not zoned for Timberland Production. According to the Open Space/Conservation Element of the City General Plan,

Menlo Park includes several natural community types, including oak woodlands. However, per the Existing Vegetation map in the City General Plan, the Project site is in an urban area (City of Menlo Park 2016a).

General Plan Goals and Policies

No City General Plan goals or policies are applicable to evaluation of the Proposed Project's effects related to agriculture and forestry resources.

Environmental Checklist and Discussion

a) Would the 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?

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR in the Impacts Found Not to be Significant discussion (Section 6); it was determined that the ConnectMenlo project would result in no impact to forest land or agriculture. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

The Proposed Project would demolish three existing office, R&D and warehouse buildings, construct two new four- and five-story R&D buildings and seven-story parking garage, and install 59,000 square feet of open space and landscaping. According to the 2010 Farmland Mapping and Monitoring Program from the State Department of Conservation, the Project site is located in an area that is designated as Urban and Built-Up Land, which is not considered Farmland (DOC 2022).

Conclusion

The physical conditions on and in the vicinity of the Project site related to agriculture have not changed since preparation of the ConnectMenlo EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. Development of the Proposed Project would not convert agricultural land to non-agricultural uses, would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use. Therefore, there would be no new specific effects as a result of the Project. **No impact** would occur, and no further study is required.

b) Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract?

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR in the Impacts Found Not to be Significant discussion; it was determined that there would be no impact to forest land or agriculture. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

The Project site is not zoned for agricultural use or under a Williamson Act contract (San Mateo County 2016). The Project site is designated under the General Plan as Life Sciences (LS) and is zoned LS-B. As described above, the Project would demolish two existing office buildings, construct two new 4 and 5 story R&D buildings and a 7-story parking garage, and install 59,000 square feet of open space and landscaping. There are no agricultural lands classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance within the City of Menlo Park (DOC 2022), and there are no lands under Williamson Act contract within the City (San Mateo County 2016).

Conclusion

The physical conditions related to agricultural zoning and Williamson Act contracts have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Project site is not zoned for agricultural uses and is not subject to a Williamson Act contract, therefore the Project would have **no impact**. No further study is required.

c) Would the Project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR in the Impacts Found Not to be Significant discussion; it was determined that there would be no impact to forest land or agriculture. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

The Project site is not used to grow trees for commercial lumber or other forest products; therefore, the Project site is not considered timberland. There are 11 trees within landscape pockets on the Project site, and an additional 22 trees are located on adjacent parcels that support existing office and industrial uses (Appendix A2). Thus, the Project site is not considered forest land. The Project site also is not zoned for Timberland Production and there is no forest land, timberland, or lands zoned for Timberland Production within the Project vicinity. As such, the Project would not conflict with existing zoning for forest land or timberland or cause rezoning of any such land.

Conclusion

The physical conditions related to forest land, timberland and zoning for Timberland Production have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Project site and surrounding areas do not support forest land or

timberland and are not zoned for Timberland Production; therefore, the Project would have **no impact**. No further study is required.

d) Would the Project result in the loss of forest land or conversion of forest land to non-forest use?

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR in the Impacts Found Not to be Significant discussion; it was determined that there would be no impact to forest land or agriculture. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

As discussed in response (c), above, there is no forest land within or near the Project site. The Project site and adjacent parcels support 33 trees (Appendix A2). However, these trees are part of the urban landscaping and do not constitute forest land.

Conclusion

The physical conditions related to forest land have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Project site and surrounding areas do not support forest land; therefore, the Project would have **no impact**. No further study is required.

e) Would the 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 or conversion of forest land to non-forest use?

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR in the Impacts Found Not to be Significant discussion; it was determined that there would be no impact to forest land or agriculture. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

As discussed in responses (a), (b), and (c), above, there is no farmland, agricultural uses, or forest land within or near the Project site. Further, the Project site is located within an existing urban environment and the Proposed Project would not require extension of infrastructure into an undeveloped area, development of urban uses on a previously undeveloped greenfield site, or other physical changes that would result in the conversion of farmland to non-agricultural uses or forest land to non-forest uses.

Conclusion

The physical conditions related to farmland, agricultural uses, and forest land have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR

would occur. The Proposed Project would not adversely affect agricultural or forestry resources; therefore, the Project would have **no impact**. No further study is required.

3.3 Air Quality

	Further Evaluation Needed in EIR	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒	☐
b) 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?	☐	☐	☐	☒	☐

Environmental Setting

As discussed in more detail, below, two of these checklist items are evaluated in this Initial Study and impacts are determined to be less than significant, while the other two checklist items will be analyzed in the focused EIR for this Project. The focused EIR will include a description of the existing air quality setting for the Project area.

General Plan Goals and Policies

General Plan goals and policies related to evaluation of the Project's potential air quality impacts will be outlined and discussed in the focused EIR.

Environmental Checklist and Discussion

a) Would the Project conflict with or obstruct implementation of the applicable air quality plan;

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact AQ-1 and the impact was determined to be less than significant. No mitigation measures were required. The EIR found that with implementation

of the policies identified in ConnectMenlo, ongoing development under the General Plan would not hinder implementation of the Bay Area Air Quality Management District's (BAAQMD's) Clean Air Plan. These policies include requirements for projects to develop a Transportation Demand Management (TDM) program to reduce the number of vehicle trips associated with the Project, which would also reduce the per capita vehicle miles traveled (VMT) citywide, comply with the City's Green Building requirements, comply with zoning requirements for provision of electric vehicle charging stations and infrastructure, comply with onsite renewable and clean energy requirements, and develop a Zero Waste Management Plan (City of Menlo Park 2016b).

Project-Specific Discussion

The air quality plan applicable to the Project site is the *Spare the Air: Cool The Climate - Final 2017 Clean Air Plan* (BAAQMD 2017a). The *2017 Clean Air Plan* contains 85 control measures aimed at reducing air pollution in the Bay Area. Projects that incorporate all feasible and applicable air quality plan control measures are considered consistent with the Clean Air Plan. The control strategies of the *2017 Clean Air Plan* include measures in the categories of stationary sources, the transportation sector, the buildings sector, the energy sector, the agriculture sector, natural and working lands, the waste sector, the water sector, and super-GHG measures.

The Project would be consistent with the type and intensity of development established for the Project site under ConnectMenlo. Specifically, the Project site is designated LS and the Project would demolish the existing buildings at the site and construct two new four- and five-story R&D buildings. Because the Project is consistent with the land use designation for the site, it is expected that the amount of new employment that the Project would generate and associated induced residential population would be consistent with the employment and population projections assumed in the ConnectMenlo EIR.

The Project would be required to adhere to relevant ConnectMenlo policies, including developing a TDM program that would be expected to reduce vehicle trips and VMT and the resulting emissions, complying with the City's Green Building requirements, providing EV charging stations and infrastructure, providing onsite renewable energy generation, and developing a Zero-Waste Management Plan. As discussed in Section 3.6, Energy, the Project would include a variety of features that are expected to reduce the number of vehicles traveling to and from the site during operation. When viewed on a regional scale, the Project is an urban infill project located within a large population center that serves an existing demand for R&D uses and would replace existing uses on the property. Section 3.6 also notes that the energy use per square foot of building space at the Project site would decrease in comparison with the existing buildings because of the energy-efficient design of the proposed buildings and the sustainability features, as identified in Section 2, Project Description.

Conclusion

Because the Project would be consistent with the land use designation for the site established under ConnectMenlo, would comply with City policies and ordinances related to air quality, energy efficiency, and transportation and with all applicable BAAQMD air quality rules, and would meet or exceed state and federal standards and/or local building codes, the Project would not conflict with any applicable control measures from the *2017 Clean Air Plan.* Thus, the Proposed Project is consistent with the General Plan as amended by ConnectMenlo and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur.

Thus, there would be no new site-specific effects as a result of the Project. The impact would remain **less than significant**, and no further study is required.

b-c) ***Would the 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; or expose sensitive receptors to substantial pollutant concentrations?***

Analysis in the ConnectMenlo EIR

These checklist items were analyzed in the ConnectMenlo EIR as Impacts AQ-2 and AQ-3. Impacts related to criteria air pollutants and exposure to pollutant concentrations were determined to result in significant and unavoidable impacts and ConnectMenlo EIR Mitigation Measures AQ-2a, AQ-2b, and AQ-2b2 were required (City of Menlo Park 2016b).

Project-Specific Discussion

Although the physical conditions related to air quality have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR, the ConnectMenlo EIR requires that additional technical analysis be performed. This analysis could identify impacts that were not previously disclosed. This required technical analysis will be included in the focused EIR to evaluate the Project's potential air quality impacts associated with air pollutant emissions and potential health risks for sensitive receptors. The focused EIR will demonstrate compliance with ConnectMenlo Mitigation Measures AQ-2a (preparation of a technical assessment evaluating potential operational impacts), AQ-2b1 (compliance with BAAQMD's basic control measures for reducing construction-related emissions), and AQ-2b2 (preparation of a technical assessment evaluating construction-related impacts). The focused EIR will also identify additional mitigation measures if necessary to reduce significant impacts.

Conclusion

These checklist items require **further environmental review** and will be addressed in the focused EIR. As noted in Chapter 1, Introduction, the terms of the 2017 *City of East Palo Alto v. City of Menlo Park* Settlement Agreement requires that a project-level EIR be prepared to evaluate potential effects related to population and housing and transportation, regardless of whether this Proposed Project is within the scope of the ConnectMenlo EIR. The analysis of the Project's potential air quality impacts associated with air pollutant emissions and potential health risks for sensitive receptors requires detailed modeling based in part on the Project's Transportation Impact Analysis. Thus, the required additional technical analysis of these two air quality checklist items will also be presented in the focused EIR.

d) ***Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?***

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact AQ-4 and it was determined that implementation of the ConnectMenlo General Plan Update would have no impact related to other emissions, such as odors. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

The occurrence and severity of potential odor impacts depends on numerous factors. The nature, frequency, and intensity of the source; the wind speeds and direction; and the sensitivity of receiving location each contribute to the intensity of the impact. Although offensive odors seldom cause physical harm, they can be annoying and cause distress among the public and generate citizen complaints.

Odors would be potentially generated from vehicles and equipment exhaust emissions during construction of the Project. Potential odors produced during construction would be attributable to concentrations of unburned hydrocarbons from tailpipes of construction equipment, architectural coatings, and asphalt pavement application. Such odors would disperse rapidly from the Project site and generally occur at magnitudes and durations that would not affect substantial numbers of people. Therefore, impacts associated with odors during construction would be less than significant.

Common sources of odors include manufacturing plants, rendering plants, coffee roasters, wastewater treatment plants, sanitary landfills, and solid waste transfer stations (BAAQMD 2017b). The Project would not result in the creation of a land use that is commonly associated with odors.

Conclusion

The Proposed Project is consistent with the General Plan as amended by the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant odor effects than those originally analyzed in the ConnectMenlo EIR would occur. Thus, there would be no new site-specific effects as a result of the Project. The Project could generate some odors during construction, but these would not affect substantial numbers of people. This impact would remain **less than significant**, and no further study is required.

3.4 Biological Resources

	Further Evaluation Needed in EIR	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. 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 Game or U.S. Fish and Wildlife Service?	☐	☐	☒	☐	☐

	Further Evaluation Needed in EIR	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☐	☒
c) Have a substantial adverse effect on state or federally protected wetlands (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?	☐	☐	☐	☐	☒

Environmental Setting

A Biological Resources Assessment (BRA) for 985–1005 O'Brien Drive was prepared by H.T. Harvey & Associates and is included as Appendix A1. Preparation of the BRA included background review and field survey to assess the potential for the Project site to support sensitive biological resources, consistent with the requirements of ConnectMenlo Mitigation Measure BIO-1. Specifically, the Project site and adjacent areas were assessed to identify sensitive habitats and habitat for special-status species that could be impacted either directly or indirectly by construction and operation of the Project, including the potential for adjacent areas to support populations of sensitive species that could then disperse onto the Project site. In addition, a Tree Survey Report was prepared by Arbor Resources to inventory and evaluate the existing trees within the Project site. This report is included as Appendix A2.

Topography and Soils

The Project site is located in an urbanized area that primarily supports dense commercial and industrial development. The Project site is relatively flat, with elevations ranging between 11 and 13 feet above mean sea level. The Natural Resources Conservation Service has mapped two soil units on the Project site: urban land-

orthents reclaimed complex, 0–2% slopes, and urban land. The orthents soils are typically very shallow; they are young soils that lack horizon development due to either steep slopes or parent materials that lack weatherable minerals The urban land soil unit is associated with areas that lack native soils and where more than 85 percent of the surface is covered by asphalt, concrete, buildings, and other structures. The soil types at the Project site are not native or hydric, resulting in a high runoff rate (Appendix A1).

Land Cover

The entire Project site has been modified for human use and does not support any natural plant communities. The 4.22-acre Project site consists of three contiguous parcels containing three existing buildings and associated parking and walkways. The site is composed almost entirely of impervious surfaces. There are 11 street trees along the Project site frontages on Willow Road and O'Brien Drive. Tree species present at the site include Chinese pistache, Columbia London plane, forest pansy redbud, Italian stone pine, marina madrone, Modesto ash, Monterey pine, and silver dollar gum (Appendix A2).

Wildlife Corridors

A wildlife corridor is defined as "any space, usually linear in shape, that improves the ability of organisms to move among patches of wildlife habitat that join two or more larger areas of wildlife habitat." Although corridors can be viewed over broad spatial scales, most wildlife corridors analyzed within the context of land use planning, including those in this Initial Study, are moderate in scale and used to facilitate local and regional wildlife movement among habitat patches and through human dominated landscapes.

The Project site is not within or adjacent to any wildlife corridors or movement of any native resident or migratory fish or wildlife species (Appendix A1). As described in the ConnectMenlo EIR, most urbanized portions of Menlo Park preclude the dispersal and movement by terrestrial wildlife, with the exception of unchannelized creeks (e.g., San Francisquito Creek), unobstructed ridgelines, and the shoreline of San Francisco Bay. None of these features occur on or adjacent to the Project site.

Migratory Birds and Bird Nests

In California, all native active bird nests (with eggs or young) are protected by provisions in the federal Migratory Bird Treaty Act of 1918 and Sections 3503 and 3503.5 of the California Fish and Game Code. The existing buildings and structures on site, and ornamental trees within and adjacent to the Project site, provide suitable nesting habitat for several native local and migratory bird species. Several native bird species have the potential to nest on the site (Appendix A1).

General Plan Goals and Policies

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

Environmental Checklist and Discussion

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

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact BIO-1 and was determined to be a potentially significant impact due to possible conflicts with special status species at individual Project sites. ConnectMenlo EIR Mitigation Measure BIO-1 requires project applicants to prepare and submit a project-specific assessment of biological resources and identify additional measures as necessary to reduce or avoid significant impacts (City of Menlo Park 2016b).

Project-Specific Discussion

A substantial adverse effect would occur if construction and/or operation of the Project would lead to the destruction of or cause harm to special status species listed under local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service.

Special-Status Species

The BRA prepared for the Project determined that there is no potential for the Project site to support special-status plant species and that special-status wildlife species are not expected to nest, roost, breed, or forage on or immediately adjacent to the Project site. Further, regional conservation plans do not indicate the presence of special-status wildlife on the Project site. Thus special-status plants and wildlife are not expected to be affected by the Proposed Project (Appendix A1).

Nesting and Migratory Birds

The BRA prepared for the Project identifies that the Project site and adjacent areas have habitat that is "of low quality for most native birds found in the region due to the scarcity of vegetation, the lack of any native vegetation, the absence of well-layered vegetation (e.g., with ground cover, shrub, and canopy tree layers in the same areas), the small size of the vegetated habitat patches, and the amount of human disturbance by vehicular traffic and occupants of buildings." The BRA concluded that the Project site and adjacent areas have the potential to support nesting native birds and raptors, which are protected under the Migratory Bird Treaty Act and California Fish and Wildlife Code, but that "no bird species are expected to occur on the site in large numbers, and all of the species expected to occur regularly are regionally abundant species. No special-status birds (i.e., species of conservation concern) are expected to nest or occur regularly on the site" (Appendix A1).

The BRA notes that the more natural lands north of the Bayfront Area, such as the managed ponds in the Don Edwards National Wildlife Refuge and the tidal marsh of Ravenswood Open Space Preserve support much higher bird diversity and abundance because they provide foraging and breeding habitat for a wide variety of waterbirds. However, because these birds are closely tied to aquatic habitats, which are not present in the Project vicinity, "these waterbirds are not expected to use the project site, or to move south of Bayfront Expressway toward the project site" (Appendix A1).

Given the potential for nesting birds to occur on the Project site that could be destroyed or disturbed during Project construction, the Project would have a **potentially significant** impact to special status species. Implementation of Mitigation Measure BIO-A would ensure that the Project complies with the Migratory Bird Treaty Act, California Fish and Wildlife Code, and ConnectMenlo EIR Mitigation Measure BIO-1 by avoiding impacts to nesting birds. Thus, implementation of Mitigation Measure BIO-A would reduce this impact to a less-than-significant level.

Mitigation Measure BIO-A: Construction Timing and Pre-construction Survey for Nesting Birds. To the extent feasible, demolition and the initiation of construction activities should be scheduled to avoid the nesting season (generally February 1 to August 31). If demolition and construction activities are scheduled to take place outside the nesting season, all impacts to nesting birds protected under the Migratory Bird Treaty Act and California Fish and Game Code would be avoided.

If it is not possible to schedule demolition and initiation of construction activities between September 1 and January 31, a pre-construction nesting bird survey shall be conducted by a qualified biologist no more than 7 days prior to initiation of demolition or construction activities, including tree removal and pruning. The biologist shall inspect all trees and other potential nesting habitats (e.g., trees, shrubs, and buildings) in and adjacent to the Project site for nests. Adjacent areas to be surveyed include areas within 300 feet of Project activities for raptors and 100 feet for non-raptors. If an active nest is found sufficiently close to work areas to be disturbed by these activities, the biologist shall determine a suitable avoidance buffer to be established around the nest (typically 300 feet for raptors and 100 feet for other species, but potentially lower depending on site-specific factors such as existing activity and screening of nests by existing vegetation or buildings), to ensure that no nests of species protected by the Migratory Bird Treaty Act and California Fish and Game Code are disturbed during Project implementation. The avoidance buffer shall be maintained until the chicks have fledged and the nests are no longer active as determined by the qualified biologist.

Conclusion

The physical conditions related to special status species have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Project site does not have the potential to support special status species other than nesting and migratory birds. Demolition and tree removal during Project construction could adversely affect nesting birds. This impact would be avoided with implementation of Mitigation Measure BIO-A; therefore, the Project would have a **less than significant impact with mitigation incorporated,** consistent with the findings of the ConnectMenlo EIR. No further study is required.

b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact BIO-2 and was determined to be a potentially significant impact due to possible degradation in coastal salt marsh vegetation and riparian habitats. The ConnectMenlo EIR found that implementation of Mitigation Measure BIO-1 (i.e., preparation of a project-specific assessment of biological resources and identification of additional measures as necessary to reduce or avoid significant impacts) (City of Menlo Park 2016b).

Project-Specific Discussion

The BRA prepared for the Proposed Project found that the site and adjacent areas are heavily urbanized and developed and do not contain any riparian habitat or sensitive natural communities (Appendix A1). As stated in the ConnectMenlo EIR, sensitive natural communities within the City consist of areas of coastal salt marsh vegetation in the Baylands, native valley oaks in Saint's Patrick's Seminary, and possibly areas of riparian scrubs and woodland along San Francisquito Creek and other drainages. The Project site is not located within or in the immediate vicinity of one of these areas. The BRA concluded that the Project would not result in impacts to riparian habitat or other sensitive habitats such as jurisdictional wetlands or other waters of the U.S./State (Appendix A1).

Conclusion

The physical conditions related to riparian habitat and other sensitive natural communities have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Project site does not contain any sensitive natural communities and no such communities are located in the Project vicinity. Therefore, the Project would have **no impact** to sensitive natural communities and no new or more severe impacts would occur beyond those examined in the ConnectMenlo EIR. No further study is required.

c) Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact BIO-3 and was determined to be a potentially significant impact because some locations within the ConnectMenlo project area contain or are proximate to sensitive habitats that once acted as wetlands. The ConnectMenlo EIR found that implementation of Mitigation Measure BIO-1, which requires preparation of a project-specific assessment of biological resources and implementation of avoidance measures, would reduce the impact to a less-than-significant level by ensuring that project-specific biological resources would be identified, and

additional measures would be incorporated to reduce or avoid significant impacts (City of Menlo Park 2016b).

Project-Specific Discussion

The Project site is currently developed with office, R&D and warehouse uses. No state or federally protected wetlands or non-wetland waters of the United States occur on or adjacent to the site (Appendix A1). Compliance with all applicable requirements associated with the protection of water quality in stormwater runoff (discussed in Sections 3.7, Geology and Soils, and 3.10, Hydrology and Water Quality) would further ensure that the Proposed Project does not result in indirect impacts to wetlands.

Conclusion

The physical conditions related to state and federally protected wetlands have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Project site does not contain any wetlands and there are no wetlands adjacent to the site. The Proposed Project would result in **no impact** related to wetlands. No new or more severe impacts would occur beyond those examined in the ConnectMenlo EIR. No further study is required.

d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact BIO-4 and the project was determined to have a potentially significant impact on corridors used by migratory bird species within undeveloped land. To reduce this potential harm, the ConnectMenlo EIR requires implementation of Mitigation Measure BIO-1, which would reduce the impact to less than significant by requiring a project-specific assessment of biological resources and additional measures to minimize or avoid significant impacts (City of Menlo Park 2016b).

Project-Specific Discussion

The Project site is currently developed with office, R&D and warehouse uses and does not contain any natural habitat. There are 11 street trees present along the Project site's frontages on Willow Road and O'Brien Drive. The Project site could support nesting and foraging by migratory birds but does not contain natural habitat that could support other wildlife movement or nursery sites. The BRA prepared for the Project found that the Project would not interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors because it would not fragment any natural habitats or create any constraints on the movement capabilities of urban-adapted wildlife following construction.

Conclusion

The physical conditions related to wildlife migration and movement have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Proposed Project would implement bird-safe design measures to minimize potential impacts to migratory birds. Demolition and tree removal during Project construction could adversely affect nesting birds, which may include migratory birds. This impact would be avoided with implementation of Mitigation Measure BIO-A; therefore, the Project would have a **less than significant impact with mitigation incorporated,** consistent with the findings of the ConnectMenlo EIR. No further study is required.

e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Analysis in the ConnectMenlo EIR

This checklist was analyzed in the ConnectMenlo EIR as Impact BIO-5 and the impact was determined to be less than significant. While changes to the landscape would occur, all construction and projects would be required to adhere to the goals and policies outlined in the City of Menlo Park General Plan and the City Zoning Ordinance (City of Menlo Park 2016b).

Project-Specific Discussion

Heritage Tree Ordinance

There are a total of 11 existing trees on the Project site, 10 of those are considered heritage trees (Appendix A2), as defined by Menlo Park Municipal Code Chapter 13.24 and one non-heritage tree. Nine of the heritage trees and the one non-heritage tree on the site plus three non-heritage trees on adjacent property are proposed to be removed during Project construction.

The City's Tree Preservation Ordinance requires that a tree survey be conducted by an International Society of Arboriculture-certified arborist, and a tree report and map be prepared to show the locations of all pertinent trees prior to initiation of construction activities. Any work performed within an area 10 times the diameter of a tree that is not being removed (i.e., the tree protection zone) requires submittal of a tree protection plan prepared by a certified arborist for review and approval by the Community Development Director or their designee prior to issuance of any permit for grading or construction. Removal of heritage trees requires an appropriate permit from the Director of Public Works or their designee. City-owned trees (such as street trees) are required to be replaced at a 1:1 ratio while heritage trees are required to be replaced according to their appraised values when removal is related to development. The ordinance also requires that notice of heritage tree removal be posted by the applicant on the property containing the heritage tree and that notice be provided to property owners within 300 feet of the property containing the heritage tree prior to the City's approval of the proposed tree removal. The Tree Survey Report prepared for the Project is provided in Appendix A2.

As described in Section 2, Project Description, the Proposed Project would include the planting of 100 new trees during construction of Phase 1 and an additional 45 trees during construction of Phase 2. Therefore,

it is expected that the Project would not conflict with the City's Tree Preservation Ordinance. Verification that the proposed tree planting plan complies with the City's Tree Preservation Ordinance would be provided through review and approval of that plan by the Community Development Director or their designee prior to issuance of any permit for grading or construction. As shown in Figures 2-4 and 2-6, landscaping would generally consist of public open spaces (e.g., flex turf space, meandering pedestrian walkways/paths, and gathering/seating space) and would be provided throughout the site. Drought tolerant plantings and trees would be incorporated as part of site landscaping in compliance with Municipal Code Chapter 12.44, Water-Efficient Landscaping.

Bird Safe Design

The Project is located near the San Francisco Bay which provides high-quality avian habitat; additionally, there are a variety of birds that are adapted to the urbanized environment in the Bayfront Area. In the Project vicinity, natural habitats for birds are limited but landscape elements can provide foraging and nesting habitat for some bird species. Although birds may nest within landscaped areas, the BRA prepared for the Project found that "the number of individual birds that inhabit and regularly use the site at any given time is low under existing conditions" given the urbanized nature of the site, the limited extent of vegetation at the site, and the predominance of non-native vegetation (Appendix A1). However, there is a potential for occasional collisions involving urban-adapted passerine species to increase as a result of the Proposed Project compared to existing conditions, which is a ***potentially significant*** impact of the Proposed Project.

Through the development review and Architectural Control process, the City would ensure that the Proposed Project complies with the bird-safe building design requirements established in Municipal Code Section 16.44.130. The BRA prepared for the Project found that compliance with these bird-safe design requirements would reduce the number of bird collisions with the proposed buildings and would ensure that impacts resulting from bird collisions would be reduced to a less than significant level; (Appendix A1). As detailed in the following list, these requirements include use of façade, window, and lighting design that make buildings and building elements more visible to birds as physical barriers and eliminate conditions that create confusing reflections to birds. The bird-safe design measures that the Project must implement include:

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

Additionally, new lighting introduced within the Project site would comply with the Menlo Park Municipal Code and would therefore limit any potential disorientation or attraction from nearby high-use avian habitat. (See response (d) under Section 3.1, Aesthetics.)

Conclusion

The physical conditions related to heritage trees and bird safe design have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Proposed Project would comply with the City's tree preservation ordinance by replacing heritage trees removed during construction activities at 1:1 ratio for street trees and the appraised value of heritage trees; the Project would also comply with the City's bird-safe design requirements. Therefore, the Project would have **no impact** due to conflicts with local policies and ordinances protecting biological resources and would not result in any new or more severe impacts beyond those examined in the ConnectMenlo EIR. No further study is required.

f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact BIO-6 and it was determined that there would be a potentially significant impact on sensitive natural communities, including those listed in the Stanford Habitat Conservation Plan (Stanford HCP). As noted in the ConnectMenlo EIR, portions of Menlo Park are within the Stanford Habitat Conservation Plan (HCP) (Stanford University 2013). However, the Stanford HCP only applies to land owned by Stanford University. Implementation of ConnectMenlo Mitigation Measure BIO-6, which requires implementation of ConnectMenlo Mitigation Measure BIO-1, would reduce impacts to less than significant (City of Menlo Park 2016b).

Project-Specific Discussion

The BRA prepared for the Project states that there are no regional conservation plans that apply to the Project site. As noted above the Stanford HCP only applies to land owned by Stanford University. The Project site is not owned by Stanford University and is not within their jurisdiction. The BRA also identifies that no species protected under the Marine Mammal Protection Act or the Magnuson-Stevens Fishery Conservation and Management Act are present or adjacent to the Project site and there are no areas subject to the jurisdiction of the San Francisco Bay Conservation and Development Commission present or directly adjacent to the Project site. Therefore, the Project site is not within a geographic area covered by an adopted HCP or natural community conservation plan and as a result, would not conflict with such plans (Appendix A1).

Conclusion

The physical conditions related to HCPs have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Project site is not located within the boundaries of any HCPs or other conservation plans and therefore, the Project would have **no impact** due to conflicts with any conservation plans. The Project would not result in any new or more severe impacts beyond those examined in the ConnectMenlo EIR and no further study is needed.

3.5 Cultural Resources

	Further Evaluation Needed in EIR	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES – Would the project:					
a) Cause a substantial adverse change in the significance of a historical 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?	☐	☐	☒	☐	☐

Environmental Setting

Historic Resources

Section 4.4, Cultural Resources, of the ConnectMenlo EIR identifies eight designated historic resources within the ConnectMenlo study area. A Built Environment Inventory and Evaluation Report was prepared for the Project site by Dudek in October 2022. This report is included in this Initial Study as Appendix B. The report included an in-person field survey by a qualified architectural historian; building development and archival research; development of an appropriate historic context; and completion of a built environment study area to assess potential impacts to historic era buildings and structures. Three buildings that are more than 45 years old (historic era) were identified in the Project site and subject to formal evaluation under the National Register of Historic Places (NRHP) and the California Register of Historical Resources (CRHR). The findings of the report indicate that the properties located within the Project site are ineligible for listing in the NRHP and CRHR. Therefore, none of the properties located in the study area contain historical resources under CEQA (Appendix B).

Pre-Historic and Historic-Era Archaeological Resources

Archaeological resources may be considered to be either "unique archaeological resources" or "historical resources." CEQA Section 21083.2, defines a "unique archaeological resource" as an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it:

- Contains information needed to answer important scientific research questions, and there is a demonstrable public interest in that information;
- Has a special and particular quality, such as being the oldest of its type or the best available example of its type; and/or
- Is directly associated with a scientifically recognized important prehistoric or historic event or person.

As described in the ConnectMenlo EIR, the potential for archeological resource discovery exists during development and redevelopment of developed or highly disturbed sites within the Bayfront Area. Further, as described in Section

3.18, Tribal Cultural Resources, Native American remains were found in the ConnectMenlo study area at a construction site along Willow Road in Menlo Park as recently as 2012. Other recent development projects in the Bayfront Area, including those within the vicinity of the Project site, have identified the known presence of pre-historic and historic-era archaeological resources as well as the potential to encounter subsurface archaeological features and/or deposits through construction activities (City of Menlo Park 2023).

General Plan Goals and Policies

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

Environmental Checklist and Discussion

a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact CULT-1. It was determined that a project could have a significant impact on historic resources if it would lead to demolition of historic architectural resources or alteration of such resources where those alterations would have the potential to change the historic fabric or setting. Mitigation Measure CULT-1 requires an individual project that is proposed on or adjacent to a site with a building that is more than 50 years old to prepare a site-specific evaluation (City of Menlo Park 2016b).

