



## CITIZENS COMMITTEE TO COMPLETE THE REFUGE

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January 30, 2012

Rachel Grossman, Associate Planner  
City of Menlo Park  
Community Development Department, Planning Division  
701 Laurel Street  
Menlo Park, CA 94025

### **RE: Comments, DEIR, Facebook Project**

Dear Ms. Grossman:

The Citizens Committee to Complete the Refuge (CCCR) is pleased to have this opportunity to provide comments for the Draft Environmental Impact Report (DEIR) for the Menlo Park Facebook Campus Project (Project). Our organization has its roots in the citizens who led the campaign that founded the Don Edwards San Francisco Bay National Wildlife Refuge (Refuge). For the decades since, we have been active pursuing Refuge expansion and the protection of its habitats and wildlife and that of the threatened and dwindling wetlands of the Bay and beyond. Among these activities is sustained, close involvement with the South Bay Salt Pond Restoration Project (Restoration Project). It is this background that is a basis for our interest in the Project.

It is hoped that you will find this comment letter helpful toward improving the DEIR. The comments first address issues of document preparation and the public process and then content topics, providing actions of importance in conclusions drawn.

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) ISSUES**

**Segmentation or Piecemealing:** It is apparent that Facebook's decisions and actions prompting the Project are intended to provide a united physical basis in which its employees can work together as closely as possible. As public tours on the East Campus demonstrated, the concept is to provide workspace that is as open and continuous in layout. Externally, with the use of the tunnel, the Project further provides for physical integration of its campuses. It can be anticipated on a daily basis that, upon buildout, there will be a steady flow of employees and consultants/service providers between the campuses and, on occasion, parties or other events that bring exceptionally large groups of employees together on a single location of the property involved.

These obvious intentions prompt consideration of the following CEQA definitions:

(14 CCR § 15378)

*“Project” means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment...”*

*“The term “project” refers to the activity which is being approved and which may be subject to several discretionary approvals by governmental agencies. The term “project” does not mean each separate governmental approval.”*

To treat this Project as a non-continuous endeavor effectively segments or piecemeals under CEQA such that the extent of impacts can neither be known nor addressed. Further, the Project’s dependence on multiple discretionary approvals cannot be treated as separate actions. The Project need to increase the density of use on the East Campus over prior use and to redevelop the West Campus, actions requiring several discretionary approvals, cannot be used as a basis for the segmenting actions proposed.

CONCLUSION: The DEIR needs revision to represent the “whole” of the Project

**Inadequate and/or inaccurate information:**

It is of great concern that the DEIR’s investigation and discussion of Biological Resources is highly inadequate. A directly related concern is the inaccurate and inadequate discussion of the Project’s potential impacts on the Refuge and the Restoration Project which led to overlooking consideration of those entities in multiple sections such as Land use, Aesthetics, Air quality, Noise, Biological resources, Geology and Soils, Hydrology, Hazardous materials and Public Services. A further consequence is the omission of discussion of these same two entities regarding Cumulative Tier 2 Impacts.

More generally and of like concern it is noted that section after section of the Environmental Analysis shortcuts and minimizes analysis of the East Campus, limiting information that would otherwise have been made available.

In CCCR’s comments responding to the Project’s Notice of Preparation, we urged the preparers to consult with both the Refuge and the Restoration Project, including contact information. While we understand there was some contact with the Restoration Project, there was no contact with the Refuge, the majority landowner and neighbor of the Project site. In the CEQA Guidelines, such consultation is supported in 14 CCR § 15083:

*” Prior to completing the draft EIR, the lead agency may also consult directly with any person or organization it believes will be concerned with the environmental effects of the project. Many public agencies have found that early consultation solves many potential problems that would arise in more serious forms later in the review process. This early consultation may be called scoping.”*

Further, in 14 CCR § 15125 (c,d), the Guidelines state:

*(c) Knowledge of the regional setting is critical to the assessment of environmental impacts. Special emphasis should be placed on environmental resources that are rare **or unique** to that region and would be affected by the project. The EIR must demonstrate that the significant environmental impacts of the proposed project were adequately investigated and discussed and it must permit the significant effects of the project to be considered in the full environmental context. (emphasis added)*

*(d) The EIR shall discuss any inconsistencies between the proposed project and applicable general plans, specific plans and regional plans. Such regional plans include, but are not limited to, the applicable air quality attainment or maintenance plan or State Implementation Plan, area-wide waste treatment and water quality control plans, regional transportation plans, regional housing allocation plans, regional blueprint plans, plans for the reduction of greenhouse gas emissions, habitat conservation plans, natural community conservation plans and regional land use plans for the protection of the coastal zone, Lake Tahoe Basin, San Francisco Bay, and Santa Monica Mountains. (emphasis added)*

It is apparent in the DEIR that the preparers did not have current maps of the Refuge or Restoration Project nor did they review related jurisdiction and completed environmental documents which directly relate to this Project. If they had, inadequate and omitted discussions mentioned above could have been avoided.

