Draft Environmental Impact Report

University Circle Phase II

Prepared by the CITY OF EAST PALO ALTO · INCORPORATED 1983 ·

In Consultation with

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SECTION 1.0 SUMMARY

1.1 PROJECT LOCATION

The approximately 11.84-acre project site is located at 1900, 1950, 2000 and 2050 University Circle, in the western portion of the City of East Palo Alto. The project site is currently developed with three office buildings, one hotel, a parking garage, surface parking lots and landscaping. A one-level, below-grade parking garage underlies the project site, except for the southern portion where the proposed development would occur. The project site is bounded by U.S. 101 to the north, Woodland Avenue and San Francisquito Creek to the south, Manhattan Avenue to the west and University Avenue to the east. University Circle, a private road, extends north from Woodland Avenue into the project site and serves as the primary internal access road at the project site. A secondary at grade service entrance is located at the West Bayshore Road and Manhattan Ave intersection, and the below-grade podium parking lot has a secondary entrance off Manhattan Avenue as well.

Uses surrounding the project site include commercial, retail, and office uses to the north (across U.S. 101), single- family residential uses to the south (across Woodland Avenue and San Francisquito Creek), multi-family residential and commercial uses to the west (across Manhattan Avenue) and single- and multi-family residential to the east (across University Avenue). The project site is located on one parcel: Assessor's Parcel Number (APN) 063-680-020, which is zoned Office in the East Palo Alto Zoning Code and has a General Plan land use designation of Office.

1.2 PROJECT BACKGROUND

The project site, historically referred to as Whiskey Gulch, for its many liquor stores during the decades after prohibition, was the primary business district of East Palo Alto until the 1980s when the City's Redevelopment Agency received multiple proposals to redevelop the area. The proposals envisioned new offices, retail, and hotel buildings in the area and promised to bring much needed tax revenues to the City.

In November 1988, the University Circle Redevelopment Plan (University Circle Project Phase I) was approved with plans to replace the existing one- and two-story retail buildings that lined University Avenue with a 10-story, 230-room hotel and 475,000 square feet of office space. The Final EIR prepared for the project concluded that the project would result in significant unavoidable impacts to aesthetics, cultural resources, and transportation. On November 28, 1988, the City adopted a Statement of Overriding Considerations and certified the Final EIR.

Subsequently in December 1988, two lawsuits were filed against the City by the City of Palo Alto and the Crescent Park Neighborhood Association. In July 1991, a Comprehensive Settlement Agreement (Settlement Agreement) resolved these lawsuits and established limitations on building size, height, and location within the site, as well as construction operations and vehicle trips.

According to the Settlement Agreement, the total gross square footage for the project excluding any parking garage was limited to 665,000 square feet, including 460,000 square feet for office space, 15,000 square feet for retail uses, and 190,000 square feet (or 220-230 guest rooms) for the hotel uses. The maximum height of the proposed office buildings was restricted to 185 feet while the

hotel building was limited to 150 feet above mean sea level. In addition, the southernmost office building was required to maintain a setback of at least 125 feet from the center line of Woodland Avenue.

Under the Settlement Agreement, construction operations were limited to the hours of 7:30 a.m. to 5:30 p.m. on weekdays, or with approval of an exception from the City of East Palo Alto, Planning Commission[1], construction operations were allowed from 7:30 a.m. to 7:00 p.m. on weekdays; 9:00 a.m. to 6:30 p.m. on Saturdays; and 10:00 a.m. to 6:00 p.m. on Sundays. These construction hours differ from the permitted hours in the East Palo Alto Municipal Code. Pile driving activities were allowed only between the hours of 7:30 a.m. to 5:30 p.m. on weekdays. No individual piece of construction equipment was allowed to exceed 110 dBA (measured 25 feet from such equipment) and noise levels at any point outside of the construction property plan shall not exceed 110 dBA.

In addition, the Settlement Agreement required that the following transportation improvements be completed prior to construction of the Phase I project: reconstruction of the University Avenue interchange, realignment of University Place to serve as the new project entrance (now University Circle), removal of O'Connor Street between University Avenue and Manhattan Avenue, reconstruction of the University Avenue/Woodland Avenue intersection, and widening of southbound segment of the University Avenue overpass. The terms of this agreement remain in effect until December 15, 2023. Per the Settlement Agreement, no building permits can be issued for significant new construction on-site (beyond what was permitted under the Phase I project) until after the Settlement Agreement expires.

A third lawsuit was filed by the City of Menlo Park in March 1990 which alleged deficiencies in the Final Supplemental Environmental Impact Report under CEQA. This lawsuit was also resolved with a Settlement Agreement restricting the square footage of the proposed buildings consistent with the prior Settlement Agreement, and additional requirements such as reimbursement of the City of Menlo Park for preparation of a traffic study and compliance with the resulting traffic improvement project recommended in the traffic study. The terms of this agreement remain in effect until December 15, 2023.

In August 2016, the City of East Palo Alto City Council approved the Vista 2035 General Plan and certified the Vista 2035 General Plan EIR. The General Plan provides a comprehensive framework for the physical development of the city (including increased commercial development in the Westside area, including on the University Circle site) through 2035.

The General Plan establishes a vision for future development in East Palo Alto to achieve a more sustainable jobs-housing balance. The General Plan highlights two primary areas within the city suitable for future office development, the Ravenswood area and along University Avenue, including the University Circle site. Further, the General Plan includes specific policies to direct future development at the University Circle site. Land Use Policy 2.7, University Circle, for example, calls for intensification of either office or hotel uses at the site consistent with the established planning and legal framework. Additionally, Westside Area Plan Policy 4.6, University

[1] Per Municipal Code Section 15.040125B(3) an exception to the permitted construction hours may be granted by Planning Commission.

Circle, calls for better integration of the University Circle site into the surrounding neighborhoods through roadway and pedestrian improvements.

1.3 PROJECT SUMMARY

1.3.1 Project Overview

The proposed project would redevelop the existing 97,659-square-foot surface parking lot located in the southern portion of the project site with an approximately 180,000-square-foot, six-story office building above three levels of below-grade parking. The project also includes a community use space, parking for adjacent residences, improved site pedestrian access, and an easement for planned pedestrian improvements in the project area.

The proposed project would also incorporate a 186,000-gallon fire water tank and pump within the below-grade parking garage with capacity to serve the proposed project and offset existing deficiencies in the municipal fire flow for the Westside area.

The proposed project is consistent with the development standards for the site as outlined in the East Palo Alto Zoning Code and General Plan including those policies specific to the Westside Plan area. Consistency with these plans is discussed in detail in Section 4.11, Land Use and Planning.

1.4 SUMMARY OF PROJECT IMPACTS

The project would result in less than significant or no impacts to the following resources areas: aesthetics, agricultural and forestry resources, energy, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use, mineral resources, population and housing, public services, recreation, tribal cultural resources, utilities and service systems, and wildfire. Refer to Section 4, Environmental Setting, Impacts, and Mitigation for detailed descriptions of the project's effects on these resource areas.

The following table summarizes the significant effects of the proposed project on the environment and the mitigation measures identified to reduce the effects to less than significant according to California Environmental Quality Act (CEQA) guidelines. A significant effect on the environment means a substantial, or potentially substantial, adverse change on the environment. Impacts that are less than significant are not described in the summary but are addressed within Section 4.0 of this Environmental Impact Report (EIR).

Significant Impacts and Mitigation Measures	
Impact	**Mitigation Measure**
Air Quality	
Impact AIR-2: Ground disturbing activities associated with project construction could generate fugitive dust emissions.	**MM AIR-2.1:** During construction period ground disturbance, the project contractor shall implement the following measures recommended by BAAQMD to control dust and exhaust: • Exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered three times per

	day at a frequency adequate to maintain minimum soil moisture of 12 percent. • Haul trucks transporting soil, sand, or other loose material off-site shall be covered. • Visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweeps at least once per day. The use of dry power sweeping is prohibited. • Vehicle speeds on unpaved surfaces shall be limited to 15 miles per hour (mph) • Roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. • Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be posted for construction workers at all access points. • Construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. • Post a publicly visible sign with the telephone number and contact at the City of East Palo Alto regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be included to ensure compliance with applicable regulations. • Excavation, grading, and/or demolition activities shall be suspended when average wind speed exceeds 20 miles per hour (mph) and visible dust extends beyond site boundaries. • Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction adjacent to sensitive receptors. Wind breaks should have at minimum of 50 percent air porosity.

	• Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established. • The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time. • Avoid tracking visible soil material on to public roadways by employing the following measures if necessary: (1) treat site access to a distance of 100 feet from public paved roads with a six to 12-inch compacted layer of wood chips, mulch, or gravel and (2) washing truck tires and construction equipment prior to leaving the site. • Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent.
Impact AIR-3: Construction exhaust emissions associated with the proposed project would result in TAC concentrations above the BAAQMD single source thresholds.	**MM AIR-3.1:** The project shall develop a plan demonstrating either of the following options: 1) All construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 emissions standards for particulate matter (PM_{10} and $PM_{2.5}$), if feasible, or If use of Tier 4 equipment is not feasible, use equipment that meets the U.S. EPA emissions standards for Tier 3 engines and includes CARB-certified Level 3 verifiable diesel emission control devices that altogether achieve a minimum 87 percent reduction in particulate matter exhaust in comparison to uncontrolled equipment, or use alternatively fueled equipment or electric equipment; And provide line power to the site during the early phases of construction to minimize the use of diesel-powered stationary equipment, such as generators; And cranes, air compressors, and welders shall be powered by electricity or alternative fuel, or

	2) The applicant may develop a separate feasible plan that reduces on- and near-site construction diesel particulate matter emissions by a minimum of 87 percent or greater. Such a plan would have to be reviewed and approved by the City.
Biological Resources	
Impact BIO-1: Project construction could result in incidental loss of fertile eggs or nestlings or otherwise lead to nest abandonment, resulting in a significant impact to nesting birds.	**MM BIO-1.1:** Avoidance: the project applicant shall schedule demolition and construction activities that may directly or indirectly affect protected species to avoid the nesting season. The nesting season for most birds, including most raptors in the San Francisco Bay area, extends from February 1st through August 31st (inclusive), as amended.
	MM BIO-1.2: Nesting Bird Surveys: If it is not possible to schedule demolition and construction that may directly or indirectly affect protected species between September 1st and January 31st (inclusive), pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests shall be disturbed during project implementation. This survey shall be completed no more than 14 days prior to initiation of construction activities during the early part of the breeding season (February 1st through April 31st inclusive) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May 1st through August 31st inclusive). During this survey, the ornithologist shall inspect all trees and other possible nesting habitats immediately adjacent to the construction areas for nests.
	MM BIO-1.3: Buffer Zones: If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist, in consultation with the California Department of Fish and Wildlife, shall determine the extent of a construction free buffer zone to be established around the nest, typically 250 feet, to ensure that raptor or migratory bird nests shall not be disturbed during project construction.
	MM BIO-1.4: Reporting: Prior to any tree removal, or approval of any grading permits,

	(whichever occurs first), the ornithologist shall submit a report indicating the results of the survey and any designated buffer zones to the satisfaction of the City's Director of Community and Economic Development or the Director's designee.
Impact BIO-4: The project would result in significant impacts to the movement of native birds due to increased risk of bird collision resulting from the design, orientation, and reflective façade treatment of the proposed office building.	**MM BIO-4.1:** Prior to issuance of building permits, the project shall reduce the amount of glazing (i.e., windows or reflective surfaces) to the extent feasible on the southern façade of the proposed office building and treat all remaining glass on the southern façade with bird-safe glazing treatments.
Cultural Resources	
Impact CUL-2: Ground Disturbing Activities Associated with project construction could disturb previously unrecorded archaeological resources.	**MM CUL-2.1**: Prior to issuance of grading or demolition permits, the project applicant shall retain a qualified archaeologist and Native American cultural resources monitor from Tamien Nation. The qualified archaeologist shall conduct subsurface borings within the southern section of the project site where the three levels of underground parking is proposed. The Native American cultural resources monitor shall be on site to monitor ground disturbing activities including soil borings. Soil borings shall be conducted where anticipated deep disturbances are proposed, away from the existing single-story underground parking. Boring locations shall be placed between 50 and 75 meters apart depending on the size of the area to be explored. At least one boring shall sample the entire proposed impacts depth to provide a comparison of the stratigraphy to the previous nearby coring samples. At least 7 meters of undisturbed native soils shall be sampled below the fill if that can be completed within the proposed depth of impacts. Boring sample depths should be adjusted depending on findings of similar soils or missing layers. Samples from the three layers most likely to have archaeological resources shall be screened by a qualified archaeologist to determine if cultural materials are present. If archaeological resources are identified, the qualified archaeologist in consultation with a Native American representative shall prepare a research design and treatment plan tailored to the

	resources identified. The qualified archaeologist shall submit the research design and treatment plan approved by Tamien Nation to the City for review and approval. Once the research design and treatment plan is approved by the City, archaeological testing of the resource can begin. Testing shall be commensurate with the level of proposed impacts and determined in consultation with a Native American representative. After field testing, an evaluation report shall be prepared documenting the fieldwork, analyzing the cultural materials recovered, defining its boundaries within proposed impacts, and evaluating the resource per the California Register of Historic Resources criteria. If cultural materials are determined to be Native American in origin, a Native American monitor shall be present during all archaeological testing.
	MM CUL-2.2: Prior to issuance of the Grading Permit, the project applicant shall submit evidence that an Archaeological Cultural Resource Awareness Training was held prior to ground disturbance. The training shall be facilitated by the project archaeologist in coordination with a Native American representative from Tamien Nation, registered with the Native American Heritage Commissions, for the City of East Palo Alto and that is traditionally and culturally affiliated with the geographic area as described in Public Resources Code Section 21080.3
	MM CUL-2.3: In the event that buried, or previously unrecognized archaeological deposits or materials of any kind are inadvertently exposed during construction activity, work within 50 feet of the find shall cease until a qualified archaeologist can assess the find and provide recommendations for further treatment, if warranted. Construction and potential impacts to the area(s) within a radius determined by the archaeologist shall not recommence until the assessment is complete.
Impact CUL-3: Ground disturbing activities associated with project construction could disturb human remains interred outside of dedicated cemeteries.	**MM CUL-3.1:** If human remains are encountered as a result of construction activities, all work in the vicinity shall be halted and the County Coroner contacted. In the event that the County Coroner determines that the human remains are Native American, notification of the Native

	American Heritage Commission (NAHC) is required, who shall appoint a Most Likely Descendant (MLD) (PRC Section 5097.98). The qualified archaeologist, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment, with appropriate dignity, of human remains and associated or unassociated funerary objects (CEQA Guidelines Section 15064.5(d). The agreement shall incorporate 'best practices' as identified by the state NAHC. A final report shall be prepared by the project archaeologist in consultation with the MLD and approved by the City of East Palo Alto. Work on the project may proceed upon City approval.
Geology and Soils	
Impact GEO-6: Ground disturbing activities associated with project construction could disturb currently unrecorded paleontological resources or a unique geologic feature.	**MM GEO-6.1:** If paleontological resources are encountered during grading or excavation, all construction activities within 50 feet shall stop and the City of East Palo Alto Director of Community and Economic Development shall be notified. A qualified paleontologist shall inspect the findings within 48 hours of discovery. If it is determined that the proposed development could damage unique paleontological resources, mitigation shall be implemented in accordance with Public Resources Code Section 21083.2 and Section 15126.4 of the CEQA Guidelines. Possible mitigation under Public Resources Code Section 21083.2 requires that reasonable efforts be made for resources to be preserved in place or left undisturbed. If preservation in place is not feasible (e.g., planning construction activities to avoid paleontological sites, incorporating sites into parks and other open spaces, covering sites with stable soils, and deeding the site into a permanent conservation easement) data recovery through excavation shall be conducted by a qualified paleontologist with a data recovery plan in place.
Noise	
Impact NOI-1.1: Non-exempt construction activities would occur within 500 feet of the nearest residential use and within 200 feet of the nearest commercial use for a period of more than 12 months, exceeding the City's Municipal Code thresholds for construction noise levels at these receptors	**MM NOI-1.1:** The project applicant shall prepare a construction noise logistics plan for review and approval by the Department of Public Works prior to issuance of grading and/or demolition permits on the project. The construction noise logistics plan shall include, but not be limited to, the following measures to reduce construction noise to less than significant levels:

	• Limit construction activity to weekdays between 7:00 a.m. and 7:00 p.m.[2] and Saturdays between 9:00 a.m. and 7:00 p.m. Prohibit construction on Sundays and holidays; • Utilize "quiet" models of air compressors and other stationary noise sources where such technology exists; • Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment; • Locate all stationary noise-generating equipment, such as air compressors and portable power generators, as far away as possible from adjacent land uses; • Locate staging areas and construction material areas as far away as possible from adjacent land uses; • Prohibit all unnecessary idling of internal combustion engines; • Construct solid eight- to 10-foot-tall plywood fences along the construction site boundaries with direct line-of-sight to noise-sensitive receptors. Constructing temporary noise barrier fences to shield these receptors would provide a five dBA noise reduction if the noise barrier interrupts the line-of-sight between the noise source and receptor and if the barrier is constructed in a manner that eliminates any cracks or gaps. • Where feasible, limit the quantity of equipment operating simultaneously to 10 pieces of equipment or less. • The applicant shall designate a "disturbance coordinator" who would be responsible for responding to local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and will require that reasonable measures warranted to correct the problem are implemented.

[2] Excepting haul and truck deliveries between 7:00 and 10:00 pm.

	• Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction. In addition, to reduce noise levels at nearby residential uses from non-exempt construction activities to a less than significant level between the hours of 7:00 p.m. and 10:00 p.m., the following measures shall be implemented by the project: • Prohibit use of noise-generating equipment outdoors between 7:00 p.m. and 10:00 p.m. • Limit truck loading and unloading to the hours of 7:00 a.m. to 7:00 p.m. • Limit the number of truck deliveries to two trucks an hour between the hours of 7:00 p.m. and 10:00 p.m. • Prohibit truck travel routes along Manhattan Avenue between the hours of 7:00 p.m. and 10:00 p.m.
Impact NOI-1.2: Noise generated by project HVAC equipment could exceed the City's Municipal Code threshold for exterior noise levels at the nearest residential property line.	**MM NOI-1.2:** Prior to issuance of building permits, project mechanical equipment shall be selected and designed to reduce impacts on surrounding uses and meet the City's exterior and interior noise level requirements. A qualified acoustical consultant shall be retained by the project applicant to review mechanical noise as the equipment systems are selected to determine specific noise reduction measures necessary to reduce noise to comply with the City's 55 dBA L_{50} daytime exterior limit and 50 dBA L_{50} nighttime exterior limit at the nearest residential property lines. Noise reduction measures could include, but are not limited to, selection of equipment that emits low noise levels and/or installation of noise barriers, such as enclosures and parapet walls to block the line-of-sight between the noise receptors. Alternate measures may include locating equipment in less noise-sensitive areas. With implementation of this measure, the impact would be reduced to a less than significant level.

Impact NOI-2: Construction-related vibration levels at the existing office buildings on-site would be up to 1.233 in/sec PPV, which would exceed the 0.3 in/sec PPV threshold.	**NOI-2.1:** The proposed project shall incorporate the following measures during project construction: • Limit vibration-inducing equipment. • Use of the heavy vibration-generating construction equipment shall be prohibited within 20 feet of existing on-site buildings. • Use of smaller equipment to minimize vibration levels below the limits near existing on-site buildings shall be required. • Modify/design or identify alternative construction methods to reduce vibration levels below the limits. • Avoid dropping heavy objects or materials.
Transportation	
Impact TRA-1: The proposed project would generate a VMT of 13.2 percent below the citywide average home-based work trip VMT, exceeding the City's threshold of 15 percent below the citywide average home-based work trip VMT.	**MM TRA-1.1:** Prior to issuance of grading and/or demolition permits for the project, the project applicant shall develop and submit to the Director of Community Development for review and approval an enhanced TDM program that demonstrates a reduction in project VMT to 15 percent below the Citywide average home-based work trip VMT.[3] The enhanced TDM program shall include the following measures: • Expand University Circle Caltrain shuttle to meet more trains before 7 a.m., between 10 a.m. and 12 p.m., and after 6:30 p.m.,[4] • Add a University Circle last-mile[5] shuttle connection for Dumbarton Express riders, • Provide transit subsidies, • Provide vanpool subsidies, and/or • Provide commuter cash allowances.

[3] Chapter 10.32 of the Municipal Code was amended on June 1, 2021 requiring nonresidential developments approved after January 1, 2022, to achieve a 40 percent reduction in daily vehicle trips.
[4] Consistent with the findings of the 2019 UC Commute Survey as shown in Appendix H to the EIR, expansion of shuttle service during these hours would better serve the over 20% of respondents who arrive at the UC Campus before 7 AM or after 10 AM and about 14% who leave after 6:30 PM, which are outside the existing shuttle hours.
[5] Last mile refers to the beginning or end of an individual trip made primarily by public transportation. Source: Intelligent Mobility Xperience. "The first and last-mile: the problem and the solution." Accessed March 25, 2021. https://www.intelligent-mobility-xperience.com/the-first-and-last-mile-the-problem-and-the-solutions-a-917862/

1.5 SIGNIFICANT UNAVOIDABLE IMPACTS

The proposed project would not result in significant unavoidable impacts. All project impacts would be less than significant or reduced to a less than significant level with incorporation of the project-specific mitigation measures identified in this EIR.

1.6 SUMMARY OF ALTERNATIVES TO THE PROPOSED PROJECT

CEQA requires that an Environmental Impact Report (EIR) identify alternatives to the project as proposed. The CEQA Guidelines state that an EIR must identify alternatives that would feasibly attain the most basic objectives of the project but avoid or substantially lessen the project's significant environmental effects or would further reduce impacts that are considered less than significant with the incorporation of identified mitigation. A summary of the project alternatives follows. A full analysis of the project alternatives is provided in Section 7.0 of this Draft EIR.

No Project Alternative

The No Project Alternative would not result in a change in the current development at the site although, given the site's Office land use and zoning designation and its location within the University Circle site (which was identified in the General Plan as an area for increased commercial development), it is reasonable to assume that if the proposed project were not approved or implemented, an alternative development would likely be proposed in the future which would conform to the Office land use designation and General Plan Policies pertaining to the site. The three existing six-story office buildings, and five-story hotel would remain on-site and continue to operate. Because the No Project Alternative would not result in any physical changes to the project site compared to existing conditions, there would be no environmental impacts. However, this alternative would not achieve the project objectives. In the event the current project was not approved/implemented, and future development was proposed on the site consistent with current plans and policies, it would be expected to be similar to the proposed project and have similar construction and operational impacts.

Below-Grade Parking Reduced Scale Alternative

The Below-Grade Parking Reduced Scale Alternative would construct a two- to three-story office building with one level of below grade parking in the same location as the proposed project. This alternative would include 175 parking spaces and depending on the parking ratio applied, this alternative would have between 52,500 and 73,588 square feet of office uses. The Below-Grade Parking Reduced Scale Alternative would respond to concerns regarding the proposed building height expressed in comments received during the scoping period. This Alternative would reduce, but not entirely avoid, the impacts that could occur during operation of the proposed project; additionally, due to the reduced size of the proposed office building and parking garage, project construction-related impacts would be reduced but not to a less than significant level. Therefore, construction-related mitigation measures for air quality, biological resources, cultural resources, and paleontological resources would still be necessary. Due to the reduced square footage of office space, no community space would be provided under the Below-Grade Parking Reduced Scale Alternative and other project objectives would not be fully met under this alternative.

Above-Grade Parking Reduced Scale Alternative

The Above-Grade Parking Reduced Scale Alternative would construct a four- to five-story office building with two levels of above-grade podium parking and no below-grade parking. This alternative would include 175 parking spaces and depending on the parking ratio applied, this alternative would have between 48,000 and 67,200 square feet of office uses. The Above-Grade Parking Reduced Scale Alternative would avoid all substantial excavation beyond typical building foundation and utility work; thereby reducing construction-related impacts, but not to a less than significant level. Therefore, mitigation measures for impacts to air quality, biological resources, cultural resources, and noise during construction would still be necessary. The Above-Grade Parking Reduced Scale Alternative would reduce, but not avoid entirely, impacts that could occur during operation of the proposed project. This Alternative would partially meet some but not all of the project objectives. No community space, public art, pedestrian connections, or improvements to the intersection of University Avenue and Woodland Avenue would be provided under the Above-Grade Parking Reduced Scale Alternative. The Above-Grade Parking Reduced Scale Alternative would not meet General Plan policies, such as General Plan Land Use and Urban Design Policy 2.7 which allows for the intensification of the University Circle site with an additional office or hotel building or Westside Plan Policy 8.4 which calls for acquiring community benefits from new development in the Westside area.

Reconfigured Parking Alternative

The Reconfigured Parking Alternative would construct the same 180,000 square foot six story-office building in the same location on the project site as the proposed project. However, under this Alternative, parking would be provided through a combination of expanding the existing one-level below-grade parking garage beneath the proposed office building, expanding the existing above-grade parking garage in the northwest corner of the project site from four-levels to 6.5 levels, and sharing 44 existing spaces within the above-grade parking garage with the hotel. This alternative would trade off a reduction in temporary construction impacts with a design that entails public views of a taller parking structure for the lifespan of the project. Retrofit of the existing office buildings with water efficient plumbing fixtures and appliances would also occur under the Reconfigured Parking Alternative. Because this Alternative would construct the same office building in the same location as the proposed project, operational impacts associated with the office building would also be the same. Compared to the proposed project, impacts to cultural resources, construction criteria air pollutant and TAC emissions, as well as construction noise and vibration impacts would be less due to the reduced excavation required for the smaller below-grade parking garage. The CEQA aesthetics impacts from expansion of the garage would be less than significant, the same as the proposed project, but the taller above-grade garage would be less aesthetically pleasing than existing conditions and conditions under the proposed project. Impacts from the Reconfigured Parking Alternative would be less than significant or reduced to a less than significant level by incorporating the same mitigation measures required under the proposed project. This Reconfigured Parking Alternative would meet all of the stated project objectives.

1.7 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

The CEQA Guidelines specify that an EIR must identify the environmentally superior alternative among those alternatives discussed. If the environmentally superior alternative is the "No Project"

alternative, the EIR shall identify an environmentally superior alternative amongst the other alternatives [Section 15126.6(e)(2)].

Beyond the No Project Alternative, all of the alternatives presented above would be environmentally superior to the project, but the two reduced scale alternatives fall far short of meeting project objectives by achieving roughly one third of the proposed office space and not providing community benefits. The Reconfigured Parking Alternative would be the environmentally superior alternative that achieves project objectives. The Reconfigured Parking Alternative would result in fewer construction-related impacts and would reduce potential impacts to unknown subsurface cultural and paleontological resources impacts. This alternative would not avoid project operation impacts (e.g., mechanical equipment noise). The Reconfigured Parking Alternative would meet all of the project objectives.

1.8 AREAS OF PUBLIC CONTROVERSY

Areas of public concern identified during the Notice of Preparation (NOP) scoping process include increased traffic congestion on the surrounding roadways, intrusive building height, air pollution resulting from construction activities and increased vehicle traffic, light and glare impacts to the San Francisquito Creek riparian corridor and nearby residences, increased flooding in the project area, construction and operational noise impacts to nearby residential uses, and the ability of existing domestic and emergency water supply to serve the project.

SECTION 2.0 INTRODUCTION

2.1 PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT

The City of East Palo Alto, as the Lead Agency, has prepared this Draft Environmental Impact Report (EIR) for the University Circle Phase II Office Project in compliance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines.

As described in CEQA Guidelines Section 15121(a), an EIR is an informational document that assesses potential environmental impacts of a proposed project, as well as identifies mitigation measures and alternatives to the proposed project that could reduce or avoid adverse environmental impacts (CEQA Guidelines 15121(a)). As the CEQA Lead Agency for this project, the City of East Palo Alto is required to consider the information in the EIR along with any other available information in deciding whether to approve the project. The basic requirements for an EIR include discussions of the environmental setting, significant environmental impacts including growth-inducing impacts, cumulative impacts, mitigation measures, and alternatives. It is not the intent of an EIR to recommend either approval or denial of a project.

2.2 EIR PROCESS

2.2.1 Notice of Preparation and Scoping

In accordance with Section 15082 of the CEQA Guidelines, the City prepared a Notice of Preparation (NOP) for this EIR. The NOP was circulated to local, state, and federal agencies on June 8, 2020. The standard 30-day comment period concluded on July 8, 2020. The NOP provided a general description of the proposed project and identified possible environmental impacts that could result from implementation of the project. The City also held a public scoping meeting on June 22, 2020 to discuss the project and solicit public input as to the scope and contents of this EIR. Due to local and statewide shelter in place directives resulting from the COVID-19 pandemic, the City of East Palo Alto held the public scoping meeting online consistent with Public Resources Code §§ 21080.4(b) and 21083.9 in lieu of a public gathering. Appendix A of this EIR includes the NOP and comments received on the NOP.

2.2.2 Draft EIR Public Review and Comment Period

Publication of this Draft EIR will mark the beginning of a 45-day public review period. During this period, the Draft EIR will be available to the public and local, state, and federal agencies for review and comment. Notice of the availability and completion of this Draft EIR will be sent directly to every agency, person, and organization that commented on the NOP, as well as the Office of Planning and Research. Written comments concerning the environmental review contained in this Draft EIR during the 45-day public review period should be sent to:

Kelly Beggs
Contract Project Planner
City of East Palo Alto, Planning Division
1960 Tate Street
East Palo Alto, CA 94303
Universitycircleproject@cityofepa.org

2.3 FINAL EIR/RESPONSES TO COMMENTS

Following conclusion of the 45-day public review period, the City will prepare a Final EIR in conformance with CEQA Guidelines Section 15132. The Final EIR will consist of:

- Revisions to the Draft EIR text, as necessary;
- List of individuals and agencies commenting on the Draft EIR;
- Responses to comments received on the Draft EIR, in accordance with CEQA Guidelines (Section 15088);
- Copies of letters received on the Draft EIR.

Section 15091(a) of the CEQA Guidelines stipulates that no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings. If the lead agency approves a project despite it resulting in significant adverse environmental impacts that cannot be mitigated to a less than significant level, the agency must state the reasons for its action in writing. This Statement of Overriding Considerations must be included in the record of project approval.

2.3.1 Notice of Determination

If the project is approved, the City will file a Notice of Determination (NOD), which will be available for public inspection and posted within 24 hours of receipt at the County Clerk's Office and available for public inspection for 30 days. Filing the NOD starts a 30-day statute of limitations on court challenges to the approval under CEQA (CEQA Guidelines Section 15094(g)).

SECTION 3.0 PROJECT INFORMATION AND DESCRIPTION

3.1 PROJECT LOCATION

The approximately 11.84-acre project site is located at 1900, 1950, 2000 and 2050 University Circle, in the western portion of the City East Palo Alto. The project site is currently developed with three office buildings, one hotel, an above-grade parking garage, a below-grade parking garage, surface parking lots, and landscaping. The one-level, below-grade parking garage underlies much of the project site, except for the southern portion of the site where the proposed development would occur. The project site is bounded by U.S. 101 to the north, Woodland Avenue and San Francisquito Creek to the south, Manhattan Avenue to the west, and University Avenue to the east. University Circle, a private road, extends north from Woodland Avenue into the project site and serves as the primary internal site access road. A secondary at grade service entrance is located at the West Bayshore Road and Manhattan Avenue intersection, and the below-grade parking garage has a secondary entrance off Manhattan Avenue as well.

Uses surrounding the project site include commercial, retail, and office uses to the north (across U.S. 101), single- family residential uses to the south (across Woodland Avenue and San Francisquito Creek), multi-family residential and commercial uses to the west (across Manhattan Avenue) and single- and multi-family residential to the east (across University Avenue). The project site is located on one parcel: APN 063-680-020, which is zoned and designated Office in the East Palo Alto Zoning Code and General Plan, respectively. Regional, vicinity, and aerial maps of the project site are shown on Figure 3.2-1, Figure 3.2-2, and Figure 3.2-3 respectively.

3.2 PROJECT DESCRIPTION

3.2.1 Project Overview

The proposed project would redevelop the existing 97,659-square-foot landscaped surface parking lot located in the southern portion of the project site with an approximately 180,000-square-foot office building above three levels of below-grade parking. As described in further detail below, the project also includes a community room for community use, parking for adjacent residences until completion of the Woodland Park Apartments expansion project, improved site pedestrian access, an easement for planned pedestrian improvements in the project area, and a fire water tank and pump to serve the proposed office building.

The proposed project is consistent with the development standards for the site as outlined in the East Palo Alto Zoning Code and General Plan including those policies specific to the Westside Plan area. Consistency with these plans is discussed in detail in Section 4.11, Land Use and Planning.

3.2.2 Office Building

The new office building would be six-stories tall with a maximum height of 109 feet (including mechanical screen) and would include three levels of below-grade parking. The ground level of the office building would include an entry lobby, men's and women's bathrooms with showers, tenant office space, and approximately 2,940 square feet of indoor community space and a 1,000-square-foot patio for community use. The remaining five floors would be dedicated to office space for commercial tenants. One 162-kW diesel powered emergency generator would provide back up

power to the proposed office building and would be located on the southwestern boundary of the project site adjacent to Manhattan Avenue.

3.2.3 Site Access and Parking

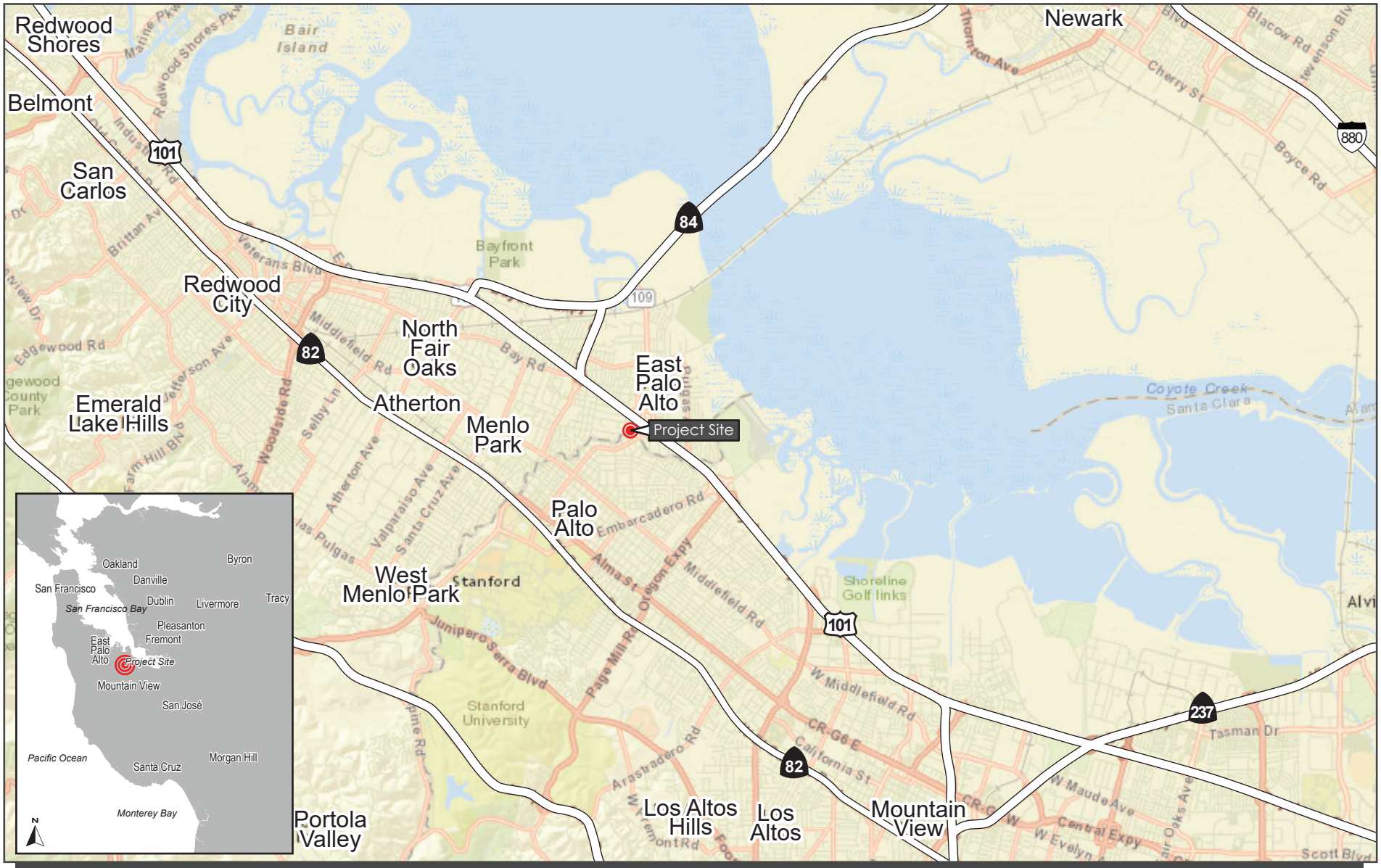
Vehicular access to the project site is currently provided via University Circle, Woodland Avenue, and Manhattan Avenue. University Circle is a private road extending north into the project site from Woodland Avenue and provides access to both surface and below-grade parking. Ingress and/or egress to the below-grade parking garage is currently provided via four ramps, two off of University Circle, one off of Manhattan Avenue, and one from the surface parking lot in the northwest corner of the site.

A total of 1,601 parking spaces are currently provided at the project site, including 849 spaces in the below-grade parking garage, 523 surface parking spaces, and 229 spaces in the above-grade parking garage. The portion of the project site proposed to be redeveloped with an office building provides 99 surface parking spaces.

Under the proposed project, 99 surface parking spaces would be removed to accommodate the new office building. The proposed project would provide 14 vehicular surface parking spaces for the dedicated community space, as well as 513 vehicular parking spaces within the expanded three-level, below-grade parking garage. The project proposes a parking ratio of one space per 420 square feet (1:420) which is less than the City's required parking ratio of one space per 300 square feet (1:300). As noted in Section 3.4, Uses of the EIR, the project is requesting a Conditional Use Permit for reduced parking per Municipal Code Section 18.30.050 (A). The first level of the new parking garage would be fully integrated into the existing parking garage. The project would replace the existing vehicle downward access ramp off of University Circle with a new ramp adjacent to the new office building to serve the expanded below-grade parking garage.