Project-Specific Discussion

A Built Environment Inventory and Evaluation Report was prepared for the Project site, in compliance with ConnectMenlo EIR Mitigation Measure CULT-1. This report found that the properties that comprise the Project site are ineligible for listing in the NRHP and CRHR. Therefore, none of the properties located in the study area contain properties considered historical resources under CEQA (Appendix B) and the Project does not have the potential to affect any historical resources.

Conclusion

The physical conditions related to historic resources have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Project site does not contain any historic resources and would have **no impact** to such resources. Thus, no new or more severe impacts beyond those examined in the ConnectMenlo EIR would occur. No further study is required.

b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact CULT-2 and was determined to be less than significant with implementation of Mitigation Measures CULT-2a and CULT-2b. Mitigation Measure CULT-2a identifies protocols to be followed in the event that archeological resources are found during construction (City of Menlo Park 2016b). At the time that the ConnectMenlo EIR was certified, Mitigation Measure CULT-2b defined Native American notification requirements that applied only to projects that propose a General Plan Amendment and/or land use policy changes, which this Proposed Project does not include. However, under AB 52, the City is required to notify Native American tribes about each project subject to CEQA to provide the tribes with an opportunity to request consultation with the City. If consultation is requested, tribal representatives may identify resources of concern and provide recommendations for treatment and management of those resources to minimize or avoid significant impacts. The Housing Element Update Subsequent EIR replaced the ConnectMenlo EIR Mitigation Measures CULT-2a and CULT-2b with Mitigation Measures CR-2a and CR-2b (City of Menlo Park 2023a); however, the Subsequent EIR Mitigation Measure CR-2a only applies to multi-family housing development projects and thus only Subsequent EIR Mitigation Measure CR-2b is applicable to the Proposed Project.

Project-Specific Discussion

As noted in Section 3, Initial Study Checklist, the City notified Native American tribes that are traditionally and culturally affiliated with the Project area of this Proposed Project in November 2022. No responses to the City's notifications were received. Although there are no known cultural resources on the Project site, it is possible that cultural resources could be discovered during Project construction earthmoving activities. Compliance with existing federal, state, and local laws and regulations, including Housing Element Update Subsequent EIR Mitigation Measure CR-2b, as well as the General Plan goals and policies listed above, would protect any archaeological resource that may be discovered at the Project site by requiring archaeological assessment of discovered finds, cessation of work, appropriate notification to affiliated tribes, implementation of proper data recovery, and/or preservation procedures upon discovery of previously unknown resources.

Given the potential for archaeological resources to occur on the Project site that could be destroyed or disturbed during Project construction, the Project would have a **potentially significant** impact to archaeological resources. Implementation of Housing Element Update Subsequent EIR Mitigation Measure CR-2b, in addition to the Project specific Mitigation Measures CULT-A and CULT-B, provided below, would ensure that impacts to archaeological resources are avoided and/or reduced to a less-than-significant level. Mitigation Measures CULT-A and CULT-B are measures that the City has developed through consultation with Native American tribes regarding other development projects in the Bayfront Area and are applied to this Proposed Project to ensure protection of archaeological resources that may be encountered during construction.

Housing Element Update Subsequent EIR Mitigation Measure CR-2b: If pre-contact or historic-era archaeological resources are encountered during Project construction and implementation, the Project applicant shall halt all construction activities within 100 feet and notify the City. Pre-contact archaeological materials might include obsidian and chert

flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil ("midden") containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs): and battered stone tools, such as hammerstones and pitted stones. Historic-era materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and and/or ceramic refuse. An archaeologist meeting the U.S. Secretary of the Interior's (Standards (SOIS) for Archeology shall inspect the findings and work shall be stopped within 100 feet of the potential archaeological resources until the material is either determined by the archaeologist to not be an archaeological resources or appropriate treatment has been enacted, with appropriate consultation, as needed.

If the City determines that the resource qualifies as a historical resource or a unique archaeological resource (as defined pursuant to the CEQA Guidelines) and that the Project has potential to damage or destroy the resource, mitigation shall be implemented in accordance with PRC Section 21083.2 and CEQA Guidelines Section 15126.4, with a preference for preservation in place. If preservation in place is feasible, this may be accomplished through one of the following means: (1) siting improvements to completely avoid the archaeological resource; (2) incorporating the resource into a park or dedicated open space, by deeding the resource into a permanent conservation easement; (3) capping and covering the resource before building the Project on the resource site after the resource has been thoroughly studied by a SOIS qualified archaeologist and a report written on the findings.

If preservation in place is not feasible, the City shall consult with California Native American tribes identified by the Native American Heritage Commissions (NAHC) to be affiliated with Menlo Park for the purposes of tribal consultation under Chapter 905, California Statutes of 2004 (if the resource is pre-contact or indigenous) to determine treatment measures to avoid, minimize, or mitigate any potential impacts to the resource pursuant to PRC Section 21083.2, and CEQA Guidelines Section 15126.4. This shall include documentation of the resource and may include data recovery (according to PRC Section 21083.2), if deemed appropriate by the archaeologist, in consultation with the City, or other actions such as treating the resource with culturally appropriate dignity and protecting the cultural character and integrity of the resource (according to PRC Section 21084.3).

Mitigation Measure CULT-A Worker Environmental Training. Because of the potential for the discovery of unknown buried cultural, tribal cultural, archeological, and paleontological resources, prior to commencement of each 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. Specifications for archeological and tribal cultural resources sensitivity training for construction workers and superintendents shall meet the following standards:

- Occurs prior to the start of any ground-disturbing activity or site work on the Project Site or for off-site improvements.

- Training shall be required for all construction personnel participating in ground disturbing construction to alert them to the archaeological and tribal cultural sensitivity of the area and provide protocols to follow in the event of a discovery of archaeological materials or tribal cultural resources. Training shall be provided en masse to such personnel at the start of construction of the Project, and training shall be repeated when new personnel participating in ground-disturbing site work start work.
- Includes, for job site posting, a document ("ALERT SHEET") that summarizes the potential finds that could be exposed, the protocols to be followed, and the points of contact to alert in the event of a discovery that is presented as part of the training.
- Requires the contractor to ensure that all workers requiring training are in attendance.
- Requires training for all contractors and sub- contractors that is documented for each permit and/or phase of a permit that requires ground-disturbing activities onsite.

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 as a result of the Proposed 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; and
- The penalties for disturbing cultural, tribal cultural, archeologic, and palaeontologic resources.

Mitigation Measure CULT-B Perform Construction Monitoring, Evaluate Uncovered Archaeological Features, and Mitigate Potential Disturbance for Identified Significant Resources at the Project Site. Prior to demolition, excavation, grading, or other construction-related activities on the Project site, the Project sponsor shall hire a qualified professional archaeologist (i.e., one who meets the Secretary of the Interior's professional qualifications for archaeology or one under the supervision of such a professional) to monitor, to the extent determined necessary by the archaeologist, Project related earth-disturbing activities (e.g., grading, excavation, trenching). In the event that precontact or historic period subsurface archaeological features or deposits, including locally darkened soil (midden), that could conceal cultural deposits, animal bone, obsidian, and/or mortars are discovered during demolition or construction-related earthmoving activities, Housing Element Update Subsequent EIR Mitigation Measure CR-2b shall be followed. In addition, if the resource is a historic-era archaeological site or historic-era architectural feature and the archaeologist is not a historical archaeologist, the archaeologist shall notify the City Community Development Department and a historical archaeologist or architectural historian who meets the Secretary of the Interior's professional qualifications for archaeology and/or architectural history and that person shall follow the requirements of

Housing Element Update Subsequent EIR Mitigation Measure CR-2b. Impacts on significant resources would be mitigated to a less-than-significant level through preservation in place, capping, data recovery or other methods determined adequate by the City that are consistent with the Secretary of the Interior's standards for archaeological documentation.

If Native American archaeological, ethnographic, or spiritual resources are discovered, all identification and treatment of the resources shall be conducted by a qualified archaeologist. The archaeologist shall notify persons who represent tribal governments on the City's Assembly Bill 52 list and consult a representative of any tribe that responds to the notice within seven working days. In the event the archaeologist and tribe(s) disagree regarding treatment after good-faith consultation, the City shall make the final decision, considering the provisions of Public Resources Code Section 21084.3(b).

Conclusion

The physical conditions related to archaeological resources have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. There are no known archaeological resources within the Project site, however there is a potential for archaeological resources to be encountered during grading and excavation activities. Project construction could adversely affect such resources if they are encountered. This impact would be avoided with implementation of Housing Element Update Subsequent EIR Mitigation Measure CR-2b as well as Project specific Mitigation Measures CULT-A and CULT-B; therefore, the Project would have a **less than significant impact with mitigation incorporated,** consistent with the findings of the ConnectMenlo EIR. No further study is required.

c) Would the project disturb any human remains, including those interred outside of formal cemeteries?

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impact CULT-4 and determined to be less than significant with implementation of Mitigation Measure CULT-4. Mitigation Measure CULT-4 provides protocol and notification requirements in the event that human remains are encountered during ground disturbing activities (City of Menlo Park 2016b).

Project-Specific Discussion

Although no archaeological or Native American resources are known to exist at the Project site, the potential exists for previously undiscovered human remains to be encountered during Project demolition and/or construction. This impact would be **potentially significant**. Implementation of ConnectMenlo EIR Mitigation Measure CULT-4, provided below, would ensure that impacts associated with disturbance of human remains, if human remains are encountered at the site, would be avoided or reduced to a less-than-significant level.

ConnectMenlo EIR Mitigation Measure CULT-4: 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 15064.5I (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.

Conclusion

The physical conditions related to human remains have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. There are no known human remains within the Project site, however there is a potential for human remains to be encountered during grading and excavation activities. Project construction could adversely affect such resources if they are encountered. This impact would be avoided with implementation of ConnectMenlo EIR Mitigation Measure CULT-4; therefore, the Project would have a **less than significant impact with mitigation incorporated,** consistent with the findings of the ConnectMenlo EIR. No further study is required.

3.6 Energy

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

Environmental Setting

Energy resources include electricity as well as natural gas and other fuels. The production of electricity requires 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.

Grid electricity and natural gas service in Menlo Park are provided from either the Pacific Gas and Electric Company (PG&E) or the Peninsula Clean Energy Authority (PCE). PCE is a Community Choice Aggregator that was created as a Joint Powers Agency in 2016 to serve all areas of San Mateo County. PCE is the default energy provider throughout San Mateo County, including each of the 20 incorporated cities within this County, but residents and business customers may opt-out of obtaining energy from PCE and instead obtain it from PG&E. Energy supplied through PCE is transmitted to customers through transmission lines and other infrastructure owned and maintained by PG&E. In 2020, a total of 4,168 million kWh of electricity was consumed in San Mateo County, with 2,516 million kWh being used by non-residential customers and 1,652 million kWh being used by residential customers. In 2021, the non-residential energy consumption within San Mateo County decreased slightly to approximately 2,497 million kilowatts of electricity while residential energy consumption increased slightly to approximately 1,661 million kWh (California Energy Commission 2022). As described in Section 2, Project Description, the Project site is currently served by PG&E for electrical and natural gas service.

General Plan Goals and Policies

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

Environmental Checklist and Discussion

a) Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact UTIL-13. It was determined that impacts related to the wasteful, inefficient, or unnecessary consumption of energy resources would be less than significant. No mitigation measures were required. Further, energy conservation was evaluated in Section 4.15.5 of the ConnectMenlo EIR, consistent with CEQA Guidelines Appendix F. The ConnectMenlo EIR did not quantify energy demand associated with buildout of ConnectMenlo; however, a brief discussion of energy use and conservation, including the City's Climate Action Plan, was included in Section 4.6, Greenhouse Gas Emissions (City of Menlo Park 2016b).

Project Specific Discussion

As described in Section 2, Project Description, the Project site is currently served by PG&E and would continue to be served by PG&E during Project construction. During Project operation, energy would be provided by either PG&E or PCE. The Proposed Project would demolish three existing office, R&D and warehouse buildings, construct two new 4 and 5 story R&D buildings and a 7-story parking garage, and install 59,344 square feet of open space and landscaping.

Implementation of the Project would result in the demand for electricity and natural gas at the Project site and gasoline and diesel consumption in the Project area during construction and operation. However, the existing uses of the Project site also currently demand energy. The one-time construction energy demand and the operational net change in energy demand are evaluated below. The estimated energy demand was determined through use of the California Emissions Estimator Model (CalEEMod) Version 2020.4.0. Modeling data is provided in Appendix C.

Construction

Energy use during construction associated of each R&D building and the parking garage would primarily occur in association with fuel use by vehicles and other equipment to conduct construction activities.

Electricity

The electricity demand at any given time would vary throughout the Project construction period based on the construction activities being performed and would cease upon completion of construction. When not in use, electric equipment would be powered off to avoid unnecessary energy consumption. The electricity used for construction activities would be temporary and minimal; it would be within the supply and infrastructure service capabilities of PG&E and PCE and it would not require additional local or regional capacity. Construction activities would occur in two phases, with the first phase requiring approximately 21 months and the second phase requiring approximately 15 months. The electricity demand during construction is anticipated to be minimal because the Project would be built during the approximately 21-month and 15-month construction periods. The electricity used for Project construction activities would be temporary and minimal.

Natural Gas

Natural gas is not anticipated to be required during Project construction because construction of new buildings and facilities typically does not consume natural gas. Peak energy demand specifically applies to electricity; because natural gas and petroleum are liquid, these energy resources do not have the same constraints as electricity supply. Nonetheless, if any natural gas is needed, it would be sufficiently served by existing supply from PG&E and would not require additional local or regional capacity. Any minor amounts of natural gas that may be consumed as a result of construction would be temporary and negligible and would not have an adverse effect.[1]

[1] While no natural gas is anticipated to be used during construction because construction equipment is typically diesel fueled, the possibility of natural gas use is acknowledged in the event a natural-gas-fueled piece of equipment is used. However, the CalEEMod modeling assumed all equipment would be diesel fueled.

Petroleum

Off-road equipment used during Project construction would primarily rely on diesel fuel, as would vendor trucks involved in delivery of materials, haul trucks exporting demolition material, and haul trucks importing or exporting soil, tree debris, and other materials to and from the Project site. In addition, construction workers would travel to and from the Project site throughout the duration of construction. It is assumed in this analysis that construction workers would travel in gasoline-powered light-duty vehicles. As required by ConnectMenlo EIR Mitigation Measure AQ-2b1, energy efficiency during construction would be increased through compliance with the current BAAQMD basic control measures for reducing construction emissions, including restricting equipment idling times to 5 minutes or less and require construction workers to shut off idle equipment.

The estimated diesel fuel usage from construction equipment, haul trucks, and vendor trucks and the estimated gasoline fuel usage from worker vehicles are shown in Table 3.6-1. Appendix C lists the assumed equipment usage and vehicle trips.

Table 3.6-1. Total Proposed Project Construction Petroleum Demand

Project	Off-Road Equipment (Diesel)	Haul Trucks (Diesel)	Vendor Trucks (Diesel)	Worker Vehicles (Gasoline)
	Gallons			
Phase 1	44,518	13,660	2,364	3,473
Phase 2	22,484	1,009	1,360	1,998
Total	**67,002**	**14,669**	**3,724**	**5,471**

Source: Appendix C

In summary, Project construction associated is estimated to consume a total of approximately 5,471 gallons of gasoline and 85,394 gallons of diesel. In total, Project construction fuel consumption would total approximately 90,865 gallons of petroleum. Overall, the Project would not be unusual as compared to overall local and regional demand for energy resources and would not involve characteristics that require equipment that would be less energy efficient than at comparable construction sites in the region or state.

The Project would be subject to the California Air Resources Board (CARB) In-Use Off-Road Diesel Vehicle Regulation that applies to certain off-road diesel engines, vehicles, or equipment greater than 25 horsepower. The regulation (1) imposes limits on idling, requires a written idling policy, and requires a disclosure when selling vehicles; (2) requires all vehicles to be reported to CARB (using the Diesel Off-Road Online Reporting System) and labeled; (3) restricts the adding of older vehicles into fleets starting on January 1, 2014; and (4) requires fleets to reduce their emissions by retiring, replacing, or repowering older engines or installing Verified Diesel Emission Control Strategies (i.e., exhaust retrofits). The fleet must either show that its fleet average index was less than or equal to the calculated fleet average target rate, or that the fleet has met the Best Achievable Control Technology requirements.

Because petroleum use during Project construction would be temporary and would not be wasteful or inefficient, impacts would be less than significant.

Operation

Electricity

Project operation would require electricity for multiple purposes including, but not limited to, HVAC equipment, lighting, appliances, and electronics. Additionally, the supply, conveyance, treatment, and distribution of water would indirectly result in electricity usage. CalEEMod was used to estimate the Project electricity use (see Appendix C for calculations). Default electricity generation rates in CalEEMod were used based on the proposed land use and climate zone.

Title 24 of the California Code of Regulations serves to enhance and regulate California's building standards. The Project would be subject to the 2022 California Building Energy Efficiency Standards (24 CCR, Part 6). The Project's operational energy emissions were assumed to meet the 2019 Title 24 Standards, because the 2019 Title 24 Standards are reflected in the default assumptions in CalEEMod Version 2020.4.0. According to these estimates, buildout of the Project would consume approximately 2,987,950 kWh per year during operation. The existing uses are estimated to consume approximately 1,441,305 kWh per year. As such, electricity demand at the Project site would increase by 1,557,646 kWh per year with buildout of the Project. The increase in electricity use at the Project site is due to the change in land use and increase in building square footage.

Although total energy use at the Project site would increase, the energy use per square foot would decrease in comparison with the existing buildings because of the energy-efficient design of the proposed buildings and the sustainability features, as identified in Section 2, Project Description. Further, the energy demand calculations presented above do not consider all of the Project's energy-saving design features that would result from attainment of 2022 Title 24 Standards and other exceedances of the code requirements because many of these requirements are not reflected in the CalEEMod data and assumptions. The Proposed Project would include a 5-kW rooftop photovoltaic system on the 1005 O'Brien Drive building, the 1005 O'Brien building is proposed to attain the LEED Gold certification, and the 1320 Willow building is proposed to attain LEED Silver certification. Further, consistent with the requirements of Menlo Park Municipal Code Section 16.44.130, the Proposed Project would meet 100 percent of its energy demand (natural gas and electric) through any combination of the following measures: onsite energy generation, purchase of 100 percent renewable electricity through PCE or PG&E in an amount equal to the annual energy demand of the Proposed Project, purchase of local renewable energy generated within the city of Menlo Park in an amount equal to the annual energy demand of the Proposed Project, purchase of certified renewable energy credits and/or certified renewable energy offsets annually in an amount equal to the annual energy demand of the Proposed Project. The Project's electricity use would be more efficient than what is assumed in the CalEEMod modeling due to the onsite photovoltaic generation, compliance with the Municipal Code, and compliance with more stringent regulations than are assumed in the modeling. Thus, electricity demand would likely be lower than the calculations presented above.

Although electricity consumption would increase at the Project site, the Project is consistent with the land use and zoning designations for the Project site and thus would support the City's goals as established under the ConnectMenlo project, and the Project would incorporate energy-efficiency measures and onsite renewable energy generation. For these reasons, the Project's electricity consumption would not be considered inefficient, wasteful, or unnecessary, and impacts would be less than significant.

Natural Gas

Menlo Park Municipal Code Chapter 12.16, approved September 2019, requires that most newly constructed buildings be "all-electric," meaning they must be built without a natural gas supply. However, Chapter 12.16 includes an exception that allows the use of natural gas in non-residential buildings containing a scientific laboratory for space conditioning, appliances, or laboratory equipment , subject to submittal of evidence that use of electricity is infeasible or non-cost-effective and subject to approval by the City for the particular project.

Default natural gas generation rates in CalEEMod for the proposed land use and climate zone were used and adjusted based on compliance with 2019 Title 24 for hospital uses (see Appendix C for calculations). The CalEEMod modeling indicates that the Project would consume approximately 5,611,640 thousand British thermal units (kBTU) per year after full Project buildout. The existing buildings at the Project site were estimated to use approximately 2,137,990 kBTU of natural gas in 2022. As such, upon implementation of the Project, natural gas demand at the Project site would increase by approximately 3,473,750 kBTU per year.

Although natural gas consumption would increase due to the implementation of the Project, the building envelope; HVAC; lighting; and other systems are required to be designed to maximize energy performance. The Project is subject to statewide mandatory energy requirements as outlined in Title 24, Part 6, of the California Code of Regulations. Title 24, Part 11, also contains voluntary energy measures that are applicable to the Project under the California Green Building Standards Code. Each building at the Project site would be required to meet the Title 24 requirements in effect at the time that a building permit is issued. In addition, as noted previously, the 1005 O'Brien building is proposed to attain LEED Gold certification and the 1320 Willow building is proposed to attain LEED Silver certification. The increased energy efficiency required to attain these LEED certifications would further reduce the Project's natural gas consumption. For these reasons, the natural gas consumption of the Project would not be considered inefficient or wasteful, and impacts would be less than significant.

Petroleum

During Project operation, the majority of fuel consumption would involve the use of motor vehicles traveling to and from the Project site, as well as fuels used for alternative modes of transportation that may be used by employees of and visitors to the Project buildings.

Petroleum fuel consumption associated with motor vehicles traveling to and from the Project site is a function of the operational VMT. The annual VMT attributable to buildout of the Project is estimated in CalEEMod to be 4,850,028 miles (Appendix C). This estimate does not reflect the effects of the TDM plan that the Project would be required to implement under Municipal Code Section 16.44.090, which mandates that the TDM plan be sufficient to reduce the number of Project-generated vehicle trips by 20%. The VMT estimate will be refined as part of the Transportation Impact Analysis being prepared for the Project. The following analysis of the Project's petroleum consumption is based on the initial CalEEMod-generated VMT estimate. The following analysis is considered to be conservative because the VMT estimate is expected to decrease as a result of implementation of the TDM plan which would also reduce petroleum consumption.

The Project is estimated to result in consumption of an estimated 155,479 gallons of gasoline per year and 4,117 gallons of diesel per year during operations from vehicles traveling to and from the Project site, or

159,596 gallons of petroleum per year. The existing uses at the Project site are estimated to result in 1,596,855 VMT per year (Appendix C). The existing uses would consume an estimated 57,886 gallons of gasoline per year and 1,452 gallons of diesel per year during operations from vehicles traveling to and from the Project site, or 59,338 gallons of petroleum per year. As such, Project operation would increase petroleum consumption by 100,258 gallons of petroleum per year due to the increased number of vehicles traveling to and from the Project site.

Over the lifetime of the Project, the fuel efficiency of the vehicles being used by the visitors and employees of the Project is expected to increase. As such, the amount of gasoline consumed as a result of vehicular trips to and from the Project site during operation would decrease over time. Furthermore, there are numerous regulations in place that require and encourage increased fuel efficiency. For example, CARB has adopted a new approach to passenger vehicles by combining the control of smog-causing pollutants Cand greenhouse gas (GHG) emissions into a single coordinated package of standards. The new approach also includes efforts to support and accelerate the numbers of plug-in hybrids and zero-emissions vehicles in California (CARB 2021). Additionally, in response to Senate Bill 375, CARB has adopted the goal of reducing per capita GHG emissions from 2005 levels by 10% by the year 2020 and 19% by the year 2035 for light-duty passenger vehicles in the Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG) planning area (MTC and ABAG 2021). This reduction would occur by reducing VMT through the integration of land use planning and transportation. As such, operation of the Project is expected to use decreasing amounts of petroleum over time, due to advances in fuel economy and use of TDM strategies. Several of these reductions are not reflected in the CalEEMod data and assumptions and thus have not been quantified here.

Due to the urban setting of the Project site, which is served by passenger rail and bus services, it is expected that employees and guests may use transit or non-vehicular modes of transportation to travel to and from the site. The Caltrain commuter rail system serves the Menlo Park Station, located at 1120 Merrill Street, approximately 2.6 miles southwest of the Project site. The study area is also served by the Menlo Park Shuttle Service and the SamTrans bus service, which collectively provide local and regional public transit within the Project area. Also, use of transit and non-vehicular modes of transportation is anticipated to increase over time, as local and regional plans and policies facilitating increased use and development of transit and non-vehicular transportation modes are implemented. Additionally, Project-specific sustainable design features would include EV charging infrastructure consistent with State and Local requirements as identified at the time of plan check submittal and other transportation features.

In summary, Project implementation would result in an increase in petroleum use during operation compared with the existing uses. However, the Project would include a variety of features that are expected to reduce the number of vehicles traveling to and from the site during operation. When viewed on a regional scale, the Project is an urban infill project located within a large population center that serves an existing demand for R&D uses. When compared with new development projects sited on previously undeveloped land and away from population centers, infill projects are generally expected to involve fewer VMT during operation. Given these considerations, the petroleum consumption associated with the Project would not be considered inefficient or wasteful, and impacts would be less than significant.

Renewable Energy Potential

Given the Project site's location in an urban area and the nature of the Project (i.e., R&D development on an approximately 4.22-acre site), there are considerable site constraints, including limited land availability,

incompatibility with on-site and surrounding land uses for large-scale power generation facilities, unknown interconnection feasibility, compatibility with utility provider systems, and no known water or geothermal resources to harness, that would eliminate the potential for biomass, geothermal, and hydroelectric renewable energy to be installed on site.

Regarding wind power, due to the urban nature of the site and surrounding land uses, wind turbines are generally not feasible because they would represent an incompatible use. Specifically, a general rule of thumb is to install a wind turbine on a tower with the bottom of the rotor blades at least 30 feet above anything within a 500-foot horizontal radius and to be sited upwind of buildings and trees (APA 2011; NREL 2015), which the Project site cannot accommodate. Secondly, ideal places for wind turbines are where the annual average wind speed is at least 9 miles per hour (4 meters per second) for small wind turbines and 13 miles per hour (5.8 meters per second) for utility-scale turbines (EIA 2022). Per the latest 5-year meteorological data (2011–2015) for the San Carlos Airport station, which is considered to be the most representative data set for the Project site, shows an average wind speed of 3.3 meters per second. As such, wind power was not determined to be feasible for the Project.

As noted previously, the Project would include a 5-kW rooftop photovoltaic system on the 1005 O'Brien Drive building. While the Project does not propose battery storage at the time, the Project does not preclude installation of battery storage in the future if it is determined to be a feasible and compatible land use of the site. As stated under the Electricity subheading above, under Municipal Code Section 16.44.130 the Project is required to meet 100 percent of its energy demand (natural gas and electric) through any combination of the following measures: onsite energy generation, purchase of 100 percent renewable electricity through PCE or PG&E in an amount equal to the annual energy demand of the Proposed Project, purchase of local renewable energy generated within the City of Menlo Park in an amount equal to the annual energy demand of the Proposed Project, purchase of certified renewable energy credits, and/or certified renewable energy offsets annually in an amount equal to the annual energy demand of the Proposed Project. PCE is the default energy provider throughout San Mateo County. Customers of PCE have two electricity options to choose from, ECOplus which is 50% renewable energy (default option) and ECO100, which is 100% renewable energy (PCE 2022). It is expected that the Project would use the ECO100 option. However, if the ECOplus option is used, the Project would be required to purchase certified renewable energy credits in an amount equal to the 50% of the Project's electricity demand. Additionally, if the City grants approval for the Project to use natural gas under Municipal Code Section 12.16.010, the Project would be required to purchase certified renewable energy credits to offset 100% of the natural gas use for the life of the Project.

In summary, the Project includes the on-site renewable energy source (i.e., solar) that was determined to be feasible for the site and does not include the on-site renewable energy sources that were determined to be infeasible.

Conclusion

The physical conditions related to the wasteful, inefficient, or unnecessary consumption of energy resources have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project, and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Proposed Project would result in a **less-than-significant impact** with respect to the wasteful, inefficient, or unnecessary consumption of energy resources. No further study is required.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact UTIL-13 and the impact was determined to be less than significant because future development would be required to comply with existing City regulations such as General Plan policies and building and zoning regulations, which have been enacted to promote energy conservation and efficiency through sustainable building practices and reduced automobile dependency. In addition, energy conservation was evaluated in Section 4.15.5 of the ConnectMenlo EIR, consistent with CEQA Guidelines Appendix F. The ConnectMenlo EIR did not quantify energy demand associated with buildout of ConnectMenlo; however, a brief discussion of energy use and conservation, including the City's Climate Action Plan, was included. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

The Project would be subject to and would comply with, at a minimum, the California Building Energy Efficiency Standards (24 CCR, Part 6). Part 6 of Title 24 establishes energy efficiency standards for residential and non-residential buildings constructed in California in order to reduce energy demand and consumption. As such, the Project would exceed California code requirements for energy efficiency, as demonstrated below.

Part 11 of Title 24 sets forth voluntary and mandatory energy measures that are applicable to the Project under the California Green Building Standards Code. As discussed in response (a) above, the Project would result in an increased demand for electricity, natural gas, and petroleum. In accordance with CALGreen's Title 24 Part 11 Tier 2 voluntary efficiency measures, the Project would have at least 75% of its construction and demolition waste diverted from landfills.

In addition, as described in the ConnectMenlo EIR, new development within the City would be constructed using modern, energy-efficient building materials and construction practices, in accordance with CALGreen, the California Public Utility Commission's Long-Term Energy Efficiency Strategic Plan, Chapter 12.18 of the Menlo Park Municipal Code, which contains the City's Green Building Ordinance, and Municipal Code Section 16.44.130, which identifies additional green and sustainable building standards applicable to development within the LS zone district. Under the Municipal Code, all new buildings within the Bayfront Area are required to comply with specific green building requirements for LEED certification, provide outlets for EV charging, provide onsite renewable energy generation, and enroll in EPA's Energy Star Building Portfolio Manager. The ConnectMenlo EIR found that new buildings would also use new, modern appliances and equipment, in accordance with the 2006 Appliance Efficiency Regulations. These requirements would ensure that new buildings are more energy efficient than existing buildings, and the average energy efficiency of buildings in the area would increase as redevelopment occurs throughout the Bayfront Area.

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

consumption beyond CALGreen requirements, and would comply with the City's requirement to implement a TDM plan, which would help reduce transportation energy usage.

The Project would also be consistent with the energy use and efficiency strategies of the City's Climate Action Plan. As previously discussed, the Project would include solar-power-generation equipment and would meet LEED Gold and Silver standards. Furthermore, the City is a partner agency with PCE, a Community Choice Aggregator, which is the default electric energy provider in the City and the ECO100 option for PCE service sources 100% of its energy from renewable and/or carbon-free sources. Under Municipal Code Section 16.44.130, if the City grants approval for the Project to use natural gas and/or if the Project uses the ECOplus option for PCE service, the Project would be required to purchase certified renewable energy credits to offset 100% non-renewable energy use for the life of the Project. Therefore, the Project would include renewable energy as part of the power content mix and would be consistent with the City's renewable energy commitment.

Conclusion

The physical conditions related to conflicts with a state or local plan for renewable energy and energy efficiency have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. Because the Project would comply with and exceed the existing energy standards and regulations, the Project would result in a **less-than-significant** impact associated with the potential to conflict with energy standards and regulations, consistent with the findings of the ConnectMenlo EIR. No further study is required.

