

COMMONWEALTH: BUILDING 3 PROJECT INITIAL STUDY

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Acronyms and Abbreviations

AB	Assembly Bill
ABAG	Association of Bay Area Governments
ACMs	asbestos-containing materials
APN	assessor's parcel number
ASTs	above-ground storage tanks
BAAQMD	Bay Area Air Quality Management District
Basin Plan	San Francisco Bay Basin (Region 2) Water Quality Control Plan
Bay	San Francisco Bay
Bayfront Park	Bedwell Bayfront Park
BD+C	Building Design and Construction
BMPs	best management practices
BRA	Biological Resources Assessment
CAL FIRE	California Department of Forestry and Fire Protection
CalRecycle	California Department of Resources Recycling and Recovery
Caltrans	California Department of Transportation
CBIA	California Building Industry Association
CCE	Community Choice Energy
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CDP	Conditional Development Permit
CEQA	California Environmental Quality Act
CEQA Guidelines	California Code of Regulations, Chapter 3
CESA	California Endangered Species Act
CFR	Code of Federal Regulations
CGS	California Geological Survey
City	City of Menlo Park
CNDDDB	California Natural Diversity Database
ConnectMenlo	City of Menlo Park General Plan and M-2 Area Zoning Update
CREC	controlled recognized environmental conditions
CRHR	California Register of Historical Resources
CSD	City School District
CUPA	Certified Unified Program Agency
DPR	Department of Parks and Recreation
EIR	environmental impact report
EPA	U.S. Environmental Protection Agency
ESA	Endangered Species Act

EV	electric vehicle
FAR	floor area ratio
FEMA	Federal Emergency Management Agency
FTE	full-time equivalent
gsf	gross square feet
HCP	habitat conservation plan
HREC	historical recognized environmental condition
HVAC	heating, ventilation, and air-conditioning
I-280	Interstate 280
LBP	lead-based paint
LEED	Leadership in Energy and Environmental Design
LUST	leaking underground storage tank
MBTA	Migratory Bird Treaty Act
MMRP	mitigation monitoring and reporting program
MPCSD	Menlo Park City School District
MPPFD	Menlo Park Fire Protection District
MPPD	Menlo Park Police Department
MRZs	Mineral Resource Zones
NAHC	Native American Heritage Commission
Non-VHFHSZ	Non-Very High Fire Hazard Severity Zone
NPDES	National Pollutant Discharge Elimination System
O-B	Office Bonus
PCE	Peninsula Clean Energy
Peninsula	San Francisco Peninsula
PG&E	Pacific Gas & Electric
ppd	pounds per day
PPV	peak particle velocity
PRC	Public Resources Code
Project	Commonwealth: Building 3 Project
Project Sponsor	The Sobrato Organization
R&D	research and development
Refuge	Don Edwards San Francisco Bay National Wildlife Refuge
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
sf	square feet
Shoreway	Shoreway Environmental Center
SMCEHD	San Mateo County Environmental Health Department
SR	State Route
SSC	Species of Special Concern

SUHSD	Sequoia Union High School District
SWMP	Stormwater Management Plan
SWPPP	stormwater pollution prevention plan
TDM	Transportation Demand Management
TIA	Transportation Impact Assessment
TMDLs	total maximum daily loads
UST	underground storage tank
VegCAMP	Vegetation Classification and Mapping Program
VMT	vehicle miles traveled
VOC	volatile organic compound
WSA	Water Supply Assessment

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1. Introduction

Project Overview

The Sobrato Organization (Project Sponsor) is proposing to construct an approximately 249,500-gross-square-foot (gsf) office building and an approximately 324,000 gsf parking structure as part of the Commonwealth Building 3 Project (Project). The Project site is the existing Commonwealth Corporate Center property, which includes the Commonwealth Site at 162 and 164 Jefferson Drive and the Jefferson Site (also 164 Jefferson Drive). Two buildings (Buildings 1 and 2), currently occupied by Facebook (referred to by Facebook as Buildings 27 and 28), were constructed at the Project site as part of the Commonwealth Corporate Center Project. The Project would add a four-story office building (Building 3) and a four-story parking structure with 1,061 parking spaces to the Project site. The Project site would continue to be accessible from two driveways: the main access point at Commonwealth Drive in the southwest corner of the Project site and the secondary access point at Jefferson Drive in the northern portion of the Project site. In the eastern portion of the Commonwealth Site, a connection to a bicycle and pedestrian path, and/or public transit, along the Dumbarton Rail Corridor may be provided in the future. The Project site is within the ConnectMenlo study area and, therefore, within the scope of the programmatic ConnectMenlo EIR. As discussed in more detail below, in accordance with the requirements outlined in Section 15168 of the CEQA Guidelines, this Initial Study has been prepared to disclose the relevant impacts and mitigation measures covered in the ConnectMenlo EIR and discuss whether the Project is within the parameters of the ConnectMenlo EIR.

Purpose of This Initial Study

This Initial Study has been prepared by the Project's lead agency, the City of Menlo Park (City), in conformance with the provisions of the California Environmental Quality Act (CEQA) and 14 California Code of Regulations, Chapter 3 (CEQA Guidelines). The lead agency is the public agency with principal responsibility, generally, for carrying out or approving a project. Environmental checklists, as included in this Initial Study, are to be completed for all projects that are subject to environmental review under CEQA. The information, analysis, and conclusions contained in the environmental checklist form the basis for deciding whether an environmental impact report (EIR), a negative declaration, or a mitigated negative declaration should be prepared. Where only certain topic areas warrant analysis in an EIR, the document is referred to as a Focused EIR.

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

Because the City General Plan is a long-range planning document, the ConnectMenlo EIR was prepared as a Program EIR, pursuant to CEQA Guidelines Section 15168. Once a Program EIR has been certified, subsequent activities within the program must be evaluated to determine whether additional CEQA review is needed. However, if the Program EIR addresses a program's effects in adequate detail, subsequent

activities could be found to be within the Program EIR's scope, and additional environmental review may not be required, unless one of the thresholds for subsequent environmental review is met (CEQA Guidelines Section 15168[c]). When a Program EIR is relied on for subsequent activities, the lead agency must incorporate feasible mitigation measures into subsequent activities as well as the alternatives developed in the Program EIR (CEQA Guidelines Section 15168[c][3]). If a subsequent activity would have effects that are not within the scope of a Program EIR, the lead agency must prepare a new Initial Study, leading to a negative declaration, a mitigated negative declaration, or an EIR (CEQA Guidelines Section 15168[c][1]). Because the Project's location and development parameters are consistent with ConnectMenlo, the ConnectMenlo Program EIR serves as the environmental analysis for the Project (e.g., is incorporated by reference pursuant to Sections 15150, 15130, and 15183), except for areas identified in this Initial Study.

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

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

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

Project Information

1. Project Title:

Commonwealth: Building 3 Project

2. Lead Agency Name and Address:

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

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

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

4. **Project Location:**

162 and 164 Jefferson Drive, Menlo Park, CA 94025

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

The Sobrato Organization
10600 North De Anza Boulevard
Cupertino, CA 95014

6. **General Plan Designation:**

Office-Bonus (O-B)

7. **Description of Project:**

Please refer to Chapter 2, *Project Description*.

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

The Project site, which is composed of the Commonwealth Site and the Jefferson Site in Menlo Park, is bounded by Jefferson Drive and office buildings to the north, the currently inactive Dumbarton Rail Corridor to the southeast, US 101 to the south, and an Exponent building to the west. Office, life science, and research and development uses are located immediately adjacent to the Project site in all directions. Neighborhoods in Menlo Park are south (across the Dumbarton Rail Corridor and US 101) of the Project site. To the southeast, across the Dumbarton Rail Corridor, are recreational and public facility uses associated with Kelly Park and the Onetta Harris Community Center.

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

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

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

The Native American Heritage Commission (NAHC) was contacted on March 18, 2019, to identify any areas of concern within the Project area. The NAHC responded on March 21, 2019, stating that a search of its Sacred Land File failed to indicate the presence of Native American cultural resources in the immediate Project area. The NAHC provided a list of six Native American contacts who might have information that would be pertinent to the Project or concerns regarding the proposed actions. A letter explaining the Project, along with a map of the Project area, was sent on March 27 and 29, 2019, to all six contacts listed by the NAHC. The letter also solicited responses from each of the contacts, should they have any questions, comments, or concerns regarding the Project.

Letters were sent to the following contacts:

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

Follow-up phone calls were made on April 24, 2019, to all six individuals listed above. Although Mr. Cerda, Ms. Nijmeh, Mr. Galvan, and Mr. Lopez were not reached, a detailed phone message was left, along with a request for a return call. To date, no responses have been received. When contacted, Ms. Zwierlein stated that the Project area is known to be very sensitive for Native American resources, including burials. She requested that an archaeological monitor be onsite during all ground-disturbing activities; if Native American resources are encountered, she requested that a Native American monitor be onsite as well. Ms. Sayers had similar sentiments, stating that the area is known to be sensitive and requesting that both an archaeological and Native American monitor be onsite during all ground-disturbing activities. Should any burials be encountered, Ms. Sayers requested that they be repatriated as close as possible to where they were discovered.

2. Project Description

The Sobrato Organization (Project Sponsor) is proposing to construct an approximately 249,500-gross-square-foot (gsf) office building and an approximately 324,000 gsf parking structure as part of the Commonwealth: Building 3 Project (Project). The Project site is the existing Commonwealth Corporate Center property, which includes the Commonwealth Site at 162 and 164 Jefferson Drive and the Jefferson Site (also at 164 Jefferson Drive).¹ Two buildings (Buildings 1 and 2), currently occupied by Facebook (referred to by Facebook as Buildings 27 and 28), were constructed at the Project site as part of the Commonwealth Corporate Center Project. The Project would add a four-story office building (Building 3) and a four-story parking structure with 1,061 parking spaces to the Project site. The Project site would continue to be accessible from two driveways: the main access point at Commonwealth Drive in the southwest corner of the Project site and the secondary access point at Jefferson Drive in the northern portion of the Project site. In the eastern portion of the Commonwealth Site, a connection to a bicycle and pedestrian path in the Dumbarton Rail Corridor may be provided in the future.

Project Location and Setting

Project Location

As shown in Figure 2-1, the Project site, which is north of US 101 in Menlo Park, is bounded by Jefferson Drive and office buildings to the north, the currently inactive Dumbarton Rail Corridor to the southeast, US 101 to the south, and an Exponent building to the west.² Southeast of the Dumbarton Rail Corridor is Kelly Park. Farther north, beyond the Project site, is State Route (SR) 84, tidal mudflats and marshes along San Francisco Bay, the Don Edwards San Francisco Bay National Wildlife Refuge, and Ravenswood Slough. Neighborhoods in East Palo Alto are approximately 1 mile southeast of the Project site; the Belle Haven neighborhood of Menlo Park is south of the Project site, across the Dumbarton Rail Corridor. The Belle Haven neighborhood contains a mix of uses, including churches, Menlo Park Fire Station No. 77, single-family residences, multi-family residential units, and institutional buildings. The Belle Haven neighborhood's institutional and park uses include Beechwood School, Belle Haven Elementary School, the Belle Haven Pool, Belle Haven Youth Center, Onetta Harris Community Center, Menlo Park Senior Center, the Belle Haven Branch Library, the Boys and Girls Club, Hamilton Park, and Kelly Park. The Sequoia Union High School District is constructing a new high school at 150 Jefferson Drive, which is approximately 200 feet west of the Project site (the Jefferson Site). TIDE Academy will open in August 2019 to the first founding ninth grade class.³

¹ Consistent with the previous environmental impact report (EIR) prepared for Buildings 1 and 2, the Project site referenced in this document includes both the Commonwealth Site and the Jefferson Site, including the existing Buildings 1 and 2 as well as the proposed Building 3 and proposed parking structure. The description of the Commonwealth Site and the Jefferson Site has been updated in this document to reflect the Tentative Parcel Map for the three-lot subdivision approved as part of the previous EIR.

² For the purposes of this analysis, true northeast is Project north, and US 101 runs in an east-west direction.

³ Sequoia Unified High School District. "TIDE Academy." Available: www.tideacademy.org/index.html. Accessed April 4, 2019.

Regional highways that provide access to the Project site include US 101, directly to the south, and SR 84 to the north. The Menlo Park Caltrain station is approximately 2 miles south of the Project site, providing weekday service from San Francisco to Gilroy and weekend service from San Francisco to San José.

Project Site Setting

The Commonwealth Corporate Center, which is the Project site, includes the Commonwealth Site and the Jefferson Site, which total approximately 13.3 acres (578,500 square feet [sf]). The existing floor area ratio (FAR) at the Project site is 45 percent. New and mature trees are scattered throughout the Project site, which has approximately 866 parking spaces in surface lots. Approximately 2,080 employees currently work at the Commonwealth Corporate Center.⁴

Commonwealth Site

The 12.1-acre Commonwealth Site is south of the Jefferson Site. The Commonwealth Site includes assessor's parcel numbers (APNs) 055-243-300, 055-243-310, and a portion of 055-243-999. The four-story Buildings 1 and 2, both located on the Commonwealth Site, were constructed in 2015; both are currently leased by Facebook. Building 1 is referred to as Facebook Building 27, and Building 2 is referred to as Facebook Building 28. Each building is approximately 67 feet tall, with an area of approximately 129,960 gsf and a footprint of approximately 34,540 gsf. Together, the two buildings have a total floor area of approximately 259,920 gsf. Buildings 1 and 2 are surrounded by surface parking, landscaping, pedestrian paths, and water features. A courtyard with café tables and chairs is located between the two buildings; a bocce court and wood deck are north of Building 2. The Commonwealth Site also includes approximately 779 surface parking spaces. The Commonwealth Site is accessible from Commonwealth Drive and Jefferson Drive through a private access road that connects the two streets. The Commonwealth Site is relatively flat and lies at an elevation of 6.7 to 11.9 feet above mean sea level.

Jefferson Site

The 1.2-acre Jefferson Site, which includes a portion of APN 055-243-999, is north of the Commonwealth Site. The Jefferson Site is currently occupied by a surface parking lot with approximately 87 parking spaces and landscaping. The Jefferson Site is relatively flat and lies at an elevation of 6.6 to 7.4 feet above mean sea level. The site is accessible from two driveways along the private access road that connects Commonwealth Drive and Jefferson Drive.

Zoning

The Project site was zoned M-2(X), General Industrial, which permitted office and industrial uses such as warehousing, manufacturing, printing, and assembling as well as a maximum building height in excess of 35 feet. In 2016, the site's zoning was changed to Office-Bonus (O-B) as part of the City of Menlo Park (City) General Plan and M-2 Area Zoning Update (ConnectMenlo). The updated zoning created three new zoning districts (Office, Residential-Mixed Use, and Life Science) and established standards for new projects, including restrictions regarding use, height, density (up to 45 percent FAR for office uses), sustainability, circulation, and open space. Under the new zoning standards, bonus density is permitted (up to a FAR of 100 percent for office uses with increased height) in exchange for providing community amenities selected from a list of potential options identified through community outreach and adopted by resolution of the Menlo Park City Council.