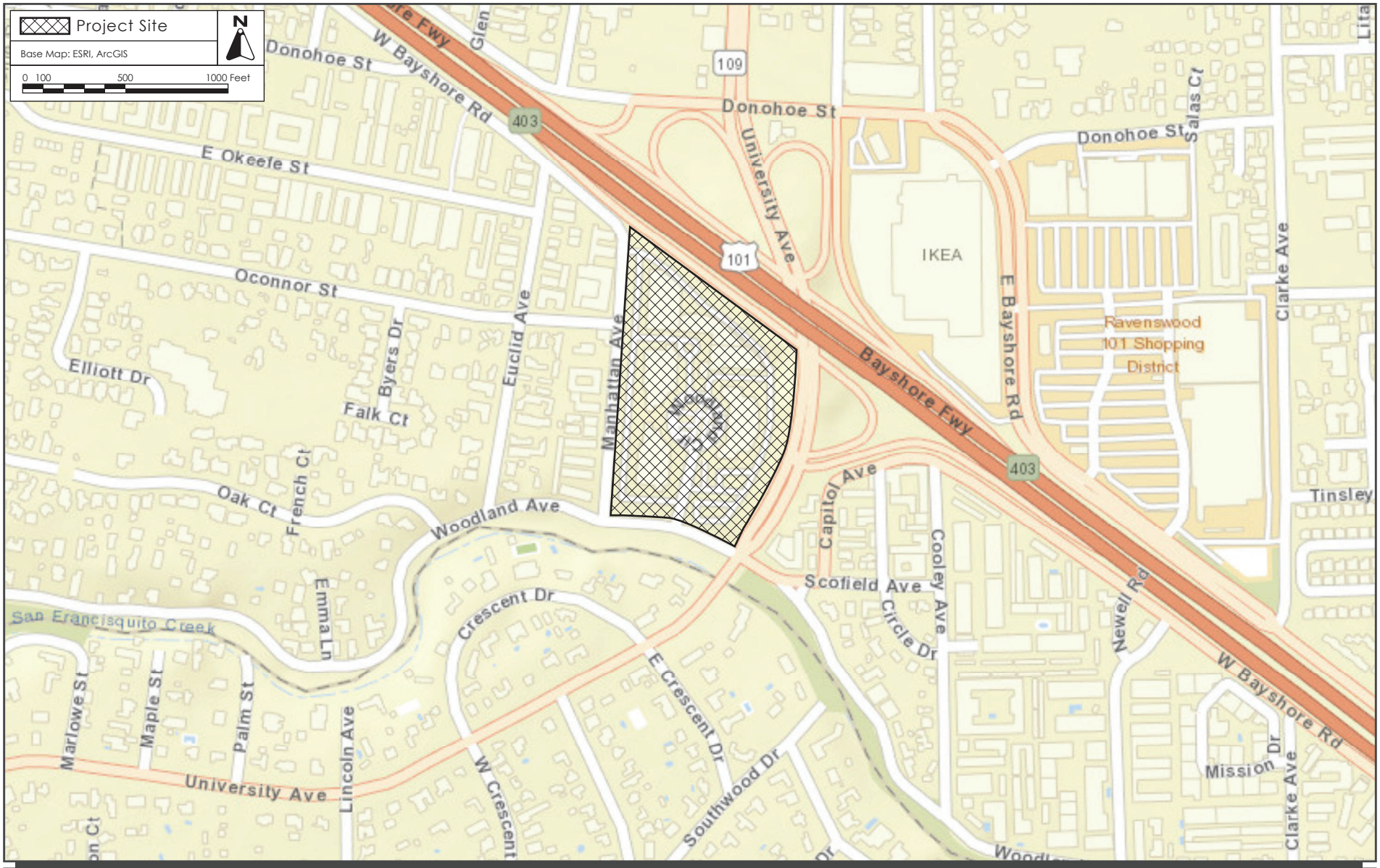
During project operations, above-grade vehicular circulation patterns would remain similar to existing conditions with the addition of a new ramp to the below-grade parking garage off of University Circle. Pedestrian access to the project site would be expanded to include a staircase off Manhattan Avenue and two access points off the new University Avenue sidewalk (one adjacent to the northeast corner of 1950 University Circle and the second at the proposed office building plaza). The new access points would provide a direct pedestrian connection through the project site from the Manhattan Avenue near the existing bus stop to the planned bike/pedestrian overcrossing of US 101. The sidewalk on Woodland Avenue adjacent to the proposed office building would be replaced with a new sidewalk separated from Woodland Avenue by a landscaping strip.

The site plan and east/west and north/south elevations are shown on Figure 3.2-4, Figure 3.2-5, and Figure 3.2-6, respectively.



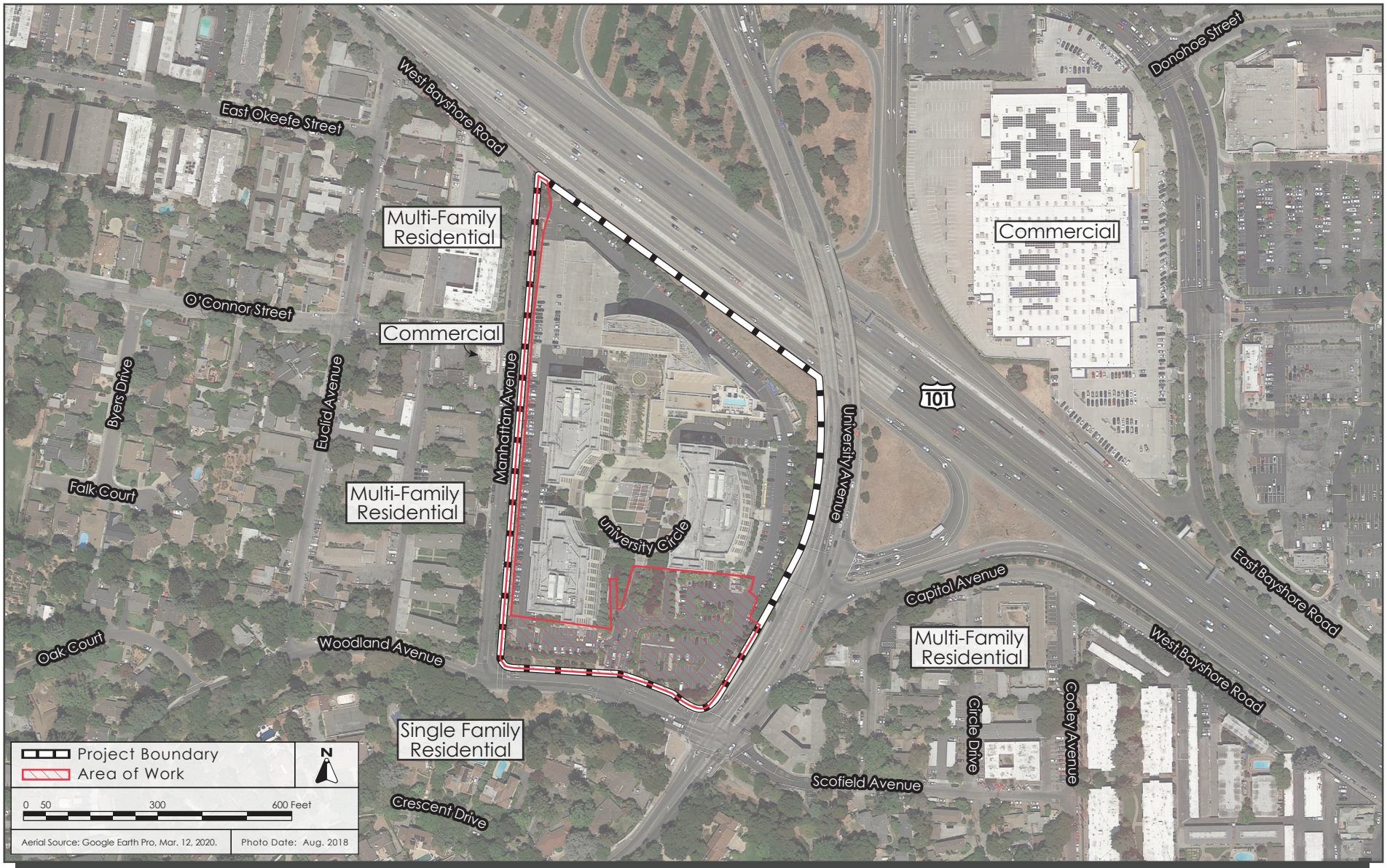
REGIONAL MAP

FIGURE 3.2-1

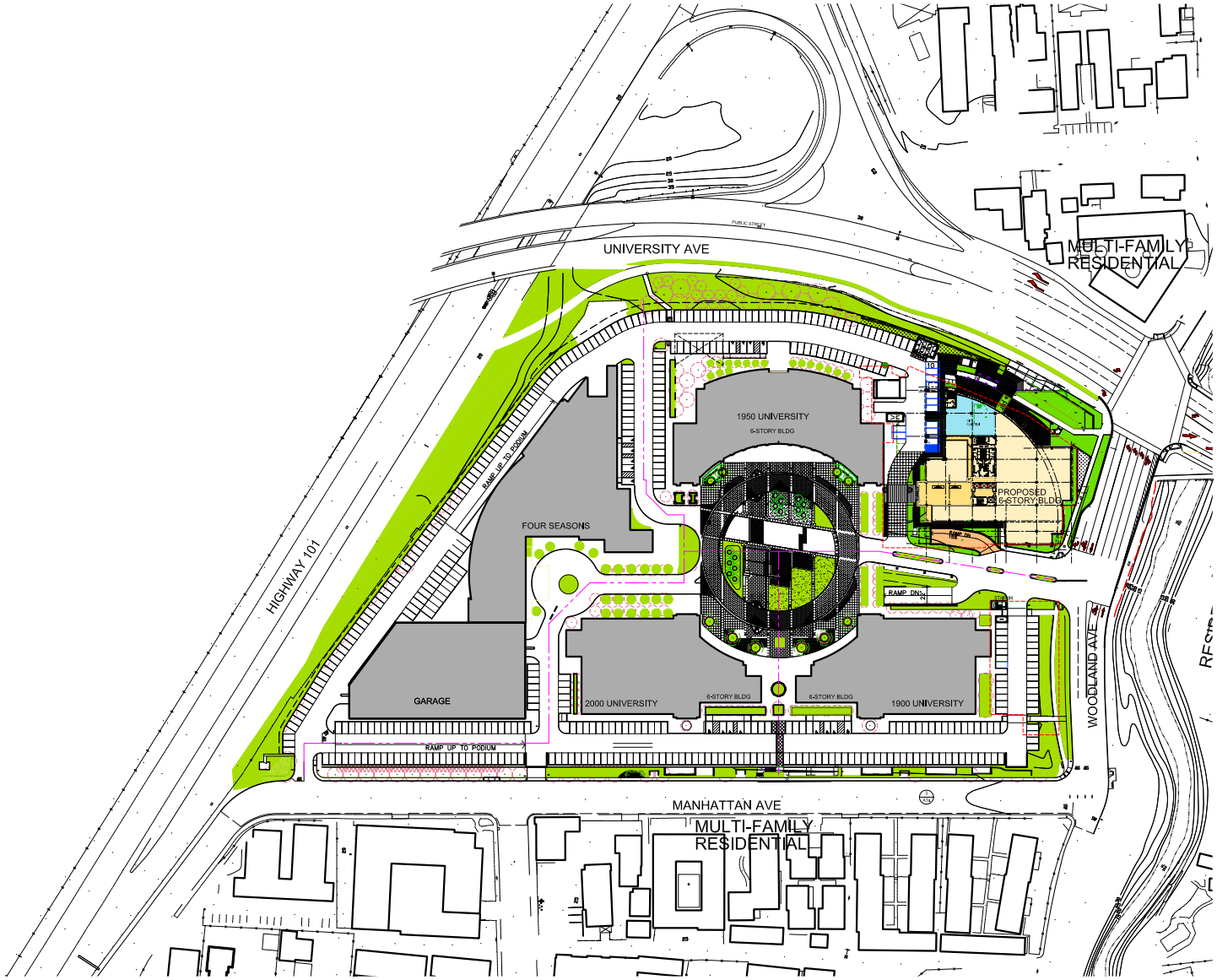


VICINITY MAP

FIGURE 3.2-2



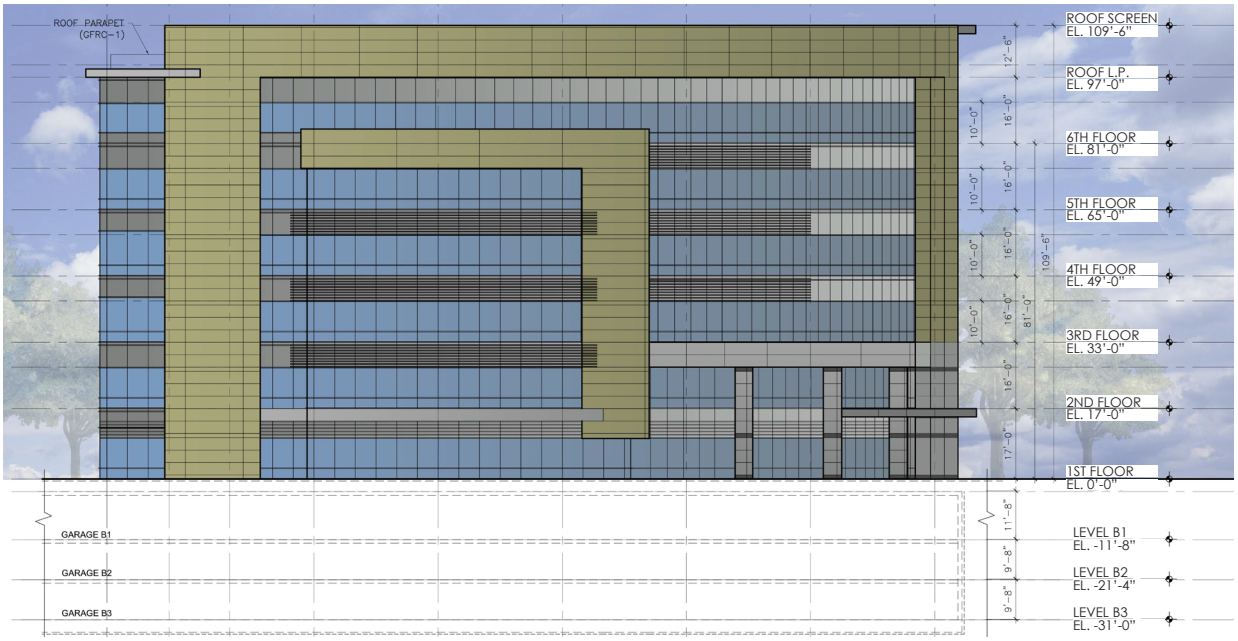
AERIAL PHOTOGRAPH AND SURROUNDING LAND USES | FIGURE 3.2-3



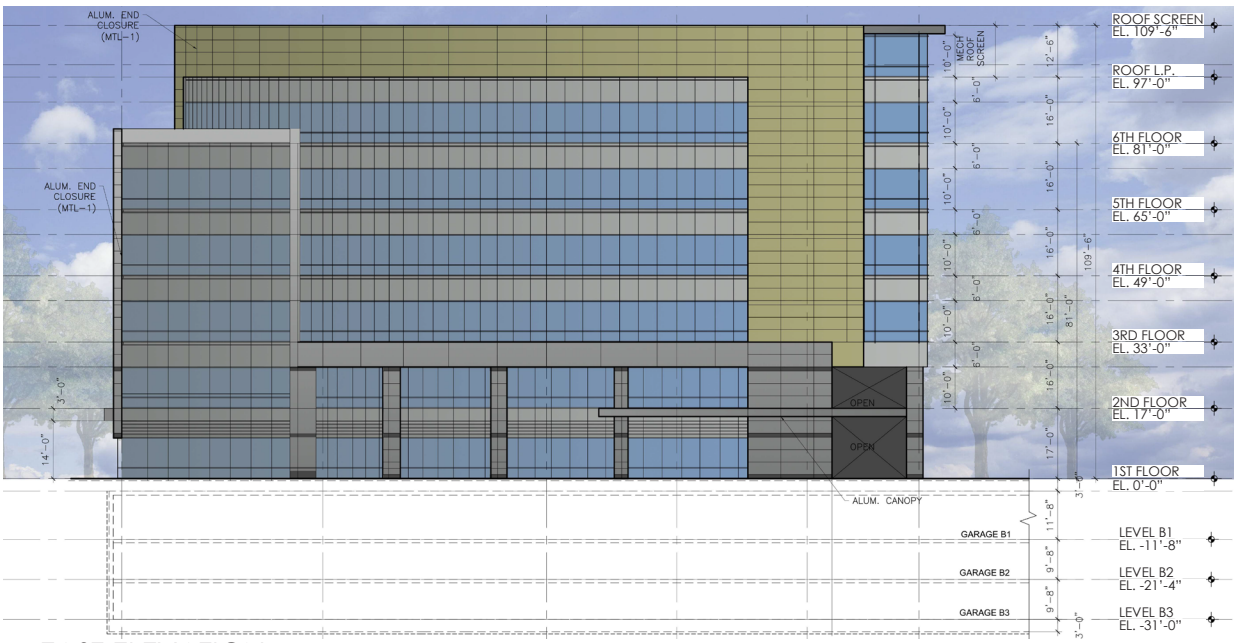
Source: Chang Architecture, August 5, 2021.

SITE PLAN

FIGURE 3.2-4



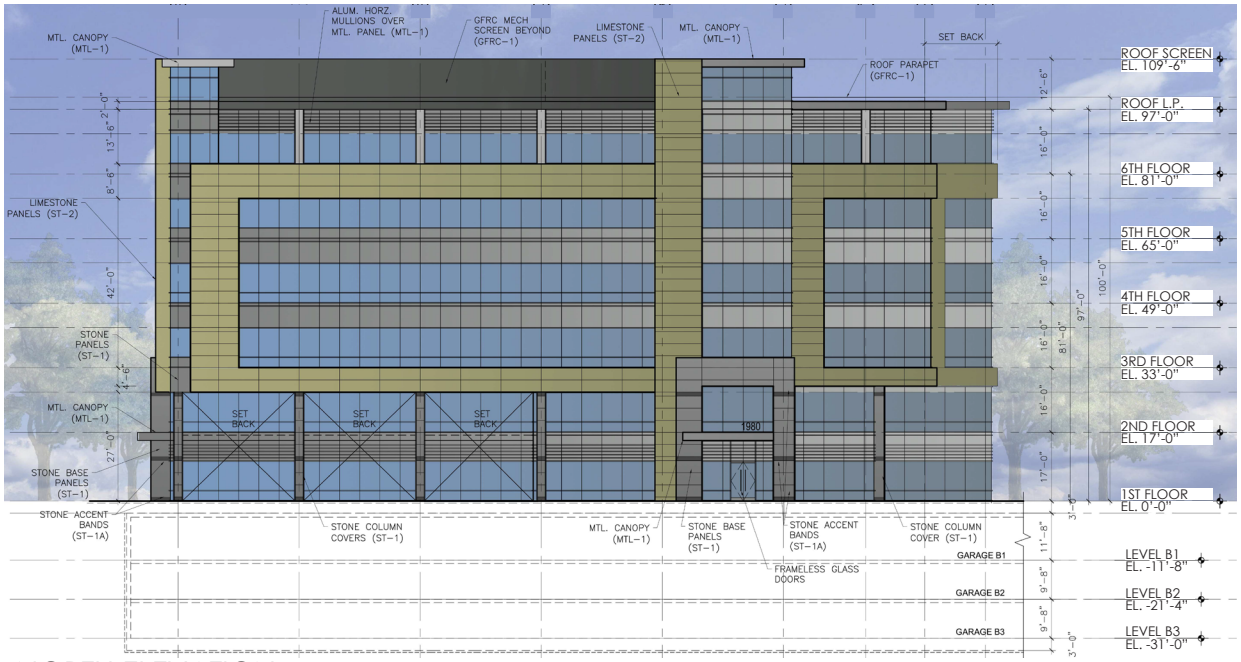
SOUTH ELEVATION



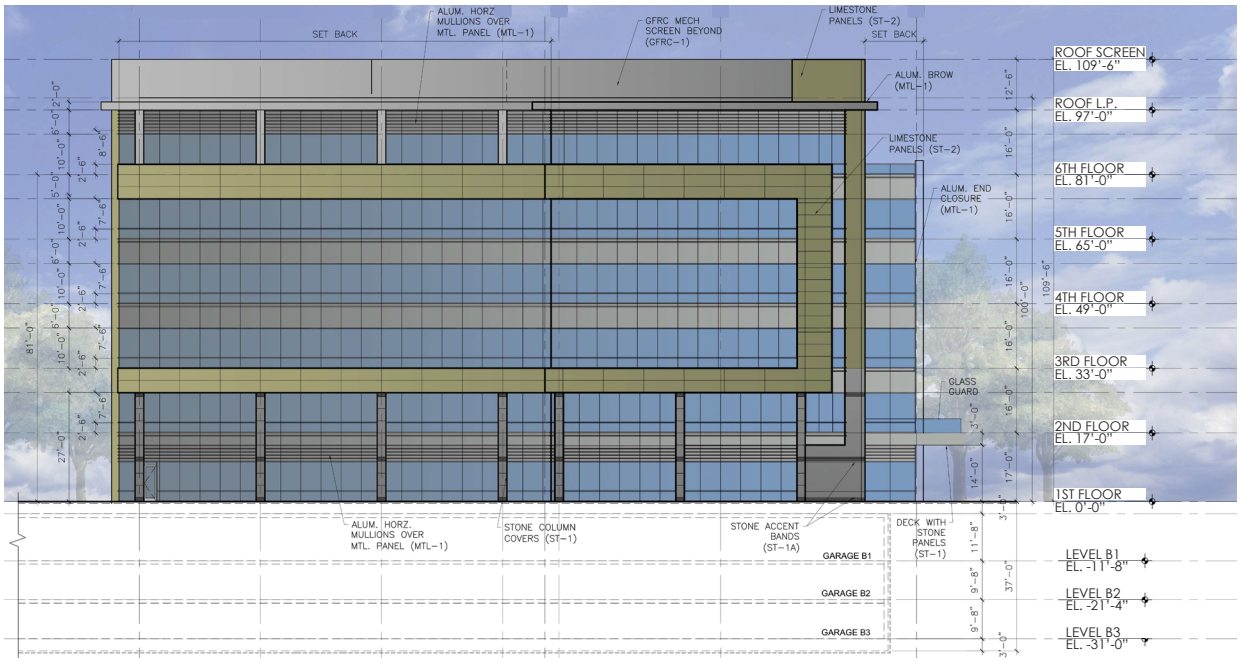
EAST ELEVATION

Source: Chang Architecture, December 20, 2019.

PROPOSED SOUTH AND EAST ELEVATIONS | FIGURE 3.2-5



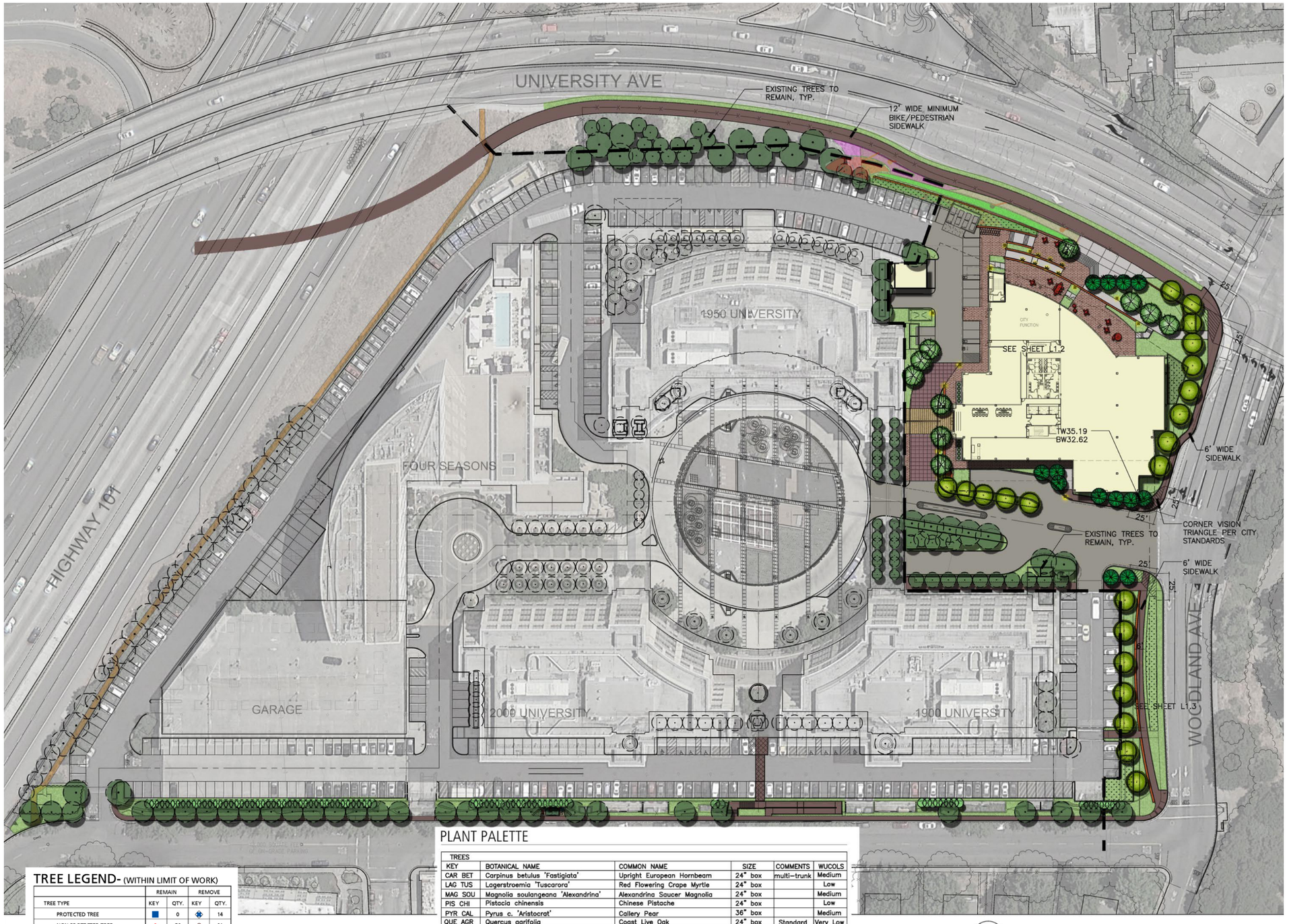
NORTH ELEVATION



WEST ELEVATION

Source: Chang Architecture, December 20, 2019.

PROPOSED NORTH AND WEST ELEVATIONS | FIGURE 3.2-6



TREE LEGEND- (WITHIN LIMIT OF WORK)

	REMAIN		REMOVE	
TREE TYPE	KEY	QTY.	KEY	QTY.
PROTECTED TREE		0		14
NON-PROTECTED TREE		56		91
TOTALS		56		105
PROPOSED NEW TREES		44		

PLANT PALETTE

TREES

KEY	BOTANICAL NAME	COMMON NAME	SIZE	COMMENTS	WUCOLS
CAR BET	Carpinus betulus 'Fastigiata'	Upright European Hornbeam	24" box	multi-trunk	Medium
LAG TUS	Lagerstroemia 'Tuscarora'	Red Flowering Crape Myrtle	24" box		Low
MAG SOU	Magnolia soulangeana 'Alexandrina'	Alexandrina Saucer Magnolia	24" box		Medium
PIS CHI	Pistacia chinensis	Chinese Pistache	24" box		Low
PYR CAL	Pyrus c. 'Aristocrat'	Callery Pear	36" box		Medium
QUE AGR	Quercus agrifolia	Coast Live Oak	24" box	Standard	Very Low
QUE COC	Quercus coccinea	Scarlet Oak	24" box		Medium
QUE RUB	Quercus rubra	Scarlet Oak	24" box		Medium
QUE VIR	Quercus virginiana	Southern Live Oak	36" box	Specimen	Medium

Scale: 1"=40'-0"
0 20 40 80

Source: Chang Architecture, December 5, 2019.

PROPOSED LANDSCAPING PLAN

FIGURE 3.2-7

3.2.4 Landscaping

Landscaping on the project site is located on the perimeter of the site and existing buildings, and throughout surface parking lots. There are a total of 158 trees within and immediately adjacent to the area of disturbance. With project implementation, 117 existing trees would be removed and 44 new trees would be planted on the site. Figure 3.2-7 shows the proposed landscaping plan.

3.2.5 Water

The proposed project would connect to the existing on-site water system, which connects to the existing eight-inch water main in Manhattan Avenue. No new off-site water system connections are proposed by the project.

3.2.5.1 *Water Conservation*

The proposed project includes replacement of all plumbing fixtures in each of the existing office buildings on-site with new water-efficient plumbing fixtures and installation of water-efficient plumbing fixtures throughout the proposed office building. As a condition of approval on the project, retrofit of the existing office buildings would be required to be completed prior to issuance of occupancy permits on the proposed office building. According to a water and wastewater demand memo prepared by ACIES Engineers on June 29, 2020 (refer to Appendix I) and reviewed by CSG Consultants on behalf of the City, [6] the estimated water savings from replacement of plumbing fixtures in the existing office buildings with high efficiency fixtures would be 54,978 gallons per month. Water demand for the proposed office building would be 48,535 gallons per month. Thus, with implementation of the water conservation measures listed above, the project would achieve net neutral water consumption at the site (i.e., water consumption at the project site with the proposed project will be the same as existing water consumption).

3.2.6 Sanitary Sewer

Wastewater generation is directly proportional to water demand. With implementation of the water conservation measures listed above in Section 3.2.5.1, Water Conservation, site water demand with the proposed project would be incrementally less than existing site water demand. Therefore, the proposed project would not increase demand upon the existing sanitary sewer system serving the project site (refer to Appendix I). The project would connect to the existing on-site sanitary sewer system, which connects to the eight-inch sanitary sewer main in Manhattan Avenue. No new off-site sanitary sewer connections are proposed by the project.

3.2.7 Storm Drain

The project would include three flow-through planters and a lined bioretention area to capture and process stormwater runoff from the project site before it enters the City's storm drainage system. Additionally, the project would incorporate stormwater detention measures to store and control flow rates and ensure that post-construction project flow rates would remain at pre-project levels. The proposed stormwater system would connect to the existing on-site storm drain system and the

[6] City of East Palo Alto, Department of Public Works. *Confirming ACIES Report Findings.* December 10, 2020.

existing 15-inch stormwater line in Woodland Avenue. The existing on-site system currently connects to the 18-inch line in Manhattan Avenue.

3.2.8 Fire Water System

The proposed project would incorporate a 186,000-gallon fire water tank and pump within the below-grade parking garage with capacity to serve the proposed project and offset existing deficiencies in the municipal fire flow for the Westside area.

3.2.9 Green Building Measures

The proposed project would be built to the California Green Building Standards Code (CALGreen), which includes design provisions intended to minimize wasteful energy consumption. The proposed project would be designed to achieve the equivalent of Leadership in Energy and Environmental Design (LEED) Platinum certification and would include the following green building features:

- Bicycle parking spaces
- On-site showers
- Electric vehicle charging stations
- White vinyl rooftop
- LED light fixtures
- Water efficient landscaping with irrigation design
- On-site stormwater management, bioretention swales and permeable paving
- Roof top solar panels covering 15 percent of the roof area Low flow indoor water fixtures
- Variable refrigerant flow Heating, Ventilating, and Air Conditioning (HVAC) system

3.2.10 Transportation Demand Management Plan

The project would include the following Transportation Demand Management (TDM) measures, which are currently implemented for the existing office buildings on-site:

- Free shuttle service to Palo Alto Caltrain Station during commute hours (30-minute headways)
- Free trial Caltrain tickets for new riders
- Free trial SamTrans tickets for new riders
- Bicycle amenities (on-site secure bicycle lockers and on-site bicycle repair stations with tools and air pumps)
- Preferential parking for carpools and vanpools
- Emergency ride home program (pending)
- Carpool ride matching services
- Carpool financial incentives for Scoop users
- Commute coordinator
- Communte.org carpool and vanpool incentives
- Commute.org Guaranteed Ride Home

- 511.org carpool rewards
- 511.org vanpool program

3.2.11 Project Construction

The proposed project would be constructed in one phase, which would take approximately 36 months to complete. Construction activities would include removal of the existing parking lot improvements and landscaping, excavation and construction of a three-level below-grade parking garage and six-story office building. For the duration of project construction, construction hours would be between 7 a.m. and 10 p.m.[7] Construction activities involving use of heavy equipment (such as graders, excavators, bull dozers, etc.) would primarily occur between 7:00 a.m. and 4:00 p.m. During project demolition and excavation, trucks would be loaded with demolition materials and soil between 7:00 a.m. and 4:00 p.m. The loaded trucks would then wait to exit the site until between 7:00 p.m. and 10:00 p.m., after peak hour traffic has subsided.

Excavation to a maximum depth of 36 feet would be required. Removal of approximately 133,673 cubic yards of soil would be necessary to accommodate the proposed below-grade garage expansion. In addition, due to the level of groundwater at the project site, construction dewatering would be required.

3.2.11.1 *Construction Circulation*

During project construction, University Circle will be temporarily closed, and traffic would be rerouted for approximately 24 months to allow for excavation and construction of the new below-grade parking garage. During this time, the project proposes to construct two temporary driveways. The first temporary driveway would be located approximately 200 feet west of the University Avenue/Woodland Avenue intersection. The second would be located approximately 50 feet east of the Manhattan Avenue/Woodland Avenue intersection aligning with the westernmost on-site drive aisle of the existing surface parking lot.

3.2.12 Community Benefits

Consistent with General Plan Land Use Policy 2.7, University Circle, which calls for new development in the Westside area to provide community benefits, the proposed project includes the following community benefits: easement dedication for future City bike path, temporary parking space dedication for surrounding residences, bus stop improvements, dedication of space for community use, improved site pedestrian access, public art and memorial creation, and intersection improvements. Details on these community benefits are included below.

3.2.12.1 *Bike Path*

Irrespective of project approval, the applicant has agreed to grant an easement to the City along the eastern property line from U.S. 101 to Woodland Avenue for development of a planned bike/pedestrian overcrossing and future bike path. Construction of the future bike path would be

[7] The project proposes construction activities outside of the construction hours permitted in the Municipal Code and would be required to obtain an exception.

funded and completed by the City of East Palo Alto. The future bike path would connect to a planned bicycle/pedestrian bridge across U.S. 101 at the northeast corner of the project site.

3.2.12.2 *Temporary Parking*

The project proposes to reserve approximately 46 existing vehicle spaces on the first level of below-grade parking for use by the adjacent residences. This parking would be provided as overflow parking to residents of the Woodland Apartment Expansion project prior to construction of the proposed project and until the adjacent Woodland Apartment Expansion project is complete. The existing gated ramp off Manhattan Avenue would provide access to the residential parking.

3.2.12.3 *Bus Stop Improvements*

The project would improve the existing bus stop mid-block on Manhattan Avenue near O'Connor Street. Proposed improvements include a new staircase providing direct access from the site to the bus stop and new landscaping to better screen mechanical equipment along Manhattan Avenue.

3.2.12.4 *Pedestrian Access*

The project would construct three new public pedestrian access points to and through the site. A new staircase onto Manhattan Avenue would provide direct access to the site near the existing bus stop and also provide access through the site to two new access points onto University Avenue (adjacent to the existing 1950 University Circle office building and adjacent to the proposed office building).

3.2.12.5 *Community Space*

As noted above, approximately 2,940 square feet of indoor ground floor space within the proposed office building and a 1,000-square-foot patio would be reserved for community use as a community space for meetings, gatherings, and educational programming.

3.2.12.6 *Public Art and Memorial*

The project also includes installation of public art displays and memorials commemorating the Tongan community center and/or Whiskey Gulch, both formerly located on the project site. The public art display would be installed adjacent to the community space entrance near the intersection of Woodland Avenue and University Avenue. The memorials would be installed at the intersection of Manhattan Avenue and West Bayshore Road.

3.2.12.7 *Woodland Avenue Widening*

Under existing conditions there are two left turn lanes and one through/right turn lane on eastbound Woodland Avenue at the University Avenue intersection. The proposed project would widen Woodland Avenue to add a third left-turn lane on eastbound Woodland Avenue at University Avenue for a total of four eastbound lanes. The improvement would require modifications to the curb and sidewalk on the north side of Woodland Avenue adjacent to the project site and on the northeast curb corner of the University Avenue/Woodland Avenue intersection within the existing right-of-way.

3.3 PROJECT OBJECTIVES

Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15124, the Environmental Impact Report (EIR) must include a statement of objectives sought by the proposed project. The stated objectives of the project proponent are to:

1. Construct and operate an additional office building consistent with and in furtherance of applicable General Plan and Westside Plan goals and policies calling for the intensification of office uses at University Circle and additional build out of the original University Circle development project (refer to General Plan Land Use and Urban Design Policy 2.7 and Westside Plan Policy 4.6).

2. Expand University Circle development to create a larger office campus, which better aligns with and helps to achieve the City's goals relating to growing its tax and employment base and improving its job-housing balance (refer to General Plan Land Use and Urban Design Goal 2).

3. Utilize the build-out and operation of the additional office space as an opportunity to further integrate the University Circle into the surrounding neighborhoods via enhanced bike and pedestrian connectivity between the Westside and Downtown East Palo Alto, and along the Westside generally (refer to General Plan Westside Area Plan Policies 4.6, 7.6).

4. Utilize the build-out and operation of the additional office space as an opportunity enhance the look of one of the City's nonresidential areas and improve local traffic and circulation through implementation of an enhanced TDM program and other offsite voluntary traffic improvements (refer to General Plan Westside Area Plan Goal W-9).