3.7 Geology and Soils

	Further Evaluation Needed in EIR	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. 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 ground shaking?	☐	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒	☐

	Further Evaluation Needed in EIR	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 geologic feature?	☐	☐	☒	☐	☐

Environmental Setting

Seismicity

The Project site is on the western margin of the San Francisco Bay. This location is known to be one of the most active seismic regions in the United States. Within the Bay Area, three faults belong to the San Andreas fault system: the San Andreas, Hayward, and Calaveras faults. Trending in a northwest direction, the faults generate about 12 earthquakes each century that are large enough to cause major structural damage. However, no known fault crosses the Project site (City of Menlo Park 2016b, California Geological Society [CGS] 2022).

Due to the Project site being in a seismically active area, strong to very strong ground shaking can be expected to occur at the site over the life of the Proposed Project. Seismologic and geologic experts conclude that there is a 72 percent probability for at least one large earthquake of magnitude 6.7 or greater in the San Francisco Bay Area before 2044 (City of Menlo Park 2021).

Liquefaction

Liquefaction occurs when partially saturated soil enters a liquid state, resulting in the soil's inability to support overlying structures. Liquefaction typically occurs in areas where the groundwater is less than 30 feet from the surface and where the soils are composed of poorly consolidated fine to medium sand and/or fill material. Liquefaction most often occurs when soils are subject to strong seismically induced ground shaking but can also occur due to improper grading and landslides. Liquefaction is a serious hazard because land in areas that

experience liquefaction may experience cyclic densification (when non-saturated, cohesionless soil is compacted by earthquake vibrations, causing ground-surface settlement) which can cause major structural damage to buildings and other improvements. The ConnectMenlo EIR states that liquefaction potential in all of the Bayfront Area is high (City of Menlo Park 2016b). The Project site is within a designated liquefaction hazard zone (CGS 2022).

Lateral spreading is liquefaction-related ground failure that involves horizontal or lateral movement of gently to steeply sloping saturated soil deposits. The Project site is generally flat and does include areas of exposed soil. There is no historical documentation of lateral spreading in the Project vicinity, thus, the risk of lateral spreading is low (City of Menlo Park 2021).

Landslides and Subsidence

Landslides occur when rock, soil, unconsolidated sediment, or combinations of such materials shift towards lower elevations due to gravity. Several factors influence the potential for a given location to be subject to landslide, including slope steepness, slope material, water content, and vegetative cover. The Project site and surrounding areas are generally flat and there is no risk of landslide within or adjacent to the site.

The ConnectMenlo EIR identifies that the Bayfront Area has been subject to historical subsidence due to the highly compressible nature of the fill and sediments that underlie the area and historical groundwater overdraft conditions between the 1920s and mid-1960s. The construction of the Hetch Hetchy aqueduct allowed for imported water to largely replace groundwater as a source of drinking water, which in turn led to increased groundwater levels and effectively stopped the land settlement trends (City of Menlo Park 2016b).

Expansive Soil

Expansive soils are soils that experience swelling (expansion) when moisture content increases and shrinking (contracting) when moisture content decrease. Expansive soils are typically very fine-grained with a high to very high percentage of clay, which can retain a lot of moisture. Soils on the northeastern Baylands edge are known to be clay-rich, poorly drained, and likely to possess high shrink-swell potential (City of Menlo Park 2016b).

Paleontological Resources

Paleontological resources are objects that are more than 10,000 years old and provide evidence of and information about past life on earth. They can include remains, traces, and imprints of once-living organisms preserved in rocks and sediments. An individual vertebrate fossil specimen may be considered unique or significant if it is identifiable and well preserved. The ConnectMenlo EIR reports that vertebrate fossils have been identified at eight locations within San Mateo County, including locations along the Pacific coast, along Skyline Drive in South San Francisco, and along Middlefield Road in unincorporated San Mateo County (City of Menlo Park 2016b). The Project site is underlain by artificial fill material that was imported to the site during development of the existing buildings. Artificial fill does not typically contain any significant fossil records that could contribute to science or natural history, and thus typically does not contain unique or significant paleontological resources. However, there may be Pleistocene-age alluvium deposits below the artificial soil. These deposits are old enough to have stiffened and preserved the remains of Pleistocene organisms; therefore, could have high potential for producing paleontologically significant resources (City of Menlo Park 2016b).

The natural geology of the Project area is comprised of Holocene (from less than 10,000 years ago) and Pleistocene-age alluvium. These geologic deposits underlie artificial fill or disturbed soil in the developed areas of

Menlo Park. These geologic units include artificial fill (poorly consolidated to well-consolidated gravel, sand, silt, and rock fragments), bay mud (very poorly consolidated to well-consolidated organic clay and silt, with lenses of sand, shells, and layers of peat), Holocene fine-grained alluvium (unconsolidated and poorly sorted plastic organic clay or silty clay that is found in basins), Holocene medium-grained alluvium (unconsolidated to moderately consolidated, moderately sorted fine sand, silt, and clayey silt deposited at the edge of coarse-grained alluvial fans), Holocene coarse-grained alluvium (unconsolidated to consolidated, moderately sorted fine sand and silt), Holocene and Pleistocene alluvial and basin deposits (undivided, underlies in Holocene deposits at the ground surface, and there is potential for them to contain paleontological resources) (City of Menlo Park 2021).

General Plan Goals and Policies

The City's General Plan (specifically the Land Use Element, Open Space/Conservation Element, Noise Element, and Safety Element) contains general goals, policies, and programs that would require local planning and development decisions to consider impacts related to strong seismic ground shaking, seismically related ground failure (including liquefaction), and landslides. The following General Plan goals, policies, and programs would serve to minimize potential adverse risks specifically associated with strong seismic ground shaking, seismically related ground failure, liquefaction, and landslides: Goal LU-4, Policy LU-4.5, Goal S-1, Policy S-1.1, Policy S-1.3, Policy S-1.5, Policy S-1.7, Policy S-1.13, Policy S-1.14, Program S-1.D, and Program S-1.H.

Environmental Checklist and Discussion

a) Would the 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.

Analysis in the ConnectMenlo EIR

This topic was examined in the ConnectMenlo EIR as Impact GEO-1. The impact was determined to be less than significant because there are no Alquist-Priolo Earthquake Fault Zones mapped within the City and the potential for ground rupture is therefore considered low. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

The Project site is not located on or near any known fault lines identified in the Alquist-Priolo Earthquake Fault Zoning Map nor has it been subject to any sizable seismic activity in recent history. Overall, the San Francisco Bay Area, including the Project site, is considered to be a seismically active area. The most prominent active fault near the Project site is the San Andreas Fault System, specifically the North San Andreas fault, which is located approximately 6.2 miles to the southwest. The nearest known fault is the Monte Vista-Shannon fault, which is approximately 5.7 miles southwest of the Project site (City of Menlo Park 2016b). The Proposed Project could experience substantial ground shaking during moderate and large magnitude earthquakes that may occur along the San Andreas Fault or other active fault zones in the Bay Area. Given the proximity of the Project site to active earthquake faults, in the event of an earthquake, the Project site would have a high potential to experience strong seismic ground shaking which could have

adverse effects to people or structures within the site. The Proposed Project would not change existing seismic hazards and, therefore, would not exacerbate the potential for seismic ground shaking to occur.

The Proposed Project would comply with the requirements set forth in the California Building Standards Code (CBC) related to excavation, grading, construction earthwork, fill embankments, foundation investigations, liquefaction potential, and soil strength loss. Additionally, per the City of Menlo Park General Plan Programs S-1D and S-1H and Policy S-1.13, the Project would be required to conduct a site-specific geotechnical investigation prior to construction. To ensure the safety of people and structures within the Project site, compliance with the Geotechnical Investigation recommendations and CBC would be addressed through the City's Conditions of Approval for the Proposed Project.

Conclusion

The physical conditions related to the exposure of people to an earthquake fault rupture have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur; therefore, there would be no new site-specific effects as a result of the Project. The Project would neither exacerbate the potential for seismic shaking to occur nor increase seismic-related risks for the existing population in the Project area. Because risks associated with seismic hazards represent an effect of the environment on the Proposed Project, the potential for the proposed buildings to be exposed to seismic hazards is not considered an adverse environmental effect under CEQA. Thus, this impact is considered **less than significant**. No further study is required.

ii) Strong seismic ground shaking?

Analysis in the ConnectMenlo EIR

This topic was examined in the ConnectMenlo EIR as Impact GEO-1. The impact was determined to be less than significant because future development projects would be required to comply with the CBC and the Menlo Park Municipal Code, which both contain provisions intended to reduce the potential for major structural damage and loss of life in the event of an earthquake. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

The Project site is in the proximity of active faults that have the potential to produce large earthquakes and substantial ground shaking, including the Monte Vista-Shannon fault and the San Andreas fault (City of Menlo Park 2016b). Therefore, the potential exists for a large earthquake to induce strong to very strong ground shaking at the site during the life of the Project. The Proposed Project would be designed and constructed to meet the standards outlined in the CBC, the Municipal Code, and any recommendations provided in the site-specific geotechnical analysis regarding building design and construction methods to minimize hazards associated with seismic activity.

Conclusion

The physical conditions related to the exposure of people to strong seismic ground shaking have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. To ensure the safety of people and structures within the Project site, compliance with the Geotechnical Investigation recommendations and CBC would be addressed through the City's Conditions of Approval for the Proposed Project. The Project would neither exacerbate the potential for seismic shaking to occur nor increase seismic-related risks for the existing population in the Project area. Because risks associated with seismic hazards represent an effect of the environment on the Proposed Project, the potential for the proposed buildings to be exposed to seismic hazards is not considered an adverse environmental effect under CEQA. Thus, this impact is considered **less than significant**, consistent with the findings of the ConnectMenlo EIR. No further study is required.

iii) Seismic-related ground failure, including liquefaction?

Analysis in the ConnectMenlo EIR

This topic was evaluated in the ConnectMenlo EIR as Impact GEO-1. The impact was determined to be less than significant because compliance with site-specific geotechnical investigation recommendations, the CBC, and the Municipal Code would ensure that buildings and other site improvements are designed to withstand potential seismic-related ground failure. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

As noted above, the Project site, along with most of the Bayfront Area, is within a designated liquefaction seismic hazard zone (CGS 2022). The Proposed Project would not exacerbate the potential for either seismic-related ground failure, including liquefaction to occur.

The Proposed Project would comply with existing regulations, including General Plan Policies listed above that have been adopted to minimize impacts related to strong seismic ground shaking, including liquefaction. Consistent with General Plan Policy S-1.13 and General Plan Programs S-1D and S-1H, a Geotechnical Investigation would be prepared prior to Project construction to provide recommendations on the engineering requirements necessary to achieve safe structures given conditions on the site. Recommendations would be implemented to limit the potential for buildings and other site improvements to be damaged in the event that liquefaction occurs at the Project site. Project design and construction would also comply with the CBC and the Municipal Code, which include standards to reduce potential damage from ground failure.

Conclusion

The physical conditions related to the exposure of people to seismically related ground failures, including liquefaction, have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those

originally analyzed in the ConnectMenlo EIR would occur. To ensure the safety of people and structures within the Project site, compliance with the Geotechnical Investigation recommendations, CBC, and Municipal Code would be verified through the City's project review process and Conditions of Approval. The Project would not exacerbate the potential for liquefaction to occur. Because risks associated with liquefaction represent an effect of the environment on the Proposed Project, the potential for the proposed buildings to be exposed to such risks is not considered an adverse environmental effect under CEQA. Thus, this impact is considered **less than significant**, consistent with the findings of the ConnectMenlo EIR**.** No further study is required.

iv) Landslides?

Analysis in the ConnectMenlo EIR

This topic was examined in the ConnectMenlo EIR as Impact GEO-1. The impact was determined to be less than significant because the Bayfront Area is typically not subject to landslides and projects would be required to comply with related provisions of the CBC and Municipal Code where a potential landslide risk is present. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

According to the CGS Seismic Hazards Map, the Proposed Project is not located within a landslide zone (CGS 2022). Additionally, the ConnectMenlo EIR determined that landslide hazards are typically low in the Bayfront Area (which includes the Project site) due to the flat topography in the area (City of Menlo Park 2016b). Construction of the Proposed Project would include importing soil to raise the ground elevation at least 2 feet above the base flood elevation, but the final grade of the Project site would remain level. No steep slopes would be formed that could create a potential for landslides to occur.

Conclusion

The physical conditions related to landslides have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Project would not create a potential for landslides to occur. This impact is considered **less than significant**, consistent with the findings of the ConnectMenlo EIR**.** No further study is required.

b) Would the project result in substantial soil erosion or the loss of topsoil?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact GEO-2. The impact was determined to be less than significant because development would be concentrated on sites that are already developed, and thus do not have extensive areas of exposed soil, and compliance with regulatory requirements, such as implementation of erosion control measures as specified in the City of Menlo Park Engineering Division's Grading and Drainage Control Guidelines, would reduce the potential for erosion and the loss of topsoil to occur. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

The soil at the Project site is categorized as urban land-orthents reclaimed complex, 0–2% slopes and urban land under mapping by the Natural Resource Conservation Service (Appendix A1), meaning that essentially no exposed topsoil is preset at the site. 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. The Project would be required to comply with the City's Grading and Drainage Control Guidelines, which would reduce the impacts from erosion and the loss of topsoil to the extent practicable. In addition, as described in Section 3.10, Hydrology and Water Quality, all construction activities would comply with the NPDES Construction General Permit, which contains standards to protect water quality. As part of this permit, standard erosion control measures and best management practices (BMPs) would be identified in the Stormwater Pollution Prevention Program (SWPPP) and implemented during construction to reduce sedimentation in waterways and any loss of topsoil. The SWPPP and BMPs would minimize erosion and runoff during construction. These BMPs could include, but would not be limited to, using drainage swales or lined ditches to control stormwater flow and protecting storm drain inlets (with gravel bags or catch basin inserts). Upon completion of construction, the Project site would be covered with structures, pavement, and landscaping and would not include areas of exposed soil, thus there would be no potential for soil erosion to occur.

Conclusion

The physical conditions related to the potential for soil erosion and loss of topsoil to occur have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Project would implement erosion control measures as required by the City's Grading and Drainage Guidelines and the Project's SWPPP. This impact is considered **less than significant**, consistent with the findings of the ConnectMenlo EIR**.** No further study is required.

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

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact GEO-3. The impact was determined to be less than significant because compliance with site-specific geotechnical investigation recommendations, the CBC, and the Municipal Code would ensure that buildings and other site improvements are designed to withstand potential risks associated with geologic and soil stability. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

The Proposed Project would comply with existing regulations, including General Plan Policies listed above that have been adopted to minimize impacts related to geologic and soil stability. Consistent with General Plan Policy S-1.13 and General Plan Programs S-1D and S-1H, a Geotechnical Investigation would be prepared prior to Project construction. Recommendations would be implemented to ensure that any

existing geologic or soil stability could expose the buildings and other site improvements to potential damage from events such as lateral spreading, subsidence, liquefaction, or collapse. Project design and construction would also comply with the CBC and the Municipal Code, which include standards to ensure building and site safety where geologic or soil instability is present. The Proposed Project is expected to be constructed using auger-cast piles, which would be drilled to a depth of 85 feet. This type of foundation support transfers structural building loads to deeper, dense supporting strata below the soft, compressible clay layers onsite, which minimizes the potential for the proposed structures to be affected by geologic and soil instability.

Conclusion

The physical conditions related to geologic and soil stability have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. Compliance with the Geotechnical Investigation recommendations, CBC, and Municipal Code would be verified through the City's project review process and Conditions of Approval; this would ensure the safety of people and structures within the Project site and surrounding areas and that the Project would not exacerbate any existing geologic or soil instability concerns. This impact is considered **less than significant**, consistent with the findings of the ConnectMenlo EIR**.** No further study is required.

d) Would the 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?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact GEO-4. The impact was determined to be less than significant because although expansive soil is known to occur in the Bayfront Area, future development would be required to be designed in compliance with the recommendations of a site-specific Geotechnical Investigation as well as the CBC and the Menlo Park Municipal Code, which include standards to address potential hazards associated with expansive soil. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

If structures are not properly designed, cyclic expansion and contraction can affect structural stability. To reduce impacts related to expansive soils, the Proposed Project would be designed and constructed to meet or exceed standards established in the CBC and Municipal Code. Additionally, as required by General Plan Policy S-1.13, a site-specific Geotechnical Investigation would be prepared, and all recommendations of that investigation would be incorporated in the Project's design and construction plans and Conditions of Approval.

Conclusion

The physical conditions related to expansive soils have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant

effects than those originally analyzed in the ConnectMenlo EIR would occur. Compliance with the Geotechnical Investigation recommendations, CBC, and Municipal Code would be verified through the City's project review process and Conditions of Approval; this would ensure that appropriate measures are taken to minimize the potential for structures and site improvements to be damaged due to soil expansion and contraction. This impact is considered **less than significant**, consistent with the findings of the ConnectMenlo EIR**.** No further study is required.

e) Would the 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?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact GEO-5. The impact was determined to be less than significant because no use of septic tanks or alternative waste water disposal systems was expected to occur. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

As discussed in Section 3.19, Utilities and Service Systems, wastewater generated at the Project site would be conveyed to by the West Bay Sanitary District through the Menlo Park Pumping Station located at the entrance to Bedwell Bayfront Park to the Silicon Valley Clean Water Wastewater Treatment Plant in Redwood City. The Project does not propose use of septic tanks or alternative wastewater disposal system.

Project-Specific Discussion

The physical conditions related to wastewater disposal have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Proposed Project would not require the use of septic tanks or alternative wastewater disposal systems and thus would result in **no impacts** associated with such infrastructure. No new or more severe impacts than those evaluated in the ConnectMenlo EIR would occur. No further study is required.

f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Analysis in the ConnectMenlo EIR

This topic was discussed in the ConnectMenlo EIR as Impact CULT-3. The impact was determined to be less than significant with implementation of Mitigation Measure CULT-3, which requires that ground-disturbing activities be halted if paleontological resources are discovered (City of Menlo Park 2016b).

Project-Specific Discussion

Although no known fossils or unique paleontological resources or unique geologic features are present within the Bayfront Area, the area is underlain by Pleistocene-age alluvium deposits, which could have high potential for producing paleontologically significant resources (City of Menlo Park 2016b). During grading and excavation activities onsite, there is a potential to encounter paleontological resources, which could be destroyed or disturbed. Thus, the Project has a **potentially significant** impact to paleontological

resources. Implementation of ConnectMenlo EIR Mitigation Measure CULT-3, provided below, would ensure that impacts to paleontological resources are avoided and/or reduced to a less-than-significant level.

ConnectMenlo EIR Mitigation Measure CULT-3: In the event that fossils or fossil bearing deposits are discovered during ground disturbing activities, excavations within a 50-foot radius of the find shall be temporarily halted or diverted. Ground disturbance work shall cease until a City-approved qualified paleontologist determines whether the resource requires further study. The paleontologist shall document the discovery as needed (in accordance with Society of Vertebrate Paleontology standards [Society of Vertebrate Paleontology 2010]), evaluate the potential resource, and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction activities are allowed to resume at the location of the find. If avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of construction activities on the discovery. The excavation plan shall be submitted to the City of Menlo Park for review and approval prior to implementation, and all construction activity shall adhere to the recommendations in the excavation plan.

Conclusion

The physical conditions related to paleontological resources have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. There are no known paleontological resources within the Project site, however there is a potential for paleontological resources to be encountered during grading and excavation activities. Project construction could adversely affect such resources if they are encountered. This impact would be avoided with implementation of ConnectMenlo EIR Mitigation Measure CULT-3; therefore, the Project would have a **less than significant impact with mitigation incorporated,** consistent with the findings of the ConnectMenlo EIR. No further study is required.

3.8 Greenhouse Gas Emissions

	Further Evaluation Needed in EIR	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. 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 an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☒	☐	☐	☐	☐

Environmental Setting

As discussed in more detail, below, this topic will be analyzed in the focused EIR for this Project. The focused EIR will include a description of the existing GHG emissions setting for the Project area.

General Plan Goals and Policies

General Plan goals and policies related to evaluation of the Project's potential impacts associated with GHG emissions will be outlined and discussed in the focused EIR.

Environmental Checklist and Discussion

a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, or conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Analysis in the ConnectMenlo EIR

These checklist items were analyzed in the ConnectMenlo EIR as impacts GHG-1 and GHG-2. Impacts were determined to be significant and unavoidable, despite the implementation of Mitigation Measures GHG-1 and GHG-2 (City of Menlo Park 2016b).

Project-Specific Discussion

Although the physical conditions within the study area have not substantially changed since preparation and adoption of the ConnectMenlo EIR, project specific GHG emission impacts were not evaluated. Furthermore, on April 20, 2022, BAAQMD adopted updated GHG thresholds. Consistent with CEQA Guidelines Sections 15064.4 and 15183.5 which address the analysis and determination of significant impacts from a proposed project's GHG emissions, projects that would comply with either option A) or option B) in the BAAQMD updated GHG thresholds would result in a less than cumulatively considerable contribution to GHG emissions and no further action would be required.

- Option A) requires the following design elements for buildings. Projects are not to include natural gas appliances or natural gas plumbing (in both residential and nonresidential development). In addition, projects are not to result in any wasteful, inefficient, or unnecessary electrical usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the CEQA Guidelines.
- Option B) requires projects be consistent with a local GHG Reduction Strategy that meets the criteria under CEQA Guidelines Section 15183.5(b).

As discussed previously, the Project proposes to include natural gas infrastructure, subject to approval by the City, and therefore may not comply with Option A. The City does not have a GHG Reduction Strategy that meets the CEQA Guidelines Section 15183.5(b) criteria; thus the Project cannot comply with Option B. Thus, additional Project-specific analysis will be provided in the focused EIR to evaluate potential impacts related to GHG generation relative to the updated GHG thresholds and potential conflicts with applicable plans, policies, and regulations.

In April 2023, the United States Ninth Circuit ruled that Federal law preempts the City of Berkeley's prohibition on natural gas in new construction (*California Restaurant Association v. City of Berkeley*). The result may be to void both the City of Menlo Park prohibition and the BAAQMD threshold, in which case the Project could use natural gas without requiring a special City exception and such use would not constitute a conflict with BAAQMD's threshold. The decision ultimately may be revised or overturned on appeal. Until the final status becomes clear, the City will assume the Municipal Code restriction and BAAQMD threshold still apply.

Conclusion

The Project's potential to result in significant GHG impacts requires **further environmental review** and will be addressed in the focused EIR. As noted in Chapter 1, Introduction, the terms of the 2017 *City of East Palo Alto v. City of Menlo Park* Settlement Agreement requires that a project-level EIR be prepared to evaluate potential effects related to population and housing and transportation, regardless of whether this Proposed Project is within the scope of the ConnectMenlo EIR. The analysis of the Project's potential GHG impacts requires detailed modeling based in part on the Project's Transportation Impact Analysis. Thus, the required additional technical analysis of GHG emissions and impacts will also be presented in the focused EIR.

3.9 Hazards and Hazardous Materials

	Further Evaluation Needed in EIR	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. 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 that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☐	☒

	Further Evaluation Needed in EIR	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	☒	☐

Environmental Setting

Phase I and II Environmental Site Assessments

Phase I and II Environmental Site Assessments (ESAs) were prepared for the Project site by Farallon Consulting and are included in Appendix D. These ESAs found that there are no recognized environmental conditions at the Project site that would affect the Project and concluded that the Project site is suitable for the proposed land uses (Appendix D).

The site appeared to have been used for agricultural purposes from at least 1930 through at least 1948. the existing onsite buildings fronting on O'Brien Drive were constructed by 1958 and the building on Willow Road was constructed by 1968 and expanded by 1974. Given the ages of the buildings, asbestos-containing materials (ACM) and lead based paint (LBP) were likely to have been used in their construction (Appendix D).

Current and past tenants of the Project site were identified as handlers and/or generators of hazardous materials or waste. At the time of the site reconnaissance, Farallon observed "minor amounts of hazardous materials, including janitorial cleaning supplies, alcohols and acids, and maintenance-related products. The materials were observed to be properly labeled and stored in designated areas of the Site buildings" (Appendix D). Farallon's review of records for the Project site found that only minor violations of hazardous materials storage regulations occurred, and there were no listings for the Project site in the California State Water Resources Control Board (SWRCB) online GeoTracker database and the California Department of Toxic Substances Control (DTSC) online EnviroStor database. Thus, there is no evidence that a substantial spill or release of hazardous materials has occurred on the Project site.

The property adjacent to the southwest corner of the Project site, at 1300 Willow Road, supported a gasoline service station from at least 1957 through at least 1967. Analysis of groundwater samples collected as part of the Phase II ESA prepared for the Proposed Project found that the samples contained "low concentrations of total petroleum hydrocarbons and benzene, which did not exceed the applicable Water Board Environmental Screening Levels."

The Phase II ESA concluded that the potential migration of hazardous substances to the Project due to the prior gasoline service station represents a de minimis environmental condition and does not represent any risk of vapor intrusion at the site (Appendix D).

The GeoTracker and EnviroStor databases identify other releases of hazardous materials at several other facilities proximate to the Project site. However, the Phase II ESA concludes that based on these sites' current regulatory status, topographic location relative to the Project site, and/or relative distance from the Project site, these facilities do not represent a recognized environmental condition that could affect the Project (Appendix D).

Hazardous Waste Sites

Combined, the SWRCB GeoTracker website and the DTSC Envirostor website provide a comprehensive list of the facilities and sites identified as meeting the "Cortese List" requirements pursuant to Government Code Section 65962.5. These databases were reviewed during preparation of the Phase I and II ESA; they were queried again in preparation of this Initial Study to ensure no new information had been developed since preparation of the ESA. The SWRCB Geotracker website provides data relating to leaking underground storage tanks and other types of soil and groundwater contamination, along with associated cleanup activities. A total of 18 hazardous materials sites were identified within 0.5 miles of the Project site, all of which have previously undergone site investigation, remediation, and closure (SWRCB 2022). As such, no active hazardous materials sites were identified within the Project vicinity. The DTSC Envirostor website provides data related to hazardous materials spills and clean ups. Two voluntary cleanup sites are located within 0.5 miles of the Project site. Meta's Menlo Park West Campus located at 312-314 Constitution Drive, approximately 2,000 feet north of the Project site, formerly operated as a facility that manufactured high technology plastic and electrical insulation products and also engaged in management of hazardous waste pursuant to a hazardous waste facility permit. A Remedial Action Plan for the West Campus was implemented in 2012 and the site continues to undergo remedial maintenance (DTSC 2022a). The Willow Office Park, located approximately 900 feet northeast of the Project site, was formerly used as a helicopter testing and manufacturing, and production of reconnaissance satellites site. A voluntary cleanup agreement was initiated in 2018 to address possible contamination at the site. In 2022, a Removal Action Workplan was submitted to DTSC to excavate areas of contamination within the site. The workplan is currently under review by DTSC (DTSC 2022b).

Schools

Mid-Peninsula High School is approximately 100 feet north of the Project site. It is separated from the Project site by the right-of-way for the Hetch Hetchy aqueduct. There are several other schools in the vicinity:

- Open Mind School, a private kindergarten through 12th grade campus, is approximately 900 feet east of the Project site,
- Cesar Chavez Ravenswood Middle School is approximately 1,500 feet southeast of the Project site,
- Belle Haven Elementary School is approximately 2,100 feet west of the Project site,
- Bright Angel Montessori Academy, a private preschool and kindergarten, is approximately 3,200 feet southwest of the Project site,
- Costano Elementary School is approximately 3,350 feet northeast of the Project site, and
- KIPP Valiant Community Preparatory School, a public charter school serving transitional kindergarten through 8th grade, is approximately 4,880 feet south of the Project site.

Airport Hazards

Palo Alto Airport, a general aviation field that is owned and operated by the City of Palo Alto, is approximately four miles southeast of the Project site. The Project site is not located within the Palo Alto Airport's Airport Influence Area nor within the noise contours of the airport. Further, the Project site is also not located within any airport safety zones (Santa Clara County 2020). No airports or private airstrips are located within two miles of the Project site.

Menlo Park Emergency Operations Plan

The City of Menlo Park 2014 Emergency Operations Plan describes how the City will manage and coordinate resources and personnel responding to a range of "extraordinary" emergency situations including natural disasters and technological incidents. The operational concepts reflected in the Emergency Operations Plan focus on potential large-scale disasters which can generate unique situations requiring expanded emergency responses. It uses principles from the Federal National Incident Management System, the California Standardized Emergency Management System, and the Incident Command System to ensure a comprehensive and effective strategy for providing a coordinated and efficient response to major emergencies. The Emergency Operations Plan defines emergency response phases and emergency levels; specifies policies and general procedures, including protocols for communication between emergency service providers and for communication with the public; defines and delegates tasks for emergency staff; and provides for coordination of planning efforts (City of Menlo Park 2014).

Fire Hazard

According to the California Department of Forestry and Fire Protection's (CAL FIRE) Fire and Resource Assessment Program, the Project site is within a Local Responsibility Area (LRA) because it is within the city limits, served by the MPFPD, and designated Non-Very High Fire Hazard Severity Zone (FHSZ) (CAL FIRE 2008). Therefore, the risk of wildfire at the Project site is considered very low. Further, the ConnectMenlo General Plan Update indicates that there are no areas designated as moderate, high, or very high FHSZs within the city or the LRA (City of Menlo Park 2016b).

General Plan Goals and Policies

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

Environmental Checklist and Discussion

a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HAZ-1. The EIR determined that impacts would be less than significant because as part of the City's project approval process, future development would be required to comply with regulations, including General Plan policies, that have been adopted to minimize impacts

related to transport, use, and disposal of hazardous materials. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

Construction

The Proposed Project would demolish three existing office, R&D and warehouse buildings, construct two new 4 and 5 story R&D buildings and a 7-story parking garage, and install approximately 59,344 square feet of open space and landscaping. Project construction would involve the routine transport, use, and disposal of hazardous materials, such as fuel, solvents, paints, oils, grease, and caulking, and comply with applicable regulations. Although small amounts of solvents, paints, oils, grease, and caulking would be transported, used, and disposed of during Project construction, these materials are commonly used in construction and are not considered acutely hazardous.

Any disposal of hazardous materials would occur in a manner consistent with applicable regulations and at an appropriate off-site disposal facility. This includes a requirement to notify San Mateo County Environmental Services if evidence of previously undiscovered soil or groundwater contamination (e.g., stained soil, odorous groundwater) is encountered during Project construction and ground-disturbing activities. Compliance with existing regulations that govern the transportation of hazardous materials and the use and disposal of such materials would minimize the potential for the Proposed Project to result in spills or leaks that could create a significant hazard to the public or the environment, and that if spills or leaks do occur, they are properly and promptly cleaned up and the materials disposed of at an appropriate waste-handling facility.