Without this information, the DEIR fails to inform its readers that the East Campus is surrounded to the east, north and west by federally-owned lands that are part of the largest urban National Wildlife Refuge in the nation and that all of the lands referred to as “salt ponds” are both part of the Refuge and a federal/state Restoration Project that is the largest of its kind west of the Mississippi River. It did not review and discuss the contents of the Restoration Project’s final EIS/EIS (Record of Decision 1/27/09) which specifically discusses plans for wildlife habitats, public access and flood management involving lands surrounding the Project. It did not investigate Refuge wildlife policies and federal jurisdiction nor Refuge public use programs.

Both the Restoration Project and the Refuge are managed by public agencies with rich resources of staff and studies that represent the best expertise available on the Bay wildlife and wetlands that surround the Project. The DEIR, in its very limited Biological Resources review, makes no effort to accurately assess the sensitivity of the surrounding wetlands or the long-term benefit of acting in concert with state and federal agencies to protect them. Notably, City of Menlo Park General Plan Policy I-G-8 states:

*The Bay, its shoreline, San Francisquito Creek and other wildlife habitat and ecologically fragile areas shall be maintained and preserved to the **maximum** extent possible. The City shall work in cooperation with other jurisdictions to implement this policy. (emphasis added)*

Given the extraordinary value that the Refuge and the Restoration Project bring to this shoreline, this City Policy is particularly significant.

**CONCLUSION:** It is evident that DEIR must be rewritten to correct its current inadequacy and related informational errors. To begin that activity, please see attached maps of the Refuge and the Restoration Project.

## **SPECIFIC COMMENTS ABOUT DEIR CONTENT**

**S.1 Project Overview and Project Location:** Most striking in this section is the astounding number of Traffic impacts that are classified as Potentially Significant and concluded to be “significant and unavoidable” after mitigation actions are considered and adjustments are made in the Reduced Intensity Alternative. It is most alarming.

Although it would not directly mitigate these impacts, pending final disposition of this CEQA process and if the Project is approved, we recommend that the Monitoring and Mitigation Plan call for a permanent Facebook partnership with the Refuge and the Restoration Project, particulars to be defined by the parties involved but designed for the long-term. An intent should establish a wetland and wildlife stewardship program of and within what would be the largest employer on Menlo Park's shoreline. As applicable, these activities can be extended to involve residents of nearby neighborhoods.

### **3.1 Introduction to the Environmental Analysis**

Environmental Baseline: In the DEIR's discussion of the Environmental Baselines, CEQA Guidelines section 14 CCR § 15125(a) is cited supporting certain conclusion regarding baselines. The DEIR argues that it is allowable that the East and West Campuses be judged on different timelines. As discussed previously in this letter, such action segments the Project.

CONCLUSION A: It inconsistent and inappropriate under CEQA to use multiple baselines.

Impact Evaluation for the East Campus: Prior discussion is also relevant to decisions discussed in this section to eliminate technical discussions regarding the East Campus i.e. Aesthetics, Wind, Cultural Resources and Biological Resources. The same decision was applied broadly in the document to abbreviate most technical discussion of the East Campus. Comments below will demonstrate how adequate discussions would have better informed the preparers and readers.

CONCLUSION B: As a "whole" project under CEQA, it was repeatedly inappropriate to exclude or limit the East Campus technical discussions.

Environmental Approach to Addressing Cumulative Impacts and Table 3.1-2: This discussion establishes the basis for assessment of cumulative impacts and identifies the entities that must be considered in that assessment and as classified as Tier 1 or Tier 2. The DEIR should have included the existing 1572 City acres of the Refuge (out of >30,000 acres on the Bay) and the same 1572 acres of the Restoration Project (out of 15,100 acres in the South Bay). Both entities operate under existing law and environmental documents. Further we note that recent changes in several plans indicate other Tier 2 changes. The Dumbarton Rail Corridor Project has recently been abandoned by the San Mateo County Transit Authority and should be removed from Tier 2. Through personal sources, it has been learned that Redwood City has halted all planning actions at the request of the sponsor of the Saltworks Project effectively putting that Project on hiatus.