5. Use the development of a new office building as the catalyst to re-energize and modernize the University Circle campus as a more active and community-oriented space for East Palo Alto's residents. Examples include the ground floor indoor/outdoor community room, a public art plaza and ongoing curation of annual community events and the farmer's market (refer to General Plan Westside Area Plan Policy 4.6, 8.4).

3.4 USES OF THE EIR

Project-level measures to mitigate impacts are identified in this Draft EIR. This Draft EIR is intended to be an informational document and is subject to public review, agency review, and consideration by the City of East Palo Alto. The purpose of this Draft EIR is to identify potentially significant effects of the project on the physical environment, to determine the extent to which these effects could be reduced or avoided, and to identify feasible alternatives to the project. The Draft EIR is an informational document and in itself does not determine whether a project should or will be approved.

This EIR would provide decision-makers in the City of East Palo Alto (the CEQA Lead Agency), responsible agencies, and the general public with relevant environmental information to use in

considering the project. If the proposed project is approved, the EIR could be used by the City in conjunction with appropriate discretionary approvals including, but not limited to, the following:

City of East Palo Alto

- Development Agreement
- Lot Merger
- Development Permit
- Grading Permit(s)
- Building Permit(s)
- Tree Removal Permit(s)
- Conditional Use Permit (for reduced parking)

SECTION 4.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION

This section presents the discussion of impacts related to the following environmental subjects in their respective subsections:

4.1	Effects Found Not to be Significant	4.11	Land Use and Planning
4.2	Aesthetics	4.12	Noise
4.3	Air Quality	4.13	Population and Housing
4.4	Biological Resources	4.14	Public Services
4.5	Cultural Resources	4.15	Recreation
4.6	Energy	4.16	Transportation
4.7	Geology and Soils	4.17	Tribal Cultural Resources
4.8	Greenhouse Gas Emissions	4.18	Utilities and Service Systems
4.9	Hazards and Hazardous Materials		
4.10	Hydrology and Water Quality		

The discussion for each environmental subject includes the following subsections:

Environmental Setting – This subsection 1) provides a brief overview of relevant plans, policies, and regulations that compose the regulatory framework for the project and 2) describes the existing, physical environmental conditions at the project site and in the surrounding area, as relevant.

Impact Discussion – This subsection includes the recommended checklist questions from Appendix G of the California Environmental Quality Act (CEQA) Guidelines to assess impacts.

- **Project Impacts** – This subsection discusses the project's impact on the environmental subject as related to the checklist questions. For significant impacts, feasible mitigation measures are identified. "Mitigation measures" are measures that will minimize, avoid, or eliminate a significant impact (CEQA Guidelines Section 15370). Each impact is numbered to correspond to the checklist question being answered. For example, Impact BIO-1 answers the first checklist question in the Biological Resources section. Mitigation measures are also numbered to correspond to the impact they address. For example, MM BIO-1.3 refers to the third mitigation measure for the first impact in the Biological Resources section.
- **Cumulative Impacts** – This subsection discusses the project's cumulative impact on the environmental subject. Cumulative impacts, as defined by CEQA, refer to two or more individual effects, which when combined, compound or increase other environmental impacts. Cumulative impacts may result from individually minor, but collectively significant effects taking place over a period of time. CEQA Guideline Section 15130 states that an Environmental Impact Report (EIR) should discuss cumulative impacts "when the project's incremental effect is cumulatively considerable." The discussion does not need to be in as great detail as is necessary for project impacts, but is to be "guided by the standards of practicality and reasonableness." The purpose of the cumulative analysis is to allow decision makers to better understand the impacts that might result from approval of past, present, and

reasonably foreseeable future projects, in conjunction with the proposed project addressed in this EIR.

The CEQA Guidelines advise that a discussion of cumulative impacts should reflect both their severity and the likelihood of their occurrence (CEQA Guidelines Section 15130(b)). To accomplish these two objectives, the analysis should include either a list of past, present, and probable future projects or a summary of projections from an adopted general plan or similar document (CEQA Guidelines Section 15130(b)(1)). This EIR uses the list of projects approach.

The analysis must determine whether the project's contribution to any cumulatively significant impact is cumulatively considerable, as defined by CEQA Guideline Section 15065(a)(3). The cumulative impacts discussion for each environmental issue accordingly addresses the following issues: 1) would the effects of all of past, present, and probable future (pending) development result in a significant cumulative impact on the resource in question; and, if that cumulative impact is likely to be significant, 2) would the contribution from the proposed project to that significant cumulative impact be cumulatively considerable?

Table 4.1.1 identifies the approved (but not yet constructed or occupied) and pending projects in the project vicinity that are evaluated in the cumulative analysis.

Table 4.1.1: Cumulative Projects List

Cumulative Project Number	Name and Location	Description	Distance to Proposed Project
East Palo Alto Projects			
1	Woodland Apartment Expansion Euclid Improvements	605-unit Residential	35 feet west
2	1788 E Bayshore Road	15,875 square feet Office	730 feet north
3	660 Donohoe Street	200,000 square feet Office	760 feet northeast
4	630 Donohoe Street	105,000 square feet Hotel	760 feet northeast
5	Sobrato Phase II (2111 University Avenue)	231,883 square feet Office and 284,094 square foot Parking Garage	1,000 feet north
6	717 Donohoe Street	14-unit Residential	0.25-mile northeast
7	Light Tree Apartments (1805 East Bayshore Road)	185-unit Residential	0.4-mile northeast
8	Clarum Clover (2331 University Avenue)	Mixed Use including 33-unit Residential, and 2,500 square feet Commercial	0.6-mile northeast
9	KIPP School (1039/1063 Garden)	650-student High School	0.6-mile east
10	1062 Runnymede Street	12 unit Residential	0.75-mile northeast

11	965 Weeks Street	136-unit Residential	0.8-mile northwest
12	2398 University Avenue	164-room Hotel and 6,000 square feet Retail	0.8-mile north
13	1201 Runnymede Street	37-unit Residential	0.9-mile east
14	Weeks Townhouses (2289 Runnymede)	10-unit Residential	0.95-mile northeast
15	EPA Center Arts	23,000 square feet Community Center	1-mile northeast
16	Jobtrain (2535 Pulgas Avenue)	110,000 square feet Office	1-mile northeast
17	Sobrato Center for Community Services (2519 Pulgas Avenue)	65,000 square feet Office	1-mile northeast
18	2020 Bay Road	Mixed Use including 1.34 million-square feet Office, 3,500 square feet Retail, and 18,000 square feet Amenities Space	1.25-mile northeast
Menlo Park Projects			
19	Chilco Street Improvements Project (Chilco Street between Bayfront Expressway and Hamilton Avenue)	Installation of new sidewalks, landscaping, utilities, and bio-retention structures	1.6-mile northwest
20	Guild Theatre Project (947 El Camino Real)	Theater expansion from 4,172 square feet to 10,854 square feet	2.4-mile west
21	1540 El Camino Real Project	Mixed Use including 27-unit Residential and 40,759 square feet of Office	2.5-mile west
22	300 Constitution Drive	962,400 square foot Office, 200-room Hotel	1.9-miles northwest
23	162 -164 Jefferson Drive	249,500 Office	2.1-miles northwest
24	115 Independence (Menlo Portal)	Mixed-Use including 320-unit Residential, 33,100 square feet Office, 1,608 square feet Commercial	2.4-miles northwest
25	123 Independence Drive	67-unit Residential	2.4-miles northwest
26	111 Independence Drive	105-unit Residential	2.4-miles northwest
27	165 Jefferson Drive	Mixed-Use including 158-unit Residential, 14,400-square-foot Commercial	2.1-miles northwest
28	141 Jefferson Drive	Mixed-Use including 483-unit Residential, 4,000 square feet Commercial	2.3-miles northwest
29	3723 Haven Avenue	167-room Hotel	2.8-miles northwest

30	1350-1390 Willow Road	Mixed-Use including 440,000 square feet Retail, 1,500-unit Residential, 220-room Hotel	1.3-miles northwest
31	1105-1165 O'Brian Drive	120,000-square feet Office	1-mile northwest
32	1350 Adams Court	260,000-square feet Office	1.3-miles northwest
Palo Alto Projects			
33	Newell Road Bridge Replacement Project	Replacement of a 76-foot one-lane bridge at Newell Road with a new two-lane bridge	0.5-mile southeast
34	565 Hamilton Avenue	29,900 square feet Mixed Use	1-mile south
35	486 Hamilton Avenue	Mixed-Use including 2,366 square feet retail, 2,049 square feet office, and 4,348 square feet residential uses	1.1-miles south
36	411 and 437 Lytton Avenue	Mixed-Use including 13,522 square feet of office space, and four residential units	1.2-mile south
37	488 University Avenue	100-room Hotel	1.2-miles south
38	1700 & 1730 Embarcadero Road	31,377 square feet Commercial	1.3-mile southeast
39	620 Emerson Street	4,063 square feet Commercial	1.5-miles south
40	180 El Camino Real	28,714 square feet Commercial	1.9-mile southwest
41	380-410 Cambridge Avenue	35,000square feet Commercial	2.23-mile southwest
42	3001 El Camino Real	Mixed-Use including 19,798 square feet Commercial and 50-unit Residential	2.6-mile west
43	3300 El Camino Real	Mixed-Use including 52,872 square feet Office, 2,517 square feet Amenities	2.7-miles south
44	3600 West Bayshore	Pedestrian overcrossing of U.S. 101 and improvements to Adobe Creek Trail	2.7-mile southeast
45	3877 El Camino Real	17-unit Residential	2.8-mile southwest
46	4115 El Camino Real	Mixed-Use including 4,857 square feet Retail, 2,991 square feet of Office, and 4 unit Residential	3.2-mile southwest
47	3406 Hillview Avenue	82,030-square-feet Office	3.4-mile south
48	3215 Porter Drive	21,933-square-feet Office	3.5-miles southeast
49	788 San Antonio Avenue	Mixed-Use including 1,803 square feet Commercial and 102-unit Residential	3.6-miles southwest
50	4256 El Camino Real	100-room Hotel	3.8-miles southeast

The geographic area that could be affected by the proposed project varies depending upon the type of environmental issues being considered. For example, the project effects on air quality would combine with the effects of projects in the entire air basin, whereas noise impacts would primarily be localized to the surrounding area. Section 15130(b)(3) of the CEQA Guidelines states that lead agencies should define the geographic scope of the area affected by the cumulative effect. Table 3.4-1 provides a summary of the different geographic areas used to evaluate cumulative impacts.

Table 3.4-1: Geographic Considerations in Cumulative Analysis

Resource Area	Geographic Area
Aesthetics	Project site and adjacent parcels
Agriculture and Forestry Resources	Countywide
Air Quality	San Francisco Bay Area Air Basin
Biological Resources	Range of Biological Resource
Cultural Resources	Extent of Cultural Resources
Energy	Energy provider's territory
Geology and Soils	Project site and adjacent parcels
GHGs	Global
Hazards and Hazardous Materials	Project site and adjacent parcels
Hydrology and Water Quality	San Francisquito watershed
Land Use and Planning/Population and Housing	Citywide
Minerals	Identified mineral recovery or resource area
Noise and Vibration	Project site and adjacent parcels
Public Services and Recreation	Citywide
Transportation/Traffic	San Francisco Bay Area Region
Tribal Cultural Resources	Range of Tribal Cultural Resources
Utilities and Service Systems	Citywide
Wildfire	Within or adjacent to the wildfire hazard zone

4.1 EFFECTS FOUND NOT TO BE SIGNIFICANT

CEQA Guidelines Section 15128 requires an EIR to briefly describe any possible significant effects determined not to be significant and, therefore, not discussed in detail in the EIR. This section addresses the potential environmental effects of the proposed project that have been found not to be significant. This includes agricultural and forestry resources, mineral resources, and wildfire, as described in further detail below.

4.1.1 Agriculture and Forestry Resources

4.1.1.1 *Environmental Setting and Impact Discussion*

The project site is located in an urbanized area. The project site and surrounding area do not meet the definition of forest land or timberland, and are not used for agricultural purposes. [8] According to the San Mateo County Important Farmland 2016 Map and the San Mateo County Williamson Act FY 2006/2007 Map, the site and surrounding area are designated Urban and Built-up Land and are not the subject of a Williamson Act contract.[9] No agricultural land, agriculturally zoned land, or land under Williamson Act contract is within a half-mile radius of the project site.[10] The project would have no impact on agriculture, forestland, or forestry resources. **(No Impact)**

4.1.2 Mineral Resources

4.1.2.1 *Environmental Setting and Impact Discussion*

The California Geological Survey has classified lands within the San Francisco- Monterey Bay Region into Aggregate and Mineral Resources Zones (MRZs) based on guidelines adopted by the California State Mining and Geology Board. East Palo Alto is mapped as MRZ-1, an area where no significant mineral or aggregate deposits are present.[11] Therefore, the proposed project would not result in the loss of known regionally or locally important mineral resources. **(No Impact)**

4.1.3 Wildfire

4.1.3.1 *Environmental Setting and Impact Discussion*

The California Department of Forestry and Fire Protection (Cal Fire) is required by law to map areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors. Referred to as Fire Hazard Severity Zones (FHSZ), these maps influence how people construct buildings and protect property to reduce risk associated with wildlands fires. The project site is not located in a FHSZ.[12] The project would not result in wildfire impacts. Furthermore, the project would not conflict with any plans or policies related to wildfires. **(No Impact)**

[8] According to California Public Resources Code Section 12220 (g), Forest Land is land that can support 10-percent native tree cover and any species, including hardwoods, under natural conditions, and that allow for the management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality recreation, and other public benefits. According to California Public Resources Code Section 4526, "Timberland" means land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees.
[9] California Natural Resources Agency. *San Mateo County Important Farmland 2016.* Published February 2018.
[10] California Natural Resources Agency. *San Mateo County Important Farmland 2016.* Published February 2018.
[11] City of East Palo Alto. *Vista 2035 General Plan.* March 17, 2016.
[12] California Department of Forestry and Fire Protection. *Fire Hazard Severity Zones Maps.* Accessed April 22, 2021. https://gis.data.ca.gov/datasets/789d5286736248f69c4515c04f58f414.

4.2 AESTHETICS

4.2.1 Environmental Setting

4.2.1.1 *Regulatory Framework*

Federal

There are no applicable federal laws.

State

Senate Bill 743

Senate Bill (SB) 743 was adopted in 2013 and requires lead agencies to use alternatives to level of service (LOS) for evaluating transportation impacts, specifically vehicle miles traveled (VMT). SB 743 also included changes to CEQA that apply to transit-oriented developments, as related to aesthetics and parking impacts. Under SB 743, a project's aesthetic impacts will no longer be considered significant impacts on the environment if:

- The project is a residential, mixed-use residential, or employment center project, and
- The project is located on an infill site within a transit priority area.[13]

SB 743 also clarifies that local governments retain their ability to regulate a project's aesthetics impacts outside of the CEQA process.

Streets and Highway Code Sections 260 through 263

The California Scenic Highway Program (Streets and Highway Code, Sections 260 through 263) is managed by the California Department of Transportation (Caltrans). The program is intended to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment. There are no state-designated scenic highways in East Palo Alto. The closest officially designated State Scenic Highway to the project site is Interstate 280 from the San Mateo County line to State Route (SR) 17.[14]

[13] An "infill site" is defined as "a lot located within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses."
A "transit priority area" is defined as "an area within 0.5 mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program adopted pursuant to Section 450.216 or 450.322 of Title 23 of the Code of Federal Regulations."
A "major transit stop" means "a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods." Source: Office of Planning and Research. "Changes to CEQA for Transit Oriented Development – FAQ." October 14, 2014. Accessed April 6, 2020. http://www.opr.ca.gov/ceqa/updates/sb-743/transit-oriented.html.

[14] California Department of Transportation." Scenic Highways." Accessed April 6, 2020. https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways

Title 24 Outdoor Lighting Zones

Title 24 of the California Building Standards Code includes outdoor lighting requirements for development projects. The standards regulate light characteristics and are intended to improve the quality of outdoor lighting and reduce the impact of light pollution and glare. Different lighting standards are set by classifying areas by lighting zones.

Local

Vista 2035 East Palo Alto General Plan

Various policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating aesthetic impacts resulting from planned development within the City, including the following:

Policy	Land Use and Urban Design
2.7	University Circle. Over time, consistent with planning and legal framework, allow for intensification of the University Circle project to include additional office or hotel buildings and incorporate shared or unbundled parking. The City shall negotiate with developers to maximize the potential for acquiring community benefits associated with increases in development intensity.
5.8	Streetscape beautification. Proactively beautify existing streetscapes with pedestrian-scaled lighting, and drought-tolerant street trees and landscaping.
8.1	Gateways. Enhance the image of the community by creating high quality, artistic structural elements that provide city-wide consistency, substantially improving the appearance of entrances to the City along University Avenue, Bay Road, Willow Road, and Newbridge Street.
8.2	High quality construction and architecture. Require high-quality and long-lasting building materials on all new development projects in the City. Encourage innovative and quality architecture for new public and private projects.
8.3	Key projects. For major vacant sites or development opportunities (such as Bay Road/University Avenue site or new Westside development), encourage the use of visionary architects and designers to create iconic buildings and promote the use of public art.
9.2	Parking frontages. Continue to implement parking strategies and standards that ensure parking areas do not dominate street frontages and are screened from public views whenever possible.
9.4	Lighting. Strive for all new gateway features in commercial areas to be pedestrian-oriented attractively designed, compatible in design with other street furniture, and to provide adequate visibility and security.
9.10	Streetscape. Enhance the pedestrian experience through streetscape improvements that could include new street lighting, tree planting, undergrounding of utilities, and easement dedications to increase the size of the sidewalks and pedestrian amenities.
10.10	Architecture. Encourage a variety of architectural styles, building forms and building heights along University Avenue.

13.8	Viewsheds. Encourage developers to design projects that capitalize on views of adjacent natural resources. Require viewshed analysis as part of any potential development application. New development shall allow for the proposed east-west view corridor through Ravenswood north of Bay Road (see Specific Plan for details)

Westside Area Plan

The Westside Area Plan is a chapter within the Vista 2035 General Plan. It provides more detailed goals and policies for the Westside area of East Palo Alto. One of the guiding principles of the Westside Area Plan relative to aesthetics is to beautify the Westside. Specifically, Guiding Principal 14 states that "the physical environment of the Westside should be enhanced to become more attractive. This includes adding street trees, renovating streets to add curbs and gutters, improving the visual character of buildings, requiring high-quality design for renovation and new buildings, and adding parks and open space, including recreation opportunities along San Francisquito Creek." Additional goals and policies included in the Westside Area Plan are listed below.

Policy	**Goal W-6. Building and site design to support a beautiful Westside and a high-quality pedestrian environment.**
6.3	Frequent pedestrian entries and windows. Include regular pedestrian entries onto public space and transparent windows along the ground floor of new buildings, particularly in areas with ground-floor retail.
6.4	Building articulation. Use articulation strategies for new development to reduce the visible bulk of buildings, add visual interest, and add pedestrian-oriented character and detail. These could include massing breaks as well as projections, minor step backs, architectural details, and variations in materials to distinguish between upper and ground floors.
6.7	Parking frontage. Whenever possible, locate parking and vehicle areas in the Westside behind or under buildings, and should not be located on street corners.
6.8	Building length. Limit the length of individual new buildings or building masses along the street frontage to create human-scaled buildings with access to fresh air and daylight.
	Goal W-7. Beautification and greening of the Westside.
7.1	Greening and streetscape. Provide additional street trees, landscaping and green space throughout the Westside to improve the area's visual appeal and increase residents' connection with nature.
7.2	Encourage physical connections and visual sightlines to parks, public space, San Francisquito Creek, and other beautiful outdoor areas.
7.4	Street lighting. Provide adequate and consistent street lighting for safety and nighttime pedestrian activity throughout the Westside.
7.5	Green streets. Integrate "green streets" concepts into street, sidewalk, public space design to minimize the impacts of stormwater runoff and to add visual interest and appeal.

7.6	University Circle integration. Seek opportunities to better integrate the University Circle area into the surrounding neighborhoods, including through new street and pedestrian connections, more pedestrian-focused streetscape and façade design, better public access into and across the site, and better crossings of adjacent streets.

City of East Palo Alto Municipal Code

The City of East Palo Alto addresses visual considerations for development in various City documents, including the Municipal Code. The City Zoning Ordinance (Appendix A in the Municipal Code) sets forth specific design guidelines, height limits, building density, building design and landscaping standards, architectural features, and open space and setback requirements.

Lighting standards are regulated in Section 18.22.050 of the East Palo Alto Development Code. According to this section of the code, outdoor lighting shall not exceed the minimum levels for night-time safety, utility, security, productivity, enjoyment and commerce. All outdoor lighting shall be designed to curtail light pollution and protect the natural environment from adverse effects through shielding and aiming lighting to minimize light spill over and glare onto adjacent properties and roadways. Additionally, Section 18.22.050 specifies that all new non-residential development projects, such as the proposed project, shall limit lighting levels to:

a. five foot-candles for parking lots and other open spaces measured at all property boundaries.
b. Ten foot-candles along fronts of structures and along main drive aisles within the parking lots and
c. Twenty foot-candles for high security areas (e.g., automated teller machines, motor vehicle display areas, and under vehicle fuel station canopies), but not including parking areas. Lighting levels shall be reduced to a maximum of 10 foot-candles after the close of business.

A photometric plan certified by a licensed lighting engineer may be required as part of a development application to determine compliance if it is determined that there is a potential for a significant negative impact on surrounding land uses, adjacent roadways, or sensitive habitat areas.

4.2.1.2 *Existing Conditions*

Project Site

The approximately 11.85-acre, rectangular project site is generally flat. As shown in Figure 3.2-4 Figure 4.2-1, and Figure 4.2-2, the project site contains three existing six-story office buildings, a five-story hotel, associated parking, and landscaping. The contemporary structures have grey stone and stucco exteriors with flat roofs. The structures are surrounded by paved surface parking lots with landscaping and mature trees.

There are no designated scenic vistas or scenic resources within the city view corridors. Limited views of the Diablo Range are available from the site, but these views are obscured by the U.S. 101/University Avenue overpass and existing development to the east.

Surrounding Area

The project vicinity is characterized by a mix of land uses and architectural styles. Land uses in the project vicinity include single-family residences, commercial retail uses, and low-rise apartment buildings. Views of the surrounding area from the project site include low-rise structures to the west and east, a mature stand of trees along San Francisquito Creek to the south, and U.S. 101 and existing commercial buildings to the north and northeast of the project site.

The project site and surrounding area are flat. Therefore, views of the project site are limited.

4.2.2 Impact Discussion

For the purpose of determining the significance of the project's impact on aesthetics, except as provided in Public Resources Code Section 21099, would the project:

1) Have a substantial adverse effect on a scenic vista?
2) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
3) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings?[15] If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

4.2.2.1 *Project Impacts*

Impact AES-1:	The project would not have a substantial adverse effect on a scenic vista. **(Less than Significant Impact)**

The General Plan does not identify any designated scenic vistas, view corridors, or scenic resources within the city. The project site and surrounding area are flat and not located within a designated scenic vista. For these reasons, the project would not have a substantial adverse effect on scenic vistas. **(Less than Significant Impact)**

Impact AES-2:	The project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. **(No Impact)**

The nearest designated State Scenic Highway to the project site is I-280, which is located approximately 6.5-miles southwest of the site. The site is not visible from I-280. Because the project site is not located within a state scenic highway, the proposed office building would not damage

[15] Public views are those that are experienced from publicly accessible vantage points.

scenic resources within a state scenic highway. **(No Impact)**

Impact AES-3:	The project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings. The project would not conflict with applicable zoning and other regulations governing scenic quality. **(Less than Significant Impact)**

The project site is located in an urbanized area. As noted in Section 4.11, Land Use, the proposed project is consistent with the General Plan and zoning designation for the site. The East Palo Alto Zoning Code does not include policies related to preserving scenic quality. The General Plan identifies the U.S. 101/University Avenue interchange area as a designated Gateway and establishes goals to preserve the scenic quality of designated Gateways. Specifically, General Plan Goal LU-8.1 calls for development of character defining commercial buildings in identified gateway areas and General Plan Goal LU 2.7 calls for intensification of existing uses at the University Circle site.

The rounded design and muted stone tile and glass façade of the existing Four Seasons building and the office building located at 2000 University Circle are distinctive in comparison to other commercial buildings in East Palo Alto and provide an identifiable landmark for residents, visitors, and motorists traveling through the City on U.S. 101, University Avenue, and East Bayshore Road. A design review of the proposed project prepared by Cannon Design Group on June 30, 2020 noted that the rounded design and glass façade of the proposed building would complement similar designs on the Four Seasons building and the office building at 2000 University Circle. Therefore, the project would complement design features of the existing buildings on-site and contribute to the overall character defining appearance of the site, consistent with General Plan Goals LU-8.1, LU-8.2, and LU-2.7. Additionally, as shown in Figure 3.2-5 and Figure 3.2-6, the project features regular stone columns along the University Avenue frontage providing building articulation for an enhanced pedestrian experience consistent with Westside Area Plan Policy 6.4. For these reasons, the proposed project would not conflict with applicable zoning and other regulations governing scenic quality.

The project site is currently developed with three office buildings, a hotel, parking garage, surface parking and landscaping. The visual character of the project site and surrounding area is that of a developed residential and commercial neighborhood. Existing buildings surrounding the project site consist of primarily low-rise residential and commercial structures. As shown in Figures 4.2-3 and 4.2-4, due to the height of existing structures on the project site and surrounding area, the existing office buildings, hotel, and parking garage currently dominate public views in the project area.

The proposed project would replace existing surface parking and landscaping at the corner of Woodland Avenue and University Avenue with a six-story office building, increasing the density of development at the site. The proposed office building would be visible from publicly accessible viewpoints in the project area. However, because the existing public views of the site and its surroundings are currently dominated by existing structures on the project site, the addition of a new office building on-site would not substantially degrade the visual character and quality of public views. **(Less than Significant Impact)**

View 1: University Off-Ramp

View 2: Manhattan & Woodland

PHOTO SIMULATION VIEWS 1 & 2 | FIGURE 4.2-1

View 3: University & Woodland

View 4: Capital Avenue

PHOTO SIMULATION VIEWS 3 & 4 | FIGURE 4.2-2

Impact AES-4:	The project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. **(Less than Significant Impact)**

The project site is located in a developed area of East Palo Alto and is approximately 100 feet north of San Francisquito Creek. Existing lighting at the project site includes building-mounted security lighting on the existing office buildings and hotel, pedestrian level bollard lighting, and pole lighting throughout the parking lot and along University Avenue, Woodland Avenue, and Manhattan Avenue.

The project would be required to comply with lighting requirements in Title 24 of the Building Standards Code and Section 18.22.050 of the Municipal code. Specifically, all exterior building lighting would be downcast with no visible light source and the maximum average-maintained lighting levels for parking lot areas would be five foot-candles and ten-foot candles along the building frontage and main drive aisles of parking lots, respectively. Furthermore, because the project would be designed to achieve the equivalent of Leadership in Energy and Environmental Design (LEED) Platinum certification lighting levels would be limited to no greater than 0.10 horizontal foot candles at the project boundary.[16] Because the intensity of light decreases with increasing distance from the source,[17] increased lighting resulting from the proposed project would be incremental and would not result in impacts to wildlife within the San Francisquito Creek riparian corridor.

Furthermore, project lighting would be reviewed for consistency with Municipal Code Section 18.22.050 during the building permit review process. Compliance with Municipal Code regulations would ensure exterior building lighting does not create a new source of light and glare. For these reasons, the proposed project would not result in significant impacts as a result of lighting or glare. **(Less than Significant Impact)**

4.2.2.2 *Cumulative Impacts*

Impact AES-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant aesthetics impact. **(Less than Significant Cumulative Impact)**

The geographic area for cumulative aesthetics impacts is the project site and adjacent parcels. The cumulative projects listed in Table 3.4-1 above, may demolish existing buildings, construct taller buildings, remove ordinance-size trees, and possibly affect scenic views and resources. As discussed previously, the City's General Plan includes standards and guidelines to reduce impacts to scenic views and resources.

[16] USGBC. "Light Pollution Reduction, Requirements for Exterior Lighting." Accessed September 21, 2020. https://www.usgbc.org/credits/ss8

[17] National Aeronautics and Space Administration. *More on Brightness as a Function of Distance*. May 5, 2016. https://imagine.gsfc.nasa.gov/features/yba/M31_velocity/lightcurve/more.html#:~:text=The%20intensity%20or%20brightness%20of,follows%20an%20inverse%20square%20relationship.&text=Notice%20that%20as%20the%20distance,one%20over%20r%20squared%22%20relationship.

All cumulative projects occurring within East Palo Alto would be subject to design guidelines (depending on the proposed use and location), lighting standards, and signage regulations. By requiring projects to adhere to these measures and requirements, aesthetic impacts would be minimized or reduced. Development projects in the City would undergo individual review to ensure that site selection, building materials, heights, and lighting is implemented in a manner that does not result in significant visual impacts. For these reasons, the cumulative projects, including the proposed University Circle Phase II project, would not result in a significant cumulative aesthetic or visual impact. **(Less than Significant Cumulative Impact)**

4.3 AIR QUALITY

The following discussion is based, in part, on an Air Quality and Greenhouse Gas Analysis prepared by Illingworth & Rodkin, Inc. on October 7, 2021. This report is attached as Appendix B to this Draft EIR.

4.3.1 Environmental Setting

4.3.1.1 *Regulatory Framework*

Federal and State

Clean Air Act

At the federal level, the U.S. Environmental Protection Agency (EPA) is responsible for overseeing implementation of the Clean Air Act and its subsequent amendments. The federal Clean Air Act requires the EPA to set national ambient air quality standards for the six common criteria pollutants, including particulate matter (PM), ozone (O_3), carbon monoxide (CO), sulfur oxide (SO_x), nitrogen oxide (NO_x), and lead. Depending on whether the standards are met or exceeded, the local air basin is classified as in attainment or nonattainment. The Clean Air Act requires that each state prepare a State Implementation Plan to demonstrate how it will attain the National Ambient Air Quality Standards within federally imposed deadlines. The San Francisco Bay Area (Bay Area) generally experiences low concentrations of most pollutants when compared with federal standards, except for O_3 and PM, for which standards are periodically exceeded. The Bay Area's attainment status for 8-hour ozone is classified as marginal nonattainment and nonattainment for $PM_{2.5}$

The California Air Resources Board (CARB) is the state agency that regulates mobile sources throughout the state and oversees implementation of the state air quality laws and regulations, including the California Clean Air Act. The EPA and the CARB have adopted ambient air quality standards establishing permissible levels of these pollutants to protect public health and the climate. Violations of ambient air quality standards are based on air pollutant monitoring data and are determined for each air pollutant. Attainment status for a pollutant means that a given air district meets the standard set by the EPA and/or CARB. The Bay Area is considered to be in nonattainment with the California Ambient Air Quality Standards for PM_{10} and $PM_{2.5}$. The local air basin is considered in attainment or unclassified with respect to CO, NO_2 and SO_2 for both the federal and state standards.

Risk Reduction Plan

To address the issue of diesel emissions in the state, CARB developed the Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles. In addition to requiring more stringent emission standards for new on-road and off-road mobile sources and stationary diesel-fueled engines to reduce particulate matter emissions by 90 percent, the plan involves application of emission control strategies to existing diesel vehicles and equipment to reduce DPM (in additional to other pollutants). Implementation of this plan, in conjunction with stringent federal and CARB-adopted emission limits for diesel fueled vehicles and equipment (including off-road equipment), will significantly reduce emissions of DPM and NO_X.

Regional

2017 Clean Air Plan

The Bay Area Air Quality Management District (BAAQMD) is the agency primarily responsible for assuring that the federal and state ambient air quality standards are maintained in the San Francisco Bay Area. Regional air quality management districts, such as BAAQMD, must prepare air quality plans specifying how state and federal air quality standards will be met. BAAQMD's most recently adopted plan is the Bay Area 2017 Clean Air Plan (2017 CAP). The 2017 CAP focuses on two related BAAQMD goals: protecting public health and protecting the climate. To protect public health, the 2017 CAP describes how BAAQMD will continue its progress toward attaining state and federal air quality standards and eliminating health risk disparities from exposure to air pollution among Bay Area communities. To protect the climate, the 2017 CAP includes control measures designed to reduce emissions of methane and other super-greenhouse gases (GHGs) that are potent climate pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.[18]

BAAQMD Rules and Regulations

In addition to air quality plans, BAAQMD also adopts rules and regulations to improve existing and future air quality. The project may be subject to the following district rules:

- Regulation 2, Rule 2 (New Source Review) – This regulation contains requirements for best available control technology and emission offsets.
- Regulation 2, Rule 5 (New Source Review of Toxic Air Contaminates) – This regulation outlines guidance for evaluating TAC emissions and their potential health risks.
- Regulation 6, Rule 1 (Particulate Matter) – This regulation restriction emissions of PM darker than No. 1 on the Ringlemann Chart to less than 3 minutes in any 1 hour.
- Regulation 7 (Odorous Substances) – This regulation establishes general odor limitations on odorous substances and specific emission limitations on certain odorous compounds.
- Regulation 8, Rule 3 (Architectural Coatings) – This regulation limits the quantity of ROG in architectural coatings.
- Regulation 8, Rule 15 (Emulsified and Liquid Asphalts) – This regulation limits the emissions of volatile organic compounds caused by the use of emulsified and liquid asphalt in paving materials and paving and maintenance operations.
- Regulation 9, Rule 8 (Stationary Internal Combustion Engines) – This regulation limits emissions of NO_x and CO from stationary internal combustion engines of more than 50 horsepower. Regulation 14, Rule 1: Bay Area Commuter Benefits Program – This regulation requires employers with 50 or more full-time employees in the Bay Area to provide commuter benefits to their employees.

[18] BAAQMD. *Final 2017 Clean Air Plan.* April 19, 2017. http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans.

CEQA Air Quality Guidelines

The BAAQMD CEQA Air Quality Guidelines are intended to serve as a guide for those who prepare or evaluate air quality impact analyses for projects and plans in the San Francisco Bay Area. Jurisdictions in the San Francisco Bay Area Air Basin utilize the thresholds and methodology for assessing air quality impacts developed by BAAQMD within their CEQA Air Quality Guidelines. The guidelines include information on legal requirements, BAAQMD rules, methods of analyzing impacts, and recommended mitigation measures.

Local

Vista 2035 East Palo Alto General Plan

Policy	Health and Equity
Goal HE-10	Improve respiratory health throughout the city and strive to reduce incidences of asthma and other respiratory illnesses.
10.7	Other mobility strategies. Implement the strategies in the Transportation Element that improve air quality. These include transit, walking, biking, and Transportation Demand Management strategies.
Policy	**Parks, Open Space, and Conservation**
6.2	New tree planting. Prioritize the planting of new trees on sites designated as sensitive receptors (e.g., schools, health centers) or that are in close proximity to sources of air pollution such as freeways and heavily traveled road corridors.

4.3.1.2 *Existing Conditions*

Existing Air Pollutant Levels

The San Francisco Bay Area Air Basin, within which the project site is located, has non-attainment status for ground level ozone, fine particulate matter ($PM_{2.5}$), and respirable particulate matter (PM_{10}). The San Francisco Bay Area Air Basin has attainment or undetermined status for all other regional criteria pollutants for which the US EPA and CARB have set standards. The nearest official monitoring station which monitors all of the criteria pollutants and ozone precursors is located at 158 East Jackson Street in San José, approximately 15-miles southeast of the site.[19] Pollutant monitoring results for the years 2017 to 2019 at the San José monitoring station are shown in Table 4.3-1. The station monitors ozone, carbon monoxide, nitrogen oxide, PM_{10} and $PM_{2.5}$ levels.

[19] BAAQMD, Meteorology and Measurement Division. 2017 Air Monitoring Plan. July 1, 2018. Accessed October 6, 2019. http://www.baaqmd.gov/~/media/files/technical-services/2017_network_plan_20180701-pdf.pdf?la=en. There is a BAAQMD monitoring station located at 897 Barron Avenue, Redwood City approximately four miles west of the site. This station monitors ground-level ozone, nitrous oxide, carbon monoxide and $PM_{2.5}$. The station does not monitor PM_{10}.

Table 4.3-1: Ambient Air Quality Standards Violations and Highest Concentrations				
Pollutant	**Standard**	**Days Exceeding Standard**		
		2017	**2018**	**2019**
SAN JOSÉ STATION				
Ozone	State 1-hour	3	0	1
	Federal 8-hour	4	0	2
Carbon Monoxide	Federal 8-hour	1.8	2.1	1.3
Nitrogen Dioxide	State 1-hour	0	0	0
PM_{10}	Federal 24-hour	0	0	0
	State 24-hour	6	4	4
$PM_{2.5}$	Federal 24-hour	6	15	0
Source: BAAQMD. Air Pollution Summaries (2017 – 2019). Available at: https://www.baaqmd.gov/~/media/files/communications-and-outreach/annual-bay-area-air-quality-summaries/pollsum2017-pdf.pdf?la=en				

As part of an effort to attain and maintain ambient air quality standards for O_3 and PM_{10}, BAAQMD has established thresholds for significance for these air pollutants and their precursors. These thresholds are for O_3 precursor pollutants (ROG and NO_x), PM_{10}, and $PM_{2.5}$, and apply to both construction period and operational period impacts.

Sensitive Receptors

Sensitive receptors are groups of people more affected by air pollution than others. CARB has identified the following as persons who are most likely to be affected by air pollution: children under the age of 16, the elderly over the age of 65, athletes, and people with cardiovascular and chronic respiratory diseases. The closest sensitive receptors to the project site are residences located on Woodland Avenue at University Avenue, approximately 120-feet east of the project site.