No known hazardous materials are present on the Project site; therefore, the transport of materials removed from the site is not expected to include transport of hazardous materials. However, the Phase I and II ESA recommended that the demolition and development phase be informed by a Site Mitigation Plan that addresses environmental issues, including soil profiling for offsite disposal if required, and construction phase environmental monitoring. This recommendation is similar to ConnectMenlo EIR Mitigation Measure HAZ-4a, however that measure applies to sites where a recognized environmental condition or known contamination has been identified, which is not the case for the Proposed Project (Appendix D). Thus, a Project-specific measure, Mitigation Measure HAZ-A is recommended instead.

Mitigation Measure HAZ-A: Site Mitigation Plan. Prior to commencement of any demolition or construction activities, the Project sponsor shall prepare a Site Mitigation Plan that identifies required practices and procedures to protect the general public and construction workers from potentially hazardous materials and accidental release of hazardous materials. The practices and procedures shall include spill prevention, cleanup and evacuation procedures, and procedures to be followed in the event that previously undiscovered hazardous materials are encountered during construction. The Site Mitigation Plan shall demonstrate compliance with California Code of Regulations, Title 8, Chapter 4: Subchapter 4: Construction Safety Orders; Subchapter 5: Electrical Safety Orders; and Subchapter 7: General Industry Safety Orders as well as California Health and Safety Code, Section 25100 et seq.: Hazardous Waste Control Act.

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

Operation

It is anticipated that the Project would use, store, generate, and dispose of hazardous materials due to the proposed life science uses that the Project is designed to accommodate. In addition, the Project would use hazardous materials that are typical of office use (e.g., cleaning products, building maintenance products, fertilizers and pesticides used in landscaping). However, none of these products is expected to be generated or stored in large quantities. Any transport of these materials would be subject to California Department of Transportation regulations.

The San Mateo County Environmental Health Department (SMCEHD) regulates hazardous materials under its Certified Unified Program Agency (CUPA) and related Unified Programs, which are enforced by the MPFPD. Further, the City has an administrative permit process for the use and storage of hazardous materials. Any future tenants proposing to use hazardous materials would require issuance of a permit. The permit process requires that companies submit a Hazardous Material Business Plan to the City, SMCEHD, and MPFPD. The Hazardous Material Business Plan must include the type and quantity of hazardous materials, a site map showing storage locations of hazardous materials and where they may be used and transported from, risks of using these materials including material safety data sheets for each material, a spill prevention plan, an emergency response plan, employee training consistent with Occupational Safety and Health Administration guidelines, and emergency contact information. The permit application would be reviewed by the MPFPD, West Bay Sanitary District, SMCEHD, and the City's Building Division for compliance with applicable standards relevant to each reviewing agency. These agencies may impose conditions to their approval in order to ensure compliance with applicable standards and regulations.

The ConnectMenlo EIR describes in more detail the existing regulatory program that is in place at the local, state, and federal level to govern transport, use, and disposal of hazardous materials. Specific to laboratory uses, projects must comply with guidelines promulgated by the United States Department of Health and

Human Services, Centers for Disease Control and Prevention, and National Institutes of Health that determine the level of safety precautions that must be used for four tiers of relative hazards.

Biosafety Level 1 is for the least hazardous biological agents, and Biosafety Level 4 is for the most hazardous biological agents. Biosafety Levels for infectious agents are based on the characteristics of the agent (virulence, ability to cause disease, routes of exposure, biological stability and communicability), the quantity and concentration of the agent, the procedures to be followed in the laboratory, and the availability of therapeutic measures and vaccines. The Project has not identified a tenant yet, so the Biosafety level of the building is unknown at this time. Laboratories in Menlo Park are typically Biosafety Level 1 or 2; there has not been a Level 3 or 4 laboratory on Menlo Park Labs campus during its 40 years of operation. Level 3 laboratories are relatively rare and predominantly in academic settings or large pharmaceuticals. The closest Level 3 laboratory is at Stanford University, and they represent approximately 2-3% of labs in the Bay Area. There are approximately a dozen Level 4 laboratories in the United States, and none in California.

Biosafety Level 1 agents pose minimal or no known potential hazards to individuals and the environment. Biosafety Level 2 agents are considered to be of ordinary potential hazard and may produce varying degrees of disease through accidental inoculation but may be effectively contained by ordinary laboratory techniques and specific laboratory equipment. Biosafety Level 3 agents pose a more substantial risk, and work with these agents must be conducted in contained facilities for which airflow is directed into the laboratory and access is controlled separately from public areas. Biosafety Level 4 includes all of the requirements and precautions of Biosafety Level 3 but adds additional requirements including authorization for material acquisition and handling from the CDC through the Select Agent Program or the Import Permit Program.

Occupational and public safety is protected by selecting the appropriate biological and physical containment levels for each biological material handled. Standard microbiological practices, such as limiting facility access, washing hands after handling, de-contaminating work surfaces, wearing gloves and other safety equipment, using biosafety cabinets, and proper disposal reduce risks resulting from exposure to biohazardous materials.

Current state testing, monitoring and disposal regulations, as well as required internal programs pertaining to the management of biohazardous materials (including infectious agents), further ensure that risks associated with use of biohazardous substances remain less than significant.

Medical wastes are managed by laboratory users as a biohazardous material, in accordance with Section 117635 of the California Health and Safety Code and with United States Department of Health and Human Services guidelines and Department of Health Services regulations. Biohazardous medical waste is generally regulated in the same manner as hazardous waste, except that special provisions apply to storage, disinfection, containment, transportation and disposal.

Additional state regulation applies to laboratory uses including as codified in Titles 8, 14, 17, 19 and 22 of the California Code of Regulations as well as in the California Building and Fire Code, Chapters 6.5 and 6.95 of the California Health and Safety Code and the California Vehicle Code. At a local level, ConnectMenlo includes goals and policies in the Land Use and Safety Elements that pertain to transportation, use and disposal of hazardous materials. California requirements are administered by the DTSC and California Division of Occupational Safety and Health, as well as through the City's administrative use permit process, which includes review by MPFPD, West Bay Sanitary District, SMCEHD, and the City's

Building Division for compliance with applicable standards relevant to each reviewing agency, and inspection of facilities by SMCEHD and requirement for redress of any violation during operations by appropriate agencies (e.g., SMCEHD, DTSC, California Division of Occupational Safety and Health).

Conclusion

The physical conditions related to transport, use, or disposal of hazardous materials have not changed substantially in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. Existing local, state, and federal regulatory requirements related to hazardous materials would apply to use of hazardous materials at the Project site and would ensure that standard management practices are implemented to minimize the potential for the Project to cause a release or spill of such materials. Although there are no recognized environmental conditions at the Project site, it is likely that the existing buildings contain ACM and LPB, and there is a potential for soil and/or groundwater contamination to be present. Release of such materials to the environment would be avoided with implementation of Mitigation Measure HAZ-A. Thus, this impact is determined to be **less than significant with mitigation incorporated.** With implementation of Mitigation Measure HAZ-A, the impact of the Proposed Project would be consistent with the findings of the ConnectMenlo EIR. No further study is required.

b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HAZ-2 and the impact was determined to be less than significant because future development would be required to comply with existing regulations that have been adopted to minimize impacts related to accidents and spills of hazardous materials. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

Construction

As mentioned above in response (a), above, construction-related hazardous materials would be used during construction of the Project, such as fuel, solvents, paints, oils, and grease. It is not expected that substances listed in 40 CFR 355 Appendix A, Extremely Hazardous Substances and Their Threshold Planning Quantities would be used. It is possible that construction-related hazardous materials could be released during construction activities. However, compliance with federal, state, and local regulations, in combination with temporary construction BMPs (as part of the Construction General Permit requirements) would ensure that all hazardous materials are used, stored, and disposed properly, which would minimize potential impacts related to a hazardous materials release during construction of the Project. In addition, as required by Mitigation Measure HAZ-A, provided above, the Project would include implementation of a Site Mitigation Plan that identifies required practices and procedures to protect the general public and construction workers from potentially hazardous materials and accidental release of hazardous materials.

No releases are anticipated from excavation because no contamination has been identified at the Project site.

Operation

As discussed in response (a) above, it is anticipated that the Project would generate hazardous materials as a result of tenant activities (i.e., life science uses). In addition, the Project would use hazardous materials typical of office use (e.g., cleaning products, building maintenance products, fertilizers and pesticides used in landscaping). It is possible that these materials could be accidentally released into the environment. San Mateo County Environmental Health Department regulates waste generated by biotechnology through its Medical Waste Program, and other hazardous materials through its Hazardous Materials Business Plan Program. Both programs regulate use, storage, and disposal of the respective materials. Enforcement of these programs is managed by the MPFPD. As described in more detail above and in the ConnectMenlo EIR, these programs, along with other federal, state, and local regulations regarding use, storage, and disposal of hazardous materials would minimize potential impacts related to a hazardous materials release during Project operation.

Conclusion

The physical conditions related to reasonably foreseeable upset and accident conditions involving the release of hazardous materials have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. Existing local, state, and federal regulatory requirements related to hazardous materials would apply to use of hazardous materials at the Project site and would ensure that standard management practices are implemented to minimize the potential for the Project to cause a release or spill of such materials. There are no conditions specific to the Proposed Project or the Project site that indicate the Project would have a greater potential than other life sciences development to result in an accidental release of hazardous materials. Compliance with federal, state, and local regulations regarding use, storage, and transport of hazardous materials and implementation of Mitigation Measure HAZ-A would be sufficient to ensure that this impact is **less than significant with mitigation incorporated,** consistent with the findings of the ConnectMenlo EIR. No further study is required.

c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HAZ-3. The impact was determined be less than significant impact because while storage, use, and handling of hazardous materials could occur proximate to schools, such activities would be subject to existing federal, State, and local regulations that limit the potential for such materials to be released. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

As described above, two schools are located within 0.25 miles of the Project site, a third school is located approximately 0.28 miles of the site, and four other schools are located within one mile of the site. Implementation of the Project would involve the use of hazardous materials during construction and operation of the Project, as discussed in responses (a) and (b) above. However, use of substantial amounts of acutely hazardous materials is not expected and no boilers, incinerators, or other equipment that generate onsite emissions are proposed. Further, the Project site and surrounding properties currently support office and light industrial uses that use, store, and transport hazardous materials. Thus, the Proposed Project would not result in a substantial change from the existing conditions.

Conclusion

The physical conditions related to exposure of schools to hazardous emissions and materials have not changed substantially in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Project would comply with all federal, state, and local regulations regarding hazardous materials which would ensure that standard management practices are implemented to minimize the potential for the Project to cause a release or spill of such materials and the Project is not expected to create hazardous emissions. The impact on schools due to hazardous substances would be **less than significant**, consistent with the findings of the ConnectMenlo EIR. No further study is required.

d) Would the project be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HAZ-4. It was determined that future development could occur on sites with known hazardous materials and, as a result, create a significant hazard for the public or the environment, resulting in a potentially significant impact. The ConnectMenlo EIR found that implementation of Mitigation Measures HAZ-4a and HAZ-4b, together with compliance with applicable laws and regulations regarding cleanup and reuse of a listed hazardous material site, would ensure that impacts with respect to development on sites with known hazardous materials would be less than significant (City of Menlo Park 2016b).

Project-Specific Discussion

As discussed in the Environmental Setting section above, the Project site is not a hazardous materials site but there are two voluntary cleanup sites located within 0.5 miles of the Project site. None of these sites represent a recognized environmental condition that could affect the Project due to their regulatory status and/or their topographic location and/or distance relative to the Project site (Appendix D). Because there is no evidence of hazardous material contamination at the Project site, ConnectMenlo EIR Mitigation Measure HAZ-4b is not applicable to the Project. As discussed in response (a) above, the Project-specific Mitigation Measure HAZ-A would be implemented in place of ConnectMenlo EIR Mitigation Measure HAZ-4a.

Conclusion

The physical condition of the Project site related to known presence of hazardous material contamination has not changed since preparation of the ConnectMenlo EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Project site is not included on a list of hazardous materials sites and the Project site is not expected to be affected by any of the nearby properties that are include on such lists. With implementation of Mitigation Measure HAZ-A as identified in this Initial Study, there would be no new specific effects as a result of the Project and this impact would be **less than significant**. No further study is required.

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?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HAZ-5. The EIR determined there would be no impact because the study area is subject to any airport safety hazards and implementation of ConnectMenlo would not affect aviation safety or flight patterns. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

As described above, the Project site is located approximately four miles northwest of the Palo Alto Airport and is located outside of the airport's Airport Influence Area and noise contours of the airport. Further, the Project site is also not located within any airport safety zones (Santa Clara County 2020). As such, implementation of the Project would not result in a safety or noise hazard associated with proximity to an existing airport or within an airport land use plan.

Conclusion

The physical conditions related to airport hazards have not changed since preparation of the ConnectMenlo EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. Thus, the Project would have **no impact** related to airport hazards, consistent with the findings of the ConnectMenlo EIR. No further study is required.

f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HAZ-7. The EIR determined that impacts would be less than significant because there would be no land use changes that would impair or physically interfere with the ability to implement the City's Emergency Operation Plan or obstruct emergency evacuation routes. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

The Project proposes uses for the Project site that are consistent with the site's land use and zoning designations as established under ConnectMenlo. Emergency access to the site would be maintained during Project construction activities, and provisions for emergency access during Project operation have been incorporated in the Project design. Through the City's project review process, the City would ensure that the Project design complies with Safety Element Policy S-1.29, which requires that high-occupancy structures provide adequate access and clearance for fire equipment, fire suppression personnel, and evacuation.

Conclusion

The physical conditions related to emergency response and evacuation have not changed substantially in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Project would not conflict with an adopted emergency response or evacuation plan and the impact would remain **less than significant,** consistent with the findings of the ConnectMenlo EIR. No further study is required.

g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HAZ-8. The EIR found that the impact would remain less than significant because the City is located in a highly urbanized area, is not surrounded by woodlands or vegetation, and does not contain areas designated moderate, high, or very high FHSZ for either the LRA or the SRA. Additionally, future development within the City would minimize potential fire risks through compliance with the CBC, California Fire Code, and the MPFPD Code. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

The Project site is located within the ConnectMenlo EIR study area, which is an urban area that is not located within or adjacent to a wildland fire hazard area. The Project would be required to comply with applicable regulations, including those noted above as well as Safety Element Policy S-1.29, which requires that high-occupancy structures provide adequate access and clearance for fire equipment, fire suppression personnel, and evacuation. The Project would not expose people or structures to a significant loss, injury, or death involving wildland fires.

Conclusion

The physical conditions related to wildfire hazards have not changed substantially in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. This impact would

remain **less than significant,** consistent with the findings of the ConnectMenlo EIR. No further study is required.

3.10 Hydrology and Water Quality

	Further Evaluation Needed in EIR	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
X. 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 decrease 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 offsite;	☐	☐	☐	☐	☒
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 release of pollutants due to project inundation?	☐	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒	☐

Existing Setting

The City of Menlo Park, including the Project site, is located within the San Francisquito Creek Watershed. The headwaters of the watershed are in the Santa Cruz Mountains above Menlo Park, and it flows into southwest

San Francisco Bay. The Project site is within the southern end of the San Mateo Plain Groundwater Subbasin of the Santa Clara Valley Groundwater Basin. The San Mateo subbasin is bounded by the Santa Cruz Mountains to the west-southwest, the Bay to the north-northeast, San Francisquito Creek to the south-southwest, and the Westside basin to the north-northwest. A relatively shallow water table aquifer overlies confined and semi-confined aquifers near the margins of the Bay, with most wells constructed to draw from the deeper portions. Recharge of the groundwater occurs through infiltration into streambeds and through percolation of rain on the valley floor.

Although the San Mateo subbasin was used as a water source for irrigation needs in the first half of the twentieth century, use of the Hetch Hetchy reservoir beginning in 1940 and surface water deliveries from the State of California beginning in 1965 have reduced the region's demand for groundwater, and water levels within the basin have returned to pre-1960 conditions (DWR 2004). This subbasin is not considered critically overdrafted and is designated as low priority under the California Sustainable Groundwater Management Act. There are approximately 348 wells operating within the subbasin, 10 of which are used for water supply. The subbasin accounts for approximately 10 percent of the water supply in the region (Groundwater Exchange 2022).

The City's storm drain system is maintained by the Menlo Park Public Works Department and consists of 17 individual systems that serve 17 drainage areas. The Project site consists of a total of 183,755 square feet (approximately 4.22 acres), of which 179,825 square feet are covered with impervious surfaces (Tarlton Properties 2023). The Project site does not have a known underground storm drain system. In the Phase 1 portion of the site, runoff from building roofs, surface parking lots, and other hardscape areas flows overland across the site "to a long valley gutter system internal to the property. The on-site storm water is collected via the valley gutter and drained from the south and west toward and outfalls to an off-site existing inlet near the northeast corner of the property. Run-off for the site ultimately drains to a 48-inch storm drain line located west of 1315 O'Brien Drive" (Appendix E). Similarly, runoff in the Phase 2 portion of the site flows overland to the west, discharging to "the curb flowline along Willow Road. Stormwater flows along the flowline until it is collected by a catch basin north of the property. The catch basin is directly connected to a 66-inch storm drain main in Willow Road" (Appendix E).

The Project site is located in Federal Emergency Management Agency Flood Zone AE, which is considered a 100-year flood zone with a base flood elevation level (FEMA 2022).

The ConnectMenlo EIR found that the Governor's Office of Emergency Services inundation maps show that all of the Bayfront Area, including the Project site, are outside of an inundation zone associated with potential dam failure or tsunami. While it is possible that a seiche could occur within the Bay as a result of an earthquake event or other disturbance, any flooding associated with a seiche event would occur within areas susceptible to other hydrologic flooding (i.e., dam or tsunami). Because the Bayfront area, including the Project site, is located outside of mapped tsunami and dam-inundation zones, it is not expected that this area would be exposed to any potential flooding resulting from a seiche. Similarly, there is no potential for the Project site to be affected by mudflow due to the generally flat topography of the Bayfront Area and throughout much of the city and because there are no areas within the City designated to be potentially affected by rainfall-induced landslides and debris flow source areas (City of Menlo Park 2016b).

General Plan Goals and Policies

The City's General Plan (specifically the Land Use Element, Open Space/Conservation Element, and Safety Element) contains general goals, policies, and programs that would require local planning and development decisions to consider impacts on hydrology and water quality. The following General Plan goals, policies, and programs would serve to minimize potential adverse impacts related to water quality, groundwater resources, flooding, levee/dam

break, sea-level rise, and seiche, tsunami, and mudflows: Goal LU-4, Policy LU-4.5, Goal LU-6, Policy LU-6.11, Goal LU-7, Policy LU-7.7, Program LU-7.H, Goal OSC-5, Policy OSC-5.1, Goal S-1, Policy S-1.5, Policy S-1.10, Program S-1.10, Program S-1.D, Policy S-23, Policy S-1.26, Policy S-1.27, and Policy S-1.28.

Environmental Checklist and Discussion

a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HYDRO-1. It was determined that impacts to water quality would remain less than significant because individual development projects would be required to comply with existing federal, state, and local regulations, including General Plan goals, policies, and design standards. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

Construction

Project construction has the potential to adversely affect water quality in the Lower San Francisco Bay by temporarily discharging sediment from soil erosion and hazardous materials used in construction activities, such as paints, solvents, fuels, and lubricants. If sediment is discharged from the Project site, water quality could be further degraded if other pollutants, such as nutrients, trace metals, and hydrocarbons, attach to that sediment and are transported to downstream locations.

The City of Menlo Park lies within the jurisdiction of San Francisco Bay RWQCB (Region 2) and the city is a co-permittee of the Municipal Regional Stormwater Permit (MRP; Order No. R2-2015-0049) and NPDES Permit No. CAS612008. Under Provision C.3 of the MRP, the co-permittees use their planning authorities to include appropriate source control, site design, and stormwater treatment measures in new development and redevelopment projects to address both soluble and insoluble stormwater runoff pollutant discharges and prevent increases in runoff flows from new development and redevelopment projects. The Proposed Project is subject to the MRP requirements because it meets the definition of a regulated project under MRP section C.3.b.ii.(3)(a).

Water quality in stormwater runoff is regulated locally by the San Mateo Countywide Water Pollution Prevention Program, which includes the C.3 provisions set by the RWQCB under the San Francisco Bay Municipal Separate Storm Sewer System Permit. These regulations require redevelopment projects to incorporate stormwater treatment measures into the project design and provide for their maintenance, and to implement other appropriate source control and site design features that reduce pollutants in runoff to the maximum extent practicable.

The Project site is greater than one acre and therefore the Proposed Project would be required to develop and implement a SWPPP in compliance with the Construction General Permit, local stormwater ordinances, and other related regulations. Construction BMPs for the Project would control and prevent discharge of potential pollutants, such as pavement cutting wastes, paints, concrete, petroleum products, chemicals, wastewater or sediments, and non-stormwater discharges to storm drains and watercourses. These BMPs could include,

but would not be limited to, restricting earthmoving and clearing activities to occurring during dry weather, using drainage swales or lined ditches to control stormwater flow, and protecting storm drain inlets (with gravel bags or catch basin inserts). Temporary erosion controls would be implemented to stabilize disturbed areas until permanent erosion controls are established. In addition, construction materials and wastes would be stored, handled, and disposed of properly to prevent contact with stormwater.

Construction dewatering in areas with shallow groundwater (due to the low water table within the Bayfront Area) could be required during excavation and trenching. According to the Project's Phase I and II ESA, groundwater at the Project site is encountered at a depth of approximately 15 feet below ground surface (Appendix D). Coverage under the Construction General Permit typically includes authorization for dewatering activities as a non-stormwater discharge, provided that dischargers prove the quality of the water to be adequate and not likely to affect beneficial uses. As reported in the Project's Phase I and II ESA, the groundwater beneath the Project site is not affected by chemicals associated with the gasoline service station that previously existed adjacent to the southwest corner of the site, the plume of groundwater north of the site that is known to contain high levels of volatile organic compounds, or any of the hazardous waste sites identified in the GeoTracker and Envirostor databases (Appendix D). Any dewatering activities during Project construction would occur in compliance with requirements of the San Francisco Bay RWQCB as well as the NPDES Construction General Permit, including discharge sampling and reporting.

The City of Menlo Park Public Works Department also requires redevelopment projects that replace more than 10,000 square feet of impervious surfaces to prepare a Hydrology Report that identifies site design measures that maximize pervious areas, source control measures to keep pollutants out of stormwater, use of construction BMPs, and use of post construction treatment measures.

Operation

The Project would include operation of two 4 and 5 story R&D buildings and a 7-story aboveground parking garage. Upon completion of construction, the Project site would be covered with structures, pavement, and landscaping and would not include areas of exposed soil. Currently, approximately 99 percent of the Project site is covered with impervious surface. The Project would reduce the extent of impervious surfaces by approximately 23,346 square feet in Phase 1 and a total of 9,620 square feet in Phase 2. Of the impervious surface reduction that would occur during construction of Phase 2, 6,264 square feet would be located within the Phase 2 area while 3,356 square feet would be located within the Phase 1 area (Tarlton Properties 2023). This additional reduction in the Phase 1 area would result from replacing a portion of the building at 1320 Willow Road with landscaping as shown in Figures 5 and 6. Stormwater and water runoff generated at the Project site would be drained by a new on-site storm drain system (Tarlton Properties 2023). Consistent with the San Mateo Countywide Water Pollution Prevention Program C.3 stormwater requirements and Municipal Code Chapter 7.42, the proposed on-site storm drain system would collect runoff from the limited areas of surface parking on the eastern side of the Project, drive aisles, building roofs, and hardscape areas and convey it to bioretention basins/planters for stormwater treatment (Appendix E and Tarlton Properties 2023), After treatment, stormwater would be routed to the existing storm drain network surrounding the Project site. Because the Project would reduce the amount of impervious surface within the Project site, the volume and rate of stormwater runoff would also be reduced (Appendix E).

Preliminary Hydrology Reports were prepared in March 2022 for Phase 1 of the Proposed Project and in February 2023 for Phase 2 of the Proposed Project. These reports are provided in Appendix E. They

document the existing drainage conditions in and around the Project site as well as the design of storm water conveyance and management facilities per the City of Menlo Park Drainage Guidelines. The reports indicate that the regional drainage pattern in the vicinity of the Project site appears to be from south to north. The Project site itself does not have a known underground storm drain system but instead uses overland flow to direct the majority of the storm water run-off to a long valley gutter system internal to the property. Run-off for the site ultimately drains to a 48-inch storm drain line located west of 1315 O'Brien Drive and a 66-inch storm drain line in Willow Road (Appendix E).

As shown in Table 3.10-1, approximately 4,490 square feet of stormwater treatment areas would be provided in the Phase 1 portion of the Project site, while Phase 2 would introduce an additional 1,020 square feet of stormwater treatment areas (Tarlton Properties 2023). These bioretention areas would be designed as vegetated basins and swales incorporated into the landscaping along the Project site frontages on O'Brien Drive (Phase 1) and Willow Road (Phase 2). The size and design of these areas were determined based on the size of the drainage basin each serves and the extent of impervious surfaces within that basin, and each would be sized slightly larger than the required size under the San Mateo County C.3 Manual guidelines (Appendix E and Tarlton Properties 2023). By incorporating the on-site stormwater treatment measures into the site design, the Project demonstrates compliance with Chapter 7.42, Storm Water Management Program, of the Menlo Park Municipal Code as well as General Plan Policies OSC-5.1, S-1.26, and S-1.27.

The Project plan set sheets C3.1A through C3.3 depict the existing impervious surface and drainage conditions and the proposed stormwater management treatment plan. Under the Proposed Project, runoff would flow from impervious surfaces into adjacent vegetated areas. As shown in Table 3.10-1, after Project construction, there would be four drainage management areas within the site. A bioretention basin is proposed to be provided in each area for stormwater treatment. Drainage Management Area 1 consists of the majority of the eastern portion of the Project site, surrounding the proposed building at 1005 O'Brien Drive and associated hardscape and landscape/open space areas. Drainage Management Area 2 consists of the proposed parking garage. Drainage Management Area 3 consists of the northern half of the western and central portions of the building at 1320 Willow Drive. Drainage Management Area 4 consists of the southern half of the western and central portions of the building at 1320 Willow Drive as well as the driveway to Willow Road and the drive aisle south of this building (Tarlton Properties 2023).

Construction of Phase 1 involves demolition of the easternmost portion of the existing building at 1320 Willow Drive. At completion of Phase 1, the easternmost extent of the remaining portion of this building would be located in Drainage Management Area 1, and thus would constitute a portion of the total impervious surface within this area. Under Phase 2, the remaining portion of this building would be demolished and much of the impervious surface associated with the building would be replaced with landscaping, as shown in Figure 6. Table 3.10-1 reflects the amount of impervious and pervious surfaces and sizes of treatment areas at full buildout of the Project.

The bioretention basins are proposed to be located in the vegetated areas along the Project site frontages on O'Brien Drive and Willow Road. Specifically, the bioretention basins would be located:

- at the eastern end of the landscaped area south of the building at 1005 O'Brien Drive,
- between the generator enclosure west of the building at 1005 O'Brien Drive and the sidewalk,
- in the landscaped area immediately north of the Willow Road driveway into the Project site, and

- in the landscaped area north of the paved pedestrian entrance to the building at 1320 Willow Road.

Table 3.10-1, Proposed Stormwater Treatment, identifies the sizes of each Drainage Management Area, the extent of impervious and pervious surfaces in each area under the Proposed Project, and the required and proposed treatment area sizes.

Table 3.10-1. Proposed Stormwater Treatment

Drainage Management Area	Total Area (Square Feet)	Impervious Surfaces (Square Feet)	Pervious Surfaces (Square Feet)	Treatment Area Required (Square Feet)	Treatment Area Proposed (Square Feet)
1	112,165	87,028	25,137	2,611	3,290
2	34,390	31,507	2,883	960	1,200
3	19,170	13,394	5,776	423	500
4	18,030	14,930	3,100	462	520
Totals	**183,755**	**146,859**	**36,896**	**4,456**	**5,510**

Source: Tarlton Properties 2023

Conclusion

The physical conditions related to water quality have not changed substantially in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. Compliance with existing stormwater control regulations, preparation of a SWPPP, and implementation of site design measures, source control measures, and BMPs would reduce potential construction and operation phase impacts on water quality to a **less-than-significant** level, consistent with the findings of the ConnectMenlo EIR. No further study is required.

b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HYDRO-2. The impact was determined to be less than significant because future development projects would be required to comply with existing federal, state, and local regulations, including General Plan policies, regarding groundwater management. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

Although dewatering may be necessary during Project construction, the groundwater beneath the Project site is not used for municipal water supply purposes. Should dewatering occur, it would be conducted on an as-needed basis during the construction phase and would not result in a loss of water that would deplete groundwater supplies. In addition, the water supply for construction activities (e.g., dust control, concrete mixing, material washing) would come from nearby hydrants and existing surface supplies for the site and/or be trucked to the site. Once operational, water service to the Project would be provided by Menlo Park Municipal Water (MPMW), which currently relies entirely on surface water and is in the process of

developing emergency groundwater wells to supplement surface water supplies in specific conditions, as discussed further in Section 3.19, Utilities and Service Systems. The Project would not increase groundwater demand.

As discussed in response (a) above, the Project would reduce the extent of impervious surfaces by approximately 23,346 square feet in Phase 1 and a total of 9,620 square feet in Phase 2 (Tarlton Properties 2023). As noted above, a portion of the Phase 2 reduction in impervious surface would be located within the Phase 1 footprint. The Project site currently includes 179,825 square feet of impervious surface and 3,930 square feet of pervious surfaces. After Project implementation, the site would support 146,859 square feet of impervious surface and 36,896 square feet of pervious surface. Thus, the Project would increase, rather than decrease, the ability for the site to contribute to regional groundwater recharge.

Conclusion

The physical conditions related to groundwater management have not changed substantially in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Project would not increase groundwater demand or decrease groundwater recharge and thus would have **no impact** on groundwater management. Thus, there would be no new specific effects as a result of the Project. No further study is needed.

c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i) Result in substantial erosion or siltation on- or off-site?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HYDRO-3. The impact was determined to be less than significant because future development would comply with regulatory requirements (e.g., BMPs, erosion control plans, SWPPPs), the Menlo Park Municipal Code, and the City's General Plan policies. No mitigation measures were required.

