



City of East Palo Alto

Office of the Mayor

July 11, 2016

Kyle Perata, Senior Planner
Community Development Department
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Subject: Facebook Campus Expansion DEIR State Clearinghouse #2015062056

Dear Kyle Perata:

This letter and its attachments are provided in response to the Notice of Availability for Public Review of the Draft Environmental Impact Report prepared for the Facebook Expansion DEIR. Thank you for the opportunity to comment on the Facebook Expansion DEIR, and for giving a presentation on this DEIR and the General Plan Update DEIR at the July 5, 2016 East Palo Alto City Council meeting. The impacts of this project are critical to East Palo Alto due to its proximity and scale. As indicated in this letter with its attachments, including letters from Richards, Watson, & Gershon (attachment 5) and Krupka Consulting (attachment 6); the Facebook Expansion DEIR raises a variety of serious legal, public policy and technical questions.

Procedural Omissions

The City is dismayed that the Facebook DEIR and General Plan DEIR update were simultaneously released, that the noticing for the Facebook DEIR did not adhere to CEQA Section 15087(a), and that the NOP Response letter from ETB/YUCA was not included in the Facebook DEIR and released with the other NOP respondents' comments.

The Facebook DEIR and General Plan DEIR cover the same geographic area. Releasing both DEIRs simultaneously deprives the public of due process under CEQA. The 45 day CEQA comment period is predicated upon the review of one DEIR, not on the simultaneous review of two DEIRs including the same development projects in the same geographic area.

The Facebook DEIR did not include the NOP response from ETB/YUCA, however it did include the NOP responses from Caltrans, Citizens Committee to Complete the Refuge, City of East Palo Alto, San Mateo County, Menlo Park Fire Protection District, Pat Walker, SamTrans, and US Fish and Wildlife Service. Not including the ETB/YUCA NOP response demonstrates that respondents are treated differently. ETB/YUCA has been a constructive participant in planning processes in East Palo Alto,

and all reviewers of the DEIR deserve the full 45 days to review the ETB/YUCA NOP response along with the other 8 NOP Responses.

Not including ETB/YUCA's NOP Response and then not remedying the omission negates all respondents and the public in general the benefit of assessing ETB/YUCA's comments, and creates the impression that NOP responders are not treated equally. This is contrary to the full disclosure and procedural tenets of CEQA.

The noticing for the availability of the Facebook DEIR violated CEQA Section 15087(a), which states that "notice shall be mailed to the last known name and address of all organizations and individuals who have previously requested such notice in writing." East Palo Alto's response to the Facebook Notice of Preparation (NOP) requested that a notice be sent to Sean Charpentier, the East Palo Alto Assistant City Manager. The required notice was not mailed.

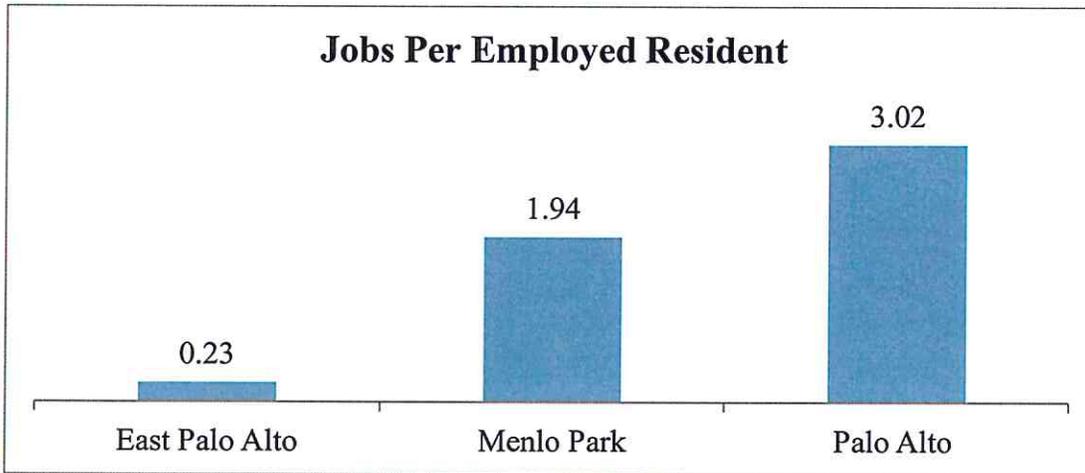
These procedural irregularities, coupled with the refusal to grant an extension, indicate a concerted effort to limit review and analysis of the Facebook DEIR and General Plan DEIR. Attachment 2 contains East Palo Alto's letters requesting extensions.

This disregard for public process is more troubling since all the development is envisioned in Belle Haven, a low income neighborhood in Menlo Park, and adjacent to East Palo Alto, the city with the highest poverty rate in San Mateo County.

Land Use and Planning

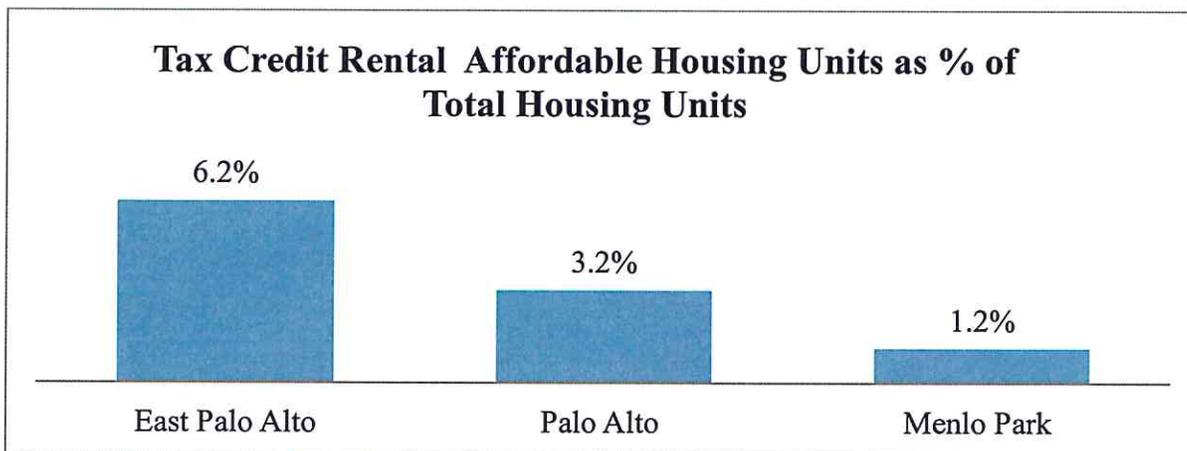
The geographic area in which the project is located was considered part of the community of East Palo Alto until Menlo Park annexed it prior to East Palo Alto's incorporation. The City of East Palo Alto has significant concerns because the Facebook project and the proposed General Plan Update exacerbate the regional housing crisis by assuming that 95% of the employees of the new Facebook expansion will live in other cities.

East Palo Alto is an island of diminishing affordability, affordable housing, and poverty completely encircled by the City of Menlo Park and the City Palo Alto. East Palo Alto has the lowest jobs to employed resident ratio in the core Bay Area, and while Menlo Park and Palo Alto have the highest.



Source: ABAG 2013 Projections.

This project exacerbates this imbalance. The systematic overdevelopment of jobs yet the underdevelopment of housing means that 95% of the new employees in Menlo Park will live in other cities. Thus, the project will have significant effects on the environment by attracting development and people into East Palo Alto, an area susceptible to hazardous conditions, among them flooding and liquefaction. The regional housing crisis exists because cities like Menlo Park willfully and systematically develop more jobs than housing units; it is the cumulative impact of individual land use decisions. Menlo Park's decades of a deficient Housing Element was a testament to this approach. Controlled for size, East Palo Alto provides significantly more affordable housing than its neighbors.



Source: US Census, <http://www.treasurer.ca.gov/ctcac/projects.asp>

Including the Tax Credit rental units, units in the rent stabilization program, and other BMR programs, 39% of the total housing units in East Palo Alto are affordable. Since it has the lowest jobs per employed resident ratio and the most affordable housing in the region, every housing unit in East Palo Alto subsidizes a job in Menlo Park and Palo Alto. East Palo Alto and the region cannot afford to continue to bear the negative social, fiscal, and environmental externalities of a project that assumes that other cities are going to house 95% of the employees of new development in Menlo Park.

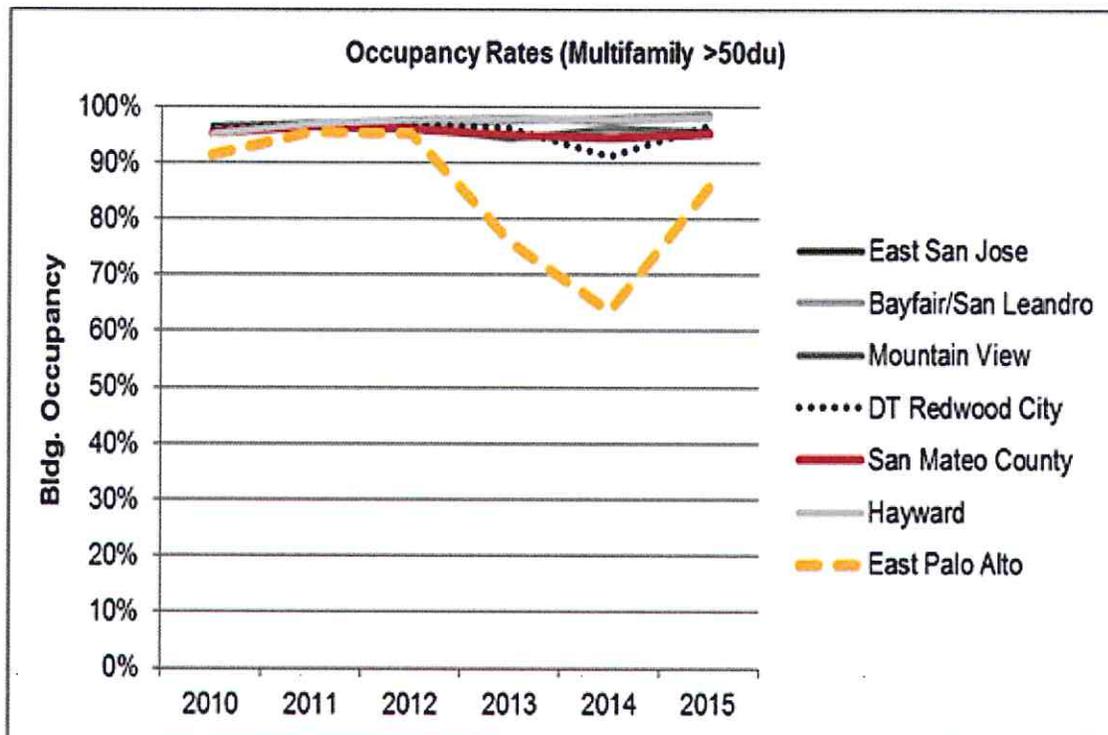
This extraordinary imbalance of land uses produces significant benefits for the cities that have more jobs than homes, and significant fiscal distress and direct, indirect, and cumulative environmental impacts, among them increased traffic, pollution, and noise for cities with fewer jobs. The negative fiscal impact of providing a disproportionate share of the housing for other cities in Silicon Valley is significant. Despite having roughly the same population, East Palo Alto has less than 50% the per capita staff that Menlo Park does, in a large part because of imbalanced land uses.

	East Palo Alto	Menlo Park
Population	29,662	33,449
Jobs Per Employed Resident	0.23	1.94
Total Staff	109	259
Total Staff Per 1,000 Residents	3.67	7.74

Source: Census, 2015/2016 Budgets

Residential Displacement

The City of East Palo Alto is deeply concerned about the potential for additional residential displacement. East Palo Alto experienced one of the most severe waves of involuntary residential displacement since the City incorporated in 1983 in the period between the entitlement of the original Facebook project and the opening of the facility. Based on the information in the Keyser Marston Displacement Study, between 2012 and 2015, the largest landlord in East Palo Alto created a 36% vacancy rate while the regional average was a typical 5%.



Source: RealFacts

(Source: Keyser Marston Displacement Memo, June 14, 2016, page 17)

That former landlord (Equity Residential) controlled more than 1,800 units, which represented 72% of East Palo Alto's rent controlled units. In the same period, rents for a 1 bedroom increased 89%, which was the largest increase among the area studied. This was not coincidence. Equity Residential's marketing material states: "now is the time to consider affordable East Palo Alto apartments...before the rest of the Facebook and Google employees do!" (Emphasis added). The marketing material is available as attachment #3. Furthermore, the proximity to Facebook is still a prominent factor in local real estate transactions. Research conducted between June 27th and June 29th 2016 indicated that 67% of all for sale homes and 67% of all rental units mention Facebook in their marketing materials. See attachment #3 for an example.

Traffic/Air Quality

Due to its low jobs per employed resident ratio, East Palo Alto experiences significant traffic that neither originates nor terminates in East Palo Alto. Eighty-four (84%) of the peak hour traffic on University Avenue is cut through traffic by employees driving from homes in the East Bay to jobs in Silicon Valley cities like Menlo Park and Palo Alto.

Our traffic concerns include:

The project adds significant traffic to East Palo Alto streets. The traffic study did not include 4 intersections that were requested in the City of East Palo Alto's response to the NOP. The project has a negative impact on 4 intersections, with several allegedly reduced to a less than significant status through the highly optimistic assumption of a 75-90% Peak Hour TDM. These are major impacts that could be avoided if other cities were not expected to provide housing for 95% of the new employees.

The assumption that 6,400 new employees will only generate 428 net trips in the morning is not substantiated. Achieving 75% and 90% peak hour TDMs is unrealistically optimistic. Furthermore, the project is fully parked at 3.16 parking spaces per employee (DEIR page 3.3-25), which is inconsistent with assuming such high TDMs.

Despite an adopted Specific Plan and Certified EIR for 1.2 million square feet of new office development and 835 residential units, which Menlo Park commented on and therefore knows about, the traffic study did not include traffic from the adopted RBD Specific Plan and Certified EIR. Failure to consider the anticipated traffic led to unrealistic assumptions such that between now and 2040, only one vehicle will turn right from Bay Road onto University in the Peak PM hour. The traffic study did not include conceptual designs and cost estimates for any of the potential mitigations at intersections in East Palo Alto.

Air Quality is a significant concern for the City of East Palo Alto. The project exceeds BAAQMD emissions standards in 2020. The proposed mitigation is an emissions offset program which will not reduce emissions at the project site or the adjacent East Palo Alto neighborhood. Air Quality is a significant concern because the State of California CalEnviroScreen Version identifies all of East Palo

Alto as an area disproportionately burdened by multiple source of pollution. The highest concentration is in the neighborhood along Willow Rd., which is closest to the Facebook project and the General Plan Update. See attachment 4. As a result of the entire city being burdened by multiple sources of pollution, asthma hospitalization rates for children in East Palo Alto are twice that of San Mateo County.

I want to emphasize that East Palo Alto values its relationship with its Menlo Park, and we hope to continue to work cooperatively on the many issues common to both of our communities. We are accordingly prepared to work hard to resolve our concerns through good faith negotiations with Menlo Park and Facebook. In light of that prospect, East Palo Alto reserves the right to withdraw the enclosed comments by a further letter. If you have any questions you can call me anytime, or contact either Carlos Martínez, City Manager, at (650) 799-4772 or cmartinez@cityofepa.org, or in his absence, Sean Charpentier, Assistant City Manager, at (650) 833-8946 or scharpentier@cityofepa.org.

