



CITIZENS COMMITTEE TO COMPLETE THE REFUGE

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Via Email

Kyle Perata, Senior Planner
City of Menlo Park
Community Development Department, Planning Division
701 Laurel Street
Menlo Park, CA 94025
Email: ktperata@menlopark.org

RE: Facebook Campus Expansion Project Draft Environmental Impact Report

Dear Mr. Perata:

The Citizens Committee to Complete the Refuge (CCCR) appreciates having the opportunity to comment on the Facebook Campus Expansion Project (Project) Draft Environmental Impact Report (DEIR). Subsequent to the approval of the 2012 Final EIR for the first Facebook development in Menlo Park, CCCR has been among the environmental groups with which the company has consulted on various topics regarding its east and west campus. The comments here continue our efforts to contribute to and protect the environmental quality and community benefits of Menlo Park's shoreline.

CCCR previously submitted a response to the Notice of Preparation (NOP) for this Project. In reviewing the DEIR, and in related contact with Facebook staff, we are pleased that most concerns that we raised about the pedestrian/bike bridge and other potential impacts to wildlife and habitats of the Don Edwards National Wildlife Refuge (Refuge) are being given due consideration.

PROJECT SUMMARY

As an affiliate of Facebook, Hibiscus Properties proposes to redevelop an approximately 58 acre industrial site by demolishing existing onsite buildings, landscape and hardscape and constructing two new office buildings, a hotel and a pedestrian/bike bridge crossing Bayfront Expressway. The Project would expand the existing Facebook Campus which currently includes Buildings 10-19 north of Bayfront Expressway (formerly known as the East Campus), Building 20 to the east of the Project at Willow Road and Building 23 to the west of the Project at Chilco Street. The Project will allow the addition of ~6,400 workers. It will construct 962,400 gross sq.ft (gsf) of office space as Buildings 21 and 22, a 200-room hotel of approximately 121,300 gsf and 3,533 parking spaces. Buildings will be up to 75' in height. The buildings will be constructed on podiums providing for parking underneath, at ground level. The Project will proceed in phases, constructing Building 21 in Phase 1, connecting it with Building 20 with an enclosed bridge. The Project will remove all existing trees and install new landscape plants and trees throughout the site including ground level, enclosed terraces and rooftops. The Project Proponent is proposing traffic mitigations that include trip caps and will include a TDM program to promote alternatives to private vehicles for commutes. The Project lies south of salt ponds of the Refuge and southeast of Bedwell Bayfront Park. The San Francisco Bay Trail is located on the opposite side of Bayfront Expressway from the Project site.

COMMENTS REGARDING THE PROJECT DEIR

Our review of the DEIR has produced a number of areas of concern. A common issue is information that is missing, inadequate or incorrect and for which changes should be made in the DEIR to improve impact analysis and to adequately inform the public and agencies as required by the California Environmental Quality Act (CEQA).

Project Description

1. Public open space within the Project: We find the concept of providing a trail and open space near the Belle Haven neighborhood off Chilco Street, connecting between Buildings 21 and 22 to the pedestrian/bike bridge, very attractive as a community amenity. It appears that it will be a safer and more pleasant route than to continue along Chilco, especially as Facebook expansion is expected to produce a significant increase to that roadway's traffic. It also will encourage residents, bicyclists and others to enjoy the bridge access to Bedwell Bayfront Park, the Refuge and the Bay Trail.

A concern is that we saw no mention of an easement agreement that would guarantee this access would be permanent, regardless of potential changes in Facebook management or site ownership. To secure permanent public access such an agreement needs to be incorporated into the Project.

2. South Bay Salt Pond Restoration Project (Restoration Project): Footnote #4 on Page 2-2 describes salt pond restoration as "forthcoming restoration" and "reasonably foreseeable" and that it will be analyzed as a cumulative impact throughout the document. In fact, the Notice of Determination for the Restoration Project's Phase 2 Final EIR, inclusive of the ponds along Bayfront Expressway between Willow Road and Marsh Road, was filed on May 27, 2016. As an adopted plan, it should be considered an existing condition throughout this DEIR wherever Project-level impacts may apply. For instance, under Biological Resources, the fact that restoration will bring greater wildlife diversity and expanded habitats needs to be considered in impact analysis.

3. Sunken gardens? Retention basins? Bioswales? In multiple places, Figure 2.3 shows locations of "sunken gardens." We found no other reference to such gardens in the DEIR and ask that you provide greater detail. Is there a feature that was labelled differently elsewhere in the DEIR? Are these locations of bioswales or stormwater retention basins? We saw such features mentioned in various places but with insufficient detail to properly comment. Please provide details on structure, placement, and construction to inform review and generate appropriate comment.