⁴ Based on a load factor of one employee per 125 sf.

Project Characteristics

Land Use and Zoning

The Project site was rezoned O-B in 2016 through the ConnectMenlo process. At the base level, the maximum height and average height for the onsite buildings are both 35 feet, while the maximum FAR is 45 percent. At the bonus level, the City Zoning Ordinance allows a FAR of up to 100 percent (plus 25 percent for commercial use) and a 110-foot maximum height in exchange for community amenities. The Project would have a combined FAR of 88 percent, and the maximum height of the proposed building would be approximately 69 feet. Across the entire Project site (including the existing buildings), the average building height would be 59.9 feet. Therefore, the Project would require the Project Sponsor to provide community amenities in exchange for bonus-level development. These benefits would be selected from a list of potential options identified through community outreach and adopted by resolution of the Menlo Park City Council.

The Project Sponsor would construct a new building of approximately 249,500 gsf. When combined with the existing buildings at the Project site, the Project would result in three office buildings at the site with a combined floor area of approximately 509,420 gsf and a FAR of 88 percent. Table 2-1, below, compares the proposed development with O-B zoning, both the base level and bonus level. Because the Project site includes two existing office buildings (Buildings 1 and 2), the existing and proposed office buildings are included in the calculations. Although the new building would need to comply with the design standards of the O-B zoning district, the existing buildings would not because they would remain as is and would be part of the baseline conditions.

Table 2-1. Zoning Requirements

	O Zoning Requirements (Base Level)	O-B Zoning Requirements (Bonus Level)	Proposed Development^a
Site Area	25,000 sf (min) 100 feet x 100 feet (max)	25,000 sf (min) 100 feet x 100 feet (max)	578,500 sf
Floor Area Ratio	45% (+10% commercial)	100% (+25% commercial)	88%
Maximum Height	35 feet	110 feet	69 feet ^b
Height ^c	35 feet	67.5 feet	59.9 feet
Open Space	173,540 sf min (30% of total site area)	173,500 sf min (30% of total site area)	235,866 sf (40.7%)
Public Open Space	86,770 sf min (50% of open space area)	86,750 sf min (50% of open space area)	128,533 (54.5%)

Source: The Sobrato Organization and Arc Tec, Inc., 2018; Menlo Park Municipal Code Section 16.43.050.

Notes:

- a. The proposed development encompasses the entire Project site, which includes the proposed building and the existing buildings. The building area total does not include the parking structure.
- b. Maximum building height refers to the proposed building (not the existing onsite buildings).
- c. Height is defined as the average height of all buildings on one site where a maximum height cannot be exceeded. Maximum height does not include roof-mounted equipment and utilities.

Proposed Development

The Project Sponsor would develop the Commonwealth Site with an approximately 249,500 gsf office building (Building 3) that would accommodate approximately 1,996 employees.⁵ Building 3 would be north of existing Buildings 1 and 2, in the northern portion of the Commonwealth Site, and oriented in an east-west direction. The main entry to Building 3 would be along the northern frontage, the side closest to Jefferson Drive. However, a building entry would also be provided on all other building frontages. The proposed Building 3 would have four levels with a maximum height of 69 feet, as measured to the top of the parapet. Pedestrian access to the proposed parking structure from Building 3 would be provided via a pedestrian walkway. Building 3 would be surrounded by surface parking, the proposed parking structure, landscaping, and pedestrian paths. Patios with café tables and chairs would be situated in and around Building 3, providing a social space for the Project. Building 3 and the parking structure would replace most of the existing surface parking lot. Figure 2-2 depicts the proposed site plan, and Table 2-2 summarizes the proposed building area by level.

Table 2-2. Building 3 Proposed Building Area

	Building Area (gsf)
Level 1	64,076
Level 2	63,147
Level 3	63,147
Level 4	59,130
Total	249,500

Source: The Sobrato Organization and Arc Tec, Inc., 2018.

The Project Sponsor would also construct an approximately 324,000 gsf parking structure east of Buildings 2 and 3 in the Commonwealth Site, with access provided via an internal street east of the two buildings. The proposed parking structure would have four levels and a maximum height of 48 feet. The parking structure would be east of Building 3 in the eastern portion of the Commonwealth Site; the parking structure would replace the majority of an existing surface parking lot.

In addition to the proposed Building 3 and parking structure at the Commonwealth Site, the Jefferson Site would be converted from an existing surface parking lot to a community park that would be privately owned but publicly accessible (referred to in this document as Jefferson Park). Jefferson Park would be accessible via paseo connections to Jefferson Drive and the Commonwealth site. A further description of the proposed uses at the Jefferson Site is provided below.

Site Access, Circulation, and Parking

Vehicular Access and Circulation. The Commonwealth Site would be accessible from two driveways, with the main access point at Commonwealth Drive in the southwest corner of the Project site and the secondary access point at Jefferson Drive adjacent to the Jefferson Site. The internal street network that surrounds the Commonwealth Site would provide access to the surface parking and the proposed parking structure. Entrances to the parking structure would be provided along the internal street east of Buildings 2 and 3. A loading dock would be provided on the east side of Building 3.

⁵ Based on a load factor of one employee per 125 sf.

Emergency Access. Emergency access to the Project site would be provided from both access points on Commonwealth Drive and Jefferson Drive. Emergency vehicles would enter the site at Commonwealth Drive and continue along the northern portion of the site, adjacent to the proposed building, then travel around the building to exit at Jefferson Drive. Fire access to the proposed parking structure would be at both the northern and southern ends. Fire hydrants and fire department connections would be located along the emergency access route in the vicinity of the proposed buildings.

Bicycle and Pedestrian Circulation. Pedestrian walkways would be included between the proposed building and parking structure and the existing buildings. Several walkways with enhanced paving at crosswalks would traverse the Project site in east-west and north-south directions, leading from the proposed building to the parking structure. In addition, new bicycle and pedestrian connections would be established to connect the Project site to neighboring parcels. A secondary public path connection would be constructed north of Building 3, and paseo connections would be constructed north and west of the building. New paths would also be established around the parking structure, one of which would connect to a future City bicycle/pedestrian path.

In addition to the existing onsite bicycle parking (26 Class II bicycle racks and 24 Class I spaces in Building 1), the Project would include 16 onsite bicycle rack spaces (Class II spaces), which would be placed at convenient and well-lit locations near the main entrance to Building 3; 40 protected storage enclosure spaces (Class I spaces) would also be provided, for a total of 106 bicycle parking spaces. A bicycle storage room would be provided in Building 3 for both visitor and long-term bicycle parking.

Parking. The current Project site includes 866 surface parking spaces. Development of the Project would remove the majority of the existing parking spaces in order to construct Building 3, the parking structure, and Jefferson Park. However, these parking spaces would be replaced, and additional spaces would be provided to accommodate the increase in building area. Onsite parking would include the 215 surface parking spaces located along the perimeter of the Commonwealth Site and 1,061 spaces in the proposed parking structure. In total, 1,276 parking spaces would be provided at the Project site, including 24 Americans with Disabilities Act-compliant spaces among the surface parking and parking structure spaces. At the Jefferson Site, 23 parking spaces would be reserved for use by the new high school (TIDE Academy) during school hours only; the spaces would be available for the general public after school hours. These spaces are not included under the parking ratio of 2.5 spaces per 1,000 gsf proposed for the entire Project site. Table 2-3 summarizes the proposed parking at the Project site. The proposed parking would serve all of the buildings at the Project site.

TDM Program

The existing Buildings 1 and 2 are currently served by a Transportation Demand Management (TDM) program. TDM programs provide information regarding services, incentives, facilities, and actions to reduce the number of single-occupant vehicle trips. The proposed TDM program for the Project would be independent of the existing TDM program for Buildings 1 and 2 because new zoning regulations require a 20 percent trip reduction. The proposed TDM program would encourage the use of public transportation and other forms of alternative transportation. The Project site is currently served by the M3-Marsh Road Shuttle, which is a free shuttle service with timed connections to many of the a.m. and p.m. peak-hour trains at the Menlo Park Caltrain station in both the northbound and southbound directions. The existing shuttle service includes a stop at 149 Commonwealth Drive, less than 100 feet from the Project site. In order to encourage employees to use Caltrain and the Marsh Road Shuttle, subsidized transit passes, such as a Caltrain Go Pass, would be provided to new employees at the Project site. The Caltrain Go Pass is an

The public open space in the eastern portion of the Commonwealth Site would provide access to a connection to a bicycle and pedestrian path, and/or public transit, along the Dumbarton Rail Corridor that may be provided in the future. This area, located behind the proposed parking structure, would include additional plazas, seating areas with tables and chairs, seat walls, a large trellis, and a wooden boardwalk through an area with native plantings. The existing stormwater treatment area with native grasses and flowers would remain. The private open spaces proposed as part of the Project would be between and around Buildings 1, 2, and 3, within patios and courtyards featuring tables, chairs, a seat wall, trees, and access to the existing bocce court. In addition, outdoor balconies on the third and fourth floors of Building 3 would be provided as private open space. The public open space adjacent to the street and paseo frontages as well as the boundaries of the Commonwealth Site would be landscaped with trees and California native vegetation. This vegetation would help screen the proposed building and parking structure from the adjacent streets.

As discussed above, the Project would include construction of Jefferson Park, which would be publicly accessible via paseo connections to Jefferson Drive and the Commonwealth Site. Final design of the park would be determined by the City and community feedback during the entitlement process. However, in compliance with the City Zoning Ordinance, Chapter 16.44.120(4)(A), publicly accessible open space should include paseos, plazas, forecourts, entryways, outdoor dining areas, site furnishing, art, and/or landscaping.

A privately owned and publicly accessible park would be provided along Jefferson Drive. This “parklet” would be roughly 32,000 square feet (0.73 acre) in size, including a small parking lot. Directly adjacent to Jefferson Drive is an existing 2,800 sf stormwater treatment area; this area is planted with trees and grasses that would remain. The final design of this park would be determined through a process involving City and community feedback. Potential features could include a multi-use sports court, a flexible lawn area for games and other activities, and an area with accent pavers that would provide space for games and a mix of lounge and dining seating. Additional features could include a playground or other amenities. Parking spaces within the park would be separated and accented by shade trees, grasses, shrubs, and ground cover. A 10-foot-wide paseo would run along the eastern edge of the park, providing a connection to the rest of the site and beyond. The intent is for the park to be used by the adjacent TIDE Academy for physical education classes and parking, with spaces for approximately 20 to 24 staff members, as discussed above. During non-school hours, the park and parking would be available to the public.

There are currently 507 trees at the Project site. Of those, one tree qualifies as a heritage tree under the City of Menlo Park’s Heritage Tree Ordinance.⁶ As part of the Project, 304 trees would be removed; however, none of the trees that would be removed would be heritage trees. The remaining 202 trees would not be removed under the Project. In total, after Project construction, 417 trees would be located at the Project site, including the existing trees that would remain and the replacement trees.

The Project site is covered with approximately 431,697 sf of impervious surfaces (74.6 percent). Implementation of the Project would reduce the amount of impervious surfaces. Paved areas would cover approximately 393,155 sf (68 percent) of the site. Landscaped areas would provide 185,297 sf (32 percent) of pervious surfaces. Hardscape at the Project site would include concrete paving, decomposed granite paving, and concrete pavers. Stormwater treatment areas would be located around the northern, eastern, and southern borders of the Project site to limit stormwater runoff. These biotreatment areas would be open, level vegetated areas that would allow runoff to be

⁶ City of Menlo Park. 2010. *Menlo Park Municipal Code*. Section 16.46.030(7). December 14, 2010.

distributed evenly across the area. They would be designed to treat runoff by filtering raw runoff through the soil media in the treatment area. These biotreatment areas would trap particulate pollutants (suspended solids and trace metals) and promote infiltration.

Building and Sustainability Features

The design of Building 3 would be similar to the design of Buildings 1 and 2. The core architectural form of the proposed building would be a four-story rectangular structure with a low-tint glass façade. From the core rectangular form, smaller rectangular forms would project outward, spanning the second and third floors at all four corners of the building and creating recesses at the first and fourth floors of each corner. At the center of the front and rear elevations of the building, an additional rectangular projection, two stories in height, would extend outward from the core rectangular form. All of the projecting rectangular elements would have façades with gray tinted glass, differentiating them from the low-tint glass of the core façade. Narrow columns, wrapped with aluminum panels, would extend slightly beyond the projecting rectangular forms and be spaced equidistantly around all four sides of the building. The columns would support a thin louvered metal canopy, running around the entire building above the fourth-floor façade. Along the front and rear elevations, horizontally oriented beams covered with darker QUARTZ-ZINC® metal panels would wrap across the front of the rectangular projections at the center of the elevations from the first to third floors. Balconies would be incorporated at the fourth floor on each elevation and also at the third floor on the front and rear elevations. Building elevations for Building 3 are shown in Figure 2-4.

The proposed four-story orthogonal parking structure would step in as it extends to the east, creating relief along the property. Along the rearmost wall of the proposed parking structure, a mesh screen with a large graphic would obscure views of parked vehicles and structural elements within Kelly Park and other surrounding areas. Through the use of an aluminum composite canopy along the top of the central portion of the west elevation (the elevation facing the proposed and existing office buildings), the design of the proposed parking structure would reflect the design of the proposed office building. The parking structure would be constructed almost entirely of concrete that would be painted in off-white and gray hues. On the portions of each elevation not concealed by painted concrete walls, the interior floors of the parking structure would be open to the exterior, with cable guard rails along the outer edges of each level. Building elevations for the parking structure are shown in Figure 2-5.

In the O-B zoning district, projects are required to meet green and sustainable building regulations. The proposed building would be required to meet 100 percent of its energy demand through a combination of onsite energy generation, the purchase of 100 percent renewable electricity, and/or the purchase of certified renewable energy credits. In addition, as currently proposed, Building 3 would be designed to meet Leadership in Energy and Environmental Design (LEED) Gold Building Design and Construction (BD+C) standards. The Project would meet the City's requirements regarding charging spaces for electric vehicles (EVs). The Project would also incorporate a bird-friendly design through its placement of the building and use of low-tint exterior glazing. Other green building requirements would be met through efficient water use and waste management planning. Details regarding how the proposed building would meet the green and sustainable building requirements would be provided as Project plans and materials are further developed.

Utilities

Onsite utilities would include energy (electricity and gas), domestic water, wastewater, and storm drain facilities. All onsite utilities would be designed in accordance with applicable codes and current engineering practices. Utilities that are currently provided at the Project site would be extended to accommodate the proposed building and parking structure.

Energy. The Project would meet 100 percent of its energy demand (electricity and gas), consistent with the requirements of Menlo Park Municipal Code Section 16.44.130, through the purchase of 100 percent renewable electricity from Peninsula Clean Energy. In addition, Pacific Gas and Electric Company would provide gas and electrical power for proposed facilities as needed. Existing electrical and gas lines in the vicinity of the Project site would continue to serve the site but may be upgraded, if necessary, for the Project. A proposed diesel emergency generator would be located at grade in the northern portion of the Project site (north of Building 3) in a solid enclosure. Line of sight to the generator would be blocked on all sides.