Yours truly,



Donna Rutherford,
East Palo Alto Mayor
drutherford@cityofepa.org

cc: East Palo Alto City Council
Menlo Park City Council
Alex D. McIntyre, Menlo Park City Manager

Attachments:

1. Additional City of East Palo Alto Comments
2. Letters Requesting Extension
3. Equity Residential Marketing Material/Real Estate Flyer
4. CalEnviro Map
5. Comment Letter from Richards, Watson, and Gershon
6. Comment Letter Paul Krupka

Attachment #1 Additional City of East Palo Alto comments (also see letters from Richards, Watson, & Gershon; and Paul Krupka)

Questions & Comments from 7/5 Presentation to East Palo Alto City Council:

1. As of July 5th, how many public comments have been collected? Please describe the engagement process in the Menlo Park Community.
2. How will residents in Belle Haven and East Palo Alto benefit from the development growth?
3. How many of the 4,500 proposed new units can original Belle Haven residents move into? Is the housing going to be affordable to Belle Haven residents, or is it going to be a campus for Facebook employees?
4. Does San Mateo County Housing Division participate on helping Belle Haven residents move into the new proposed 4,500 units?
5. What percentage of the 4,500 new housing units will be affordable?
6. When will Facebook end the \$10,000 bonus for employees purchasing a home in East Palo Alto?
7. As a community benefit, will there be jobs set aside for Belle Haven and East Palo Alto residents that will provide living wages and allow them to stay in their communities?
8. Given the 9,700 pages of documents, the overlap of two large projects in the same location at the same time, we reiterate our request for a 15-day extension to the Public Comment period for both the Facebook Expansion DEIR and the General Plan Update DEIR.
9. Requests to either extend the comment periods for both DEIRs for a minimum for 15 days, or recirculate both DEIRs, to allow other entities to review the ETB/YUCA letter that was omitted from the Facebook DEIR. Please send ETB/YUCA letter to all entities that submitted a response to the NOP.
10. High tech employees generate 2-4.5 other jobs through a multiplier effect. These multiplier jobs are not analyzed in the Facebook DEIR and General Plan DEIR. These multiplier jobs need to be included in the analysis of the housing market, transportation, air quality, greenhouse gas, and other required CEQA analyses. Include multiplier jobs and recirculate both the Facebook DEIR and the General Plan Update DEIR.
11. Clarify connection between General Plan Update and the Facebook DEIR. Does the Facebook DEIR rely on the actions in the General Plan Update?
12. Clarify and provided detailed support for the 5.4% vacancy rate used in the Housing Needs Assessment and elsewhere in the documents.

13. Provide more detail on the trip cap and how it is met.

Procedural Comments:

14. The noticing for the availability of the Facebook DEIR violated CEQA Section 15087(a), which states that “notice shall be mailed to the last known name and address of all organizations and individuals who have previously requested such notice in writing.” Our response to the Facebook Notice of Preparation (NOP) requested that a notice be sent to Sean Charpentier, the East Palo Alto Assistant City Manager. The required notice was not mailed. Please provide evidence of having met the requirements of CEQA Section 15087(a) or recirculate the DEIR. In addition, please provide verification of compliance with CEQA Section 15087(a) for all individuals and organizations that requested such notification in writing.

Traffic

15. Please explain how the PM seconds delay for University and Woodland declines by 33% between the Background + Project Scenario and the Cumulative + Project+ Proposed General Plan.
16. The Fehr and Peers studies referenced in footnotes 18 and 19 on page 2-13 was not included in the Appendix. These studies play a critical role in the explanation of the TDM policies and should have been part of the appendices for reference during the 45 day comment period. This information was requested as part of the City of East Palo Alto’s response to the Notice of Participation. This omission warrants the recirculation of the DEIR.
17. The East Palo Alto NOP requested the analysis of 15 intersections that have a material impact on traffic in East Palo Alto. The DEIRs for both the Facebook Project and the General Plan Update included 11 of the requested intersections. Specifically, the studies excluded the following intersections.
- University Avenue and Kavanaugh Drive
 - University Avenue and Purdue Ave.
 - East Bayshore Road and Holland Street
 - Saratoga Ave and Newbridge Street

These intersections are critically important to understand the impact of the Facebook Project and the General Plan Update on the traffic patterns in the City of East Palo Alto. Most critically, they are key routes that are used by cut through traffic for people who drive through East Palo Alto to jobs in other Silicon Valley cities. This is a great concern for us because approximately 84% of the traffic on University Avenue is cut through traffic. As requested in the City of East

Palo Alto's NOP response letter, please add these intersections to the traffic study and recirculate the DEIR.

18. Please describe why with such an aggressive proposed trip cap and TDM program, the project is fully parked at 3.16 spaces per employee (DEIR page 3.3-25). Providing full parking is inconsistent with the long term trip reduction achieved through trip caps and TDMs. Please discuss reducing the parking spaces provided to reflect the aggressive proposed trip cap and TDM.
19. Clarify the relationship between the Facebook project and DEIR and the General Plan Update. Proposed Hotel uses are not an allowed use in either the existing General Plan or Zoning. A General Plan amendment is required to allow hotel uses in the existing Limited Industry General Plan land use designation.
20. The DEIR erroneously states that the intersections along University Ave. are maintained by Caltrans when they are maintained by the City of East Palo Alto, with the exception of University Ave and US 101 SB ramps. Clarify the text and confirm that those intersections were analyzed pursuant to East Palo Alto traffic thresholds. If necessary, correct the information and recirculate the DEIR.
21. The Menlo General Plan Update (page 4.13-72) includes discussion of Fair Share contributions for traffic impacts in East Palo Alto. Page 4.13-72 states: "If this measure is found feasible by the City of East Palo Alto, the improvements should be incorporated into the City of Menlo Park's updated fee program to collect fair-share contributions from future development..." Why is this language not included in the Facebook Expansion DEIR? The Facebook Expansion DEIR accounts for a significant amount of the growth projections in the General Plan update. Is it Menlo Park's intent to levy fair share contribution requirements on all development except the Facebook expansion?
22. The City of East Palo Alto's response to the NOP requested an analysis of where new employees will live based on the ZIP Code level data from the existing Facebook campus. This information was not provided. This is critical information for verifying multiple DEIR assumptions related to displacement, traffic, air quality, and greenhouse gas emissions. This omission warrants recirculating the DEIR.

GreenHouse Gas Emissions/Air Quality

23. Pages 3.5-23 & 3.5-22: Table 3.5-5 assumes that mobile sources of greenhouse gas emissions decrease by 31% between 2020 and 2040. There is insufficient evidence to support this, and the GHG emissions and other findings based on this assumption should be changed from less than significant to significant.

24. Pages 3.4-27; and 3.4.28: Table 3.4-8 assumes that ROG, NOx, and CO decrease between 2020 and 2040 by 43%, 51%, and 57%, respectively. There is insufficient evidence to support this assumption, and any CEQA finding that relies on this assumption should be revised to a significant impact, with additional local mitigations that will reduce the local impact of the air quality impacts created by the project.

Displacement Analysis

25. The displacement analysis reaches the wrong conclusion. The artificial increase in vacancy from a 5% vacancy rate to a 36% vacancy rate so the landlord can “reset rents to market” (page 6) and the 89% increase in rental rates show that there was significant displacement between the time that the first Facebook project received its entitlements and was occupied. Furthermore, the former Landlord (Equity Residential) wrote the following in its marketing material: “now is the time to consider affordable East Palo Alto apartments... before the rest of the Facebook and Google employees do!” See Attachment X of this letter. This real estate impact continues, with 67% of the homes for sale and 67% of the units for rent mention Facebook in their marketing materials.
26. P12: Please clarify that these sale numbers include only existing homes. Not new homes. Downtown Redwood City should not be included in rental calculations because of the high number of new luxury rental projects that have been built and distort the data.
27. P14: Include a graph with change in Condo and Townhome prices similar to the one for Single Family Homes. East Palo Alto increases for Condos and townhomes vastly exceeded the regional averages. See page 14.
28. P19 Not including contract workers discounts many of the occupations where, due to educational attainment levels, many East Palo Alto residents work in support functions such as the kitchens, landscaping, and other building support functions that are contracted out. The Fehr and Pehrs Facebook Trip Generation and VMT, dated April 5, 2016, indicated that in September 2015, there were 6,587 Facebook employees, 198 interns, 2,855 vendors, and 550 contractors. It is likely that there are more East Palo Alto residents among the vendors or contractors, and not including them provides an inaccurate picture of the number of people who work at Facebook and live in East Palo Alto.

Attachment #2. Letters Requesting Extension & East Palo Alto Response to the NOP.



City of East Palo Alto

Office of the Mayor

June 30, 2016

Richard Cline
Honorable Mayor
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Subject: Facebook Expansion DEIR and General Plan Land Use Update DEIR

Dear Mayor Cline:

I am writing to reiterate our earlier request for a 15-day extension in the public comment period for the Facebook DEIR and General Plan Update DEIR. The magnitude of the changes, the fact that they all occur on the eastern side of Highway 101 along East Palo Alto's borders, and the release of both documents at the same time warrant an additional 15 days for the review of the DEIRs.

I have attached our original request, and the City of Menlo Park's response to our request. I appreciate that on June 20, 2016, the Planning Commission decided not to extend the comment period, but that decision was made prior to the receipt of our request on June 22, 2016.

Furthermore, the noticing for the availability of the Facebook DEIR violated CEQA Section 15087(a), which states that "notice shall be mailed to the last known name and address of all organizations and individuals who have previously requested such notice in writing." Our response to the Facebook Notice of Preparation (NOP) requested that a notice be sent to Sean Charpentier, our Assistant City Manager. See attached response to the NOP.

The City of Menlo Park mailed a Notice of Availability and a CD for the General Plan Update DEIR, but we did not receive one for the Facebook DEIR. I have attached the NOA and the envelope received for the General Plan DEIR. Please note that the CD sent for the General Plan DEIR was blank.

Therefore, I respectfully request that the City of Menlo Park extend the Public Comment Period on the Facebook DEIR and the General Plan Update DEIR by 15 days, to July 25th and July 29th, respectively.

We appreciate the opportunity to review and comment on these projects and plans and to continue working collaboratively with our neighbors. If you have any questions you can call me anytime or contact Carlos Martinez, the City Manager, at (650) 799-4772 or cmartinez@cityofepa.org.

Yours truly,



Donna Rutherford
Donna Rutherford
East Palo Alto Mayor
drutherford@cityofepa.org

cc: Menlo Park City Council
East Palo Alto City Council
Alex D. McIntyre, Menlo Park City Manager

Attachments:

1. 6/28/16- Menlo Park Response Letter to Original Request
2. East Palo Alto Request for 15-day extension
3. East Palo Response to the NOP
4. Menlo Park Notice for General Plan DEIR



City Manager's Office

June 28, 2016

Mr. Carlos Martinez
City Manager
City of East Palo Alto
2415 University Avenue
East Palo Alto, CA 94303

RE: Request to extend draft EIRs public comment period

Dear Mr. Martinez,

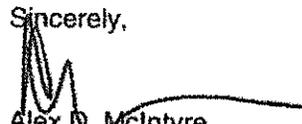
The City of Menlo Park has received your request to extend the Draft EIR public comment periods for the Facebook Campus Expansion Project and the ConnectMenlo General Plan Update. As you may be aware the review schedules for both projects, including the Draft EIR 45-day review periods, have been known and publically available since the City Council's approval of the project schedule for the Facebook Campus Expansion project on November 17, 2015 and of the ConnectMenlo General Plan Update on February 9, 2016.

In accordance with those schedules, the Planning Commission reviewed the Draft EIR for the Facebook Campus Expansion Project on Monday, June 20, 2016. During the public hearing, the Planning Commission discussed whether the project contained unusual circumstances that warranted extending the Draft EIR review period. The Commission did not find that there were circumstances that warranted extending the review period of the Draft EIR for the Facebook Campus Expansion Project.

The Planning Commission was scheduled to review the ConnectMenlo General Plan Update Draft EIR at the meeting on June 20, but that item was continued to the July 11, 2016 Planning Commission meeting with a special start time of 6:00 p.m. Thank you for your interest in these projects.

We are happy to forward your comment letter for the Planning Commission to consider as part of its review of the ConnectMenlo General Plan Update Draft EIR on Monday, July 11, 2016.

Sincerely,



Alex D. McIntyre
City Manager



CITY OF EAST PALO ALTO
OFFICE OF THE CITY MANAGER
2415 UNIVERSITY AVENUE
EAST PALO ALTO, CA 94303

June 22, 2016

Alex D. McIntyre
City Manager
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Re: Facebook Expansion DEIR and General Plan Land Use Update DEIR

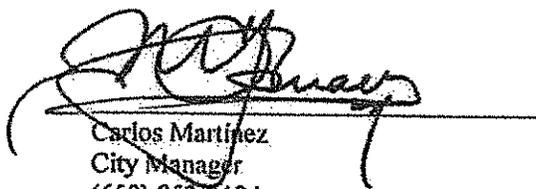
Dear Alex:

I am writing to request the extension of the public comment period for 15 days for both the Facebook Expansion Project Draft Environmental Impact Report (DEIR) and the General Plan Land Use Update DEIR. The City of East Palo Alto recognizes that both these projects are of critical importance to the City of Menlo Park. The combined changes proposed are significant, with 3.4 million square feet of new commercial space, 600 hotel rooms, and 4,500 new residential units. The combined changes reflect approximately a 30% increase in citywide housing units and a 40% increase in citywide office/R&D space. The magnitude of the changes, the fact that they all occur on the eastern side of Highway 101 along East Palo Alto's borders, and the release of both the documents at the same time warrant an additional 15 days for the review of the DEIRs.

Therefore, I respectfully request that the City of Menlo Park extend the Public Comment Period on the Facebook Expansion DEIR and the General Plan Update DEIR by 15 days, to July 25th and July 29th, respectively.

We appreciate the opportunity to review and comment on these projects and plans and to continue to work collaboratively with our neighbors. If you have any questions you can call me anytime or contact Sean Charpentier, the Assistant City Manager, at (650)833-8946 or scharpentier@cityofepa.org.

Sincerely,



Carlos Martínez
City Manager
(650) 853-3194

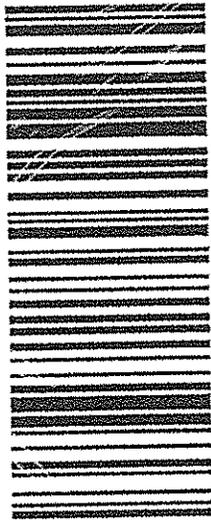
Cc:
Kyle Perata, Senior Planner, Menlo Park
Deanna Chow, Principal Planner, Menlo Park
East Palo Alto City Council

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JUN 9 2016

RECEIVED



**NOTICE OF AVAILABILITY OF THE
DRAFT ENVIRONMENTAL IMPACT REPORT
and
NOTICE OF PUBLIC HEARING
CITY OF MENLO PARK PLANNING COMMISSION**

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Menlo Park, California is scheduled to review the following item:

Draft Environmental Impact Report (EIR) for ConnectMenlo: General Plan Land Use and Circulation Elements and M-2 Area Zoning Update

General Plan Amendment, Zoning Ordinance Amendment, Rezoning, Environmental Review/City of Menlo Park:

The City is proposing to update the Land Use and Circulation Elements of the General Plan, including revised goals, policies and programs, the establishment of new land use designations, and the creation of a new street classification system. The General Plan Update seeks to create a live/work/play environment that fosters economic growth, increased sustainability, improved transportation options and mobility, while preserving the existing residential neighborhood character and quality of life enjoyed today. The proposed land use changes in the M-2 Area (which is primarily the existing industrial and business parks located between Bayfront Expressway and Highway 101) could result in an increase in development potential above what would be allowed under the current General Plan, as follows:

- Up to 2.3 million square feet of non-residential space
- Up to 400 hotel rooms, and
- Up to 4,500 residential units

This additional development combined with the development potential under the current General Plan, would result in up to 4.1 million square feet of non-residential development and up to 5,500 residential units in the City. As part of the General Plan Update, the General Plan land use designation of a majority of the properties in the M-2 Area would be amended to reflect one of the new land use designations of Office, Life Science and Mixed-Use Residential. No other land use changes are anticipated outside of the M-2 Area as part of the proposed project.

Concurrent with the General Plan Update, to implement the new land use designations, the City is also proposing the M-2 Area Zoning Update. Proposed changes to the Zoning Ordinance include the creation of three new zoning districts in the M-2 Area for consistency with the proposed General Plan Update. The proposed districts include the Office (O), Life Science (LS) and Residential-Mixed Use (R-MU) designations, and each zoning district includes development regulations, design standards, and green and sustainable building requirements. Provisions for community amenities in exchange for increased development potential (floor area ratio up to 200%) and/or height (up to 120 feet) are also being considered. Where General Plan land use designation amendments are proposed, the properties would also be rezoned for consistency between the land use designation and zoning. In addition, changes to the C-2-B zoning district to allow for residential uses and modifications to streamline the hazardous materials review process are being proposed. A Draft Environmental Impact Report has been prepared to analyze the potential environmental impacts of the proposed project. In addition, a Fiscal Impact Analysis (FIA) is being prepared for the proposed project.