4.3.2 Impact Discussion

For the purpose of determining the significance of the project's impact on air quality, would the project:

1) Conflict with or obstruct implementation of the applicable air quality plan?
2) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?
3) Expose sensitive receptors to substantial pollutant concentrations?
4) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

4.3.2.1 *Thresholds of Significance*

Impacts from the Project

As discussed in CEQA Guidelines Section 15064(b), the determination of whether a project may have a significant effect on the environment calls for judgment on the part of the lead agency and must be based to the extent possible on scientific and factual data. The City of East Palo Alto has considered the air quality thresholds updated by BAAQMD in May 2017 and regards these thresholds to be based on the best information available for the San Francisco Bay Area Air Basin and conservative in terms of the assessment of health effects associated with TACs and $PM_{2.5}$. The BAAQMD CEQA Air Quality thresholds used in this analysis are identified in Table 4.3-2 below.

Table 4.3-2: BAAQMD Air Quality Significance Thresholds

Pollutant	Construction Thresholds	Operation Thresholds	
	Average Daily Emissions (pounds/day)	Average Daily Emissions (pounds/day)	Annual Average Emissions (tons/year)
Criteria Air Pollutants			
ROG, NO_x	54	54	10
PM_{10}	82 (exhaust)	82	15
$PM_{2.5}$	54 (exhaust)	54	10
CO	Not Applicable	9.0 ppm (eight-hour) or 20.0 ppm (one-hour)	
Fugitive Dust	Dust Control Measures/Best Management Practices	Not Applicable	
Health Risks and Hazards for New Sources (within a 1,000-foot Zone of Influence)			
Health Hazard	**Single Source**	**Combined Cumulative Sources**	
Excess Cancer Risk	10 per one million	100 per one million	
Hazard Index	1.0	10.0	
Incremental Annual $PM_{2.5}$	0.3 $\mu g/m^3$	0.8 $\mu g/m^3$ (average)	
Odor			
5 confirmed complaints per year averaged over 3 years			

4.3.2.2 *Project Impacts*

Impact AIR-1: The project would not conflict with or obstruct implementation of the applicable air quality plan**. (Less than Significant Impact)**

The most recent clean air plan is the 2017 CAP. The BAAQMD CEQA Air Quality Guidelines set forth criteria for determining consistency with the 2017 CAP. In general, a project is considered consistent if, a) the project supports the primary goals of the 2017 CAP; b) it includes relevant control measures: and c) it does not interfere with implementation of 2017 CAP control measures. The project's consistency with the Bay Area 2017 CAP is summarized in Table 4.3-3.

Table 4.3-3: Bay Area 2017 Clean Air Plan Applicable Control Measures

Control Measures	Description	Project Consistency
Transportation Measures		
TR2: Trip Reduction Programs	Implement the regional Commuter Benefits Program (Rule 14-1) that requires employers with 50 of more Bay Area employees to provide commuter benefits. Encourage trip reduction policies and programs in local plans, e.g., general and specific plans while providing grants to support trip reduction efforts. Encourage local governments to require mitigation of vehicle travel as part of new development approval, to adopt transit benefits ordinances in order to reduce transit costs to employees, and to develop innovative ways to encourage rideshare, transit, cycling, and walking for work trips. Fund various employer-based trip reduction programs.	The project would implement a TDM plan that would provide commuter benefits, such as transit subsidies and carpool and vanpool incentives, among others. Implementation of Mitigation Measure TRA-1.1, discussed in Section 4.16, would mitigate vehicle travel and encourage rideshare and transit. The project would also provide bicycle storage and dedication of land for a bicycle and pedestrian overcrossing at University Avenue/US-101. The project is therefore consistent with this measure.
TR8: Ridesharing, Last Mile Connection	Promote carpooling and vanpooling by providing funding to continue regional and local ridesharing programs, and support the expansion of carsharing programs. Provide incentive funding for pilot projects to evaluate the feasibility and cost-effectiveness of innovative ridesharing and other last- mile solution trip reduction	The project would implement a TDM program that would provide a last mile shuttle connection for Dumbarton Express riders and commuter and carpool incentives. Therefore, the project is consistent with this measure.

	strategies. Encourage employers to promote ridesharing and carsharing to their employees.	
TR9: Bicycle and Pedestrian Access and Facilities	Encourage planning for bicycle and pedestrian facilities in local plans, e.g., general and specific plans, fund bike lanes, routes, paths and bicycle parking facilities.	The project would include dedication of land to the City for construction of a future bike/pedestrian overcrossing at University Avenue/U.S. 101 and a future bike lane along University Avenue. Additionally, the project proposes to construct a new pedestrian access to the site mid-block on Manhattan Avenue, as well as sidewalk improvements on University Avenue and Woodland Avenue. The project is consistent with this measure.
TR10: Land Use Strategies	Support implementation of Plan Bay Area, maintain and disseminate information on current climate action plans and other local best practices.	The project would develop an additional office building within an existing office campus in East Palo Alto. The project would include bike storage, shower facilities and would have access to existing TDM programs to encourage alternative modes of travel such as bicycling and public transit, reducing GHG emissions from transportation. Therefore, the project is consistent with this measure.
TR13: Parking Policies	Encourage parking policies and programs in local plans, e.g., reduce minimum parking requirements; limit the supply of off-street parking in transit-oriented areas; unbundle the price of parking spaces; support implementation of demand-based pricing (such as SF Park) in high-traffic areas.	The project would seek a Conditional Use Permit to reduce the amount of off-street parking required for the project. The project would also implement a TDM program to encourage employees to commute by public transit, carpool, and bicycle. Therefore, the project is consistent with this measure.
Building Measures		
BL1: Green Building	Identify barriers to effective local implementation of CALGreen (Title 24) statewide building energy code; develop solutions to improve implementation/enforcement.	The project would be constructed to meet Leadership in Energy and Environmental Design (LEED) Platinum standards and would be required to comply with the City's Green

		Building Ordinance and the most recent CALGreen requirements. The project is consistent with this measure.
BL4: Urban Heat Island Mitigation	Develop and urge adoption of a model ordinance for "cool parking"[20] that promotes the use of cool surface treatments for new parking facilities, as well as existing surface lots undergoing resurfacing. Develop and promote adoption of model building code requirements for new construction or reroofing/roofing upgrades for commercial and residential multi-family housing.	The project would remove 99 existing surface parking spaces on-site and replace them with a new office building and 513 new below-grade parking spaces. This would reduce the amount of heat absorbing surfaces on-site compared to existing conditions. Additionally, because the proposed office building would include a white vinyl rooftop which would reflect solar heat away from the building. Additionally, new landscaping and trees would be planted along the building and project perimeter to reduce urban heat island effect on-site. Therefore, the project is consistent with this control measure.
Natural and Working Lands Measures		
NW2: Urban Tree Planting	Develop or identify an existing model municipal tree planting ordinance and encourage local governments to adopt such an ordinance. Include tree planting recommendations, the Air District's technical guidance, best management practices for local plans, and CEQA review.	A total of 117 trees would be removed as a part of the project. As stated in the Project Description and discussed Section 4.4 Biological Resources, the project would plant 44 new trees on-site and pay in-lieu fees toward planting of an additional 73 replacement trees off-site, consistent with Municipal Code Section 18.28.040. Therefore, the project is consistent with this measure.
Waste Management Measures		

[20] "Cool parking" refers to parking areas designed in a manner that reduce the urban heat island effect. Examples of "cool parking" include removal of paved surfaces, use of reflective paving, planting shade trees, and installation of shade structures over surface parking lots to reduce heat at the ground surface and/or reflect solar heat back up to the sky.

WA4: Recycling and Waste Reduction	Develop or identify and promote model ordinances on community-wide zero waste goals and recycling of construction and demolition materials in commercial and public construction projects.	The proposed project would divert 80 percent of its construction waste away from landfills, which would meet CALGreen construction waste diversion requirements. Therefore, the project is consistent with this control measure.

As shown in Table 4.3-3, the proposed project would not conflict with the 2017 CAP. As discussed under Impact AIR-2, project emissions would be below BAAQMD thresholds. In addition, the project is considered urban infill, and would be located near bike paths (including a planned US 101 bike/pedestrian overcrossing) and transit (local/regional bus routes). Because the project would not exceed BAAQMD significance thresholds, it is not required to incorporate project-specific control measures listed in the 2017 CAP. For these reasons, implementation of the project would not inhibit BAAQMD or partner agencies from continuing progress toward attaining state and federal air quality standards and eliminating health-risk disparities from exposure to air pollution among Bay Area communities, as described within the 2017 CAP. **(Less than Significant Impact)**

Impact AIR-2:	The project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. **(Less than Significant Impact with Mitigation Incorporated)**

Construction

Criteria Pollutants

Construction of the project would involve demolition of existing surface parking lots, site grading, trenching, paving, building construction, and architectural coatings. The duration of project construction would be approximately 36 months. Construction-related automobiles, trucks, and heavy equipment are a primary concern with regard to criteria pollutant emissions as a result of diesel particulate matter.

Table 4.3-4: Construction Criteria Pollutant Emissions				
Scenario	**ROG**	**NO_x**	**PM_{10} Exhaust**	**$PM_{2.5}$ Exhaust**
Average Daily Construction Emissions Per Year (pounds/day)				
2024 (262 construction workdays)	3.47	31.86	1.47	1.26
2025 (261 construction workdays)	4.67	29.82	1.22	1.06
2026 (261 construction workdays)	7.96	10.53	0.53	0.39
BAAQMD Thresholds (lbs/day)	*54*	*54*	*82*	*54*
Threshold Exceeded?	**No**	**No**	**No**	**No**
Note: Assumes 784 workdays.				
Source: Illingworth & Rodkin, Inc. *University Circle Phase II Air Quality & Greenhouse Gas Assessment, East Palo Alto, California.* October 7, 2021.				

Table 4.3-4 identifies the construction criteria pollutant emissions for each year of construction. Although the number of workdays during one year may be similar to another year, emissions vary due to the type of construction activity occurring that year. For example, 2025 and 2026 have the same number of construction days, but 2026 results in the highest ROG emissions due to painting, coating, and paving activities. As shown in Table 4.3-4, ROG, NOx, PM_{10} exhaust, and $PM_{2.5}$ exhaust emissions associated with construction would not exceed the BAAQMD significance thresholds and, therefore, would not result in a significant criteria pollutant impact.

Fugitive Dust

Construction activities, particularly during site preparation and grading, would temporarily generate fugitive dust in the form of PM_{10} and $PM_{2.5}$. Sources of fugitive dust would include disturbed soils at the construction site and trucks carrying uncovered loads of soil. Unless properly controlled, vehicles leaving the site would deposit mud on local streets, which could be an additional source of airborne dust after it dries. The BAAQMD CEQA Air Quality Guidelines consider these impacts to be less than significant if best management practices are implemented to reduce the emissions. Mitigation Measure AIR-2.1 would implement BAAQMD recommended best management practices.

Impact AIR-2: Ground disturbing activities associated with project construction could generate fugitive dust emissions. **(Significant Impact)**

Mitigation Measure: The following mitigation measure, which is consistent with the Basic Construction Mitigation Measures identified in the BAAQMD CEQA Air Quality Guidelines to reduce impacts from construction-related fugitive dust to a less than significant level, shall be implemented.

MM AIR-2.1: During construction period ground disturbance, the project contractor shall implement the following measures recommended by BAAQMD to control dust and exhaust:

- Exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered three times per day at a frequency adequate to maintain minimum soil moisture of 12 percent.
- Haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- Visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweeps at least once per day. The use of dry power sweeping is prohibited.
- Vehicle speeds on unpaved surfaces shall be limited to 15 miles per hour (mph)
- Roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be posted for construction workers at all access points.
- Construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- Post a publicly visible sign with the telephone number and contact at the City of East Palo Alto regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be included to ensure compliance with applicable regulations.
- Excavation, grading, and/or demolition activities shall be suspended when average wind speed exceed 20 mph and visible dust extends beyond site boundaries.
- Wind breaks (e.g., trees, fences) shall be installed on the windward sides(s) of actively disturbed areas of construction adjacent to sensitive receptors. Wind breaks should have at minimum 50 percent air porosity.
- Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
- Limit the simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.
- Avoid tracking visible soil material on to public roadways by employing the following measures if necessary: (1) treat site accesses to a distance of 100 feet from public paved roads with a six to 12-inch compacted layer of wood

chips, mulch, or gravel and (2) washing truck tires and construction equipment prior to leaving the site.

- Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent.

Mitigation measure MM AQ-2.1 represents enhanced dust control mitigation measures that would achieve greater than 80 percent reduction in on-site fugitive PM_{10} and $PM_{2.5}$ emissions. Implementation of MM AQ-2.1 is consistent with recommendations in the BAAQMD CEQA Guidelines for providing best management practices to control construction emissions and would reduce on-site fugitive dust emissions sufficiently to result in a less than significant impact. **(Less than Significant Impact with Mitigation Incorporated)**

Operation

Criteria Pollutants

Operational air emissions from the project would be generated primarily from vehicles driven by project employees and vendors. Operational air emissions would also be generated by a diesel emergency generator. CalEEMod was used to estimate emissions from operation of the proposed project. The CalEEMod calculations are in Appendix B. Table 4.3-5 below shows the operational emissions of the project occupancy in 2027.[21]

Table 4.3-5: Operational Period Criteria Air Pollutant Emissions

Scenario	ROG	NOx	PM_{10}	$PM_{2.5}$
2027 Project Operational Emissions (tons/year)	1.17	0.52	0.82	0.22
BAAQMD Threshold (tons/year)	*10*	*10*	*15*	*10*
Exceed Threshold?	**No**	**No**	**No**	**No**
2027 Project Operational Emissions (lbs/day)	6.43	2.83	4.52	1.21
BAAQMD Threshold (lbs/day)	*54*	*54*	*82*	*54*
Exceed Threshold?	**No**	**No**	**No**	**No**

Note: Assumes 365-day operations.
Source: Illingworth & Rodkin, Inc. *University Circle Phase II Air Quality & Greenhouse Gas Assessment, East Palo Alto, California.* October 7, 2021.

As shown in Table 4.3-5, the project would not exceed the BAAQMD significance thresholds for operational emissions. **(Less than Significant)**

Impact AIR-3:	The project would not expose sensitive receptors to substantial pollutant concentrations. **(Less than Significant Impact with Mitigation Incorporated)**

[21] Operational air quality emissions are calculated for the first full year of operations.

Construction

Construction equipment and associated heavy-duty truck traffic generates diesel exhaust, which is a known TAC. Construction exhaust emissions pose health risks for sensitive receptors such as surrounding residents. The primary community risk impact issues associated with construction emissions are cancer risk and exposure to DPM and $PM_{2.5}$. The health risk assessment of project construction activities (refer to Appendix B) evaluated potential health effects of sensitive receptors at nearby residences and identified a maximally exposed individual (MEI) for construction emissions of DPM and $PM_{2.5}$. As shown in Figure 4.3-1, the MEI is located on the third floor (25 feet above ground) and the $PM_{2.5}$ concentration MEI is located on the first floor (5 feet above ground) of the multi-family residence to the east of the project site, across University Avenue. The results of the assessment for project construction are summarized in Table 4.3-6, below.

Table 4.3-6: Construction Risk Impacts at the Residential MEI

Source	Cancer Risk* (per million)	Annual $PM_{2.5}$* ($\mu g/m^3$)	Hazard Index
Project Construction (unmitigated)	87.6 (infant)	1.18	0.06
Project Construction (mitigated**)	6.9 (infant)	0.21	0.01
BAAQMD Single-Source Threshold	*>10.0*	*>0.3*	*>1.0*
Exceed Threshold? (unmitigated)	**Yes**	**Yes**	No
Exceed Threshold? (mitigated**)	No	No	No

*maximum cancer risk and maximum $PM_{2.5}$ concentration occur at same receptor on different floors.

** construction equipment with Tier 4 Final engines and electric crane, generator, air compressor, and welder mitigation measures.

Source: Illingworth & Rodkin, Inc. *University Circle Phase II Air Quality & Greenhouse Gas Assessment, East Palo Alto, California.* October 7, 2021.

As shown in Table 4.3-6, the project would exceed the BAAQMD single-source thresholds for increased cancer risks and maximum $PM_{2.5}$ concentrations. However, health hazards indexes for project related construction activities affecting the MEIs did not exceed the single-source threshold. Therefore, impacts would be potentially significant and implementation of MM AIR-2.1 and MM AIR-3.1 would be required to reduce project cancer risk levels and annual $PM_{2.5}$ concentrations to a less than significant level.

Source: Illingworth & Rodkin, Inc., October 30, 2020.

LOCATION OF CONSTRUCTION MEI AND NEARBY TAC AND $PM_{2.5}$ SOURCES | FIGURE 4.3-1

Impact AIR-3: Construction exhaust emissions associated with the proposed project would result in TAC concentrations above the BAAQMD single source thresholds. **(Significant Impact)**

Mitigation Measure: The following mitigation measures shall be implemented to reduce impacts to sensitive receptors during project construction.

MM AIR-3.1: The project shall develop a plan demonstrating either of the following options:

1) All construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 emissions standards for particulate matter (PM_{10} and $PM_{2.5}$), if feasible, or

   If use of Tier 4 equipment is not feasible, use equipment that meets the U.S. EPA emissions standards for Tier 3 engines and include particulate matter emissions control equivalent to CARB Level 3 verifiable diesel emission control devices that altogether achieve a minimum of 87 percent reduction in particulate matter exhaust in comparison to uncontrolled equipment; or use alternatively fueled equipment or electric equipment.

   And provide line power to the site during the early phases of construction to minimize the use of diesel-powered stationary equipment, such as generators

   And cranes, air compressors, and welders shall be powered by electricity or alternative fuels, or

2) The applicant may develop a separate feasible plan that reduces on- and near-site construction diesel particulate matter emissions by a minimum of 87 percent or greater. Such a plan would have to be reviewed and approved by the City.

CalEEMod was used to compute project emissions with implementation of MM AQ-2.1 and MM AQ-3.1. As can be seen in Table 4.3-6, with implementation of these measures, the project's cancer risk levels and annual $PM_{2.5}$ concentrations would be reduced by 91.6 and 81.5 percent, respectively, and would no longer exceed the BAAQMD single-source significance thresholds.[22] Thus, with implementation of MM AQ-2.1 and MM AQ-3.1, the project's cancer risk levels would be reduced to 6.9 in one million or less and the annual $PM_{2.5}$ concentrations would be reduced to 0.21 $\mu g/m^3$, which are a less than significant level. **(Less than Significant Impact with Mitigation Incorporated)**

[22] Illingworth & Rodkin, Inc. *University Circle Phase II Air Quality & Greenhouse Gas Assessment, East Palo Alto, California.* October 7, 2021.

Operation

The project would include one diesel powered emergency generator located on the southwestern boundary of the project site adjacent to Manhattan Avenue. Operation of a diesel generator would be a source of TAC emissions and is expected to operate for a maximum of 50 hours per year of non-emergency operation for testing and maintenance purposes under normal conditions. The generator engine would be required to meet EPA emission standards, CARB's Stationary Diesel Airborne Toxics Control Measure, consume commercially available low sulfur diesel fuel and would be required to obtain permits from the BAAQMD. As part of the BAAQMD permit requirements, the engine emissions would be required to meet BAAQMD Best Available Control Technology for toxics and pass the toxic risk screening level of less than ten in a million. Sources of air pollutant emissions complying with all applicable BAAQMD regulations are not considered to have a significant air quality community risk impact.

The emissions from operation of the generator were calculated using the CalEEMod model, the results of which are included in Appendix B. The increased cancer risk at the MEIs from the generator would be 0.2 per million while the maximum annual $PM_{2.5}$ concentration would be less than 0.01 $\mu g/m^3$ and the HI value would be less than 0.01. Therefore, operational emissions from the proposed emergency diesel generator would be below the BAAQMD significance threshold for diesel generators and considered to be less than significant.

The project's operational traffic is not expected to be a source of TAC because the majority of the automobiles associated with increased traffic proposed by the project would be light-duty vehicles with low emissions. Further, the emissions from automobile traffic would be spread out over a broad geographical area. The project additionally provides for alternative transportation modalities, through pedestrian improvements, bicycle storage, and a TDM program that includes transit subsidies and commuter benefits, which are consistent with General Plan Health and Equity policy 10.7. **(Less than Significant Impact)**

Impact AIR-4:	The project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. **(Less than Significant Impact)**

The proposed office project would not introduce major sources of odor to the project area. Odors from construction equipment (e.g., diesel fumes) would be temporary in nature and would be minimized through implementation of MM AQ-2.1. The project does not include any uses typically associated with significant odors or identified by BAAQMD as land uses associated with odor complaints, such as waste transfer stations, landfills, wastewater treatment plants, confirmed animal facilities, and food processing facilities, in conformance with BAAQMD Regulation 7. Garbage and solid wastes associated with operation of the proposed office would be stored in an on-site covered trash enclosure, in accordance with City of East Palo Alto requirements, and would not be a source of odor in the area. For these reasons, the proposed project would not result in significant odor impacts. **(Less than Significant Impact)**

4.3.2.3 *Cumulative Impacts*

Impact AIR-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant air quality impact. **(Less than Significant Cumulative Impact)**

Cumulative Construction Air Quality

Cumulative activities associated with all of the cumulative projects shown in Table 4.1.1 could temporarily affect local air quality. Construction activities such as demolition, earthmoving, construction vehicle traffic, and wind blowing over exposed earth would generate diesel exhaust emissions and fugitive particulate matter emissions that would affect local and regional air quality. The project could be constructed at the same time as other projects listed in Table 4.1.1; thus, there is the potential for cumulative construction air quality impacts. The project and cumulative community risk impacts are shown in Table 4.3-7 below.

Table 4.3-7: Cumulative Community Risk Impacts from Combined TAC Sources			
Source	**Maximum Cancer Risk (per million)**	**$PM_{2.5}$ Concentration ($\mu g/m^3$)**	**Hazard Index**
Project Impacts			
Unmitigated Total/Maximum Project (years 0-30)	87.8 (infant)	1.18	0.06
Mitigated Total/Maximum Project (Years 0-30)	7.1 (infant)	0.21	0.01
BAAQMD Single-Source Threshold	*>10.0*	*>0.3*	*>1.0*
Exceed threshold before mitigation?	**Yes**	**Yes**	No
Exceed threshold with mitigation?	No	No	No
Cumulative Sources			
U.S. 101	20.8	0.39	--
University Ave, ADT 34,783	13.8	0.97	<0.01
Woodland Ave/Scofield Ave, ADT 13,706	4.7	0.28	<0.01
Plant #15292 (Generator)	0.3	0	0
Plant #16212 (Generator)	0.1	0.03	0
Plant #15835 (Generator)	2.1	<0.01	<0.01
Woodland Apartments Expansion Mitigated Construction Emissions – 35 feet west[1]	<10.0	<0.3	<1.0
660 Donohoe Street Mitigated Construction Emissions – 760 feet northeast[1]	<5.0	<0.15	<0.5
630 Donohoe Street Mitigated Construction Emissions[1]	<5.0	<0.15	<0.5
University Plaza Phase II Mitigated Construction Emissions – 1,000 feet north[2]	<3.0	<0.02	<0.01
Combined sources (unmitigated)	152.6(infant)	<3.48	<2.10
Combined sources (mitigated)	81.9	<2.51	<2.05
BAAQMD Cumulative Source Threshold	*>100*	*>0.8*	*>10.0*
Exceed threshold before mitigation?	**Yes**	**Yes**	No
Exceed threshold with mitigation?	No	**Yes**	No

* Maximum cancer risk and maximum $PM_{2.5}$ concentration occur at same receptor on different floors

** Construction equipment with Tier 4 Final engines and electric crane, generator, air compressor, and welder Mitigation Measure.

[1] Construction impact results for these cumulative projects were not available at the time of this study. Therefore, it was assumed the construction risks from these developments would be half of the BAAQMD single-source thresholds due to the distance (greater than 500 feet) and dispersion between the source and receptors. This approach likely provides an overestimate of the community risk and hazard levels because it assumes that maximum impacts from these developments occur concurrently with the proposed project.

[2] Mitigated construction risks and hazard impact values for the University Plaza/Sobrato Phase II development were available from the technical report prepared for the project by Illingworth & Rodkin, Inc.

Source: Illingworth & Rodkin, Inc. *University Circle Phase II Air Quality & Greenhouse Gas Assessment, East Palo Alto, California.* October 7, 2021.

BAAQMD CEQA Guidelines state that in instances where a pre-existing cumulative health risk impact exists, the project's individual contribution to that cumulative impact should be analyzed.[23] If project health risks would be reduced to below the single-source thresholds with best available mitigation measures, the project's contribution to pre-existing cumulative impacts would not be cumulatively considerable.[24]

As shown in Table 4.3-7, the combined non-project cumulative sources would exceed the cumulative threshold of 0.8 µm for $PM_{2.5}$, resulting in a pre-existing cumulative health risk impact. The project would not exceed the single-source threshold for the hazard index. Additionally, with incorporation of MM AQ-2.1 and MM AQ-3.1, the project's cancer risk levels and annual $PM_{2.5}$ concentrations would not exceed the single-source thresholds for $PM_{2.5}$ or cancer risk levels. Therefore, the project's contribution to existing cumulative impacts from area roadways would not be cumulatively considerable. **(Less than Significant Cumulative Impact)**

Cumulative Operational Air Quality

Past, present, and future development projects contribute to the region's adverse air quality impacts on a cumulative basis. By its very nature, air pollution is largely a cumulative impact. In developing thresholds of significance for air pollution, BAAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's air quality conditions. As described under Impact AQ-2 and AQ-3 above, project operation would not exceed BAAQMD criteria pollutant thresholds on a daily or yearly basis and operation of the proposed diesel generator would not exceed the BAAQMD single source thresholds. For these reasons, project operation would not make a cumulatively considerable contribution to air quality impacts. **(Less than Significant Cumulative Impact)**

[23] BAAQMD. *2017 CEQA Guidelines.* May 2017. Page 5-16. https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en

[24] Correspondence with Areana Flores, MSc, Environmental Planner, BAAQMD, February 23, 2021

4.4 BIOLOGICAL RESOURCES

The following discussion is based, in part, on an Arborist Report prepared by WRA, Inc. on October 13, 2020. This report is attached as Appendix C to this Draft EIR.

4.4.1 Environmental Setting

4.4.1.1 *Regulatory Framework*

Federal and State

Endangered Species Act

Individual plant and animal species listed as rare, threatened, or endangered under state and federal Endangered Species Acts are considered special-status species. Federal and state endangered species legislation has provided the USFWS and the CDFW with a mechanism for conserving and protecting plant and animal species of limited distribution and/or low or declining populations. Permits may be required from both the USFWS and CDFW if activities associated with a proposed project would result in the take of a species listed as threatened or endangered. To "take" a listed species, as defined by the State of California, is "to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill" these species. Take is more broadly defined by the federal Endangered Species Act to include harm of a listed species.

In addition to species listed under state and federal Endangered Species Acts, Sections 15380(b) and (c) of the CEQA Guidelines provide that all potential rare or sensitive species, or habitats capable of supporting rare species, must be considered as part of the environmental review process. These may include plant species listed by the California Native Plant Society and CDFW-listed Species of Special Concern.

Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) prohibits killing, capture, possession, or trade of migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. Hunting and poaching are also prohibited. The taking and killing of birds resulting from an activity is not prohibited by the MBTA when the underlying purpose of that activity is not to take birds.[25] Nesting birds are considered special-status species and are protected by the USFWS. The CDFW also protects migratory and nesting birds under California Fish and Game Code Sections 3503, 3503.5, and 3800. The CDFW defines taking as causing abandonment and/or loss of reproductive efforts through disturbance.

Sensitive Habitat Regulations

Wetland and riparian habitats are considered sensitive habitats under CEQA. They are also afforded protection under applicable federal, state, and local regulations, and are generally subject to regulation by the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), CDFW, and/or the USFWS under provisions of the federal Clean Water

[25] United States Department of the Interior. "Memorandum M-37050. The Migratory Bird Treaty Act Does Not Prohibit Incidental Take." Accessed April 6, 2020. https://www.doi.gov/sites/doi.gov/files/uploads/m-37050.pdf.

Act (e.g., Sections 303, 304, 404) and State of California Porter-Cologne Water Quality Control Act.

Fish and Game Code Section 1602

Streambeds and banks, as well as associated riparian habitat, are regulated by the CDFW per Section 1602 of the Fish and Game Code. Work within the bed or banks of a stream or the adjacent riparian habitat requires a Streambed Alteration Agreement from the CDFW.

Local

Vista 2035 East Palo Alto General Plan

Various policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating impacts to biological resources resulting from planned development within the City including the following:

Policy	Parks, Open Space, and Conservation
4.2	Human activities. Protect wildlife from adverse impacts caused by human activities.
4.7	Native Species. Encourage or require the use of native and/or non-invasive plants in privately built landscaping or new open spaces near natural open space areas, in order to provide foraging, nesting, breeding, and migratory habitat for wildlife. Discourage use of herbicides and fertilizers.
4.8	Interagency coordination. Coordinate with other public agencies such as the San Francisquito Creek Joint Powers Authority, Army Corps of Engineers, National Fish and Wildlife Service, and other similar entities on construction or development activities occurring within or adjacent to the City.
4.9	Riparian and Flood Buffer. Do not allow new development within a 100-foot buffer zone from the top of the San Francisquito creek bank.
6.2	New tree planting. Prioritize the planting of new trees on sites designated as sensitive receptors (e.g. schools, health centers) or that are in close proximity to sources of air pollution such as freeways and heavily trafficked road corridors.

City of East Palo Alto Tree Protection Policies

The City of East Palo Alto maintains that the preservation of native and ornamental trees is necessary for the health, safety and welfare of its residents, and that trees preserve scenic beauty, prevent erosion of topsoil, protect against flood hazards, counteract pollutants in the air and maintain the climatic balance and decrease wind velocities. According to the City of East Palo Alto Tree Regulations (Municipal Code Chapter 18, Section 18.28.040), it is unlawful to destroy or remove or cause to be destroyed or removed, a protected tree upon any private or public property without a tree removal permit.[26] A protected tree is defined as any of the following:

[26] Where removal of tree has been authorized as part of any development approval granted by the City, no permit shall be required for removal of such tree (City of East Palo Alto Zoning Ordinance, Chapter 18, Article 3)

- Any tree having a main stem or trunk which measures –twenty-four inches or greater in circumference at a height of forty inches above grade;
- Any tree within a public street or public right-of-way, regardless of size;
- Any tree that was required to be preserved as a condition of development approval granted by the City;
- Any tree required to be planted as a condition of any development approval granted by the city; and
- Any tree required to be planted as a replacement for any unlawfully removed tree

4.4.1.2 *Existing Conditions*

The project site is located in a developed, urban area and contains existing commercial buildings, paved parking areas, and landscaping. Landscaping at the project site consists of ornamental trees, shrubs and turf along the project and building perimeters, and in the traffic circle at the center of the project site. There are 158 trees within and adjacent to the project site. Of these 158 trees, 21 are considered protected trees under the East Palo Alto Tree Preservation and Management Regulations. The size and status of on-site trees are summarized in Appendix C. No other natural biotic communities or habitat areas are present. The nearest riparian area (along San Francisquito Creek) is located approximately 100 feet south of the site, and the nearest wetland area (Ravenswood Open Space Preserve) is 0.90 mile north of the site.

The project site is not covered by a Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state conservation plan.

4.4.2 **Impact Discussion**

For the purpose of determining the significance of the project's impact on biological resources, would the project:

1) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or United States Fish and Wildlife Service USFWS?
2) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS?
3) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
4) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
6) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

4.4.2.1 *Project Impacts*

Impact BIO-1:	The project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS. **(Less than Significant Impact with Mitigation Incorporated)**

Special-Status Species

The project site contains areas of ornamental vegetation, shrubs, and trees. There are no riparian areas, wetlands, or other natural communities located within the site that might be impacted by the project. The nearest riparian area is San Francisquito Creek, approximately 100 feet south of the project site, across Woodland Avenue. Implementation of the proposed project would not result in changes to San Francisquito Creek.

The trees on the project site could provide nesting habitat for birds, including migratory birds and raptors. Nesting birds are among the species protected under provisions of the MBTA and California Fish and Game Code Sections 3503, 3503.5, and 2800. Construction activities, such as vegetation removal, demolition, and grading occurring during nesting season (i.e., February 1 to August 31) could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment, which would constitute a significant impact.

Impact BIO-1: Project construction could result in incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment, resulting in a significant impact to nesting birds. **(Significant Impact)**

Mitigation Measures: The project would implement the following measures to avoid impacts to nesting migratory birds. With incorporation of these measures, the project would result in a less than significant impact.

MM BIO-1.1: Avoidance: the project applicant shall schedule demolition and construction activities that may directly or indirectly affect protected species to avoid the nesting season. The nesting season for most birds, including most raptors in the San Francisco Bay area, extends from February 1st through August 31st (inclusive), as amended.

MM BIO-1.2: Nesting Bird Surveys: If it is not possible to schedule demolition and construction that may directly or indirectly affect protected species between September 1st and January 31st (inclusive), pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests shall be disturbed during project implementation. This survey shall be completed no more than 14 days prior to initiation of construction activities during the early part of the breeding season (February 1st through April 31st inclusive) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May 1st through August 31st inclusive). During this survey, the ornithologist shall inspect all

trees and other possible nesting habitats immediately adjacent to the construction areas for nests.

MM BIO-1.3: Buffer Zones: If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist, in consultation with the California Department of Fish and Wildlife, shall determine the extent of a construction free buffer zone to be established around the nest, typically 250 feet, to ensure that raptor or migratory bird nests shall not be disturbed during project construction.

MM BIO-1.4: Reporting: Prior to any tree removal, or approval of any grading permits, (whichever occurs first), the ornithologist shall submit a report indicating the results of the survey and any designated buffer zones to the satisfaction of the City's Director of Community and Economic Development or the Director's designee.

Implementation of the mitigation measures MM BIO-1.1 through MM BIO-1.4 would ensure construction activities do not occur during the nesting season, or if construction would occur during the nesting season, identifies active nesting sites and establishes protocols for work occurring near active nests, reducing potential impacts to migratory birds and raptors to a less than significant level. **(Less Than Significant Impact with Mitigation Incorporated)**

Impact BIO-2:	The project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS. **(Less than Significant Impact)**

Sensitive natural communities present within the City of East Palo Alto include northern coastal marsh and riparian habitats.[27] The nearest marsh habitat to the project site is Don Edwards San Francisco Bay National Wildlife Refuge, located approximately one mile east of the project site. The nearest riparian habitat to the project site is along San Francisquito Creek, approximately 100 feet south (as measured from property line). The City's General Plan contains policies designed to protect and preserve riparian corridors and reduce flood risk. General Plan Parks, Open Space, and Conservation Policy 4.9 prohibits new development within 100 feet of the top of bank of San Francisquito Creek. Because the proposed project would develop a new office building on an existing developed site approximately 100 feet north of the top of bank of San Francisquito Creek, it would not conflict with General Plan Parks, Open Space, and Conservation Policy 4.9. For this reason, the project would not result in a loss of sensitive habitat. **(Less than Significant Impact)**

Water quality impacts to surface water bodies in the project vicinity including San Francisquito Creek are discussed in Section 4.10 Hydrology and Water Quality.

[27] City of East Palo Alto. *Draft Environmental Impact Report City of East Palo Alto General Plan Update.* April 2016. Pp 4.4-16.

Impact BIO-3:	The project would not have a substantial adverse effect on state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means. **(No Impact)**

The project site is developed with commercial uses and is surrounded by urban uses. There are no wetlands, marshes, or vernal pools on the project site. For these reasons, the project would not impact any state or federally protected wetlands under the Clean Water Act. **(No Impact)**

Impact BIO-4:	The project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. **(Less than Significant Impact with Mitigation Incorporated)**

Impacts from Avian Collisions with New Building

As noted under Section 4.2, Aesthetics above, the proposed six-story office building would have glass facades which would reflect the sky or surrounding vegetation and may increase the risk of avian mortality due to collisions.

It has been well documented that glass windows and building facades can result in injury or mortality of birds due to birds' collision with these surfaces. Because birds do not perceive glass as an obstruction the way humans do, they may collide with glass when the sky or vegetation is reflected in glass (e.g., they see the glass as sky or vegetated areas); when transparent windows allow birds to perceive an unobstructed flight route through the glass (such as at corners); and when the combination of transparent glass and interior vegetation (such as in planted atria result in attempts by birds to fly through glass to reach that vegetation. The majority of avian collisions with buildings occur within the first 60 feet of the ground, where birds spend the majority of their time engaged in foraging, territorial defense, nesting, and roosting activities, and where vegetation is most likely to be reflected in glazed surfaces. Avian mortality from collision would represent a significant effect under CEQA.

The bird species with the greatest potential to collide with the proposed six-story office buildings and the parking garage would consist primarily of the common, urban-adapted species such as house finch, mourning dove, American robin (Turdis migratorius), and Brewers blackbird (Euphagus cyanocephalus)[28], that currently use urban developed areas in East Palo Alto such as the site and adjacent San Francisquito creek riparian corridor.

Due to the orientation of the new office building toward San Francisquito creek and reflective nature of the building façade, impacts to bird movement during foraging, territorial defense, nesting, and roosting activities would be potentially significant and implementation of the following mitigation measures would be required.

[28] City of East Palo Alto. *Ravenswood/4 Corners TOD Specific Plan EIR.* January 16, 2012. Pp 4.4-15.

Impact BIO-4: The project would result in significant impacts to the movement of birds due to increased risk of bird collision resulting from the design, orientation, and reflective façade treatment of the proposed office building. **(Significant Impact)**

Mitigation Measures: Implementation of the following mitigation measures will reduce the impact from avian collisions to a less than significant level.

MM BIO-4.1: Prior to issuance of building permits, the project shall reduce the amount of glazing (i.e., windows or reflective glass surfaces) to the extent feasible on the southern façade of the proposed office building and treat all remaining glass on the southern façade with bird safe glazing treatments.

Reducing glazing on the southern façade of the proposed office building and treating all remaining glass on the southern façade with bird safe glazing treatments, as described under mitigation measure MM BIO-4.1 would reduce the potential for bird collision to less than significant level. **(Less than Significant Impact with Mitigation Incorporated)**.