Domestic Water. Onsite water lines would connect to the Menlo Park Municipal Water District. The Project would comply with the City's water use regulations by using ultra low-flow fixtures within the building. Flow rates for the selected fixtures would be equal to or less than the 2016 CALGreen flow rates for commercial fixtures.

Wastewater. The sanitary sewer system in this area of Menlo Park is owned and operated by the West Bay Sanitation District. The proposed buildings would connect to the wastewater system from an 8-inch sanitary sewer main at Jefferson Drive. Wastewater from the Project site would ultimately be discharged to the South Bayside Systems Authority pump station in Redwood City.

Storm Drainage. Stormwater collected at the Project site would continue to be conveyed in a piped system to the existing 36-inch storm drain in Jefferson Drive. The drainage system would consist of a combination of existing and new onsite storm drains. This system would collect runoff from roofs and hardscape areas and convey it to an existing pump that discharges stormwater to biotreatment ponds for treatment in accordance with Provision C.3 Municipal Regional Permit requirements. For larger storm events, excess flows would be conveyed directly to Jefferson Drive through a pipe system.

Project Construction

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

Construction Schedule and Phasing

The Project would consist of two construction phases, which may occur at the same time or overlap. Phase 1 would involve construction of the parking structure, which would be 324,000 gsf. Phase 2 would involve construction of the office building, which would be 249,500 gsf. It is anticipated that Phase 1 would have a duration of 18 to 20 months, and Phase 2 would have a duration of 17 to 19 months. The parking structure is expected to be operational by mid- to late 2021; the expected occupancy date for the office building is early 2023. In total, the construction period is expected to last approximately 37 months.

Standard construction work hours would be 8:00 a.m. to 6:00 p.m. Monday through Friday. However, work could start early, at 7:00 a.m., or finish late, at 6:00 p.m. In addition, construction on Saturdays (8:00 a.m. to 5:00 p.m.) could occur. Construction activities taking place between 7:00 a.m. and 8:00 a.m. would be regulated by the daytime limits of the City Noise Ordinance of the Menlo Park Municipal Code, which limits noise to 60 A-weighted decibels at the nearest residential property line. Construction activities taking place between 8:00 a.m. and 6:00 p.m. would be regulated by the construction activities section of the City Noise Ordinance (Title 8.06.040[a]).

Equipment and Staging

Typical equipment would be used during Project construction, including concrete/industrial saws, excavators, dozers, tractors, loaders, backhoes, graders, cranes, forklifts, welders, boom lifts, aerial lifts, scissor lifts, pavers, rollers, and tractors. Potential construction laydown and staging areas would be at the Jefferson Site prior to construction of the proposed Jefferson Park and surface parking area.

Spoils, Debris, and Materials

The Project would require soil excavation and tree removal. Project excavation depths would vary from 3 to 7 feet. As such, the maximum excavation depth would be 7 feet below mean sea level. The proposed excavation would consist of approximately 6,350 cubic yards of excavated material. About 2,500 cubic yards of the excavated material would be exported offsite, and about 3,850 cubic yards would be used as backfill material or grading material in landscaped areas within the Project site. As such, construction of the Project would require disposal of exported materials at a permitted landfill. All soil and debris, including contaminated soil, would be off-hauled to the Dumbarton Quarry or a similar appropriate facility. The haul trucks would access the site from US 101/SR 84. The number of truck trips required to dispose of demolished materials and excavated soil would be approximately five per day.

Project Approvals

City Approvals

The following City discretionary approvals would be required prior to development at the Project site:

- **Conditional Development Permit (CDP) Amendment.** The Project Sponsor would need an amended and restated CDP to incorporate Building 3, bonus level development and the O zoning district regulations into the approved CDP for Buildings 1 and 2 under the previous M-2(X) zoning for the site. The CDP amendment would also permit the proposed diesel generator and a waiver regarding two of the bird-friendly design guidelines, as further described in the Biological Resources section of this Initial Study. In addition, as discussed in more detail below, the CDP amendment would require the Project mitigation measures, as outlined in the Biological Resources Assessment (BRA) prepared for the Project (Appendix A), to reduce potential impacts on white-tailed kite and tree-nesting raptors.
- **Architectural Control,** per Menlo Park Municipal Code Chapter 16.68. The applicant would be required to obtain architectural control review and approval of the specific building design from City Council.

- **Below-Market-Rate Housing Agreement.** A Below-Market-Rate Housing Agreement would be required for payment of in-lieu fees associated with the City's Below-Market-Rate Housing Program.
- **Environmental Review.** This would include release of the Initial Study and certification of the environmental impact report (EIR), with approval of a mitigation monitoring and reporting program (MMRP) for the Project and statement of overriding considerations to the extent the EIR discloses any potentially significant impacts that cannot be mitigated to less-than-significant levels. In addition, the Project would be required to comply with the MMRP for ConnectMenlo as part of the Project.

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

Approvals by Responsible Agencies

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

- **Bay Area Air Quality Management District** – Permits for onsite generators, boilers, and other utility equipment.
- **California Department of Transportation** – Review of traffic circulation effects and consultation on potential traffic improvements that may affect state highway facilities, ramps, and intersections.
- **California Regional Water Quality Control Board/San Mateo Countywide Water Pollution Prevention Program** – Approval of National Pollutant Discharge Elimination System permit for stormwater discharge.
- **San Mateo County Transportation Authority** – Review of potential effects on public transit.
- **Menlo Park Fire Protection District** – Approval of proposed fire prevention systems, onsite generators, and emergency vehicle access.
- **San Mateo County Environmental Health Division** – Review of food service functions and onsite generators.
- **West Bay Sanitary District** – Approval of wastewater hookups.
- **Native American Heritage Commission**

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3. Environmental Checklist

Environmental Factors Potentially Affected

The environmental factors checked below could be affected by the Commonwealth: Building 3 Project (Project), involving at least one impact that is a "potentially significant impact," as indicated by the checklists on the following pages.

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

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

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

Determination

On the basis of this initial evaluation:

- I find that the Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that, although the 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 Sponsor. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the 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 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 Project, nothing further is required.

Signature _____
Date

Printed Name _____
For

Organization of This Chapter

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

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

Evaluation of Environmental Impacts

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

- **Potentially Significant Impact** is appropriate if there is substantial evidence that an effect is significant or the established threshold has been exceeded. If there are one or more “potentially significant impact” entries when the determination is made, then an EIR may be required. These topics will require further analysis in the Focused EIR.
- **Less-than-Significant Impact** applies when the Project would affect, or be affected by, the environment, but based on sources cited in the report, the impact would not have an adverse effect and would not exceed the established thresholds.
- **No Impact** denotes situations in which there is no adverse effect on the environment. Referenced sources show that the impact does not apply to the Project.
- **Not a CEQA Impact** applies to impacts related to the environment that affect the Project. Pursuant to the recent California Supreme Court decision in California Building Industry Association (CBIA) vs. Bay Area Air Quality Management District (BAAQMD), CEQA does not require an analysis of how existing environmental conditions would affect a Project’s residents or users, unless the Project would exacerbate those conditions. Therefore, when discussing impacts of the environment on the Project, the analysis will first determine if there is potential for the Project to exacerbate the issue. If evidence indicates it would not, then the analysis will conclude by stating such. If it would exacerbate the issue, then evidence is provided to determine if the exacerbation would or would not be significant.

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

Setting

Regional Visual Context

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

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

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

Project Vicinity Visual Context

The Project site is in an area known as the Bayfront Area.⁷ The Bayfront Area has been historically defined by light industrial/office use; however, under recent planning updates, multi-family housing is currently permitted in some parts of the Bayfront Area. The road network in the Bayfront Area includes

⁷ According to the City General Plan and ConnectMenlo EIR.

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

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

The ConnectMenlo EIR described the Bayfront Area as seven distinct subareas for the purpose of describing general characteristics and development patterns that currently exist throughout the area. The Project site is within the “Marsh Road to Chilco Street” subarea, which consists of a number of businesses in a suburban office park setting bounded by US 101, Bayfront Expressway, Marsh Road, and Chilco Street. This area is characterized by large, primarily rectangular blocks with one- or two-story tilt-up buildings, which are typified by utilitarian architecture, minimal windows, and large ground-floor plates on expansive parcels. The buildings are generally located in the center of the parcel and surrounded by surface parking. Parcels with street frontage include scattered landscaping and abut other parcels with rows of parking or landscaping strips; these parcels usually lack sidewalks. The maximum height of Menlo Gateway will not exceed 120 feet; newer development is typically two or three stories, with mirrored or transparent glass on the upper floors.

Project Site Visual Context

The Commonwealth Corporate Center (i.e., the Project site) includes the Commonwealth Site and the Jefferson Site, which total approximately 13.3 acres (578,500 square feet [sf]). Both young and mature trees are scattered throughout the relatively flat Project site, which also has approximately 866 parking spaces in surface lots. Existing conditions at the Project site are shown in Figure 3.1-1.

Commonwealth Site. The 12.1-acre Commonwealth Site is south of the Jefferson Site. The four-story Buildings 1 and 2, both located on the Commonwealth Site, were constructed in 2015; both are currently leased by Facebook. Each building is approximately 67 feet tall, with an area of approximately 129,960 gross square feet (gsf) and a footprint of approximately 34,540 gsf. Together, the two buildings have a total floor area of approximately 259,920 gsf. A courtyard with café tables and chairs is located between the two buildings; a bocce court and wood deck are north of Building 2. The Commonwealth Site also includes approximately 779 surface parking spaces. The Commonwealth Site is accessible from Commonwealth Drive and Jefferson Drive through a private access road that connects the two streets.

Landscaping is currently found throughout the Project site, providing shade for the surface parking lots, supporting stormwater treatment, and encouraging active use of outdoor areas. The Project site includes bamboo clusters, a variety of trees, water features, pedestrian paving, lighting, tree grates, curved and raised seat walls, lounging steps, and café tables and chairs. Stormwater treatment areas are located throughout the Project site to limit stormwater runoff. The two existing buildings include modern architectural detailing on the exteriors, reflecting a design similar to that of neighboring multi-story office buildings. Figures 3.1-1a and 3.1-1b show the existing buildings and surface parking areas at the Commonwealth Site.

Jefferson Site. The 1.2-acre Jefferson Site is north of the Commonwealth Site. The Jefferson Site is currently occupied by a surface parking lot with approximately 87 parking spaces and accessory landscaping. The Jefferson Site is accessible from two driveways along the private access road that connects Commonwealth Drive and Jefferson Drive. Figure 3.1-1c shows the Jefferson Site, facing south toward Building 1.

Scenic Corridors/Vistas and Onsite Visibility

Scenic Corridors/Vistas. Scenic corridors are considered an enclosed landscape area and viewed as a single entity that includes the total field of vision visible from a specific point, or series of points, along a linear transportation route. Public view corridors are areas in which short-range, medium-range, and long-range views are available from publicly accessible viewpoints, such as streets. The Bayfront Area is on the flatter portions of the western margin of the Bay, which limit scenic vistas within Menlo Park and this specific area. Because of the flat nature of the study area, the majority of Menlo Park, particularly in the Bayfront Area, is afforded views of the Santa Cruz Mountains. Scenic resources also include the Bay itself and its natural features (e.g., the salt ponds and Bayfront Park, as viewed from the eastern and northern portions of Menlo Park). Per the ConnectMenlo EIR, Menlo Park has no designated scenic corridors or scenic vistas; however, the section of I-280 within the ConnectMenlo study area is a designated scenic highway per the California Scenic Highways Program.⁸ In addition, the ConnectMenlo EIR considers views to the Santa Cruz Mountains, the Bay, and San Francisquito Creek and the foothills within Menlo Park to be scenic vistas.

Public View Corridors. Although portions of the Project site are visible from public streets, the Project site is not visible in its entirety from a single ground-level vantage point because of its large size, flat topography, and surrounding low-rise buildings. However, there are public vantage points with views toward the Project site, including US 101, Kelly Park, the Belle Haven neighborhood, and the Suburban Park-Lorelei Manor-Flood Park Triangle neighborhood.

The Project site is visible from both northbound and southbound US 101, which is a four-lane freeway in each direction. From the northbound direction, the Commonwealth Site becomes briefly visible after the Dumbarton Rail Corridor. However, the site is above the grade of the freeway and separated by a vegetated slope, dense trees and shrubs, and fencing. The lower levels of the onsite buildings are visible only through breaks in the vegetation and are not prominent features. From the southbound direction, after the Marsh Road overcrossing, the Commonwealth Site appears northeast of the freeway, within the context of the existing urban development pattern. Although substantial portions of the two buildings are blocked from view by mature trees, the buildings are still visible to passing vehicles. The Jefferson Site is not visible from either direction on US 101. In addition, no background views are available from this segment of US 101.

⁸ California Department of Transportation. 2018. *California Scenic Highway Mapping System, San Mateo County*. Available: http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/. Accessed: July 4, 2018.

Kelly Park is located at 100 Terminal Avenue in the Belle Haven neighborhood. Although the Dumbarton Rail Corridor provides a physical barrier between the Project site and Kelly Park, existing buildings are visible from the park (looking west), behind the trees planted along the perimeter of the park. Because limited development abuts the Dumbarton Rail Corridor, there are views of the Commonwealth Site from select locations in the Kelly Park area, particularly the soccer field. However, the orientation of the streets in the Belle Haven neighborhood does not allow for direct views of built features at the Commonwealth Site from residential locations.

US 101 separates the Project site from residential areas to the south. However, the Project site is directly across US 101 from the Suburban Park-Lorelei Manor-Flood Park Triangle neighborhood. Currently, ground-level views are blocked by dense foreground and middle-ground vegetation and residential development. However, the upper levels of Building 1 at the Project site are visible from Hedge Road. Because of the surrounding residential units and flat topography, no background views are visible.

Onsite Visibility. Because of the relatively flat topography of the Project site and vicinity, as well as the prevalence of buildings and vegetation, views from locations at grade are largely restricted. Views at the Project site consist mainly of the existing onsite surface parking lots, Buildings 1 and 2, perimeter landscaping, and immediately adjacent buildings and power lines. Facing east, views outside of the Project site include the tracks along the Dumbarton Rail Corridor, vegetation surrounding Kelly Park, and lighting for the park's tennis courts and athletic fields (Figure 3.1-1d). Views facing south encompass US 101 and the Dumbarton Rail Corridor overcrossing. Views of the salt ponds, marshes, Refuge, and Bay are obstructed from pedestrian-level viewpoints. Background views from certain locations on the Project site (looking south) include mainly obstructed, highly channelized views of the Santa Cruz Mountains.

Currently, a dense vegetative barrier, which is predominantly outside the property line, is present along the perimeter of the Project site (to the north, south, and west), providing a visual buffer between the site and the adjacent streets, US 101, and the nearby office and industrial developments. Mature vegetation is found east of the Dumbarton Rail Corridor, buffering Kelly Park and the Belle Haven neighborhood and obstructing most views of the Project site from adjacent areas.