The Draft EIR prepared for the project identifies less than significant effects in the following categories: Aesthetics, Geology, Soils and Seismicity, Hydrology and Water Quality, and Public Services and Recreation. The Draft EIR identifies potentially significant environmental effects that can be mitigated to a less than significant level in the following categories: Biological Resources, Cultural Resources, Hazards and Hazardous Materials, Land Use Planning, Noise, and Utilities and Service Systems. The Draft EIR identifies potentially

significant environmental effects that are significant and unavoidable in the following categories: Air Quality, Greenhouse Gas Emissions, Population and Housing, and Transportation and Circulation.

The California Environmental Quality Act (CEQA) requires this notice to disclose whether any listed hazardous material sites are present at the location. The project area does contain a hazardous waste site included in a list prepared under Section 65962.5 of the Government Code.

Copies of the Draft EIR will be on file for review at the City Main Library (800 Alma Street), Belle Haven Branch Library (413 Ivy Drive), Onetta Harris Community Center (100 Terminal Avenue) and Community Development Department (701 Laurel Street) in Menlo Park, CA 94025, as well as on the ConnectMenlo website at www.menlopark.org/connectmenlo, as of Wednesday, June 1, 2016. The review period for the Draft EIR has been set from Wednesday, June 1, 2016 through Friday, July 15, 2016. Written comments should be submitted to Deanna Chow via email at connectmenlo@menlopark.org or at the Community Development Department (701 Laurel Street, Menlo Park) no later than 5:00 p.m., Friday, July 15, 2016.

NOTICE IS HEREBY FURTHER GIVEN that the Planning Commission will hold a public hearing to provide comments and receive public comments on the Draft EIR in the Council Chambers of the City of Menlo Park, located at 701 Laurel Street, Menlo Park, California, on Monday, June 20, 2016 at 7:00 p.m. or as near as possible thereafter, at which time and place interested persons may appear and be heard thereon. If you challenge this item in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Menlo Park during the public review period for the Draft EIR or at, or prior to, the public hearing.

Documents related to these items may be inspected by the public on weekdays between the hours of 7:30 a.m. and 5:30 p.m. Monday through Thursday and 8:00 a.m. to 5:00 p.m. on Friday, with alternate Fridays closed, at the Community Development Department, 701 Laurel Street, Menlo Park.

Please call Deanna Chow, Principal Planner, if there are any questions or comments on this item, at 650-330-6733 or by e-mail at connectmenlo@menlopark.org. Up-to-date information on the project can be found on the project webpage: www.menlopark.org/connectmenlo. To receive future email bulletins on the project, please subscribe to the project page.

Si usted necesita más información sobre este proyecto, por favor llame al 650-330-6702, y pregunte por un asistente que hable español.

DATED: May 26, 2016
PUBLISHED: June 1, 2016

Deanna Chow, Principal Planner

If there are any questions, please call the Planning Division at (650) 330-6702.



City of Meriden Park
Connecticut - DEIB
June 1, 2015



City of East Palo Alto

Office of the City Manager

July 20, 2015

Deanna Chow, Senior Planner
City of Menlo Park
Community Development Department,
Planning Division
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Menlo Park, CA 94025
dmchow@menlopark.org
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RE: Notice of Preparation of the Environmental Impact Report for the (1) Facebook Campus Expansion Project, and (2) Menlo Park General Plan and M-2 Area Zoning Update

Dear Mr. Perata and Ms. Chow:

Thank you for the opportunity to review and comment on the NOP for the Facebook Campus Expansion Project and the Menlo Park General Plan and M-2 Area Zoning Update ("General Plan Update"). The City of East Palo Alto appreciates its working relationship with the City of Menlo Park regarding this and other projects that impact both cities.

The City of East Palo Alto has reviewed the Notice of Preparation for the Facebook Campus Expansion Project and the General Plan update. The City has combined its responses because they both focus on the same area, and the impacts are related.

Comments for Both the General Plan Update and the Facebook Campus Expansion Project

Traffic

First, East Palo Alto is a city that is severely impacted by regional cut through traffic. The Ravenswood/4 Corners TOD Specific Plan Alternatives Analysis Memo identified 84% of the traffic on University Avenue as "cut through traffic" that neither originates nor ends in East Palo Alto. The type and intensity of development envisioned in both the Facebook Expansion Project and the General Plan Update (collectively, the "Projects") is likely to attract employees from both the East Bay and cities along the U.S. Highway 101 corridor. To adequately analyze the potential impact of the Facebook Campus Expansion Project and the development envisioned in the General Plan Update, please add the following intersections to the Transportation Impact Analysis (TIA):

1. University Avenue and State Highway 84/Bayfront Expressway
2. University Avenue and Adams Drive
3. University Avenue and O'Brien Drive
4. University Avenue and Kavanaugh Drive
5. University Avenue and Purdue Avenue
6. University Avenue and Bay Road
7. Newbridge Street and Willow Road
8. University Avenue and Runnymede Street
9. University Avenue and Bell Street
10. East Bayshore Road and Holland Street
11. Saratoga Avenue and Newbridge Street
12. University Avenue and Donohoe Street
13. University Avenue/Hwy 101 NB on-off ramp.
14. University Avenue/Hwy 101 SB on-off ramp.
15. University Avenue and Woodland Avenue.

Additionally, the original Facebook Campus Project in 2011 relied on an innovative Transportation Demand Management (TDM) policy to manage trips. Both the Project and the General Plan Update should include a detailed summary on the efficacy of the TDMs used for the 2011 Facebook Campus Project.

Office Space Density (Square Foot Per Employee)

Second, social media companies typically have office space densities twice those of standard office uses. Such companies are often extremely efficient in their use of office space, having office space densities of approximately 150 square feet of office space for each employee, whereas normal office activities assume twice as much density (300 square feet per employee). Given the prominence of Facebook and Facebook's purchase of the ProLogis, Inc.'s 21-building Menlo Science & Technology Park, adding to its 200-acre Bay Area portfolio, traffic studies should reflect the higher densities of 150 square feet per employee associated with social media firms.

Housing Affordability and Availability

Third, the City of East Palo Alto has significant concerns about the "growth-inducing impacts"¹ of the Projects, and in particular, how development under both projects will impact housing affordability and availability in East Palo Alto. Notably, this is a concern that Menlo Park shares for its own residents. See NOP for General Plan, dated June 18, 2015 ("housing that complements local job opportunities with affordability that limits displacement of current residents").

Menlo Park has an exceptionally high jobs-housing ratio and exceptionally high housing prices. Menlo Park's jobs/housing ratio is 1.96, Palo Alto's is 3.13, and the City of East Palo Alto is 0.38. See Table I below. This jobs-housing imbalance, which would be exacerbated by development levels proposed under both Projects, could mean (1) a significant increase in

¹ CEQA Guidelines § 15126(d) (EIR must analyze growth-inducing impacts).

housing demand (indirect impact), and (2) an accompanying increase in new housing construction (direct physical impact) to accommodate that new demand caused by an increase in the number of new employees arising from the greater density proposed under both Projects. The City of East Palo Alto is deeply concerned about these spillover impacts and how they could affect its residents given the City's proximity to the Projects' area.

Table 1: Jobs Housing Ratio

	Jobs to Housing Ratio
Menlo Park	1.96
East Palo Alto	0.38
Palo Alto	3.13

Source: Lauren Hepler, Silicon Valley Business Journal, February 28, 2014; March 3, 2014.

The high jobs-housing ratio indicates that the City of Menlo Park needs to build a substantial amount of new housing units already to provide sufficient housing for employees who work in Menlo Park. The Facebook Campus Expansion Project and the General Plan Update will further and severely exacerbate the existing housing crisis, which is caused by cities not developing sufficient housing concomitant with the approval of development projects that increase the demand for such housing.

The City of East Palo Alto provides a significant amount of the housing stock in Silicon Valley. East Palo Alto has more housing units than jobs, the lowest market rate prices in the region, and approximately 30% (or 2,405 of 7,759 units) of the total housing units are currently non-exempt-registered in the Rent Stabilization Program. East Palo Alto is an island of affordable housing surrounded by several of the most expensive housing markets in the nation. The City is concerned that the new development proposed under both Projects might exacerbate the existing housing crisis in East Palo Alto by displacing current residents and/or causing the City to have to provide additional units without sufficient resources to adequately address the need.

Please provide an analysis of how both the Facebook Campus Expansion Project and the General Plan Update will impact the jobs-housing ratio in Menlo Park, and analyze or provide information on the impact on housing prices and the potential displacement of East Palo Alto residents. The following information should be provided and analyzed.

- The net number of new market rate and affordable units permitted and constructed in the last 10 years in Menlo Park, and since the original Facebook Campus received its Certificate of Occupancy.
- The current jobs-housing ratio and the projected future jobs-housing ratio for both the Facebook Campus Expansion Project and for the General Plan Update.
- An analysis of the impact the Facebook Campus Expansion Project and the General Plan Update will have on housing prices and potentially displacement of the City of East Palo Alto residents.
- An analysis of where it is anticipated that the new employees will live, based on ZIP code level data from the existing Facebook campus.

Other

Fourth, clarify the relationship between the Facebook Campus Expansion Project and the General Plan Update. Is the proposed hotel being analyzed in both? Are the net trips from the Facebook Campus Expansion Project included in the traffic model for the General Plan Update?

Finally, please include the following individuals in all notices related to this project and the General Plan Update:

1. Sean Charpentier, Assistant City Manager, City of East Palo Alto, 1960 Tate Street, East Palo Alto, CA 94303; scharpentier@cityofepa.org.
2. Brent Butler, Planning Manager, East Palo Alto Planning Division, 1960 Tate Street, East Palo Alto, CA 94303; bbutler@cityofepa.org.

Comments Specific to the Facebook Expansion Project EIR

First, the impact analysis should analyze the significant increase of employees on the site. The project description identifies the two new buildings totaling 967,000 square feet for a net increase of approximately 127,000 square feet. There are 1,690 existing parking spaces and the project will add 3,800 parking spaces, which would be a net increase of 2,110 parking spaces.

As noted above, the new uses have a much higher employee density, and the traffic impact analysis should reflect the higher intensity of use. These traffic numbers should also be included in the General Plan Program EIR analysis to get a complete understanding of the traffic numbers.

The impacts should be analyzed on the net impact of replacing what are largely low density industrial buildings with buildings with social media employees at 150 square feet per employee.

Second, the Facebook Expansion Project will bring a substantial number of new employees and visitors, including the 200 room hotel, to an area prone to flooding; thus, substantially increasing the demand for life safety services. Please explain how Facebook is planning to improve existing levees and flood protection systems to mitigate the potential threat of flooding due to tidal flooding, including the effects of Sea Level Rise.

Comments Specific to the General Plan Update

First, based on the Draft M-2 Area Maximum Potential Development map, it appears that the proposal is to maintain the lower density industrial uses on the south side of O'Brien Drive. There is a single family residential neighborhood along Kavanaugh Drive. The City supports maintaining the existing lower density uses along the southern side of O'Brien Drive so as to provide a transition from the higher density uses to the lower density neighborhoods.

Second, the City supports the strong emphasis on separated bike paths and trails. Please explore options to connect the terminus of Ralmar Avenue to the proposed bike path along O'Brien Avenue. This would provide a trail/bike connection between Cesar Chavez Academy and Costano School on the east side of University Avenue. With a trail connection between Ralmar

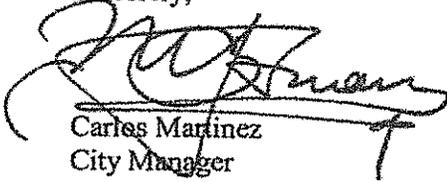
Avenue and O'Brien Drive, and the build out of the trails envisioned in the RBD/4 Corners TOD Specific Plan, students from Cesar Chavez Academy would be able to access Cooley Landing entirely via path and trail.

Third, the General Plan Update shows a series of potential transit stops. The General Plan Update EIR should analyze the option of having a multimodal rail/bus rapid transit station/center at University Avenue.

Thank you for the opportunity to comment on the Notice of Preparations for the Facebook Campus Expansion and the Menlo Park General Plan and M-2 Area Zoning Update. The City of East Palo Alto looks forward to continuing our collaborative relationship with the City of Menlo Park.

For more information or questions regarding this letter, please contact Sean Charpentier, Assistant City Manager, at (650) 853-3150.

Sincerely,



Carlos Martinez
City Manager

7/20/15

Attachment #3. Equity Residential Marketing Material/Real Estate Flyer

East Palo Alto Apartments

Learn more about living in our East Palo Alto apartments

East Palo Alto may have once been an unincorporated portion of San Mateo County, but today it's a peaceful 2.5-square-mile bayfront community in booming Silicon Valley - perhaps the last Silicon Valley city of its kind. East Palo Alto is more affordable than its tech-savvy neighbors, despite its proximity to Facebook's HQ in Menlo Park and greater Palo Alto, home to Stanford University and the heart of Silicon Valley. Its residents prefer the more laid-back lifestyle East Palo Alto provides, despite experts predicting **East Palo Alto apartments** and communities will only grow and become more sought-after in the next several years.

East Palo Alto is undergoing an urban revitalization, bringing attention to the area's convenient location and its tight-knit residential community. With more businesses moving to the area and the surrounding Silicon Valley cities, there's never been more for residents in **East Palo Alto apartments** to do. Route 101 runs directly through East Palo Alto's east side, providing a direct route to all that Silicon Valley and the San Francisco Peninsula have to offer in terms of restaurants, outdoor recreation spots and nearby employers, making commuting a breeze. The west side of the city borders the bay and Ravenswood Open Space Preserve, giving residents the chance to enjoy area walking trails and the great outdoors while staying close to home. Nearby shopping centers feature big-name stores like IKEA, Nordstrom Rack and Home Depot, complete with a Starbucks, Jamba Juice and local restaurant favorites like Quattro and Three Brothers Tacos just down the street.

Beat the rush into East Palo Alto, which began once the city brought in new businesses and transformed the waterfront area into a pristine park. As home prices in San Mateo County keep rising, now is the time to consider affordable **East Palo Alto apartments** ... before the rest of the Facebook and Google employees do!

 Equity Residential

Corporate Info (<http://www.equityapartments.com/corporate>)

Careers (<http://www.equityapartments.com/corporate/careers.aspx>)

Resident Login (<http://my.equityapartments.com/>) Contact Us (/contact)

For Investors (<http://investors.equityapartments.com/>)

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(<http://www.bbb.org/chicago/business-reviews/apartment-finding-and-rental-service/equity-residential-in-chicago-il-73000697>)

CONTACT AGENT ♡ SAVE ↔ SHARE ⌵ MORE

⌵ EXPAND ✕ CLOSE

Public Owner NEW



120 Wisteria Dr,
East Palo Alto, CA 94303

2 beds · 1 bath · 810 sqft

FOR SALE
\$635,000

Price cut: -
\$64,000 (6/7)
Zestimate®:
\$572,306

Est. Mortgage
\$2,288/mo



Get pre-approved

Enjoy Peninsula Living, in the desirable Area of East Palo Alto. Perfect location just minutes away from Facebook HQ, Google, Stanford Shopping Mall, Stanford University, Ikea, Palo Alto Golf Course, Palo Alto Airport, San Francisquito Trail, & so much more. Commuting made easy with close access to 101, Dumbarton Bridge, and San Antonio & California Caltrain Stations. Enjoy fine

CONTACT AGENT

-  **Michael Rubio** LISTING AGENT
★★★★★ (3)
1 Recent sales
(415) 320-9004
-  **Elena and Michael Talis** PREMIER AGENT
★★★★★ (25)
12 Recent sales
(650) 265-0998
-  **Maria De Los Angeles Prieto Team** PREMIER AGENT
★★★★★ (1)
4 Recent sales
(650) 727-5308
-  **Anna Huang** PREMIER AGENT
★★★★★ (4)
19 Recent sales
(408) 805-3983

I am interested in 120 Wisteria Dr, East Palo Alto, CA 94303.