CONCLUSION C: Tier 2 in should include both the Refuge and the Restoration Project.

CONCLUSION D: The Dumbarton Rail Project should be deleted from Tier 2 and the inclusion of the Saltworks project should be reviewed.

### **3.2 Land Use**

It is helpful in these comments to consider factors that are unique to the location of the Project and particularly the East Campus. That particular site, just outboard of its levees, is surrounded by terminal channels of Ravenswood Slough except along its immediate boundary with Route 84. These tidal channels are characterized by salt marsh habitats of varying quality. The Slough

is known habitat of the federally-endangered California clapper rail and is suitable habitat for several endangered mammals. Across the Slough in all directions, are lands of the Refuge that are subject to the Restoration Project. That project's goals are to provide wildlife habitat, public access and flood management, all with pertinent local planning. Much of the restoration local to the Project is dependent on realignment and construction of levee systems which will bring changes to this shoreline.

Looking further afield, the retired salt ponds near the East Campus are used by the threatened western snowy plover. The hundreds of acres of wetlands and the skies above, during migratory seasons, play host to resting and passing flocks. The San Francisco Bay is a critically important refueling location for untold thousands of birds and hundreds of species traversing the Pacific Flyway of the Americas and passing over the Project sites.

All in all, the Project exists in a extraordinary and significant conservation area. The Bayward projection of the East Campus has unique impact issues. The entire Project needs to identify and work with matters of land use consistency.

**CONCLUSION A: Omitted Land Use Considerations:** This section needs to consider the jurisdictional authority of the National Wildlife Refuge System Act of 1966 as amended (NWRSA). (<http://epw.senate.gov/nwrsa.pdf>) It should consider the Final EIS/EIR document of the Restoration Project. <http://www.southbayrestoration.org/documents/permit-related/> Additionally, and inclusive of all wetlands along the San Francisco Bay, the U.S. Fish and Wildlife Service (FWS) is currently developing the final version of the *San Francisco Bay Tidal Marsh Recovery Plan* (SFBTMRP). The draft version of that document is informative on the intentions and local targets of the Plan. (Contact Valary Bloom, Sacramento FWS Office, 916-414-6600).

**CONCLUSION B: Environmental impact LU-1:** This impact should be reevaluated to address consistency issues of the above law and plans.

**CONCLUSION C: Comparison of Project to General Plan Goals and Policies, Table 3.2-2:** Conclusions of the DEIR should be reevaluated in light of the above law and plans particularly in regards to General Plan Land Use Policies I-G-7 and I-G-8 and Open Space and Conservation Element Goals 3, 4, 7 and 12 (Policies 5, 6 and 7).

### **3.3 Aesthetics**

This section needs to be improved with the respect to appropriate presentation of the aesthetic relationship of the Project to the Refuge and Restoration Project Plan and per the Goals and policies of the General Plan.

In all instances salt ponds discussed are part of the Refuge, are part of an existing restoration plan and will improve the vista in the years to come. Views from the BCDC perimeter trail around the East Campus need to identify the adjoining "marshes" as channels of Ravenswood Slough. Additionally, this trail should be described as providing Refuge views.

**CONCLUSION A:** Descriptions throughout Section 3.3. need to be improved to correctly identify the Refuge and the nature of the surrounding wetland and trail vistas.

At some future date, all levees along the shoreline will need to be improved and some if not all may be realigned to allow for restoration and to prevent flooding due to sea level rise. Taller levees will alter viewscapes. A fact of interest is that preliminary plans of the South Shoreline Study by the US Army Corps of Engineers for Alviso propose 16' levees while the DEIR reports that the existing levees around the East Campus are ~9'.

**CONCLUSION B:** Current and future heights of levees should be described as they may improve or diminish vistas from various locations.

The DEIR text discusses several vistas from Bedwell Bayfront Park looking toward the Project, one lowland near Bayfront Expressway and one high point nearer to the Bay and with a better vantage point to see the Project. It is inappropriate that the photomontage included uses only the lowland view.

**CONCLUSION C:** A photomontage looking from the Bedwell Bayfront Park high point near the Bay looking toward the Project needs to be used in this analysis.