Impact BIO-5: The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. **(Less than Significant Impact)**

As discussed in Section 4.4.1.2 above, the project site and immediate surroundings currently supports 158 trees of seven different species. These 158 trees vary in condition with a majority of trees in fair condition suitable for preservation.[29]

Of the 158 trees, tree species surveyed include pin oak (Quercus palustris; 77 total), purple leaf plum (Prunus cerasifera; 25 total), Callery pear (Pyrus calleryana; 17 total), New Zealand Christmas tree (Metrosiderosexcelsa; 15 total), Chinese pistache (Pistacia chinensis; nine total), coast live oak (Quercus agrifolia; eight total), and coast redwood (Sequoia sempervirens; seven total). Of the 158 trees surveyed, 21 are considered protected trees per the City Tree Ordinance.

The trees surveyed in the Project Area ranged in size from 6.3 to 69.7 inches in circumference. The largest tree surveyed was a 69.7-inch circumference coast live oak (Tree #119). Approximate canopy radii of all surveyed trees averaged from 4 to 25 feet. Approximate height of all surveyed trees ranged from 10 to 45 feet. A complete list, map, and photographs of all trees surveyed is presented in Appendix C to this EIR.

The project proposes removal of 117 trees from the site. Out of the 117 trees proposed to be removed, 21 are protected trees. There are no Heritage Trees on or adjacent to the site that would be impacted by the project. The proposed project would plant 44 replacement trees on-site and pay an

[29] WRA, Inc. *Arborist Survey Report for University Circle Phase II Office Project East Palo Alto San Mateo County, California.* October 13, 2020.

in-lieu fee toward planting of the remaining 73 replacement trees off-site consistent with Municipal Code Section 18.28.040 below:

> *"Replacement of Trees or In Lieu Fee. If a tree is allowed to be removed, the applicant shall be required to either plant replacement tree(s) of an equivalent value or pay an in lieu fee. Replacement tree(s) planted on-site are a priority. More than one replacement tree may be required to accomplish the goal of replacing the lost canopy. If replacement cannot be fully accomplished on-site, staff may authorize in-lieu fees. The value of the removed tree(s) shall be calculated in compliance with the latest edition of the Guide for Establishing Values of Trees and Other Plants, as prepared by the Council of Tree and Landscape Appraisers."*

The proposed project would meet all applicable tree removal and tree protection guidelines set forth by the City of East Palo Alto. Therefore, the proposed project would not conflict with any ordinance protecting biological resources and would not result in a significant impact to trees and the community forest. **(Less than Significant Impact)**

Impact BIO-6:	The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. **(No Impact)**

The project site is not within the area of an applicable habitat conservation plan or natural community conservation plan, or other approved local, regional, or state habitat conservation plan. **(No Impact)**

4.4.2.2 *Cumulative Impacts*

Impact BIO-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant biological resources impact. **(Less than Significant Cumulative Impact)**

The proposed project would redevelop an existing surface parking lot within an existing commercial development located in an urban area adjacent to U.S. 101. The project site provides no habitat value for special-status plant or animal species and does not support wetlands, riparian, or other sensitive habitats. Except for potential impacts to nesting birds during construction and bird collision impacts, the proposed project would not result in impacts to biological resources. As discussed under Impact BIO-1 and Impact BIO-4, implementation of mitigation measures MM BIO 1.1 through 1.4 and MM BIO 4.1 and 4.2 would avoid nesting bird impacts and reduce bird collision impacts to a less than significant level. For these reasons, project contributions to cumulative biological resource impacts are not cumulatively considerable. **(Less than Significant Cumulative Impact with Mitigation Incorporated)**

4.5 CULTURAL RESOURCES

The following discussion is based, in part, on an Archaeological Literature Search prepared by Holman & Associates, Inc. on May 20, 2020. This report is confidential in nature and can be viewed qualified personnel at the Department of Community Development during normal business hours.

4.5.1 Environmental Setting

4.5.1.1 *Regulatory Framework*

Federal and State

National Historic Preservation Act

Federal protection is legislated by the National Historic Preservation Act of 1966 (NHPA) and the Archaeological Resource Protection Act of 1979. These laws maintain processes for determination of the effects on historical properties eligible for listing in the National Register of Historic Places (NRHP). Section 106 of the NHPA and related regulations (36 Code of Federal Regulations [CFR] Part 800) constitute the primary federal regulatory framework guiding cultural resources investigations and require consideration of effects on properties that are listed or eligible for listing in the NRHP. Impacts to properties listed in the NRHP must be evaluated under CEQA.

California Register of Historical Resources

The California Register of Historical Resources (CRHR) is administered by the State Office of Historic Preservation and encourages protection of resources of architectural, historical, archeological, and cultural significance. The CRHR identifies historic resources for state and local planning purposes and affords protections under CEQA. Under Public Resources Code Section 5024.1(c), a resource may be eligible for listing in the CRHR if it meets any of the NRHP criteria.[30]

Historical resources eligible for listing in the CRHR must meet the significance criteria described previously and retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. A resource that has lost its historic character or appearance may still have sufficient integrity for the CRHR if it maintains the potential to yield significant scientific or historical information or specific data.

The concept of integrity is essential to identifying the important physical characteristics of historical resources and, therefore, in evaluating adverse changes to them. Integrity is defined as "the authenticity of a historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance." The processes of determining integrity are similar for both the CRHR and NRHP and use the same seven variables or aspects to define integrity that are used to evaluate a resource's eligibility for listing. These seven characteristics include 1) location, 2) design, 3) setting, 4) materials, 5) workmanship, 6) feeling, and 7) association.

[30] California Office of Historic Preservation. "CEQA Guidelines Section 15064.5(a)(3) and California Office of Historic Preservation Technical Assistance Series #6." March 14, 2006.

California Native American Historical, Cultural, and Sacred Sites Act

The California Native American Historical, Cultural, and Sacred Sites Act applies to both state and private lands. The act requires that upon discovery of human remains, construction or excavation activity must cease and the county coroner be notified.

Public Resources Code Sections 5097 and 5097.98

Section 15064.5 of the CEQA Guidelines specifies procedures to be used in the event of an unexpected discovery of Native American human remains on non-federal land. These procedures are outlined in Public Resources Code Sections 5097 and 5097.98. These codes protect such remains from disturbance, vandalism, and inadvertent destruction, establish procedures to be implemented if Native American skeletal remains are discovered during construction of a project, and establish the NAHC as the authority to resolve disputes regarding disposition of such remains.

Pursuant to Public Resources Code Section 5097.98, in the event of human remains discovery, no further disturbance is allowed until the county coroner has made the necessary findings regarding the origin and disposition of the remains. If the remains are of a Native American, the county coroner must notify the NAHC. The NAHC then notifies those persons most likely to be related to the Native American remains. The code section also stipulates the procedures that the descendants may follow for treating or disposing of the remains and associated grave goods.

Local

Vista 2035 East Palo Alto General Plan

Various policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating impacts to cultural resources resulting from planned development within the City, including the following:

Policy	Parks, Open Space, and Conservation
9.1	Archaeology, paleontology, and natural resources. Protect areas of important archaeological paleontological and natural resources.
9.2	Historic buildings and sites. Protect and conserve buildings or sites of historic or cultural significance to contribute to the character of the community.
9.4	City History. Work with partners to document, educate the public about the history of the City and memorialize significant people, places and events in the history of East Palo Alto through plaques and public art.
9.7	Construction impacts. Suspend development activity when archaeological resources are discovered during construction. The project sponsor will be required to retail a qualified archaeologist to oversee the handling of resources in coordination with appropriate local and State agencies and organizations and local Native American representatives, as appropriate.

4.5.1.2 *Existing Conditions*

Historic Resources

Historic resources are generally 50 years or older in age and include, but are not limited to, buildings, districts, structures, sites, objects, and areas. According to a review of historic aerial photographs and fire insurance maps completed for the proposed project, the site was historically developed with commercial uses from approximately 1939 until 1999. At this time, University Avenue bisected the eastern portion of the project site with multiple commercial structures on either side of the roadway. Commercial buildings formerly located on the project site were occupied by gasoline stations, two dry cleaners, auto repair facilities, print shops, paint stores, and a research facility. Land use at the project site remained relatively unchanged until 1999 when these commercial buildings were demolished, University Avenue rerouted, and construction began on the University Circle Phase I project.[31] The nearest historic resources is a single-family residential building located at 250 Donohoe Street, approximately 0.45-mile from the project site.[32] No historic resources are present on the project site, or adjacent parcels.

Archaeological Resources

In this portion of southeastern San Mateo County, Native American archaeological sites have been recorded near the edge of the original bay margins, and on valley terraces adjacent to San Francisquito Creek and its previous branch channels. Many of these Native American resources have been buried under alluvium. Due to the location of the project site approximately 100 feet north of San Francisquito Creek, the project site has high sensitivity for archaeological resources.

4.5.2 Impact Discussion

For the purpose of determining the significance of the project's impact on cultural resources, would the project:

1) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?
2) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?
3) Disturb any human remains, including those interred outside of dedicated cemeteries?

[31] Partner Engineering and Science, Inc. *Phase I Environmental Site Assessment Report, University Circle 1900, 1950 & 2000 East University Avenue, East Palo Alto, California 94303.* February 27, 2020.
[32] City of East Palo Alto. City of East Palo Alto Historic Resources Inventory Report. February 1994. Accessed November 24, 2020. https://www.cityofepa.org/sites/default/files/fileattachments/community_amp_economic_development/page/2961/full_report.pdf

4.5.2.1 *Project Impacts*

Impact CUL-1:	The project would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5. **(Less than Significant Impact)**

General Plan Parks, Open Space, and Conservation Policy 9.2 and 9.4 call for the City to protect and conserve buildings or sites of historic or cultural significance to contribute to the character of the community and work with partners to document, educate the public and memorialize significant people, places, and events in the history of East Palo Alto. The project site is currently developed with three office buildings, a hotel, associated parking and landscaping which are not considered historic resources. Based on the historic/potentially historic archaeological resources identified in the General Plan EIR, there are no historic resources located adjacent the project site. The nearest historic resource is a single-family residential building located at 250 Donohoe Street, approximately 0.45-mile from the project site.[33] As noted in the Project Description, the proposed project includes installation of a public art display and memorial commemorating the Tongan community center formerly located on the project site consistent with Parks, Open Space, and Conservation Policy 9.4. For these reasons, the proposed project would not result in a substantial adverse change in the significance of a historic resource. **(Less than Significant Impact)**

Impact CUL-2:	The project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5. **(Less than Significant Impact with Mitigation Incorporated)**

General Plan Parks, Open Space, and Conservation Policy 9.1 and 9.7 call for the City to protect archaeological resources and suspend development activity when archaeological resources are discovered during construction. No archaeological resources have been recorded on the project site. Native American occupation sites within San Mateo County tend to be situated near the historic margin of the Bay and along creeks.[34] Therefore, based on the proximity of the site to San Francisquito Creek, the project site has a high sensitivity for Native American archaeological resources. The project requires substantial grading and excavation to construct the proposed three levels of below grade parking. Therefore, cultural resources may be impacted during construction.

Impact CUL-2: Ground disturbing activities associated with project construction could disturb previously unrecorded archaeological resources. **(Significant Impact)**

Mitigation Measures: The following mitigation measures shall be implemented to reduce impacts to archaeological resources and/or human remains that may be present on the site.

[33] City of East Palo Alto. City of East Palo Alto Historic Resources Inventory Report. February 1994. Accessed November 24, 2020. https://www.cityofepa.org/sites/default/files/fileattachments/community_amp_economic_development/page/2961/full_report.pdf

[34] City of East Palo Alto. *City of East Palo Alto General Plan Update Draft Environmental Impact Report.* April 2016. Pp 4.5-9.

MM CUL-2.1: Prior to issuance of grading or demolition permits, the project applicant shall retain a qualified archaeologist and Native American cultural resources monitor from Tamien Nation. The qualified archaeologist shall conduct subsurface borings within the southern section of the project site where the three levels of underground parking is proposed. The Native American cultural resources monitor shall be on site to monitor ground disturbing activities including soil borings. Soil borings shall be conducted where anticipated deep disturbances are proposed, away from the existing single-story underground parking. Boring locations shall be placed between 50 and 75 meters apart depending on the size of the area to be explored. At least one boring shall sample the entire proposed impacts depth to provide a comparison of the stratigraphy to the previous nearby coring samples. At least 7 meters of undisturbed native soils shall be sample below the fill if that can be completed within the proposed depth of impacts. Boring sample depths should be adjusted depending on findings of similar soils or missing layers. Samples from the three layers most likely to have archaeological resources shall be screened by a qualified archaeologist to determine if cultural materials are present.

If archaeological resources are identified, the qualified archaeologist in consultation with a Native American representative shall prepare a research design and treatment plan tailored to the resources identified. The qualified archaeologist shall submit the research design and treatment plan approved by Tamien Nation to the City for review and approval. Once the research design and treatment plan is approved by the City, archaeological testing of the resource can begin. Testing shall be commensurate with the level of proposed impacts and determined in consultation with a Native American representative. After field testing, an evaluation report shall be prepared documenting the fieldwork, analyzing the cultural materials recovered, defining its boundaries within proposed impacts, and evaluating the resource per the California Register of Historic Resources criteria. If cultural materials are determined to be Native American in origin, a Native American monitor shall be present during all archaeological testing.

MM CUL-2.2: Prior to issuance of the Grading Permit, the project applicant shall submit evidence that an Archaeological Cultural Resource Awareness Training was held prior to ground disturbance. The training shall be facilitated by the project archaeologist in coordination with a Native American representative from Tamien Nation registered with the Native American Heritage Commissions for the City of East Palo Alto and that is traditionally and culturally affiliated with the geographic area as described in Public Resources Code Section 21080.3.

MM CUL-2.3: In the event that buried, or previously unrecognized archaeological deposits or materials of any kind are inadvertently exposed during construction activity, work within 50 feet of the find shall cease until a qualified archaeologist and Native American representative can assess the find and provide recommendations for further treatment, if warranted. Construction and potential impacts to the area(s) within a radius determined by the archaeologist shall not recommence until the

assessment is complete.

Implementation of subsurface borings prior to construction, development of a research design and treatment plan, and work stoppage if resources are discovered would reduce potential impacts to unrecorded archaeological resources at the site by identifying them prior to construction and developing alternative project designs, or treatment plans to avoid or minimize impacts to resources. Furthermore, if previously unrecognized resources are discovered during project construction, halting construction activity near the find would reduce potential impacts to unrecorded archaeological resources, consistent with General Plan Parks, Open Space, and Conservation Policy 9.7 would be reduced to a less than significant level. **(Less Than Significant Impact with Mitigation Incorporated)**

Impact CUL-3:	The project would not disturb any human remains, including those interred outside of dedicated cemeteries. **(Less than Significant Impact with Mitigation Incorporated)**

Based on the proximity of the project site to San Francisquito Creek, the site has a high sensitivity for Native American archaeological resources. The project requires substantial grading and excavation to construct three levels of below grade parking. Therefore, cultural resources may be impacted during construction. Ground-disturbing activities associated with site preparation, grading, and construction activities could, therefore, disturb human remains.

Impact CUL-3: Ground disturbing activities associated with project construction could disturb human remains interred outside of dedicated cemeteries. **(Significant Impact)**

Mitigation Measures: The proposed project would implement the following mitigation measures to reduce impacts to human remains to a less than significant level:

MM CUL-3.1: If human remains are encountered as a result of construction activities, all work in the vicinity shall be halted and the County Coroner contacted. In the event that the County Coroner determines that the human remains are Native American, notification of the Native American Heritage Commission (NAHC) is required, who shall appoint a Most Likely Descendant (MLD) (PRC Section 5097.98). The qualified archaeologist, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment, with appropriate dignity, of human remains and associated or unassociated funerary objects (CEQA Guidelines Section 15064.5(d). The agreement shall incorporate 'best practices' as identified by the state NAHC. A final report shall be prepared by the project archaeologist in consultation with the MLD and approved by the City of East Palo Alto. Work on the project may proceed upon City approval.

With implementation of MM CUL-3.1 construction work would be halted if human remains are discovered and the remains would be properly handled. **(Less than Significant Impact with Mitigation Incorporated)**

4.5.2.2 *Cumulative Impacts*

Impact CUL-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant cultural resources impact. **(Less than Significant Cumulative Impact with Mitigation Incorporated)**

There are no known cultural resources at the project site. None of the existing buildings on the project site are historic resources. With implementation of mitigation measures MM CUL-2.1, 2.2, 2.3 and 3.1, the potential for the proposed project to impact cultural resources would be avoided or reduced to a less than significant impact. Implementation of these mitigation measures would also reduce the project's contribution to cumulative cultural resource impacts to less than cumulatively considerable. Furthermore, as with the proposed project, the cumulative projects listed in Table 4.1.1 would be subject to federal, state, county, and local laws, policies, and regulations protecting cultural resources, as applicable. **(Less Than Significant Cumulative Impact with Mitigation Incorporated)**.

4.6 ENERGY

The following discussion is based, in part, on an Air Quality and Greenhouse Gas Analysis prepared by Illingworth & Rodkin, Inc. on October 7, 2021. This report is attached as Appendix B to this Draft EIR.

4.6.1 Environmental Setting

4.6.1.1 *Regulatory Framework*

Federal and State

Energy Star and Fuel Efficiency

At the federal level, energy standards set by the EPA apply to numerous consumer products and appliances (e.g., the EnergyStar™ program). The EPA also sets fuel efficiency standards for automobiles and other modes of transportation.

National Energy Conservation and Policy Act

The National Energy Conservation Policy Act is the underlying authority for Federal energy management goals and requirements. Since it was signed into law in 1975, the Act has been updated and amended several times.

Energy Policy Act of 2005

The Energy Policy Act of 2005 sets equipment energy efficiency standards and seeks to reduce reliance on non-renewable energy resources and provides incentives to reduce current demand on these resources.

Renewables Portfolio Standard Program

In 2002, California established its Renewables Portfolio Standard Program, with the goal of increasing the percentage of renewable energy in the state's electricity mix to 20 percent of retail sales by 2010. Governor Schwarzenegger issued Executive Order (EO) S-3-05, requiring statewide emissions reductions to 80 percent below 1990 levels by 2050. In 2008, Executive Order S-14-08 was signed into law, requiring retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. In October 2015, Governor Brown signed SB 350 to codify California's climate and clean energy goals. A key provision of SB 350 requires retail sellers and publicly owned utilities to procure 50 percent of their electricity from renewable sources by 2030. SB 100, passed in 2018, requires 100 percent of electricity in California to be provided by 100 percent renewable and carbon-free sources by 2045.

Executive Order B-55-18 To Achieve Carbon Neutrality

In September 2018, Governor Brown issued an executive order, EO-B-55-18 To Achieve Carbon Neutrality, setting a statewide goal "to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter." The executive order requires CARB to "ensure future Scoping Plans identify and recommend measures to achieve the

carbon neutrality goal." EO-B-55-18 supplements EO S-3-05 by requiring not only emissions reductions, but also that, by no later than 2045, the remaining emissions be offset by equivalent net removals of CO_2 from the atmosphere through sequestration.

California Building Standards Code

The Energy Efficiency Standards for Residential and Nonresidential Buildings, as specified in Title 24, Part 6 of the California Code of Regulations (Title 24), was established in 1978 in response to a legislative mandate to reduce California's energy consumption. Title 24 is updated approximately every three years, and the 2019 Title 24 updates went into effect on January 1, 2020.[35] Compliance with Title 24 is mandatory at the time new building permits are issued by city and county governments.[36]

California Green Building Standards Code

CALGreen establishes mandatory green building standards for buildings in California. CALGreen was developed to reduce GHG emissions from buildings, promote environmentally responsible and healthier places to live and work, reduce energy and water consumption, and respond to state environmental directives. The most recent update to CALGreen went into effect on January 1, 2020, and covers five categories: planning and design, energy efficiency, water efficiency and conservation, material and resource efficiency, and indoor environmental quality.

Advanced Clean Cars Program

CARB adopted the Advanced Clean Cars program in 2012 in coordination with the EPA and National Highway Traffic Safety Administration. The program combines the control of smog-causing pollutants and GHG emissions into a single coordinated set of requirements for vehicle model years 2015 through 2025. The program promotes development of environmentally superior passenger cars and other vehicles, as well as saving the consumer money through fuel savings.[37]

Local

Vista 2035 East Palo Alto General Plan

Various policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating energy use impacts resulting from planned development within the City including the following:

Policy	Parks, Open Space, and Conservation
7.1	Citywide building energy efficiency. Promote and encourage citywide building energy efficiency through strategies that may include the following:

[35] California Building Standards Commission. "California Building Standards Code." Accessed January 21, 2020. https://www.dgs.ca.gov/BSC/Codes#@ViewBag.JumpTo.
[36] California Energy Commission (CEC). "2019 Building Energy Efficiency Standards." Accessed January 21, 2020. https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2019-building-energy-efficiency.
[37] California Air Resources Board. "The Advanced Clean Cars Program." Accessed April 6, 2020. https://www.arb.ca.gov/msprog/acc/acc.htm.

- Retrofits of buildings with energy-efficient technology
- High energy performance in new buildings, in excess of CALGreen when possible.

7.4 Renewable energy. Encourage the use of renewable energy in the City, including solar and wind in new and existing development.

8.11 Green building certification. Require that new residential, commercial, or mixed-use buildings over 20,000 square feet earn LEED Silver certification (or equivalent) including meeting the minimum CALGreen code requirements.

City of East Palo Alto Climate Action Plan

The City of East Palo Alto Climate Action Plan includes a prioritized list of actions for reducing the City's GHG emissions. To achieve the City's GHG reduction goal of 15 percent below 2005 levels by 2020, the Climate Action Plan includes objectives and measures related to energy use in buildings, transportation and land use, waste, and municipal operations. The Climate Action Plan notes that energy efficiency is the most cost-effective measure for GHG reductions and has co-benefits.

City of East Palo Alto Building Electrification and Electric Vehicle Infrastructure Reach Codes Ordinance

City Council adopted the City of East Palo Alto Building Electrification and Electric Vehicle Infrastructure Reach Codes Ordinance on October 20, 2020. The ordinance includes requirements for electrification, solar, and EV infrastructure on all new residential and commercial buildings and other non-residential buildings within the City.

4.6.1.2 *Existing Conditions*

Total energy usage in California was approximately 7,802 trillion British thermal units (Btu) in the year 2019, the most recent year for which this data was available.[38] Out of the 50 states, California is ranked second in total energy consumption and 46th in energy consumption per capita.[39] The breakdown by sector was approximately 19 percent (1,456 trillion Btu) for residential uses, 19 percent (1,468 trillion Btu) for commercial uses, 23 percent (1,805 trillion Btu) for industrial uses, and 39 percent (3,073 trillion Btu) for transportation.[40] This energy is primarily supplied in the form of natural gas, petroleum, nuclear electric power, and hydroelectric power.[41]

Electricity

Electricity in San Mateo County in 2019 was consumed primarily by the commercial sector (63 percent), with the residential sector consuming 37 percent. In 2019, a total of approximately 4,325 GWh of electricity was consumed in San Mateo County.[42]

[38] United States Energy Information Administration. "State Profile and Energy Estimates, 2019." Accessed July 22, 2021. https://www.eia.gov/state/?sid=CA#tabs-2.
[39] Ibid.
[40] California Energy Commission. Energy Consumption Data Management System. "Electricity Consumption by County." Accessed July 22, 2021, 2021. http://ecdms.energy.ca.gov/elecbycounty.aspx.
[41] Ibid.
[42] Ibid.

Peninsula Clean Energy (PCE) is a public and locally controlled electricity provider for the County of San Mateo. Electricity provided by PCE is delivered through PG&E transmission lines. Commercial and residential customers in San Mateo County are included in the PCE service area and can choose to have 50 to 100 percent of their electricity supplied from carbon-free and renewable sources. Customers are automatically enrolled in the ECOplus plan, which generates its electricity from 85 percent carbon-free sources, with at least 50 percent from renewable sources. Customers have the option to enroll in the ECO100 plan, which generates its electricity from 100 percent carbon-free, renewable sources. [43]

Natural Gas

PG&E provides natural gas services within East Palo Alto. In 2018, approximately one percent of California's natural gas supply came from in-state production, while the remaining supply was imported from other western states and Canada.[44] In 2019, residential and commercial customers in California used 34 percent of the state's natural gas, power plants used 35 percent, the industrial sector used 21 percent, and other uses used 10 percent. Transportation accounted for one percent of natural gas use in California. [45] In 2018, San Mateo County used approximately 1.7 percent of the state's total consumption of natural gas.[46]

Fuel for Motor Vehicles

In 2020, 14 billion gallons of gasoline were sold in California.[47] The average fuel economy for light-duty vehicles (autos, pickups, vans, and sport utility vehicles) in the United States has steadily increased from about 13.1 miles per gallon (mpg) in the mid-1970s to 24.9 mpg in 2018.[48] Federal fuel economy standards have changed substantially since the Energy Independence and Security Act was passed in 2007. That standard, which originally mandated a national fuel economy standard of 35 miles per gallon by the year 2020, was subsequently revised to apply to cars and light trucks model years 2011 through 2020. [49,50]

4.6.2 Impact Discussion

For the purpose of determining the significance of the project's impact on energy, would the project:

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[43] Sources: 1) Peninsula Clean Energy. "Programs." Accessed April 6, 2020. https://www.peninsulacleanenergy.com/faq. 2) Peninsula Clean Energy. "Energy Choices." Accessed April 6, 2020. https://www.peninsulacleanenergy.com/our-power/energy-choices/.

[44] California Gas and Electric Utilities. 2019 *California Gas Report.* Accessed July 22, 2021. https://www.socalgas.com/regulatory/documents/cgr/2019_CGR_Supplement_7-1-19.pdf.

[45] United States Energy Information Administration. "State Profile and Energy Estimates, 2018." Accessed July 22, 2021. https://www.eia.gov/state/?sid=CA#tabs-2.

[46] California Energy Commission. "Natural Gas Consumption by County." Accessed July 22, 2021. http://ecdms.energy.ca.gov/gasbycounty.aspx.

[47] California Department of Tax and Fee Administration. "Net Taxable Gasoline Gallons." Accessed April 26, 2021. https://www.cdtfa.ca.gov/taxes-and-fees/spftrpts.htm

[48] United States Environmental Protection Agency. "The 2020 EPA Automotive Trends Report: Greenhouse Gas Emissions, Fuel Economy, and Technology since 1975." January 2021.

[49] United States Department of Energy. *Energy Independence & Security Act of 2007.* Accessed April 26, 2021. http://www.afdc.energy.gov/laws/eisa.

[50] Public Law 110–140—December 19, 2007. *Energy Independence & Security Act of 2007.* Accessed April 26, 2021. http://www.gpo.gov/fdsys/pkg/PLAW-110publ140/pdf/PLAW-110publ140.pdf.

1) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
2) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

4.6.2.1 *Project Impacts*

Impact EN-1:	The project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. **(Less than Significant Impact)**

Estimated Energy Use of the Proposed Project

As proposed, the project would replace an existing surface parking lot with an office building totaling approximately 180,000 square feet. Energy would be consumed during the construction and operational phases of the project. Construction activities at the project site would take approximately 36 months to complete and would consist of demolition, grading, excavation, site preparation, and construction. Operation of the project would consume energy (in the form of electricity and natural gas) primarily for building heating and cooling, lighting, and water heating.

Construction

The anticipated construction schedule assumes that the project would be built over a period of up to 36 months. The project would require demolition, site preparation, grading, trenching, building construction, architectural coating, and paving. The overall construction schedule and process is already designed to be efficient in order to avoid excess monetary costs. That is, equipment and fuel would not be used wastefully on the site because of the added expense associated with renting, maintaining, and fueling he equipment. Therefore, opportunities for future efficiency gains during construction are limited. The proposed project, however, does include several measures that would improve the efficiency of the construction process. Implementation of Bay Area Air Quality Management District (BAAQMD) construction BMPs (refer to Mitigation Measure MM AIR-2.1 ,) would restrict equipment idling times to five minutes or less and would require the applicant to post signs on the project site reminding workers to shut off idle equipment. **(Less than Significant Impact)**

Operation

Project operation, including building heating and cooling, lighting, and appliance use would consume energy. Additionally, employee vehicle use to and from the site would consume energy. Electricity, natural gas, and gasoline are currently being used at the site for operation of the existing office buildings, hotel, parking, and landscaping. The estimated operational energy use associated with the proposed project is summarized in Table 4.6-1 below.

Table 4.6-1: Estimated Annual Energy Use of Proposed Development			
	Electricity Use (kWh/year)	**Natural Gas Use (kBtu/year)**	**Gasoline Use (gallons/year)**
Proposed Energy Demand			
General Office Building	2,246,400	3,479,400	144,070
Parking Lot	35,280	0	0
Enclosed Parking with Elevator	1,382,960	0	0
Total	**3,664,640**	**3,479,400**	**144,070**
Existing Energy Demand			
Parking Lot	35,280	0	0
Net Project Energy Demand	3,629,360	3,479,400	144,070

kWh – kilowatt per hour

kBtu = kilo-British thermal unit

Source: Illingworth & Rodkin, Inc. University Circle Phase II Office *Project, Air Quality and Greenhouse Gas Assessment, East Palo Alto California.* October 7, 2021

The proposed project would be built in accordance with CALGreen and Title 24 requirements and designed to achieve the equivalent of LEED Platinum certification. The project would be required to comply with the City's Reach Code requirements for all electric building operations, rooftop solar panels, and electric vehicle infrastructure. As stated in the project description (Section 3.2.9, Green Building Measures), the proposed project includes the following green building measures:

- Bicycle parking spaces
- On-site showers
- Electric vehicle charging stations
- White vinyl rooftop
- LED light fixtures
- Water efficient landscaping with irrigation design
- On-site stormwater management, bioretention swales and permeable paving
- Roof top solar panels covering 15 percent of the roof area
- Low flow indoor water fixtures
- Variable refrigerant flow Heating, Ventilating, and Air Conditioning (HVAC) system

The green building measures implemented in the project would reduce energy consumption compared to a project that does not implement these measures. As a result, the proposed project would not have a significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources because it would incorporate energy efficiency measures during construction and operation to prevent wasteful use of energy. Additionally, the development of an underutilized site

in a developed area takes advantage of existing infrastructure and reduces the energy required to provide utilities and services to the project site. **(Less than Significant Impact)**

Impact EN-2:	The project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. **(Less than Significant Impact)**

Consistency with State Plans for Renewable Energy or Energy Efficiency

The California Renewables Portfolio Standard Program establishes goals for increasing renewable energy production and achieving statewide carbon neutrality no later than 2045. As stated in the Project Description and discussed under Impact EN-1 above, the proposed project would include installation of rooftop solar panels which would generate renewable energy on-site. For this reason, the proposed project would not conflict with the California Renewables Portfolio Standard Program. California Building Standards Code and California Green Building Standards Code establish mandatory energy efficiency standards and green building for all new buildings in California. The proposed project would be constructed consistent with the California Building Standards Code and California Green Building Standards Code and would therefore, not conflict with these codes. CARB Clean Cars Program sets requirements for new car emissions in California. The proposed office building does not include manufacturing of new cars; however, as discussed under Impact EN-1, the project would include installation of electric vehicle charging stations to support the transition to electric vehicles.

Consistency with Local Plans for Renewable Energy or Energy Efficiency

General Plan Parks, Open Space, and Conservation Policies 7.1 and 7.4 call for the use high performance and energy efficient technology in retrofits of existing and construction of new buildings within the city as well as use of renewable energy. As noted in Section 3.5.1, the project would include retrofits to the existing office buildings with water efficient fixtures and installation of water efficient fixtures in the proposed office building. Use of water efficient fixtures in the existing proposed office buildings on-site would reduce energy consumption associated with pumping water to and from the project site. The proposed office building would also be built consistent with Title 24 and CalGreen ensuring that building would be constructed using the current energy efficient materials and technology. Furthermore, the proposed office building would be designed to achieve the equivalent of LEED Platinum Certification, exceeding the requirements of General Plan Parks, Open Space, and Conservation Policy 8.11 which requires new commercial buildings with over 20,000 square feet to earn LEED Silver Certification or the equivalent.

The City of East Palo Climate Action Plan includes goals and measures designed to achieve the community's target 2020 GHG reductions. The measures identified in the Climate Action Plan are require City actions and are not designed for implementation by individual projects. For this reason, the proposed office development would not conflict with the City's Climate Action Plan.

The City of East Palo Alto's Reach Code requires all new commercial buildings approved after January 1, 2022 to be all electric (with exceptions for restaurants, emergency operations centers, life science buildings, and existing buildings with physical constraints), install solar panels on at least 15 percent of the roof area and provide electric vehicle charging stations. The proposed project would

be approved on or after January 1, 2022 and would be required to comply with the City's Reach Code. For this reason, the proposed office development would not conflict with the City's Reach Code.

For these reasons, the project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. **(Less than Significant Impact)**

4.6.2.2 *Cumulative Impacts*

Impact EN-C:	The project would not result in a cumulatively considerable contribution to a significant cumulative energy impact. **(Less than Significant Cumulative Impact)**

By its nature, energy is a cumulative resource. The geographic area for cumulative energy impacts incudes the proposed project and approved/future projects served by PG&E within the State of California. Past, present, and future development projects contribute to the state's energy impacts. If the project is determined to have a significant energy impact, it can be concluded that the impact is cumulatively considerable. As discussed above, construction and operation of the proposed office development would result in the consumption of energy, but it would not do so in a wasteful manner. The consumption of energy would not be substantial in comparison to statewide electricity, natural gas, gasoline, or diesel demand (refer to Section 4.6.2.2 Existing Conditions). Additionally, the project would comply with CALGreen and Title 24 requirements, be designed to achieve the equivalent of LEED Platinum certification and required to implement a TDM program to reduce vehicle miles traveled and associated energy use by 15 percent. As discussed under Impact EN-1 and EN-2 the project would not result in a significant energy impact. Therefore, the project would not result in a cumulatively considerable contribution to a significant cumulative energy impact. **(Less than Significant Cumulative Impact)**

4.7 GEOLOGY AND SOILS

The following discussion is based, in part, on a Geotechnical Investigation prepared by ENGEO, Inc. on March 11, 2020. This report is attached as Appendix D to this Draft EIR.

4.7.1 Environmental Setting

4.7.1.1 *Regulatory Framework*

Federal

Earthquake Hazard Reduction Act of 1977

The Earthquake Hazard Reduction Act was enacted to reduce risks to life and property from earthquakes in the United States through the establishment and maintenance of an effective earthquake hazards reduction program. Implementation of the requirements are regulated, monitored, and enforced at the state and local levels.

State

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act was passed following the 1971 San Fernando earthquake. The act regulates development in California near known active faults due to hazards associated with surface fault ruptures. Alquist-Priolo maps are distributed to affected cities, counties, and state agencies for their use in planning and controlling new construction. Areas within an Alquist-Priolo Earthquake Fault Zone require special studies to evaluate the potential for surface rupture to ensure that no structures intended for human occupancy are constructed across an active fault.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (SHMA) was passed in 1990 following the 1989 Loma Prieta earthquake. The SHMA directs the California Geological Survey (CGS) to identify and map areas prone to liquefaction, earthquake-induced landslides, and amplified ground shaking. CGS has completed seismic hazard mapping for the portions of California most susceptible to liquefaction, landslides, and ground shaking, including the central San Francisco Bay Area. The SHMA requires that agencies only approve projects in seismic hazard zones following site-specific geotechnical investigations to determine if the seismic hazard is present and identify measures to reduce earthquake-related hazards.

California Building Standards Code

The CBC prescribes standards for constructing safe buildings. The CBC contains provisions for earthquake safety based on factors including occupancy type, soil and rock profile, ground strength, and distance to seismic sources. The CBC requires that a site-specific geotechnical investigation report be prepared for most development projects to evaluate seismic and geologic conditions such as surface fault ruptures, ground shaking, liquefaction, differential settlement, lateral spreading, expansive soils, and slope stability. The CBC is updated every three years.

California Division of Occupational Safety and Health Regulations

Excavation, shoring, and trenching activities during construction are subject to occupational safety standards for stabilization by the California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA) under Title 8 of the California Code of Regulations and Excavation Rules. These regulations minimize the potential for instability and collapse that could injure construction workers on the site.

Public Resources Code Section 5097.5

Paleontological resources are the fossilized remains of organisms from prehistoric environments found in geologic strata. They range from mammoth and dinosaur bones to impressions of ancient animals and plants, trace remains, and microfossils. These are valued for the information they yield about the history of the earth and its past ecological settings. California Public Resources Code Section 5097.5 specifies that unauthorized removal of a paleontological resource is a misdemeanor. Under the CEQA Guidelines, a project would have a significant impact on paleontological resources if it would disturb or destroy a unique paleontological resource or site or unique geologic feature.

Local

Vista 2035 East Palo Alto General Plan

Various policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating geology and soils impacts resulting from planned development within the City including the following:

Policy	Safety and Noise
1.1	Construction Requirements. Apply the proper development engineering and building construction requirements to avoid or mitigate risks from seismic and geologic hazards.
1.2	Robust Seismic Guidance. Utilize and enforce the most recent State guidance for seismic and geologic hazards when evaluating development proposals.
1.3	Licensed Geologist. Require that a State licensed engineering geologist prepare and/or review development proposals involving grading, unstable soils, and other hazardous conditions. Incorporate recommendations of the geologist into design plans, potentially including building modifications and open space easements.

City of East Palo Alto Municipal Code

Title 15 (Building and Construction) of the City of East Palo Alto Municipal Code includes the currently adopted Building Code as well as requirements in Chapter 15.48 for excavation, grading, filling, and clearing. In accordance with the Municipal Code, procedures for the issuance, administration, and enforcement of a building and grading permits are employed in order to protect health and safety, which includes the reduction or elimination of the hazards of undue settlement, erosion, siltation, and flooding, or other special conditions.

4.7.1.2 *Existing Conditions*

The City of East Palo Alto is located on the San Francisco Peninsula. The Peninsula is bounded by the Pacific Ocean to the west and the San Francisco Bay to the east.