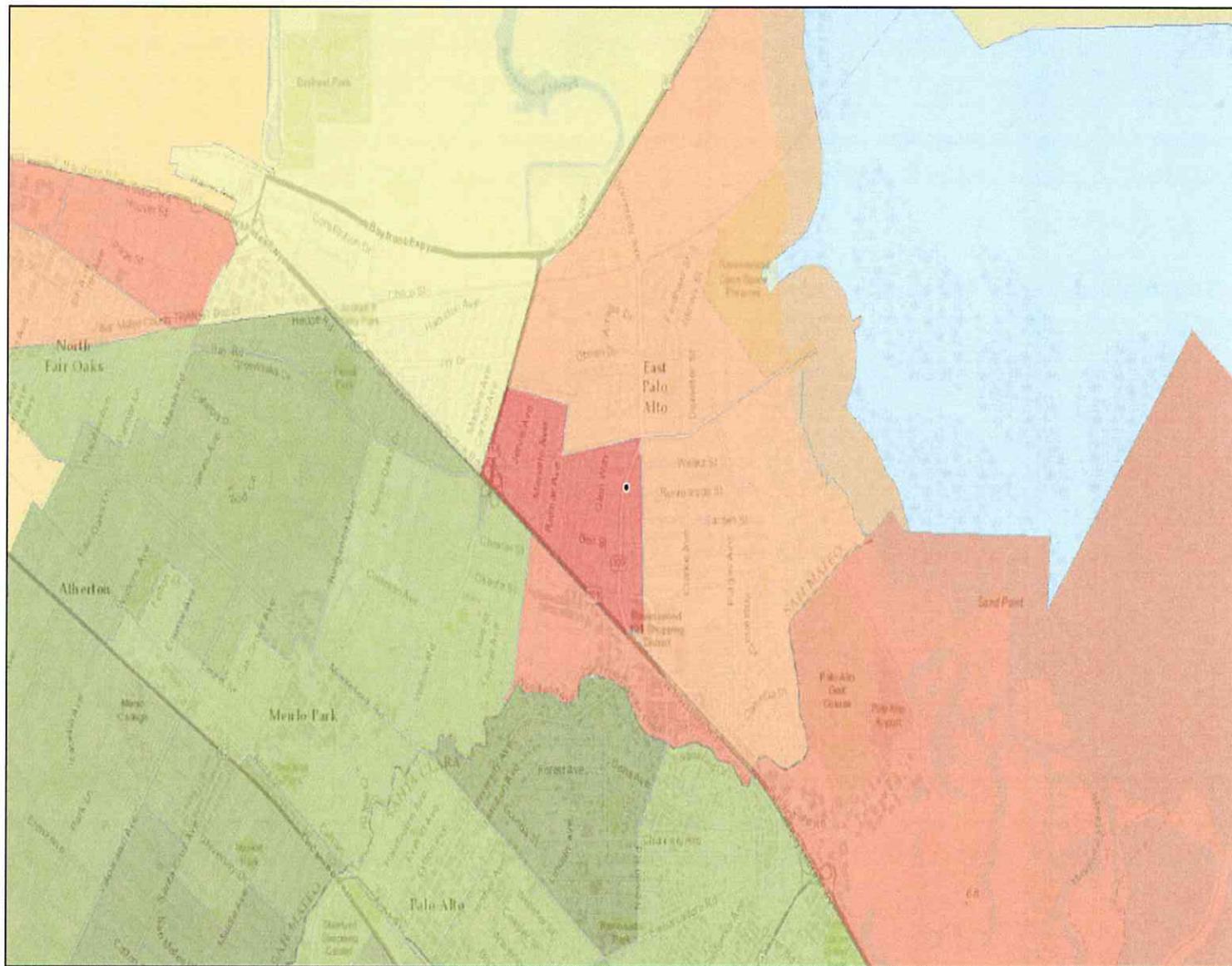
Contact Agent

I want financing information

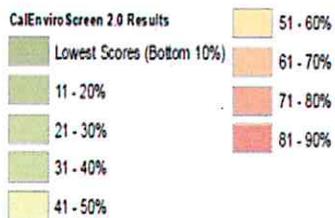
Attachment #4. CalEnviro Map

<http://oehha.ca.gov/calenviroscreen/report/calenviroscreen-version-20>

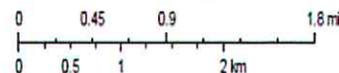
CalEnviroScreen 2.0 results



July 8, 2016



1:36,112



Source: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeBCo, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

Attachment #5. Letter from Richards, Watson, and Gershon

City of East Palo Alto

Comments on Facebook Campus Expansion Draft EIR

Draft EIR Section	Page Number	Comment
Project Description	2-1	<p>On this page, the EIR states that “the project includes the demolition of existing onsite buildings.” Later, however, it is noted that the demolition is subject to a ministerial permit and not part of the project analyzed in the EIR. The demolition is specifically required because of the proposed project, so attempting to separate it into its own project constitutes “segmentation” of a project under CEQA.</p> <p>When a project has parts that are discretionary and parts that are ministerial, they should be analyzed together under CEQA. Separation of the demolition phase of the project and failure to analyze it as part of the project constitutes unlawful segmentation of the project under CEQA. See <i>San Joaquin Raptor Society v. County of Stanislaus</i>, 27 Cal.App.4th 713 (1994).</p>
	2-1	<p>Exclusion of the “tenant improvements” in Building 23 from the impacts analyzed for the project overall appears to create a segmentation problem as well. While minor upgrades would not be an issue, significant construction at Building 23 should be analyzed to determine if it contributes to air quality, traffic, and other impacts. Given that Building 23 appears to be part of the Facebook “campus” project, it should have been included as part of the project and analyzed accordingly. Separation of different components of the project may result in the understatement of certain impacts and constitute unlawful segmentation under CEQA.</p>
	2-4	<p>See comments regarding Building 23, above.</p> <p>Additional information regarding the contaminants in the soil at this site resulting from its prior use is necessary to determine whether construction at the site may have significant air quality and stormwater impacts. Separation of the demolition from the rest of the project hides potential impacts arising from the demolition of the buildings, which may contain contaminants as well.</p>
	2-5	<p>Project Objectives includes “remediation” of hazardous materials as appropriate, but remediation is not actually addressed through this EIR.</p>
Project Description	General	<p>The project description does not include a general plan amendment to enable approval of the proposed hotel. The EIR states that hotels are not allowed in the Limited Industry land use designation. (See DEIR at p. 3.1-2.) However, Menlo Park asserts that a general policy that allows hotels to be considered at suitable locations in commercial and industrial zoning districts of the City overrides this prohibition. The referenced general plan policy seems to create an internal inconsistency in the general plan as to when and where hotel uses will be allowed. Further, this policy has been implemented by identifying those zones in which hotel uses may be</p>

Draft EIR Section	Page Number	Comment
		<p>permitted including, by way of example, the M-3 Commercial Business Park Zone which allows hotels and other commercial uses subject to obtaining a conditional use permit. In contrast, the M-2 zone makes no such allowance for hotels even with a conditional use permit. Simply changing that zone to allow the use does not resolve the inconsistency with the land use designation.</p> <p>The only way to resolve the proposed hotel's inconsistency with the general plan, is for Menlo Park to amend its general plan to acknowledge that hotels may be permitted on properties subject to the Limited Industry land use designation, just like it has already done in its Commercial Business Park designation. (See Menlo Park General Plan, Land Use/Circulation Diagrams and Standards, at p. II-3.) . Without the necessary general plan amendment, the project description is incomplete, thus rendering the EIR defective. Further, without an amendment, the hotel cannot be approved as part of this project.</p>
Land Use and Planning	3.1-4	<p>Table 3.1-1 indicates that in 2013 the "Plan Bay Area" projected the jobs to housing ratio in the City of Menlo Park to worsen from 2.20 in 2015 to 2.30 in 2020. This Plan Bay Area projection does <u>not</u> include impacts from the proposed Project, but instead included projected growth for the City as a whole – projecting 380 new housing units and only 2,210 new jobs by 2020.</p> <p>The Project <i>alone</i> would add 6,550 new jobs (over three times the projected growth in the 2013 Plan Bay Area projections for the City as a whole). The Project would <u>not</u> add a single new dwelling unit. The Project is clearly inconsistent with Plan Bay Area (the Sustainable Communities Strategy for the Bay Area) and will worsen the jobs to housing ratio in the City <i>significantly</i>. At a minimum, the EIR must analyze and quantify the Project's expected impact on the City's jobs/housing ratio. At present, the EIR fails to include this analysis and is deficient by withholding this information.</p> <p>Page 3.12-1 of the EIR (Population and Housing) states that the "jobs/housing balance is discussed in Section 3.1, <i>Land Use and Planning</i>" but the Land Use and Planning Section does not adequately analyze the Project's impact on the City's jobs/housing ratio, as described above.</p>
	3.1-10	<p>The section "General Consistency with General Plan Goals and Policies" acknowledges that the Project is inconsistent with certain goals of the General Plan, and then concludes that the Project would be "generally consistent" with the goals and policies contained in the General Plan and the draft ConnectMenlo General Plan update. The EIR concludes, therefore, that there are less-than-significant impacts with respect to land use consistency.</p> <p>As stated in Table 3.1-2, the Project is <u>not</u> consistent with specific goals</p>

Draft EIR Section	Page Number	Comment
		<p>and policies in the Land Use and Circulation Element related to traffic and transportation. The Project will cause significant impacts at a number of intersections and result in significant LOS traffic impacts on routes of regional significance. Given these inconsistencies, the City cannot conclude that the Project is simply “generally consistent” with the General Plan Goals and Policies.</p> <p>In addition, the EIR fails to address consistency with the primary goals and policies related to sustainable land use planning in Connect Menlo. Specifically, by drastically worsening the jobs/housing balance, the Project is inconsistent with Policy OSC-4.1 of ConnectMenlo, which states:</p> <p style="padding-left: 40px;">“Policy OSC-4.1: Sustainable Approach to Land Use Planning to Reduce Resource Consumption. Encourage, to the extent feasible, (1) a balance and match between jobs and housing, (2) higher density residential and mixed-use development to be located adjacent to commercial centers and transit corridors, and (3) retail and office areas to be located within walking and biking distance of transit or existing and proposed residential developments.”</p> <p>The EIR mentions this Policy on Page 3.5-7 as part of the GHG analysis, but the EIR fails to address this policy in the Land Use and Planning section of the EIR. By doing so, the EIR fails to identify a clear inconsistency between the Project and the City’s General Plan. The EIR must address this inconsistency, which should be considered a significant impact to Land Use and Planning.</p>
Land Use and Planning	3.1-13	<p>The DEIR does not adequately discuss the inconsistency between Plan Bay Area and the Project’s impact on jobs/housing ratio. Again, in order to fully disclose all impacts and comply with CEQA, the EIR must identify the jobs/housing ratio and projections identified in Plan Bay Area, and the actual impacts of the Project, which were not included in Plan Bay Area’s analysis.</p>
	3.1-13	<p>The DEIR indicates that because the Project would be “generally consistent” with the Congestion Management Plan, it would result in a less-than-significant impact with respect to consistency. The analysis indicates that the impacts to Routes of Regional Significance would remain significant and unavoidable because the roadways are not within the City’s jurisdiction. Without identifying the necessary and specific freeway improvements and the fair share that the Project will contribute to those improvements, the DEIR cannot conclude that the Project would be consistent with the Congestion Management Plan if the impacts to routes of regional significance remain significant and unavoidable. This impact needs to be analyzed further. The analysis should conclude <i>either</i> that the Project is paying its fair share to contribute to mitigation in a manner that would comply with the Congestion Management Plan <i>or</i> that</p>

Draft EIR Section	Page Number	Comment
		the Project is inconsistent with the Congestion Management Plan.
	3.1-14	The cumulative projects analysis states that implementation of the Project would be generally consistent with the existing and proposed plans, including Plan Bay Area. This is inaccurate. As stated in the prior analysis on page 3.1-13, the Project “does not further the balanced growth objectives of Plan Bay Area.” The EIR must describe the inconsistency in more detail and find that the Project is <u>inconsistent</u> with Plan Bay Area by virtue of the jobs/housing ratio imbalance caused by the Project.
	3.1-17 & 3.1-18	Table 3.1-2 indicates that the Project is inconsistent with Policy II-A-1 and Policy II-A-2 of the existing Circulation and Transportation Element. In light of this, the City cannot take the position that the Project is <i>consistent</i> with all applicable land use plans and policies, as it does on pages 3.1-9 <i>et seq.</i>
	3.1-29	<p>The matrix indicates that adhering to the BMR program requirements for nonresidential developments equates to consistency with Policy H1.7 of the General Plan. However, Policy H1.7 requires that the “City seek ways to reduce housing costs for lower-income workers and special needs groups by developing ongoing local funding resources and continuing to utilize other local, state, and federal assistance to the fullest extent possible.” In the next sentence, the Policy states (with emphasis added): “The City will <u>also</u> maintain the Below Market Rate (BMR) housing program requirements for residential and nonresidential developments.” The maintenance of the BMR housing program appears to be a distinct requirement from the requirements in the first sentence of Policy H1.7. The City must maintain the BMR program <u>and</u> seek ways to reduce housing costs.</p> <p>Adhering to the BMR program does <u>not</u> equate to consistency with Policy H1.7. The Project <u>also</u> needs to “seek ways to reduce housing costs” for lower-income workers and special needs groups. In fact, the Project itself does the <i>opposite</i> of reducing housing costs for lower-income workers and special needs groups. This type of project will raise housing prices in the area. Without additional “ways to reduce housing costs” for these groups, compliance with the BMR requirement is not sufficient to make a consistency finding with this housing policy. The City needs to require that the Project find additional ways to “reduce housing costs” – otherwise, the Project cannot be consistent with Policy H1.7.</p>
Project description	2-13	“Trip generation rates for Facebook workers account not only for trips generated by workers but also trips generated by typical numbers of contractors, interns, visitors, and other non-Facebook workers.” This suggests that these additional categories of visitors to the site are in addition the employees, but that has not been disclosed in the analysis. Further, it is unclear how any trip reduction strategies would apply to

Draft EIR Section	Page Number	Comment
		these non-employees. Clarification of this is necessary, with revisions to the analysis in the DEIR as appropriate.
	2-13, note 17	States that "trip caps are continually monitored by the City of Menlo Park, as required by the MMRP." The DEIR, however, does not contain any information to demonstrate the efficacy of the trip cap program efficacy or the monitoring by Menlo Park. The City of East Palo Alto raised this issue in its July 20, 2015 letter in response to the Notice of Preparation, however the requested information has not been included in the DEIR.
	2-13	Footnotes 18 and 19 reference two Fehr and Peers studies that are critical to understanding the Trip Cap, but those documents were not included in the DEIR nor online on the project page. These documents must be made available and the DEIR should be recirculated.
	2-14	Electric Vehicle Parking is not a TDM to deal with trips / traffic – just AQ/GHG.
Environmental Impact Analysis	3-4	Table 3.0-1 and the related discussion of adjusting the baseline for daily trips does not justify deviating from use of the existing conditions baseline. The rationale provided utilizes an element of the Project (the redistributed and new trip cap for Buildings 20 to 23) as a justification to reduce the daily trips from the baseline, thus minimizing and not fully disclosing project impacts. Further, this is inconsistent with the project description which states "Currently, there is no formal or ongoing trip cap associated with the renovation of Building 23, apart from one-time monitoring obligation 1 year after the renovation is complete." (see p. 2-13, note 17.)
Environmental Impact Analysis	3-4	The discussion of the adjusted baseline for peak hour and daily trips states: "Because of Facebook's unique trip generation rate, Building 23 can accommodate an increase in population without exceeding the historic 2011 trips for the site or the proposed trip cap. Because all employees at the Project site would be accounted for with the Building 23 land use entitlements, the CEQA baseline for the Facebook Campus Expansion Project assumes a population of zero for the remainder of the Project site (not including Building 23)." These assumptions appear to be unjustified and utilized to manipulate the baseline conditions contrary to CEQA's mandate to compare the project impacts to the existing conditions at the time of the notice of preparation. This adjusted baseline serves only to confuse and obfuscate the potential project impacts. While there may be circumstances when the existing conditions baseline would lead to analysis that is misleading or without informational value, and thus justify an adjusted baseline, this is not one of those circumstances. Further, there is no evidentiary support or basis for the assumptions utilized to create this adjusted baseline. Specifically, there is no explanation of how Facebook is unique. Further, because the assumptions seem to be based on "employees", it does not address contractors, interns, and other visitors to the site.