As will be discussed in more detail under Biological Resources, light angled skyward can confuse flocks of migratory birds and, when shed into nearby habitats, can expose nocturnal species, several of which are endangered, to predators. Similarly mitigation is needed to reduce the likelihood of avian collisions into windows.

**CONCLUSION D:** It is important that wildlife-safe actions be included in mitigation of light and glare. Please also see comments under Biological Resources.

**CONCLUSION E:** Cumulative Impacts, Tier 2: Discussion should be adjusted to include the Refuge and Restoration Project and wildlife-safe design of light and sources of glare.

### **3.5 Transportation**

As noted previously, transportation impacts of the Project are extraordinary resulting in impacts at numerous locations being classified as significant and unavoidable. Clearly approval of even the Reduced Intensity Alternative is at odds with the extent of these issues.

There is just one Transportation mitigation upon which this letter will comment. There is a proposal (TR-1C) to mitigate the Willow Road at Bayfront Expressway intersection by adding two lanes to northbound Willow, one right turn and one left turn lane. While the DEIR does indicate that these changes may not be feasible (Table 3.5-31), certain characteristics of the lands on the eastward side of Willow require consideration.

Land that lies between Willow Road and University Avenue along Bayfront Expressway includes wetlands that are held as compensatory mitigation, restored to protect habitat of the endangered salt marsh harvest mouse. This status raises major questions about feasibility and sensitivity to actions on adjoining lands including roadways.

Additionally expansion of that roadway needs to also consider historic uses of the site. It has been reported (informal, verbal) that that particular piece of land next to Willow Road was formerly used for a scrap yard at a time when such operations were not regulated. Any plan to

widen the roadway would need to investigate the land in question to determine if contaminants are present and, if so, what mitigation would be required.

**CONCLUSION A:** Impact TR-1C. Proposed mitigation would need to fully assess the environmental impacts of widening of the roadway as might involve intrusion into the land adjoining the roadway, encroachment on existing wetland mitigation protecting an endangered species and possible contaminant presence from historical use.

**CONCLUSION B:** There is text error that limited review and needs correction. The text in question included on page 3.5-84 under the heading *c. Willow Road and Bayfront Expressway*. Unfortunately, the text discusses the Marsh Road and Middlefield Road intersection and there is no discussion of the intersection in the heading.

### **3.10 Biological Resources**

As discussed previously, the DEIR analysis of Biological Resources is highly inadequate and, as a result, inaccurate. The information references that the section cites are limited to three database/on-line lists of listed species and one Atkins survey by unidentified staff of unknown qualifications. It states that the only purpose of the survey was to determine if there are any wetlands or habitats of listed species *on site*, excluding assessment of the location, quality and impact sensitivity of *adjoining* habitats.

Qualified study and analysis: There is no evidence that the preparers sought any information from resources with qualified biological expertise on Bay wildlife and wetlands and/or specific knowledge of this section of the Bay's shoreline. There is no apparent attempt to involve the exceptional expertise associated with the Refuge or Restoration Project or the numerous studies that are a direct result of the eight years of restoration activity.

**CONCLUSION A:** The DEIR must be improved through new and thorough analysis by (1) locally known, qualified experts and (2) research of studies that are substantial, directly applicable and locally-focused

Applicable Plans and Regulations: Land Use comments above mentioned three plans/regulations that should be listed in Biological Resources: Federal NWRSA and San Francisco Bay Tidal Marsh Recovery Plan (TMRP) and the State/Federal Final EIS/EIR for the Restoration Project.

The NWRSA is the organic law of the National Wildlife Refuge System conferring Federal authority to fulfill the breadth of the System's wildlife-first mission. This includes regulatory authority to ensure that wildlife and habitats on Refuges are protected. Strategically that authority is fulfilled through cooperative alliances with nearby landowners, operations and municipalities, as are also directed by the law. However, if events or conditions occur that threaten or harm wildlife or habitats, the Refuge, managed by the FWS, has authority to take corrective action. As the key issues of concern of the NWRSA are biological, this law needs to be listed in Biological Resources. It should be noted that CCCR's letter of 1/26/2011 made the same recommendation.

The TMRP is a document that has undergone >15 years of development by the FWS Sacramento office. Its detailed and lengthy draft document underwent an extensive public comment review

period about a year ago and is now undergoing modifications for the final publication. The need for this plan is justified by the 150 years of loss of tidal habitats in the Bay, estimated at a 85-90% reduction in tidal wetland acreage inclusive of all of the lands of the Project. The TMRP, even its draft form, includes extensive, detailed and locally-applicable biological information and is already being used as a reference for recovery/restoration plans. It should be used by this Project to analyze impacts and develop appropriate mitigation actions.