Light and Glare

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

Because of the urbanized nature of the Project site and the surrounding area, a significant amount of ambient nighttime lighting currently exists, affecting views of the nighttime sky. Exterior nighttime lighting includes lights on vehicles, lights within onsite circulation areas and parking lots, security lighting, and interior illumination for onsite buildings. Some interior lighting is visible to motorists along US 101 and in the surrounding neighborhoods, but interior lighting on the lower floors is screened by perimeter vegetation.

General Plan Goals and Policies

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

Environmental Checklist and Discussion

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

Analysis in the ConnectMenlo EIR

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

Conclusion

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

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

Analysis in the ConnectMenlo EIR

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

Conclusion

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

ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. The Project site is not adjacent to, or visible from, a state scenic highway. Therefore, **no impact** would occur, and no further study is required.

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

Analysis in the ConnectMenlo EIR

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

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

Project-Specific Discussion

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

Construction

As described above, the Project site is not considered visually sensitive because of its urbanized surroundings with industrial, office, and warehouse buildings. Project construction would include demolition, excavation, and construction activities on the Project site. These construction activities, which would occur over an approximately 37-month period, would temporarily degrade the existing visual character of the Project site and the surrounding area. Construction materials and equipment would be staged entirely onsite, at the Jefferson Site, prior to construction of the proposed Jefferson Park and surface parking area. Construction fencing and existing landscaping would provide visual screening. Although construction would be visible from public view corridors along Jefferson Drive, this is not a heavily traveled road. Regardless, visual degradation associated with construction would be short term and temporary and would not conflict with applicable zoning and other regulations governing scenic quality.

Operation

The design of Building 3 would be similar to the design of Buildings 1 and 2. The core architectural form of the proposed building would be a four-story rectangular structure with a low-tint glass façade. From the core rectangular form, smaller rectangular forms would project outward, spanning the second and third floors at all four corners of the building and creating recesses at the first and fourth floors of each corner. At the center of the front and rear elevations of the building, an additional rectangular projection, two stories in height, would extend outward from the core rectangular form. All of the projecting rectangular elements would have façades with gray tinted glass, differentiating them from the low-tint glass of the core façade. Balconies would be incorporated at the fourth floor on each elevation and also at the third floor on the front and rear elevations.

The proposed four-story orthogonal parking structure would step in as it extends to the east, creating relief along the property. Along the rearmost wall of the proposed parking structure, a mesh screen with a large graphic would obscure views of parked vehicles and structural elements within Kelly Park and other surrounding areas. Through the use of an aluminum composite canopy along the top of the central portion of the west elevation (the elevation facing the proposed and existing office buildings), the design of the proposed parking structure would reflect the design of the proposed office building. The parking structure would be constructed almost entirely of concrete that would be painted in tan and gray hues. On the portions of each elevation not concealed by painted concrete walls, the interior floors of the parking structure would be open to the exterior, with cable guard rails along the outer edges of each level.

Landscaping would be provided around the perimeter of Building 3 and the parking structure as well as along the western and southern edges of the Project site. After implementation of the Project, approximately 128,533 sf of public open space and 107,333 sf of private open space would be provided at the Project site, totaling approximately 235,866 sf of open space, including existing open space. A 0.2-mile-long, 20-foot-wide paseo for bicyclists and pedestrians would be constructed along the eastern boundary of the Jefferson Site. The paseo would continue south to the southwest border of the Project site at Commonwealth Drive, then extend east along the edge of the southern parcel adjacent to US 101. From there, a pedestrian path would continue north, looping around the Project site. The path would be along the private access road that connects Commonwealth Drive and Jefferson Drive.

As discussed above, the area surrounding the Project site is an urbanized area with office parks, warehouses, and expansive surface parking lots. It is not a visually significant area. Because of flat topography and distance, the Project site is not visible from most public areas in the vicinity. As shown in Figure 3.1-2a, the existing Building 2 is visible from US 101. With implementation of the Project, Building 3 and the parking structure would also be visible. However, the height of Building 3 would be similar to that of Buildings 1 and 2. It would be mostly blocked from view by Buildings 1 and 2 because it would be in the northern portion of the Commonwealth Site, away from US 101. In addition, the parking structure, which would be shorter than the onsite office buildings, would be visible only through the existing dense perimeter vegetation. US 101 is not a designated scenic route, and motorists only have fleeting views of the Project site because of the permitted speed. In addition, motorists typically direct their attention to the freeway ahead, rather than views from the freeway.

As shown in Figure 3.1-2b, views from Kelly Park (facing west) consist of the park's playing field and onsite lighting in the foreground and the existing Building 2 in the middle-ground view. Perimeter vegetation and fencing obstruct the majority of ground-level views, including the surface parking lot.

With implementation of the Project, the proposed Building 3 would appear to be the same height as existing Building 2. Furthermore, the proposed building would increase the massing and bulk at the Project site. The proposed parking structure would be in front of the office buildings, blocking views of the lower levels. Although the Project would change current visual conditions as seen from Kelly Park, the structures would be consistent with existing development at the Project site and partially screened by existing and proposed landscaping.

Building 3 would be visible from select locations within the Suburban Park-Lorelei Manor-Flood Park Triangle neighborhood but mostly blocked by the existing Building 2. As described above, US 101 separates the Project site from this neighborhood; because of the flat topography, the existing buildings on the Project site are not visible from most public viewpoints. However, it is anticipated that Building 3 would be partially visible beyond Building 2, over the few residential rooftops seen from Hedge Road and the backyards of the residential properties along the road. Because of the proposed height, it is unlikely that the proposed parking structure would be visible from Hedge Road. Although Building 3 would be partially visible to a limited number of residents, it would not substantially alter the existing visual character of the area or obstruct any valued view corridors.

As described, the Project would result in new building height, bulk, and massing at the Project site. However, the Project site is already developed with two existing buildings of similar height, bulk, and design as the proposed structures. Therefore, the Project would be compatible with the existing visual character and quality of its surroundings. The Project would construct two new structures that would represent a continuation of the existing pattern of office development and reflect a similar design and landscape. Implementation of the Project would not substantially change the visual character of the Project site or significantly alter the quality of the surrounding areas because of the perimeter vegetation, trees, and flat topography.

Conclusion

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

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

Analysis in the ConnectMenlo EIR

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

Project-Specific Discussion

Building, parking lot, and security lighting is currently present throughout the Project site. Proposed development at the Project site would result in increased nighttime lighting from vehicles, interior circulation areas, the parking structure, the new office building, Jefferson Park, and security features. Lighting would continue to be provided throughout the Project site by roadway/driveway lights, area lights, bollards, and in-ground lights. The proposed lighting at the Project site would be visible from US 101, Jefferson Drive, and other area streets, resulting in a potential nuisance or distraction for motorists. However, some of the lights would be screened by onsite vegetation. In addition, because of the urbanized nature of the surrounding area, a significant amount of ambient nighttime lighting currently exists, thereby affecting views of the nighttime sky. The lighting performance standards set by the U.S. Green Building Council under the LEED program pertain to lighting specifications, shielding techniques, automatic lighting controls, and light pollution. Although building surfaces could be reflective, glare would be minimized through Project design.

Conclusion

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

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

Setting

The Project site does not contain Farmland, nor is it adjacent to any Farmland. The 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).⁹ In addition, the Project site is not currently protected under the Williamson Act or zoned for agricultural uses.¹⁰ The Project site is zoned Office Bonus (O-B), which does not allow for agricultural uses.

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

¹⁰ California Department of Conservation. 2012. *San Mateo County Williamson Act, FY 2006/2007*. Last revised: 2012. Available: ftp://ftp.consrv.ca.gov/pub/dlrp/wa/SanMateo_06_07_WA.pdf. Accessed: April 25, 2018.

There are currently 507 trees on the Project site. However, these are not considered to be forestry resources, per the definitions of Public Resources Code (PRC) Section 12220(g); timberland, as defined by PRC Section 4526; or timberland zoned Timberland Production, per Government Code Section 51104(g). According to the Open Space/Conservation Element of the City General Plan, Menlo Park includes several natural community types, including oak woodlands. However, per the Existing Vegetation map in the City General Plan, the Project site is in an Urban area.¹¹ No changes are proposed to the number of trees on the southern portion of the Project site.

Environmental Checklist and Discussion

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

Analysis in the ConnectMenlo EIR

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

Conclusion

According to the 2010 Farmland Mapping and Monitoring Program from the California Department of Conservation, the Project site is in an area that is designated as Urban and Built-Up Land,¹² which is not considered Farmland. The physical conditions, as they relate to Farmland, have not changed in the ConnectMenlo EIR study area since preparation of the EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. **No impact** would occur, and no further study is needed.

- b. Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract?***

Analysis in the ConnectMenlo EIR

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

Conclusion

The Project site is not zoned for agricultural use or under a Williamson Act contract. The Project involves the construction of facilities for office uses within an area that is already developed with two office buildings, landscaping, and surface parking lots. Construction of the Project would not result in the conversion of Farmland to a nonagricultural use. The physical conditions, as they relate to agricultural resources, have not changed in the ConnectMenlo EIR study area since preparation of the EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects

¹¹ City of Menlo Park. 2013. *City of Menlo Park General Plan*. Open Space/Conservation, Noise, and Safety Elements. May 21.

¹² California Department of Conservation. 2018. *2016 Farmland Mapping and Monitoring Program*. Available <ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/smt16.pdf>. Accessed: June 18, 2018.

than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. As such, the Project would have **no impact** on agricultural resources. No further study is needed.

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

Analysis in the ConnectMenlo EIR

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

Conclusion

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

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

Setting

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

General Plan Goals and Policies

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

Environmental Checklist and Discussion

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

Analysis in the ConnectMenlo EIR

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

Project-Specific Discussion

The small number of employees and residents in Menlo Park generated by the Project would be within the growth projections anticipated through implementation of ConnectMenlo. The Project would be required to adhere to relevant ConnectMenlo policies, develop a TDM program to reduce VMT, comply with the City's Green Building requirements and achieve the prescribed level of LEED certification, comply with zoning that requires electric vehicle chargers, comply with clean energy requirements, and adhere to a zero-waste management plan.

The Project would also be required to comply with goals, policies, and programs to minimize adverse impacts on air quality, including those in the Open Space/Conservation, Noise and Safety, and Circulation Elements. Overall, compliance with the goals, policies, and programs discussed above would ensure that the Project would not hinder implementation of the Clean Air Plan.

Conclusion

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

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

Analysis in the ConnectMenlo EIR

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

Conclusion

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

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

Analysis in the ConnectMenlo EIR

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

Conclusion

Although the physical conditions have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR, the ConnectMenlo EIR requires that additional technical analysis be performed. This analysis could identify impacts that were not previously disclosed. Specifically, the Focused EIR will demonstrate compliance with Mitigation Measure AQ-3a, which requires preparation of a health risk assessment for a project within 1,000 feet of a sensitive land use. Therefore, this topic requires ***further environmental review*** in the Focused EIR.

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

Analysis in the ConnectMenlo EIR

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

Conclusion

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

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

Setting

Methods

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

- Biological resources section of the ConnectMenlo EIR
- *Commonwealth Corporate Center Building 3 Biological Resources Assessment* prepared by H. T. Harvey & Associates¹³

ICF biologist Matt Ricketts collected preliminary information on biological resources at the Project site on April 24, 2018. Observations were made by walking across the Project site and around the site while recording field notes on plants, animals, and habitat features (e.g., ornamental trees with old stick nests). Additional information on biological resources can be found in the biological resources assessment prepared by H. T. Harvey & Associates,¹⁴ attached to this Initial Study as Appendix A. The report was informed by reconnaissance-level surveys of the Project site by H. T. Harvey & Associates plant ecologist Matthew Mosher on January 29, 2019, and wildlife ecologist Ginger Bolen on February 8, 2019.

Topography and Soils

The Project site is relatively flat, with an elevation of approximately 7 to 14 feet above mean sea level. The Natural Resources Conservation Service has mapped soils on the site as Urban Land-Orthents (reclaimed complex, 0 to 2 percent slopes). This soil type is generally associated with former tidal flats as well as salt marshes, which occurred at this location prior to urban development.

Land Cover

The entire Project site has been modified for human use and does not support any natural plant communities. It is dominated by urban land cover (i.e., buildings, paved parking lots, ornamental landscaping). Landscaping includes primarily nonnative tree species such as plum (*Prunus* sp.), Brisbane box (*Laphostemon confertus*), holly oak (*Quercus ilex*), and strawberry (*Arbutus unedo*). In addition, two landscaped bioretention basins occur on the eastern edge of the site. The basins are vegetated with spreading rush (*Juncus patens*). Each basin is drained by a stormwater gate, which is located at the lowest part of the basin.

Wildlife Habitat

The Project site provides habitat (i.e., “the resources and conditions present in an area that produce occupancy...by a given organism”)¹⁵ for common wildlife species that have successfully adapted to high disturbance levels, ornamental vegetation, and abundant food sources (e.g., food waste in trash cans, seeds and flowers produced by ornamental plants), which are characteristic of urban landscapes. Wildlife species observed by ICF and/or H. T. Harvey biologists during reconnaissance surveys included mourning dove (*Zenaida macroura*), Anna’s hummingbird (*Calypte anna*), California scrub-jay

¹³ H. T. Harvey & Associates. 2019. *Commonwealth Corporate Center Building 3 Biological Resources Assessment*. Prepared for The Sobrato Organization, Cupertino, CA. February 5.

¹⁴ Ibid.

¹⁵ Hall, L. S., P. R. Krausman, and M. L. Morrison. 1997. The Habitat Concept and a Plea for Standard Terminology. In *Wildlife Society Bulletin* 25:173–182.

(*Aphelocoma californica*), American crow (*Corvus brachyrhynchos*), dark-eyed junco (*Junco hyemalis*), house finch (*Haemorhous mexicanus*), and lesser goldfinch (*Spinus psaltria*). No active bird nests were observed during surveys, but the ornamental trees provide potential nesting habitat for crows, finches, hummingbirds, and other urban nesting birds, such as Cooper's hawk (*Accipiter cooperi*), red-shouldered hawk (*Buteo lineatus*), northern mockingbird (*Mimus polyglottos*), and American robin (*Turdus migratorius*). Small burrowing mammals such as California ground squirrel (*Spermophilus beecheyi*) were observed in low numbers. Other generalist mammal species that are expected to occur on the Project site include raccoon (*Procyon lotor*), Virginia opossum (*Didelphis virginiana*), roof rat (*Rattus rattus*), Norway rat (*Rattus norvegicus*), feral and domestic cats (*Felis catus*), and striped skunk (*Mephitis mephitis*). Common urban-adapted amphibians or reptiles that may occur include Sierran treefrog (*Pseudacris sierra*) and western fence lizard (*Sceloporus occidentalis*). H. T. Harvey ecologists closely examined trees for large cavities that could provide roosting habitat for bats or evidence of previous nesting by raptors (e.g., old stick nests) but observed neither.