Project-Specific Discussion

Project construction activities would temporarily alter existing drainage patterns and could result in temporary onsite erosion and siltation. As described above, the regional drainage pattern in the vicinity of the Project site appears to be from south to north and run-off from the site ultimately drains to a 48-inch storm drain line located west of 1315 O'Brien Drive and a 66-inch storm drain line in Willow Road (Appendix E). The Proposed redevelopment of the Project site would reduce the extent of impervious surfaces, as described in responses (a) and (b)the Project would implement a SWPPP to minimize the potential for erosion and sedimentation in nearby storm drains, and the Project would construct four bioretention basins to provide onsite treatment of stormwater. As shown in Table 3.10-1, each of the basins would be sized slightly larger than the required size under the San Mateo County C.3 Manual guidelines. Preparation and implementation of the SWPPP and BMPs would reduce the potential for substantial erosion or siltation onsite or offsite or a substantial increase

in the rate or amount of runoff through source control measures (i.e., silt fencing, fiber rolls). Further, the Project would comply with existing NPDES permits and Municipal Code Chapter 7.42 regarding construction and stormwater management. Once operational, drainage within the Project site would be directed towards the bioretention basins within landscaped areas before being discharged to the City drainage facilities that currently serve the Project site. New stormwater conveyance and management facilities would be designed per the City's Drainage Guidelines.

Conclusion

The physical conditions related to erosion and siltation have not changed substantially in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. Through use of BMPs as required under the MRP and Municipal Code the Project would not alter the existing drainage pattern of the site in a manner that would result in substantial erosion or siltation. This impact would be **less than significant**, consistent with the findings of the ConnectMenlo EIR. No further study is required.

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HYDRO-4. The impact was determined to be less than significant impact because future development projects would comply with City stormwater measures in the Municipal Code, the C.3 provisions of the MRP, and other applicable General Plan policies. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

The Project site drains to the City's storm drainage system. During construction activities, water would be used to control dust, but would not be used in great enough quantities to result in substantial runoff or to alter drainage patterns. As discussed in the previous responses, the Project would reduce the extent of impervious surfaces within the Project site by approximately 23,346 square feet in Phase 1 and 9,620 square feet in Phase 2, and stormwater within the site would be routed to bioretention basins/planters for treatment prior to discharge to the existing storm drain network surrounding the Project site. Because the Project would reduce the amount of impervious surface within the Project site, the volume and rate of stormwater runoff would also be reduced (Appendix E).

Conclusion

The physical conditions related to surface runoff and flooding have not changed substantially in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. Project implementation would not increase surface runoff such that on or offsite flooding would occur. This impact would be **less than significant**, consistent with the findings of the ConnectMenlo EIR. No further study is required.

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?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HYDRO-5. The impact was determined to be less than significant because future development would be required to provide onsite infiltration for stormwater runoff, consistent with the City's General Plan and Municipal Code. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

As discussed in the previous responses, the Project site drains to the City's storm drainage system and the Project would reduce the amount of impervious surface within the Project site, which would reduce the volume and rate of stormwater runoff from the site compared to existing conditions (Appendix E). Thus, the Project would not contribute runoff water that would exceed the City's storm drainage system capacity.

Construction BMPs would be implemented for erosion and sediment control and to minimize the potential for adverse effects to water quality, which would reduce erosion and sediment transport into surface waters and prevent pollution in site runoff during construction. The NPDES General Construction permit also requires dischargers to consider the use of post-construction permanent BMPs that remain in service to protect water quality throughout the life of the Project. The proposed permanent BMPs consist of four bioretention basins within landscaped areas, each of which would be sized larger than the minimum treatment area size requirement under the San Mateo County C.3 Manual guidelines. All NPDES permits also include inspection, monitoring, and reporting requirements. Further, the City of Menlo Park has stringent stormwater requirements that exceed the C.3 provisions of the MRP.

Conclusion

The physical conditions related to stormwater drainage capacity and stormwater runoff quality have not changed substantially in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Project would not create or contribute runoff water that would exceed the capacity of stormwater drainage systems or provide additional sources of polluted runoff. This impact would be **less than significant**, consistent with the findings of the ConnectMenlo EIR. No further study is required.

iv) Impede or redirect flood flows?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HYDRO-8. The impact was determined to be less than significant because future development projects would comply with federal and Municipal Code requirements and related General Plan policies. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

As described above, the Project site is located within the 100-year flood zone. Construction within Special Flood Hazard Areas is governed by Menlo Park Municipal Code Section 12.42.51, Standards of Construction, which establishes development standards to minimize flood risks. The standards include anchoring and flood-proofing; limiting uses for structures below the base flood elevation; using utility equipment and materials that resist flood damage; requiring electrical, heating, ventilation, plumbing, and air-conditioning equipment and service facilities to be designed and/or located so as to prevent water from entering or accumulating within the components during flood conditions; and requiring that all new and replacement water supply and sanitary sewage systems be designed to minimize or eliminate infiltration of floodwaters into the systems (as well as discharges from systems into floodwaters).

As required by Menlo Park Municipal Code Section 16.44.130(4), all proposed ground-level building floors would be raised at least 2 feet above the FEMA base flood elevation. Further, the total amount of building footprint within the site would be approximately the same as under the existing condition, and the Project would reduce the extent of impervious surfaces within the Project site by approximately 23,346 square feet in Phase 1 and 9,620 square feet in Phase 2. These elements would ensure that the Proposed Project would not impede flood flows or redirect flood flows.

Conclusion

The physical conditions related to flood zones and potential flood flows have not changed substantially in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Project would comply with existing requirements related to flood hazards and would not exacerbate flooding or cause flooding to occur. The Project would not impede or redirect flood flows. This impact would be **less than significant**, consistent with the findings of the ConnectMenlo EIR. No further study is required.

D) In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact HYDRO-10. It was determined that impacts on future development related to flooding from tsunamis, seiches, and mud flows would be less-than-significant through compliance with existing regulations, including the City's General Plan policies. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

As previously described, the Project site is located in FEMA Flood Zone AE, which is considered a 100-year flood zone with a base flood elevation level (FEMA 2022). Project construction activities would involve importing fill soil to raise the site elevation sufficient to ensure that proposed ground-level building floors would be raised 2 feet above the 12.8 feet FEMA base flood elevation, per the requirements of Menlo Park Municipal Code Section 16.44.130(4).

The northern portion of the City, which consists mainly of sloughs and undeveloped land, is located within a tsunami inundation zone. According to the Governor's Office of Emergency Services tsunami and dam inundation maps for emergency planning, all areas planned for future development, including the Bayfront Area, are outside of an inundation zone associated with potential dam failure or tsunami. While it is possible that a seiche could occur within the Bay as a result of an earthquake event or other disturbance, any flooding associated with a seiche event would occur within areas susceptible to other hydrologic flooding (i.e., dam or tsunami). Because the Bayfront area, including the Project site, is located outside of mapped tsunami and dam-inundation zones, it is not expected that this area would be exposed to any potential flooding resulting from a seiche. Similarly, there is no potential for the Project site to be affected by mudflow due to the generally flat topography of the Bayfront Area and most of the city and because there are no areas within the City designated to be potentially affected by rainfall-induced landslides and debris flow source areas (City of Menlo Park 2016b).

In the event of a potential flood hazard, compliance with local water quality programs and associated municipal stormwater related NPDES permit requirements (e.g., municipal separate storm sewer system permit, Municipal Regional Permit) as well as City General Plan policies to manage flood risk and water quality would reduce risks associated with pollutant release due to Project inundation in a flood hazard, tsunami, or seiche zone.

Conclusion

The physical conditions related to flood hazard, tsunami, and seiche zones have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Project would comply with existing requirements related to flood hazards and the Project site is not subject to tsunami and seiche hazards. This impact would be **less than significant**, consistent with the findings of the ConnectMenlo EIR. No further study is required.

e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Analysis in the ConnectMenlo EIR

This topic was not directly addressed within the ConnectMenlo EIR. Impacts related to water quality were analyzed in the ConnectMenlo EIR as Impact HYDRO-1 and impacts related to groundwater supply were analyzed in the ConnectMenlo EIR as Impact HYDRO-2. Impacts were determined to be less than significant, and no mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

Water Quality Plans that the Project would be required to comply with include the Water Quality Control Plan for the San Francisco Bay Basin, the San Mateo Countywide Water Pollution Prevention Program, and the City of Menlo Park Storm Water Management Program. Construction activities associated with Project implementation would be required to adhere to a SWPPP, under the SWRCB's General Construction Stormwater Permit; therefore, BMPs would be implemented to reduce the amount of soil disturbance, erosion and sediment transport into receiving waters, and pollutants in site runoff during construction. As

stated above, throughout operation of the Project, site drainage would be collected and treated in on-site bioretention basins that would be incorporated in the site landscaping. As shown in Table 3.10-1, each bioretention basin would be sized larger than the minimum treatment area required under the San Mateo County C.3 Manual guidelines. As discussed in response (a) above, the Project would not substantially contribute to water pollution or water quality degradation and thus it would not conflict with or obstruct implementation of the region's water quality control plan.

The Project lies within the San Mateo Plain Groundwater Subbasin of the Santa Clara Valley Groundwater Basin, which is not in critical overdraft and no sustainable groundwater management plan has been adopted for the region. Further, the Project would obtain water from MPMW and would not use groundwater, other than in the case of MPMW utilizing an emergency groundwater well to supplement surface water supply, as discussed further in Section 3.19, Utilities and Service Systems, of this Initial Study.

Conclusion

The physical conditions related to water quality and groundwater management have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Project would comply with local, regional, and state regulations regarding water quality and would not conflict with or obstruct implementation of the region's water quality control plan. There is no adopted groundwater management plan applicable to the Project area. This impact would remain **less than significant,** consistent with the findings of the ConnectMenlo EIR. No further study is required.

3.11 Land Use and Planning

		Further Evaluation Needed in EIR	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XI.	**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?	☐	☐	☐	☒	☐

Environmental Setting

The Project site currently supports three existing commercial and industrial buildings that were constructed as part of an approximately 100-acre industrial park between the late 1950s and mid-1970s (Appendix C). Under the ConnectMenlo project, the Life Sciences land use and zoning designations were applied to the Project site and many nearby properties. Mid-Peninsula High School is located approximately 100 feet north of the Project site, separated from the site by the Hetch Hetchy aqueduct right-of-way. The Project site is located north of US 101,

State Route (SR) 84, the Dumbarton Rail Corridor, tidal mudflats and marshes along the Bay, the Don Edwards San Francisco Bay National Wildlife Refuge, and Ravenswood Slough.

The Project site is in the vicinity of several East Palo Alto neighborhoods. Land uses in the Project vicinity include single-family residences, multi-family residential buildings, neighborhood retail, the 4 Corners Civic Hub, four elementary/middle school districts, and one high school district within the City of Menlo Park. Public schools within the Project vicinity include the Belle Haven and Costano elementary schools, Caesar Chavez Ravenswood Middle School, and KIPP Valiant Community Preparatory School (a public charter school). The two public high schools nearest the site are TIDE Academy, located at 150 Jefferson Drive, approximately 1.4 miles west of the Project site, and Menlo-Atherton High School, located at 555 Middlefield Road in Atherton, located approximately 1.7 miles southwest of the Project site.

General Plan Goals and Policies

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

Environmental Checklist and Discussion

a) Would the project physically divide an established community?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact LU-1 and the impact was determined to be less than significant because buildout under the ConnectMenlo project was not expected to include construction of any new major roadways or other physical features through parcels or communities that would create new barriers or divide any established communities. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

The Project site is already developed. The Project site is adjacent to two major roadways and other existing commercial and industrial development. The Proposed Project does not include construction of new roadways or other offsite physical features that could divide established communities. It also would not cause the removal of a means to access that would impair mobility and connectivity for existing communities in the Project vicinity. The Project would create publicly accessible open space within the Project site, which would expand local mobility and connectivity in the vicinity. Further, the Proposed Project is consistent with the land use and zoning designations applied to the Project site.

Conclusion

The physical conditions related to cohesive communities have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and

there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Project would not construct any physical barriers or features that would divide an existing community or limit mobility and connectivity in the area. The Project would have **no impact** related to dividing established communities. No further study is required.

b) Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact LU-2. The impact was determined to be less than significant with mitigation incorporated. Mitigation Measure LU-2 from the ConnectMenlo EIR requires that future development demonstrate consistency with the applicable goals, policies, and programs in the City General Plan and the supporting zoning standards (City of Menlo Park 21016b).

Project-Specific Discussion

The site is designated by the General Plan as LS. One purpose of ConnectMenlo was to create live/work/play environments within the Bayfront Area and encourage office, R&D, residential, and commercial uses, as well as hotels, in proximity to and integrated with one another. The LS designation provides for new life sciences and R&D uses, along with high-tech office services and supportive sales and personal services. Specifically, City Ordinance No. 1025, which added the LS zoning district to the Menlo Park Municipal Code, states that the purposes of the LS district are to:

(1) Attract research and development and light industrial and uses particularly those that support bioscience and biomedical product development, and manufacturing and/or are potentially revenue generating businesses;
(2) Allow administrative and professional office uses and other services that support light industrial and research development sites and nearby;
(3) Provide opportunities for quality employment and development of emerging technology, entrepreneurship, and innovation;
(4) Facilitate the creation of a thriving business environment with goods and services that support adjacent neighborhoods as well as the employment base.

The Proposed Project would be consistent with the development goals outlined in ConnectMenlo. Additionally, the Project would be required to comply with all City goals and policies outlined in the General Plan and Municipal Code. Specifically, the Proposed Project would adhere to the following policies regarding land use, circulation, open space, safety, and environmental quality because it would be designed in accordance with the City's goals, policies, programs and regulations, as discussed throughout this Initial Study:

Goal LU-1: Promote the orderly development of Menlo Park and its surrounding area.

Policy LU-1.1: **Land Use Patterns.** Cooperate with the appropriate agencies to help assure a coordinated land use pattern in Menlo Park and the surrounding area.

Policy LU-1.2: **Transportation Network Expansion.** Integrate regional land use planning efforts with development of an expanded transportation network focusing on mass transit rather than freeways, and support multimodal transit development that coordinates with Menlo Park land uses.

Goal LU-4: Promote the development and retention of business uses that provide goods or services needed by the community that generate benefits to the City, and avoid or minimize potential environmental and traffic impacts.

Policy LU-4.1: **Priority Commercial Development.** Encourage emerging technology and entrepreneurship and prioritize commercial development that provides fiscal benefits to Menlo Park, local job opportunities, and/or goods or services needed by the community.

Policy LU-4.3: **Mixed-Use and Nonresidential Development.** Limit parking, traffic, and other impacts of mixed-use and nonresidential development on adjacent uses and promote high-quality architectural design and effective transportation options.

Policy LU-4.4: **Community Amenities.** Require mixed-use and nonresidential development of a certain minimum scale to support and contribute to programs that benefit the community and Menlo Park, including education, transit, transportation infrastructure, sustainability, neighborhood-serving amenities, child care, housing, job training, and meaningful employment for Menlo Park youth and adults.

Policy LU-4.5: **Business Uses and Environmental Impacts.** Allow modifications to business operations and structures that promote revenue generating uses for which potential environmental impacts can be mitigated.

Goal LU-6: Preserve open-space lands for recreation; protect natural resources and air and water quality; and protect and enhance scenic qualities.

Policy LU-6.2: **Open Space in New Development.** Require new nonresidential, mixed use, and multiple dwelling development of a certain minimum scale to provide ample open space in the form of plazas, greens, community gardens, and parks whose frequent use is encouraged through thoughtful placement and design.

Policy LU-6.3: **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-6.9: **Bicycle and Pedestrian Facilities.** :Provide well-designed bicycle and pedestrian facilities for safe and convenient multi-modal activity through the use of access easements along linear parks or paseos.

Policy LU-6.11: **Baylands Preservation.** Allow development near the Bay only in already-developed areas.

Goal CIRC-2: Increase accessibility for and use of streets by pedestrians, bicyclists, and transit riders.

Policy CIRC-2.11: **Design of New Development.** Require new development to incorporate a design that prioritizes safe bicycle and pedestrian travel and accommodates senior citizens, people with mobility challenges, and children.

Policy CIRC-2.14: **Impacts of New Development.** Require new development to mitigate its impacts on the safety (e.g., collision rates) and efficiency (e.g., vehicle miles traveled (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.

Goal OSC-5: Ensure health air and water quality.

Policy OSC-5.1: **Air and Water Quality Standards.** Continue to apply standards and policies established by the Bay Area Air Quality Management District, San Mateo Countywide Water Pollution Prevention Program, and City of Menlo Park Climate Action Plan through the California Environmental Quality Act process and other means as applicable.

Goal S-1: Ensure a safe community.

Policy S-1.26: **Erosion and Sediment Control.** Continue to require the use of best management practices for erosion and sediment control measures with proposed development in compliance with applicable regional regulations.

Policy S-1.27: **Regional Water Quality Control Board Requirements.** Enforce stormwater pollution prevention practices and appropriate watershed management plans in the RWQCB general National Pollutant Discharge Elimination System requirements, the San Mateo County Water Pollution Prevention Program, and the City's Stormwater Management Program. Revise, as necessary, City plans so they integrate water quality and watershed protection with water supply, flood control, habitat protection, groundwater recharge, and other sustainable development principles and policies.

In addition, the Project would contribute to attainment of several of the Guiding Principles established by ConnectMenlo, as described below:

- Citywide Equity – the Project proposes to use the City's bonus level development provisions, which requires providing community amenities. The Project proposes to pay the City's in-lieu fee to support off-site development of community amenities.
- Healthy Community – the Project would support the City's Healthy Community goals by implementing a TDM plan to reduce total traffic trips, particularly single-occupancy vehicle trips; providing approximately 59,344 square feet of open space, of which approximately 31,535 square

feet would be accessible to the public; providing landscaping throughout the site using drought tolerant plantings and trees, with a total of145 new trees planted; providing public water/drinking fountains, ornamental areas with natural rocks, and games such as ping pong and cornhole would also be incorporated throughout the site; and incorporating a range of sustainability features within the proposed buildings.

- Competitive and Innovative Business Destination – the Project would support increased economic and innovative business activity by replacing 90,631 square feet of single-story office, R&D, and storage buildings that were constructed in the 1960s with 228,081 square feet of modern R&D space that could attract new biotech and other life sciences employers to the city.
- Accessible Open Space – as noted above, the Project would provide approximately 59,344 square feet of open space, of which approximately 31,535 square feet would be accessible to the public. The publicly accessible open space would include flex turf space, meandering pedestrian walkways/paths, gathering/event space, a sports court, and seating on benches and at tables, public water/drinking fountains, ornamental areas with natural rocks, and games such as ping pong and cornhole. The private open space would include roof decks with trellises, seating and tables, and planting areas.
- Sustainable Environmental Planning – as discussed in Section 2.4.7, the Proposed Project would include a range of sustainability features, including a 5 kilowatt rooftop photovoltaic system; attaining LEED Gold and Silver standards; providing EV charging infrastructure and bicycle parking; using building coatings and sealants that are low volatile organic compound-emitting; providing enhanced ventilation, filtration and cleaning products to maintain high quality indoor environments; implementing a TDM plan and zero-waste management plan; compliance with the City's requirements for use of renewable energy and/or purchase of renewable energy credits; reducing the amount of impervious surface within the site and installing bioretention basins to treat stormwater; and using drought tolerant/low-water use planting materials.

Conclusion

The physical and regulatory conditions related to land use plans and policies have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. Through the City's project review and approval process, City staff and decision makers will ensure that the Project is consistent with all applicable General Plan and Municipal Code policies and regulations. This impact would be **less than significant,** consistent with the findings of the ConnectMenlo EIR. No further study is required.

3.12 Mineral Resources

	Further Evaluation Needed in EIR	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. 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?	☐	☐	☐	☐	☒

Environmental Setting

There are no known mineral resources within the vicinity of the Project site nor is it identified as a locally important site for mineral resources by the California Geological Survey (CGS). The CGS has classified the Project site as Mineral Resource Zone-1, which is an area "where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence" (CGS 1987).

General Plan Goals and Policies

There are no City General Plan goals or policies that are applicable to consideration of the Proposed Project's effects related to mineral resources.

Environmental Checklist and Discussion

a) Would the 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?

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR in the Impacts Found Not to be Significant discussion (Section 6); it was determined that the ConnectMenlo project would result in no impact to mineral resources. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

The Project site is currently developed and there are no known mineral resources on the site or within the vicinity of the Proposed Project. The Project site is not delineated as a locally important mineral resource by the CGS or on any County or City land use plan. Additionally, the City of Menlo Park has zoned this location for Life Science uses rather than designating it as a source of mineral resources.

Conclusion

The physical conditions related to mineral resources have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. There are no known mineral resources at or near the Project site and the Project would have **no impact,** consistent with the findings of the ConnectMenlo EIR. No further study is required.

*b) **Would the 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?***

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR in the Impacts Found Not to be Significant discussion; it was determined that there would be no impact to locally important mineral resource recovery sites. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

As discussed above, there are no known mineral resources at or near the Project site. The site is not identified as a locally important mineral resource recovery site in any local land use plans.

Conclusion

The physical conditions related to mineral resources have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Project site is not identified as a locally important mineral resource recovery site and the Project would have **no impact,** consistent with the findings of the ConnectMenlo EIR. No further study is required.

3.13 Noise

	Further Evaluation Needed in EIR	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. 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?	☐	☒	☐	☐	☐

	Further Evaluation Needed in EIR	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	☐	☒

Environmental Setting

As discussed in more detail, below, this topic will be analyzed in the focused EIR for this Project. The focused EIR will include a description of the existing noise setting for the Project area.

General Plan Goals and Policies

General Plan goals and policies related to evaluation of the Project's potential noise impacts will be outlined and discussed in the focused EIR.

Environmental Checklist and Discussion

a-b) ***Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; or result in generation of excessive groundborne vibration or groundborne noise levels?***

Analysis in the ConnectMenlo EIR

These checklist items were analyzed in the ConnectMenlo EIR as Impacts NOISE-1, NOISE-2, NOISE-3, and NOISE-7. Impacts related to generation of temporary or permanent ambient noise levels in excess of standards were determined to be less than significant with the application of Mitigation Measures NOISE-1a, NOISE-1b, and NOISE-1c in addition to compliance with City General Plan goals and policies. Impacts related to generation of groundborne vibration and noise were determined to be potentially significant. Implementation of Mitigation Measures NOISE-2a and NOISE-2b were determined to reduce potentially significant impacts to a less-than-significant level (City of Menlo Park 2016b).

Project-Specific Discussion

Although the physical conditions have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR, the ConnectMenlo EIR requires project-specific technical analysis to evaluate the potential noise impacts. The focused EIR will demonstrate compliance with ConnectMenlo Mitigation Measures NOISE-1a (preparation of acoustical studies), NOISE-1b (compliance with Municipal Code), NOISE-1c (implement construction-related noise measures), NOISE-2a (preparation of noise and

vibration analysis), and NOISE-2b (implement building location and design measures). The focused EIR will also identify additional mitigation measures if necessary to reduce significant impacts.

Conclusion

The Project's potential to result in significant noise impacts requires **further environmental review** and will be addressed in the focused EIR. As noted in Chapter 1, Introduction, the terms of the 2017 *City of East Palo Alto v. City of Menlo Park* Settlement Agreement requires that a project-level EIR be prepared to evaluate potential effects related to population and housing and transportation, regardless of whether this Proposed Project is within the scope of the ConnectMenlo EIR. The analysis of the Project's potential noise impacts requires detailed modeling based in part on the Project's Transportation Impact Analysis. Thus, the required additional technical analysis of GHG emissions and impacts will also be presented in the focused EIR.

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?

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR as Impacts NOISE-5 and NOISE-6. Impacts related to exposure of excessive noise levels within the vicinity of a private airstrip, public airport, or airport land use plan area were determined to result in less-than-significant impacts. No mitigation measures were required (City of Menlo Park 2016b)

Project-Specific Discussion

The Project is not adjacent to a public use airport and conditions related to airports and airstrips have not changed in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. As stated in the ConnectMenlo EIR, there are no private airstrips located within Menlo Park. In addition, there are no areas of Menlo Park which fall within an airport land use plan for a nearby public use airport. The Project site is located approximately 4 miles from Palo Alto Airport; this area is not included in the airport's influence area, nor is it within the airport's 55-decibel (dB) noise contour.

Conclusion

The physical conditions related to the exposure of people to excessive noise from airports or airstrips have not changed in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur; therefore, there would be no new site-specific effects as a result of the Project. Implementation of the Proposed Project would therefore not expose people residing or working in the Project area to excessive noise levels and would have **no impact** associated with airport and airstrip noise, consistent with the findings of the ConnectMenlo EIR. No further analysis is required.

3.14 Population and Housing

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

Environmental Setting

As discussed in more detail, below, this topic will be analyzed in the focused EIR for this Project. The focused EIR will include a description of the existing population and housing setting for the Project area.

General Plan Goals and Policies

General Plan goals and policies related to evaluation of the Project's potential impacts related to population and housing will be outlined and discussed in the focused EIR.

Environmental Checklist and Discussion

a and b) Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Analysis in the ConnectMenlo EIR

These topics were analyzed in the ConnectMenlo EIR as Impacts POP-1, POP-2, and POP-3 and impacts were determined to be less than significant. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

The Project would construct two new 4 and 5 story R&D buildings, which would generate new employees. Although the Project would not result in onsite residential population increases, the new employees could generate households within the city and the region. Since adoption of the ConnectMenlo General Plan Update, redevelopment has occurred and is continuing throughout the Bayfront Area and in the Project

region, which has altered the population and housing conditions. In compliance with the 2017 City of East Palo Alto v. City of Menlo Park Settlement Agreement, a Housing Needs Assessment will be prepared for the Project and the focused EIR will evaluate population growth in more detail.

Conclusion

The Project's potential to result in significant population and housing impacts requires **further environmental review** and will be addressed in the focused EIR, as required by the 2017 *City of East Palo Alto v. City of Menlo Park* Settlement Agreement.

3.15 Public Services

	Further Evaluation Needed in EIR	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. PUBLIC SERVICES					
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:					
Fire protection?	☐	☐	☐	☒	☐
Police protection?	☐	☐	☐	☒	☐
Schools?	☐	☐	☐	☒	☐
Parks?	☐	☐	☐	☒	☐
Other public facilities?	☐	☐	☐	☒	☐

Environmental Setting

Fire Protection

Fire protection services in the Project area are provided by the 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. The MPFPD currently serves approximately 90,000 people and in 2020, MPFPD responded to approximately 8,500 emergencies (MPFPD 2020a). MPFPD's adopted performance goal is to have a first-response unit arrive on the scene of all Code 3 (i.e., using warning lights and sirens) emergencies within 7 minutes from the time of the call to the dispatch center, 90 percent of the time. For the full response, the MPFPD's goal is to have all dispatched units arrive on the scene within 11 minutes from the time of the call to the dispatch center, 90 percent of the time (MPFPD 2020b). MPFPD's average response times fall under the currently adopted 7-minute standard for first-response units and 11-minute standard for all units (MPFPD 2021a).

In addition to fire prevention, the MPFPD is also responsible for providing emergency and disaster response, public education services, and community crisis management. The MPFPD includes the MPFPD Headquarters, located at 1700 Middlefield Road in the City of Menlo Park, as well as 7 stations which have been strategically placed

throughout the MPFPD's jurisdiction to provide the best response time. The nearest MPFPD station is Station 77, located approximately 0.5-mile northwest of the Project site.

The ConnectMenlo EIR stated that this Station 77 is in excellent condition, but MPFPD anticipated a need to expand or relocate the station to accommodate future fire protection and emergency service demand (City of Menlo Park 2016b). In MPFPD's fiscal year 2021/2022 budget, funding was allocated to construct a new mechanic shop and dorm at Station 77 (MPFPD 2021b). Station 77's primary response areas include the eastern portion of Menlo Park, the Belle Haven neighborhood, the Bayfront Area, and East Palo Alto. This station houses two units – Engine 77, which has a captain and two firefighters, one of which is a qualified engineer, and Rescue 77, which has one captain and one engineer. Each unit includes one licensed paramedic providing Advanced Life Support (MPFPD 2020a).

The MPFPD is organized into the following five Fire District Divisions: Administrative Services, Human Resources, Fire Prevention, Operations, and Support Services. MPFPD staff includes 12 chief officers, 30 captains, and 66 engineers/firefighters, for a total of 108 fire safety personnel, and 22 administrative support staff (MPFPD 2020a). MPFPD has a ratio of approximately 1.2 firefighters per 1,000 residents in the service area.

MPFPD receives approximately 91 percent of its general fund revenue from property taxes (MPFPD 2021b). Additionally, MPFPD adopted an Emergency Services and Fire Protection Impact Fee Program. If this program is adopted by the City, MFPFD could collect impact fees from developers to fund fire station improvements, additional apparatus and/or equipment, or other non-personnel requirements to ensure that MPFPD can maintain a high standard of service to properties within the district.

Police Protection

Police services in the vicinity of the Project site are provided by the Menlo Park Police Department (MPPD), which serves the city. The MPPD operates one station located at City Hall at 701 Laurel Street, approximately 2.0 miles southwest of the Project site and a substation and neighborhood service center located in the Belle Haven neighborhood approximately 1.4 miles east of the Project site. The MPPD station performs various law enforcement, code enforcement, traffic enforcement, investigative functions, and various administrative duties. The substation houses the MPPD's Code Enforcement Office and Community Safety Police Officer and provides officers a place to conduct interviews and meet with community members. MPPD has 43 sworn officers and 16.5 professional staff (City of Menlo Park 2019). With an estimated Citywide population in 2022 of 33,034 people, the current MPPD staffing ratio is 1.30 officers per 1,000 residents. MPPD also participates in a mutual-aid agreement with the local neighboring cities.

Schools

There are four elementary/middle school districts and one high school district within the City of Menlo Park. Public schools within the Project vicinity include Belle Haven and Costano elementary schools, Ceasar Chavez Ravenswood Middle School, and KIPP Valiant Community Preparatory School (a public charter school). The two public high schools nearest the site are TIDE Academy, located at 150 Jefferson Drive, approximately 1.4 miles west of the Project site, and Menlo-Atherton High School, located at 555 Middlefield Road in Atherton, located approximately 1.7 miles southwest of the Project site. In addition, the private Mid-Peninsula High School is located approximately 100 feet north of the Project site.

Parks

The Menlo Park Library and Community Services Department is responsible for providing recreational and cultural programs for residents of the city. Recreational facilities within the city currently include 17 parks, one recreation center, one public pool, three childcare centers, one gymnasium, and one gymnastics center. One new multiservice facility is currently under construction at 100 Terminal Ave and is scheduled to open in 2024; the new facility will include one gymnasium, one recreation center, one senior center and one aquatics center co-located in a single facility. The Menlo Park parks nearest the Project site are Hamilton Park, located approximately 1 mile driving distance to the northwest, and Karl E. Clark Park, located approximately 1.1 mile driving distance to the west. In addition, Jack Farrell Park is approximately 0.9 mile driving distance east in the City of East Palo Alto.

Libraries

The City has two libraries: the Belle Haven Branch Library on Ivy Drive, located approximately 0.5 mile west of the Project site, and Menlo Park Library, approximately 2 miles southwest of the site. The Belle Haven Branch Library will relocate to a newly constructed multiservice facility located at 100 Terminal Ave. in 2024.