4. Bicycle/Pedestrian Circulation: As mentioned previously, Phase 2 of the Restoration Project is approved. That plan includes a new Refuge access trail from the Bay Trail which will provide a new pedestrian route into Bedwell Bayfront Park. The discussion on p. 2-10 should include the expanded recreational circulation.

In the same discussion, the DEIR states that the pedestrian/bike bridge will be "designed to accommodate any future levee improvements." No further explanation is provided. We wonder how that expectation is possible when the structural details of such a levee are completely unknown at this time. Please clarify.

Biological Resources

1. Restoration Project Phase 2 Plan: As mentioned previously, the adopted Phase 2 Plan should be added to the existing conditions discussion of Section 3.8. The planned restoration actions should be described. To analyze biological impacts discussion should include the expanded habitat planned for the federally-endangered Ridgeway's Rail and salt marsh harvest mouse as well as pond modifications that effectively expand the habitats of the popular tidal pond area in Bedwell Bayfront Park, a site that serves many migratory avian species.

2. Don Edwards San Francisco Bay National Wildlife Refuge Comprehensive Conservation Plan (CCP): This 15-year Plan was completed and adopted in 2012. As the Refuge owns all of the Menlo Park lands that are part of the Restoration Project and is referenced in that plan, the CCP must be listed and discussed in existing conditions under Biological Resources. This is the largest urban Refuge in the country, a major migratory stopover in the Pacific Flyway and the largest protected open space in Menlo Park. The CCP provides a guide to wildlife, habitat and public access actions that may be of significance in impact analysis of the Project.

3. Adopted Habitat Conservation Plans: On p. 3.8-16, the DEIR states that it will not evaluate the CEQA Threshold of Significance for conflicts with provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan. This is not acceptable as it omits impact analysis involving wildlife and habitat supported and protected by the conservation plans described just above. There needs to be analysis of these plans as a determination of the potential Threshold of Significance.

4. Impacts BIO-2 and C-BIO-2: "Indirect impacts on Special-Status Species. The Project could result in increased predation of special-status bird and mammal species that inhabit nearby salt water and brackish water marshes in the Don Edwards National Wildlife Refuge." (p. 3.8-18.) This section drew the conclusion that increased mammalian predation on special-status species due to construction of the pedestrian/bike bridge would not be expected to increase substantially and would be a less-than-significant impact. As such it restricts mitigations to avian predators only.

The conclusion is explained with statements that mammals (raccoon, fox, skunk, opossum, rat, cat) have a number of ways to cross Bayfront Expressway. It does not consider mitigations that can avoid, minimize or mitigate the presence of these mammals on the Facebook campus. Campus landscaping and facilities should be monitored and designed to avoid creating locations that could harbor a predatory mammal during daylight hours, or allow it to raise its young on site. Food waste should be inaccessible to mammals. Feeding of animals of any kind should be strictly prohibited. Feral cats should be trapped and handed over to the Peninsula Humane Society & SPCA.

Many of these actions are already in practice on the Facebook East Campus and should be used likewise on the West Campus, creating something of a predator-reduction buffer between Belle Haven and the conservation lands across the Expressway. It is significant to note that the Restoration Project will create new tidal marshes next to Bedwell Bayfront Park, encouraging the federally-endangered Ridgeway rails of Greco Island to expand to new marsh somewhat closer to the Project. Failing to take any action to minimize mammalian predation would be a significant impact. It must be addressed in the DEIR and the Mitigation and Monitoring Plan.

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5. BIO 3-2, Implementation of Bird Safe Design: We are pleased to see this biological analysis included for impacts and mitigation in the DEIR. Facebook made great efforts to use such techniques in Building 20 and it is good to see such practices continued.

Hydrology

1. Environmental Setting, Surface Water Hydrology, p. 3.10-11, correction: Under the heading “Regional”, the sentence beginning “Tidal mudflats and marshes...” mentions the Refuge as a landowner and then, regarding the salt ponds, states “(some of which are within the Refuge).” The correct description is that all of the salt ponds in Menlo Park, ~1572 acres, are owned and managed by the Refuge, excepting a very small portion of Pond S-5 near the entrance of Bedwell Bayfront Park that is still owned by Cargill.

2. Flood Slough, correction: On p. 3.10-12, Flood Slough is described as draining into the Bay. It does not. Flood Slough drains into the fully tidal West Point Slough which is the channel that separates Greco Island from Bedwell Bayfront Park and the Cargill-owned Salt Ponds, extending from Redwood Creek to the west and to the Bay in the east.