On-Site Topography and Soils

The project site is situated on an alluvial fan on the western shore of San Francisco Bay at an elevation of approximately 36 feet above mean sea level (amsl). On-site topography is generally flat with a slight downward slope to the southeast toward San Francisquito Creek, which is located approximately 100 feet south of the project site. With the exception of the banks of San Francisquito Creek, there are no steep slopes on the project site or surrounding area which would be subject to landslide hazards.

The project site is underlain by marine sediments and metamorphic and igneous rocks of Mesozoic and Cenozoic age, approximately 1,200 to 1,300 feet below ground surface (bgs). According to the U.S. Department of Agriculture's (USDA) Soil Conservation Service, soils underlying the project site are currently classified as Urban land.[51] [52] Urban land is comprised of disturbed and human transported material which can no longer be separated into individual soil units.[53] On-site soils have a low expansion potential.

Groundwater

Groundwater testing conducted for the proposed project revealed current groundwater levels at depths ranging from approximately 27-28 ½ feet bgs at the project site; however, historic groundwater levels have been recorded at a depth of 15 feet bgs.[54] Fluctuations in groundwater levels occur due to many factors including seasonal fluctuations and underground drainage patterns. Therefore, the design level geotechnical report assumes a design groundwater level of 15 feet bgs.[55]

Seismicity and Seismic Hazards

The San Francisco Bay Area is considered to be one of the more seismically active regions in the United States. The U.S. Geological Survey's (USGS) Working Group on California Earthquake Probabilities 2007 estimates that there is a 63 percent chance of at least one magnitude 6.7 earthquake occurring in the Bay Area between 2007 and 2036.[56] The nearest active faults to the project site include the Monte-Vista Shannon (four miles southwest of the site) and San Andreas (six miles west of the site), and Hayward (approximately 11 miles east of the site). The site is not located within a state designated Alquist Priolo Earthquake Fault Zone. No known faults cross the site.[57] The site could, however, experience strong ground shaking during a moderate to severe earthquake.

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[51] ENGEO Incorporated. *Geotechnical Exploration, Phase II – University Circle Project.* March 11, 2020.
[52] United States Department of Agriculture. Web Soil Survey. Available at: https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx. Accessed January 2, 2020.
[53]ENGEO Incorporated. *Geotechnical Exploration, Phase II – University Circle Project.* March 11, 2020.
[54] Ibid.
[55] Ibid.
[56] United States Geological Survey. *The Uniform California Earthquake Rupture Forecast, Version 2.* 2008. Accessed March 24, 2021. https://pubs.usgs.gov/of/2007/1437/
[57] ENGEO Incorporated. *Geotechnical Exploration, Phase II – University Circle Project.* March 11, 2020.

Liquefaction

Liquefaction is a phenomenon where loose, saturated, cohesionless soil experiences temporary reduction in strength during cyclic loading such as that produced by earthquakes. The site is within a state-designated Liquefaction Hazard Zone.[58] Therefore, on-site soils could potentially experience liquefaction, resulting in post-liquefaction settlement at the ground surface as liquefied soils compact following a liquefaction event.[59] Post-liquefaction settlement can damage structures if they are not properly designed and constructed.

Lateral Spreading

Lateral spreading is horizontal/lateral ground movement of relatively flat-lying soil deposits toward a free face, such as an excavation, channel, or open body of water.[60] Typically, lateral spreading is associated with liquefaction of one or more subsurface layers near the bottom of the exposed slope.[61] Steep slopes are present on the banks of San Francisquito Creek, approximately 100 feet south of the project site. However, there are no open faces or exposed slopes at the project site. Therefore, the potential for lateral spreading to affect the site is low.

Paleontological Resources

No major or unique paleontological resources are known to exist in the City of East Palo Alto. The onsite soil and artificial fill has a low level of paleontological sensitivity.[62] More sensitive Pleistocene alluvial fan and fluvial deposits occur at depths of more than 50 feet in the project area.

4.7.2 Impact Discussion

For the purpose of determining the significance of the project's impact on geology and soils, would the project:

1) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
    - Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (refer to Division of Mines and Geology Special Publication 42)?
    - Strong seismic ground shaking?
    - Seismic-related ground failure, including liquefaction?
    - Landslides?

[58] California Geologic Survey. *Earthquake Zones of Required Investigation, 2000 University Circle, East Palo Alto, California.* Accessed March 2, 2020. https://maps.conservation.ca.gov/cgs/EQZApp/app/
[59] G. Zhang, P.K. Robertson, and R.W.I. Brachman. "Estimating liquefaction-induced ground settlements from CPT for level ground." *Canadian Geotechnical Journal*. No. 39 (2002):1168-1180.
[60] M. Cubrinovski, K. Robinson, M. Taylor, M. Hughes, and R. Orense. "Lateral spreading and its impacts in urban areas in the 2010-2011 Christchurch earthquakes." *New Zealand Journal of Geology and Geophysics*. No. 55: (2012): 255-269.
[61] Ibid.
[62] ENGEO Incorporated. *Geotechnical Exploration, Phase II – University Circle Project.* March 11, 2020.

2) Result in substantial soil erosion or the loss of topsoil?
3) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?
4) Be located on expansive soil, as defined in the current California Building Code, creating substantial direct or indirect risks to life or property?
5) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?
6) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?

4.7.2.1 *Project Impacts*

Impact GEO-1:	The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; strong seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides**. (No Impact)**

Ground Surface Rupture

Ground surface displacement closely follows the trace of geologically young faults. The project site is not located within an Alquist-Priolo Earthquake Fault Zone and no known active or potentially active faults exist on the site or in the immediate vicinity. Therefore, the project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault. **(No Impact)**

Seismicity

The project site is located within a seismically active region and the potential exists for a large earthquake to induce strong to very strong ground shaking at the site. Ground shaking is caused by a sudden slip of a fault line.[63] Ground shaking could damage structures and threaten future occupants of the proposed project if the project is not properly designed and constructed. Construction and operation of the proposed office building and below grade parking garage would not exacerbate ground shaking in the project area. Therefore, there would be no CEQA impact associated with seismicity. General Plan Safety and Noise Policies 1.1 through 1.3 would be incorporated into the project to address the effect of ground shaking on the project. **(No Impact)**

[63] U.S. Geologic Survey. "What is an earthquake and what causes them to happen?" Accessed March 24, 2021. https://www.usgs.gov/faqs/what-earthquake-and-what-causes-them-happen?qt-news_science_products=0#qt-news_science_products

Liquefaction

The project site is located within a State designated liquefaction hazard zone.[64] Additionally, the site contains discontinuous layers of potentially liquefiable sands.[65] Therefore, the site is susceptible to liquefaction and liquefaction induced differential settlement during seismic events. The proposed project would not permanently modify groundwater levels or otherwise exacerbate geologic conditions and the existing risk of liquefaction in the project area. During the building permit process, the proposed project would be reviewed for compliance with General Plan Safety and Noise Element Policies 1.1, 1.2, and 1.3 to ensure the project applies proper engineering and construction requirements and complies with state guidance to minimize risks form geologic hazards, such as liquefaction. At the time of building permit, the project would also be reviewed for compliance with the CBC requirements, Chapter 15.48 of the Municipal Code, and the Geotechnical Investigation recommendations to address unstable soils and ensure that appropriate fill materials are used to reduce potential for liquefaction. Compliance with these policies and regulations would ensure the project would not directly or indirectly cause substantial adverse effects from liquefaction. Therefore, there would be no CEQA impact associated with liquefaction. **(No Impact)**

Landslides

The project site is flat and does not contain steep slopes or other features that would result in a landslide or collapse. **(No Impact)**

Impact GEO-2:	The project would not result in substantial soil erosion or the loss of topsoil. **(Less than Significant Impact)**

Due to the flat topography of the project site and surrounding area, there are no existing slope instability or landslide related hazards. As discussed in Section 4.10, Hydrology and Water Quality, project grading and construction would expose soil to the erosive forces of wind and water; however, the project would be required to comply with the National Pollutant Discharge Elimination System (NPDES) Construction General Permit and Municipal Regional Permit. Consistent with the requirements of the NPDES Construction General Permit, the project would implement standard measures and best management practices (BMP) to reduce erosion including watering exposed or disturbed soils regularly, suspending earthmoving or dust-producing activities during periods of high winds, watering or covering stockpiles of soil, and vegetating disturbed areas as quickly as possible. Implementation of these measures and BMPs would ensure that the project would result in substantial soil erosion or loss of topsoil. **(Less than Significant Impact)**

Impact GEO-3:	The project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. **(Less than Significant Impact)**

[64] California Geologic Survey. *Earthquake Zones of Required Investigation, 2000 University Circle, East Palo Alto, California.* Accessed March 2, 2020. https://maps.conservation.ca.gov/cgs/EQZApp/app/
[65] ENGEO Incorporated. *Geotechnical Exploration, Phase II – University Circle Project.* March 11, 2020.

Geologic Hazards

As mentioned previously, the project site is located in a liquefaction zone. Steep slopes are present on the banks of San Francisquito Creek, approximately 100 feet south of the project site; however, the project site is relatively flat. The proposed project does not include development or construction activity within San Francisquito Creek.

For these reasons, the project would not result in on- or off-site landslide or lateral spreading. The project shall be constructed using standard engineering and seismic safety design techniques and in conformance with the site-specific geotechnical investigation to avoid on- and/off-site geologic hazards. As stated under Impact GEO-1 above, the proposed project would be reviewed for compliance with General Plan Safety and Noise Element Policies 1.1, 1.2, and 1.3 during the building permit process. At the time of building permit, the project would also be reviewed for compliance with the CBC requirements, Chapter 15.48 of the Municipal Code, and the Geotechnical Investigation recommendations to address unstable soils and appropriate fill material. As a result, the proposed project would be designed and constructed to not cause the project site or immediately surrounding sites to experience unstable ground failure or liquefaction. **(No Impact)**

Groundwater

The project would excavate to a depth of approximately 36 feet bgs for the three levels of below-grade parking. Groundwater is estimated at a depth ranging from 27-28 ½ feet bgs at the project site; therefore, dewatering would be required during project construction.[66] A geotechnical exploration was prepared for the project which evaluated dewatering. Consistent with Municipal Code Section 15.48.170 the project shall comply with the following recommendations from the geotechnical exploration and would be reviewed and approved by the Department of Public Works as part of the building permit review and entitlement process.

- Over Optimum Soil Moisture Conditions. To address over optimum soil moisture conditions, the contractor shall:
    - Frequently spread and mix soil during warm dry weather;
    - Mix wet soils with drier materials;
    - Mix wet soils with a lime, lime-flyash, or cement product;
    - Stabilize wet soils with aggregate, geotextile stabilization fabric, or both.
- Structural Mat Foundation. The project shall use a combination of a structural mat foundation and waterproofing to avoid the need for permanent dewatering. Additionally, based on the depth of excavation and design groundwater depth, additional tie-down anchors or piers may be needed to resist hydrostatic uplift forces during and after construction.

Additionally, as noted under Impact HYD-1.1, the project would include a Storm Water Pollution Prevention Plan (SWPPP) to reduce water quality impacts related to construction dewatering. For these reasons, the proposed project would have a less than significant impact on groundwater. **(Less than Significant Impact)**

‘[66] Ibid.

Impact GEO-4:	The project would not be located on expansive soil, as defined in the current California Building Code, creating substantial direct or indirect risks to life or property. **(No Impact)**

Existing on-site soil has a low expansion potential. As noted in Section 3.2.10, Project Construction, approximately 133,673 cubic yards of on-site soil would be exported during construction; soil would not be imported to the project site. Therefore, the proposed project would not import soil or otherwise modify on-site soil in a way that would increase the expansion potential of on-site soil. City of East Palo Alto General Plan Safety and Noise Policies 1.1 through 1.3 would be incorporated into the project to address the effect of expansive soil on the project. **(No Impact)**

Impact GEO-5:	The project would not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. **(No Impact)**

The project would be served by the City's existing wastewater utilities. No septic system or alternative wastewater disposal system would be developed under the project; therefore, the project would have no impact to soils resulting from the installation of septic tanks or wastewater disposal systems. **(No Impact)**

Impact GEO-6:	The project would not directly or indirectly destroy a unique paleontological resource or site or unique geological feature. **(Less than Significant Impact with Mitigation Incorporated)**

No unique paleontological resources or sites or geological features are known to exist at the project site , and the likelihood of encountering a unique paleontological resource or geologic feature during project construction activities is low given the depth to sensitive paleontological soils in the project area (i.e., 50 feet) relative to the depth of project disturbance (i.e., 36 feet).[67] Although unlikely, there is potential that the project could disturb currently unrecorded paleontological resources. The following measures would be implemented to address potential impacts to unrecorded paleontological resources.

Impact GEO-6: Ground disturbing activities associated with project construction could disturb currently unrecorded paleontological resources or a unique geologic feature. **(Significant Impact)**

Mitigation Measures: Consistent with the General Plan EIR, the proposed project would implement the following mitigation measures to reduce impacts to unrecorded paleontological resources during project construction activities to a less than significant level.

MM GEO-6.1: If paleontological resources are encountered during grading or excavation, all construction activities within 50 feet of the find shall stop and the City of East Palo

[67] City of East Palo Alto. *City of East Palo Alto General Plan Update Draft Environmental Impact Report.* April 2016. Pp 4.5-10.

Alto Director of Community and Economic Development shall be notified. A qualified paleontologist shall inspect the find within 48 hours of discovery. If it is determined that the proposed development could damage unique paleontological resources, mitigation shall be implemented in accordance with Public Resources Code Section 21083.2 and Section 15126.4 of the CEQA Guidelines. Possible mitigation under Public Resources Code Section 21083.2 requires that reasonable efforts be made for resources to be preserved in place or left undisturbed. If preservation in place is not feasible. (e.g., planning construction activities to avoid paleontological sites, incorporating sites into parks and other open spaces, covering sites with stable soils, and deeding the site into a permanent conservation easement) data recovery through excavation shall be conducted by a qualified paleontologist with a data recovery plan in place.

With implementation of MM GEO-6.1, if previously unrecorded paleontological resources are discovered during project construction, halting and avoiding or implementing a data recovery plan as required under MM GEO-6.1 would reduce potential impacts to unique paleontological resources to a less than significant level. **(Less than Significant Impact with Mitigation Incorporated)**

4.7.2.2 *Cumulative Impacts*

Impact GEO-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant geology and soils impact. **(Less than Significant Cumulative Impact)**

As discussed under Impact GEO-1, GEO-2, GEO-3, GEO-4, and GEO-5, the project would not result in substantial adverse effects related to seismic ground shaking, soil erosion, unstable soils, expansive soils, or septic tanks. With implementation of Mitigation Measure MM GEO-6.1, impacts to paleontological resources would be reduced. Therefore, the project would not have a cumulatively considerable contribution to a significant cumulative geology and soils impact. **(Less than Significant Cumulative Impact)**

4.8 GREENHOUSE GAS EMISSIONS

The following discussion is based, in part, on an Air Quality and Greenhouse Gas Analysis prepared by Illingworth & Rodkin, Inc. on October 7, 2021. This report is attached as Appendix B to this Draft EIR.

4.8.1 Environmental Setting

4.8.1.1 *Background Information*

Gases that trap heat in the atmosphere, GHGs, regulate the earth's temperature. This phenomenon, known as the greenhouse effect, is responsible for maintaining a habitable climate. In GHG emission inventories, the weight of each gas is multiplied by its global warming potential (GWP) and is measured in units of CO_2 equivalents (CO_2e). The most common GHGs are carbon dioxide (CO_2) and water vapor but there are also several others, most importantly methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6). These are released into the earth's atmosphere through a variety of natural processes and human activities. Sources of GHGs are generally as follows:

- CO_2 and N_2O are byproducts of fossil fuel combustion.
- N_2O is associated with agricultural operations such as fertilization of crops.
- CH_4 is commonly created by off-gassing from agricultural practices (e.g., keeping livestock) and landfill operations.
- Chlorofluorocarbons (CFCs) were widely used as refrigerants, propellants, and cleaning solvents, but their production has been stopped by international treaty.
- HFCs are now used as a substitute for CFCs in refrigeration and cooling.
- PFCs and SF_6 emissions are commonly created by industries such as aluminum production and semiconductor manufacturing.

An expanding body of scientific research supports the theory that global climate change is currently causing changes in weather patterns, average sea level, ocean acidification, chemical reaction rates, and precipitation rates, and that it will increasingly do so in the future. The climate and several naturally occurring resources within California are adversely affected by the global warming trend. Increased precipitation and sea level rise will increase coastal flooding, saltwater intrusion, and degradation of wetlands. Mass migration and/or loss of plant and animal species could also occur. Potential effects of global climate change that could adversely affect human health include more extreme heat waves and heat-related stress; an increase in climate-sensitive diseases; more frequent and intense natural disasters such as flooding, hurricanes and drought; and increased levels of air pollution.

4.8.1.2 *Regulatory Framework*

Federal

There is currently no federal overarching law related specifically to climate change or reduction in GHG emissions and no national standards have been established for nationwide GHG targets.

Additionally, no regulations or legislation has been enacted specifically to address climate change and GHG emissions reduction at the project level.

State

Assembly Bill 1493

Passed in 2002, AB 1493 launched a proactive approach to dealing with GHG emissions and climate change at the State level. It requires the California Air Resources Board (CARB) to develop and implement regulations to reduce GHG emissions from automobiles and light-duty trucks, to apply in the 2009 model year. Litigation challenged these regulations and the California Environmental Protection Agency (EPA) initially denied California's request for a waiver, but the waiver was ultimately granted. In 2012, the Advanced Clean Cars measure was adopted for vehicle model years 2017 through 2025. These standards are expected to increase average fuel economy numbers to roughly 54.5 miles per gallon in 2025.

Assembly Bill 32 and Senate Bill 32

Under the California Global Warming Solutions Act, also known as AB 32, CARB established a statewide GHG emissions cap for 2020, adopted mandatory reporting rules for significant sources of GHGs, and adopted a comprehensive plan, known as the Climate Change Scoping Plan, identifying how emission reductions would be achieved from significant GHG sources.

In 2016, SB 32 was signed into law, amending the California Global Warming Solution Act. SB 32, and accompanying Executive Order B-30-15, require CARB to ensure that statewide GHG emissions are reduced to 40 percent below the 1990 level by 2030. CARB updated its Climate Change Scoping Plan in December of 2017 to express the 2030 statewide target in terms of million metric tons of CO_2E ($MMTCO_2e$). Based on the emissions reductions directed by SB 32, the annual 2030 statewide target emissions level for California is 260 $MMTCO_2e$.

CARB Scoping Plan

CARB adopted the Scoping Plan to achieve the goals of AB 32. The Scoping Plan establishes an overall framework for measures to reduce California's GHG emissions. In 2017, CARB released the 2017 Climate Change Scoping Plan Update, which was the second update of the previously adopted Scoping Plan. The 2017 Scoping Plan sets forth CARB's strategy for achieving the State's 2030 GHG target as established in SB 32.

Senate Bill 375

SB 375, known as the Sustainable Communities Strategy and Climate Protection Act, was signed into law in September 2008. SB 375 builds upon AB 32 by requiring CARB to develop regional GHG reduction targets for automobile and light truck sectors for 2020 and 2035. The per-capita GHG emissions reduction targets for passenger vehicles in the San Francisco Bay Area include a seven percent reduction by 2020 and a 15 percent reduction by 2035.

Consistent with the requirements of SB 375, the Metropolitan Transportation Commission (MTC) partnered with the Association of Bay Area Governments (ABAG), Bay Area Air Quality

Management District (BAAQMD), and the Bay Conservation and Development Commission to prepare the region's Sustainable Communities Strategy (SCS) as part of the Regional Transportation Plan process. The SCS is referred to as Plan Bay Area 2040. Plan Bay Area 2040 establishes a course for reducing per-capita GHG emissions through the promotion of compact, high-density, mixed-use neighborhoods near transit, particularly within identified Priority Development Areas (PDAs). It integrates transportation, land use and housing to meet GHG reduction targets set by CARB and establishes GHG target for the project region consistent with both the target date of AB 32 and post-2020 GHG reduction goals of Executive Order S-03-05, B-30-15, and SB 32.

Senate Bill 350

SB 350, known as the Clean Energy and Pollution Reduction Act of 2015, was signed into law in 2015. It implements the goals of Executive Order B-30-15, which established a California GHG reduction target of 40 percent below 1990 levels by 2030 and directed CARB to update the Climate Change Scoping Plan to express the 2030 target in terms of million metric tons of CO_2e. It increases the state's Renewable Portfolio Standards for content of electrical generation from 33 percent target for 2020 to a 50 percent renewables target by 2030.

Senate Bill 1368

SB 1368 directs the California Public Utilities Commission (CPUC) to adopt a performance standard for GHG emissions for the future power purchases of California utilities. The CPUC adopted regulations in 2007, establishing a standard for baseload generation owned by, or under long term contract to publicly owned utilities, for 1,100 pounds of CO_2 per megawatt-hour.

Assembly Bill 398

AB 398, signed in July 2015, extended the duration of the Cap-and-Trade program from 2020 to 2030 and decreased free carbon allowances over 40 percent by 2030 and prioritized Cap-and-Trade spending to various programs including reducing diesel emissions in impacted communities. It designated CARB as the statewide regulatory body responsible for ensuring that California meets its statewide carbon pollution reduction targets and required CARB to update its Scoping Plan for all GHG rules and regulations adopted by the State.

Senate Bill 150

This bill aligns local and regional GHG reduction targets with State targets. SB 150, signed into law in 2017, creates a process to include communities in discussions on how to monitor their region's progress on meeting these goals.

Title 20 Appliance Efficiency Regulations

These appliance efficiency regulations include standards for new appliances (California Code of Regulations, Title 20, Sections 1601-1608). Twenty-three categories of appliances are included in these regulations and the regulations include minimum levels of operating efficiency and other cost saving measures to promote the use of energy- and water-efficient appliances.

California Green Building Standards Code and Title 24 Updates

The California Green Building Standards Code was adopted as part of the California Building Standards Code (24 California Code of Regulations). It establishes standards that involve sustainable site development, energy efficiency in excess of California Energy Code requirements, water conservation, material conservation, and internal air contaminants.

Executive Order S-3-05

On June 1, 2005, EO S-3-05 was signed by Governor Schwarzenegger. The goal of this executive order was to reduce California's GHG emissions to (1) 2000 levels by 2010, (2) 1990 levels by 2020, and (3) 80 percent below the 1990 levels by 2050. The executive order also called for EPA to prepare biennial science reports on the potential impact of continued global warming on certain sectors of the California economy. As a result of these reports, a comprehensive Climate Adaptation Strategy was released in December 2009. Because this is an executive order, the goals are not legally enforceable for local governments or the private sector.

Executive Order S-01-07

Signed in 2007, EO S-07-01 set forth the low carbon fuel standards for California. The carbon intensity of California's transportation fuels was to be reduced by at least 10 percent by 2020.

Executive Order S-21-09

Issued in 2009, EO S-21-09 directs CARB to adopt regulations to increase California's Renewable Portfolio Standards (RPS) to 33 percent by 2020. This builds upon SB 1078 (2002), which established the California RPS program, requiring 20 percent renewable energy by 2017, and SB 107 (2006), which advanced the 20 percent deadline to 2010, a goal which was expanded to 33 percent by 2020 in the 2005 Energy Action Plan II.

Executive Order B-30-15

This executive order, issued in 2015, established a California GHG reduction target of 40 percent below 1990 levels by 2030 and directs CARB to update the Climate Scoping Plan to express the 2030 target in terms of million metric tons of CO_2e ($MMTCO_2e$). The 2030 target acts as an interim goal on the way to achieving reduction to 80 percent below 1990 levels by 2050, a goal set by EO S-3-05. The executive order also requires the State's climate adaptation plan to be updated every three years and for the State to continue its climate change research program, among other provisions. With the enactment of SB 32 in 2016, the Legislature codified the goal of reducing GHG emissions by 2030 to 40 percent below 1990 levels.

Executive Order B-55-18

This executive order acknowledges the environmental, community, and public health risks posed by future climate changes and recognizes the climate stabilization goals under the Paris Agreement. EO B-55-18 establishes a new state goal to achieve carbon neutrality as soon as possible, no later than 2045, and achieve and maintain net negative emissions thereafter. The executive order charges CARB with developing a framework for implementing and tracking progress towards these goals. It

also requires CARB to update the Scoping Plan to identify and recommend measures to achieve carbon neutrality. This executive order extends WO S-3-05 but is only binding on state agencies.

Regional and Local

2017 Clean Air Plan

The 2017 Clean Air plan provides a regional strategy to protect public health and the climate. The plan describes how BAAQMD will continue progress towards attaining all state and federal air quality standards and eliminating health risk disparities from exposure to air pollution among Bay Area communities. It also defines a vision for transitioning the region to a post-carbon economy needed to achieve ambitious GHG reduction targets for 2030 and 2050 and provides a regional climate protection strategy that will put the Bay Area on a path to achieve those GHG reduction targets.

To protect the climate, the 2017 CAP (prepared by BAAQMD) includes control measures designed to reduce emissions of methane and other super-GHGs that are potent climate pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.

CEQA Air Quality Guidelines

The BAAQMD CEQA Air Quality Guidelines are intended to serve as a guide for those who prepare or evaluate air quality impact analyses for projects and plans in the San Francisco Bay Area. The jurisdictions in the San Francisco Bay Area Air Basin utilize the thresholds and methodology for assessing GHG impacts developed by BAAQMD within the CEQA Air Quality Guidelines. The guidelines include information on legal requirements, BAAQMD rules, methods of analyzing impacts, and recommended mitigation measures.

Vista 2035 East Palo Alto General Plan

Various policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating greenhouse gas emissions impacts resulting from planned development within the City including the following:

Policy	Infrastructure, Services, and Facilities
4.4	Construction waste. Encourage all construction projects to divert 80 percent of their construction waste away from landfills, exceeding CalGreen requirements.
Policy	**Parks, Open Space, and Conservation**
7.1	Promote and encourage citywide building energy efficiency through strategies that may include the following: • Retrofits of buildings with energy-efficient technology • High-energy performance in new buildings, in excess of CALGreen when possible.
7.4	Encourage the use of renewable energy in the City, including solar and wind in new and existing development.

8.1	Climate Action Plan. Implement and regularly update the City's Climate Action Plan (CAP). Update the City's Greenhouse Gas Inventory and associated implementation actions matric every 2 to 3 years, and the overall CAP framework document every 5 to 10 years.
8.4	Reducing GHG emissions. In consulting with applicants and designing new facilities, prioritize the selection of green building design features that enhance the reduction of GHG emissions.
8.11	Green building certifications. Require that new residential, commercial, or mixed-use buildings over 20,000 square feet earn LEED Silver certification (or equivalent) including meeting the minimum CALGreen code requirements.
8.12	Green waste management practices. Support ongoing green waste recycling efforts and facilitate composting opportunities for residents and businesses in order to reduce surface ozone pollution and offset greenhouse gas emissions and provide soil nutrients.
Policy	**Land Use and Urban Design**
1.1	Create a balanced land use pattern to support a jobs-housing balance, minimize traffic and vehicle miles traveled, reduce greenhouse gas emissions, and promote a broad range of housing choices, retail businesses, employment opportunities, cultural venues, educational institutions and other supportive land uses.

City of East Palo Alto Final Climate Action Plan

In December 2011, the City of East Palo Alto adopted the City of East Palo Alto Final Climate Action Plan Twenty-Three Actions to Address Our Changing Climate. This document includes goals and actions that the City of East Palo Alto can take to reduce their GHG emissions. The City's emissions reduction goal is to reduce GHG emissions 15 percent below the baseline 2005 levels by 2020. This climate action plan is considered a qualified GHG Reduction Strategy. The following measures may apply to the project.

Measure	**Becoming more Energy Efficient**
E-1.2	Establish a green building policy for new commercial construction and major renovation based on CALGreen, LEED, and/or other green building standards.
E-1.3	Promote water efficiency.
Measure	**Transportation and Land Use**
TL-3.1	Develop a master pedestrian and bicycle plan to promote walkable streets, bike lanes, and increased bike parking.
TL-4.1	Support efforts to plant trees in East Palo Alto.
Measure	**Waste**
W-2.2	Institute a mandatory requirement for businesses to recycle.

City of East Palo Alto Building Electrification and Electric Vehicle Infrastructure Reach Codes Ordinance

City Council adopted the City of East Palo Alto Building Electrification and Electric Vehicle Infrastructure Reach Codes Ordinance on October 20, 2020. The ordinance includes requirements for electrification, solar, and EV infrastructure on all new residential and commercial buildings and other non-residential buildings within the City.

4.8.2 Existing Conditions

The portion of the project site to be developed with the proposed office building is currently developed with a landscaped parking lot. GHG emissions from the existing parking lot are minimal and primarily the result of operation of parking lot lighting and landscape maintenance activities.

4.8.3 Impact Discussion

For the purpose of determining the significance of the project's impact on greenhouse gas emissions, would the project:

1) Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?
2) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs?

4.8.4 Significance Thresholds

The most recent clean air plan for the San Francisco Bay Area region is the 2017 CAP. The BAAQMD CEQA Air Quality Guidelines set forth criteria for determining consistency with the 2017 CAP. The BAAQMD's 2017 CEQA Air Quality Guidelines recommend a GHG threshold of 1,100 metric tons or 4.6 metric tons (MT) per capita. These thresholds were developed based on meeting the 2020 GHG targets set in the scoping plan that addressed AB 32. Development of the project would occur beyond 2020, so a threshold that addresses a future target is appropriate. Although BAAQMD has not published a quantified threshold for 2030 yet, this EIR uses a "Substantial Progress" efficiency metric of 2.8 MT CO2e/year/service population and a bright-line threshold of 660 MT CO2e/year based on the GHG reduction goals of Executive Order (EO) B-30-15. The service population metric of 2.8 is calculated for 2030 based on predictions from BAAQMD.[68] However, the 2017 CAP does not have a specific metric ton GHG threshold for project-level construction or operation. Therefore, BAAQMD's CEQA Air Quality Guidelines' thresholds are used.

[68] Illingworth & Rodkin, Inc. *Air Quality and GHG Assessment for University Circle Phase II Project, East Palo Alto, California.* October 7, 2021.

4.8.4.1 *Project Impacts*

Impact GHG-1:	The project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. **(Less than Significant Impact)**

GHG emissions associated with development of the proposed project would occur over the short-term for construction activities, consisting primarily of emissions from equipment exhaust and worker and vendor trips. There would also be long-term operational GHG emissions associated with project traffic, energy and water usage, and solid waste disposal. Emissions from the proposed project are discussed below and were analyzed using the methodology recommended in the BAAQMD CEQA Air Quality Guidelines.

Construction Emissions

GHG emissions associated with project construction were computed to be 2,761 MT of CO_2e for the total construction period. These emissions are from on-site operation of construction equipment, vendor and hauling truck trips, and worker trips. Neither the City nor BAAQMD have an adopted quantitative threshold of significance for construction-related GHG emissions; however, BAAQMD recommends quantifying emissions and disclosing that GHG emissions would occur during construction. Because construction would be temporary (approximately 36 months) and would not result in a permanent increase in emissions, the project would not interfere with the implementation of AB 32 or SB 32 and, therefore, would not result in a significant GHG emissions impact.

BAAQMD also encourages the incorporation of best management practices to reduce GHG emissions during construction where feasible and applicable. Best management practices that would be incorporated into construction of the proposed project include, but are not limited to, using at least 10 percent local building materials and recycling or reusing at least 50 percent of construction waste or demolition materials, which would reduce GHG emissions that would otherwise be generated during the manufacturing of new building materials. In accordance with General Plan Infrastructure, Services, and Facilities Policy 4.4, Construction Waste, the project would divert 80 percent of its construction waste away from landfills, which would exceed the minimum construction waste diversion best management practices and reduce GHG emissions from waste processing. As explained above, GHG emissions during project construction activities would not interfere with implementation of AB 32 or SB 32 and best managements practices would be implemented in accordance with existing plans and policies to reduce project construction GHG emissions. For these reasons, project construction GHG emissions are considered less than significant. **(Less than Significant Impact)**

Operational Emissions

The CalEEMod model and project vehicle trip generation rates were used to predict annual GHG emissions associated with project operation (refer to Appendix B). The project would implement a TDM plan which would reduce project trip generation and associated GHG emissions by 25 percent. Additionally, as noted in Section 4.16 Transportation, if the project is approved after January 1, 2021, the project would be required to implement a TDM plan to reduce project trip generation and associated GHG emissions by 40 percent. The project would include the following TDM measures:

- Free shuttle service to Palo Alto Caltrain Station during commute hours (30-minute headways)
- Free trial Caltrain tickets for new riders
- Free trial SamTrans tickets for new riders
- Bicycle amenities (on-site secure bicycle lockers and on-site bicycle repair stations with tools and air pumps)
- Preferential parking for carpools and vanpools
- Emergency ride home program
- Carpool ride matching services
- Carpool financial incentives for Scoop users
- Commute coordinator
- Commute.org carpool and vanpool incentives
- Commute.org Guaranteed Ride Home
- 511.org carpool rewards
- 511.org vanpool program

The project would additionally conform with General Plan Parks, Open Space and Conservation Policies 7.1, 7.4, 8.4, and 8.11 by constructing the equivalent of a LEED building which would have green building features such as solar panels, electric vehicle charging stations, and bicycle parking spaces, among others. Compliance with these General Plan policies is intended to avoid or mitigate greenhouse gas emissions impacts.

The project's operational GHG emissions were calculated based on estimates of emissions from several sources, including energy consumption, vehicle trips, solid waste generation, and water usage. As shown in Table 4.8-1, the annual emissions resulting from project operations of the proposed project are estimated to be 1,119 MT of CO_2e in 2027 and 1,084 MT of CO_2e in 2030. Based on the proposed project's service population of 720 employees,[69] the project is estimated to result in GHG emissions of 1.6 MT/CO_2e/year/service population in 2027 and 1.5 MT/CO_2e/year/service population in 2030. According to BAAQMD, to be considered significant, the project must exceed both the GHG significance threshold in metric tons per year and the service population significance threshold in the opening and future year.[70] The project would exceed the annual emissions threshold in metric tons in 2027 and 2030; however, 2027 and 2030 emissions would not exceed the service population threshold. Because the project would exceed one, but not both thresholds, operation of the proposed project would not generate significant GHG emissions that would result in a significant impact on the environment. **(Less than Significant Impact)**

[69] Assuming that the project would accommodate four office employees per 1,000 square feet. Illingworth & Rodkin, Inc. *University Circle Phase II Office Project, Air Quality and Greenhouse Gas Assessment, East Palo Alto, California*. October 7, 2021.
[70] Bay Area Air Quality Management District. *California Environmental Quality Act, Air Quality Guidelines.* May 2017.

Table 4.8-1: Annual Project GHG Emissions		
Source Category	**Proposed Project in 2027 (CO_2e in Metric Tons)**	**Proposed Project in 2030 (CO_2e in Metric Tons)**
Area	<1	<1
Energy Consumption	187	187
Mobile	828	793
Solid Waste Disposal	84	84
Water Usage	20	20
Total (MT CO_{2e}/year)	1,119	1,084
Significance Threshold (MT CO2e/Year)	*660*	
Exceed Threshold?	**Yes**	**Yes**
Service Population Emissions (MT CO_2e/Year/Service Population)	1.6	1.5
Significance Threshold (MT CO2e/Year/Service Population	*2.8 in 2030*	
Exceed Threshold?	**No**	**No**
Source: Illingworth & Rodkin, Inc. *Air Quality and GHG Assessment for University Circle Phase II Project, East Palo Alto, California.* October 7, 2021.		

Impact GHG-2: The project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. **(Less than Significant Impact)**

CARB Climate Change Scoping Plan

The CARB Scoping Plan provides a framework for state government to lower GHG emissions statewide in order to reach GHG reduction goals. Local governments play a role in these statewide efforts by enforcing the California Building Code and CalGreen Building Code on individual development projects. The proposed project would comply with requirements of the City-adopted CALGreen Building Code requirements and would be designed to achieve LEED Platinum equivalent. The project would be required to comply with the City's Reach Code requirements for all electric building operations, rooftop solar panels, and electric vehicle infrastructure. As noted in Section 3.2.9, the proposed project would include the following green building features:

- Bicycle parking spaces
- On-site showers
- Electric vehicle charging stations
- White vinyl rooftop
- LED light fixtures
- Water efficient landscaping with irrigation design
- On-site stormwater management, bioretention swales and permeable paving
- Roof top solar panels covering 15 percent of the roof area

- Low flow indoor water fixtures
- Variable refrigerant flow Heating, Ventilating, and Air Conditioning (HVAC) system

While the measures in the Scoping plan are not generally directly applicable to individual land use projects, the energy efficiency and water conservation and reuse included in the project would be consistent with the intent of this statewide plan to reduce GHG emissions through 2030.

Plan Bay Area and 2017 CAP

Although the project site is not located within an identified PDA, as discussed in Section 4.8, Greenhouse Gas Emissions, the proposed project is an infill development and would not conflict with the latest clean air plan and GHG reduction planning efforts. The estimated emissions are below the BAAQMD GHG efficiency thresholds.[71] The project would provide employment in an area with more housing than jobs, furthering General Plan Land Use and Urban Design Policy 1.1, and would not be a substantial source of emissions of methane or other super-GHGs. As discussed in Section 4.11, Land Use and Planning, the City's General Plan calls for intensification of commercial development on the University Circle site.[72] The project is consistent with the General Plan land use designation for the site and does not require a General Plan Amendment, therefore, employment growth associated with the proposed project was accounted for in the General Plan. Furthermore, because growth assumptions for Plan Bay Area are based on locally adopted general plans, the proposed project would be consistent with the employment assumptions for development contained in Plan Bay Area 2040. For these reasons, the proposed project would not conflict with Plan Bay Area or the 2017 CAP.

East Palo Alto General Plan and Climate Action Plan

The project proposes development of the site in conformance with energy, transportation, water conservation, and waste reduction policies and regulations of the City of East Palo Alto. As noted previously, consistent with General Plan Parks, Open Space and Conservation Policy 8.4, the project would include the following green building features design features that would reduce GHG emissions.