Draft EIR Section	Page Number	Comment
Environmental Impact Analysis	3-5	Demolition of Buildings 307-309 is included in the cumulative analysis instead of as part of the project. This hides the true project impacts by segmenting the project actions into smaller parts. That a component of a project may be approved ministerially is not a justification for segmenting a project. When a project involves both discretionary and ministerial actions, the project must be treated as discretionary with all components analyzed as part of the project. See CEQA Guidelines Section 15268(d).
Environmental Impact Analysis	3-9 to 3-12	<p>Table 3.0-3 does not appear to include any projects outside of the City of Menlo Park. Although East Palo Alto disagrees with the approach of incorporating all of these projects into the background conditions for project impact analysis, from a cumulative impact analysis perspective this list of projects should be expanded to include other projects in the vicinity, including:</p> <ul style="list-style-type: none"> • the Ravenswood / 4 Corners TOD Specific Plan • 2485 Pulgas-Montage-51 unit residential subdivision. • 1960 Bay Road- 50,000 square feet of industrial space • 2380 University-senior housing; 41 units • 2100 University-Sobrato-208,000 square foot office project • Four Corners Project-115 apartments; 16,000 sq. ft. retail.
Transportation/Traffic	General	The analysis in the transportation and traffic section does not follow the thresholds of significance set forth in the section. The conclusions in the study are not correlated with the significance thresholds, as required by CEQA. Further, there is no analysis of construction traffic impacts associated with the development of the project. The analysis needs to be revised to address this concern, and recirculated for public review.
Transportation & Traffic	General	The trip cap analysis only addresses peak hour traffic by shifting trips out of the peaks. The trip cap does not limit the daily trips. Thus, there will be a significant increase in non-peak hour trips. Buildings 20 through 23 will account for 26,537 daily trips, with only 6,200 trips during the peak hour. Therefore, approximately 20,300 trips would occur in the non-peak hours. Even under an unreasonable assumption that the trips would be spread out over the remaining 22 hours of the day, there would be 923 trips per hour. Under a more reasonable assumption that most of the trips would occur over a 14 hour period from 6am to 8pm, and deducting the peak hours, the project will result in 1692 trips per hour, or 28 trips per minute. The per hour trips would likely be even higher in the periods surrounding the peak hour periods. The non-peak hour impacts are not adequately assessed or disclosed by this analysis.
Transportation/Traffic	General	<p>The City of East Palo Alto, in its comments provided in response to the Notice of Preparation for this EIR, requested that the traffic study analyze 15 intersections in East Palo Alto. The study conducted, however, ignored that request, and thus is inadequate for failure to disclose potential impacts at this additional intersections. A new traffic study must be completed that includes the following intersections:</p> <ul style="list-style-type: none"> • University Avenue and Kavanaugh Drive

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		<ul style="list-style-type: none"> • University Avenue and Purdue Ave. • Saratoga Ave and Newbridge Street • University Avenue and Donohoe Street
Transportation / Traffic	3.3-15	The DEIR states that the turning movements were developed from counts taken in the fall of 2014. This does not take into account changes in conditions since that time, including but not limited to Building 20 becoming operational in 2015 with approximately 2,800 employees. A more current analysis based on current turning movement counts is required to ensure impacts are appropriately assessed, and the public and decisionmakers are fully informed of the potential traffic impacts associated with the project.
Transportation / Traffic	3.3-19	The DEIR states that data from the 2013 Plan Bay Area environmental impact report were used to determine regional average VMT per employee. More current data should be collected and utilized to accurately analyze and disclose the potential environmental impacts of the project. Further, using the nine-county Bay Area region to determine average VMT unreasonably inflates the average VMT, and thus hides the true VMT impacts of the project. This analysis must be redone with the average VMT calculated using only the more proximate counties of San Mateo, Santa Clara, Alameda, and San Francisco. Including the current analysis is misleading and fails to adequately disclose potential impacts.
Transportation / Traffic	3.3-20	The DEIR states that Building 23 is assumed at full occupancy as part of the background conditions, based on approved trip caps for the Existing Facebook Campus. The project description, however, states that there is no current cap applicable to Building 23, and that it would become subject to a cap as part of the project. (See p. 2-13.) Including the Building 23 trips in the cap for background purposes in effect double counts the trips reductions, with a resulting underestimation in project trips.
Transportation / Traffic	3.3-21	The Background Conditions, to which the project conditions are added, includes a number of different Menlo Park project, and is in effect and adjusted project baseline. This conflicts with CEQA and related case law which require an analysis of the existing conditions plus the project. The transportation/ traffic analysis is flawed in this regard. By comparing to the background conditions, the project's impacts are diminished due to the inclusion of a number of other projects that should be considered in the cumulative analysis, not the project level analysis. In light of this fundamental defect, a new traffic study showing the comparison of existing conditions to existing conditions plus project must be prepared, and a revised DEIR recirculated so the public has an opportunity to review and comment on this new information.
Transportation / Traffic	3.3-21	The DEIR states that the background condition "assumes that all approved projects in Menlo Park will be constructed, along with expected land use and traffic growth in the region to 2020, including full occupancy of

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		existing Facebook Buildings 10-20 and Building 23.” As noted above, this is an adjusted future baseline and is at bottom a cumulative impact analysis, rather than a project level impact analysis. While the DEIR attempts to justify this approach in the introductory section of Chapter 3 as an adjusted baseline, there is no evidence that including the project analysis of the existing conditions as compared to the existing conditions with project would be misleading or without informational value. See <i>Neighbors for Smart Rail v. Exposition Metro Line Construction Authority</i> (2013) 57 Cal.4th 439, 457. There is no basis to analyze only the project impacts relative to the background conditions and not the existing conditions. A revised analysis is required and a revised DEIR must be recirculated for public review.
Transportation / Traffic	3.3-21	The background conditions reflect growth in the region to 2020, however, the Project phasing indicates that Phase 1 will be completed 2 years earlier in 2018 (see DEIR p. 2-16.), with part of Phase 2 completed in 2019. This is not the long term horizon for which an adjusted future baseline is warranted or could be justified.
Transportation / Traffic	3.3-22	Planned transportation improvements are also assumed in the adjusted “background conditions” baseline. However, the time frames for completion of the improvements at Bayfront Expressway and Chico Street, Bayfront Expressway and Chrysler Drive, and Bayfront Expressway and Marsh Road are not provided. Without this information, it is unclear whether taking credit for these improvements is proper. Thus, not only is the adjusted baseline approach fundamentally flawed, the defect may be compounded by improperly taking credit for future transportation improvements that will not be in place when the Project is opened.
	Figure 3.3-17	This figure shows an improvement in LOS at intersection 39 from C/B to B/A when the project is added to the background conditions (Figure 3.3-13). In fact, it shows a PM peak LOS improving from B in the existing conditions (Figure 3.3-9) to A (figure 3.3-17). This suggests an error in the analysis that must be reconciled.
	3.3-33,34	Mitigation Measure TRA – 1.1 c. states that improvements to the northbound exist land on US 101 between Willow Road and Marsh Road could reduce impacts, although it is under Caltrans jurisdiction. This mitigation should be required to the extent that Caltrans authorizes implementation. The analysis suggests that the improvement is feasible, and thus it must be adopted and implemented before the significant and unavoidable impact could be overridden.
	3.3-34	Mitigation Measure TRA – 1.1 d. improperly defers analysis of potential mitigation to a future Project Study Report regarding potential future grade separation at this intersection. Menlo Park has a duty to impose all feasible mitigation to address significant and unavoidable impacts prior to overriding such impacts. The analysis of potential grade separation improvements that could address the impacts must be studied now as part of a revised and recirculated Draft EIR, along with the potential

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		impacts that type of mitigation might have on University Avenue intersections to the south.
	3.3-36	Mitigation Measure TRA – 1.1 g. states that signalization is not recommended under the background plus project condition, however, it is unclear if the conclusion would change in a comparison of existing conditions to existing conditions with project. Further, reference to the 2040 cumulative condition requiring signalization suggests that this is feasible mitigation to address the otherwise significant and unavoidable impact, and thus it must be adopted and implemented before the significant and unavoidable impact could be overridden.
	3.3-37	Mitigation Measures TRA – 1.1 i. states that impacts at University Avenue and US 101 southbound ramps is mitigated to less than significant levels with implementation of the trip cap. The City of East Palo Alto requests a formal role in the implementation and monitoring of the trip cap to ensure that it is properly implemented as to the intersections in East Palo Alto. While establishing a formalized role for East Palo Alto, with costs covered by the project applicant, would help address the City’s concerns regarding implementation, it would not cure the other traffic study concerns raised in East Palo Alto’s comments. This same comment applies to mitigation Measure TRA 1.1-j, and additional information regarding the configuration, cost, and efficacy of the right turn lane discussed in the mitigation measure should be provided.
	3.3-38, 39	Mitigation Measure TRA – 1.1 l. improperly defers analysis of potential mitigation to a future “micro-simulation evaluation as part of the proposal to install a new traffic signal at the proposed entrance to Building 21....” Menlo Park has a duty to impose all feasible mitigation to address significant and unavoidable impacts prior to overriding such impacts. The referenced future analysis must be conducted now as part of a revised and recirculated Draft EIR as a means to identify potentially feasible mitigation prior to overriding significant and unavoidable impacts. This same comment applies to the improperly deferred micro-simulation analysis discussed in Mitigation Measure TRA-1.1 m, and particularly as to the significant and unmitigable a.m. peak-hour impact.
	3.3-39	Mitigation Measure TRA -1.2 lacks any details to explain how the trip cap will be implemented and the mitigation measure enforced. The DEIR must also explain how this measure is consistent with all local, State, and Federal statutes, and how it will be enforceable in the context of multiple owners. Further, the mitigation measure must be revised to include specific implementation criteria, monitoring protocols, and penalties for noncompliance. Because many of the impacted intersections are in the City of East Palo Alto, East Palo Alto must have a role in the monitoring that should include at a minimum, receiving all monitoring reports to verify compliance, and to receive a portion of any penalty fees assessed for non-compliance. Without inclusion of substantially more detail to ensure implementation of the mitigation will actually occur, this

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		mitigation is not enforceable and cannot be relied upon to reduce the project's traffic impacts, including but not limited to the impacts in East Palo Alto.
	3.3-40	Table 3.3-08 states that there is an existing trip cap applicable to Building 23, however, this conflicts with the project description, which states: "Currently, there is no formal or ongoing trip cap associated with the renovation of Building 23, apart from one-time monitoring obligation 1 year after the renovation is complete." (See p. 2-13, note 17.)
	3.3-42	Mitigation measure TRA-2.1 states that providing additional travel lanes would not be feasible on all segments given available right-of-way widths. This suggests that some such improvements may be feasible on certain segments, however there is no analysis or identification of those segments or the improvements, which must be adopted prior to overriding the significant and unavoidable impacts.
	3.3-42	Discussion of Impact TRA-3 states that the project would generate up to 16,329 net daily trips under the proposed trip cap, however, the trip cap in mitigation measure TRA 1.2 only applies to peak our trips, not daily trips. Thus, there does not appear to be any cap on total daily trips, and there could be many more without a daily trip cap.
	3.3-43	It is unclear why no segments of University Avenue have been identified as significantly impacted segments. This appears to be an example of hiding project impacts through use of the Background Conditions, rather than undertaking the proper comparison of existing conditions to existing plus project conditions.
	3.3-43	Mitigation Measure TRA-3.1 improperly defers analysis and identification of mitigation by requiring preparation of a Neighborhood Traffic Plan to identify what mitigation might be implemented. This analysis should be completed now to provide, at a minimum, a menu of the potential options available to mitigate the impacts.
	3.3-47	The DEIR states that the regional average VMT was determined by including the entire nine-county Bay Area region. A more refined analysis is necessary in this regard because of the unreasonable expansion to the entire nine county region for this project has the effect of inflating the average VMT, and thus hiding the true VMT impacts of the project. This analysis must be redone with the average VMT calculated using only the more proximate counties San Mateo, Santa Clara, Alameda, and San Francisco. Including the current analysis is misleading and fails to adequately disclose potential impacts.
	3.3-47	The Cumulative 2040 Conditions include buildout of projects identified in Table 3.0-3, however the list of projects is incomplete and ignores projects in East Palo Alto as noted above. Further compounding the defect is the fact that the Cumulative 2040 conditions include projections for development consistent with Menlo Park's general plan and zoning, but include no such projections for future development in East Palo Alto. This is a fundamental defect that renders the analysis inadequate.

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	Figure 3.3-21	The figure shows improved traffic at intersections 39 (a.m. and p.m.), 56 (p.m.), and 57 (a.m. and p.m.). This does not make sense given the significant additional development and growth assumed for 2040, and further reinforces the defective analysis that does not take into account future growth and development in areas outside of Menlo Park, including but not limited to the Ravenswood / 4 Corners TOD Specific Plan.
	3.3-50	The study segment analysis only addresses impacts in Menlo Park and ignores potential impacts to roadways outside of Menlo Park, such as University Avenue in East Palo Alto. The analysis must be expanded to include this analysis.
	Figure 3.3-25	<p>This figure shows improved traffic with the addition of the project as compared to the 2040 existing conditions at intersections 39 (a.m. and p.m.) and 57 (a.m.).</p> <p>Even more surprising is the comparison between the cumulative 2040 plus project and the background projects plus project conditions in Figure 3.3-17, which shows improvements at intersections 39 (a.m.), 52 (p.m.), 53 (a.m. and p.m.), 56 (a.m.) and 57 (a.m. and p.m.). This again demonstrates the defects in the analysis resulting from exclusion of projects and planned development in areas outside of Menlo Park.</p>
	3.3-56	Mitigation Measure TRA – 10.1 i. states that signalization could mitigate the impact at the intersection of University Avenue and Adams Drive, and thus it must be adopted and implemented before the significant and unavoidable impact could be overridden. Further, there is a project level impact at this intersection, thus the funding for this signalization should be borne by the project applicant.
	3.3-57	Mitigation Measure TRA 10.1 j concludes that there are not feasible improvements to address impacts at intersection 54 (University Avenue and Donohoe Street). Further analysis of the feasibility of improvements as well as other trip reduction strategies is necessary.
	3.3-58	The same comment as above regarding mitigation measure TRA-2.1 applies here, and further analysis or identification of those segments or the improvements that could accommodate improvements must be undertaken. Further, any feasible improvements that could reduce the level of impact must be adopted prior to overriding the significant and unavoidable impact.
	3.3-58	Discussion of Impact TRA-12 states that the project would generate up to 16,329 net daily trips under the proposed trip cap, however, the trip cap in mitigation measure TRA 1.2 only applies to peak our trips, not daily trips. Thus, there does not appear to be any cap on total daily trips, and there could be many more without a daily trip cap.
	3.3-59	Analysis of Impact TRA 12 references mitigation measures TRA-3.1 and TRA-3.2, and the comments above regarding these mitigation measures apply equally in the context of TRA 12.
	3.3-65	Mitigation measure TRA 13.1 h. states that impacts at University Avenue

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		and Adams Drive (intersection 47) can be mitigated to less than significant levels with signalization. As noted above, this is feasible mitigation that should be required for project level impacts and be the responsibility of the project applicant to fund. To the extent that Menlo Park includes this in a future TIF program, it could explore reimbursement to the project applicant, but the applicant should be responsible for making the improvement as part of project implementation.
	3.3-65	Mitigation Measure TRA 13.1 i. regarding University Avenue and Bay Road discusses signal phase revisions that could improve the function of the intersection. More detail is necessary regarding the specific revisions and other physical improvements at the intersection, and the cost of such revisions.
	3.3-65	There is reference to Mitigation Measure TRA 10.1 j which concludes that there are not feasible improvements to address impacts at intersection 54 (University Avenue and Donohoe Street). Further analysis of the feasibility of improvements or other measures to address the potential cumulative impact, and analysis and development of the Projects obligation to mitigate for its contribution to the impacts must be provided. Further, other mitigations to remove trips must be considered as well.
	3.3-67	Prior comments regarding Mitigation Measure TRA-2.1 apply to the discussion of Impact TRA-14.
	3.3-67	Analysis of Impact TRA 15 references mitigation measures TRA-3.1 and TRA-3.2, and the comments above regarding these mitigation measures apply equally in the context of TRA 15.
	General	Construction Traffic impacts are not analyzed or disclosed, and the required analysis must take into account all demolition on the site, and not exclude buildings 307-309.
	General	There are many instances where potential mitigation in the form of physical circulation system improvements is discussed in general terms, but dismissed from further consideration due to the need for further study or because they are deemed infeasible. The DEIR must be revised to provide greater clarity regarding the potentially feasible improvements, including 1) conceptual drawings showing how the improvements would fit within existing rights of way or if additional right-of-way would be needed, 2) identification of the potential costs of the improvements, and 3) to what degree the improvements would reduce significant traffic impacts. As noted above, this analysis must be included in the Draft EIR in order to identify any feasible mitigation measures that must be adopted before significant and unmitigable impacts can be overridden.
	General	Implementation of Mitigation Measure TRA 1.2 is intended to reduce peak hour trips, reduce reliance on passenger vehicles, and encourage the use of alternate transportation modes, including bicycles and walking.