The Final EIS/EIR (2009) of the Restoration Project was the outcome of a large and intensive State and Federal collaboration of agencies, scientists, local government and the public. As a programmatic document, it laid out a progression of phased actions that include changes already occurring in Menlo Park and planned for the decades ahead. Its lead objective is to reestablish a variety of wetland habitats and to encourage the recovery and sustained success of both resident and migratory species. The Restoration Project continues to involve intensive scientific study and analysis, hosting several symposia that presented these findings, one held last year at the US Geological Survey facility in Menlo Park. In addition, the Restoration Projects actively incorporates findings of related Bay wetland science projects, enriching the basis for its decisions. This plan should be listed and utilized as a research resource of a rewritten Biological Resources section for this Project.

**CONCLUSION B:** The law and plans discussed above need to be listed and considered in the DEIR's Biological Resources analysis.

Descriptions of existing conditions: Unfortunately, descriptions of the surrounding wetlands, especially around the East Campus, include repeated descriptions that omit information or are inadequate or incorrect, undermining the quality of the analysis. These lands need to be described as to their ecological value or potential to wildlife and restoration as background against which impacts and mitigation can be determined. Such descriptions can be provided by qualified biologists familiar with wetlands of our Bay.

The description of *Wetlands and Other Waters of the United States* needs to identify the adjoining terminal channels of Ravenswood Slough as waters of the United States and as tidal in nature.

It is important condition too that the Project be described as located on a critical shoreline in the avian Pacific Flyway. It is not unusual, during migratory seasons, to find enormous flocks of birds resting and refueling in Bedwell Bayfront Park, an elevated landform jutting into the Bay, as well as in waters and Refuge lands surrounding the Project to the east, north and west. The East Campus also juts toward the Bay and directly adjoins bird-attractive habitats. This shoreline and the Bay as a whole provide the most important rest and refueling estuary on North American Pacific Coast. Together both campuses potentially impact migrating flocks with lighting and glare that can confuse, disrupt and potentially harm large numbers of birds.

**CONCLUSION C:** The descriptions of existing conditions in this section need to improved or corrected as described above and through qualified biological consultation.

This section's discussion of species of concern is superficial at best. The sensitive nature of the Project's location requires much better analysis.

An example of the difference good data can provide is the DEIR's discussion of the California clapper rail (CACR), federally-listed as endangered. The discussion cites the State Natural Diversity Database inclusion of two records of this bird within two miles of the Project. This flies in the face of the fact that CACR have been found in Ravenswood Slough and that Greco Island, bayward of Bedwell Bayfront Park and protected in the Refuge for ~38 years, has a relatively stable population of near 100 birds. This is a bird found only in Bay and nearby coastal tidal marshes that prefers first to walk, next to swim and lastly to fly. It is a bird that kicks its own fledglings out of its territory, forcing the young birds to traverse fringe marshes and mudflats in search of a new territory which, in the Project area, may be anywhere along Ravenswood Slough to its terminus at the East Campus.

Annually FWS biologists on Refuge staff conduct winter airboat surveys of CACR in the South Bay including the Menlo Park shoreline. Data from those other studies can inform this Project. Similarly studies of many other of the species mentioned are associated with the Restoration Project and provide more recent and accurate information with reference bibliographies that apply. Well-qualified biologists can help the Project ensure that high-value data is used.

CONCLUSION D: Discussions of listed species must be extensively rewritten and utilize a well qualified biologist to identify and use the most appropriate and relevant data.

CONCLUSION E: The Biological Resource impacts and mitigations need to be reviewed to add impacts and mitigations that address the following:

1. Avian predators may choose to perch or nest *throughout* the Project. In fact, the East Campus is closer to sensitive habitats and even more likely to be used by these predators. Mitigation should place perching and nesting baffles on *all* buildings and tall structures of the Project and select new or replacement trees that are low and broad in canopy, as already described for the West Campus.
2. Wildlife corridor or nursery site mitigation impacts need to address three new potentially significant impacts:
  - 2(a) Seasonal migratory flock confusion, disturbance and harm may occur due to light and glare impacts from the East *and* West Campuses. Mitigation should use qualified biological advice in associated design decisions.
  - 2(b) Light spillover into the sensitive wetlands adjoining the East Campus can be a significant threat to night creatures like the salt marsh harvest mouse and salt marsh wandering shrew, both federally listed as endangered and present in local marshes, by making them easy prey for owls, foxes, feral cats and others. This threat is not discussed or mitigated in the DEIR. New analysis is needed with a mitigation plan.
  - 2(c) The tunnel provides safe passage for predator threats (rats, raccoons, opossums, and feral cats) to endangered species (adults, young or eggs) that use or inhabit wetlands next to the East Campus. Mitigation should use qualified biological advice and could install cameras to monitor this mostly nocturnal activity and be used to alert appropriate animal control.