General Plan Goals and Policies

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

Environmental Checklist and Discussion

a) ***Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:***

Fire protection?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact PS-1. The EIR determined that impacts related to the need for remodeled or expanded fire protection facilities in order to maintain acceptable service ratios, response times, or other performance standards would be less than significant. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

The Project site currently supports office and light industrial uses and the Proposed Project would replace the existing buildings with R&D buildings, with a net increase in building space of 137,450 square feet. Project implementation would increase employment at the Project site. At full buildout, it is estimated that

approximately 570 employees could occupy the Project site, assuming one employee for each 400 square feet of building space. Currently some of the existing building space at the Project site is vacant and other spaces are occupied by businesses that have a lower ratio of employees per square foot. However, using the same ratio, the square footage of existing buildings could accommodate up to 227 employees. Thus, the Project could increase the potential maximum onsite employment by approximately 343 people.

In addition, although the Proposed Project would not construct any housing and thus would not directly lead to increases in the City's residential population, the new employees at the site could generate additional households within the city and the MPFPD service area. Using the average of 1.85 workers per work household in San Mateo County, the Project would generate approximately 185 new households. On average, approximately 6.5 percent of the City's workforce also resides in the city; thus, the Project could generate 12 new households within the City limits. Based on the City's current household size of 2.5 persons, these 12 new households would accommodate approximately 30 new permanent residents. These population estimates will be refined in the Housing Needs Assessment that will be prepared for the Project and discussed in the focused EIR.

Combined, the new residents and new employees would constitute a new population within the MPFPD service area of approximately 373 people. This represents approximately 0.4 percent of the current population within the MPFPD service area and would not alter the current ratio of firefighters to population.

Further, construction and operation of the Project would be required to comply with all applicable MPFPD codes and regulations as well as standards related to fire hydrants (e.g., fire-flow requirements, spacing requirements), the design of driveway turnaround and access points, and other fire code requirements. For example, the MPFPD Fire Prevention Code, Section 903.2, requires automatic fire sprinkler protection for commercial occupancies that are more than 5,000 gross square feet if the building is 40 feet or taller. Because the Project is consistent with the land use and zoning designations for the site and the Project design would comply with existing fire codes and regulations, and because the population increase associated with the Project would not affect MPFPD staffing ratios, the Project would not require the provision of new or altered fire protection facilities. The Project would increase the amount of building space within the Project, replacing buildings that are more than 50 years old with modern R&D buildings and amenities. This would increase the property value and the associated property tax assessment for the site, A portion of the additional property taxes would contribute to the MPFPD General Fund, which could be used to support implementation of the MPFPD capital improvement plan.

Conclusion

The physical conditions related to fire protection services have not changed substantially in the Project vicinity since preparation of the ConnectMenlo EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Project would not result in substantial adverse environmental impacts associated with the provision of new or physically altered fire and emergency service facilities in order to maintain acceptable service ratios, response times, or other performance objectives. Fire service impacts as a result of the Project would be **less than significant**, consistent with the findings of the ConnectMenlo EIR. No further study is required.

Police protection?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact PS-3. The EIR determined that impacts related to police protection would be less than significant because the MPPD would be able to address issues related to maintaining adequate response times for the proposed development through staffing rather than facility expansion. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

As noted in the fire protection services discussion above, the Proposed Project would replace existing office and light industrial buildings at the site with larger R&D buildings, which would increase employment at the Project site. As discussed above, the Project could increase employment onsite by approximately 343 people. When calculating the service population, the MPPD considers employees who work in Menlo Park as one-third of a resident; thus, the Project would generate approximately 113 additional daytime residents. In addition, the new employees at the site could generate an estimated 12 additional households within the city accommodating approximately 30 new permanent residents, for a total population increase for the purposes of police protection services of 143 people. This would represent a 0.4 percent increase in the service population for MPPD and would not alter the current ratio of officers to population.

Police surveillance in the Project area would continue, including routine patrols and responses to calls for assistance. The Project would not require the MPPD to expand its current service boundary. Therefore, based on the existing service levels and the levels anticipated under the Proposed Project, it is not expected that new police facilities would be required.

Conclusion

The physical conditions related to police protection services have not changed substantially in the Project vicinity since preparation of the ConnectMenlo EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. Based on current service levels and the service levels expected to occur under the Project, Project would not require the provision of new or altered MPPD facilities. Police protection impacts as a result of the Project would be **less than significant**, consistent with the findings of the ConnectMenlo EIR. No further study is required.

Schools?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact PS-8 and impacts were determined to be less than significant impact because all future development would be required to pay adopted school impact fees. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

The Proposed Project would redevelop the Project site, demolishing 90,631 square feet of office and light industrial buildings and constructing 228,081 new square feet of R&D uses. The Sequoia Union High School District (SUHSD) and Ravenswood City School District have adopted developer impact fees that are applicable to residential and commercial land uses. As of 2022, the fee for commercial land uses is $0.78 per square foot, of which Ravenswood City School District receives $0.516 and SUHSD receives $0.264 (SUHSD 2022). State law mandates that payment of the adopted fees is sufficient to mitigate the demands for additional school space that may be attributed to population growth related to the Proposed Project.

Conclusion

The physical conditions related to school capacity and enrollment have not changed substantially in the Project area since preparation of the ConnectMenlo EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. At the time that building permits are issued, the Proposed Project would pay the adopted developer impact fees for both of the school districts in which the Project site is located. Consistent with State law, payment of these fees would ensure that that the Project's impacts related to school capacity and enrollment would be **less than significant**, consistent with the findings of the ConnectMenlo EIR. No further study is required.

Parks?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impacts PS-5 and PS-6. The EIR determined that buildout under the ConnectMenlo project would result in less than significant impacts to parks. The EIR noted that future development would be required to comply with existing regulations to minimize impacts related to park and recreational services and facilities. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

As discussed above, the Project is estimated to generate 343 new employees and 30 new residents within the city. The ConnectMenlo EIR reported that there were approximately 31,920 jobs in the study area for that EIR in 2015 and projected that new Bayfront development under ConnectMenlo could accommodate 5,500 new jobs (City of Menlo Park 2016b). The increased employment capacity of the Proposed Project represents approximately 6 percent of the new Bayfront Area employment identified in the ConnectMenlo EIR. The Proposed Project would also increase the City's residential population by 0.1 percent. The minimal increase in employees and residents would not substantially increase use of parks in the Project area. Further, as described in Section 2, Project Description, the Project would include 59,334 square feet of open space of which approximately 31,535 square feet would be accessible to the public. As such, the Project is not anticipated to increase the use of existing parks and recreational resources within the city such that substantial physical deterioration would occur.

Conclusion

The physical conditions related to parks have not changed substantially in the Project vicinity since preparation of the ConnectMenlo EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Proposed Project would not substantially increase employment or residential population within the city and would include publicly accessible open space within the site. The Project would not substantially increase use of existing parks and would not require development of new parks. As such, the impact of the Project on existing park and recreational resources would be less than significant, consistent with the findings of the ConnectMenlo EIR. Refer to Section XV, Recreation, for additional analysis of impacts on parks. No further study is required.

Other public facilities?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact PS-10 and the impact was determined to be less than significant. The EIR stated that future development would be required to comply with existing regulations to minimize impacts related to other facilities, including library services. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

As discussed above, the Project is estimated to increase employment in the city by approximately 343 employees and increase the City's residential population by 30 people. This minimal increase is not expected to result in adverse impacts related to existing public library facilities. It is anticipated that the existing libraries within the city would continue to be able to serve City residents, including the minimal increase resulting from Project implementation.

Conclusion

The physical conditions related to libraries and other public facilities have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Proposed Project would not substantially increase employment or residential population within the city and thus would not substantially increase use of existing libraries and other public facilities or require development of new libraries and other public facilities. As such, the impact of the Project on other public facilities would be less than significant, consistent with the findings of the ConnectMenlo EIR. No further study is required.

3.16 Recreation

	Further Evaluation Needed in EIR	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. RECREATION					
a) Would the 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?	☐	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒	☐

Environmental Setting

The Menlo Park Library and Community Services Department (Department) is responsible for providing recreational and cultural programs for City residents. The City has 17 parks and open spaces totaling approximately 222 acres and 10 recreational program facilities including a gymnastics center, a gymnasium, a recreation center, three child care centers, and one community pool. One new multiservice facility is currently under construction at 100 Terminal Ave and is scheduled to open in 2024; the new facility will include one gymnasium, one recreation center, one senior center and one aquatics center co-located in a single facility (Menlo Park Community Campus). The Belle Haven Child Development Center is located on Ivy Drive approximately 0.8 miles from the Project site. The City also has joint-use agreements with four school districts that allow use of sports fields, sports courts, and playgrounds at five schools.

Regional parks in the vicinity include Bedwell Bayfront Park, located at 1600 Marsh Road and consisting of approximately 160 acres, Don Edwards San Francisco Bay National Wildlife Refuge, which is located adjacent to Bedwell Bayfront Park, and the 26-acre Flood Park, which is a San Mateo County facility located on Bay Road. Bedwell Bayfront Park and the Don Edwards San Francisco Bay National Wildlife Refuge provide trails, wildlife viewing, and other passive recreation opportunities. Flood Park provides both passive and active recreation opportunities.

The City has adopted a goal of maintaining a ratio of 5 acres of developed parkland per 1,000 residents (City of Menlo Park 2016a).

General Plan Goals and Policies

The City's General Plan (specifically the Land Use Element, Open Space/Conservation Element, Noise Element, and Safety Element) contains general goals, policies, and programs that require local planning and development decisions to consider impacts on recreational resources. The following General Plan goals, policies, and programs would serve to minimize potential adverse impacts on recreational resources: Goal LU-4, Policy LU-4.5, Goal LU-6, Policy LU-6.2, Goal OSC-2, Policy OSC-2.1, Policy OSC-2.4, and Policy OSC-2.6.

Environmental Checklist and Discussion

a) Would the 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?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact PS-6. The EIR determined that impacts would be less than significant because at full buildout under ConnectMenlo, the City would have a parkland ratio of 5.2 acres per 1,000 residents, which would exceed the standard established in the City's General Plan Policy OSC-2.4 of maintaining a ratio of 5 acres of developed parkland per 1,000 residents, because all new development projects would be required to provide publicly-accessible open space within each project site, and the increased population in the area would not lead to substantial increases in the use of parks and recreation facilities that could lead of physical deterioration of those facilities. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

As discussed in Section 3.15, the Proposed Project is estimated to generate approximately 343 new employees at the Project site and could lead to 12 new residential households within the city, which would accommodate approximately 30 people. The ConnectMenlo EIR projected that new Bayfront development under ConnectMenlo could accommodate 5,500 new jobs (City of Menlo Park 2016b). The increased employment capacity of the Proposed Project represents approximately 6 percent of the new Bayfront Area employment identified in the ConnectMenlo EIR. The Proposed Project would also increase the City's residential population by 0.1 percent. These employees and residents could use nearby parks as well as other open space and recreation resources in and around Menlo Park, however the minimal increase in employees and residents would not substantially increase use of parks in the Project area and would not cause the City to fall below its adopted standard of providing 5 acres of parkland for every 1,000 residents. In addition, the Proposed Project would provide a total of 59,344 square feet of open space, of which 31,535 square feet would be publicly accessible. While Project implementation may result in minor increases in existing park/recreational users within the Project area, the Project includes open spaces that would be available to both building tenants as well as public users. As a result, the Project is not expected to increase the use of existing recreational facilities such that the physical deterioration of such facilities would occur or be accelerated.

Conclusion

The physical conditions relate to parks and recreation facilities have not changed substantially in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Project would not result in a substantial increase in recreational users such that the physical deterioration of recreational facilities would occur or be accelerated. Therefore, the impact of the Project on existing park and recreational resources would **be less than significant,** consistent with the findings of the ConnectMenlo EIR. No further study is required.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact PS-6 and impacts were determined to be less than significant because at full buildout under ConnectMenlo, the City would have a parkland ratio of 5.2 acres per 1,000 residents, which would exceed the standard established in the City's General Plan Policy OSC-2.4 of maintaining a ratio of 5 acres of developed parkland per 1,000 residents. Thus, buildout under ConnectMenlo would not require new development or expansion of parks and recreational facilities. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

The Proposed Project would not construct any new or expanded park or recreational facilities. The Project would include approximately 59,344 square feet of open space and landscaping, of which 31,535 square feet would be publicly accessible. Environmental effects of construction and operation of the open space component is evaluated as part of the assessment of the overall Project impacts throughout this Initial Study. Further, because the Project would not cause substantial residential or employment growth in the city, it would not necessitate the construction of additional recreational facilities or expansion of existing recreational facilities within the Project area.

Conclusion

The physical conditions related to park and recreational facilities have not changed substantially in the Project vicinity since preparation of the ConnectMenlo EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Project would not result in a substantial increase in recreational users such that construction or expansion of recreational facilities would be necessary. The City's standard of maintaining 5 acres of parkland for every 1,000 residents would be attained. Therefore, the impact of the Project on existing park and recreational resources would **be less than significant,** consistent with the findings of the ConnectMenlo EIR. No further study is required.

3.17 Transportation

	Further Evaluation Needed in EIR	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. TRANSPORTATION – Would the project:					
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☒	☐	☐	☐	☐

	Further Evaluation Needed in EIR	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☒	☐	☐	☐	☐

Environmental Setting

As discussed in more detail, below, this topic will be analyzed further in the focused EIR. The focused EIR will include a description of the existing transportation setting for the Project area.

General Plan Goals and Policies

General Plan goals and policies related to evaluation of the Project's potential transportation impacts will be outlined and discussed in the focused EIR.

Environmental Checklist and Discussion

a-d) ***Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? Result in inadequate emergency access?***

Analysis in the ConnectMenlo EIR

The ConnectMenlo EIR identified significant and unavoidable impacts related to increased delays of peak hour motor vehicle traffic at some study intersections and to routes of regional significance. However, changes in the CEQA Statute and CEQA Guidelines that have been adopted since preparation of the ConnectMenlo EIR prohibit use of intersection delay and level of service metrics to identify environmental effects. Instead, the metric of vehicle miles traveled has been established as the appropriate metric for determining potentially significant environmental impacts related to transportation.

Project-Specific Discussion

A Transportation Impacts Analysis will be prepared for the Proposed Project and will be included in the focused EIR. The analysis will include consideration of vehicle miles traveled, public transit, and non-motorized transportation. For informational purposes and to evaluate consistency with City planning documents, the Transportation Impacts Analysis will also consider intersection delay and levels of service.

The Transportation Impacts Analysis is currently anticipated to include analysis of the following 2 roadway sections and 12 intersections:

Roadway Segments

- O'Brien Drive between Willow Road and Kavanaugh Drive
- O'Brien Drive between University Avenue and Kavanaugh Drive

Intersections

1. Willow Road and Bayfront Expressway (Menlo Park)
2. Willow Road and Hamilton Avenue (Menlo Park)
3. Willow Road and Ivy Drive (Menlo Park)
4. Willow Road and O'Brien Drive (Menlo Park)
5. Willow Road and Newbridge Street (Menlo Park)
6. Willow Road and US 101 Northbound Off-ramp (Menlo Park)
7. Willow Road and US 101 Southbound Off-ramp (Menlo Park)
8. O'Brien Drive and Kavanaugh Drive (Menlo Park)
9. University Avenue and Bayfront Expressway (East Palo Alto)
10. University Avenue and Adams Drive (East Palo Alto)
11. University Avenue and O'Brien Drive (East Palo Alto)
12. University Avenue and Kavanaugh Drive (East Palo Alto)

Conclusion

The Project's potential to result in significant population and housing impacts requires **further environmental review** and will be addressed in the focused EIR, as required by the 2017 *City of East Palo Alto v. City of Menlo Park* Settlement Agreement.

3.18 Tribal Cultural Resources

	Further Evaluation Needed in EIR	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. TRIBAL CULTURAL RESOURCES					
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:					

	Further Evaluation Needed in EIR	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☒	☐	☐
b) 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 subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☒	☐	☐

Environmental Setting

The Project site and the surrounding area has been developed since the 1960s. The Project site currently features office and light industrial uses. Implementation of the Project would require the demolition of existing buildings as well as importing fill soil to raise the site elevation sufficient to ensure that proposed ground-level building floors would be raised 2 feet above the 12.8 feet FEMA base flood elevation, per the requirements of Menlo Park Municipal Code Section 16.44.130(4).

CEQA defines a tribal cultural resource as a site, feature, place, cultural landscape, sacred place, or object with cultural value to a California Native American tribe that is either included in or determined eligible for inclusion in the CRHR or a qualifying local historical register or determined by the lead agency to be significant pursuant to the criteria for listing in the CRHR, based on substantial evidence (Public Resources Code Section 20174[a]). A cultural landscape that meets this definition is a tribal cultural resource to the extent that the landscape is geographically defined in terms of size and scope (Section 20174[b]). A historical resource or archaeological resource that meets this definition may also be a tribal cultural resource (Section 20174[c]). As discussed in Section 3.5, Cultural Resources, no archaeological or historic resources have been identified within the Project site, but there is a potential for archaeological resources, which could be considered Tribal Cultural Resources, to be encountered during excavation and grading activities that would occur as part of Project construction.

The following tribes are traditionally and culturally affiliated with the Project region:

- Amah Mutsun Tribal Band;
- Costanoan Rumsen Carmel Tribe;
- Indian Canyon Mutsun Band of Costanoan;
- Muwekma Ohlone Indian Tribe of the San Francisco Bay Area
- Ohlone Indian Tribe

- Wuksache Indian Tribe/Eshom Valley Band; and
- Tamien Nation

The City provided notification of the Proposed Project to each of these tribes in November 2022. None of the tribes have requested consultation and no responses to the notifications were received.

The Bayfront Area of Menlo Park has been identified as archaeologically sensitive. The ConnectMenlo EIR notes that "artifacts from the lives of these early residents of what is now Menlo Park are still being discovered today. As recently as 2012, Native American remains were found at a construction site along Willow Road, in Menlo Park. Additionally, Native American remains were found at the Prologis commercial development site in the Bayfront Area" (City of Menlo Park 2016b). In addition, archival record searches indicate that there is a previously recorded multi-component (historic and pre-European contact) archaeological resource, referred to as the Hiller Mound, located within the Willow Village project site, which is approximately 500 feet north of the Proposed Project. The Willow Village Final EIR identifies that Basin Research Associates (Basin) prepared a Cultural Resources Assessment Report for that project, which included archival records reviews, literature review, and an enhanced archaeological identification program involving subsurface probing. Basin reported that the Hiller Mound has been extensively studied. The central portion of the resource site, referred to as the Core, represents the most archaeologically intact component of the resource. The Perimeter component is characterized by the presence of alluvial midden which reflects archaeological material has been displaced from the core through erosion, slope wash, and leveling of the Core that occurred during prior development activities at the site. Basin also noted that Native American remains were encountered at the Willow Village site during construction activities that occurred in 2017 (City of Menlo Park 2022b).

General Plan Goals and Policies

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

Environmental Checklist and Discussion

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:

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

Analysis in the ConnectMenlo EIR

Tribal cultural resources, as defined by Public Resources Code Section 21074, were analyzed in the ConnectMenlo EIR as Impact CULT-1. Impacts were determined to be less than significant with implementation of ConnectMenlo EIR Mitigation Measures CULT-2a, CULT-2b, and CULT-4, which define protocols to be followed in the event that archeological resources are found during construction, requirements for the City to notify Native American tribes about individual projects that propose a General

Plan Amendment and/or land use policy changes and consult with tribes when requested, and protocols to be followed in the event that human remains are encountered during construction (City of Menlo Park 2016b). At the time that the ConnectMenlo EIR was certified, Mitigation Measure CULT-2b defined Native American notification requirements that applied only to projects that propose a General Plan Amendment and/or land use policy changes, which this Proposed Project does not include. The Housing Element Update Subsequent EIR replaced the ConnectMenlo EIR Mitigation Measures CULT-2a and CULT-2b with Mitigation Measures CR-2a and CR-2b (City of Menlo Park 2023a); however, the Subsequent EIR Mitigation Measure CR-2a only applies to multi-family housing development projects and thus only Subsequent EIR Mitigation Measure CR-2b is applicable to the Proposed Project.

Project-Specific Discussion

The ConnectMenlo EIR identified that there are no resources listed in the CRHR or any local registers within the Project site. Further, as discussed in Section 3.5, a Built Environment Inventory and Evaluation Report (Appendix C) was prepared for the Project site, in compliance with ConnectMenlo EIR Mitigation Measure CULT-1. This report found that the properties that comprise the Project site are ineligible for listing in the NRHP and CRHR. Further, as noted above, the City provided notification of the Proposed Project in November 2022, in compliance with AB 52, to the Native American tribes that are traditionally and culturally affiliated with the Project area and no responses or requests for consultation were received. Thus, there are no known Tribal Cultural Resources or resources that are listed or eligible for listing in the CRHR within or adjacent to the Project site. However, as described in Section 3.5, Cultural Resources, Native American remains were found in the ConnectMenlo study area at a construction site along Willow Road in Menlo Park as recently as 2012. Other recent development projects in the Bayfront Area, including those within the vicinity of the Project site, have identified the known presence of pre-historic and historic-era archaeological resources as well as the potential to encounter subsurface archaeological features and/or deposits through construction activities (City of Menlo Park 2023). As such, it is possible that cultural resources and/or human remains of Native American descent could be discovered during Project construction earthmoving activities, and such resources would require evaluation to determine if they are eligible for listing in the CRHR.

Three of the Native American tribes that are traditionally and culturally affiliated with the Project region requested consultation with the City in regard to the Willow Village project and two tribes requested consultation with the City in regard to the 1125 O'Brien Drive project. Through those consultation processes, the tribes and the City developed mitigation measures that establish protocols to be followed during construction of the projects for which consultation occurred. Although no consultation was requested for the Proposed Project, this Initial Study incorporates the mitigation measures that were developed through the prior consultation processes as Mitigation Measures CULT-A and CULT-B. Implementation of these measures in addition to Housing Element Update Subsequent EIR Mitigation Measure CR-2b and ConnectMenlo EIR Mitigation Measure CULT-4 would ensure that significant impacts to cultural resources and tribal cultural resources are avoided.

Compliance with existing federal, state, and local laws and regulations, applicable ConnectMenlo EIR mitigation measures, the mitigation measures developed in prior tribal consultation processes, and the General Plan goals and policies listed above would protect any tribal cultural resources discovered at the Project site by requiring qualified professional assessment of discovered finds, cessation of work, appropriate notification to affiliated tribes, implementation of proper data recovery, and/or preservation procedures upon discovery of previously unknown resources.

Given the potential for resources that could be considered Tribal Cultural Resources and could be eligible for listing in the CRHR and/or could be Native American human remains to occur on the Project site that could be destroyed or disturbed during Project construction, the Project would have a **potentially significant** impact to Tribal Cultural Resources. Implementation of Housing Element Update Subsequent EIR Mitigation Measure CR-2b, ConnectMenlo EIR Mitigation Measure CULT-4, and Project-specific Mitigation Measures CULT-A and CULT-B, provided below and listed in Section 3.5, would ensure that impacts to Tribal Cultural Resources are avoided and/or reduced to a less-than-significant level.

Housing Element Update Subsequent EIR Mitigation Measure CR-2b: If pre-contact or historic-era archaeological resources are encountered during Project construction and implementation, the Project applicant shall halt all construction activities within 100 feet and notify the City. Pre-contact archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil ("midden") containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs): and battered stone tools, such as hammerstones and pitted stones. Historic-era materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and and/or ceramic refuse. An archaeologist meeting the U.S. Secretary of the Interior's (Standards (SOIS) for Archeology shall inspect the findings and work shall be stopped within 100 feet of the potential archaeological resources until the material is either determined by the archaeologist to not be an archaeological resources or appropriate treatment has been enacted, with appropriate consultation, as needed.

If the City determines that the resource qualifies as a historical resource or a unique archaeological resource (as defined pursuant to the CEQA Guidelines) and that the Project has potential to damage or destroy the resource, mitigation shall be implemented in accordance with PRC Section 21083.2 and CEQA Guidelines Section 15126.4, with a preference for preservation in place. If preservation in place is feasible, this may be accomplished through one of the following means: (1) siting improvements to completely avoid the archaeological resource; (2) incorporating the resource into a park or dedicated open space, by deeding the resource into a permanent conservation easement; (3) capping and covering the resource before building the Project on the resource site after the resource has been thoroughly studied by a SOIS qualified archaeologist and a report written on the findings.

If preservation in place is not feasible, the City shall consult with California Native American tribes identified by the Native American Heritage Commissions (NAHC) to be affiliated with Menlo Park for the purposes of tribal consultation under Chapter 905, California Statutes of 2004 (if the resource is pre-contact or indigenous) to determine treatment measures to avoid, minimize, or mitigate any potential impacts to the resource pursuant to PRC Section 21083.2, and CEQA Guidelines Section 15126.4. This shall include documentation of the resource and may include data recovery (according to PRC Section 21083.2), if deemed appropriate by the archaeologist, in consultation with the City, or other actions such as treating the resource with culturally appropriate dignity and protecting the cultural character and integrity of the resource (according to PRC Section 21084.3).

ConnectMenlo EIR Mitigation Measure CULT-4: 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(c) (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.

Mitigation Measure CULT-A: Worker Environmental Training. Because of the potential for the discovery of unknown buried cultural, tribal cultural, archeological, and paleontological resources, prior to commencement of each phase of the Project, 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. Specifications for archeological and tribal cultural resources sensitivity training for construction workers and superintendents shall meet the following standards:

- Occurs prior to the start of any ground-disturbing activity or site work on the Project Site or for off-site improvements.
- Training shall be required for all construction personnel participating in ground disturbing construction to alert them to the archaeological and tribal cultural sensitivity of the area and provide protocols to follow in the event of a discovery of archaeological materials or tribal cultural resources. Training shall be provided en masse to such personnel at the start of construction of each phase of the Project, and training shall be repeated when new personnel participating in ground-disturbing site work start work.
- Includes, for job site posting, a document ("ALERT SHEET") that summarizes the potential finds that could be exposed, the protocols to be followed, and the points of contact to alert in the event of a discovery that is presented as part of the training.
- Requires the contractor to ensure that all workers requiring training are in attendance.
- Requires training for all contractors and sub- contractors that is documented for each permit and/or phase of a permit that requires ground-disturbing activities onsite.

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 as a result of the Proposed 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; and
- The penalties for disturbing cultural, tribal cultural, archeologic, and palaeontologic resources.

Mitigation Measure CULT-B: Perform Construction Monitoring, Evaluate Uncovered Archaeological Features, and Mitigate Potential Disturbance for Identified Significant Resources at the Project Site. Prior to demolition, excavation, grading, or other construction-related activities on the Project site, the Project sponsor shall hire a qualified professional archaeologist (i.e., one who meets the Secretary of the Interior's professional qualifications for archaeology or one under the supervision of such a professional) to monitor, to the extent determined necessary by the archaeologist, Project-related earth-disturbing activities (e.g., grading, excavation, trenching). In the event that precontact or historic period subsurface archaeological features or deposits, including locally darkened soil (midden), that could conceal cultural deposits, animal bone, obsidian, and/or mortars are discovered during demolition or construction-related earthmoving activities, Housing Element Update Subsequent EIR Mitigation Measure CR-2b shall be followed. In addition, if the resource is a historic-era archaeological site or historic-era architectural feature and the archaeologist is not a historical archaeologist, the archaeologist shall notify the City Community Development Department and a historical archaeologist or architectural historian who meets the Secretary of the Interior's professional qualifications for archaeology and/or architectural history and that person shall follow the requirements of Housing Element Update Subsequent EIR Mitigation Measure CR-2b. Impacts on significant resources would be mitigated to a less-than-significant level through preservation in place, capping, data recovery or other methods determined adequate by the City that are consistent with the Secretary of the Interior's standards for archaeological documentation.

If Native American archaeological, ethnographic, or spiritual resources are discovered, all identification and treatment of the resources shall be conducted by a qualified archaeologist. The archaeologist shall notify persons who represent tribal governments on the City's AB 52 list and consult a representative of any tribe that responds to the notice within seven working days. In the event the archaeologist and tribe(s) disagree regarding treatment after good-faith consultation, the City shall make the final decision, considering the provisions of Public Resources Code Section 21084.3(b).

Conclusion

The physical conditions related to resources eligible for listing in the CRHR have not changed within or adjacent to the Project site since preparation of the ConnectMenlo EIR. New information has become available regarding Tribal Cultural Resources in the region, specifically that the Hiller Mound on the nearby Willow Village project site is considered to be a component of the ethnographic landscape associated with various mounds across the Bay Area region. However, there is no information showing that the Proposed Project site is a component of that landscape or supports any other Tribal Cultural Resources. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that this Project could result in more significant effects than those originally analyzed in the ConnectMenlo EIR. There are no known Tribal Cultural Resources within the Project site, however there is a potential for such resources to be encountered during grading and excavation activities. Project construction could adversely affect such resources if they are encountered. This impact would be avoided with implementation of ConnectMenlo EIR Mitigation Measure CULT-4 and Housing Element Update Subsequent EIR Mitigation Measure CR-2b in addition to Project-specific mitigation measures CULT-A and CULT-B; therefore, the Project would have a **less than significant impact with mitigation incorporated**, consistent with the findings of the ConnectMenlo EIR. No further study is required.

b) ***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 subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.***

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact CULT-5. Impacts were determined to be less than significant with implementation of Mitigation Measures CULT-2a, CULT-2b, and CULT-4, as summarized above (City of Menlo Park 2016b). ConnectMenlo EIR Mitigation Measure CULT-2b does not apply to the Proposed Project because no General Plan Amendment or land use policy changes are proposed.

Project-Specific Discussion

As stated above, in compliance with AB 52, the City notified Native American tribes that are traditionally and culturally affiliated with the region of the Proposed Project and no responses have been received. Thus, there are no known Tribal Cultural Resources within or adjacent to the Project site. However, the potential exists for encountering as-yet unidentified resources during Project-related construction activities that could be considered a Tribal Cultural Resource by California Native American tribes. Thus, the Project would have a potentially significant impact to Tribal Cultural Resources. Implementation of ConnectMenlo EIR Mitigation Measure CULT-4 and Housing Element Update Subsequent EIR Mitigation Measure CR-2b in addition to Project-specific Mitigation Measures CULT-A and CULT-B, as provided in response (a) above, would ensure that impacts to Tribal Cultural Resources are avoided and/or reduced to a less-than-significant level.