Wetlands and Non-Wetland Waters of the United States

The Project site is built on Bay fill and therefore located on the historic saltwater or brackish marshes that were filled in the 1960s to create more land for development. Although such Bay fill lands can sometimes revert to wetland conditions, the existing Project site is paved, landscaped, or otherwise graded; therefore, no wetlands or non-wetland waters of the United States are present. No evidence of wetlands or non-wetland waters of the United States was observed during the April 24, 2018, or January 2019 reconnaissance surveys.

Special-Status Species

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

- Species that are listed, proposed for listing, or candidates for possible future listing as threatened or endangered under the federal Endangered Species Act (ESA) of 1973, as amended.
- Species that are listed or proposed for listing as threatened or endangered under the California Endangered Species Act (CESA) of 1984, as amended.
- Species that are designated by the California Department of Fish and Wildlife (CDFW) as Species of Special Concern (SSC).
- Species that are designated as Fully Protected under Sections 3511 (birds), 4700 (mammals), and 5050 (reptiles and amphibians) of the California Fish and Game Code.
- Species that meet the definitions of rare or endangered under CEQA (Section 15380).

No special-status plant species are expected to occur on the Project site. The site lacks natural plant communities where these species could occur because it is entirely developed. There are no serpentine soils or other microhabitats to which such species have adapted. Special-status plants known to occur or potentially occurring in the Project vicinity and evaluated for this analysis are listed in Appendix B of the H. T. Harvey & Associates biological resources assessment.¹⁶

¹⁶ H. T. Harvey & Associates. 2019. *Commonwealth Corporate Center Building 3 Biological Resources Assessment*. Prepared for The Sobrato Organization, Cupertino, CA. February 5.

With the exception of pallid bat (*Antrozous pallidus*), a California SSC that may, on rare occasions, forage over the parking lot, and tree-nesting raptors (identified as special-status species by the ConnectMenlo EIR), no special-status animal species are expected to occur on the Project site. Most species covered in the H. T. Harvey & Associates report are not expected to occur because the Project site lacks habitat, is outside their known range, and/or is isolated from the nearest known population by urban development. Although some of these species, such as western snowy plover (*Charadrius alexandrinus nivosus*), California Ridgway's rail (*Rallus obsoletus obsoletus*), salt marsh harvest mouse (*Reithrodontomys raviventris*), and salt marsh wandering shrew (*Sorex vagrans halicoetes*), are known to occur in tidal marsh or salt pond habitat of the Don Edwards San Francisco Bay National Wildlife Refuge, approximately 2 miles to the north and east, these habitats are isolated from the Project site by urban development. Tree-nesting raptors that may nest in the ornamental trees near the site include red-shouldered hawk and Cooper's hawk.

Sensitive Natural Communities

Sensitive or natural communities (vegetation types) have limited distribution statewide or within a county or region. The CDFW's Vegetation Classification and Mapping Program (VegCAMP) works to classify and map the vegetation of California and determine the rarity of vegetation types. The current version of the CDFW VegCAMP List of Vegetation Alliances and Associations (or Natural Communities List)¹⁷ indicates which vegetation types are currently considered to be sensitive.

The California Natural Diversity Database (CNDDDB) identifies three sensitive natural communities within the nine U.S. Geological Survey quadrangles containing or surrounding the Project site: serpentine bunchgrass grassland, northern coastal salt marsh, and valley oak woodland. None of these communities are present on or adjacent to the Project site. As mentioned above, the entire site has been developed, and all traces of natural communities were removed when the area was filled for urban development in the early 20th century.

Wildlife Corridors

For the purposes of this Initial Study, a wildlife corridor is defined as "any space, usually linear in shape, that improves the ability of organisms to move among patches of wildlife habitat that join two or more larger areas of wildlife habitat."¹⁸ Corridors can be viewed over broad spatial scales, from those connecting continents (e.g., Isthmus of Panama) to structures crossing canals or roads. Most wildlife corridors analyzed within the context of land use planning, including those in this Initial Study, are moderate in scale and used to facilitate regional wildlife movement among habitat patches and through human-dominated landscapes.

The Project site is not within or adjacent to any wildlife corridors. As described in the ConnectMenlo EIR, most urbanized portions of Menlo Park preclude dispersal and movement by terrestrial wildlife, with the exception of 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.

¹⁷ California Department of Fish and Wildlife. 2018. *California Natural Community List*. October 15. Available: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=153398&inline>. Accessed: March 21, 2019.

¹⁸ Hilty, J. A., W. Z. Lidicker Jr., and A. M. Merenlender. 2006. *Corridor Ecology: The Science and Practice of Linking Landscapes for Biodiversity Conservation*. Washington, DC: Island Press.

General Plan Goals and Policies

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

Environmental Checklist and Discussion

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

Analysis in the ConnectMenlo EIR

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

Project-Specific Discussion

With the exception of pallid bat and tree-nesting raptors, no special-status species are expected to occur onsite because of the Project site's urban setting and consequent lack of the natural communities to which these species are adapted. Most special-status species in the vicinity are associated with the extensive tidal marshes or salt pond complexes adjacent to San Francisco Bay. Although such habitat occurs within 2 miles of the Project site, the distributions of these species are limited by specific environmental requirements (e.g., moisture, salinity, topography, soil types, vegetation structure) that do not occur in the urban environment. The ornamental trees provide nesting habitat for tree-nesting raptors such as Cooper's hawk and red-shouldered hawk. These common species have not been identified as candidate, sensitive, or special-status species by the U.S. Fish and Wildlife Service or CDFW but are tree-nesting raptors and therefore considered special-status species by a local plan (i.e., ConnectMenlo EIR).

If the Project is implemented during the nesting season (February 1 to September 14), tree and shrub removal could result in direct mortality of adult or young birds, the destruction of active nests, and/or a disturbance for nesting adults, causing nest abandonment and/or loss of reproductive effort. Native bird species are protected by both state (California Fish and Game Code

Sections 3503 and 3513) and federal (Migratory Bird Treaty Act [MBTA] of 1918) laws. To ensure that any disturbance of nesting birds that results in the abandonment of active nests or litters or the loss of active nests through vegetation or structure removal would be a ***less-than-significant*** impact, the BRA identifies the mitigation measures below, which would be incorporated as components of the Conditional Development Permit for the Project.

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

- BR-1: Nesting Bird Avoidance.* To the extent feasible, construction activities (or at least the commencement of such activities) shall be scheduled to avoid the nesting season. If construction activities are scheduled to take place outside the nesting season, all impacts on nesting birds protected under the MBTA and California Fish and Game Code shall be avoided. The nesting season for most birds in San Mateo County extends from February 1 through August 31.
- BR-2: Preconstruction/Pre-disturbance Surveys.* If it is not possible to schedule construction activities between September 1 and January 31, preconstruction surveys for nesting birds shall be conducted by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. These surveys shall be conducted no more than 7 days prior to the initiation of construction activities. During this survey, the ornithologist shall inspect all trees and other potential nesting substrates (e.g., trees, shrubs, ruderal grasslands, buildings) in and immediately adjacent to the impact areas for nests.
- BR-3: Active Nest Buffers.* If an active nest is found close to work areas that are to be disturbed by construction activities, the qualified ornithologist shall determine the extent of the construction-free buffer zone to be established around the nest (typically 300 feet for raptors and 100 feet for other species) to ensure that no nests of species that are protected by the MBTA and California Fish and Game Code are disturbed during project implementation.
- BR-4: Inhibition of Nesting.* If construction activities will not be initiated until after the start of the nesting season, all potential nesting substrates (e.g., bushes, trees, grasses, other vegetation) that are scheduled to be removed by the project shall be removed prior to the start of the nesting season (i.e., before February 1). This will preclude the initiation of nests in such vegetation and prevent potential delay of the Project because of the presence of active nests in these substrates.

Conclusion

There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. Because the Project site contains mature (albeit nonnative) trees that could support active nests of common birds that are protected under the MBTA, a BRA was prepared in accordance with Mitigation Measure BIO-1 in the ConnectMenlo EIR (included in Appendix A of this document and summarized here). Mitigation measures are included in the BRA to reduce impacts on nesting birds. Therefore, the Conditional Development Permit for the Project would

implement Project Mitigation Measures BR-1 through BR-4 to avoid such impacts. Mitigation measures that would be incorporated as components of the Project are included in the BRA (BR-1 through BR-4) to reduce impacts on nesting birds. Impacts on special-status species as a result of the Project would be *less than significant*, and no further study is needed.

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

Analysis in the ConnectMenlo EIR

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

Conclusion

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

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

Analysis in the ConnectMenlo EIR

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

Project-Specific Discussion

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

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

Conclusion

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

- d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Less than Significant)***

Analysis in the ConnectMenlo EIR

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

Project-Specific Discussion

The Project site is not within or adjacent to any wildlife corridors. Therefore, the Project would have ***no impact*** on this resource. However, trees on the site provide nesting habitat for native resident and migratory birds that are protected under the MBTA and California Fish and Game Code. If the Project is implemented during the nesting season (February 1 to September 14), tree and shrub removal could result in direct mortality of adult or young birds, the destruction of active nests, and/or disturbance of nesting adults, causing nest abandonment and/or loss of reproductive effort. To ensure that any disturbance of nesting birds that results in the abandonment of active nests or litters or the loss of active nests through vegetation or structure removal would be a ***less-than-significant*** impact on native wildlife nursery sites (i.e., bird nests), the BRA identifies the mitigation measures below, which would be incorporated as components of the Project.

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

Conclusion

The physical conditions, as they relate to local policies or ordinances for protecting biological resources, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. As explained above, a BRA was prepared in accordance with Mitigation Measure BIO-1 in the ConnectMenlo EIR. The BRA (Appendix A) recommends mitigation measures to reduce impacts on native wildlife nursery sites. As required by Mitigation Measure BIO-1, Mitigation Measures BR-1 to BR-4, as included above, consistent with the BRA, are incorporated as components of the Project. Impacts would be *less than significant*, and no further study is needed.

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

Analysis in the ConnectMenlo EIR

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

Project-Specific Discussion

The Project is subject to the City's Heritage Tree Ordinance, codified in Chapter 13.24 of the City Municipal Code.¹⁹ As required by the ordinance, tree surveys shall be conducted by an International Society of Arboriculture-certified arborist, and a tree report and map shall be prepared to show the locations of all pertinent trees prior to initiation of construction activities. Any work performed within an area 10 times the diameter of the tree (i.e., the tree protection zone) shall require submittal of a tree protection plan prepared by a certified arborist for review and approval by the Community Development Director or his/her designee prior to issuance of any permit for grading or construction. Removal of heritage trees requires an appropriate permit from the Director of Public Works or his/her designee and payment of a fee. Only one of the 507 trees on the site meets the City's definition of a heritage tree; it is not proposed for removal.

The Project would also be subject to Chapter 16.43.140 (6) of the City Municipal Code, which concerns bird-friendly design guidelines for new buildings. The Project would construct a new building with a height of approximately 69 feet and a low-tint glass façade, along with a multi-level parking structure. Glass windows and building façades can result in bird injury or mortality because birds do not perceive glass as an obstruction. They may collide with glass that reflects the sky or vegetation or glass that is transparent, which allows birds to perceive an unobstructed flight route to vegetation inside the building. Most bird/window collisions occur within the first 60 feet of the ground.²⁰

¹⁹ City of Menlo Park Municipal Code, Section 13.024.10.

²⁰ City of San Francisco. 2011. *Standards for Bird-safe Buildings*. San Francisco Planning Commission. July 14. Available: http://default.sfplanning.org/publications_reports/bird_safe_bldgs/Standards%20for%20Bird%20Safe%20Buildings%20-%202011-30-11.pdf. Accessed: June 20, 2018.

Vegetation in the vicinity of the Project site is limited to nonnative ornamental trees and shrubs. It lacks the structural diversity that typically attracts large numbers of native birds. Species with the greatest potential to collide with new buildings are primarily the common, urban-adapted passerines that currently use the site. The Project is within the primary “bird collision zone” (i.e., within 0 to 60 feet of the ground); therefore, it would be subject to the zoning regulations set forth in Chapter 16.43.140 (6) of the City Municipal Code (Bird-Friendly Design Requirements). H. T. Harvey & Associates conducted an analysis of the Project’s compliance with the City’s six bird-friendly design standards and concluded that the Project complies with all but two of the standards.²¹ The analysis for these two standards is summarized below.

Design Standard 1. *No more than 10 percent of façade surfaces shall have non-bird-friendly glazing.* Building 3 would include extensive glazing over more than 10 percent of the façade, including within 60 feet of the ground. Because this glazing would not be treated (i.e., “non-bird friendly”), the building would not meet the standard. However, as indicated in the BRA, the overall architectural design of the building, as well as the bird-safe glazing treatment on balcony railings, would be enough to avoid significant impacts on native birds. Although occasional collisions between birds and the glass façade of the proposed building may occur, the frequency of such collisions is expected to be low for several reasons. The number of birds expected to occur in the Project vicinity is expected to be low because of the relatively low habitat quality of the ornamental landscaping. There are no areas of dense native vegetation or large water features that would attract large congregations of birds. In addition, glass balcony railings would be treated with bird-safe glazing. Finally, the façade would be “broken up” by solid, opaque horizontal and vertical elements, thereby making them more visible to flying birds and less likely to be mistaken for the sky or vegetation.

Design Standard 4. *Glass skywalks or walkways, freestanding (see-through) glass walls and handrails, and transparent building corners shall not be allowed.* Building 3 would not meet this standard because it would include glass corners on all sides of the building and all floors; it would also include freestanding glass handrails on the perimeter of the fourth-floor balcony. However, the glass used for the handrails would be treated with a frit pattern that would make the railings more visible to birds. Even in the absence of such treatment, however, the frequency of bird collisions is expected to be low for the reasons cited above. In addition, most collisions would involve regionally abundant, urban-adapted bird species and therefore would not result in the loss of a substantial portion of any species’ Bay Area population (i.e., would not cause any population to drop below self-sustaining levels). Therefore, the elimination of glass corners or glass handrails would not be expected to significantly reduce the number of future bird collisions.

Conclusion

The physical conditions, as they relate to local policies or ordinances for protecting biological resources, have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR. There is no substantial change in the ConnectMenlo project, change in circumstances, or new information of substantial importance that shows more significant effects than those originally analyzed in the ConnectMenlo EIR; therefore, there would be no new specific effects as a result of the Project. The Project would not meet two of the City’s six bird-friendly design standards or the requirements of ConnectMenlo Mitigation Measure BIO-1, which requires

²¹ H. T. Harvey & Associates. 2019. *Commonwealth Corporate Center Building 3 Biological Resources Assessment*. Prepared for The Sobrato Organization, Cupertino, CA. February 5.

compliance with bird-friendly designs. However, the site-specific evaluation contemplated by Section 16.43.140(6)(H) concludes that other aspects of the building's design, as well as the frequency of bird collisions, which is expected to be low, would make these deviations acceptable and avoid significant impacts related to bird strikes. Section 16.43.140(6)(H) allows the Planning Commission to grant a waiver regarding the two bird-friendly design standards that would not be met by the Project but would be included as part of the Project Conditional Development Permit. In addition, because the Project would not remove heritage trees, and the Project would not cause a significant number of birds to collide with windows, this impact would be considered ***less than significant***, and no further study is needed.