2(d) Either campus could provide safe harbor or nurseries for rats, raccoons, opossums and feral cats by site design or lack of routine monitoring of the campuses. Mitigation should use qualified biological advise to avoid creating or retaining such conditions and establish a monitoring action plan throughout the Project.

3. Migratory nesting birds may nest on either campus. Impact BR-4.1 needs to be expanded to apply to the entire Project.

4. Replacement landscaping on either campus needs to include consideration of the natural history of vegetation on the site, wetlands that had no trees, such that the Project addresses its role as a transition zone between shoreline and urban environments. Mitigation should require that City and consultant arborists should seek qualified ecological advice as a contributor to the final plan. It should be noted that Menlo Park has a Bedwell Bayfront Park revegetation project that is incorporating just such advisors.

5. Light and glare, as mentioned regarding Aesthetics, produce hazards to resident and migratory birds. Light projected skyward disrupts the passage of night fliers by altering their understanding of characteristics of the land below, information that they depend upon. Incidents are reported annually where hundreds of birds, flying in huge flocks, make fatal mistakes due to artificial night lighting. In daylight, glare or surfaces that appear transparent, mislead birds into collisions. It is essential that bird-safe criteria are sought from a qualified biologist and used to inform design on all new structures and changes to existing structures.

CONCLUSION F: Cumulative impacts must include the Refuge and the Restoration Project in their discussion and mitigation.

### **3.11 Geology and Soils**

It is great concern that geotechnical documentation prepared for the East Campus is considered irrelevant to this section (on the basis that there would be no ground disturbance) and was also omitted as an appendix. That data, combined with discussions in *3.12 Hydrology and Water Quality*, is relevant to understanding the potential of flood hazard on the East Campus that might be produced by seismic-induced levee failure. If there is data that demonstrates that there is no basis for this concern, then the DEIR had the responsibility to present and explain the basis of that conclusion. Notably Impact GS-1 regarding seismic impact on the East Campus, concludes that the hazard is not significant without discussion of seismic-induced levee failure. That conclusion and the data provided are inadequate for the information purpose of a DEIR.

CONCLUSION: The DEIR needs to be improved to provide data and discussion of East Campus geology and soils such that the impact of seismic-induced levee failure can be adequately analyzed and, as and if needed, mitigated.

### **3.12 Hydrology and Water Quality**

As in other sections of environmental analysis, again this section minimizes its review of the East Campus by minimizing discussion and not providing a hydrology study. It is the East Campus that bares the greatest potential for flood hazard resulting from seismic-induced levee

failure (see comment above) and/or overtopping due to sea-level-rise (SLR), particularly during a combination of winter's extreme high tides and low atmospheric pressure of oncoming storms.

It is important to recognize that the East Campus portion of the Menlo Park shoreline has *unique*, direct exposure to the tides and SLR. Ravenswood Slough channels surround the majority of this campus. The lack of thorough hydrology study means we do not know what grading slope exists on this campus, data needed to determine the direction of flow of water if there was a flood event from any cause. Would water that overwhelms storm drain capacity tend to pool on campus, be routed to drainage swales (if any) or flow out onto Bayfront Expressway and through the tunnel below?

The DEIR does report that the East Campus' levees were last improved 28 years ago to a height of 10' >msl. It also reports that subsidence or compaction has occurred in the levee such that at least some portions are down to 8.5' >msl although those levee sections are not identified. Compare this data with the DEIR's report that the East Campus' internal ground height is 9-13' >msl. Where is the discussion that interprets this data? Does the data indicate that there may be unchecked stormwater runoff over the levees into the marsh-lined slough channels, perhaps carrying pollutants directly into endangered species habitat? Or does it indicate locations where the levee could be overtopped by high tides? Or is there data not provided that can respond to every one of the questions raised here?