3. Flood risk to Redwood City: Figure 3.10-2 presents the flow patterns of stormwater from the Project site. Most of the flow heads westward to the Chrysler pump station, the CalTrans drainage ditch and then into Flood Slough. The DEIR also states that the proponent will replace stormwater pipes to provide greater carrying capacity as the current stormwater system is insufficient for the Project site. Doing so would solve a problem for the Project but the analysis did not consider a potential impact downstream i.e. potentially increasing flood risk in Redwood City.

During heavy storms and especially at the highest tides, mobile home communities along Bayshore Road have repeatedly been flooded as high water in Flood Slough causes backup in the Bayfront Channel. Such events occurred in both 1998 and 2012, forcing evacuations. Major storms would also produce peak stormwater runoff from the Facebook West Campus, pouring into Flood Slough, possibly making it more likely that stormwater would backup in the Bayfront Channel. This impact, omitted from the DEIR, has a significance potential for which analysis is needed.

4. Pervious surfaces: The DEIR repeatedly states that it will reduce impervious surfaces by 15%, an outcome that it also states will reduce the degree of various hydrological impacts. It is explained that the Project will achieve that outcome, in part, by adding “pervious” landscaping on rooftops. It is not explained how excessive stormwater on rooftops during heavy storms will be handled, if not drained in a conventional manner. Landscaping soils can only absorb so much water. During heavy storms or repeated storms over a series of days, stormwater impacts will peak and exceed soil absorbance capacity. Please explain how the rooftop landscapes can be “pervious” during peak rain conditions. This is especially important as climate change is delivering regional rainfall in fewer but more intense rain events when pervious surfaces, natural or manmade, will saturate quickly.

Given that the Project is located on filled, former wetlands and that geological findings of this DEIR show that subsurface groundwater is just 6’-9’ below ground surface, impact analysis needs to consider the drainage effectiveness of surface pervious conditions during heavy storm periods. Once saturated, stormwater runoff increases. What is that tipping point and will storm drains have sufficient capacity?

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While the DEIR discusses impacts of the subsurface water on building construction, it does not discuss any effects on in-ground placement of bioswales or retention basins although both are planned. We assume that both features would require dredging, increasing the possibility of subsurface water effects. Would rising ground saturation in heavy rain periods reduce the hoped-for hydrologic benefits of these features? Discussion and impact analysis is needed, inclusive of construction.

Conformance to CEQA involving related interests during the planning process

Correctly, the Executive Summary, p. ES-2, under Areas of Controversy, lists the relationship of this Project with the General Plan Update & M-2 Area Plan (Update/M-2) that, in timeframe, is being prepared by Menlo Park in parallel to this Project's CEQA process. CCCR expressed such concern in our NOP responses to both CEQA processes, asking that the respective DEIRs explain due to the apparent dependency of the Facebook DEIR on the conclusions of the Update/M-2. A concern was that Facebook's interests might inappropriately influence the Update/M-2.

We are disappointed that we found no such explanation is in the Project's DEIR. On the contrary, we were quite dismayed to see repeated references to the Connect Menlo General Plan Update, the planning process associated with Update/M-2. Section after section includes *draft* policies as *may* be proposed in the Update/M-2 DEIR and presented within discussion of this Project's existing conditions. (Examples: pp. 3.8-5, 3.9-4, 3.10-9, 3.10-11, 3.10-25).

Under CEQA, existing conditions of the environmental setting can rely only on *adopted* plans. As such all analysis and impacts of this Facebook DEIR can be based only on Menlo Park's existing General Plan and M-2 zoning.

The following excerpt from the CEQA Guidelines applies:

14 CCR § 15125 Environmental Setting.

(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.

(e) Where a proposed project is compared with an adopted plan, the analysis shall examine the existing physical conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced as well as the potential future conditions discussed in the plan.

To meet obligations under CEQA of information adequacy, clarity, and unbiased preparation, the timing of these two CEQA processes cannot be parallel. It is apparent that the Facebook Expansion is dependent on outcomes of the Update/M-2 process. As such and at minimum, we believe that this DEIR and its CEQA process should be set aside until such time that approvals of Update/M-2 are recorded. At

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that point, the Project's DEIR should be recirculated for comment so that the public can be unambiguously informed.

These comments are submitted with the goal of improving the Project for the benefit of the environment generally and wildlife, habitats and wetlands particularly. Should there be any questions, please contact me at 408-257-7599 or wildlifestewards@aol.com.

CCCR is a 501(c)(3) nonprofit corporation that is fully volunteer-run, acts to ensure that the Refuge fulfills its Congressional acquisition authority to expand its land holdings and also 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, habitats and public access the Refuge must provide and generally of wetlands and transitional lands of the Southern San Francisco Bay.

Sincerely,



Eileen P. McLaughlin
Board Member, CCCR

CC: Carin High, Co-Chair, CCCR
Gail Raabe, Co-Chair, CCCR