- f. Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan? (No Impact)***

Analysis in the ConnectMenlo EIR

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

Conclusion

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

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

Setting

Historic Resources

The Project site and immediate vicinity, which are near San Francisco Bay in present-day Menlo Park, remained largely undeveloped until the 1950s. At that time, the Project site was among 200 acres acquired by developer David Bohannon for construction of Bohannon Industrial Office Park. By 1958, buildings, including large-scale industrial facilities, were present within the current boundaries of the Commonwealth Site, and over the following decade, the surrounding industrial office park was developed with roadways and additional office and manufacturing facilities.

The properties at 160 Jefferson Drive (assessor’s parcel number [APN] 055-243-040) and 165 Jefferson Drive (APN 055-242-090), two rectangular-plan office and warehouse buildings that currently stand adjacent to the Jefferson Site, were both constructed during the first half of the 1960s. The structure at 160 Jefferson Drive, which is west-adjacent to the Jefferson Site, was built circa 1962 to 1963 to house Lacar Enterprises, Inc., a household goods company. The structure at 165 Jefferson Drive, located north-adjacent to the Jefferson Site, was constructed circa 1963 to 1965 to house the Wells Lamont Corporation, a glove manufacturer. By 1980, Bohannon Industrial Office Park was predominantly built out. The 1950s-era buildings within the Commonwealth Site were replaced by the current Buildings 1 and 2 in 2015; a building on the Jefferson Site was also demolished at that time and replaced with a surface parking lot.

Because the structures at 160 Jefferson Drive and 165 Jefferson Drive are more than 50 years old and located adjacent to the Project site, they were evaluated for listing in the California Register of Historical Resources (CRHR). Neither building has previously been evaluated for CRHR listing or otherwise considered for historical resource status for the purposes of CEQA review. The structures at 160 Jefferson Drive and 165 Jefferson Drive were recorded during an intensive-level historical resources survey on March 6, 2018, and documented on Department of Parks and Recreation (DPR) 523A (Primary Record) and 523B (Building, Structure, Object) forms. The DPR forms also document the buildings’ evaluations of CRHR eligibility. The DPR forms are included in Appendix B of this Initial Study. The CRHR evaluations concluded that neither historic-age building adjacent to the Project site meets the

eligibility criteria for CRHR listing. As a result, the structures at 160 Jefferson Drive and 165 Jefferson Drive do not qualify as historical resources under CEQA. A summary of the evaluation of 160 Jefferson Drive and 165 Jefferson Drive under CRHR Criteria 1 through 4 is provided below.

- *Criterion 1:* The buildings are unremarkable in the context of mid-20th-century suburban industrial office park development, and no tenants contributed significantly to the economic growth of Menlo Park or the San Francisco Peninsula at large.
- *Criterion 2:* No individuals who were closely associated with 160 Jefferson Drive or 165 Jefferson Drive have made significant contributions to local, state, or national history.
- *Criterion 3:* The two buildings are utilitarian-style industrial and office buildings that lack architectural distinction and association with a known significant architect.
- *Criterion 4:* Neither building appears likely to yield important historical information not otherwise captured in the historic record.

Archaeological and Native American Resources

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

General Plan Goals and Policies

The City General Plan (specifically the Land Use Element, Open Space/Conservation Element, Noise Element, and Safety Element) contains general goals, policies, and programs that require local planning and development decisions to consider impacts on cultural resources. The following City 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. Cause a substantial adverse change in the significance of a historical resource, pursuant to Section 15064.5? (No Impact)*

Analysis in the ConnectMenlo EIR

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

Project-Specific Discussion

The Project site contains no historic-age buildings; Buildings 1 and 2 were constructed in 2015. Two historic-age buildings located adjacent to the Project site, 160 Jefferson Drive and 165 Jefferson Drive, were constructed during the first half of the 1960s and, therefore, have reached the age at which they could qualify as eligible for listing in the CRHR. The evaluation of

both buildings, as well as their ineligibility for CRHR listing, is documented on the DPR 523A and 523B forms included as Appendix B of this document and summarized previously. The Project site does not contain, and is not adjacent to, any historical resources for the purposes of CEQA.

Conclusion

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

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

Analysis in the ConnectMenlo EIR

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

Project-Specific Discussion

One precontact archaeological resource was identified within the Project site during literature review at the Northwest Information Center. Specifically, this resource, which was identified from monitoring efforts for the Commonwealth Corporate Center Project in 2015, is beneath the existing Building 2.²² Because additional cultural studies have not been conducted in any portion of the Project site, it is unknown whether the Project site contains additional cultural resources. Given the presence of a precontact archaeological resource within the Project site, as well as three precontact archaeological resources in the project vicinity, the Project site has a high degree of sensitivity for containing as-yet undocumented prehistoric archaeological resources.

No formal Native American resources were identified during consultation with California Native American tribes or during the search of the NAHC Sacred Lands File. However, the area was identified as very sensitive for Native American resources. Two California Native American tribal representatives requested that both archaeological and Native American monitors be present during all ground-disturbing activities. In addition, one precontact archaeological resource has been identified within the Project site; such archaeological sites are often considered tribal cultural resources.

Compliance with federal, state, and local laws and regulations, including applicable ConnectMenlo EIR mitigation measures as well as City General Plan goals and policies, would protect unrecorded archaeological deposits at the Project site by ensuring early detection of potential conflicts between development and resources. In addition, compliance would prevent

²² Garlinghouse, T. 2015. Site record for P-41-002415 (CA-SMA-425). On file at the Northwest Information Center, Rohnert Park, CA.

or minimize impairment of the archaeological deposits' ability to convey their significance through excavation or preservation. However, the Project could disturb unidentified subsurface materials that have the potential to contain prehistoric archaeological resources.

Conclusion

In order to reduce potential impacts that could occur if unidentified resources are discovered during Project construction, the Project would incorporate Mitigation Measure CULT-2a from the ConnectMenlo EIR. However, because of precontact archaeological resource at the Project site, further study is required. ConnectMenlo EIR Mitigation Measure CULT-2b (consultation with Native American tribes) has been implemented as part of this environmental review. Although no archaeological resources were identified during consultation with Native American tribes, the area was determined to be very sensitive for Native American resources. Two California Native American tribal representatives requested that all ground-disturbing activities be monitored by both archaeological and Native American monitors. Therefore, additional mitigation measures, beyond those in the ConnectMenlo EIR, may be required to reduce impacts on undiscovered archaeological resources at the Project site. This topic requires *further environmental review* in the Focused EIR

- c. *Disturb any human remains, including those interred outside of formal cemeteries? (Topic to Be Analyzed in the Focused EIR)*

Analysis in the ConnectMenlo EIR

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

Project-Specific Discussion

As discussed above, one precontact archaeological resource was identified within the Project footprint in 2015. Discovery of this precontact material, as well as the identification of similar resources in the general vicinity, suggests that the area has increased potential for containing as-yet undocumented archaeological deposits, including human remains. Buried deposits may be eligible for listing in the CRHR.

Conclusion

The Project would incorporate Mitigation Measure CULT-4, which provides guidance regarding the treatment of human remains encountered during ground disturbance. However, because of the sensitivity of the Project site, as discussed above, this topic requires *further environmental review* in the Focused EIR.

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

Setting

Electricity

Grid electricity and natural gas service in Menlo Park is provided by Pacific Gas & Electric (PG&E). PG&E is a publicly traded utility company that generates, purchases, and transmits energy under contract with the California Public Utilities Commission. PG&E’s service territory is 70,000 square miles in area, roughly extending north to south from Eureka to Bakersfield and east to west from the Sierra Nevada to the Pacific Ocean. PG&E’s electricity distribution system consists of 106,681 circuit miles of electric distribution lines and 18,466 circuit miles of interconnected transmission lines.²³ PG&E electricity is generated by a combination of sources, such as coal-fired power plants, nuclear power plants, and hydro-electric dams as well as newer sources of energy such as wind turbines and photovoltaic plants, or “solar farms.” “The grid,” or bulk electric grid, is a network of high-voltage transmission lines that link power plants with the PG&E system. The distribution system, comprising lower-voltage secondary lines, is at the street and neighborhood level and consists of overhead or underground distribution lines, transformers, and individual service “drops” that connect to the individual customer. The existing electrical system in the area consists of overhead and underground facilities.

On January 26, 2016, the Menlo Park City Council approved a motion to join Peninsula Clean Energy (PCE) to receive additional renewable power. PCE is part of a Community Choice Energy (CCE) program, a locally controlled community organization that enables local residents and businesses to have a choice as to where their energy comes from. CCE programs allow local governments to pool the electricity demands of their communities, purchase power with higher renewable content, and reinvest in local infrastructure. Currently, PG&E delivers the power, maintains the lines, and bills customers, but the power is purchased by the CCE program from renewable energy sources such as solar, wind, hydroelectric, geothermal, and biomass.²⁴

²³ Pacific Gas & Electric. n.d. *Company Profile*. Available: www.pge.com/en_US/about-pge/company-information/profile/profile.page. Accessed: April 4, 2019.

²⁴ Peninsula Clean Energy. 2015. *Community Guide*. Available: www.peninsulacleanenergy.com/wp-content/uploads/2015/10/PCE_community_guide_v2_web.pdf. Accessed: April 3, 2019.

Natural Gas

PG&E's natural gas (methane) pipe delivery system includes 42,000 miles of distribution pipelines and 6,700 miles of transmission pipelines. Gas delivered by PG&E originates in gas fields in California, the Southwest, the Rocky Mountains, and Canada. Transportation pipelines send natural gas from fields and storage facilities in large pipes under high pressure. The smaller distribution pipelines deliver gas to individual businesses or residences.

PG&E gas transmission pipeline systems serve approximately 15 million energy customers in California. The system is operated under an inspection and monitoring program in real time on a 24-hour basis, with leak inspections, surveys, and patrols taking place along the pipelines.²⁵ A new program, the Pipeline 2020 program, aims to modernize critical pipeline infrastructure, expand the use of automatic or remotely operated shut-off valves, catalyze development of next-generation inspection technologies, develop industry-leading best practices, and enhance public safety partnerships with local communities, public officials, and first responders.

The PG&E gas transmission pipeline nearest the Project site runs primarily along US 101 until Second Avenue, where it continues north along Broadway in Redwood City. Distribution gas pipelines are located throughout the Bayfront Area.

General Plan Goals and Policies

The City General Plan (specifically the Land Use Element, Open Space/Conservation Element, and the Circulation Element) contains general goals, policies, and programs that would require sustainable development and energy efficiency. The following City General Plan goals, policies, and programs would serve to minimize potential adverse risks specifically associated with 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, Program LU-7.E, Goal OSC-4, Policy OSC-4.1, Policy OSC-4.2, Policy OSC-4.3, Policy OSC-4.4, Policy OSC-4.5, Goal CIRC-1, Policy CIRC-2.11, Goal CIRC-5, Policy CIRC-5.1, Goal CIRC-6, Policy CIRC-6.1, and Policy CIRC-6.3.

Environmental Checklist and Discussion

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

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact UTIL-13 (pages 4.14-76 to 4.14-81) and determined to result in a less-than-significant impact. No mitigation measures were recommended.

Project-Specific Discussion

The Project site would continue to be served by PG&E (natural gas) and PCE (electricity). The Project would result in a long-term increase in energy demand associated with operation of lighting and space heating/cooling units in the added building space as well as vehicle travel. In addition,

²⁵ Pacific Gas & Electric. n.d. *Learn about the PG&E Natural Gas System*. Accessed: https://www.pge.com/en_US/safety/how-the-system-works/natural-gas-system-overview/natural-gas-system-overview.page. Accessed: April 4, 2019.

construction activities associated with the Project would require the use of energy (e.g., electricity and fuel) for various purposes, such as operation of construction equipment and tools as well as excavation, grading, demolition, and construction vehicle travel.

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

Construction vehicles would consume fuel. However, EPA adopted the Heavy-Duty National Program to establish fuel efficiency and greenhouse gas emissions standards in the heavy-duty highway vehicle sector, which includes combination tractors (semi-trucks), heavy-duty pickup trucks and vans, and vocational vehicles (including buses and refuse or utility trucks). These standards include targets for gallons of fuel consumed per mile beginning in model year 2014. Although construction activities would require a commitment of energy sources, the efficiency standards would further the goal of conserving energy in the context of Project development.²⁶

Operation. In the O-B zoning district, projects are required to meet green and sustainable building regulations. The proposed Building 3 would be required to meet 100 percent of its energy demand through a combination of onsite energy generation, the purchase of 100 percent renewable electricity, and/or the purchase of certified renewable energy credits. In addition, as currently proposed, Building 3 would be designed to meet LEED Gold BD+C standards. The Project would comply with City requirements for EV parking stalls. The Project would also incorporate a bird-friendly design through its placement of the building and use of low-tint exterior glazing. Other green building requirements would be met through efficient water use, placement of new structures 24 inches above the Federal Emergency Management Agency base flood elevation to account for sea-level rise, and waste management planning. Details regarding how the proposed building would meet the green and sustainable building requirements would be provided as Project plans and materials are further developed.

As an infill development, the Project furthers the objectives of energy conservation related to transportation by focusing activities in areas of existing infrastructure and services. The proposed TDM program for the Project would be independent of the existing TDM program for Buildings 1 and 2 because new zoning regulations require a 20 percent trip reduction. The proposed TDM program would encourage the use of public transportation and other forms of alternative transportation. The Project site is currently served by the M3-Marsh Road Shuttle, which is a free shuttle service with timed connections to many of the a.m. and p.m. peak-hour trains at the Menlo Park Caltrain station in both the northbound and southbound directions. The existing shuttle service includes a stop at 149

²⁶ U.S. Environmental Protection Agency. n.d. *Regulations for Greenhouse Gas Emissions from Commercial Trucks and Buses*. Available: www.epa.gov/regulations-emissions-vehicles-and-engines/regulations-greenhouse-gas-emissions-commercial-trucks. Accessed: April 4, 2019.

Commonwealth Drive, less than 100 feet from the Project site. In order to encourage employees to use Caltrain and the Marsh Road Shuttle, subsidized transit passes, such as a Caltrain Go Pass, would be provided to new employees at the Project site. The Caltrain Go Pass is an employer-sponsored annual pass that offers unlimited rides on Caltrain through all zones, 7 days per week. Carpooling and vanpool programs would also be encouraged through free ride-matching services, carpool incentive programs, vanpool formation incentives, vanpool seat subsidies, and vanpool participant rebates. Emergency ride-home programs would also be offered to employees. In addition, the proposed TDM program would include bicycle storage, showers and changing rooms, and other onsite amenities to encourage the use of other modes of transportation. Implementation of the proposed TDM program would reduce energy impacts from transportation.

The Project would be within the 70,000-square-mile PG&E service territory for electricity and natural gas generation, transmission, and distribution. In addition, PCE would provide renewable power to the Project site. Because of the Project's size and location within an urban development, buildout of the Project would not significantly increase energy demands within the service territory and would not require new energy supply facilities. In addition, energy projections of energy providers within the state anticipate growth from development such as the Project.