- Compliance with the current CALGreen code requirements, as adopted by the City of East Palo Alto;
- Water conservation measures for landscaping, consistent with the City's landscape ordinance;
- Energy Star appliances and water-reducing fixtures; and
- Installation of pedestrian improvements.

General Plan Parks, Open Space and Conservation Policy 8.11 requires new commercial buildings over 20,000 square feet to earn LEED Silver certification (or equivalent) including meeting the minimum CALGreen code requirements. As stated in the Project Description, the proposed project

[71] Illingworth & Rodkin, Inc. *University Circle Phase II Office Project, Air Quality and Greenhouse Gas Assessment, East Palo Alto, California*. October 7, 2021.
[72] City of East Palo Alto. *Vista 2035 East Palo Alto General Plan.* Land Use Policy 2.7 and Westside Area Policy 4.6. October 4, 2016.

would be designed to achieve the equivalent of LEED Platinum certification. CalGreen requires projects to recycle and/or salvage for reuse a minimum of 65 percent of construction and demolition waste. General Plan Parks, Open Space and Conservation Policy 4.4 calls for the City to encourage all construction projects to divert 80 percent. The project would divert 80 percent of construction waste away from landfills, consistent with General Plan Parks, Open Space and Conservation Policy 4.4 and exceeding CALGreen requirements by 15 percent. [73]

The City's Climate Action Plan GHG emissions reduction goals are applicable to projects that will be constructed and operational prior to 2021. Since the project would be constructed and operational subsequent to 2020, the project is subject to the GHG emissions target based on the state's reduction goals for projects constructed and operational after 2020 and before 2031. Climate Action Plan implementation Measures TL-1.1 and E-1.3 apply to the proposed project. Measure TL-1.1 calls for the City to streamline projects that meet the following land use criteria: increase density, affordable housing, transit-oriented development, and mixed-use zoning. Measure E-1.3 calls for the City to promote water efficiency in the city. As noted in Section 3.2 above, the project would increase the density of development on the project site and install water efficient plumbing fixtures in existing and proposed office buildings on-site. For these reasons, the project would be consistent with Measure TL-1.1 and Measure E-1.3 of the City's Climate Action Plan.

As discussed above, the proposed project would be consistent with the goals, policies, and development standards in the General Plan, measures in the City's Climate Action Plan, the City's CALGreen Building Code requirements, CARB Scoping Plan, Plan Bay Area, 2017 CAP and the City's Reach Code. These measures would reduce energy consumption and therefore would reduce GHG emissions. For this reason, the project would not conflict with applicable plans adopted for the purpose of reducing the emissions of GHGs. **(Less than Significant Impact)**

4.8.4.2 *Cumulative Impacts*

Impact GHG-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant GHG emissions impact. **(Less than Significant Cumulative Impact)**

By its nature, greenhouse gas emissions are cumulative. Past, present, and future development projects (including the cumulative projects) worldwide contribute to global climate change. No single project is sufficient in size to, by itself, change the global average temperature.[74] Therefore, due to the nature of GHG impacts, if a project does not result in a significant GHG impact, then the project would not result in significant cumulative GHG impact. As discussed above, the proposed project would not generate GHG emissions that would have a significant impact on the environment or conflict with a plan, policy, or regulation adopted for the purpose of reducing GHG emissions. The project, therefore, would not result in a cumulatively considerable contribution to a GHG impact. **(Less than Significant Cumulative Impact)**

[73] California Department of Resources Recycling and Recovery (CalRecycle). "CALGreen Construction Waste Management Requirements." Accessed July 22, 2021. https://www.calrecycle.ca.gov/lgcentral/library/canddmodel/instruction/newstructures

[74] Bay Area Air Quality Management District. *CEQA Guidelines*. May 2017. Page 2-1.

4.9 HAZARDS AND HAZARDOUS MATERIALS

The following discussion is based, in part, on a Phase I Environmental Site Assessment (ESA) prepared by Partner Engineering and Science, Inc. on February 27, 2020. This report is attached as Appendix E to this EIR.

4.9.1 Environmental Setting

4.9.1.1 *Regulatory Framework*

Overview

The storage, use, generation, transport, and disposal of hazardous materials and waste are highly regulated under federal and state laws. Federal regulations and policies related to development include the Comprehensive Environmental Response, Compensation, and Liability Act, commonly known as Superfund, and the Resource Conservation and Recovery Act. In California, the EPA has granted most enforcement authority over federal hazardous materials regulations to the California Environmental Protection Agency (CalEPA). In turn, local agencies have been granted responsibility for implementation and enforcement of many hazardous materials regulations under the Certified Unified Program Agency (CUPA) program.

Worker health and safety and public safety are key issues when dealing with hazardous materials. Proper handling and disposal of hazardous material is vital if it is disturbed during project construction. Cal/OSHA enforces state worker health and safety regulations related to construction activities. Regulations include exposure limits, requirements for protective clothing, and training requirements to prevent exposure to hazardous materials. Cal/OSHA also enforces occupational health and safety regulations specific to lead and asbestos investigations and abatement.

Federal and State

Federal Aviation Regulations Part 77

Federal Aviation Regulations, Part 77 Objects Affecting Navigable Airspace (FAR Part 77) sets forth standards and review requirements for protecting the airspace for safe aircraft operation, particularly by restricting the height of potential structures and minimizing other potential hazards (such as reflective surfaces, flashing lights, and electronic interference) to aircraft in flight. These regulations require that the Federal Aviation Administration (FAA) be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport's runways, or which would otherwise stand at least 200 feet in height above the ground.

Government Code Section 65962.5

Section 65962.5 of the Government Code requires CalEPA to develop and update a list of hazardous waste and substances sites, known as the Cortese List. The Cortese List is used by state and local agencies and developers to comply with CEQA requirements. The Cortese List includes hazardous

substance release sites identified by the Department of Toxic Substances Control (DTSC) and State Water Resources Control Board (SWRCB).[75]

Asbestos-Containing Materials

Friable asbestos is any asbestos containing material (ACM) that, when dry, can easily be crumbled or pulverized to a powder by hand, allowing the asbestos particles to become airborne. Common examples of products that have been found to contain friable asbestos include acoustical ceilings, plaster, wallboard, and thermal insulation for water heaters and pipes. Common examples of non-friable ACMs are asphalt roofing shingles, vinyl floor tiles, and transite siding made with cement. The EPA phased out use of friable asbestos products between 1973 and 1978. National Emission Standards for Hazardous Air Pollutants guidelines require that potentially friable ACMs be removed prior to building demolition or remodeling that may disturb the ACMs.

CCR Title 8, Section 1532.1

The United States Consumer Product Safety Commission banned the use of lead-based paint in 1978. Removal of older structures with lead-based paint is subject to requirements outlined by Cal/OSHA Lead in Construction Standard, CCR Title 8, Section 1532.1 during demolition activities. Requirements include employee training, employee air monitoring, and dust control. If lead-based paint is peeling, flaking, or blistered, it is required to be removed prior to demolition.

Local Regulations

Comprehensive Land Use Plan for Palo Alto Airport

The project site is approximately 1.3-miles west of the Palo Alto Airport; the closest airport to the site. The Palo Alto Airport (Airport) CLUP is intended to safeguard the general welfare of the inhabitants within the vicinity of Airport and aircraft occupants.[76] The CLUP is also intended to ensure that surrounding new land uses do not affect the Airport's continued operation.

Vista 2035 East Palo Alto General Plan

Various policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating hazards and hazardous material impacts resulting from planned development within the City, including the following:

[75] CalEPA. "Cortese List Data Resources." Accessed February 26, 2020. https://calepa.ca.gov/sitecleanup/corteselist.
[76] Santa Clara County Airport Land Use Commission. *Palo Alto Airport – Comprehensive Land Use Plan*. Amended November 2016.

East Palo Alto General Plan Hazards Relevant Policies

Policy	Health and Equity
4.2	Pollutants. Continue to work with state, federal, regional, and local agencies to eliminate and reduce concentrations of regulated legacy pollutants.
4.4	Agricultural Pesticides. Reduce exposure to legacy pesticides, particularly in areas previously under agricultural use, and whenever possible work with landowners and developers to eliminate concentrations of pesticides from soil and groundwater.
Policy	**Parks, Open Space, Conservation**
9.8	Soil Quality. Require soil testing for contaminants on sites that have historically, or currently, been exposed to chemical releases. If contamination does exist, require remediation strategy to reduce or eliminate contamination on site.
Policy	**Safety and Noise**
4.1	Contamination. Avoid or minimize risk to the community from exposure to contaminated soils or groundwater.
4.2	Management of Hazardous Materials. Continue to cooperate with federal, State, and county agencies to effectively regulate the management of hazardous materials and hazardous wastes.
4.5	Airport Land Use Plan. Coordinate with the Santa Clara County ALUC and Palo Alto Airport Comprehensive Land Use Plan (CLUP) and consider the CLUP in making any land use decisions in airport influence area.
5.4	Emergency Access Routes. Ensure the City's designated system of emergency access routes is coordinated with regional activities for both emergency operations and evacuation.

East Palo Alto Hazard Mitigation Plan

The City participates in the San Mateo County Hazard Mitigation Plan (HMP). The HMP is intended to enhance public awareness, create a decision-making tool for management, promote compliance with State and federal program requirements, enhance local policies for hazard mitigation capacity, support viability after a hazard event, and provide inter-jurisdictional coordination. In 2016, the City of East Palo Alto, in coordination with the County of San Mateo, adopted a local Multi-Jurisdictional HMP. The HMP is designed to conform to requirements of the Federal Disaster Mitigation Plan of 2000, which requires all cities counties, and special districts to adopt an HMP to receive disaster mitigation funding from FEMA. The City is currently in the process of updating the HMP, with a target date for approval of the updated HMP in December 2021.

City of East Palo Alto Emergency Operations Plan

The City of East Palo Alto adopted its Emergency Operations Plan (EOP) in January 2011. The City of East Palo Alto EOP identifies resources for emergency response and establishes coordinated action plans for specific emergency situations and disasters, such as hazardous materials incidents and specifies emergency evacuation routes. The EOP describes organizational structures, roles and responsibilities, policies, and protocols for providing emergency support. The EOP facilities response and short-term recovery activities (which set the stage for successful long-term recovery).

It drives decisions on long-term preparedness and mitigation efforts or risk-based preparedness measures directed at specific hazards. The EOP is flexible enough for use in all emergencies. It also describes the purpose of the plan, situation and assumptions, concept of operations, organization and assignment or responsibilities, administration and logistics, plan development and maintenance, and authorities and references. It contains functional sections (EOC Checklists), hazard-specific appendices (Event Specific Checklists), and a glossary. It identifies pre-designated jurisdictional and/or functional area representatives to the EOC Emergency Response Team to facilitate responsive and collaborative incident management. Additionally, the EOP incorporates East Palo Alto into the National Incident Management System, California Standardized Emergency Management System, and Incident Command System. [77]

4.9.1.2 *Existing Conditions*

The 11.4-acre project site is located within an urban area and is developed with four office buildings and a hotel. The portion of the project site to be developed under the proposed project is currently developed with a landscaped surface parking lot.

The Phase I ESA conducted for the proposed project identified three above ground storage tanks currently located on the project site and associated with the diesel-powered generators which serve as emergency back-up power for the three on-site office buildings. Other on-site sources of hazardous materials on the project site include diesel fuel and chemicals used for cleaning and building maintenance. The Phase I report prepared for the proposed project did not identify any recognized environmental conditions or any controlled recognized environmental conditions for the project site.

4.9.1.3 *Site History*

The project site was historically developed with commercial uses from approximately 1939 until 1999. During this time, University Avenue bisected the eastern portion of the project site with multiple commercial structures on either side of the roadway. Tenants at these former commercial buildings included gasoline stations, two dry cleaners, auto repair facilities, print shops, paint stores, and a research facility. Land use at the project site remained relatively unchanged until 1999 when the project site was developed with the existing hotel, and three office buildings (University Circle Phase I).

4.9.1.4 *On-site Sources of Contamination*

Two previous Environmental Site Assessments were conducted for the project site in 1999 and 2017, and extensive soil and groundwater investigations were conducted prior to and during development of the existing office buildings and hotel, revealing low chemical concentrations in soil and groundwater on-site.

4.9.1.5 *Off-site Sources of Contamination*

Several hazardous materials facilities were identified within the project area. The Unocal and Arco gas station facilities are considered to be historical recognized environmental conditions due to the

[77] City of East Palo Alto. *Emergency Operations Plan.* January 2011.

proximity to the project site, location relative to the regional groundwater flow direction, and media affected.

Table 4.9-1: Nearby Hazardous Materials Sites				
Name	**Location**	**Type**	**Distance to Project Site**	**Status**
Unocal #2862	1901 University Avenue	LUST clean-up site	85 feet	Completed – Case Closed
Arco #0749	1998 University Avenue	LUST Clean- up site	127 feet	Completed Case Closed
Shell Station	2194 University Avenue	LUST Clean-up site	0.37 mile	Completed – Case Closed
Chevron 9-1081	2101 University Avenue	LUST Clean -up site	0.22 mile	Completed - Case Closed
Source: State Water Resources Control Board. Geotracker Database: East Palo Alto. Accessed October 14, 2021.				

4.9.1.6 *Other Hazards*

Airports

The project site is approximately 1.3-miles west of the Palo Alto Airport. Other airports in the project vicinity include San Francisco International Airport (approximately 16.5-miles northwest), San Carlos Airport (approximately 6.5-miles northwest), Moffett Field Federal Airfield (approximately 5.25-miles southeast), and Norman Y. Mineta San Jose International Airport (approximately 12.5-miles southeast). The site is not located within the CLUP's Airport Influence Area (AIA) nor in any of the Safety Zones.

Wildfire Hazards

The project site is located in a developed, urban area surrounded by urban development. The site is not located within a designated Very High Fire Hazard Severity Zone.[78]

4.9.2 Impact Discussion

For the purpose of determining the significance of the project's impact on hazards and hazardous materials, would the project:

1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

[78] California Department of Forestry and Fire Protection. *San Mateo County – Very High Fire Hazard Severity Zones in LRA.* November 2008. *California Department of Forestry and Fire Protection. San Mateo County – Fire Hazard Severity Zones in SRA.* November 2007.

2) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
4) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?
6) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
7) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

4.9.2.1 *Project Impacts*

Impact HAZ-1:	The project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. **(Less than Significant Impact)**

The project proposes the construction of a new office building on an existing corporate office campus. Hazardous materials and chemicals for construction, cleaning, and maintenance purposes could potentially be housed and handled on-site. Diesel backup generators and associated fuel tanks also would be installed in the event of a power failure. If handled and disposed of properly, these quantities of chemicals would not pose a risk to future site users or adjacent land uses. The project would comply with applicable federal, state, and local handling, storage, and disposal requirements, which would avoid significant hazards to the public or the environment created by the routine transport, use, or disposal of these substances. The project, therefore, would not result in a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials. **(Less than Significant Impact)**

Impact HAZ-2:	The project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. **(Less than Significant Impact)**

Construction

As described in Section 4.9.1 above, previous environmental investigations of the project site have identified historic recognized environmental conditions associated with former commercial and research uses at the project site. However, subsequent environmental investigations during development of the existing buildings and below-grade parking garage did not indicate the presence

of petroleum hydrocarbons, gasoline constituents or other chemicals of concern. The Phase I ESA conducted for the project did not recommend further investigation of the project site. For these reasons, impacts would be less than significant. **(Less than Significant Impact)**

Operation

Operation of the proposed project would include the use and storage of diesel fuel, cleaning supplies and maintenance chemicals in small quantities, consistent with that currently stored and used on the project site at the existing office buildings and hotel. No other hazardous materials would be used or stored on-site. Storage and use of fuel, cleaning supplies, and maintenance chemicals are typical of office uses and would not pose a risk to site users or adjacent land uses. **(Less than Significant Impact)**

Impact HAZ-3:	The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. **(No Impact)**

The nearest existing school to the project site is Laurel School Upper Campus (located in Menlo Park), approximately 0.2-mile west of the project site. The project proposes to construct a new office building on an existing corporate office campus. As discussed above, the project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. Therefore, the project would not result in impacts to a school due to hazardous emissions or the handling of hazardous wastes or materials. **(No Impact)**

Impact HAZ-4:	The project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment. **(No Impact)**

The project site is not on a list of hazardous materials sites compiled pursuant to Government Code 65962.5.[79] **(No Impact)**

Impact HAZ-5:	The project would not be located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport. The project would not result in a safety hazard or excessive noise for people residing or working in the project area. **(No Impact)**

As previously stated, there are five airports in the project vicinity. The nearest airport to the site is the Palo Alto Airport, approximately 1.3-miles east of the site. The project site is not within any airport safety zones established in the Palo Alto Airport CLUP or the CLUPs for other nearby

[79] California Environmental Protection Agency. *Cortese List Data Resources.* Accessed October 14, 2021. https://calepa.ca.gov/sitecleanup/corteselist/

airports; nor is it within a FAR Part 77 height restriction area. The proposed project would, therefore, not exacerbate any safety hazard for people residing in the project area. **(No Impact)**

Impact HAZ-6:	The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. **(Less than Significant Impact)**

The City of East Palo Alto adopted its EOP in January 2011.[80] The existing project site does not provide emergency access or facilities and is not identified or referred to in the EOP. The proposed project would not close any emergency evacuation routes during construction and would not limit access to the project area in the event of an emergency during either construction or operation. The addition of project traffic would not block roads or intersections in a way that impairs ability for emergency providers to respond and adhere to emergency response and/or evacuation plans. For these reasons, the proposed project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. **(Less than Significant Impact)**

Impact HAZ-7:	The project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. **(No Impact)**

As discussed in Section 4.9.1.6, the project site is not located within a designated Very High Fire Hazard Severity Zone.[81] The project, therefore, would not expose people or structures to a risk of loss, injury or death involving wildland fires. **(No Impact)**

4.9.2.2 *Cumulative Impacts*

Impact HAZ-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant hazards and hazardous materials impact. **(Less than Significant Cumulative Impact)**

The project, when combined and considered with the other existing, planned, and reasonably foreseeable development projects listed in Section 4.1, has little potential to increase risk to residents, employees, workers, or the general public from the transport or exposure to hazardous conditions or materials. As discussed above, the proposed office project would not result in significant hazards or hazardous materials impacts and would, therefore, not contribute to any cumulative hazards and hazardous materials impacts. **(Less than Significant Cumulative Impact)**

[80] City of East Palo Alto. *Emergency Operation Plan*. January 2011.
[81] California Department of Forestry and Fire Protection. *San Mateo County – Very High Fire Hazard Severity Zones in LRA*. November 2008. California Department of Forestry and Fire Protection. *San Mateo County – Fire Hazard Severity Zones in SRA*. November 2007.

4.10 HYDROLOGY AND WATER QUALITY

4.10.1 Environmental Setting

4.10.1.1 *Regulatory Framework*

Federal and State

National Flood Insurance Program

The Federal Emergency Management Agency (FEMA) established the National Flood Insurance Program (NFIP) to reduce impacts of flooding on private and public properties. The program provides subsidized flood insurance to communities that comply with FEMA regulations protecting development in floodplains. As part of the program, FEMA publishes Flood Insurance Rate Maps (FIRMs) that identify Special Flood Hazard Areas (SFHAs). An SFHA is an area that would be inundated by the one-percent annual chance flood, which is also referred to as the base flood or 100-year flood.

Statewide Construction General Permit

The SWRCB has implemented an NPDES General Construction Permit for the State of California (Construction General Permit). For projects disturbing one acre or more of soil, a Notice of Intent (NOI) and SWPPP must be prepared by a qualified professional prior to commencement of construction. The Construction General Permit includes requirements for training, inspections, record keeping, and, for projects of certain risk levels, monitoring. The general purpose of the requirements is to minimize the discharge of pollutants and to protect beneficial uses and receiving waters from the adverse effects of construction-related storm water discharges.

Regional and Local

San Francisco Bay Basin Plan

The San Francisco Bay RWQCB regulates water quality in accordance with the Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan). The Basin Plan lists the beneficial uses that the San Francisco Bay RWQCB has identified for local aquifers, streams, marshes, rivers, and the San Francisco Bay, as well as the water quality objectives and criteria that must be met to protect these uses. The San Francisco Bay RWQCB implements the Basin Plan by issuing and enforcing waste discharge requirements, including permits for nonpoint sources such as the urban runoff discharged by a City's stormwater drainage system. The Basin Plan also describes watershed management programs and water quality attainment strategies.

Municipal Regional Permit Provision C.3.

The San Francisco Bay RWQCB re-issued the Municipal Regional Stormwater NPDES Permit (MRP) in 2015 to regulate stormwater discharges from municipalities and local agencies (co-permittees) in Alameda, Contra Costa, San Mateo, and Santa Clara Counties, and the cities of Fairfield, Suisun City, and Vallejo.[82] Under Provision C.3 of the MRP, new and redevelopment projects that create or replace 10,000 square feet or more of impervious surface area are required to

[82] MRP Number CAS612008

implement site design, source control, and Low Impact Development (LID)-based stormwater treatment controls to treat post-construction stormwater runoff. LID-based treatment controls are intended to maintain or restore the site's natural hydrologic functions, maximizing opportunities for infiltration and evapotranspiration, and using stormwater as a resource (e.g., rainwater harvesting for non-potable uses). The MRP also requires that stormwater treatment measures are properly installed, operated, and maintained.

In addition to water quality controls, the MRP requires new development and redevelopment projects that create or replace one acre or more of impervious surface to manage development-related increases in peak runoff flow, volume, and duration, where such hydromodification is likely to cause increased erosion, silt pollutant generation, or other impacts to local rivers, streams, and creeks. Projects may be deemed exempt from these requirements if they do not meet the minimized size threshold, drain into tidally influenced areas or directly into the Bay, or drain into hardened channels, or if they are infill projects in subwatersheds or catchment areas that are greater than or equal to 65 percent impervious.

Dam Safety Act

Dam failure is the uncontrolled release of impounded water behind a dam. Flooding, earthquakes, blockages, landslides, lack of maintenance, improper operation, poor construction, vandalism, and terrorism can all cause a dam to fail.[83] Because dam failure that results in downstream flooding may affect life and property, dam safety is regulated at both the federal and state levels. In accordance with the state Dam Safety Act, dams are inspected regularly, and detailed evacuation procedures have been prepared for each dam.

Construction Dewatering Waste Discharge Requirements

Each of the RWQCBs regulate construction dewatering discharges to storm drains or surface waters within its Region under the NPDES program and Waste Discharge Requirements.

Local

Vista 2035 East Palo Alto General Plan

Various policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating hydrology and water quality impacts resulting from planned development within the City, including the following:

Policy	Infrastructure, Services, and Facilities
1.1	NPDES compliance. Ensure compliance with all NPDES requirements for litter control, dumping, pollutants of control, business operations, and new/re-development.
1.2	On-site stormwater management. Encourage development projects to manage stormwater on-site to reduce burdens on the City's stormwater system. Whenever possible, stormwater

[83] State of California. 2018. *2018 State Hazards Mitigation Plan*. Accessed October 14, 2021. https://www.caloes.ca.gov/cal-oes-divisions/hazard-mitigation/hazard-mitigation-planning/state-hazard-mitigation-plan

	should be infiltrated, evaporated, reused or treated on-site in other ways to improve stormwater quality and reduce flows into the storm drain system.
1.3	Stormwater infrastructure for new development. Require development projects to pay for their share of new stormwater infrastructure or improvements necessitated by that development.
1.4	Stormwater re-use and recycling. Encourage innovative ways of capturing and reusing stormwater for non-drinking purposes to reduce the use of potable water, including the creation of a recycled water system and installation of purple pipe in private and public projects.
1.5	Collaborative stormwater management. Encourage collaborative, integrated stormwater management between multiple property owners and sites.
1.8	Stormwater best practices. Encourage the use of best practices in stormwater treatment, retention, and quality and quantity control into flood control efforts, ensuring that flood control measures do not have negative ecological impacts on stormwater runoff.
1.9	Stormwater and flooding. Integrate stormwater management efforts with floor control efforts, seeking synergies and innovative strategies for stormwater treatment to reduce flood risks and volumes.
2.12	Groundwater recharge. Working with regional partners, explore options for groundwater recharge and prohibit new private groundwater wells.
2.13	Maximizing infiltration. Consider requiring all new development to provide roof catchment systems, irrigated landscaping, and permeable pavements (where feasible), or other means to enhance on-site infiltration of stormwater runoff or landscape irrigation water.

Policy	**Safety and Noise**
2.1	Flood Insurance Program. Continue to participate in the National Flood Insurance Program and FEMA's voluntary programs, such as the Community Rating System.
2.2	Flood related to sea level rise. Consider expanding boundaries of development control particularly where sea level rise could worsen flooding above predicted conditions.
2.3	Development in floodways. Continue to control development in the floodway and floodway fringe.
2.4	Floodplain Management Ordinance. Continue to enforce and consider strengthening the City's Floodplain Management Ordinance.

4.10.1.2 *Existing Conditions*

Water Quality

The project site is developed with three existing office buildings and a hotel building. Stormwater runoff from the project site enters the City's storm drain system, which discharges to the San Francisco Bay. The project site and surrounding area are not subject to the MRP hydromodification controls because they drain to hardened channels.[84]

[84] San Mateo Countywide Water Pollution Prevention Program. *HM Control Map*. March 2009.

Groundwater

Groundwater testing conducted for the proposed project revealed current groundwater levels at depths ranging from approximately 27-28 ½ feet bgs at the project site; however, historic groundwater levels have been recorded at a depth of 15 feet bgs.[85] Fluctuations in groundwater levels occur due to many factors including seasonal fluctuations and underground drainage patterns. Therefore, the design level geotechnical report assumes a design groundwater level of 15 feet bgs.[86]

Stormwater Drainage

As discussed in Section 4.21, Utilities and Service Systems, stormwater in the City of East Palo Alto drains into two major drainage systems the Runnymede Strom Drain System and the O'Connor Storm Drain System. Due to its proximity to the San Francisco Bay, portions of the drainage systems are influenced by tides.

Approximately two-thirds of the City's stormwater drains into the Runnymede Storm Drain System outfall, including stormwater originating on the project site. A drainage ditch originating at the terminus of the storm drain at Runnymede Street receives water from the storm drain and transports it to the detention basin at the O'Connor Pump station, where it is pumped into San Francisquito Creek and ultimately flows into San Francisco Bay.[87]

Flooding

Based on the current FIRM prepared by the FEMA for the project area, the project site is located in Zone X.[88] Flood Zone X is defined by FEMA as areas determined to be outside the 100-year flood hazard zone.

Flooding due to Dam Failure

San Mateo County has mapped areas susceptible to flooding, due to dam failure.[89] The Tsunami and Dam Inundation Zones map in the Vista 2035 East Palo Alto General Plan shows that the western approximately one-half of the project site is located within the Searsville Dam Inundation Zone.

Seiches, Tsunamis, and Mudflows

Coastal and shoreline portions of California must consider the potential for tsunamis and seiches. Tsunamis, like the surges generated by the March 11, 2011. Tōhoku earthquake in northeast Japan, resulted in substantial damage to harbors in Crescent City and Santa Cruz. East Palo Alto's position within San Francisco Bay limits the potential for tsunami damage, but sea surges may impact areas of the city directly adjacent to the Bay. The Tsunami and Dam Inundation Zones map in the Vista

[85] Ibid.
[86] Ibid.
[87] City of East Palo Alto. *Vista 2035 East Palo Alto General Plan Draft Environmental Impact Report.* April 2016.
[88] Federal Emergency Management Agency. Flood Insurance Rate Map, *Map Number 06081C0309F.* April 05, 2019.
[89] City of East Palo Alto. *Vista 2035 East Palo Alto General Plan.* October 2016.

2035 General Plan shows that the project site would not be inundated by floodwaters from a tsunami or seiche. [90]

A mudflow is the rapid movement of a large mass of mud formed from loose soil and water. The project area is flat and there are no slopes near the project site that in the event of a mudflow would affect the site.

Sea Level Rise

The Bay Conservation and Development Commission (BCDC) mapped areas throughout the Bay region susceptible to inundation from potential sea level rise scenarios.[91] Even under the low sea level rise scenario (16 inches), substantial bayside portions of East Palo Alto would be at risk of inundation if no inundation protections are implemented. The Sea Level Rise map in the Vista 2035 East Palo Alto General Plan shows that the project site would not be inundated under any of the estimated sea level rise scenarios.

4.10.2 Impact Discussion

For the purpose of determining the significance of the project's impact on hydrology and water quality, would the project:

1) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
2) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
3) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
    - result in substantial erosion or siltation on- or off-site;
    - substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;
    - create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or
    - impede or redirect flood flows?
4) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
5) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

[90] A seiche is a standing wave oscillating in a fully- or semi-enclosed body of water. Source: National Oceanic Atmospheric Administration. "What is a seiche?" Accessed March 25, 2021. https://oceanservice.noaa.gov/facts/seiche.html

[91] City of East Palo Alto. *Vista 2035 East Palo Alto General Plan.* October 2016.

4.10.2.1 *Project Impacts*

Impact HYD-1:	The project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. **(Less than Significant Impact)**

Construction Water Quality Impacts

Implementation of the proposed project would require excavation, paving, and grading of the project site, which can result in temporary impacts to surface water quality. Project grading and construction activities would expose soil to the erosive forces of wind and water, increasing the potential for sedimentation downstream of the site, including San Francisquito Creek and San Francisco Bay. The proposed project would result in the disturbance of approximately 97,659 square feet of the project site, which would be more than one acre of surface area. In addition, the proposed project would involve excavation to a depth of 36 feet bgs, which is below the historic high groundwater level of 15 feet bgs and, therefore, could require ground water dewatering during project construction. As a result, the project would disturb an area greater than one-acre and would be required to comply with the NPDES Construction General Permit.

Per the requirements of the NPDES Construction General Permit, the project will be required to implement the following standard measures to reduce impacts to water quality from construction activities:

- File a NOI with the SWRCB and prepare a SWPPP prior to commencing construction. The project's SWPPP shall include measures for:
    - Soil stabilization
    - Sedimentation control
    - Sediment tracking control
    - Wind erosion control, and
    - Non-stormwater management and waste management and disposal control
- Best Management Practices (BMPs) shall be implemented for reducing the volume of runoff and pollution in runoff to the maximum extent practicable during excavation, grading, and construction. All measures shall be included in the project's SWPPP and printed on construction documents, contracts, and project plans. The following erosion and sediment control measures, based upon Best Management recommended by the RWQCB, shall be implemented by the project to reduce potential construction-related water quality impacts:
    - Stormwater inlet protection consisting of burlap bags filled with drain rock shall be installed around storm drain inlets to keep sediment and other debris out of the stormwater drainage system
    - All exposed or disturbed soil surfaces shall be watered at least twice daily to control dust as necessary
    - Earthmoving or other dust-producing activities shall be suspended during periods of high winds

    - Stockpiles of soil or other materials subject to wind erosion shall be watered or covered
    - All trucks hauling soil, sand, and other loose materials shall be covered, and all trucks will be required to maintain at least two feet of freeboard
    - All paved access roads, parking areas, and staging areas adjacent to the construction sites shall be swept daily with water sweepers
    - Vegetation in disturbed areas shall be replaced as quickly as possible
- **Dewatering.** The proposed project involves dewatering activities; therefore, the SWPPP shall include provisions for the proper management of dewatering effluent. At a minimum, all dewatering effluent will be contained prior to discharge to allow the sediment to settle out, and filtered, if necessary, to ensure that only clear water is discharged to the storm or sanitary sewer system. In areas of suspected groundwater contamination (i.e., underlain by fill or near sites where chemical releases are known or suspected to have occurred), groundwater will be analyzed by a State-certified laboratory for the suspected pollutants prior to discharge. Based on the results of the analytical testing, the applicant will work with the RWQCB and/or the local wastewater treatment plant to determine appropriate disposal options.

The proposed project would comply with the standard measures identified in the NPDES Construction General Permit, consistent with General Plan Infrastructure, Services, and Facilities Policies 1.1 and 1.8, and would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. **(Less than Significant Impact)**

Post-Construction Water Quality Impacts

The portion of the project site disturbed by the project is currently developed with approximately 68,311 square feet (70 percent) impervious surfaces and 29,036 square feet of pervious surfaces (30 percent). With project implementation, impervious surfaces within the disturbance area would increase to 77,302 square feet (79 percent), an increase of 8,991 square feet of impervious surfaces above existing conditions.

The increase in impervious surfaces from project implementation would increase the amount of stormwater runoff generated by the project site. If untreated, runoff from the project would degrade downstream water quality. Since the project would add and/or replace over 10,000 square feet of impervious surfaces, it would be subject to the MRP. As stated in the Project Description and consistent with the requirements of the MRP, the project would include three flow-through planters and one lined bioretention area to capture and process stormwater runoff from the project site before it enters the City's storm drainage system. With implementation of the project's proposed flow-through planters and bioretention areas in compliance with the MRP and General Plan Infrastructure, Services, and Facilities Policies 1.1 through 1.5, 1.8, and 1.9, the project would not violate any water quality standards or waste discharge requirement or otherwise substantially degrade surface or ground water quality during post-construction. **(Less than Significant Impact)**

Impact HYD-2:	The project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. **(Less than Significant Impact)**

The project would excavate to a maximum depth of 36 feet to accommodate construction of three levels of below-grade parking. As noted above, historical high groundwater occurs at 15 bgs at the project site. Therefore, groundwater would be encountered during construction and dewatering would be necessary. As noted in Impact HYD-2, the project would be required to implement NPDES Construction General Permit standard measures to prevent impacts to surface and groundwater quality. Construction dewatering would result in a temporary reduction in groundwater levels at the project site. Due to the temporary nature, dewatering during construction is not considered a substantial decrease in groundwater supplies.

As discussed above, the proposed project would increase the amount of impervious surfaces on the site by 8,991 square feet, which would incrementally reduce the amount of groundwater recharge occurring at the site. The project site is not located in a designated groundwater recharge area.[92] Natural recharge of the groundwater basin occurs along the margins and southern portion of the subbasin where high lateral and vertical permeability allow surface water to infiltrate the aquifers. Percolation of precipitation within recharge areas replenishes groundwater and contributes to the recharge of principal aquifers.[93] The proposed project is not located within a designated groundwater recharge area where lateral and vertical permeability are high, thus, the incremental reduction in groundwater recharge resulting from the proposed project would not measurably affect groundwater levels beneath the site consistent with General Plan Infrastructure, Services, and Facilities Policies 2.12 and 2.1. **(Less than Significant Impact)**

Impact HYD-3:	The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows. **(Less than Significant Impact)**

Development of the proposed project would increase impervious surfaces on the project site, which would increase the rate and volume of stormwater runoff from the site. During large storm events, the increased rate and volume of stormwater runoff, if not controlled, could result in erosion and siltation downstream of the project site. In compliance with the MRP, the project would install bioretention basins and flow-through planters to filter pollutants from stormwater runoff prior to entering the City's storm drainage system. As stated in the project description (refer to Section

[92] Santa Clara Valley Water District. *Groundwater Management Plan.* November 2016.
[93] California Department of Water Resources. *Santa Clara Valley Groundwater Basin, San Mateo Subbasin*. February 2004. and Santa Clara Valley Water District. *Groundwater Management Plan.* November 2016.

3.2.7, Storm Drain), in addition to treating stormwater runoff, the proposed biotreatment areas will be designed to reduce the rate and volume of runoff generated on-site to pre-project conditions. Surface runoff from the site would, therefore, not result in erosion or flooding or contribute to runoff water which would exceed the capacity of existing or planned stormwater drainage systems. **(Less than Significant Impact)**

Impact HYD-4:	The project would not risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones. **(No Impact)**

The project site is not located within a flood hazard, tsunami, or seiche zone. General Plan Safety and Noise Policies 2.1 through 2.4, therefore, do not apply. **(No Impact)**

Impact HYD-5:	The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. **(Less than Significant Impact)**

As discussed under Impact HYD-1, the proposed project would implement NPDES Construction General Permit standard measures such as preparing a SWPPP and incorporating BMPs to reduce the volume of runoff and the pollution in runoff to the maximum extent practicable. The project would comply with the MRP to reduce project impacts to water quality to less than significant. Additionally, as discussed under Impact HYD-2, the project site is not located in a designated groundwater recharge area, therefore, the incremental reduction in groundwater recharge resulting from the proposed project would not measurably affect groundwater levels beneath the site. For these reasons, the project would not conflict with implementation of a water quality or groundwater management plan. **(Less than Significant Impact)**

4.10.2.2 *Cumulative Impacts*

Impact HYD-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant hydrology and water quality impact. **(Less than Significant Cumulative Impact)**

The geographic area for cumulative hydrology and water quality impacts is the San Francisquito watershed. As described above, the proposed project would be required to comply with applicable stormwater and NPDES requirements, including implementation of construction-period stormwater pollution BMPs, and post-construction measures to avoid and reduce water quality impacts. In compliance with the MRP, the project would install bioretention basins and flow-through planters to filter pollutants from stormwater runoff prior to entering the City's storm drainage system. As stated in the project description (refer to Section 3.2.7, Storm Drain), in addition to treating stormwater runoff, the proposed biotreatment areas will be designed to reduce the rate and volume of runoff generated on-site to pre-project conditions. For these reasons, the proposed project, would not result in a cumulatively considerable contribution to a significant cumulative hydrology and water quality impacts. **(Less than Significant Cumulative Impact)**

4.11 LAND USE AND PLANNING

4.11.1 Environmental Setting

4.11.1.1 *Regulatory Framework*

Regional

Palo Alto Airport – Comprehensive Land Use Plan

The project site is approximately 1.3-mile west of the Palo Alto Airport, the closest airport to the site. The site is not located within the CLUP's Airport Influence Area nor any airport safety zones.

Local

Local land use is governed by the City's General Plan, which in turn provides the basis for the City's Zoning Ordinance, specific plans, and design guidelines. The current General Plan and the City's Zoning Ordinance are described below.

Vista 2035 East Palo General Plan

The City's General Plan represents the East Palo Alto Community's statement of its core values and vision for its future. The current General Plan was adopted by the City Council in October 2016 and provides the City with a guide for future land use decisions within the City. The General Plan divides the City into land use districts, which specify the type of development that could occur throughout the City that would be consistent with the City's values and vision.