Conclusion

The physical conditions related to Tribal Cultural Resources have not changed within or adjacent to the Project site since preparation of the ConnectMenlo EIR. New information has become available regarding Tribal Cultural Resources in the region, specifically that the Hiller Mound on the nearby Willow Village project site is considered to be a component of the ethnographic landscape associated with various mounds across the Bay Area region. However, there is no information showing that the Proposed Project site is a component of that landscape or supports any other Tribal Cultural Resources. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that this Project could result in more significant effects than those originally analyzed in the ConnectMenlo EIR. There are no known Tribal Cultural Resources within the Project site, however there is a potential for such resources to be encountered during grading and excavation activities. Project construction could adversely affect such resources if they are encountered. This impact would be avoided with implementation of ConnectMenlo EIR Mitigation Measure CULT-4 and Housing Element Update Subsequent EIR Mitigation Measure CR-2b in addition to the Project-specific Mitigation Measures CULT-A and CULT-B; therefore, the Project would have a **less than significant impact with mitigation incorporated,** consistent with the findings of the ConnectMenlo EIR. No further study is required.

3.19 Utilities and Service Systems

	Further Evaluation Needed in EIR	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. 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?	☐	☐	☐	☒	☐

	Further Evaluation Needed in EIR	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒	☐

Environmental Setting

Water Service

MPMW is the water service provider in the Project area. MPMW's primary responsibilities are water distribution and maintenance. MPMW does not undertake water treatment because it purchases all of its potable water from the San Francisco Public Utilities Commission (SFPUC) as a member of Bay Area Water Supply and Conservation Agency (BAWSCA); water purchased from the SFPUC does not require further treatment (MPMW 2021). The MPMW distribution system consists of 59 miles of water mains, 4,200 metered connections, two reservoirs, and one pump station. The MPMW also maintains fire hydrants, flushing points, and service connections to the SFPUC, which controls access to water via the Hetch Hetchy aqueduct right-of-way through the City.

MPMW serves approximately 50 percent of the City's population. In 2020, this equated to about 18,276 residents in an approximately 9-square-mile area. The service territory is divided into the following three pressure zones, which are hydraulically disconnected from each other:

- The Lower Zone is generally located north and east of El Camino Real and includes part of the Belle Haven neighborhood, Bay Road, and Willows neighborhood. This area includes residential, commercial, and industrial land uses.
- The High Pressure Zone is located in the northern portion of the City between US 101 and the Bayfront Expressway. This zone serves multi-family residential, a mobile home park, commercial, and light industrial land uses.
- The Upper Zone is located in the southwest portion of the City near Interstate 280. It primarily serves the residential Sharon Heights neighborhood and business parks along Sand Hill Road (MPMW 2021).

MPMW is a member of BAWSCA, which represents MPMW and the 26 other water districts, cities, and private utilities in San Mateo, Santa Clara, and Alameda counties that purchase wholesale water from SFPUC. BAWSCA negotiates and coordinates with the SFPUC in the development of regional water demand and conservation projections and programs and long-term strategies and programs for improving water supply reliability, including SFPUC's efforts to develop alternative water supplies.

Water Supply and Demand

MPMW purchases all of its water supplies from the SFPUC. SFPUC owns and operates the Hetch Hetchy Regional Water System which serves 2.7 million customers in the San Francisco and Bay Area (SFPUC 2023). Currently, MPMW has a contractual supply of 4.456 million gallons per day (mgd), which is approximately 1,630 million gallons per year. This is expected to be sufficient to meet projected water demand through 2040 in normal water years

(MPMW 2021). The environmental impacts of supplying water within the Project region have been evaluated in other CEQA documents prepared by SFPUC and MPMW.

In its 2020 Urban Water Management Plan (UWMP), MPMW notes that its service area is largely built-out, thus population growth is expected to occur primarily through redevelopment projects, particularly within the Bayfront Area, consistent with the City's General Plan. MPMW also supplies water to commercial, industrial, and institutional customers and anticipates increases in the number of jobs in the service area. The UWMP projections for residential and employment growth through 2040 reflect the development potential established under ConnectMenlo, including anticipated growth in the commercial sector and declines in the industrial sector.

Total water demand within the MPMW service area was approximately 1,069 million gallons (MG) in 2020. Projected water demands are estimated to be 1,296 MG by 2025, 1,345 MG by 2030, 1,410 by 2035, and 1,483 MG by 2040. These estimates include both passive and active water conservation efforts (MPMW 2021). The 2020 UWMP indicates that, with water conservation measures implemented through its Water Shortage Contingency Plan (WSCP), the City would have water resources available to serve anticipated growth, which includes the growth anticipated as a result of buildout of the ConnectMenlo EIR. Table 3.19-1, Projected Water Demand and Supply, describes the projected future water demands and available supply through 2040 within the MPMW service area.

Table 3.19-1. Consecutive Dry Year Demand and Supply (million gallons per year)

		2025	2030	2035	2040
Total Base Demand		1,296	1,345	1,410	1,483
Total Supply/Shortage		—	—	—	—
Normal Year	Supply	1,678	1,750	1,750	1,750
First Dry Year	Supply	877	978	1,018	1,062
	Shortage	-419 (32 percent)	-367 (27 percent)	-392 (28 percent)	-422 (28 percent)
Second Dry Year	Supply	760	854	887	927
	Shortage	-536 (41 percent)	-491 (37 percent)	-523 (37 percent)	-557 (38 percent)
Third Dry Year	Supply	760	854	887	927
	Shortage	-536 (41 percent)	-491 (37 percent)	-523 (37 percent)	-557 (38 percent)
Fourth Dry Year	Supply	760	854	887	832
	Shortage	-536 (41 percent)	-491 (37 percent)	-523 (37 percent)	-652 (44 percent)
Fifth Dry Year	Supply	760	854	824	832
	Shortage	-536 (41 percent)	-491 (37 percent)	-585 (41 percent)	-652 (44 percent)

Source: MPMW 2021

Section 7 of the UWMP presents analysis of water supply reliability, including considerations of drought conditions, changes in water supply due to climate change, and uncertainties in water supply due to implementation of other water and environmental resource management efforts, such as the Bay-Delta Plan Amendment. The UWMP states that MPMW relied upon the water supply reliability projections provided by the SFPUC for this analysis.

A critical factor in this analysis is the future implementation of an amendment to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (the Bay-Delta Plan Amendment), which was adopted to increase salmon populations in three San Joaquin River tributaries. However, as discussed further in the UWMP, several lawsuits have been filed challenging adoption of the Bay-Delta Plan Amendment, and the amendment is not self-implementing, meaning that water supply and river flow allocations would need to be developed through

other regulatory and/or adjudicatory proceedings. Thus, the actual and full effects of the Bay-Delta Plan Amendment is uncertain.

For regional planning, BAWSCA has developed water supply projections that reflect full implementation of the Bay-Delta Plan Amendment under the assumptions that a Voluntary Agreement between the SFPUC and the State Water Resources Control Board is not reached and that SFPUC's Alternative Water Supply Program is not implemented. Thus, the UWMP states that the water supply projections for single dry and multiple dry years reflect a worst-case scenario. Further, the UWMP notes that "without the Bay-Delta Plan Amendment SFPUC would be able to supply 100 percent of projected [Regional Water System] demands in all year types through 2045, except for the 4th and 5th consecutive dry year in 2045, during which 90 percent of projected" demands would be met. However, this is considered to be a "highly optimistic water supply reliability outcome" (MPMW 2021).

In addition, the UWMP recognizes that a variety of regional water planning efforts are currently underway that could affect water supply reliability (such as a potential Tuolumne River Voluntary Agreement and changes in BWSCA's and SFPUC's drought allocation methodology and plan). The UWMP states that modeling for scenarios that include the Tuolumne River Voluntary Agreement and SFPUC's Alternative Water Supply Program showed significantly improved water supply availability for the Regional Water System, however these elements are not incorporated in the water supply and demand projections in the UWMP. Additionally, the UWMP notes that "MPMW is working independently and with the other BAWSCA agencies to identify regional mitigation measures to improve reliability for regional and local water supplies and meet its customers' water needs. If conditions for large drought cutbacks to the [Regional Water System] persist, MPMW will need to implement additional demand management practices to invoke strict restrictions on potable water use and accelerate efforts to develop alternative supplies of water" (MPMW 2021).

To address the insufficient water supply for the single dry year and multiple dry year scenarios, the UWMP includes a Water Shortage Contingency Plan, which defines the policies and procedures to be implemented during dry years under specific water shortage level scenarios. The Water Shortage Contingency Plan includes six levels of actions that address shortage conditions associated with single and multiple dry years, including mandatory water use restrictions and supply augmentation actions tailored to each shortage condition level.

Based on the water demand and supply projections in the UWMP, MPMW has sufficient water in normal water years to meet projected demand through 2040. However, MPMW could experience water shortages at single dry years and in all years of a multiple dry year cycle. Water shortages would range from 27 percent to 44 percent. With implementation of MPMW's Water Shortage Contingency Plan, the shortages in multiple dry years would be managed through demand reductions sufficient to reduce the shortage amount by between 10 percent and 55 percent and supply augmentations and other policy actions that would reduce the shortage amount by between 5 percent to 45 percent (MPMW 2021).

This analysis of water supply reliability is confirmed in the Subsequent EIR for the City's Housing Element Update, which found that "while results of the projects, programs and plans and demand reductions cannot be quantified, it is reasonable to expect that many of the projects, programs and plans would be successful and additional water supplies and demand reductions can be obtained" (City of Menlo Park 2023a).

Groundwater

As discussed in Section 3.10, Hydrology and Water Quality, the Project region overlies the southern end of the San Mateo Plain Groundwater Subbasin of the Santa Clara Valley Groundwater Basin. MPMW does not utilize groundwater as a potable water source outside of emergency conditions. MPMW constructed one emergency

groundwater well facility in late 2020 and anticipates bringing this well online in 2023. MPMW also plans to construct an additional one or two wells to provide up to 3,000 gallons per minute of emergency potable and fire supply in the Lower Zone (MPMW 2021).

Wastewater

Wastewater collection services in the Project area are served by the West Bay Sanitary District (WBSD). The WBSD collection system conveys wastewater through the Menlo Park Pump Station located at the entrance to Bedwell Bayfront Park to the Silicon Valley Clean Water (SVCW) facilities in Redwood City for treatment and discharge to the San Francisco Bay (WBSD 2022). The Menlo Park Pump Station is located at the southernmost point of the SVCW conveyance system. SVCW is currently implementing planned rehabilitation for this station, the environmental effects of which were evaluated in an EIR that SVCW certified in 2017 (State Clearinghouse Number 2016022055). The planned rehabilitation includes replacing the pumps with lower pressure pumps that are appropriate for future flow rates and pressures, completing seismic upgrades to the existing structure, and upgrading the odor control electrical facilities control systems (SVCW 2017).

The SVCW wastewater treatment plant (WWTP) is jointly owned and operated by WBSD and the Cities of Redwood City, Belmont, and San Carlos as a joint powers authority. The SVCW WWTP is located at the northeastern end of Redwood Shores, approximately nine miles from the northeastern boundary of the MPMW service area. The treatment processes at the SVCW WWTP involve the following: primary sedimentation, dual secondary treatment with fixed film reactors and activated sludge, filtration, disinfection using sodium hypochlorite, and dechlorination with sodium bisulfide. Discharge of the advanced secondarily-treated effluent is permitted by the San Francisco Bay RWQCB (MPMW 2021).

A limited volume of wastewater is treated within the MPMW service area at the Sharon Heights Recycled Water Facility (RWF). The Sharon Heights RWF was constructed and managed by WBSD in coordination with MPMW. It is a 0.5 mgd satellite WWTP which produces tertiary-treated recycled water under Title 22 for reuse within MPMW's service area. In 2020, approximately 63 MG of wastewater was treated at the Sharon Heights RWF, among which 20 MG was recycled and the remaining 43 MG was conveyed to SVCW WWTP for discharge (MPMW 2021).

As discussed in the ConnectMenlo EIR, the SVCW WWTP has an existing dry weather capacity of 29 mgd and wet weather capacity of 71 mgd. The average monthly flow was 15.9 mgd, and the maximum daily flow was 48.8 mgd. Both rates are well within the 29 mgd average dry weather design flow and 71 mgd peak wet weather design flow. In 2020, WBSD conveyed 873 MG of water within the MPMW service area to the SVCW WWTP (City of Menlo Park 2016b).

Stormwater

As discussed in Section 3.10, Hydrology and Water Quality, the City's storm drain system is maintained by the Menlo Park Public Works Department and consists of 17 individual systems that serve 17 drainage areas. The Project site consists of a total of 146,555 square feet (approximately 4.22 acres), of which 145,237 square feet are covered with impervious surfaces. The site is drained by an existing on-site storm drain system that collects runoff from the building roofs, surface parking lots, and other hardscape areas into below-grade storm drains and discharges directly to storm drain mains within the adjacent streets. These existing mains include a 10-inch storm drain located along the northeastern portion of the site and a 10-inch drainage easement located along the eastern border of the existing 965 O'Brien Drive building.

Solid Waste

In 2019, a total of 34,913 tons of solid waste from the City were disposed of at 19 landfills, with the majority of waste being disposed of at the Ox Mountain Landfill. The Ox Mountain Landfill has a permitted throughput capacity of 3,598 tons per day. Its remaining permitted capacity is 22,180,000 cubic yards. The Ox Mountain Landfill has an estimated "cease operation date" of January 1, 2034 (CalRecycle 2021a).

The three landfills receiving the second, third and fourth largest amount of solid waste from Menlo Park in 2019 include:

Monterey Peninsula Landfill received 6,414 tons of Menlo Park solid waste in 2019 (CalRecycle 2019). The Monterey Peninsula landfill has a permitted throughput capacity of 3,500 tons per day, a remaining permitted capacity of 48,560,000 cubic yards, and an estimated "cease operation date" of February 28, 2107 (CalRecycle 2021b).

Altamont Landfill received 1,399 tons of Menlo Park solid waste in 2019 (CalRecycle 2019). The Altamont landfill has a permitted throughput capacity of 11,150 tons per day, a remaining permitted capacity of 65,400,000 cubic yards, and an estimated "cease operation date" of January 1, 2070 (CalRecycle 2021c).

John Smith Road Landfill received 1,298 tons of Menlo Park solid waste in 2019 (CalRecycle 2019). The John Smith Road landfill has a permitted throughput capacity of 1,000 tons per day, remaining permitted capacity of 1,921,000 cubic yards, and estimated "cease operation date" of August 1, 2025 (CalRecycle 2021d).

Energy and Natural Gas

The Project site is currently served by Pacific Gas and Electric Company (PG&E) for electrical and natural gas service. Existing electric infrastructure is located off of Willow Road. A 2- inch natural gas line is located along O'Brien Drive and Willow Road.

General Plan Goals and Policies

The City's General Plan (specifically the Land Use Element, Open Space/Conservation Element, Noise Element, and Safety Element) contains general goals, policies, and programs that require local planning and development decisions to consider impacts on utilities. The following General Plan goals, policies, and programs would serve to minimize potential adverse impacts on public stormwater and solid waste: Goal LU-4, Policy LU-4.5, Goal LU-6, Policy LU-6.11, Goal LU-7, Policy LU-7.1, Policy LUS-7.5, Goal OSC-4, Policy OSC-4.2, Policy OSC-4.6, Policy OSC-4.7, Policy OSC-4.8, Goal S-1, Policy S-1.26, and Policy S-1.27. Goals and policies related to water and wastewater will be discussed in the focused EIR.

Environmental Checklist and Discussion

a) Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Analysis in the ConnectMenlo EIR

These topics were analyzed in the ConnectMenlo EIR under Impacts UTIL-2, UTIL-4, UTIL-5, UTIL-11, and UTIL-13. Impacts were determined to be less than significant because no relocation or construction of new utility infrastructure and facilities would be needed to serve the growth in residential and employment

population accommodated by the development potential created under the ConnectMenlo project. It is expected that the City will implement General Plan programs that require expansion of MPMW conservation programs and future development to employ best practices for sustainable buildings and development to reduce water demand per capita. No mitigation measures were recommended. The ConnectMenlo EIR does not discuss impacts on telecommunication facilities.

Project-Specific Discussion

Water

As discussed in Section 2, Project Description, the MPMW 2018 Water System Master Plan identified a deficiency regarding the volume of water provided by the existing 10-inch water main within O'Brien Drive and found that a 12-inch main would be required to serve the O'Brien Drive life sciences service area. Accordingly, the City is in the process of developing a plan with property owners/project sponsors in the vicinity of the Project site for upsizing the existing water main. The water main would be upsized prior to occupancy of any new buildings within the life sciences service area. The Proposed Project's participation would be ensured through Project Conditions of Approval. The potential impacts and effects of the upgraded waterline in O'Brien Drive were analyzed in the Final EIR for the 1350 Adams Court Project (SCH#2018122017; City of Menlo Park 2022a), which was certified by the City in 2022 and is incorporated in this Initial Study by reference.

The Proposed Project would be consistent with the type and intensity of development and population projections assumed for the Project site in the ConnectMenlo EIR. The net increase in the number of employees (estimated to be 343 new employees as discussed in Section 3.15, Public Services) would not result in water use beyond the capacity of the existing water supply such that the need for expanded treatment facilities or regional water system conveyance and storage facilities would be required, however, the Project would be subject to the water-efficient landscaping and water efficiency measures in the Zoning Ordinance and Title 24.

Wastewater

As described in Section 2, Project Description, the site is currently served by existing wastewater infrastructure within the Project area. An existing 18-inch wastewater line is located within O'Brien Drive and an existing 8-inch wastewater line is located within Willow Road. Wastewater from the Project site would be conveyed through the Menlo Park Pump Station located at the entrance to Bedwell Bayfront Park to the SVCW WWTP in Redwood City for treatment and discharge to the San Francisco Bay (WBSD 2022). As previously discussed, multiple service connections to the new buildings would be made during construction of the Proposed Project.

The installation of new on-site service connections to the existing wastewater lines in O'Brien Drive and Willow Road would require excavation, trenching, soil movement, and other construction activities. Potential impacts related to Project construction are discussed in detail throughout this Initial Study and contemplated as part of overall Project implementation.

The ConnectMenlo EIR determined that the increase in wastewater flows from implementation of ConnectMenlo would add to the capacity demands on the WWTP and its conveyance system. However, the effect would not be substantial and would be integrated into ongoing planning and budgeting processes to

improve capacity, the conveyance system, and treatment processes (City of Menlo Park 2016b). As previously discussed, the Proposed Project would be consistent with the type and intensity of development and population projections assumed for the Project site in ConnectMenlo.

Stormwater

As described in Section 2, Project Description and discussed in Section 3.10, Hydrology and Water Quality, the site is currently served by existing stormwater infrastructure within the Project area. There is an existing 10-inch storm drain located along the northeastern portion of the site and a 10-inch drainage easement located along the eastern border of the existing 965 O'Brien Drive building. The Project would include construction of a new on-site storm drain system that would collect runoff from the limited areas of surface parking on the eastern side of the Project, drive aisles, building roofs, and hardscape areas and convey it to bioretention basins within landscaped areas for stormwater treatment prior to being discharged to the City's storm drain system. The Proposed Project would decrease the amount of impervious surfaces within the Project site by approximately 32,966 square feet, which would reduce the rate and volume of stormwater discharged from the site.

Installation of the new on-site stormwater treatment system would require excavation, trenching, soil movement, and other construction activities. Potential impacts related to Project construction are discussed in detail throughout this Initial Study and contemplated as part of overall Project implementation.

Energy and Natural Gas

As discussed in Section 3.6, Energy, electrical service to the Project site would be provided by either PCE or PG&E through existing infrastructure in the Project vicinity. As described in Section 2, Project Description, the site currently has an energy demand of 1,330 KW. Once operational, the Project site is expected to have an energy demand of 5,972 KW. As discussed in Section 2.4.7 of the Project Description, the Project would include sustainability features, including a 5-KW photovoltaic rooftop system, 100 percent renewable electric power (and/or purchase of renewable energy credits sufficient to meet Municipal Code requirements), as well as LEED Gold and LEED Silver building design for the 1005 O'Brien building and 1320 Willow Road building, respectively. These features would improve on-site energy efficiency. As demonstrated in Section 3.6, energy use at the site during construction and operation would not require new or expanded energy or natural gas infrastructure. Further, because the site is currently served and would continue to be served by PG&E and/or PCE, no new or expanded infrastructure associated with energy or natural gas services would be required.

Conclusion

The physical conditions related to water, wastewater treatment facilities, stormwater, natural gas, and energy have not changed substantially in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Proposed Project would require construction of new water supply connections, wastewater connections, and stormwater drainage facilities but would not lead to significant environmental impacts beyond the construction impacts discussed throughout this document. Impacts would be **less than significant**, consistent with the findings of the ConnectMenlo EIR. No further study is required.

b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR under UTIL-1 and impacts were determined to be less than significant. Buildout of ConnectMenlo would result in an increase in water demand of 343 million gallons per year (mgy), which represented 21 percent of the planning-level water demand forecast in the 2015 UWMP (the adopted UWMP at the time of publication of the ConnectMenlo EIR). The ConnectMenlo EIR concluded that the water supply would be adequate and able to meet increased demands in normal years as well as the additional demand generated by the increase in development associated with implementation of ConnectMenlo. The EIR also noted that future development under ConnectMenlo would be required to comply with existing regulations, including City General Plan policies and zoning requirements, to minimize impacts related to water supplies. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

As shown in Table 3.19-1, during normal years, MPMW would have sufficient water supply to meet projected demands, including the additional demand generated from buildout of the Bayfront Area under ConnectMenlo. However, during single dry and multiple dry years, MPMW's total annual water demand is estimated to exceed the total annual supply in year 2040 by approximately 422 million gallons per year (MGY) in a single dry year and 652 MGY in a 5th consecutive dry year. Buildout of ConnectMenlo would result in a daily demand of 343 MGY, which represents 23 percent of the planning-level water demand forecast in the 2020 UWMP. However, with the WSCP in place, the shortages in multiple dry years would be managed through demand reductions of up to 50 percent. In addition, although not required for the Proposed Project, MPMW is currently evaluating the feasibility of several other water supply projects, such as additional emergency water supply wells, that would help to supplement the water supply during dry years.

The ConnectMenlo EIR assumed that buildout of the ConnectMenlo project would result in 5,500 new employees within the MPMW service area. As discussed in Section 3.15, it is expected that the Proposed Project would generate up to 343 new employees. The Proposed Project is consistent with ConnectMenlo and the new employees onsite in addition to new employees at other project sites in the Bayfront Area would be within the range of employment growth projected in the ConnectMenlo EIR and the MPMW UWMP. Therefore, the water supply demand that would be generated by the Proposed Project would not cause the total water supply demand on MPMW from buildout of the General Plan to exceed the anticipated water supply demand evaluated in the UWMP. Additionally, the Proposed Project would replace two buildings constructed in the 1960s with new buildings that would have more efficient water fixtures and would be landscaped with water-conserving plant material and irrigation systems, in compliance with the Water-Efficient Landscape Ordinance.

As described in Section 2, Project Description, the Project would have a total estimated water demand of 20,245 gpd (7.39 MGY). As shown in Table 3.19-1, MPMW projects a normal year supply of 1,678 MG with an overall projected demand of 1,296 MG in 2025. The Project's water demand would represent approximately 2 percent of the excess water supply during a normal year in 2025. In the year 2025, the Project's water demand would represent 0.44 percent of MPMW's available supply during a normal year and 0.57 percent of the overall projected water demand. In the year 2040, the Project's water demand

would represent 0.42 percent of MPMW's available supply during a normal year, 0.7 percent of the available supply during a single-dry year, 0.89 percent of the available supply during a multiple-dry year, and 0.5 percent of the overall projected water demand. Because the Proposed Project would redevelop the site, replacing the existing office and light industrial uses with R&D uses, a portion of Project-generated water consumption would be offset by the current water consumption at the site associated with the existing uses. The MPMW account information for the existing buildings at the Project site show that approximately 192,262 gallons of water were used in 2022, which equate to approximately 527 gpd (Tarlton Properties 2023). It is noted that the account for 985 O'Brien Drive shows no water consumption for the last six months in the 12-month period used to calculate the existing annual water demand. Tarlton Properties confirmed that in 2022, approximately half of the 985 O'Brien Drive was vacant for 6 months, the spaces addressed as 1001-1015 O'Brien were 70% vacant the full year, and the building at 1320 Willow Road was approximately 48% vacant the full year. Thus, the historic annual water demand at the Project site would have been substantially higher than it was in 2022. Based on the 2022 water consumption, the Proposed Project would result in a net increase in water consumption of approximately 7.2 MGY; this is considered to be a conservative estimate of the net increase relative to historic water consumption at the Project site.

The Proposed Project would contribute to the forecasted water supply shortages in single and multiple dry years but would not exacerbate the short-term or long-term shortages beyond what is forecast in the UWMP. To address the insufficient water supply for the single dry year and multiple dry year scenarios, the UWMP includes a Water Shortage Contingency Plan, which defines the policies and procedures to be implemented during dry years under specific water shortage level scenarios. The Water Shortage Contingency Plan includes six levels of actions that address shortage conditions associated with single and multiple dry years, including mandatory water use restrictions and supply augmentation actions tailored to each shortage condition level. In addition to this, the MPMW UWMP notes that "MPMW is working independently and with the other BAWSCA agencies to identify regional mitigation measures to improve reliability for regional and local water supplies and meet its customers' water needs. If conditions for large drought cutbacks to the [Regional Water System] persist, MPMW will need to implement additional demand management practices to invoke strict restrictions on potable water use and accelerate efforts to develop alternative supplies of water" (MPMW 2021).

In conclusion, based on the water demand and supply projections in the UWMP, MPMW has sufficient water in normal water years to meet projected demand through 2040. However, MPMW could experience water shortages at single dry years and in all years of a multiple dry year cycle. Water shortages would range from 27 percent to 44 percent. With implementation of MPMW's Water Shortage Contingency Plan, the shortages in multiple dry years would be managed through demand reductions sufficient to reduce the shortage amount by between 10 percent and 55 percent and supply augmentations and other policy actions that would reduce the shortage amount by between 5 percent to 45 percent (MPMW 2021). Thus, the Project would not require expansion of water supply sources.

Conclusion

The physical conditions related to water supply and demand have not changed substantially in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The water demand associated with the Project is consistent with the assumptions in the ConnectMenlo EIR and the MPMW UWMP. Further, the Project would comply with regulations intended to

reduce potable water use and would implement water efficiency and sustainability measures. MPMW has sufficient water supply to serve the Project and other approved, pending and reasonably foreseeable development through normal, single-, and multiple-dry years through 2040. The Project impacts would be **less than significant,** consistent with the findings of the ConnectMenlo EIR. No further study is required.

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

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR under UTIL-6 and the impact was determined to be less than significant. Future development is expected to tie into existing wastewater infrastructure and facilities. The installation of extension lines, where needed, would comply with applicable sewer permits, which require projects to reduce impacts on service capacity. Projects would be required to comply with existing regulations that promote water conservation and minimize impacts related to wastewater generation and buildout of the General Plan under ConnectMenlo would not result in a demand for wastewater treatment that exceeds the WWTP capacity. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

As identified in the Environmental Setting discussion above, the SVCW WWTP has an existing dry weather capacity of 29 mgd and wet weather capacity of 71 mgd and is planned to be expanded to achieve a wet weather capacity of 80 mgd. The MPMW UWMP identifies that in 2020, WBSD collected approximately 873 million gallons of wastewater, which is approximately 2.4 mgd, from within the MPMW service area (MPMW 2021).

The ConnectMenlo EIR reported that in 2016 the SVCW WWTP had an average dry-weather flow of 15.9 mgd and a maximum daily flow of 48.8 mgd. The ConnectMenlo EIR determined that full buildout of ConnectMenlo would result in a net increase in the wastewater generation rate of 3.9 mgd, which would not be significant relative to the available 13 mgd in excess dry-weather flow capacity (City of Menlo Park 2016b). The Proposed Project would be consistent with the type and intensity of development as well as the employment projections assumed for the Project site in the ConnectMenlo EIR, and thus would not create a demand for wastewater treatment that exceeds the demand evaluated in the ConnectMenlo EIR.

As described in Section 2, Project Description, the Project would generate 11,696 gpd (0.011 mgd) of wastewater. The Project's wastewater generation would represent 0.04 percent of the SVCW WWTP's dry-weather flow capacity, 0.07 percent of the average dry weather flow, and 0.09 percent of SVCW WWTP's excess dry weather flow capacity. Because the Proposed Project would redevelop the site, replacing the existing office and light industrial uses with R&D uses, a portion of Project-generated water consumption would be offset by the current water consumption at the site associated with the existing uses. However, a wastewater budget for the existing uses is not available and thus the net increase in wastewater treatment demand has not been determined. Based on the Project's estimated wastewater treatment demand, the estimated wastewater treatment demand associated with buildout of ConnectMenlo, and the existing capacity of the SVCW WWTP, there is adequate wastewater treatment capacity available to serve the Proposed Project's projected demand in addition to the provider's existing and projected commitments.

Conclusion

The physical conditions related to wastewater treatment demand and capacity have not changed substantially in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Proposed Project would be consistent with the type and intensity of development as well as the employment projections assumed for the Project site in the ConnectMenlo EIR, and thus would not create a demand for wastewater treatment that exceeds the demand evaluated in the ConnectMenlo EIR. There is sufficient wastewater treatment capacity to serve the Project and this impact would be **less than significant**, consistent with the findings of the ConnectMenlo EIR. No further study is required.

d, e) Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Analysis in the ConnectMenlo EIR

These topics were analyzed in the ConnectMenlo EIR under Impact UTIL-8 and Impact UTIL-9. Impacts were determined to be less than significant because future development would be required to comply with existing regulations to reduce solid waste generation and minimize the amount of material transported to the landfills that serve the area. There would be sufficient landfill capacity to accept solid waste generated in the Bayfront Area under buildout of ConnectMenlo, as well as from other communities throughout the region. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

The California Waste Management Act sets requirements for cities and counties throughout the state to divert 75 percent of all solid waste from landfills through waste reduction, recycling, and compost. Further, the California Green Building Standards Code ("CALGreen") is intended to enhance the design and construction of buildings through the use of building concepts that reduce negative environmental impacts and encourage sustainable construction practices, including material conservation and resource efficiency. Additionally, the City has adopted a Zero Waste Plan that calls for reducing solid waste generation per capita from 5.0 pounds in 2015 to 3.1 pounds by 2035.

As described in Section 2, Project Description, the Project is estimated to generate approximately 8,400 cubic yards (CY) of demolition waste. Up to 2,190 CY of soils would be removed from the Project site for excavation, utility trenching, and foundations, and a total of 7,690 CY of soils would be imported to the Project site to raise the site elevation 2 feet above the floodplain. All soil and debris would be off-hauled to the Dumbarton Quarry or a similar appropriate facility. The Proposed Project would be required to comply with the City's Construction and Demolition Recycling Ordinance, which requires salvaging or recycling of at least 60 percent of construction-related solid waste. Therefore, construction of the Proposed Project is not expected to have an impact on existing landfills. Operation of the Proposed Project would result in the generation of solid waste associated with operation of R&D uses and would continue to meet state and local standards for solid waste and recycling. The Proposed Project would generate waste associated with approximately 343 net new employees at the Project site as well as operation-related waste.