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		<p>Because implementation of the trip cap will increase demand for bicycle and pedestrian facilities in East Palo Alto, the EIR must analyze the impacts of this increased demand and provide appropriate mitigation, which may include, but not be limited to:</p> <ul style="list-style-type: none"> • Highway 101 pedestrian/bicycle overpass • University Avenue Interchange • UP Spur Trail and associated trails • Hetch Hetchy Linear Park • Closing critical sidewalk gaps • Other bicycle and pedestrian projects in the Capital Improvement Program or other planning documents.
Air Quality	3.4-19	<p>The separation of the demolition as a separate project that is not analyzed under construction impacts in the EIR is potentially problematic in that demolition is required in order to construct the project and will likely occur shortly before other construction begins (or simultaneous with other construction impacts).</p> <p>Since the buildings slated for demolition were historically used for industrial uses, and the property is subject to a land use covenant imposed by the DTSC for management of hazardous materials on the site, demolition of the buildings may require additional mitigations to prevent release of toxic materials into the air during demolition.</p> <p>At minimum the impacts associated with demolition (dust and particulate matter, use of diesel equipment, etc.) should be analyzed as construction-related air quality impacts in this EIR. Failure to analyze those impacts together with other construction-related impacts may result in the understatement of impacts associated with demolition and construction of the project.</p> <p>Inclusion of demolition in cumulative impacts does not fully address air quality impacts or avoid a segmentation issue. Hiding demolition impacts in the broader context of cumulative impacts understates project construction impacts of the project.</p>
	3.4-22	<p>Findings for consistency with the 2010 Clean Air Plan rely on findings in Population and Housing regarding consistency of the project with the Menlo Park General Plan and ABAG projections for population growth.</p> <p>As described in more detail in the comments regarding the Population and Housing Section, the EIR does not adequately explain how this Project would <u>not</u> induce substantial population growth indirectly through job growth. The EIR acknowledges that the Project would add 6,550 employees to the City, which is <u>nearly three times the anticipated employment growth for the City's sphere of influence from 2015 to 2020.</u></p>

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		<p>This figure also exceeds ABAG projections from the 2013 Plan Bay Area by roughly 300 percent.</p> <p>Given that the project contemplates hiring 6550 employees, the finding that the project would not increase the population of Menlo Park is not credible on its face. Furthermore, the statement that this project is consistent with the City's General Plan and ABAG growth projections, and the reliance of this finding to determine LTS impacts to air quality, is not supportable.</p>
	3.4-23	Please see discussion above regarding failure to include demolition impacts in the analysis of construction air quality impacts.
	3.4-23	Without further information about the LUC currently limiting uses on this property, there is not enough information to ascertain whether airborne contaminants from contaminated soils are an issue during construction.
	3.4-24	The analysis of construction-related air quality impacts relies on a commitment by the project proponent to use "Tier 4" compliant engines for what is described as "a large number of heavy-duty, off-road types of equipment." Unlike the requirement in MM GHG-1.1 that the construction vehicles use alternative fuel, there is no provision in the EIR explaining how this commitment will be enforced and it is not required by Mitigation Measure AQ-2.1. This requirement should be included in a mitigation measure or further discussion of enforcement should be included in the EIR.
	3.4-28	NOx emissions for this Project are projected to exceed BAAQMD thresholds for a minimum of five years of operation. MM AQ-2.2 requires the project proponents to enter into an agreement to offset those impacts. The offset program would involve a one-time fee to the City but does not provide for mitigation of impacts to residents outside of the City of Menlo Park. No other mitigation of NOx emissions is provided, beyond the TDM measures discussed elsewhere in the EIR. CEQA requires the lead agency to mitigate every impact to the extent feasible. The EIR should provide additional mitigations here, discuss why they are not feasible, and/or make a finding of significant and unavoidable impact.
	3.4-31	See comment above regarding enforceability of project proponents' commitment to use Tier 4 compliant equipment in construction.
	3.4-31	Demolition of the existing buildings, and an analysis of asbestos exposure risk, should be analyzed as part of this project.
	3.4-32	Demolition of the existing buildings, and the potential for exposure of sensitive receptors to pollutants as a result of the demolition, should be analyzed as part of the project.
	3.4-34	As described above in the comment regarding project-level consistency with the Clean Air Plan, the size of the project and the number of anticipated employees compared to existing plans undermine the argument that the project would not have any cumulative impact on population or exceed the VMT for the plan. If the project will not increase

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		population in the City of Menlo Park, then it follows employees will be travelling from other locations and increasing the VMT. Additional explanation is required to demonstrate that the project is consistent, either on a project-level or cumulatively, with existing plans.
	3.4-34	See discussion above regarding addressing demolition of existing buildings on the site only as a cumulative impact. This section does not analyze potential asbestos or other toxic contaminant exposure from demolition of these historically industrial buildings.
	3.4-36	Given the how close the cumulative toxic contaminants come to the BAAQMD threshold relative to the school receptor, mitigations of these impacts should be analyzed and considered.
Greenhouse Gas Emissions	3.5-12	See discussion in Project Description comments regarding exclusion of Building 23 from the project. This too violates the CEQA rule against segmentation of a project into smaller components to reduce overall impacts.
Greenhouse Gas Emissions	3.5-19	Here, demolition of the buildings onsite appears to be included in the project. There is a lack of consistency in the document on this issue.
Greenhouse Gas Emissions	3.5-25	Although the 2015 CAP update is still in draft form, it would be helpful to see an analysis of whether the project complies with the new draft programs.
Biology	3.8-16 & 3.8-20	<p>Pedestrian Bridge North of Bayfront Expressway . The EIR does not explain why the aerial structure would not result in a loss of, or negatively impact, habitat or sensitive natural communities located in the adjacent Refuge. Specifically, the EIR does not address whether construction of the bridge in the area of the CalTrans easement could negatively impact habitat or special status species located in the Refuge.</p> <p>Increased Use of Bay Trail. The EIR does not describe the increased use of the Bay Trail by employees, hotel guests and the public due to the Project's plans to increase connectivity to the project site and surrounding neighborhoods. The aerial walkway also increases the risk that species may be disrupted by pedestrians and bicyclists. The EIR should describe how much usage of the Bay Trail is expected to be affected and how the increase would affect wildlife in the Refuge.</p>
	3.8-16	Direct Impacts on Special Status Species. The EIR does not examine how the increased activity onsite (because the site is currently underutilized) could cause direct or indirect impacts to special status species located at the adjacent Refuge. Although separated by the Bayfront Expressway, the EIR does not examine the potential for noise and light to impact such special status species. While mitigation measures BIO-3.1 and BIO-3.2 address lighting and glare impacts, these are targeted to bird species only, not other mammals. Also, the EIR Biology chapter does not address impacts to aquatic species on the Refuge as a result of increased runoff,

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		noise, or light/glare, etc.
	3.8-16 - 3.8-17	Impacts to Special Status Bats. The EIR fails to describe the temporary impact to bat roosting habitat due to the removal of trees, shrubs and woody vegetation until replacement landscaping is fully matured. Also, the EIR does not address whether the species of replacement trees will be acceptable to hoary bats for roosting.
	3.8-17 - 3.8-18	Bat Mitigation Measures. Mitigation measure BIO-1.1 states that if roosting bats are found during surveys, avoidance and mitigation measures "shall" be implemented. However, the specific measures will be determined in coordination with CDFW. Although a list of potential measures is included, no performance standard is identified as governing the ultimate mitigation level here. Thus, the EIR lacks any guarantee or enforceability with respect to the adequacy of the bat impacts mitigation. Also, a biologist should address whether it is acceptable to shake the bats out of non-maternity roosts, or whether the roost should be left until the individuals voluntarily abandon such roosts.
	3.8-19	Impacts on Wildlife Nursery Sites. The EIR fails to describe the temporary impact to native migratory birds due to the removal of trees, shrubs and woody vegetation until replacement landscaping is fully matured.
	3.8-21	Bird-Safe Design Mitigation. The EIR lacks enforceability with respect to the adequacy of the bird safety design standards for project buildings and lighting (MM BIO-3.2). Although a variety of measures are purportedly required, no performance standard is provided to measure success.
	3.8-22	Heritage Tree Ordinance. The EIR fails to disclose how many of the heritage trees are in good health and how many are in poor health, and thus whether the replacement ratio has actually been met. Also, the EIR does not address whether the project sponsor will be able to plant replacement trees within 30 days of removal, as required by the City's Heritage Tree Replacement Procedures.
Hydrology and Water Quality	3.10-24	Given the likelihood of full inundation of the site in a flood event or with sea level rise, potential runoff of soil and contaminants from the site to the bay in a flood event should be analyzed. Possible impacts of a flood event during construction should be analyzed.
	3.10-25-26	In addition to the issues with dewatering the construction site given the contaminated groundwater on the site, this section should analyze issues associated with stormwater runoff on contaminated soils, and the potential stormwater impacts, given the known contaminated soil on the site.
	3.10-34	MM WQ-5.1 and 5.2 do not mitigate risk to life and property from a flood event. The risk of loss, injury, or death involving flooding, is not mitigated or shown to be less than significant. The analysis acknowledges that in a flood event, the entire site may be inundated. Additional measures should be adopted to mitigate potential dangers to people on the site.

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Hazards and Hazardous Materials	3.11-12	The footnote (a) in Table 3.11-3 segregates the demolition of buildings 307-309, but the demolition of those buildings should be included as a part of this project.
	3.11-17	The demolition of Buildings 307-309 should be included as a part of this project.
Housing and Population	3.12-4	The analysis on this page cites to the ABAG 2013 figures regarding projected population growth between 2015 and 2020. The projection for Menlo Park is that the City's population would grow by 1,000 people, or 2.7 percent, between 2015 and 2020. The paragraph below Table 3.12-2, however, draws a conclusion about the City's built-out nature. The reasoning is not clear. The analysis regarding ABAG's projections need to be expanded to address the Project's impacts and relate the Project's impacts to these projections.
	3.12-6	<p>The EIR states that according to the US Census, there are currently 30,566 jobs in Menlo Park. If the Project adds 6,550 jobs, that is more than a <u>20 percent increase</u> in the number of jobs in Menlo Park. Common sense suggests that a project that adds 20 percent new jobs to a City would have a significant impact on population growth, as well as housing demand.</p> <p>Also, this whole analysis relies on the ABAG projections, but the ABAG projections don't include the Facebook expansion project. The analysis cannot rely on ABAG projections for one finding, and ignore ABAG projections for other findings.</p>
	3.12-9	<p>Impact POP-1: Indirect Population Growth. The EIR does not adequately explain how this Project would <u>not</u> induce substantial population growth indirectly through job growth. The EIR acknowledges that the Project would add 6,550 employees to the City, which is <u>nearly three times the anticipated employment growth for the City's sphere of influence from 2015 to 2020.</u> This figure also exceeds ABAG projections from the 2013 Plan Bay Area by roughly 300 percent.</p> <p>Nonetheless, the EIR concludes that the "exceedance of ABAG employment projections would not result in significant adverse environmental impacts, because the CEQA thresholds of significance with regard to population and housing are related to substantial increases in population and housing growth projections, not employment projections." The threshold is whether the project would "induce substantial population growth indirectly through job growth" – if a Project that creates over a <u>fifth</u> of the number of jobs already existing in the city does not induce substantial population growth, then what project ever would? Common sense suggests this cannot be the case.</p>

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		<p>The analysis in the DEIR drastically underestimates the significant environmental impacts by analyzing only the creation of housing based on a small percentage of the increased employment growth. The DEIR states that only 314 of the 6,550 new employees would live in the city and thereafter states that the new jobs would result in 175 new units of housing demand. The analysis then fits this figure into the ABAG projections and finds that the additional 457 residents expected to live in the 175 new units would be only 46 percent of the anticipated population growth in ABAG's projections.</p> <p>This faulty analysis drastically understates the impact on population growth and the subsequent increase on the environment due to the need for new housing. The Project cannot reasonably suggest that even though it is creating 6,550 new jobs, it will only require the addition of 175 new units and ignore the housing demand created by the 6,236 other new employees who allegedly will not live in the city.</p>
	3.12-11	<p>The EIR states that there are approximately 378 vacant units in the City and that this would accommodate the estimated 175 new housing units that would be generated by the 6,550 new employment positions.</p> <p>The DEIR acknowledges that the Housing Element estimates that only 1,318 new housing units are expected to be constructed in the City <u>by 2035</u>. Thus, <u>even by 2035</u>, the City expects to construct only <u>one-fifth</u> the number of housing units as the number of employment positions expected to be created <u>by 2022</u>.</p> <p>The conclusion that the "Project's demand for housing could be accommodated within the city's anticipated housing construction" does not work for multiple reasons.</p> <p>First, the City's housing construction projections are based on the year 2035, but the Project is anticipated to be completed in 2022. The DEIR cannot base a less-than-significant finding on the fact that there will be 1,318 new housing units likely by 2035, when that is 13 years <u>after</u> the completion of the Project. The analysis needs to discuss how many new units are expected to be constructed by 2022.</p> <p>Second and more importantly, the City's analysis is based on faulty assumptions. In order to calculate the number of new housing units generated by the Project, the analysis relies on an average number of workers per household, set at 1.8 workers per household. Using this assumption underestimates the need for new dwelling units generated by the 6,550 new employment positions at Facebook. The technical study states that the "average number of workers per worker household <u>for San Mateo County</u>" is 1.8 (see page 1 of the Keyser Marston Report in the Technical Appendices). Page 3.12-10 of the DEIR uses this figure to</p>

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		<p>conclude that the 314 employees who are expected to live in the City would generate <i>only</i> 175 new dwelling units. Using the DEIR's "conservative analysis" the Project would result in 498 employees expected to live in the City, and 277 new housing units.</p> <p>The DEIR cannot simply use the 1.8 figure to find that 6,550 new employees at a <u>single</u> employer would result in a certain number of new households. Using this number in this way <u>assumes</u> that most new Facebook employees would live with <u>another</u> new Facebook employee. The EIR fails to provide substantial evidence to support the use of this figure as the basis for the number of new households that would be generated by the Project. Thus, the EIR fails to adequately analyze the total housing demand generated by the Project.</p> <p>Under the "conservative analysis" provided in the last paragraph on Page 3.12-10, the DEIR concludes that the Project would add only 722 new residents to the City. The DEIR then concludes on Page 3.12-11 that the 722 new residents would fit within the ABAG projection of 1,000 new residents. This figure, however, is based on the faulty 1.8 assumption. Again, there is no substantial evidence supporting the use of this figure. A more conservative assumption would be that 1 in 4 new Facebook workers would live with another new Facebook employee. If the DEIR used this more conservative assumption (1.25 workers per household), this would mean that the Project would generate 398 new units. With the average 2.61 persons per household, this would exceed the 1,000 projection (398 new units * 2.61 people per household = 1039 new residents). The DEIR does not support its assumptions with substantial evidence, and clearly cannot draw the conclusions it does, given the difference in the conclusions provided above.</p> <p>Furthermore, even if we take the 1.8 assumption as true, the Project would generate demand for 3,639 new housing units (6,550 new employees / 1.8 employees per household = 3,639 new households). The EIR acknowledges this number only in the "geographic distribution of housing demand" section. In the "housing demand" section, the EIR only provides projections based on the assumption that 4.8 percent, or conservatively, 7.6 percent, of the new employees will seek housing in the <u>City of Menlo Park</u>. By using these assumptions, the analysis in the EIR <u>drastically</u> understates the housing demand generated by the Project.</p>
	3.12-11	<p>Geographic Distribution of Housing Demand.</p> <p>The section entitled "Geographic Distribution of Housing Demand" fails to state the number of "remaining employees" – meaning the other 95.2 percent of the employees generated by the Project who by the EIR's estimate would <u>not</u> live in Menlo Park. This figure – 6,236 employees – should be included and the housing demand generated by these new</p>