Mitigation measure HY\_2.1 calls for the preparation of supporting data regarding flood risk to the West Campus, including relevant hydraulic and hydrologic analyses. This suggests that proper analysis of flood risk to the West Campus has not been carried out and that mitigation measures shall be illegally developed outside the CEQA process. Prior to project approval, proponents should conduct a hydraulic and hydrologic study for the East and West Campus that fully considers the full extent of flood risk for the Project.

It is also evident the West Campus flood analysis provided in the DEIR is based on 100-year base flood elevations, which are maximum *still water elevations* for San Francisco Bay. This fails to fully address the potential for wave runup and amplification of tidal surges associated with sea level rise. Given the Project's close proximity to the Bay, potential for subsidence and liquefaction in the event of an earthquake, current analysis of the Project is wholly deficient to fully ascertain risk to human life and the surrounding environment.

Having direct exposure to the daily flow of Bay tides also means that the East Campus' levees, essentially built upon mounded Bay mud, can erode and weaken. What practices are in place or need to be established to monitor the condition of these levees and take maintenance action when/if needed?

Climate change is producing extreme swings of weather conditions. Perhaps not this year but extraordinary storms with greater water content will occur. When that happens, does the East Campus have capacity to contain storm water without overtopping levees into the Bay or, if storms occur during high tides, to contain some level of inbound overtopping? Will the waters simply pour out along Bayfront Expressway? The DEIR describes the Expressway as 7.5' above FEMA's base flood elevation, a height intended to provide one form of flood barrier for east Menlo Park developed areas. That height is based on a 2007 FEMA standard that has not been

revised to more recent BCDC-used projections for SLR. Does that mean that the 7.5' BFE is misleading as to the degree of protection it provides?

Even if the Expressway provides a barrier protecting east Menlo Park, what impact would water draining from a flooded East Campus *through storm drains* have on the drainage system serving the West Campus and nearby neighborhoods? What controls would be in place for flood waters that traveled through the tunnel to the other side of the Expressway?

Clearly there are many questions that arise from the failure of the DEIR to include adequate analysis of flood hazards on the East Campus at a time when the property has changed hands and when studies under prior ownership predate today's standards and conditions.

**CONCLUSION:** Comprehensive hydrology studies of the East Campus must be completed and used to assess impacts and develop appropriate mitigations./

Overall, the conclusion must be that the DEIR needs broad rework to address the CEQA issues of segmenting and inadequacy and to identify impacts and mitigation that would be suited to the Project as a whole and would adequately inform all affected and interested parties.

The CCCR is a 501(c)(3) nonprofit corporation established by citizens who led the efforts that founded the Don Edwards San Francisco Bay National Wildlife Refuge in 1972. Fully volunteer-run, it acts to ensure that the Refuge fulfills its Congressional acquisition authority to expand its land holdings to protect special and sensitive habitats and wildlife along the South Bay's shores. Very similarly, it acts on behalf of the continuous protection of the wildlife and habitats the Refuge must provide. Toward that same outcome the CCCR provides newsletters and sponsors workshops and youth wildlife programs.

With hope that comments provided here will receive all due consideration, please feel free to contact me at [wildlifestewards@aol.com](mailto:wildlifestewards@aol.com) or 408-257-7599 for any desired clarification.

Yours truly,



Eileen P. McLaughlin

CC: Florence LaRiviere, Chair, CCCR  
Carin High, Vice-Chair, CCCR  
Eric Mruz, Manager, Don Edwards San Francisco Bay National Wildlife Refuge  
John Bourgeois, Executive Manager, South Bay Salt Pond Restoration Project

ATTACH: US FWS 2009 map of the Don Edwards SF Bay National Wildlife Refuge  
South Bay Salt Pond Restoration Project 2003 Map