Consistent with City requirements, the Project applicant has submitted a Zero Waste Management Plan for the Project site, which is provided in Appendix F. The Zero Waste Management Plan outlines the applicant's plan to reduce, recycle, and compost waste from demolition, construction, and operational phases of the Project to ensure compliance with the City's waste reduction target of diverting 90 percent of non-hazardous waste from landfill and incineration by 2035.

Waste generated at the Project site would be collected by Recology San Mateo and mostly likely hauled to Ox Mountain Landfill. As described above, Ox Mountain Landfill is permitted to receive 3,598 tons per day and has a remaining permitted capacity of 22,180,000 CY through 2034. Solid waste generated by operation of the Proposed Project would represent a small percentage of the permitted capacity of the Ox Mountain landfill. As such, Ox Mountain landfill would have adequate capacity for the Proposed Project.

Waste from construction and demolition would be disposed of in accordance with Menlo Park Municipal Code Chapter 12.48 which establishes landfill diversion requirements for construction and demolition debris. Project applicants are required to submit the estimated tonnage of construction and demolition debris and plans for diverting 60 percent of these materials as part of the Project's building and demolition permit application and approval process. The Proposed Project would be required to comply with the state's statutes and City's regulations, including General Plan policies and Zoning regulations listed above in Section 4.16.2 intended to minimize impacts related to solid waste disposal. As described above, operationally, the Project is expected to comply with the City's requirements for waste reduction through the implementation of a Zero Waste Management Plan (Appendix F).

Conclusion

The physical conditions related to landfill capacity and compliance with solid waste regulations have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Proposed Project would implement a Zero Waste Management Plan (Appendix F) and would comply with the construction and demolition waste management requirements in Municipal Code Chapter 12.48. The Proposed Project would be served by a landfill with sufficient permitted capacity to accommodate its solid waste disposal needs. Impacts would be **less than significant**, consistent with the findings of the ConnectMenlo EIR. No further study is required.

3.20 Wildfire

	Further Evaluation Needed in EIR	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. 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 adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	☐

	Further Evaluation Needed in EIR	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	☐	☒

Environmental Setting

According to the California Department of Forestry and Fire Protection's (CalFire) Fire and Resource Assessment Program, Menlo Park does not contain any areas of moderate, high, or very high Fire Hazard Severity Zone (FHSZ) for the Local Responsibility Area, nor does it contain any areas of moderate, high, or very high FHSZ for the State Responsibility Area (CalFire 2022). The Project area is in an urban environment that has historically been less likely to experience wildfires.

The Project is within the MPFPD service area. The MPFPD serves approximately 90,000 people, covering 30 square miles, including Atherton, Menlo Park, East Palo Alto, and some of the unincorporated areas of San Mateo County. The MPFPD has mutual aid agreements with the neighboring departments, including the cities of Palo Alto, Redwood City, Fremont, and Woodside Fire District, to provide automatic aid. The MPFPD operates seven stations within Menlo Park. Fire Station #77 would respond to fires in the vicinity of the Project site.

General Plan Goals and Policies

The City's General Plan (specifically the Land Use Element and Safety Element) contains general goals, policies, and programs that require local planning and development decisions to consider impacts to fire related concerns. The following General Plan goals, policies, and programs would serve to minimize potential adverse impacts to the environment and community caused by wildfire: Goal CIRC-1, Policy CIRC-1.6, Policy S-1.29, Policy S-1.30, Policy S-1.31, and Program H-4.K.

Environmental Checklist and Discussion

a) Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

As discussed in Section 3.9, Hazards and Hazardous Materials, response (f), this topic was analyzed in the ConnectMenlo EIR as Impact HAZ-7. The EIR determined that impacts would be less than significant because there would be no land use changes that would impair or physically interfere with the ability to implement the City's Emergency Operation Plan or obstruct emergency evacuation routes. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

As discussed in Section 3.9, Hazards and Hazardous Materials, response (f), the Proposed Project is consistent with the site's land use and zoning designations as established under the ConnectMenlo project. Emergency access to the site would be maintained during Project construction activities, and provisions for emergency access during Project operation have been incorporated in the Project design. The Proposed Project would be designed and built according to local fire district codes and the CBC. Building and site plans would be reviewed by the City Planning, Engineering, and Building divisions and MPFPD for compliance with zoning, engineering, building, and fire codes. Through this review, MPFPD and the City would ensure that the Project design and traffic patterns would not impair access for emergency services personnel.

Conclusion

The physical conditions related to emergency response and evacuation have not changed substantially in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Project would not conflict with an adopted emergency response or evacuation plan and the impact would remain **less than significant,** consistent with the findings of the ConnectMenlo EIR. No further study is required.

b) Due to slope, prevailing winds, and other factors, would the project exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

Analysis in the ConnectMenlo EIR

The potential for the Bayfront Area to be subject to wildfire was analyzed in the ConnectMenlo EIR as Impact HAZ-8. The EIR found that the impact would remain less than significant because the City is located in a highly urbanized area, is not surrounded by woodlands or vegetation, and does not contain areas of moderate, high, or very high FHSZs for either the LRA or the State Responsibility Area. Additionally, future development within the City would minimize potential fire risks through compliance with the CBC, California Fire Code, and the MPFPD Code. No mitigation measures were required (City of Menlo Park 2016b).

Project-Specific Discussion

The Project site is located within the ConnectMenlo EIR study area and thus, are also in an urban area and not within or adjacent to a wildland fire hazard area. The Project would be required to comply with applicable regulations, including those noted above as well as Safety Element Policy S-1.29, which requires that high-

occupancy structures provide adequate access and clearance for fire equipment, fire suppression personnel, and evacuation. The Project would not expose people or structures to a significant loss, injury, or death involving wildland fires.

Conclusion

The physical conditions related to wildfire hazards have not changed substantially in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. This impact would remain **less than significant,** consistent with the findings of the ConnectMenlo EIR. No further study is required.

c) Would the 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?

Analysis in the ConnectMenlo EIR

This topic was not directly addressed in the ConnectMenlo EIR. However, as noted above, the Bayfront Area, which includes the Project site, does not contain moderate, high, or very high FHSZs for either the LRA or the SRA. The ConnectMenlo EIR evaluated potential wildfire risk under Impact HAZ-8 and concluded that hazards associated with wildfire risk would be less than significant (City of Menlo Park 2016b).

Project-Specific Discussion

The Proposed Project site and all adjacent parcels are currently developed with office, light industrial, public/quasi-public land uses, and public infrastructure. The Project site is bound by O'Brien Drive on the south, Willow Road on the west, the Hetch Hetchy aqueduct right-of-way on the north, and other office and light industrial properties on the east. The Project does not require installation or maintenance of infrastructure. No fuel breaks exist in the vicinity, and none are required given the urban nature of the area.

Conclusion

The physical conditions related to wildfire hazards have not changed substantially in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Project would have **no impact** associated with the need for new infrastructure or maintenance of existing infrastructure that could exacerbate wildfire risks or a requirement to create a fuel break. Thus, no new or more severe impacts than those evaluated in the ConnectMenlo EIR would occur. No further study is required.

d) Would the 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?

Analysis in the ConnectMenlo EIR

This topic was not directly addressed in the ConnectMenlo EIR. However, as noted above, the Bayfront Area, which includes the Project site, does not contain areas designated moderate, high, or very high FHSZ for the LRA or the SRA. The ConnectMenlo EIR evaluated potential wildfire risk under Impact HAZ-8 and concluded that hazards associated with wildfire risk would be less than significant (City of Menlo Park 2016b).

Project-Specific Discussion

The Project site is located within the ConnectMenlo EIR study area and thus, are also in an urban area and not within or adjacent to a wildland fire hazard area. The Project would be required to comply with applicable regulations, including those noted above as well as Safety Element Policy S-1.29, which requires that high-occupancy structures provide adequate access and clearance for fire equipment, fire suppression personnel, and evacuation. The Project would not expose people or structures to significant risks that could result from post-fire slope instability.

Conclusion

The physical conditions related to wildfire hazards have not changed substantially in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Project would have **no impact** associated with potential risks that could result from post-fire slope instability. Thus, no new or more severe impacts than those evaluated in the ConnectMenlo EIR would occur. No further study is required.

3.21 Mandatory Findings of Significance

	Further Evaluation Needed in EIR	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XXI. MANDATORY FINDINGS OF SIGNIFICANCE					
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 which 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?***

Analysis in the ConnectMenlo EIR

Impacts related to biological resources and cultural resources were analyzed throughout the ConnectMenlo EIR. Potential impacts were mitigated in the ConnectMenlo EIR under the respective EIR topics. As a result,

applicable mitigation was applied to the Proposed Project, as further discussed in Section 3.4, Biological Resources, and Section 3.5, Cultural Resources in this document.

Project-Specific Discussion and Conclusion

The physical conditions related to degradation of the physical environment as it relates to biological and historical resources have not changed substantially in the ConnectMenlo EIR study area since preparation of the EIR. The Proposed Project is consistent with the ConnectMenlo project and there have been no changes in circumstances or development of new information showing that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur; therefore, the Proposed Project would be within the scope of the ConnectMenlo project covered by the ConnectMenlo EIR, and there would be no new specific effects as a result of the Proposed Project. As discussed in Section 3.4, the Project-specific Mitigation Measure BIO-A would be implemented to ensure impacts to special-status species would be avoided. As discussed in Section 3.5, ConnectMenlo EIR Mitigation Measures CULT-2a and CULT-4 and Project-specific Mitigation Measures CULT-A and CULT-B would be implemented to ensure protection and evaluation of any cultural resources and/or tribal cultural resources that may be discovered during construction. Therefore, impacts related to biological and cultural resources would be **less than significant with mitigation measures incorporated**, consistent with the findings of the ConnectMenlo EIR. No further study is required.

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.)

Analysis in the ConnectMenlo EIR

This checklist item was analyzed throughout the ConnectMenlo EIR, which considered cumulative impacts. Where feasible, such impacts were reduced to less-than-significant levels with incorporation of mitigation measures; however, some significant and unavoidable cumulative impacts remained (City of Menlo Park 2016b).

Project-Specific Discussion and Conclusion

As described throughout this Initial Study, the Proposed Project would have no impacts related to agriculture and forestry resources and mineral resources and thus would not contribute to any cumulative effects related to these topics.

This Initial Study demonstrates that the Proposed Project would have less than significant impacts in the following resource areas, consistent with the findings of the ConnectMenlo EIR, which also found that there would be no significant cumulative impacts associated with these resources: aesthetics, energy, geology and soils, hydrology and water quality, public services, and recreation (City of Menlo Park 2016b).

Additionally, this Initial Study demonstrates that implementation of mitigation measures identified in this document would reduce the Proposed Project's potentially significant impacts associated with biological resources, cultural resources, hazards and hazardous materials, and tribal cultural resources to less-than-significant levels. This is consistent with the findings of the ConnectMenlo EIR, which found that with implementation of mitigation measures the ConnectMenlo project would not result in significant cumulative impacts in these resource areas (City of Menlo Park 2016b). The mitigation measures identified in this Initial

Study for these resources include any applicable measures from the ConnectMenlo EIR and additional Project-specific measures necessary to ensure consistency with the conclusions of the ConnectMenlo EIR.

The ConnectMenlo EIR found that cumulative impacts associated with land use and planning would be less than significant with implementation of ConnectMenlo Mitigation Measure LU-2, which requires that future development in the City must demonstrate consistency with the applicable goals, policies, and programs in the General Plan and the supporting zoning standards (City of Menlo Park 2016b). The analysis in this Initial Study demonstrates that the Proposed Project would be consistent with the General Plan and Municipal Code, including zoning standards. Thus, the Proposed Project would not cause a new cumulative impact and no significant cumulative land use impact has been identified to which the Project could contribute.

With respect to utilities and service systems, the ConnectMenlo EIR found that project-specific and cumulative impacts related to all services other than solid waste would remain less than significant without implementation of mitigation measures (City of Menlo Park 2016b). The analysis in this Initial Study demonstrates that the Proposed Project's impacts to these services would also be less-than-significant, consistent with the findings of the ConnectMenlo EIR. The ConnectMenlo EIR identified a single mitigation measure to ensure that the ConnectMenlo project would not make a cumulatively considerable contribution to cumulative impacts associated with solid waste disposal (City of Menlo Park 2016b). The analysis in this Initial Study shows that the Proposed Project would have a less-than-significant impact associated with solid waste disposal because the amount of solid waste it would generate would be accommodated by the existing capacity at the Ox Mountain Landfill and the Project would comply with the state's statutes and City's regulations intended to minimize impacts related to solid waste disposal, including through implementation of a Zero Waste Management Plan (Appendix F). The ConnectMenlo EIR concluded that with implementation of the identified mitigation measure, the ConnectMenlo project would not make a cumulatively considerable contribution to a significant cumulative impact related to solid waste disposal (City of Menlo Park 2016b). The Proposed Project is consistent with the ConnectMenlo project and thus also would not make a cumulatively considerable contribution to a significant cumulative impact related to solid waste disposal.

Finally, the ConnectMenlo EIR evaluated wildfire risks as Impact HAZ-8 and concluded that impacts would remain less than significant and there would be no significant cumulative wildfire impact to which the ConnectMenlo project could contribute (City of Menlo Park 2016b). The analysis in Section 3.20 of this Initial Study demonstrates that the Proposed Project would have no impacts associated with three of the checklist questions associated with wildfire, consistent with the findings of the ConnectMenlo EIR. The analysis in Section 3.20 also demonstrates that the Project would have a less-than-significant impact associated with potential impairment of an adopted emergency response plan or emergency evacuation plan. The ConnectMenlo EIR evaluated this checklist question as Impact HAZ-7 and concluded that the impact would be less than significant (City of Menlo Park 2016b). Thus, the Proposed Project would be consistent with the findings of the ConnectMenlo EIR. No significant cumulative impacts associated with wildfire and emergency response and evacuation to which the Project could contribute have been identified and the Proposed Project would not cause a new cumulative impact associated with wildfire and emergency response and evacuation.

Therefore, the Proposed Project would not result in a substantial change compared to the ConnectMenlo project or change in circumstances, and no new information of substantial importance shows that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. The Proposed Project would be within the scope of the ConnectMenlo project covered by the ConnectMenlo EIR, and there would be no new specific cumulative effects as a result of the Proposed Project for the resource areas discussed above.

However, because Project-specific impacts related to air quality, greenhouse gas emissions, noise, population and housing, and transportation will be analyzed further in the focused EIR, cumulative impacts related to these resource topics will also be subject to **further environmental review** in the EIR.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Analysis in the ConnectMenlo EIR

This checklist item was analyzed throughout the ConnectMenlo EIR, which considered impacts associated with adverse effects on human beings. Where feasible, such impacts were reduced to less-than-significant levels with incorporation of mitigation measures; however, some significant and unavoidable impact remained (City of Menlo Park 2016b).

Project-Specific Discussion and Conclusion

As identified throughout this Initial Study, the Proposed Project would have no impacts or less than significant impacts in the following resource areas, and thus would not cause substantial adverse effects to humans related to aesthetics, agricultural and forestry resources, energy, geology and soils, hydrology and water quality, land use and planning, mineral resources, public services, recreation, utilities and service systems, and wildfire. Additionally, this Initial Study demonstrates that implementation of mitigation measures identified in this document would ensure that the Proposed Project would not directly or indirectly cause adverse effects on human beings related to biological resources, cultural resources, hazards and hazardous materials, and tribal cultural resources. Impacts of the Proposed Project related to air quality, greenhouse gas emissions, noise, population and housing, and transportation could have a substantial adverse effect on human beings and these topics will be evaluated in the focused EIR.

The physical conditions related to adverse effects on human beings and degradation of the environment have not changed substantially in the ConnectMenlo area since preparation of the ConnectMenlo EIR. For most topics, the Proposed Project would not result in a substantial change in the ConnectMenlo project or a substantial change in circumstances, and new information of substantial importance shows that more significant effects than those originally analyzed in the ConnectMenlo EIR would occur. Therefore, for these topics, the Proposed Project would be within the scope of the ConnectMenlo project covered by the ConnectMenlo EIR, and the Proposed Project would not result in new Project-specific effects. However, **further environmental review** will be required in the EIR related to air quality, greenhouse gas emissions, noise, population and housing, and transportation.

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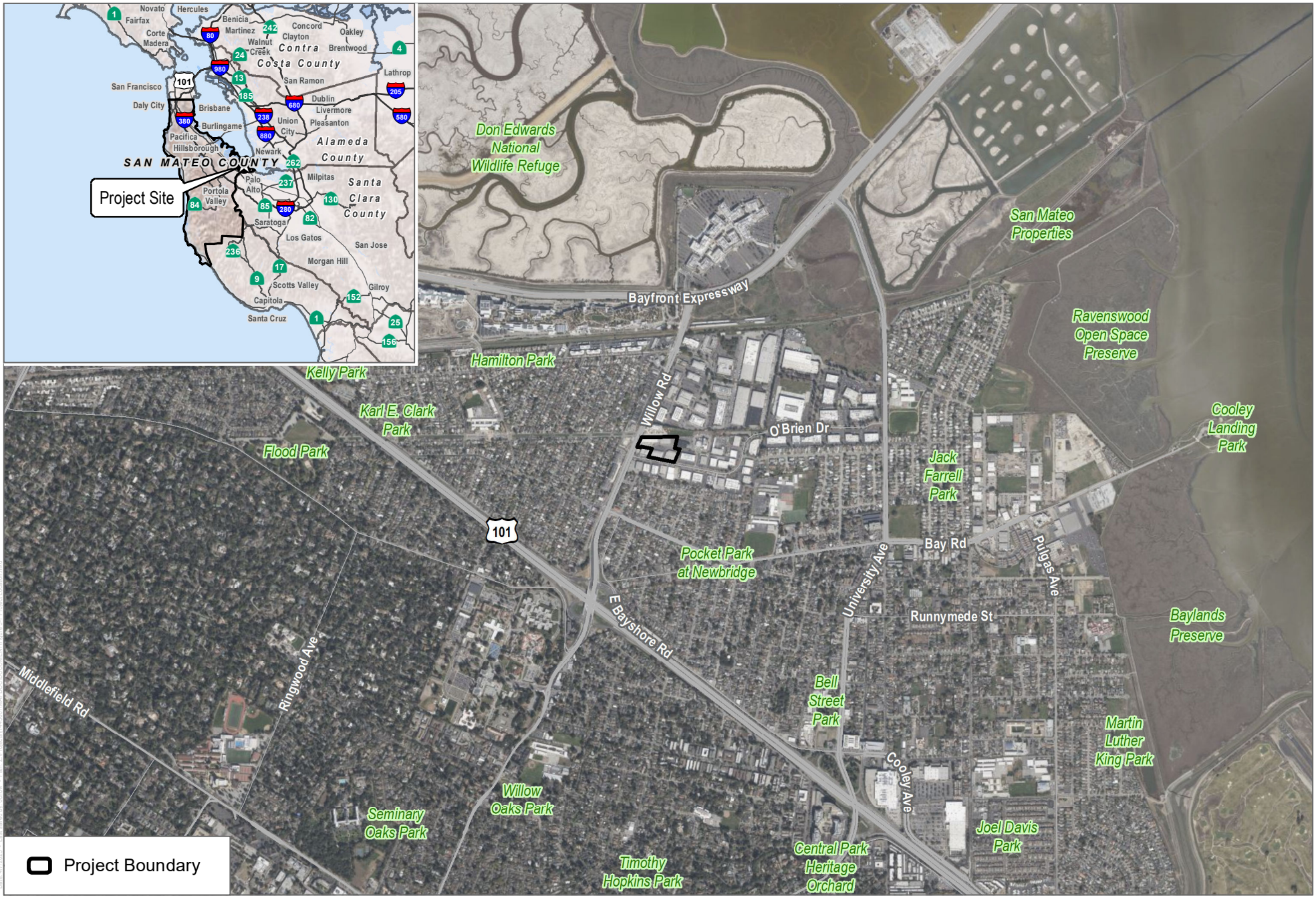
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SOURCE: Bing Imagery 2021

DUDEK

0 1,000 2,000 Feet

FIGURE 2-1

Project Location

1005 O'Brien Drive and 1320 Willow Road Life Science Project

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SOURCE: Bing Imagery 2021, City of Menlo Park 2020

DUDEK

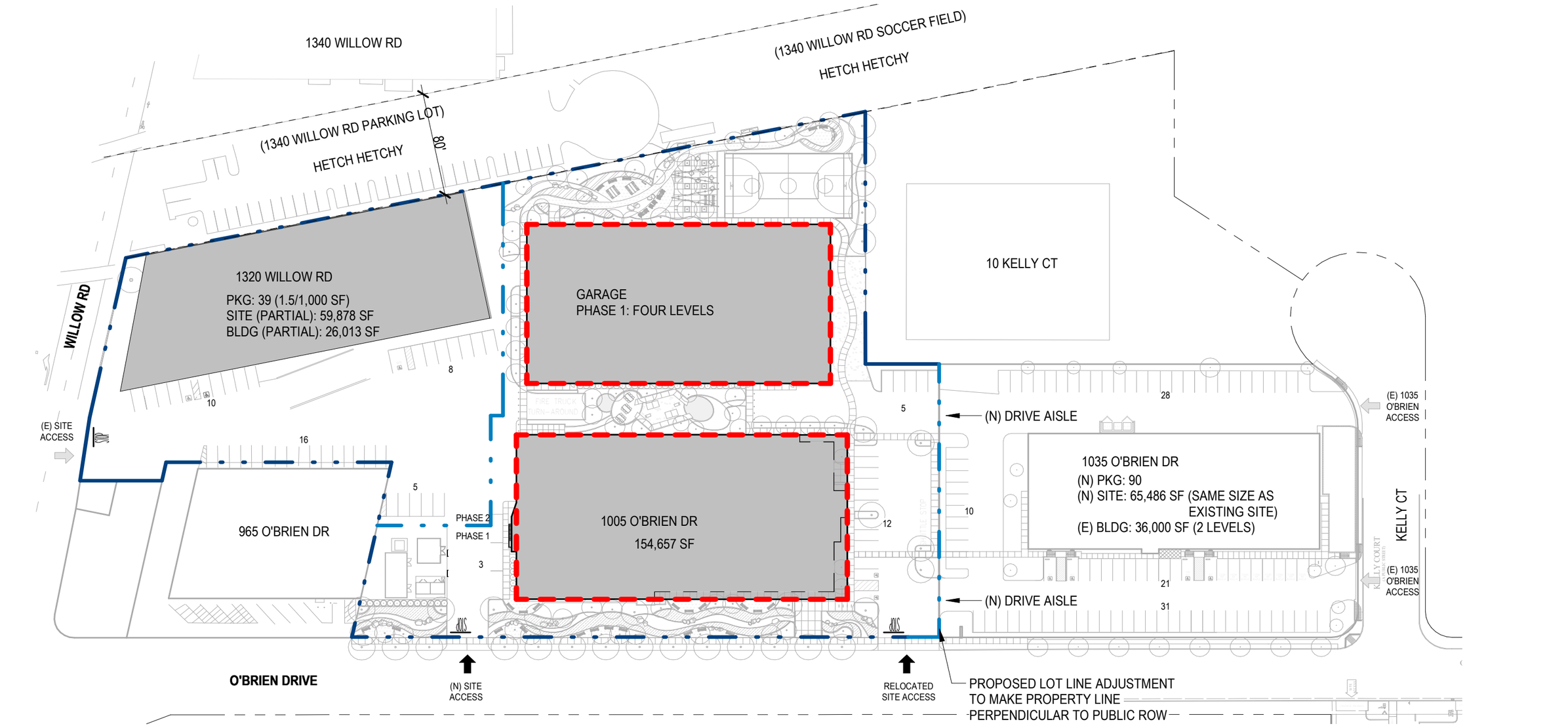
0 75 150 Feet

FIGURE 2-2

Project Site

1005 O'Brien Drive and 1320 Willow Road Life Science Project

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1 PHASE 1

1" = 80'-0"

PHASE 1 SITE: 123,738 SF

EXISTING PROPERTY LINES

LOT LINE ADJUSTMENT DURING PHASE 1

PHASE 1 BUILDINGS

N

SOURCE: DES, 2022

DUDEK

0 100 200 Feet

FIGURE 2-3

Phase 1 Construction

1005 O'Brien Drive and 1320 Willow Road Life Science Project

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KEY NOTES:

1. CANOPY TREE
2. ACCENT TREE
3. STREET TREE
4. SCREEN HEDGES
5. BIORETENTION AREA
6. COBBLE CREEK WITH BOULDERS
7. THEMED PLANTING STRIPS
8. PUBLIC GATHERING SPACE
9. PUBLIC EVENT PLAZA
10. STROLLING PATH
11. PUBLIC RESPITE SPACE WITH BENCHES
12. SMALL GROUP GATHERING SPACE
13. MAIN ENTRY PLAZA
14. BIKE RACKS
15. OUTDOOR DINING TERRACE
16. OUTDOOR ACTIVITY SPACE
17. FLEX TURF SPACE AND DRIVABLE SURFACE FOR FIRE TRUCK ACCESS
18. CATENARY LIGHT
19. DRINKING FOUNTAIN
20. TRASH RECEPTACLES (SOLID WASTE/RECYCLING/COMPOST)

MATERIAL KEY:

CONCRETE PAVING

DECOMPOSED GRANITE PATHS/PAVING, TYP.

FLAGSTONE PAVING, TYP.

SOURCE: DES, 2022

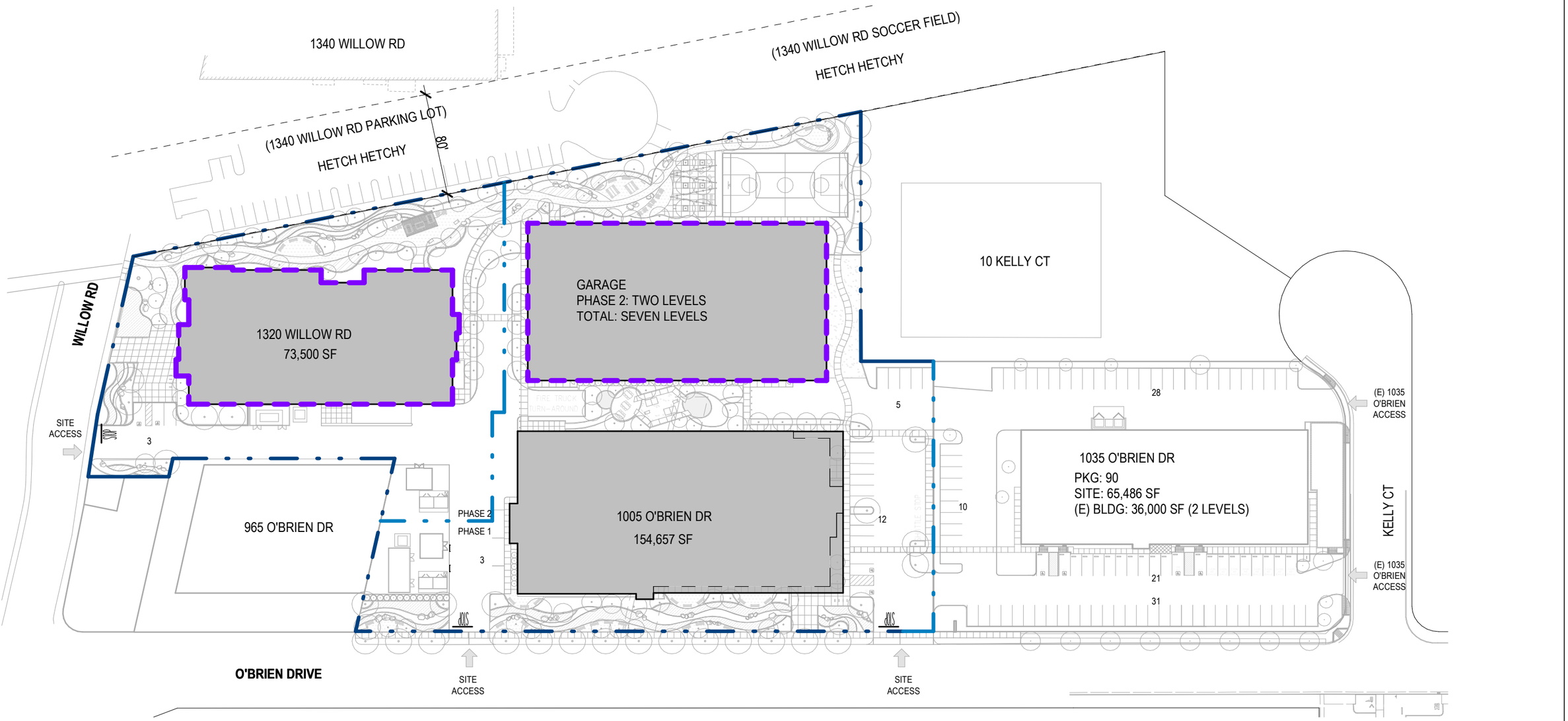
DUDEK 0 100 200 Feet

FIGURE 2-4

Phase 1 Landscape Plan

1005 O'Brien Drive and 1320 Willow Road Life Science Project

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1 PHASE 2

1" = 80'-0"

PHASE 2 SITE: 59,878 SF

EXISTING PROPERTY LINES

LOT LINE ADJUSTMENT DURING PHASE 1

PHASE 2 BUILDINGS

N

SOURCE: DES, 2022

DUDEK 0 100 200 Feet

FIGURE 2-5

Phase 2 Construction

1005 O'Brien Drive and 1320 Willow Road Life Science Project

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KEY NOTES:

1. CANOPY TREE
2. ACCENT TREE
3. STREET TREE
4. SCREEN HEDGES
5. BIORETENTION AREA
6. COBBLE CREEK WITH BOULDERS
7. THEMED PLANTING STRIPS
8. PUBLIC GATHERING SPACE
9. PUBLIC EVENT PLAZA
10. STROLLING PATH
11. PUBLIC RESPITE SPACE
12. SMALL GROUP GATHERING SPACE
13. MAIN ENTRY PLAZA
14. BIKE RACKS
15. OUTDOOR DINING TERRACE
16. OUTDOOR ACTIVITY SPACE
17. FLEX TURF SPACE AND DRIVABLE SURFACE FOR FIRE TRUCK ACCESS
18. CATENARY LIGHT
19. DRINKING FOUNTAIN
21. TRELLIS
20. TRASH RECEPTACLES (SOLID WASTE/RECYCLING/COMPOST)

MATERIAL KEY:

- CONCRETE PAVING
- DECOMPOSED GRANITE PATHS/PAVING, TYP.
- FLAGSTONE PAVING, TYP.

SOURCE: DES, 2022

DUDEK 0 100 200 Feet

FIGURE 2-6

Phase 2 Landscape Plan

1005 O'Brien Drive and 1320 Willow Road Life Science Project

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