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		<p>employees should be analyzed in more detail. It is not enough to state that the remaining employees would “very likely find housing throughout the region.”</p> <p>This section fails to address the true environmental impacts of the employment growth and resulting increased housing demand.</p> <p>The EIR cannot rely on ABAG projections in this instance, finding that there is no impact regarding population and housing because the housing demand generated by the Project would be within ABAG projections for the region as a whole, but then simultaneously state that the Project is consistent with land use and planning even though it conflicts with the jobs/housing ratio requirements of ABAG’s planning efforts, Plan Bay Area.</p>
	3.12-12 and 3.12-13	<p>Income Distribution of Housing Demand.</p> <p>The analysis of the housing demand at various income levels is again based on the faulty assumption that almost all new Facebook employees will live with <u>another</u> new Facebook employee. As such, the estimates for various levels of required housing underestimates the true need for new housing at different levels generated by the Project.</p> <p>The EIR suggests that “approximately 62 units would be needed for households with very low to moderate incomes, 22 units for households with above---moderate incomes, and 91 units for households with upper incomes.” As described above, these figures underestimate the true need for housing at different income levels. Even so, the analysis <u>entirely</u> fails to indicate whether the current vacant units in the City could meet that demand, based on income levels. Thus, the EIR does not adequately analyze whether the Project would have significant impacts due to the generated housing need of the Project.</p>
	3.12-14	<p>The section entitled “Residential Growth from Employment” indicates that ABAG estimates that employment in the city will grow by 13.3 percent between 2015 and 2040. Again, the EIR’s use of ABAG projections as a threshold for determining that the impact on housing is less than significant based on the regional <u>population growth</u> projections is called into question if the same organization estimates that employment would grow 13.3 percent between 2015 and 2040, but where the Project would actually result in a 20 percent increase by 2022 (conservatively). The DEIR does not provide substantial evidence to support its analysis.</p>
	3.12-14	<p>The cumulative impacts analysis suffers from the same inadequacies as the Project-related analysis. The analysis is based on faulty assumptions and fails to adequately analyze the housing impacts. The cumulative analysis is even more problematic because it acknowledges that the</p>

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		<p>residential growth would exceed ABAG’s projections (even using the Project’s underestimation of population impacts). Moreover, the determination that the cumulative impact to population growth is less than significant is based on the fact that the Project’s underestimated population impact would not be <u>cumulatively considerable</u>.</p> <p>The analysis is faulty in that it uses 457 as the figure for new residents in the City, as opposed to the DEIR’s more conservative figure of 722 new residents. Furthermore, a more accurate estimate would be roughly 1,038 (using 1.25 instead of 1.8 as the workers per household from the Facebook development).</p> <p>By using the 457 figure, the EIR concludes that new residents resulting from the Project would represent 2.4 percent of the total anticipated population growth by 2040. Again, the faulty assumptions <u>underestimate</u> the true impact of the Project on cumulative population growth. If the true impact were calculated, using the 1.25 worker per household figure, the percentage would be significantly larger – roughly 7.5 percent. If that were the case, it would be difficult to state that the Project impact on population growth was not cumulatively considerable!</p> <p>The analysis regarding the secondary Impact C-POP-2 (impact to housing demand) is even more deficient. The EIR expressly <u>acknowledges</u> that the Project accounts for “20 percent of the overall cumulative housing demand,” even by the EIR’s underestimated figures regarding the number of new dwelling units that would be required by the new employees at Facebook. Even if this were accurate, however, the EIR cannot merely discount that the Project is responsible for <u>20 percent</u> of the cumulative impacts to housing demand. Stating that “additional residential development... <u>could</u> accommodate the demand for housing units from the cumulative employment-generating projects” does <u>not</u> align with CEQA. The DEIR fails to provide substantial evidence to support this finding. No evidence is provided to support the fact that the additional residential development “anticipated by ConnectMenlo” will actually be developed on a timeframe sufficient to support the housing required by the City’s population growth. Finally, a 20 percent contribution to cumulative impacts certainly should be considered a cumulatively considerable impact.</p>
		<p>The cumulative analysis <u>entirely</u> fails to analyze the cumulative impacts based on different income levels. Saying that the Project and cumulative housing demand fits within the RHNA allocation does not address the potential environmental impact of the new housing demand for different income levels.</p> <p>The EIR is <u>incorrect</u> in stating that “housing affordability is an important consideration... but is considered to be a socioeconomic issue that need</p>

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		<p>not be evaluated under CEQA.” This fails to acknowledge that if housing at various income levels does not exist, then housing will need to be built. If a project will create jobs that in turn will require housing to be built, the impacts of the need to construct housing and associated infrastructure is a cognizable environmental impact. The EIR must analyze these potential impacts in more detail.</p> <p>Moreover, the DEIR for the General Plan Update finds that implementation of the General Plan in combination with cumulative projects would result in a significant and unavoidable impact to population and housing. The DEIR for the General Plan states that ABAG is updating its regional growth projections and that the impact will be less-than-significant once the regional growth projections include the growth projections from the Menlo Park General Plan Update. It does not make sense that the Facebook DEIR concludes that there is a less than significant cumulative impact even though the ABAG Projections do not include either the Facebook project or the General Plan Update.</p>
Public Services	3.13-13 and 3.13-14	<p>As with the Population and Housing section discussed above, the DEIR is flawed because it uses an incorrect percent to determine the increased number of new residents generated by the Project. As stated in footnote 58 on page 3.13-13, while approximately 7.6% of all Menlo Park residents also work in the City, the DEIR is assuming that only 4.8% of employees generated by the Facebook project will live in the city. Consequently, the DEIR assumes that there will be only 457 new residents rather than 722 residents.</p> <p>This flawed assumption results in an underestimation of impacts to public services, including, specifically, fire and police services. With respect to police services, use of the more appropriate percent further diminishes the ratio of the number of sworn officers per 1,000 residents down to 1.06. The DEIR already notes at least three new additional officers would need to be hired to maintain the current ratio; this is only exacerbated when the correct figures are used to determine the Project’s impacts on police services.</p>
Public Services	3.13-20	<p>The analysis of cumulative police services impacts is equally flawed. The analysis <u>concedes</u> that with the inclusion of the Facebook project (and even using the flawed percent as noted above), cumulative impacts to police services will result in a ratio of .96 officer to every 1,000 residents, which is below the service ratio threshold of 1 officer per 1,000 residents. The DEIR further acknowledges that in order to maintain the current service ratio of 1.14 officer/1,000 residents, additional police officers would be required and <i>additional physical facilities would be required</i> – a clear impact under CEQA, which focuses on physical impacts caused by projects. But, the DEIR incorrectly asserts that there is a less than</p>

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		<p>significant impact because “MPPD would prefer to maintain a ratio of one sworn officer per 1,000 residents.” First, the cumulative analysis demonstrates that the project plus cumulative development would result in less than one officer per 1,000 residents and thus the threshold would be exceeded. Second, the DEIR appears to be suggesting that residents and visitors to the city should not continue to enjoy the current, baseline conditions, which provide additional police services beyond the stated threshold. In other words, the DEIR appears to suggest that the adverse, cumulative impacts are beneficial because they lower the ratio of police officers to service population. This is not only illogical but it is an unsupported approach under CEQA.</p> <p>In short, the cumulative impacts analysis demonstrates that there is a significant, adverse impact to police services requiring additional physical facilities, yet the DEIR fails to properly classify the impact as significant and fails to propose any mitigation, in clear violation of CEQA.</p>
Utilities and Service Systems – Water	3.14-20 through 3.14-21	<p>The analysis of the Facebook project’s water demand is incomplete because it fails to account for the proposed hotel use on the site. The analysis accounts only for new workers in the office buildings (6,400) and new workers in the hotel (150) but fails to account for any guests in the hotel. As stated in the Project Description, the hotel would include a 200-room, limited service hotel with office space, food and beverage areas, a fitness room, pool, and deck areas. Plainly, hotel guests will use water over and above that used by hotel workers, yet the DEIR fails to account for any such use. As a result, the Project’s water demand is understated.</p> <p>Moreover, the DEIR cherry-picks when it assumes that no employees currently work at the site and, in the case of water supplies, takes credit for existing uses in order to understate the Project’s water demands. For example, in discussing solid waste, the DEIR states that it “assumes that no employees currently work at the Project site; therefore, it is assumed that no solid waste is currently generated at the Project site.” (DEIR, p. 3.14-28.) Yet, in discussing water demand, the DEIR states that the total existing annual water use is 58 mg, and therefore essentially takes credit for that use in concluding there will be a net annual water demand of only 30 mg (rather than the Project’s stated demand of 88 mg). The DEIR cannot vary its approach from one section to another in order to avoid full disclosure of the Project’s impacts. The water analysis should be revised to assume, as is done with solid waste, a baseline of no current use and thus a Project-related water demand of 88 mg.</p>
Utilities and Service Systems – Water	3.14-20 through 3.14-26; 3.14-31	<p>The DEIR’s analysis of impacts to water supplies is significantly flawed and fails to acknowledge or attempt to mitigate the Project’s adverse impacts. Table 3.14-8 shows that in every single measured year, there will be a water supply shortage in all but “normal” rain years. As is evident from</p>

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		<p>the Governor’s drought-related proclamations, California in recent years has experienced several dry years resulting in water shortages. The data in this Table, taken from the Project’s Water Supply Assessment Study (WSA), plainly shows that the Project will have a significant, adverse impact on water resources.</p> <p>Despite this, the DEIR states that MPMWD has developed a Water Shortage Contingency Plan which “identifies ways in which MPMWD can reduce water demands up to 50 percent....” The DEIR then assumes, without any basis, that unstated measures from this Plan will reduce the total future potable water demand within the MPMWD service area, and therefore the Project will not create any impacts. There is simply no support for this conclusion. The DEIR (and the WSA) fails to discuss any of the purported measures or explain how they will achieve a 50% reduction in water demand. Accordingly, the conclusion of a less than significant impact is wholly unsupported.</p> <p>In addition, the DEIR (p. 3.14-25) states that if Menlo Park develops recycled water supplies or individual projects within the city implement onsite water recycling, future demand will be decreased. Any such projects are speculative, not discussed in the DEIR, and therefore cannot be considered as a reliable source of potential future water.</p> <p>The DEIR’s analysis of cumulative impacts is similarly flawed, and is based on the same deficient analysis which assumes, without support, that additional supply options would be created such that increased demand would be adequately addressed. There is no support for this conclusion.</p>
Other CEQA Considerations – Growth-Inducing Impacts	4-3 through 4-5	This section is based entirely on the analysis in Sections 3.1, Land Use and Planning, and 3.12, Population and Housing, and is deficient for all of the reasons stated above in these comments on those sections.
Alternatives	Chapter 5 – General	The alternatives analysis is fundamentally flawed in that it only analyzes one alternatives in addition to the mandated no project alternatives. CEQA requires that an EIR analyze a reasonable range of potentially feasible alternatives. (14 Cal. Code Regs 15126.6 (a).) The range presented should allow for consideration of various ways to address potential environmental impacts of the project, and allow for informed decisionmaking. Considering only 1 alternative plus the no project alternative does not present a reasonable range. The analysis
	5-2	In addition to analyzing additional alternatives, the alternatives chapter must be updated to take into account the revisions to the DEIR required to address the specific comments and defects identified in the comments for each of the specific topical sections in the EIR, including but not

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		limited to housing and population, water supply, and transportation and traffic. Specifically, the Project-Level Impacts and Cumulative Impacts sections of the Alternatives Chapter must be updated. A revised DEIR incorporating the required analysis must be recirculated for further public reviews.
	5-3	The DEIR states that “an approximately 30 percent reduction in daily trips and employees would be necessary” to minimize impacts related to transportation, air quality, and GHG emissions. However, none of the traffic impacts analyzed in the Transportation and Traffic section are based on daily trips. The trip caps only apply to peak hour trips. Thus, the alternative should look at a 30% reduction in peak hour trips, not daily trips.
	5-3; 5-5	The No Project Alternative description states that existing buildings 307-309 would not be occupied. The fact that discretionary approvals may be required does not warrant an assumption that the buildings would remain vacant.
	5-7	The analysis states that alternative development scenario alternatives were considered but rejected. One of the bases on which other development scenarios are deemed infeasible is that such uses would be inconsistent with applicable zoning and general plan land use designations. This basis for rejecting other scenarios fails to acknowledge that the proposed project requires changes in land use regulations with respect to building height and to allow the currently prohibit hotel use. The fact that the project includes land use regulation changes demonstrates that other development scenarios that would require similar land use changes are potential feasible, and surely feasible enough to warrant analysis in the alternatives section.
	5-15	The transportation and traffic discussion of the Reduced Intensity Alternative is not correlated to the thresholds of significance provided in Section 3.3. Thus, there is not a sufficient basis in the alternative analysis to compare the project impacts to those of the alternative. Further, there is no discussion or analysis of impacts to local bicycle and pedestrian facilities at all. Therefore, there is no basis for the conclusion in Table 5-3 that impacts would be less than significant with mitigation.
	5-15	The Reduced Intensity Alternative results in significant unmitigable cumulative impacts, however, Table 5-3 states that cumulative impacts are less than significant. The table misrepresents the true scope of impacts associated with the alternative.
	5-28	<p>The discussion of population and housing growth are limited to impacts in Menlo Park, and the significant impacts to surrounding communities such as East Palo Alto are not sufficiently analyzed here. The same defects identified for the population and housing analysis of the project apply in equal force to the analysis of the Reduced Intensity Alternative.</p> <p>This analysis also must be expanded to analyze the job-housing</p>

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		<p>imbalance, where 95% of the employees will be expected to live outside of Menlo Park. The project only exacerbates the existing pressures on other cities to provide housing for the region, and in particular impacts East Palo Alto due to the housing affordability as compared to other parts of the region.</p>
	5-29	<p>The discussion of school impacts is limited to schools in Menlo Park. This analysis must be revised to include the school impacts associated with population growth and housing demand in areas outside of Menlo Park.</p>
	5.32	<p>Table 5-3 is of little value in comparing the impacts of two studied alternatives to those of the Project. The table must be revised to disclose whether the impacts of the two alternatives are less than, similar to, or greater than those of the project.</p> <p>In addition, the conclusions regarding the Reduced Intensity Alternative's impacts on that intersections, routes of regional significance, local transit systems, bicycle and pedestrian facilities, and cumulative impacts are not supported by the alternatives analysis. When an adequate analysis is conducted, it is expected that there would remain significant unavoidable impacts to intersections; transit, bicycle and pedestrian facilities due to TDM measures that will encourage greater use of these modes; and cumulative impacts.</p>
	General	<p>Additional alternatives that are sufficiently feasible to warrant analysis include:</p> <ul style="list-style-type: none"> a) Vertical Mixed Use Alternative. This alternative would incorporate residential uses into the proposed mix of uses on the site. This is a potentially feasible alternative because it, like the proposed project, could include changes in land use regulations to allow residential use of the site, much like the current project seeks zoning changes to allow the hotel and building height. The DEIR asserts that a land use covenant prevents development of the site for residential uses. However, this constraint could be addressed through either additional cleanup of all of a portion of the site to enable use for residential purposes, or potentially through a DTSC variance process, as envisioned by Section 6.1 of Tyco Electronics Corporation Covenant to Restrict Use of Property referenced, but not included, in the DEIR. As such, mixed use project is potentially feasible, and warrants analysis as it would address transportation and traffic impacts, GHG impacts, and air quality impacts by cutting down on vehicle trips. Further, it would address the jobs /housing imbalance as well as help address housing impacts and reduce the pressure on the housing in surrounding cities including East Palo Alto. A mixed use project could be designed to meet the project objectives, thus rejecting this alternative on the ground that it would not meet project