Conclusion

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

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

Analysis in the ConnectMenlo EIR

This topic was analyzed in the ConnectMenlo EIR as Impact UTIL-13 (pages 4.14-76 to 4.14-81) and determined to result in a less-than-significant impact. No mitigation measures were recommended.

Project-Specific Discussion

The Project would be required to be constructed using energy efficient modern building materials and construction practices, in accordance with the CALGreen Building Code and Chapter 12.18 of the Menlo Park Municipal Code, which contains the Green Building Ordinance. The new buildings also would use new modern appliances and equipment, in accordance with the 2006 Appliance Efficiency Regulations (Title 20, California Code of Regulations Sections 1601 through 1608). Under these requirements, the Project would use recycled construction materials, environmentally sustainable building materials, building designs that reduce the amount of energy used in building heating and cooling systems compared with conventionally built structures, and landscaping that incorporates water-efficient irrigation systems, all of which would conserve energy. In addition, the Land Use Element, Circulation Elements, and the Open Space/Conservation of the City General Plan contain goals, policies, and programs that would require local planning and development decisions to

consider impacts on energy resources. The Project would adhere to the City General Plan goals, policies, and programs, as listed above, which would serve to increase energy conservation and minimize potential impacts associated with energy use.

The Project, as part of the City's project approval process, would be required to comply with existing regulations, including City General Plan policies and zoning regulations that have been prepared to promote energy conservation and efficiency by implementing sustainable building practices and reducing automobile dependency. The City, throughout the buildout horizon, would implement General Plan programs that require development of a greenhouse gas standard for development projects and coordination with appropriate agencies to agree on long-term Peninsula transit service. Furthermore, continued implementation of the City's Climate Action Plan, compliance with the CALGreen Building Code, and other applicable state and local energy efficiency measures, would result in energy conservation and savings.

Conclusion

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

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

Setting

Regional Geology

The Project site is on the western margin of San Francisco Bay in the Santa Clara Valley, a broad, sediment-filled basin bounded on the west by the Santa Cruz Mountains and on the northeast by the Diablo Range. The Project site is underlain by Holocene-age fine-grained alluvium,²⁷ which, in turn, is underlain by Holocene and Pleistocene alluvial and basin deposits, undivided.²⁸ Fine-grained alluvium is generally described as unconsolidated, poorly sorted plastic organic clay and silty clay in poorly drained interfluvial basins, usually at the margins of tidal marshlands.

Regional Seismicity

Faults

The San Francisco Bay Area is one of the most active seismic regions in the United States. Within the Bay Area, three faults belong to the San Andreas fault system, the San Andreas, Hayward, and Calaveras faults. Trending in a northwest direction, the faults generate about 12 earthquakes each century and are large enough to cause major structural damage. 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 2044.²⁹ Table 3.6-1 lists the regional faults, their distance and direction from the Project site, and each fault's probability of producing one or more earthquakes of magnitude 6.7 or greater before 2044. However, no known fault crosses the Project site.³⁰

Ground Shaking

Because the Project site is in a seismically active area, strong to very strong ground shaking can be expected to occur at the site over the life of the Project.^{31,32} Such ground shaking could cause negligible damage in buildings of good design and construction, slight damage in well-built ordinary structures, and considerable damage in poorly built structures.³³

²⁷ Pampeyan, Earl H. 1993. *Geologic Map of the Palo Alto and Part of the Redwood Point 7.5-minute Quadrangles, San Mateo and Santa Clara County, California*. (IMAP 2371.) Available: <https://pubs.er.usgs.gov/publication/i2371>. Accessed: March 20, 2019.

²⁸ Ibid.

²⁹ Working Group on California Earthquake Probabilities. 2015. *UCERF3: A New Earthquake Forecast for California's Complex Fault System*. (Fact Sheet 2015-3009.) Available: <https://pubs.usgs.gov/fs/2015/3009/>. Accessed: March 20, 2019.

³⁰ Langan Engineering and Environmental Services, Inc. 2019. *Geotechnical Investigation Commonwealth – Building 3*. Menlo Park, CA. Prepared for The Sobrato Organization, Cupertino, CA.

³¹ Ibid.

³² Association of Bay Area Governments. 2013. *San Mateo County Earthquake Hazard*. Resilience Program. Available: <http://resilience.abag.ca.gov/earthquakes/sanmateo/>. Last updated: July 21, 2014. Accessed: March 20, 2019.

³³ U.S. Geological Survey. n.d. *The Modified Mercalli Intensity Scale*. Available: <https://earthquake.usgs.gov/learn/topics/mercalli.php>. Accessed: March 20, 2019.

Table 3.6-1. Regional Faults in the Project Area and Seismicity

	Distance from Project Site (miles)	Direction from Project Site	Mean Characteristic Moment Magnitude
Monte Vista-Shannon	8	Southwest	6.50
North San Andreas-Peninsula	11	Southwest	7.23
North San Andreas (1906 event)	11	Southwest	8.05
Total Hayward	20	Northeast	7.00
Total Hayward-Rogers Creek	20	Northeast	7.33
San Gregorio Connected	26	West	7.50
Total Calaveras	29	East	7.03
North San Andreas-Santa Cruz	37	Southeast	7.12
Mount Diablo Thrust	41	Northeast	6.70
Zayante-Vergeles	47	Southeast	7.00
North San Andreas-North Coast	49	Northwest	7.51
Green Valley Connected	49	Northeast	6.80
Greenville Connected	50	Northeast	7.00

Sources: Langan Engineering and Environmental Services, Inc. 2019. *Geotechnical Investigation Commonwealth – Building 3*. Menlo Park, CA. Prepared for The Sobrato Organization, Cupertino, CA.

Site Geology, Topography, and Groundwater

The Project site is relatively level, with an elevation that ranges from 11 to 14 feet above mean sea level. The site is underlain by alluvial deposits, consisting of medium stiff to hard clay, clay with sand, and sandy clay, along with interbedded layers of loose to dense sand and gravel with varying amounts of fines to the maximum depth explored.³⁴

Groundwater was encountered during soil boring at 10.5 feet below the existing ground surface.³⁵ Depths to groundwater can vary seasonally, because of landscaping, and locally across a geography.

Landslides and Erosion

Because the site topography is flat, there is little likelihood of landslides. Furthermore, according to the California Seismic Hazard Zonation Program, the Project site is not in an area that is susceptible to landslides.³⁶ Soils at the Project site are Urban land-Orthents, reclaimed complex, 0 to 2 percent slopes.³⁷ These soils are not rated for erosion susceptibility.

³⁴ Langan Engineering and Environmental Services, Inc. 2019. *Geotechnical Investigation Commonwealth – Building 3*. Menlo Park, CA. Prepared for The Sobrato Organization, Cupertino, CA.

³⁵ Ibid.

³⁶ California Geological Survey. 2006. *Seismic Hazard Zones, Palo Alto Quadrangle*. October 18. Available: <http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps>. Accessed: March 20, 2019.

³⁷ Natural Resources Conservation Service. 2018. *Custom Soil Resource Report for San Mateo County, Eastern Part, and San Francisco County, California*. Available: <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>. Accessed: March 20, 2019.

Liquefaction and Seismically Induced Ground Failure

Liquefaction is a process in which loose sand and silt behave like a liquid when shaken by an earthquake. The soil can lose its ability to support structures.³⁸ According to the California Seismic Hazard Zonation Program, the Project site is in an area that is potentially susceptible to earthquake-induced liquefaction.³⁹ In addition, according to the U.S. Geological Survey, the site is in an area with moderate to very high susceptibility to liquefaction.⁴⁰ Furthermore, site-specific exploration showed that layers of medium-dense sand with varying amounts of clay and silt, from several inches to 6 feet thick, were encountered below the groundwater level (6 to 45 feet below the ground surface), indicating a potential risk of seismically induced liquefaction.⁴¹

Lateral spreading is liquefaction-related ground failure that involves horizontal (or lateral) movement of relatively flat or gently sloping soil deposits toward a free or open face, such as an excavation site, channel, or body of water.⁴² Typically, lateral spreading is associated with liquefaction involving one or more subsurface layers near the bottom of an exposed slope. Because failures tend to propagate as block failures, it is difficult to determine where the first tension crack will form.

The Project site does not include a streambank or other open face, nor is there any historical documentation of lateral spreading at the Project site.

Settlement, Subsidence, and Expansive Soil

Loose to medium-dense unsaturated sandy soils can settle during strong seismic shaking. Liquefaction intensifies this trend. Seismically induced settlement and differential settlement as a result of liquefaction could occur at the Project site.

Expansive soils undergo volume changes associated with changes in moisture content. When wetted, expansive soils tend to swell, then shrink when dried. According to the geotechnical report prepared for the Project, near-surface soils at the Project site are moderately to highly expansive.⁴³

Paleontological Resources

Paleontological resources, or fossils, are any evidence of past life, including the remains, traces, or imprints of once-living organisms that are now preserved in rocks and sediments. These provide information about the history of life on Earth and date back billions of years. According to the Society of

³⁸ U.S. Geological Survey and California Geological Survey. 2006. *About Liquefaction*. Available: <https://geomaps.wr.usgs.gov/sfgeo/liquefaction/aboutliq.html>. Accessed: March 20, 2019.

³⁹ California Geological Survey. 2006. *Earthquake Zones of Required Investigation, Palo Alto Quadrangle*. October 18. Available: <http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps>. Accessed: March 20, 2019.

⁴⁰ Witter, Robert C., Keith L. Knudsen, Janet M. Sowers, Carl M. Wentworth, Richard D. Koehler, and Carolyn E. Randolph. 2006. *Maps of Quaternary Deposits and Liquefaction Susceptibility in the Central San Francisco Bay Region, California*. In Cooperation with the California Geological Survey. Available: <https://pubs.usgs.gov/of/2006/1037/>. Accessed: March 20, 2019.

⁴¹ Langan Engineering and Environmental Services, Inc. 2019. *Geotechnical Investigation Commonwealth – Building 3*. Menlo Park, CA. Prepared for The Sobrato Organization, Cupertino, CA.

⁴² U.S. Geological Survey and California Geological Survey. 2006. *About Liquefaction*. Available: <https://geomaps.wr.usgs.gov/sfgeo/liquefaction/aboutliq.html>. Accessed: March 20, 2019.

⁴³ Langan Engineering and Environmental Services, Inc. 2019. *Geotechnical Investigation Commonwealth – Building 3*. Menlo Park, CA. Prepared for The Sobrato Organization, Cupertino, CA.

Vertebrate Paleontology,⁴⁴ significant paleontological resources include identifiable vertebrate fossils, large or small, as well as uncommon invertebrate, plant, and trace fossils. Fossils are nonrenewable paleontological resources that are afforded protection by federal, state, and local environmental laws and regulations. The potential of a particular area to produce a valuable paleontological resource depends on the geologic age and origin of the underlying rocks.

The natural geology of the Project area comprises Holocene- (less than 10,000 years ago) and Pleistocene-age alluvium.⁴⁵ These geologic deposits underlie artificial fill or disturbed soil in the developed areas of Menlo Park. A summary of each geologic unit is provided below.

- **Artificial Fill** – Artificial fill is a mixture of sand, silt, and gravel that is often used to prepare areas for urban development or fill in or replace low-lying areas and wetlands. Artificial fill is sourced from natural geologic deposits, then excavated, reworked, and transported to another location. Any fossils recovered from artificial fill would not constitute significant fossil records that could contribute to scientific or natural history because stratigraphic information would be lost through handling.⁴⁶ Artificial fill would, therefore, not contain significant paleontological resources. Artificial fill has no potential with respect to containing paleontological resources.
- **Holocene Fine-Grained Alluvium (Qaf)** – Holocene fine-grained alluvium is an unconsolidated, poorly sorted plastic organic clay or silty clay that is found in basins, usually at the margins of tidal marshlands. It is generally less than 15 feet thick and underlain by older deposits; in the Project area, it is underlain by Holocene and Pleistocene alluvial and basin deposits, undivided. Holocene-age (less than 10,000 years ago) deposits are considered too young to have fossilized remains of organisms (fossilization processes take place thousands or millions of years). These alluvial deposits contain vertebrate and invertebrate fossils of extant modern taxa,⁴⁷ which are generally not considered significant paleontological resources. Holocene fine-grained alluvium has low potential with respect to containing paleontological resources.
- **Holocene and Pleistocene Alluvial and Basin Deposits, Undivided (Qu)** – Holocene and Pleistocene alluvial and basin deposits, undivided, are generally not present at the ground surface.⁴⁸ Because of their age, there is some potential for them to contain paleontological resources. The University of California Museum of Paleontology (2018) has records of fossil discoveries in inland San Mateo County from Pleistocene deposits of unspecified geologic formation. These include species of moose, horse, camel, mammoth, and bison. Holocene and Pleistocene alluvial and basin deposits, undivided, have high potential with respect to containing paleontological resources.

⁴⁴ Society of Vertebrate Paleontology. 2010. *Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources*. Available: vertpaleo.org/Membership/Member-Ethics/SVP_Impact_Mitigation_Guidelines.aspx. Accessed: March 20, 2019.

⁴⁵ Pampeyan, Earl H. 1993. *Geologic Map of the Palo Alto and Part of the Redwood Point 7.5-minute Quadrangles, San Mateo and Santa Clara County, California*. (IMAP 2371.) Available: <https://pubs.er.usgs.gov/publication/i2371>. Accessed: March 20, 2019.

⁴⁶ Society of Vertebrate Paleontology. 2010. *Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources*. Available: vertpaleo.org/Membership/Member-Ethics/SVP_Impact_Mitigation_Guidelines.aspx. Accessed: March 20, 2019.

⁴⁷ Helley, E. J., and K. R. LaJoie. 1979. *Flatland Deposits of the San Francisco Bay Region, California Their Geology and Engineering Properties, and Their Importance to Comprehensive Planning*. Geological Survey Professional Paper 943. Available: <https://pubs.er.usgs.gov/publication/pp943>. Accessed: March 20, 2019.

⁴⁸ Pampeyan, Earl H. 1993. *Geologic Map of the Palo Alto and Part of the Redwood Point 7.5-minute Quadrangles, San Mateo and Santa Clara County, California*. (IMAP 2371.) Available: <https://pubs.er.usgs.gov/publication/i2371>. Accessed: March 20, 2019.

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

Environmental Checklist and Discussion

The California Supreme Court concluded in its *CBIA v. BAAQMD* decision that "CEQA generally does not require an analysis of how existing environmental conditions will affect a project's future users or residents." With this ruling, CEQA no longer considers the impact of the environment on a project, such as the impact of existing seismic hazards on new project receptors, to be an impact that requires consideration under CEQA, unless the project would exacerbate an existing environmental hazard.

The Project would not change existing seismic hazards and, therefore, would not exacerbate existing hazards related to surface fault rupture and seismic ground shaking. As such, the following discussions of seismic hazards related to surface fault rupture and seismic ground shaking are provided for informational purposes only.