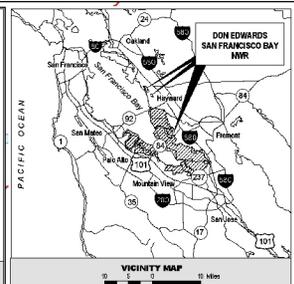
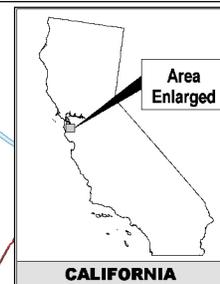
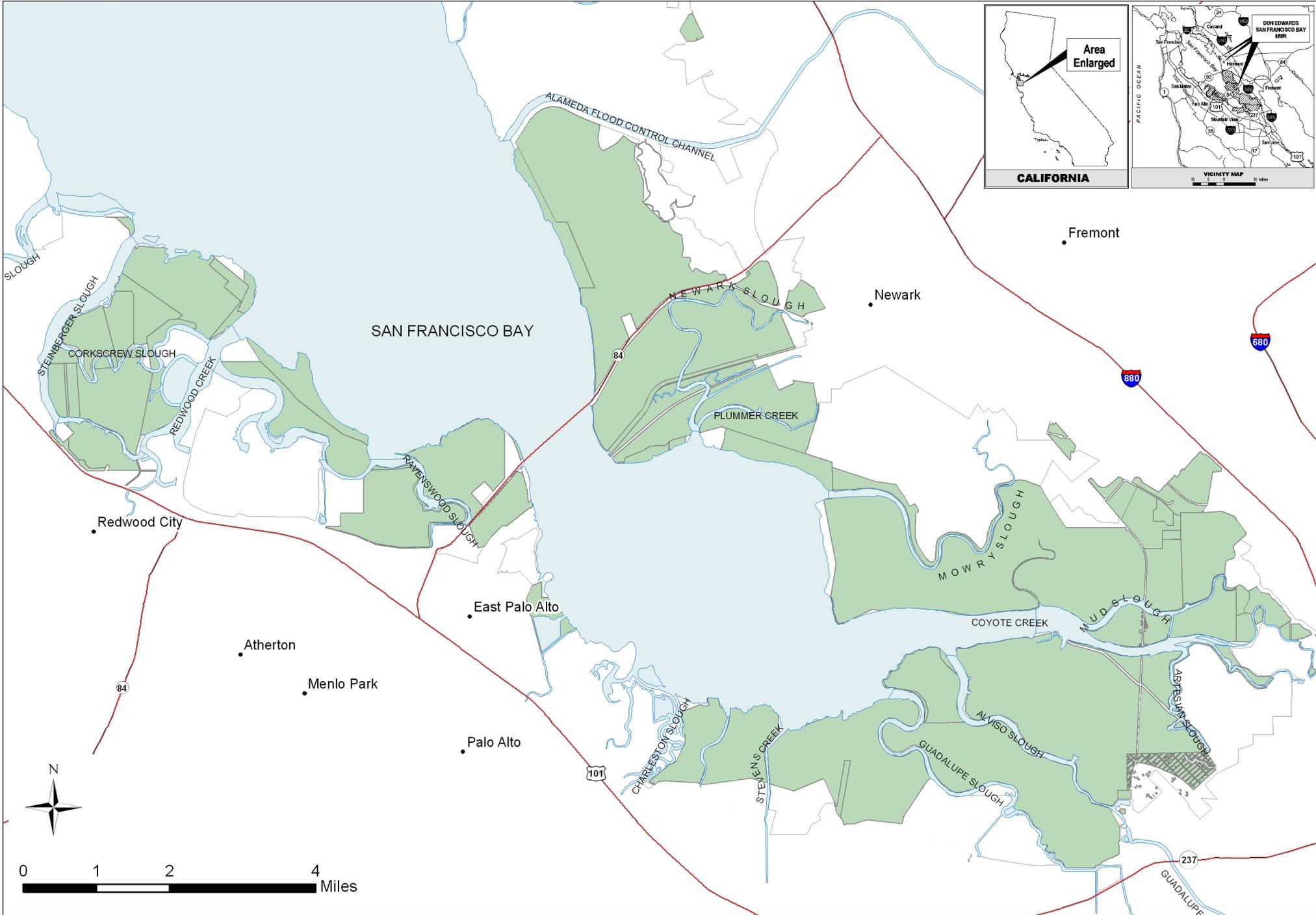


U.S. Fish & Wildlife Service

# Don Edwards San Francisco Bay National Wildlife Refuge

San Mateo, Alameda and Santa Clara Counties, California

Overview Map



# South Bay Salt Pond Restoration Project

## Legend

- 2002 Salt Pond Acquisition Area**
- California Department of Fish & Game
  - U.S. Fish & Wildlife Service
- Lands Retained or Sold to Other Entities**
- Cargill retains land for salt production
  - Cargill retains land for other purposes
  - Cargill has sold or proposes to sell to local government agencies
- Reference Features**
- Highways
  - Railroad
- 0 1,000 2,000 4,000 Meters  
0 1 2 4 Miles