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		<p>objectives is unavailing.</p> <p>b) Horizontal Mixed Use Alternative. For the same reasons set forth above regarding a Vertical Mixed Use Alternative, a Horizontal Mixed Use alternative could be explored, where by only a portion of the site may require cleanup sufficient to allow residential uses on the site. With appropriate land use regulation changes, this type of alternative could be designed to meet the project's objectives.</p> <p>c) Residential Development Alternative. For the same reasons set forth above regarding a Mixed Use Alternative, a residential development alternative is also sufficiently feasible to warrant analysis because it would reduce traffic, air quality, GHG, and housing and population impacts of the Project. Even though it may not meet many of the project objectives, it would provide a meaningful comparison for the decision makers, in particular with respect to the changes in land use regulations that are sought as part of the Project.</p>
Transportation & Traffic	General	<p>The trip cap analysis only addresses peak hour traffic by shifting trips out of the peaks. The trip cap does not limit the daily trips. Thus, there will be a significant increase in non-peak hour trips. Buildings 20 through 23 will account for 26,537 daily trips, with only 6,200 trips during the peak hour. Therefore, approximately 20,300 trips would occur in the non-peak hours. Even under an unreasonable assumption that the trips would be spread out over the remaining 22 hours of the day, there would be 923 trips per hour. Under a more reasonable assumption that most of the trips would occur over a 14 hour period from 6am to 8pm, and deducting the peak hours, the project will result in 1692 trips per hour, or 28 trips per minute. The per hour trips would likely be even higher in the periods surrounding the peak hour periods. The non-peak hour impacts are not adequately assessed or disclosed by this analysis.</p>
General Comment and Alternatives		<p>The DEIR should take into account the environmental justice issues that the proposed project presents. Although CEQA does not require the analysis of social and economic impacts per se, CEQA does require the analysis when physical impacts on the environment will occur. In that context, the DEIR must consider the impacts of the project on affordable housing in East Palo Alto and the Belle Haven neighborhood. Further, the environmental impacts from traffic, site remediation, air quality, and construction, among others, on the socio-economically disadvantaged populations must be considered. As noted in other comments, the impacts to affordable housing alone warrants further consideration of alternatives and mitigations that would avoid or lessen the impacts on human beings. CEQA's legislative intent includes that "...major consideration is given to preventing environmental damage while</p>

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		<p>providing a decent home and satisfying living environment for every Californian." Pub. Res. Code Sec. 21000 (g).)</p> <p>Further, in the context of overriding significant and unavoidable impacts, the benefits of the project must be found to outweigh the project impacts in order to approve the project. In this case, the project as proposed appears to substantially benefit Menlo Park, while the burdens fall on the neighboring communities saddled with impacts including but not limited to affordable housing, traffic, noise, air quality, greenhouse gas emissions, hazardous materials, and construction impacts. If nothing else, the benefits of the project must be shared more widely with the impacted neighboring communities.</p>
Keyser Marston Displacement Analysis dated June 14, 2016	1	<p>The Evaluation states: "Housing affordability and neighborhood change are socioeconomic issues and not a physical impact to the environment and are therefore reviewed separately from the EIR." This statement fails to acknowledge that housing demand and housing affordability generated by a project may necessitate the construction of new housing, in which case there <u>is</u> a physical impact to the environment, which must be analyzed in the EIR.</p> <p>The Evaluation was released on the City's website only <u>after</u> the release of the Draft EIR. The Evaluation should have been included in the DEIR for public review and comment. The information in the Evaluation relates directly to the housing demand generated by the Project and the potential for the Project to necessitate construction of new housing, especially new affordable housing.</p> <p>The Evaluation includes significant new information that was essentially added to the DEIR after public notice was given regarding the availability of the DEIR. Releasing the Evaluation belatedly deprives the public of a meaningful opportunity to comment upon a substantial environmental effect of the project – i.e., potentially significant impacts to population growth and housing demand, which necessitates the construction of additional affordable housing.</p>
	6	<p>The Evaluation acknowledges that land use changes under consideration in Menlo Park might allow for up to 4,500 units in the City's industrial district, 3,500 of which would be on Facebook's properties. As the Evaluation states, by increasing the desirability of the area as a housing market, these land use changes could contribute to long-term neighborhood change, increased pressure on housing markets, and an increase in the need for affordable housing. Again, this is significant new information that should have been analyzed in the cumulative impacts section of the DEIR and made available for public review.</p>
	19	<p>The Evaluation appears to rely on figures based on numbers of <u>direct</u></p>

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		<p><u>employees</u> of Facebook. The Evaluation states that there are 7,475 employees at the existing Facebook campus. The Evaluation also states, however, that "data for contract employees has not been provided." In contrast, the Project Description of the DEIR (p. 2-2) suggests that the existing Facebook campus has roughly 9,400 employees in existing Buildings 10-20 (6,600 + 2,800 = 9,400). This discrepancy needs to be explained.</p> <p>If there are actually 9,400 employees at the existing Facebook campus, then the Evaluation's use of 7,475 as the number of existing employees is inaccurate. The DEIR does not explain this discrepancy. Also, all of these figures seem to ignore the employees in Building 23.</p> <p>The DEIR also fails to provide substantial evidence to support the use of information based on <u>direct</u> employees only. How accurately do the percentages for direct employees represent the entirety of the Facebook community with respect to their choice of residential location? How many contract employees are there at Facebook? How many of the new 6,550 employees will be direct employees and how many will be contract employees? Without additional information, the DEIR does not provide a reasonable basis to support the use of these figures as basic assumptions for the projections about future housing demand generated by the Project.</p> <p>Furthermore, the discussion in the Evaluation describes the 7,475 employees as the total number of employees, which excludes potentially 2,000 existing workers. Do the 6,550 new employees projected to be generated by the Project include contract employment positions that will be generated by the Project? The DEIR fails to discuss the distinction between contract workers and direct employees, and potentially underestimates the number of new employee positions being created since it does not appear to include new contract employment positions that might be generated by the Project.</p> <p>The general public must be provided an opportunity to comment on this new significant information. Recirculation would be required in this instance.</p>
	20	<p>The Evaluation states that Facebook offers a cash incentive for employees who rent or purchase a resident within a 10-mile radius of the headquarters campus. This presents significant new information that was not included in the DEIR, and needs to be analyzed in relation to the projections regarding population growth and new housing demand in specific geographic locations. In order to comply with CEQA, the public must have an opportunity to comment on the potentially significant impacts resulting from these types of incentive programs and the potential effect of this type of program on housing patterns and housing</p>

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		<p>demand.</p> <p>The Evaluation notes that Facebook plans to exclude East Palo Alto, Belle Haven and North Fair Oaks from its relocation program, but this then begs the question of what the effect of that restriction would be on other types of neighborhoods. The DEIR must analyze the potential impacts of these types of programs, and the public must be given an opportunity to comment on the potentially significant impacts on housing demand.</p>
	20	<p>As mentioned previously, the Housing Needs Analysis does not support the use of a County-wide “worker per household” figure in calculating the number of new households generated by a single project. The DEIR falsely concludes, based on a county-wide figure of 1.8 workers per household, that 6,550 new jobs at a <i>single</i> employer (i.e., Facebook) only creates the need for 3,638 new units within commuting distance. This assumes that almost every new Facebook employee will live with another new Facebook employee, without providing any support for why this assumption would be true. The application of this assumption drastically underestimates the housing demand generated by the Project.</p> <p>In turn, using this figure as the basis for the discussion in the Evaluation underestimates the direct housing demand created in East Palo Alto and the Belle Haven neighborhood. The DEIR needs to use a more appropriate figure to determine the number of new households generated by the Project, and needs to support the use of the particular figure. The revisions to the DEIR that would result would drastically change the conclusions and result in significant impacts to population growth and housing demand, which will require recirculation.</p>
	21	<p>The table on page 21 appears to separate housing demand from the project into direct employees and contract employees. It cites to the Housing Needs Analysis and Table 8 for this information, but neither Table 8 nor the DEIR refer to contract employees. This distinction between direct employees and contract employees needs to be explained.</p>

Attachment #6. Letter Paul Krupka



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RE: REVISED Draft Comments on Transportation and Circulation Section of
Facebook Campus Expansion Draft Environmental Impact Report (DEIR)
(May 2016)

Dear Guido:

This REVISED draft letter presents my comments on the Section 3.3 Transportation/
Traffic of the DEIR for Facebook Campus Expansion (City of Menlo Park, May 2016).
It was prepared in accordance with my Agreement with the City of East Palo Alto
dated June 20, 2016.

I used the prefix "TT" for my numbered comments.

TT 1 - Page 3.3-8: The list of roadway segments appears to show only Menlo Park
roadway segments, whereas the study area intersections list (Page 3.3-6) shows all
study intersections in the study area, including ones in other cities. Please clarify and
provide rationale.

TT 2 - Page 3.3-12, under Transit Service: a map showing routes serving the Project
site would be very helpful to the reader. Also, in the subsequent discussions of
routes, are Redwood City Transit Center and Redwood City Caltrain Station the
same thing? Please clarify.

TT 3 - Figure 3.3-2: Class I path adjacent to Bayfront Expressway appears to be ON
the expressway and it is not. Please clarify.

TT 4 - Page 3.3-12, third paragraph, second to last sentence: to be consistent,
please cite the number of Baby Bullet trains that operate in each direction/peak peri-
od (the sentence only cites a number for northbound service). Please clarify.

TT 5 - Page 3.3-13, first paragraph describing study segments appears to discuss only Menlo Park roadways. See comment TT 1 above. Please clarify and provide rationale.

TT 6 - Page 3.3-13, under Intersection LOS Definitions: please clarify whether planning or operations procedures in HCM 2010 were used.

TT 7 - Page 3.3-15, under Exiting Conditions Intersection LOS Findings: please document sources of signal timing for non-Menlo Park intersections.

TT 8 - Page 3.3-16: 1) notes for Willow Road intersections reference "...southbound" approaches..." whereas this roadway is designated as East-West. Please clarify. 2) Regarding the last four University Avenue intersections in this list, the poor LOS and delay volumes there would suggest some explanation would be helpful. Please clarify.

TT 9 - Page 3.3-18, City Arterials, City Collectors, and Local Streets subsections refer to City of Menlo Park standards only, correct? Please clarify.

TT 10 - Page 3.3-19, Pedestrian and Bicycle Facilities: what is the source of these standards? Please clarify.

TT 11 - Page 3.3-19, VMT: is the dimension "VMT per employee" correct? Shouldn't it be "VMT per capita"? Please clarify.

TT 12 - Page 3.3-19, under Menlo Park Model: this section provides some information about the model and how it was refined for this study; however, it does not provide any actual data reflecting the model structure, which would be very useful to the reader to interpret the project population and employment by TAZ. Please clarify what information is available.

TT 13 - Page 3.3-20, under Dynamic Traffic Assignment: please document the "base" C/CAG trip tables and the "revised" trip tables that were used in the DTA peak hour model.

TT 14 - Page 3.3-20, in paragraph two under Dynamic Traffic Assignment there is reference to "...VMT information for the entire trip length required by SB 743 guidelines..."; please clarify whether this is "required" in SB 743 law or is a proposed procedure in the OPR Guidelines issued in January 2016.

TT 15 - Page 3.3-21, under Approved Trip Generation for Existing Facebook Buildings: please cite source of approved trip caps enumerated; and cite source of existing traffic generation counts for existing buildings at both campuses.

TT 16 - Page 3.3-22, under Traffic Volume and LOS: if existing daily traffic volumes on study street segments are important to the analysis, why are they not documented in the main body of the report (instead of referring the reader to the appendix)? Please clarify. *This comment applies to all sections referencing daily traffic volume as a performance measure.*

TT 17 - Page 3.3-23: 1) notes for Willow Road intersections (at Bay and Newbridge) reference "...southbound" approaches..." whereas this roadway is designated as East-West. Please clarify. 2) Regarding the five University Avenue intersections near the bottom of this list, the poor LOS and delay volumes there would suggest some explanation would be helpful. Please clarify.

TT 18 - Page 3.3-27, Table 3.3-6: Please confirm that the "Net Vehicle Trips with Project" were applied as Project trip generation.

TT 19 - Page 3.3-28, under Peak-Hour Traffic Volumes, fourth paragraph: this states that the MPM model was used to estimate net change in peak hour intersection volumes. One can infer that the MPM simply is a traffic calculation tool that assigns the Project trip generation to local intersections. Doesn't the MPM use population and employment to develop travel demand estimates? Please clarify how the MPM model used Project trip generation to derive net Project traffic changes at intersections. Also, it would be extremely useful if there were Project traffic figures showing just the Project traffic turning movements (traffic assignments) at intersections. This would allow the reader to determine the relative change in traffic due to the Project. Please comment.

TT 20 - Page 3.3-29: 1) notes for Willow Road intersections (at Bay and Newbridge) reference "...southbound" approaches..." whereas this roadway is designated as East-West. Please clarify. 2) Regarding the University Avenue intersections near the bottom of this list, the poor LOS and delay volumes there would suggest some explanation would be helpful. Please clarify.

TT 21 - Page 3.3-31, last paragraph discussing mitigation measures (*this applies to all discussion in the Transportation/Traffic section of resulting intersection conditions after mitigations*): the intersection delay conditions - and resulting impact status - are generally discussed but not documented in detail by intersection, which does not allow the reader to review the analysis results. Please clarify and justify the rationale for this.

TT 22 - Page 3.3-32, under TRA-1.1: why does this sub section discuss Mitigation Measure TRA -1.1 and TRA-1.2 before Impact TRA-1.2 is even defined? Also, the resulting mitigated conditions should be documented for all mitigations as mentioned in TT 21 above. Please clarify.

TT 23 - Page 3.3-37, under j. University Avenue and Woodland Avenue (#57), second paragraph: "recommend" in the second sentence should be "recommended" correct? Please clarify.

TT 24 - Page 3.3-41, Table 3.3-9: please cite the source of the ITE Trip Generation Rates (edition, year).

TT 25 - (no page reference): there is no mention of impacts to emergency vehicle travel. Wouldn't the poor conditions existing and projected potentially impact the ability of emergency vehicles to transit the study streets? Please clarify.

TT 26 - Page 3.3-48 & 49: 1) notes for Willow Road intersections (at Bay and New-bridge) reference "...southbound" approaches..." whereas this roadway is designated as East-West. Please clarify. 2) Regarding the University Avenue intersections near the bottom of this list, the poor LOS and delay volumes there would suggest some explanation would be helpful. Please clarify.

TT 27 - Page 3.3-51 & 52: see TT 26 above.

TT 28 - Page 3.3-61: See TT 26 above (regarding part 1), only Willow/Bay has the "southbound" reference).

TT 29 - Page 3.3-40, Table 3.3-7: How will the estimated 28% reduction in peak hour vehicle trips (shown in Table 3.3-7, page 3.3-40) be accomplished under Mitigation TRA 1.2? The resulting reductions in Net Peak-Hour Vehicle Trips with Mitigation TRA 1.2, cited in Table 3.3-8 as 76% reduction in the a.m. peak hour and 91% reduction in p.m. peak hour, are exceptionally high for a suburban environment. This calls into question the estimated "mitigated" conditions at all off-site intersections, including those in East Palo Alto. Please provide detailed procedures and calculations, including justification based on existing Facebook site vehicle trip counts.

I suggest we discuss these and other comments as needed so you have ample information to write the City's formal comments.

Please call me if you have any questions or other requests.

Sincerely,
KRUPKA CONSULTING

Paul J. Krupka, P.E.
Owner

cc (by email only):
Sean Charpentier, City of East Palo Alto
David Snow, Richards|Watson|Gershon



CITY OF EAST PALO ALTO
OFFICE OF THE CITY MANAGER
2415 UNIVERSITY AVENUE
EAST PALO ALTO, CA 94303

July 11, 2016

Kyle Perata, Senior Planner
Community Development Department
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Subject: Facebook Campus Expansion DEIR State Clearinghouse #2015062056

Dear Kyle Perata:

Please add this to our comments. This is the cover letter from Richards, Watson, & Gershon that should have accompanied the table in Attachment #5 (Letter from Richards, Watson, and Gershon) of the comment letter submitted today.

Thank you,

Sean Charpentier
Assistant City Manager
(650) 833-8946
scharpentier@cityofepa.org



RICHARDS | WATSON | GERSHON

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July 11, 2016

David M. Snow
dsnow@rwglaw.com

VIA U.S. MAIL

Sean Charpentier, Assistant City Manager
Guido Persicone, AICP, Planning Manager
City of East Palo Alto
1960 Tate Street
East Palo Alto, CA 94303

Re: Review of City of Menlo Park Environmental Impact Report for Facebook
Campus Expansion

Dear Mr. Charpentier and Mr. Persicone,

Richards, Watson & Gershon (“RWG”) is pleased to assist the City of East Palo Alto in reviewing the Environmental Impact Report for Facebook’s application to expand its campus (the “Facebook EIR”) in the City of Menlo Park (“Menlo Park”).

In reviewing the Facebook EIR, we have a number of concerns regarding the document’s accuracy and adequacy, which are set forth in the table attached to this letter. We believe that before the City of Menlo Park could certify the EIR substantial revisions are necessary and recirculation of a revised Draft EIR for further public review and comment is required.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

David M. Snow

cc: Valerie Armento, Interim City Attorney