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. (Not a CEQA Impact)***

Analysis in the ConnectMenlo EIR

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

Project-Specific Discussion

As discussed above, no known fault crosses the Project site. The closest known fault is the Monte Vista-Shannon fault, approximately 8 miles southwest of the Project site. Therefore, the risk of surface fault rupture is low. Regardless, the Project site is in a seismically active area. Although it is unlikely, future faulting may occur in areas where active faults were not previously known to exist. However, the risk of surface fault rupture from unknown faults is considered to be low. Furthermore, the Project would comply with the requirements of the current California Building Standards Code to withstand forces associated with the maximum credible earthquake. The California Building Standards Code sets standards for excavation, grading, construction earthwork, fill embankments, foundation investigations, liquefaction potential, and soil strength loss. Furthermore, ConnectMenlo policies and programs would apply to the Project.

Policy S-1.13 requires site-specific geologic or geotechnical studies for construction in areas with potential land instability; Program S-1D requires potential geologic, seismic, and soil problems to be thoroughly investigated during the earliest stages of the design process; and Program S-1H requires a seismic risk analysis and adequate construction standards to be enforced. The Project would comply with California Building Standards Code requirements and implement the recommendations provided in the site-specific geotechnical report.

Conclusion

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

(ii) Strong seismic ground shaking? (Not a CEQA Impact)

Analysis in the ConnectMenlo EIR

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

Project-Specific Discussion

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

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

Given the Project site's proximity to the Monte Vista-Shannon fault (approximately 8 miles), the North San Andreas-Peninsula fault (approximately 11 miles), and other faults that are capable of producing a large earthquake, the potential exists for a large earthquake to induce strong to very strong ground shaking at the site during the life of the Project. It is likely that the Project site will experience strong to very strong ground shaking during the life of the Project, as discussed above under *Ground Shaking*.

The Project would be designed and constructed to meet standards set forth by the California Building Standards Code. These standards are intended to reduce major structural damage and loss of life in the event of an earthquake. The seismic performance goals generally expect some property damage to be incurred in a moderate to large earthquake, but the damage would generally be repairable and not life-threatening. Furthermore, ConnectMenlo Policy S-1.13 requires site-specific geologic or geotechnical studies for construction in areas with potential land instability; Program S-1D requires potential geologic, seismic, and soil problems to be thoroughly investigated during the earliest stages of the design process; and

Program S-1H requires a seismic risk analysis and adequate construction standards to be enforced. Adherence to these recommendations would address and mitigate geologic hazards in accordance with the specifications of California Geological Survey Special Publication 117, Guidelines for Evaluating and Mitigating Seismic Hazards, and the requirements of the Seismic Hazards Mapping Act.

Conclusion

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

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

Analysis in the ConnectMenlo EIR

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

Project-Specific Discussion

As discussed above, the Project site has moderate to very high susceptibility to seismically induced liquefaction. According to data obtained from the geotechnical report, potentially liquefiable layers occur below the ground surface. Therefore, it is possible that seismically induced liquefaction could cause some loss of bearing strength, which would be exacerbated by the load exerted by the structure built on the susceptible soil. This loss of bearing strength could result in seismically induced settlement and differential settlement.

To reduce impacts from liquefiable soils, the Project would be designed and constructed to meet or exceed standards set forth by the City of Menlo Park as well as the current California Building Standards Code. Furthermore, ConnectMenlo Policy S-1.13 requires site-specific geologic or geotechnical studies for construction in areas with potential land instability; Program S-1D requires potential geologic, seismic, and soil problems to be thoroughly investigated during the earliest stages of the design process; and Program S-1H requires a seismic risk analysis and adequate construction standards to be enforced.

Conclusion

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

(iv) Landslides? (No Impact)**Analysis in the ConnectMenlo EIR**

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

Conclusion

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

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

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

Project-Specific Discussion

Construction. Soils at the Project site are Urban land-Orthents, meaning that they are not native topsoil. Removing them for construction would not result in a loss of topsoil. Soils at the Project site are not rated for erosion. Construction of the Project would include demolition, excavation, and grading, which could result in accelerated erosion during construction. Excavation would generate approximately 6,350 cubic yards of excavated material. The removal of concrete and asphalt would expose previously sheltered soils to the elements as well as construction activities on the site, which could accelerate erosion rates. However, as described in Section X, *Hydrology and Water Quality*, all construction activities would comply with the NPDES Construction General Permit, which contains standards to ensure that water quality is not degraded. As part of this permit, standard erosion control measures and best management practices (BMPs) would be identified in a SWPPP and implemented during construction to reduce sedimentation in waterways and any loss of topsoil. The SWPPP and BMPs would minimize erosion and runoff during construction. These BMPs could include, but would not be limited to, using drainage swales or lined ditches to control stormwater flow and protecting storm drain inlets (with gravel bags or catch basin inserts).

Operation. The Project would reduce the impervious area at the Project site from 431,697 square feet to 393,155 square feet. To manage potential erosion, the Project would comply with the NPDES General Construction Permit, San Francisco Bay Municipal Separate Storm Sewer System Permit Provision C.3, and San Mateo Countywide Water Pollution Prevention Program C.3 Stormwater Technical Guidance. In addition, the Project would implement a SWPPP, stormwater biotreatment areas, and other erosion measures.

Conclusion

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

- c. ***Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project and potentially result in an onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse? (Less than Significant)***

Analysis in the ConnectMenlo EIR

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

Project-Specific Discussion

As stated above, groundwater at the Project site is relatively shallow (encountered at a depth of approximately 10.5 feet below the ground surface). Therefore, excavation deeper than 10.5 feet is likely to encounter groundwater and require dewatering to avoid substantial water inflow at the excavation during construction. Excavation is anticipated not to exceed 7 feet below the ground surface. Therefore, the likelihood of encountering groundwater is relatively minor. However, because groundwater levels can vary, depending on season, weather, and nearby landscaping practices, it is possible that groundwater could be encountered at levels higher than the maximum depth of excavation. If this should occur, dewatering would be required. Dewatering could result in settlement beneath adjacent structures, including buildings, sidewalks, streets, and utilities. In addition, during Project operation, groundwater could exert hydrostatic pressure on subsurface parking or basement levels; permanent dewatering could be required to relieve this pressure. Section X, *Hydrology and Water Quality*, discusses water quality requirements for dewatering.

There is no historical documentation of lateral spreading at the Project site. Furthermore, the Project would be constructed on a vacant parcel that does not include a streambank or open face. Therefore, the risk of lateral spreading is low. Settlement as a result of liquefaction is anticipated to be up to 1 inch, and because the liquefiable layers below ground surface are discontinuous, differential settlement is anticipated to be up to 1 inch over 30 feet during an earthquake.⁴⁹ Static settlement as a result of consolidation is anticipated to be approximately 0.5 to 1.25 inch, and differential settlement between adjacent footings, typically 20 feet apart, is anticipated not to exceed 0.5 inch.⁵⁰

To reduce impacts from groundwater and weak soils, the Project would be designed and constructed to meet or exceed standards set forth by the City of Menlo Park as well as the current California Building Standards Code. Furthermore, ConnectMenlo Policy S-1.13 requires site-specific geologic or geotechnical studies for construction in areas with potential land instability;

⁴⁹ Langan Engineering and Environmental Services, Inc. 2019. *Geotechnical Investigation Commonwealth – Building 3*. Menlo Park, CA. Prepared for The Sobrato Organization, Cupertino, CA.

⁵⁰ Ibid.

Program S-1D requires potential geologic, seismic, and soil problems to be thoroughly investigated during the earliest stages of the design process; and Program S-1H requires a seismic risk analysis and adequate construction standards to be enforced.

Conclusion

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

- d. *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994),⁵¹ creating substantial direct or indirect risks to life or property? (Less than Significant)*

Analysis in the ConnectMenlo EIR

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

Project-Specific Discussion

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

Conclusion

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

⁵¹ Note that the CEQA Guidelines specifically reference this version of the Uniform Building Code.

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

Analysis in the ConnectMenlo EIR

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

Conclusion

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

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

Analysis in the ConnectMenlo EIR

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

Project-Specific Discussion

Project excavation would extend through the Holocene fine-grained alluvium deposit and into the Holocene and Pleistocene alluvial and basin deposits, undivided, up to a depth of 7 feet. The Holocene and Pleistocene alluvial and basin deposits, undivided, as discussed above, are sensitive with respect to paleontological resources. In areas where excavation would disturb deposits that are sensitive for paleontological resources, the potential exists for disturbance, damage, or the loss of paleontological resources.

The Project would incorporate ConnectMenlo EIR Mitigation Measure CULT-3 as a component of the Conditional Development Permit for the Project. In the event that fossils or fossil-bearing deposits are discovered during ground-disturbing activities anywhere in Menlo Park, excavations within a 50-foot radius of the find shall be temporarily halted or diverted. Ground disturbance work shall cease until a City-approved qualified paleontologist determines whether the resource requires further study.

Conclusion

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

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

Setting

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

General Plan Goals and Policies

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

Environmental Checklist and Discussion

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

Analysis in the ConnectMenlo EIR

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

Conclusion

Although the physical conditions have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR, there are aspects of the Project that were not evaluated in the ConnectMenlo EIR. Specifically, the trips generated by the Project may not be consistent with, and could be greater than, what was evaluated in the ConnectMenlo EIR. Therefore, impacts could result that were not previously disclosed. This topic requires **further environmental review** in the Focused EIR.

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

Analysis in the ConnectMenlo EIR

This checklist item was analyzed in the ConnectMenlo EIR (pages 4.6.36 through 4.6-45) and determined to result in significant and unavoidable impacts, despite the implementation of mitigation measures.

Conclusion

Although the physical conditions have not changed substantially in the ConnectMenlo EIR study area since preparation of the ConnectMenlo EIR, there are aspects of the Project that were not evaluated in the ConnectMenlo EIR. Specifically, the trips generated by the Project may not be consistent with, and could be greater than, what was evaluated in the ConnectMenlo EIR. Therefore, impacts could result that were not previously disclosed. This topic requires ***further environmental review*** in the Focused EIR.

IX. Hazards and Hazardous Materials	Further Evaluation Needed in EIR	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:					
a) Create a significant hazard for the public or environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard for the public or environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard for the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

Hazardous Materials

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

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

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

A Phase I Environmental Site Assessment was performed for the Project by PES Environmental, Inc.⁵² According to its review of the property, the lot where the Project site is located was formerly three separate parcels (151 Commonwealth Drive, 164 Jefferson Drive, and a railroad easement) that were combined to make one property with two addresses, 162 and 164 Jefferson Drive. The former 151 Commonwealth Drive property was undeveloped or in agricultural use until a distillery and portions of a tank farm were constructed in the late 1950s. In the 1970s, the main building and tank farm were expanded. The buildings remained unchanged until all buildings were removed in 2015. The former 164 Jefferson Drive property was undeveloped or in agricultural use until sometime between 1902 and 1943 when trees for an unidentified use were planted. The trees were removed by 1958, and in 1975, a building for multi-tenant commercial use was constructed. This building was also removed in 2015. An industrial spur railroad line was constructed on the former railroad easement in 1957. The line appears to have been unused after the 1990s; the tracks were removed at an unknown date. Current buildings at the Project site were constructed in 2015, along with surrounding parking lots.

Current conditions indicate that two pad-mounted electrical transformers are located at the Project site.⁵³ At the time of the site inspection, they were not observed to be leaking, and no staining was observed in the vicinity of the transformers. No fluorescent light fixtures were observed in the buildings, and no review for asbestos-containing materials (ACMs) was conducted. However, based on the date of construction of buildings at the site (2015), the likelihood of ACMs being present at the property is very low. Surveys indicate that radon levels are most likely below the U.S. Environmental Protection Agency (EPA) action level. No review for lead-based paint (LBP) was conducted; however, based on the date of construction of buildings at the site, the likelihood of LBP being present at the property is very low. No concerns were identified regarding the disposal of solid waste. No hazardous material use and storage was observed at the site. No evidence of historical or current underground storage tanks (USTs) was observed during the site inspection. Two above-ground storage tanks (ASTs) associated with the two

⁵² PES Environmental, Inc. 2019. *Phase I Environmental Site Assessment, 162 and 164 Jefferson Avenue, Menlo Park, California*. Prepared for The Sobrato Organization, Mountain View, CA. February.

⁵³ Ibid.

site generators were observed. No leaking or staining was observed, however, at the time of site inspection. Four spill kits were located next to each AST. Two backup generators were observed at the property, each attached to an AST, as described previously. The generators were in excellent condition at the time of inspection.

A review of regulatory agency databases revealed a historical recognized environmental condition (HREC)⁵⁴ and two controlled recognized environmental conditions (CRECs)⁵⁵ at the Project site.⁵⁶

- The HREC is a result of a Chemlawn spill at the former 164 Jefferson Drive property, prior to the company vacating the property. The spill occurred at an interior mixing tank. Chemlawn removed the concrete where the spill occurred, sampled the soil beneath the concrete, and repoured the slab. The case was closed by the San Mateo County Environmental Health Department (SMCEHD) in 1996.
- One of the CRECs is associated with petroleum hydrocarbon-contaminated soil associated with a former UST (removed in 1988). The contaminated soil remains in place. However, because it is beneath a recently poured parking lot along the northeastern property boundary, there is no significant environmental concern as long as the contaminants are not further disturbed before they degrade naturally.
- The other CREC is related to volatile organic compound (VOC) concentrations that were above regulatory limits. The VOCs were identified in groundwater beneath the northern corner of the property in the 1990s; soil gas was identified in the same vicinity in 2011. Current VOC concentrations are unknown, and the source has not been identified. However, the VOCs in the soil gas appear to be limited in extent, in an area approximately 250 feet from the existing buildings.

Several properties within a 0.5-mile search radius are recorded in environmental databases as having reported releases of hazardous materials or documented environmental contamination. However, given their location and/or current contamination conditions, none of these sites has the potential to adversely affect the Project site.⁵⁷

Table 3.9-1 shows only the upgradient properties, including address, distance from Project site, direction from Project site, database, and, where available, notes about the release.

⁵⁴ A historical recognized environmental condition is a past release of hazardous substances or petroleum products that occurred in connection with a property but has been addressed to the satisfaction of the applicable regulatory authority, or meets the unrestricted use criteria established by the regulatory authority, without subjecting the property to any required controls.

⁵⁵ A controlled recognized environmental condition is the presence or likely presence of any hazardous substance or petroleum product in, on, or at a property that has been released to the environment; appears to have been released to the environment because of indicative conditions; or may pose a material threat of future release to the environment but has been addressed to the satisfaction of the applicable regulatory authority, with the substance allowed to remain in place subject to implementation of required controls (e.g., property use restrictions, activity/use limitations, institutional controls, or engineering controls).

⁵⁶ PES Environmental, Inc. 2019. *Phase I Environmental Site Assessment, 162 and 164 Jefferson Avenue, Menlo Park, California*. Prepared for The Sobrato Organization, Mountain View, CA. February.

⁵⁷ Ibid.