General Plan Land Use Designations

The existing General Plan land use designation for the project site is Office. The Office designation provides a diverse economic base in the City of East Palo Alto. Allowed uses in the Office designation include medium- and large-scale professional, legal, medical, financial, high-tech, and research and development uses. Additionally, other supporting uses such as restaurants, medical services, community facilities and similar uses which together create concentrations of office employment or community activity are also allowed.

General Plan Policies

Various policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating land use impacts resulting from planned development within the City including the following:

Policy	Land Use and Urban Design
1.1	Balanced land uses. Create a balanced land use pattern to support a jobs-housing balance, minimize traffic and vehicle miles traveled, reduce greenhouse gas emissions, and promote a broad range of housing choices, retail businesses,

	employment opportunities, cultural venues, educational institutions and other supportive land uses.
1.3	Coherent pattern of land uses. Ensure that new development occurs in a unified and coherent pattern that avoids conflicts between uses and promotes job creation and fiscal stability, creating a high-quality environment for East Palo Alto residents.
2.5	University Avenue. Incentivize new residential, mixed use and commercial development along University Avenue.
2.7	University Circle. Over time, consistent with the planning and legal framework, allow for intensification of the University Circle project to include an additional office or hotel building and incorporate shared or unbundled parking. The City shall negotiate with developers to maximize the potential for acquiring community benefits associated with increased development intensity.
8.1	Gateways. Enhance the image of the community by creating high quality, artistic structural elements that provide city-wide consistency, substantially improving the appearances of entrances to the city along University Avenue, Bay Road, and Newbridge Street.
8.2	High quality construction and architecture. Require high-quality and long-lasting building materials on all new development projects in the City. Encourage innovation and quality architecture for new public and private projects.
9.1	Pedestrian Focus. Design the streetscape of high-volume corridors, including University Avenue, East Bayshore Road, and Pulgas Avenue, to balance regional traffic flow with pedestrian movement and safety and the unique physical environment of the area.
9.2	Parking frontages. Continue to implement parking strategies and standards that ensure parking areas do not dominate street frontages and are screened from public views whenever possible.
9.4	Lighting. Strive for all new gateway features in commercial areas to be pedestrian oriented, attractively designed, compatible in design with other street furniture, and to provide adequate visibility and security.
Policy	**Economic Development**
1.1	Balance costs and revenues. Promote land use composition and development phasing in East Palo Alto that provides a jobs-housing balance or surplus between the generation of public revenues and the cost of providing public facilities/services.
1.2	Industrial development. Work with property owners and developers to encourage office, research and development and industrial development projects at strategic opportunity sites within the city, particularly within the Ravenswood TOD Specific Plan.
1.3	Attraction of revenue-generating businesses. Target economic development efforts toward attracting sales and use tax-generating businesses to vacant and new developments, including retail stores/services and office/industrial-based businesses.
1.9	Office and R&D businesses. Promote growth of office and R&D businesses that contribute property and sales tax revenues to the City, particularly at the University Avenue and Highway 101 interchange and within the Ravenswood TOD Specific Plan.

3.3	Supporting infrastructure and public services. Require new development projects to provide supporting infrastructure and public services that contribute to the overall improvement in quality of life in the City.

Policy	**Westside Area Plan**
4.1	Land use designations. Until a future master plan or other detailed planning process occurs, maintain land use designations and zoning districts that are consistent with the zoning code or the amount of development currently constructed, whichever is greater.
4.2	Development within established zoning parameters. Development applications that do not proposed to increase intensity or height over the established zoning regulations may proceed with the regulations and parameters established by the zoning code.
4.6	University Circle. Allow the University Circle project to add development over the time horizon of the General Plan so long as it meets the vision for the Westside, is designed to integrate with the adjacent neighborhood, and provides direct and measurable benefits for the City and the residents of the Westside.
5.14	Gradation of height. Design new development so that there is transition in building height. The greatest height and intensity should be focused toward Highway 101 and University Avenue, transitioning to lower heights no more than three stories near San Francisquito Creek and along the western portion of O'Keefe Street that is adjacent to residential neighborhoods.
6.2	Building quality and character. Improve the quality and aesthetic appeal of existing buildings and housing in the Westside, and encourage high quality architecture, materials, and pedestrian-oriented facades in new construction.
6.4	Building articulation. Use articulation strategies for new development to reduce the visible bulk of buildings, add visual interest, and add pedestrian-oriented character detail. These could include massing breaks as well as projections, minor stepbacks, architectural details, and variations in materials to distinguish between upper and ground floors.
6.7	Parking frontage. Whenever possible, locate parking and vehicle areas in the Westside behind or under buildings, and should not be located on street corners.
7.6	University Circle Integration. Seek opportunities to better integrate the University Circle area into the surrounding neighborhoods, including through new street and pedestrian connections, more pedestrian-focused streetscape and façade design, better public access into and across the site, and better crossings of adjacent streets.
8.4	Community Meeting Space. Pursue the following new community meeting spaces in the westside, with at least one space on either side of University Avenue. • One Small community meeting space (at least 500 square feet) • One Medium-sized community space (at least 1,250 square feet) • One Large community space (at least 5,500 square feet) • Community spaces may be stand-alone independent facilities, or may be incorporated into a larger development, but should provide easily accessible public meeting spaces for a variety of community meetings, educational efforts, civic events, social events, or other neighborhood activities.
9.1	New Street Connections. Should redevelopment occur, establish new street connections across existing large blocks whenever possible, prioritizing connections in the following locations:

[…]

- Into or through University Circle

[…]

City of East Palo Alto Zoning Ordinance

As a long-range planning document, the General Plan outlines long-term visions, policies, and actions designed to shape future development within East Palo Alto. The Zoning Ordinance serves as an implementing tool for the General Plan by establishing detailed, parcel-specific development regulations and standards in each area of the City. Although the two are distinct documents, the General Plan and Zoning Ordinance are closely related, and State law mandates that zoning regulations be consistent with the General plan maps and policies. The project site is zoned Office (O).

4.11.1.2 *Existing Conditions*

The approximately 11.85-acre project site is located in western East Palo Alto, within the Westside Area Plan area.

Surrounding Area

The site is located at the southwest corner of the U.S. 101/University Avenue interchange and is bounded by Manhattan Avenue to the west, University Avenue to the east, Woodland Avenue to the south and U.S. 101 to the north.

General Plan Designation and Zoning

The project site is designated Office in the General Plan and is zoned (O) Office. Uses allowed under this general plan designation include single-tenant or multi-tenant offices that include professional, medical, legal, financial administrative, corporate and general business offices. The maximum floor area ratio (FAR) allowed under this designation is 3.0. The maximum building height allowed is eight stories or 100 feet, whichever is greater.

4.11.2 Impact Discussion

For the purpose of determining the significance of the project's impact on land use and planning, would the project:

1) Physically divide an established community?
2) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

4.11.2.1 *Project Impacts*

Impact LU-1:	The project would not physically divide an established community. **(No Impact)**

The proposed project is located in the U. S. 101/University Circle gateway area of East Palo Alto and is developed with existing office buildings and a hotel. The proposed project would complete the University Circle development with the construction of a new office building on the southeast corner the site. As previously discussed in Section 4.2.2.1, the new office building would have similar height, massing, design features as the existing on-site office buildings. No new road, or infrastructure that could physically divide the existing community would be constructed as part of the proposed project. For these reasons, the proposed project would not physically divide an existing community. **(No Impact)**

Impact LU-2:	The project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. **(Less than Significant Impact)**

City of East Palo Alto General Plan

The project site is located within the Westside Plan area of the General Plan. The site has a General Plan land use designation of Office. The Office designation allows single- and multi-tenant office uses at a maximum FAR of 3.0 and maximum height of eight stories or 100 feet, whichever is greater. General Plan Westside Area Plan Policies 4.1 and 4.2 call for the City to maintain existing land use designations and allow for development projects that are consistent with the intensity and height regulations established in the existing zoning code. The proposed project would be six-stories and would have an FAR of 1.27, which is consistent with the designation's maximum FAR and height standards. Additionally, as discussed below, the project is consistent with the zoning designation and development standards for the site.

Consistent with General Plan Land Use and Urban Design Policies 1.1, 1.3, 2.7, and 8.1, Economic Development Policy 1.1, and Westside Area Plan Policy 4.6, the project would intensify development at the University Circle site in a manner consistent with the vision of the Westside, contributing to more balanced jobs-housing ratio and enhancing the visual appearance of the City at a designated gateway. As noted in the project description (refer to Section 3.2.11, Community Benefits), the project would include infrastructure improvements and community benefits for the residents of the Westside, consistent with General Plan Westside Area Plan Policy 4.6 and Economic Development Policy 3.3. In addition, consistent with Land Use and Urban Design Policies 8.1, 9.1, 9.2 and Westside Area Plan Policies 6.2, 6.4, and 6.7, the proposed office building would utilize long lasting building materials, include pedestrian scale facades, provide an entrance oriented to University Avenue to enhance the pedestrian experience along this roadway, and reduce the visual prominence of surface parking lot by locating parking underground.

Taken together, Economic Development Policies 1.2, 1.3, and 1.9 encourage development that will lead to the attraction and growth of office and R&D businesses, which will generate tax revenues for the City. These policies identify the University Avenue and Highway 101 interchange as strategic opportunity sites for office and R&D developments. In accordance with the above-mentioned Economic Development Policies, this project proposes to provide 180,000 square feet of office space at the University Avenue and Highway 101 interchange. This development will attract the kinds of office-based and R&D businesses identified for this area in the General Plan, resulting in a larger tax and employment base for the City.

Furthermore, consistent with Westside Area Plan Policies 7.6, 8.4, and 9.1 which call for better integration of the University Circle development into the surrounding neighborhood, improved pedestrian circulation, and the creation of a new community meeting space within the Westside area, the project includes construction of a new pedestrian site access point on Manhattan Avenue, the creation of a public art plaza, and dedication of 2,490 square feet of ground-floor space for use as a community meeting space. The proposed project would also comply with General Plan policies related to issues such as aesthetics, air quality, biological resources, hazards and hazardous materials, noise and transportation (refer to Sections 4.1, Aesthetics, 4.3, Air Quality, 4.4, Biological Resources, 4.9 Hazards and Hazardous Materials, 4.12, Noise, 4.16, Transportation) to avoid or minimize impacts to human health and/or the environment.

Westside Area Plan Policy 5.14, Gradation of Height, calls for new development within the Westside area to transition in height with the greatest height focused toward Highway 101 and University Avenue and lower heights no more than three stories near San Francisquito Creek. As discussed in Section 3.1, Project Location, the project site is bounded by Highway 101 to the north, University Avenue to the east, and Woodland Avenue and San Francisquito Creek to the south. The proposed office building would be situated in the southeast corner of the site near the University Avenue/Woodland Avenue intersection, approximately 100 feet north of San Francisquito Creek. Due to the project's location along University Avenue and consistency with the height of existing buildings on-site and numerous General Plan Policies, the project would meet the intent of General Plan Westside Area Plan Policy 5.14 to focus the greatest height and intensity toward University Avenue. Additionally, the building would be stepped down from six- to five-stories along the southern frontage facing San Francisquito Creek, transitioning to a lower height near the creek. The City has determined the project would not be subject to the three-story height restriction identified in Policy 5.14 because the project meets the intent of Policy 5.14. The project is located outside of the riparian corridor, across the approximately 65-foot-wide Woodland Avenue, on a fully developed site. Additionally, the project's building height is consistent with the existing buildings on the project site and will incorporate elements to provide a better transition from the taller portions of the project toward the creek. These elements include stepping down one story on the creek side of the building, providing a six-foot-wide sidewalk, and incorporating a continuous row of 24- to 36-inch box street trees along University Avenue and Woodland Avenue. The project elements create a clear, but gradual separation from the creek, avoiding an incompatibility with the creek. For these reasons, the height of the proposed project would not result in a significant environmental effect due to conflict with land use policy adopted to avoid environmental effects.

East Palo Alto Zoning Ordinance

The site is zoned Office. The project proposes to construct approximately 180,000 square feet of office space. The proposed project is consistent with the site's current zoning and would not result in a significant environmental impact due to conflict with zoning standards. **(Less than Significant Impact)**

4.11.2.2 *Cumulative Impacts*

Impact LU-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant land use and planning impact. **(Less than Significant Cumulative Impact)**

The geographic area for cumulative land use impacts is the Westside Area Plan area. Like the proposed project, construction of the cumulative projects would generally consist of redevelopment of previously developed sites. Development of a number of these sites would result in a change of uses and/or an intensification of development.

The compatibility of new development with adjacent land uses, and the general character of surrounding areas are considered as part of East Palo Alto's architectural and/or environmental review processes. Through appropriate site design and review of these urban projects, impacts due to conflicts with applicable plans and policies would be avoided.

Future projects would be subject to General Plan goals, policies, and action statements that require appropriate buffers, edges, and transition areas between dissimilar land uses. In addition, the setback, design, and operational requirements of the East Palo Alto Municipal Code would minimize land use impacts. The project, in conformance with the applicable General Plan goals, policies, and action statements and with implementation of mitigation measures, would not result in significant land use impacts or conflict with a policy or regulation adopted for the purpose of avoiding or mitigating an environmental impact. For these reasons, the proposed project, in combination with the other cumulative projects, would not result in significant land use impacts. **(Less than Significant Cumulative Impact)**

4.12 NOISE

The discussion in the following section is based on a Noise and Vibration Assessment prepared by Illingworth & Rodkin, Inc. on September 30, 2021. This report is attached to this EIR as Appendix F.

4.12.1 Environmental Setting

4.12.1.1 *Background Information*

Noise

Factors that influence sound as it is perceived by the human ear, include the actual level of sound, period of exposure, frequencies involved, and fluctuation in the noise level during exposure. Noise is measured on a decibel scale, which serves as an index of loudness. The zero on the decibel scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Each 10 decibel increase in sound level is perceived as approximately a doubling of loudness. Because the human ear cannot hear all pitches or frequencies, sound levels are frequently adjusted or weighted to correspond to human hearing. This adjusted unit is known as the A-weighted decibel, or dBA.

Noise may be defined as unwanted sound and is usually objectionable because it is disturbing or annoying. Since excessive noise levels can adversely affect human activities and human health, federal, state, and local governmental agencies have set forth criteria or planning goals to minimize or avoid these effects. Noise guidelines are generally expressed using one of several noise averaging methods, including L_{eq}, DNL, or CNEL.[94] These descriptors are used to measure a location's overall noise exposure, given that there are times when noise levels are higher (e.g., when a jet is taking off from an airport or when a leaf blower is operating) and times when noise levels are lower (e.g., during lulls in traffic flows on freeways or in the middle of the night). L_{max} is the maximum A-weighted noise level during a measurement period.

Vibration

Ground vibration consists of rapidly fluctuating motions or waves with an average motion of zero. Vibration amplitude can be quantified using Peak Particle Velocity (PPV), which is defined as the maximum instantaneous positive or negative peak of the vibration wave. PPV has been routinely used to measure and assess ground-borne construction vibration. Studies have shown that the threshold of perception for average persons is in the range of 0.008 to 0.012 inches/second (in/sec) PPV.

[94] L_{eq} is a measurement of average energy level intensity of noise over a given period of time. Day-Night Level (DNL) is a 24-hour average of noise levels, with a 10 dB penalty applied to noise occurring between 10:00 p.m. and 7:00 a.m. Community Noise Equivalent Level (CNEL) includes an additional five dB applied to noise occurring between 7:00 p.m. and 10:00 p.m. Where traffic noise predominates, the CNEL and DNL are typically within two dBA of the peak-hour L_{eq}.

Table 4.12-1: Reaction of People and Damage to Buildings from Continuous or Frequent Intermittent Vibration Levels		
Velocity Level, PPV (in/sec)	**Human Reaction**	**Effect on Buildings**
0.01	Barely perceptible	No effect
0.04	Distinctly perceptible	Vibration unlikely to cause damage of any type to any structure
0.08	Distinctly perceptible to strongly perceptible	Recommend upper level of the vibration to which ruins and ancient monuments should be subjected
0.1	Strongly perceptible	Virtually no risk of damage to normal buildings
0.25	Strongly perceptible to severe	Threshold at which there is a risk of damage to historic and some old buildings.
0.3	Strongly perceptible to severe	Threshold at which there is a risk of damage to older residential dwellings such as plastered walls or ceilings.
0.5	Severe – Vibrations considered unpleasant	Threshold at which there is a risk of damage to newer residential structures
Source: California Department of Transportation. *Transportation and Construction Vibration Guidance Manual.* September 2013.		

4.12.1.2 *Regulatory Framework*

Federal

Federal Transit Administration Vibration Limits

The Federal Transit Administration (FTA) has developed vibration impact assessment criteria for evaluating vibration impacts associated with transit projects. The FTA has proposed vibration impact criteria based on maximum overall levels for a single event. The impact criteria for groundborne vibration are shown in Table 4.12-2 below. These criteria can be applied to development projects in jurisdictions that lack vibration impact standards.

Table 4.12-2: Groundborne Vibration Impact Criteria			
Land Use Category	**Groundborne Vibration Impact Levels (VdB inch/sec)**		
	Frequent Event	**Occasional Events**	**Infrequent Events**
Category 1: Buildings where vibration would interfere with interior operations	65	65	65
Category 2: Residences and buildings where people normally sleep	72	75	80
Category 3: Institutional land uses with primarily daytime use	75	78	83
Source: Federal Transit Administration. *Transit Noise and Vibration Assessment Manual.* September 2018.			

State and Local

California Green Building Standards Code

For commercial uses, CalGreen (Section 5.507.4.1 and 5.507.4.2) requires that wall and roof-ceiling assemblies exposed to the adjacent roadways have a composite Sound Transmission Class (STC) rating of at least 50 or a composite Outdoor-Indoor Transmission Class (OITC) rating of no less than 40, with exterior windows of a minimum STC of 40 or OITC of 30 when the commercial property falls within the 65 dBA L_{dn} or greater noise contour for a freeway or expressway, railroad, or industrial or stationary noise source. The state requires interior noise levels to be maintained at 50 dBA $L_{eq(1\text{-}hr)}$ or less during hours of operation at a proposed commercial use.

Santa Clara County Airport Land Use Commission Comprehensive Land Use Plan

Various policies in the County's Comprehensive Land Use Plan adopted by the Santa Clara County Airport Land Use Commission contains standards for projects within the vicinity of Palo Alto Airport, which are relevant to this project, including the following:

<table>
<tr><th>Policy</th><th>Description</th></tr>
<tr><td>N-2</td><td>In addition to the other guidelines and policies herein, the Noise Compatibility Guidelines presented in Table 4-1 shall be used to determine if a specific land use is consistent with this CLUP.
<table>
<tr><td rowspan="2">Land Use Category</td><td colspan="6">CNEL</td></tr>
<tr><td>55-60</td><td>60-65</td><td>65-70</td><td>70-75</td><td>75-80</td><td>80-85</td></tr>
<tr><td>Residential – low density single-family,</td><td>*</td><td>**</td><td>**</td><td>**</td><td>****</td><td>****</td></tr>
</table></td></tr>
</table>

	duplex, mobile homes						
	Residential – multi-family, condominiums, townhouses	*	**	**	**	****	****
	Transient lodging – motels, hotels	*	**	**	**	****	****
	Schools, libraries, churches, hospitals, nursing homes	*	**	**	**	****	****
	Auditoriums, concert halls, amphitheaters	**	**	**	**	****	****
	Sports arena, outdoor spectator sports, parking	*	*	**	**	****	****
	Playgrounds, neighborhood parks	*	*	**	**	**	****
	Office buildings, business commercial and professional	*	*	*	**	**	****
	Industrial, manufacturing, utilities, agriculture	*	*	*	**	**	**
	Note: * Generally Acceptable ** Conditionally Acceptable **** Unacceptable						
N-3	Noise impacts shall be evaluated according to the Aircraft Noise Contours presented on Figure 5 (2022 Aircraft Noise Contours).						
N-6	Noise level compatibility standards for other types of land uses shall be applied in the same manner as the above residential noise level criteria. Table 4-1 presents the acceptable noise level for other land uses in the vicinity of the Airport.						

Vista 2035 East Palo Alto General Plan

Various policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating noise and vibration impacts resulting from planned development within the City, including the following:

Policy	Safety and Noise
6.1	Noise standards. Use the Interior and Exterior Noise Standards (Table 10-1) for transportation noise sources. Use the City's Noise Ordinance for evaluating non-transportation noise sources when making planning and development decisions. Require that applicants demonstrate that the noise standards will be met prior to project approval.

Table 10-1: Interior and Exterior Noise Standards

Land Use	Noise Standard	
	Interior[1,2]	Exterior
Residential – Single family, multifamily, duplex, mobile home.	CNEL 45 dB	CNEL 65 dB[3]
Residential – Transit lodging, hotels, motels, nursing home, hospitals	CNEL 45 dB	CNEL 65 dB
Private offices, church sanctuaries, libraries, board rooms, conference rooms, theaters, auditoriums, concert halls, meeting halls, etc.	$L_{eq(12)}$ 45 dBA	•
Schools	$L_{eq(12)}$ 45 dBA	$L_{eq(12)\ 67}$ dBA
General offices, reception, clerical, etc.	$L_{eq(12)}$ 50 dBA	•
Bank lobby, retail story, restaurant, typing pool, etc.	$L_{eq(12)}$ 55 dBA	•
Manufacturing, kitchen, warehousing, etc.	$L_{eq(12)}$ 65 dBA	•
Parks, playgrounds	-	CNEL 65 dB
Golf courses, outdoor spectator sports, amusement parks	-	CNEL 70 dB

Notes:

1. Noise standard with windows closed.
2. Indoor environment excluding bathrooms, toilets, closets, and corridors.
3. Outdoor environment limited to rear yard of single-family homes, multi-family patios, and balconies (with a depth of six feet or more) and common recreation areas.
4. Outdoor environment limited to playground areas, picnic areas, and other areas of frequent human use.

6.2 Compatibility standards. Utilize noise/land use compatibility standards and the Noise Ordinance as guides for future development decisions.

6.3 Noise control. Provide noise control measures, such as berms, walls, and sound attenuating construction in areas of new construction or rehabilitation.

6.4 Vibration impacts. The City shall require new development to minimize vibration impacts to adjacent uses during demolition and construction. For sensitive historic structures, a vibration limit of 0.08 in/sec PPV will be used to minimize potential for cosmetic damages to the buildings. A vibration limit of 0.30 in/sec PPV will be used to minimize the potential for cosmetic damage at buildings of normal conventional construction.

6.5 Airport-adjacent land uses. Maintain the non-residential designation for land near the airport in order to prevent new noise-sensitive residential uses from being constructed in areas with excessive aircraft noise.

7.1 Noise ordinance. Continually enforce and periodically review the City's Noise Ordinance for adequacy (including requiring construction activity to comply with established work schedule limits). Amend as needed to address community needs and development patterns.

7.2 CEQA acoustical analysis. Require an acoustical analysis to evaluate measures for noise generating projects that are likely to cause the following criteria to be exceeded or to cause a significant adverse community response:

- Cause the Ldn/CNEL at noise-sensitive uses to increase by 3 dBA or more and exceed the "normally acceptable" level.
- Cause the Ldn/CNEL at noise-sensitive uses to increase 5 dBA or more and remain "normally acceptable."

7.7 Site design review. Utilize site design review to identify potential noise impacts on new development, especially from nearby transportation sources. Encourage the use of noise barriers (walls, berms or landscaping), setbacks and/or other buffers.

7.11 Construction noise. The City shall require that contractors use available noise suppression devices and techniques and limit construction hours near residential uses. Reasonable noise reduction measures shall be incorporated into the construction plan and implemented during all phases of construction activity to minimize the exposure of neighboring properties. The City considers significant construction noise impacts to occur if a project located within 500 feet of residential uses or 200 feet of commercial or office uses would:

- Involve substantial noise generating activities (such as building demolition, grading, excavation, pile driving, use of impact equipment, or building framing) continuing for more than 12 months.

For such large or complex projects, a construction noise logistics plan that specifies hours of construction, noise and vibration minimization measures, posting or notification of construction schedules, and designation of a noise disturbance coordinator who would respond to neighborhood complaints will be required to be in place prior to the start of construction and implemented during construction to reduce noise impacts on neighboring residents and other uses. A typical construction noise logistics plan would include, but not

be limited to, the following measures to reduce construction noise levels as low as practical:

- Limit construction activity to weekdays between 7:00 a.m. and 7:00 p.m. and Saturdays and holidays between 9:00 a.m. and 7:00 p.m., with no construction on Sundays; [95]
- Utilize "quiet" models of air compressors and other stationary noise sources where technology exists;
- Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment;
- Locate all stationary noise-generating equipment, such as air compressors and portable power generators, as far away as possible from adjacent land uses;
- Locate staging areas and construction materials areas as far away as possible from adjacent land uses;
- Prohibit all unnecessary idling of internal combustion engines;
- If impact pile driving is prohibited, multiple-pile drivers shall be considered to expedite construction. Although noise levels generated by multiple pile drivers would be higher than the noise generated by a single pile driver, the total duration of pile driving activities would be reduced;
- If impact pile driving is proposed, foundation pile holes shall be pre-drilled to minimize the number of impacts require to seat the pile. Pre-drilling reduces the number of blows required to seat the pile. Notify all adjacent land uses of the construction schedule in writing;
- Designated a "disturbance coordinator" who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise compliant (e.g., starting too early, bad muffler, etc.) and will require that reasonable measures warranted to correct the problem be implemented; and
- Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction.

Comprehensive Land Use Plan for Palo Alto Airport

The project site is approximately 1.3-miles east of the Palo Alto Airport, which is the nearest airport to the site. The Palo Alto CLUP was established to guide development of the areas surrounding public airports. The project site is outside of the Aircraft Noise Contour area described within the CLUP.

City of East Palo Alto Municipal Code

Chapter 8.52, Noise Control, in the City of East Palo Alto's Municipal Code seeks to protect the citizens of East Palo Alto from unnecessary, excessive, and annoying noise, to maintain quiet in areas where noise levels are low, and to implement programs to reduce unacceptable noise. The

[95] As noted in Section 3.2, Project Description, the project is requesting an exception to the allowed construction hours. Per Municipal Code Section 15.040125B(3) an exception to the permitted construction hours may be granted by Planning Commission.

regulations limit the amount of noise that may be created as measured at the exterior of any dwelling unit, school, hospital, church, or public library. Table 4.12-3 below provides the Municipal Code's exterior noise standards. Additionally, Chapter 8.52 limits the creation of noise that results in excessive noise levels within any dwelling unit. Table 4.12-4 below provides the standards for interior noise in dwelling units. Exemptions to these standards are provided for special events and construction activities not taking place between 8:00 p.m. and 7:00 a.m.[96]

Table 4.12-3: Exterior Noise Level Standards

Category	Cumulative Numbers of Minutes in Any 1-Hour Time Period	Noise Level Standards, dBA	
		Daytime (7:00 a.m. – 10:00 p.m.)	Nighttime (10:00 p.m. – 7:00 a.m.)
1	30	55	50
2	15	60	55
3	5	65	60
4	1	70	60
5	0	75	70

Source: City of East Palo Alto Municipal Code. 2021.

Notes:

1. In the event the measured background noise level exceeds the applicable noise level standard in any category above, the applicable standard shall be adjusted in five dBA increments so as to encompass the background noise level.
2. Each of the noise level standards specified above shall be reduced by five dBA for simple tone noises, consisting primarily of speech or music, or for recurring or intermittent impulsive noises.
3. If the intruding noise source is continuous and cannot reasonably be stopped for a period of time whereby the background noise level can be measured, the noise level measured while the source is in operation shall be compared directly to the noise level standards in this table.

Table 4.12-4: Interior Noise Level Standards

Category	Cumulative Numbers of Minutes in Any 1-Hour Time Period	Noise Level Standards, dBA	
		Daytime (7:00 a.m. – 10:00 p.m.)	Nighttime (10:00 p.m. – 7:00 a.m.)
1	5	45	40
2	1	50	45
3	0	55	50

Sources: City of East Palo Alto Municipal Code. 2021.

Notes:

1. In the event the measured background noise level exceeds the applicable noise level standard in any category above, the applicable standard shall be adjusted in five dBA increments so as to encompass the background noise level.
2. Each of the noise level standards specified above shall be reduced by five dBA for simple tone noises, consisting primarily of speech or music, or for recurring or intermittent impulsive noises.
3. If the intruding noise source is continuous and cannot reasonably be stopped for a period of time whereby the background noise level can be measured, the noise level measured while the source is in operation shall be compared directly to the noise level standards in this table.

Section 15.04.125 of the City's Municipal Code limits construction activity to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. on Saturdays. No construction activity is allowed on Sundays or national holidays.[97]

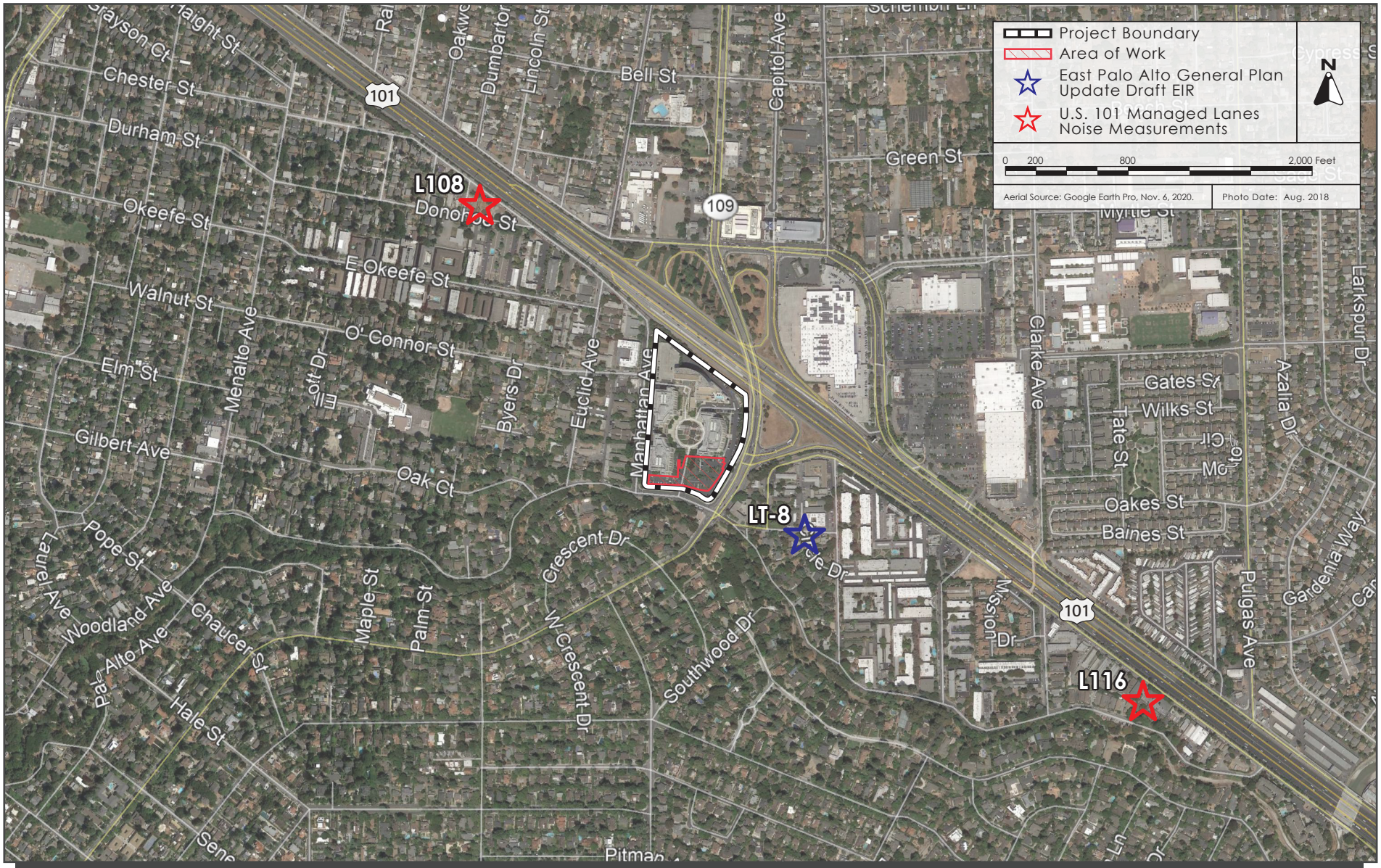
[96] City of East Palo Alto. *City of East Palo Alto Municipal Code Chapter 8.52 Noise Control.* March 26, 2021.
[97] Per Municipal Code Section 15.040125B(3) an exception to the permitted construction hours may be granted by Planning Commission.

4.12.1.3 *Existing Conditions*

The noise environment at the site and in the project vicinity is dominated by traffic noise along U.S. 101 and University Avenue. Traffic along Woodland Avenue and University Circle also contribute to the existing noise environment, as well as frequent aircraft overflights associated with nearby airports (i.e., Palo Alto Airport, Moffett Federal Airfield, San Francisco International Airport, and Norman Y. Mineta San José International Airport).

Due to the Shelter-in-Place restrictions implemented by the State of California at the time of preparation of this EIR, traffic volumes and resulting noise levels along the surrounding roadways were substantially reduced and not representative of typical conditions. Rather than complete a new noise monitoring survey to document ambient noise levels during this time period, noise data from the East Palo Alto General Plan, the East Palo Alto General Plan Update Draft EIR (2015), and noise measurements completed in 2015 and 2016 for projects in the site vicinity were utilized to establish existing ambient noise levels in the project area. Additionally, the Federal Highway Administration Traffic Noise Model was used to estimate noise levels at the project site and nearest residential property line based on projected 2020 traffic volumes. A summary of the noise levels from these prior studies is included in Table 4.12-4, below.

Table 4.12-5: Summary of Short-term Noise Measurement Data				
Noise Measurement Location	**Date, Time**	**dBA CNEL**	**Daytime dBA L_{eq}**	**Nighttime dBA L_{eq}**
General Plan Noise Element Noise Contour				
Approximate location of Project Site	N/A	65 – 75	--	--
General Plan Update Draft EIR Noise Measurements				
75 ft from centerline University Avenue between Donohoe Street and Woodland Avenue	2015	70	--	--
75 ft from centerline Woodland Avenue between Euclid Avenue and University Avenue	2015	68	--	--
U.S. 101 Managed Lanes Project – Noise Measurements				
Scofield Avenue/Circle Drive intersection	04/21/2015 – 4/23/2015	62 – 65	56 – 74	45-61
L108, 180 ft from centerline of U.S. 101	09/27/2016	70	64-69	58-67
L116, 230 ft from centerline of U.S. 101	09/20/2016	74	69-72	61-71
Federal Highway Administration Traffic Noise Model – Noise Estimates				
L108, 180 ft from centerline of U.S. 101	2020	69	--	--
L116, 230 ft from centerline of U.S. 101	2020	75	--	--
Northeastern corner of project site	2020	73	--	--
Proposed building's eastern and southern facades	20202015-2016)	72	--	--
Proposed building's southwestern façade	2020	69	--	--
Proposed building's northwestern corner	2020	67	--	--
Nearest residential property line to the south across Woodland Avenue	2020	68	--	--
Nearest residential property line to the east, across University Avenue	2020	73	--	--



NOISE MEASUREMENT LOCATIONS | FIGURE 4.12-1

4.12.2 Impact Discussion

For the purpose of determining the significance of the project's impact on noise, would the project result in:

1) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
2) Generation of excessive groundborne vibration or groundborne noise levels?
3) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

4.12.2.1 *Methodology*

As noted above, due to the Shelter-in-Place restrictions implemented by the State of California at the time of this study, traffic volumes and associated noise levels along the surrounding roadways were substantially reduced and not representative of typical conditions. Therefore, noise data contained in the East Palo Alto General Plan, the East Palo Alto General Plan Update Draft EIR, and measurements taken in the project area were reviewed and the Federal Highway Administration's Traffic Noise Model, version TNM 2.5 was used to calculate existing noise conditions specific to the proposed project. Existing traffic noise levels were calculated along major roadways surrounding the site. Peak hour traffic data provided by the traffic consultants and obtained from the California Traffic Census Program were also input into the model for local roadways and highways.

4.12.2.2 *Project Impacts*

Impact NOI-1:	The project would not result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. **(Less than Significant Impact with Mitigation Incorporated)**

Construction Noise

Construction Noise in Relation to Applicable City Local Limits

Noise impacts resulting from construction depend upon the noise generated by various pieces of construction equipment, the timing and duration of noise-generating activities, and the distance between construction noise sources and noise-sensitive areas. Construction noise impacts primarily result when construction activities occur during noise-sensitive times of the day (e.g., early morning, evening, or nighttime hours), the construction occurs in areas immediately adjoining noise-sensitive land uses, or when construction lasts over extended periods of time.

As noted in the Project Description, project construction activities would occur between 7:00 a.m. and 10:00 p.m.[98] Construction activities involving use of heavy equipment would occur between 7:00 a.m. and 4:00 p.m. During project demolition and excavation activities, trucks would be loaded with demolition materials and soil between 7:00 a.m. and 4:00 p.m. The loaded trucks would then wait to exit the site until between 7:00 p.m. and 10:00 p.m., after peak hour traffic has subsided.

Section 15.04.125 of the City's Municipal Code limits construction activities to between 7:00 a.m. and 6:00 p.m. on weekdays and to between 9:00 a.m. and 5:00 p.m. on Saturdays. Construction activities are prohibited on Sundays and national holidays.[99] During these allowable hours, construction noise would be exempt from the City's exterior and interior noise level standards at single- or multi-family residences, schools, hospitals, churches, and public libraries. Additionally, Section 8.52.350 (E), which General Plan Safety and Noise Policy 7.1 requires be applied to development projects, exempts noise sources associated with demolition, construction, repair, or remodeling of any real property from the City's exterior and interior noise standards provided such activities do not take place between 8:00 p.m. and 7:00 a.m. As noted in Section 1.2, Project Background, the Settlement Agreement also identifies specific limitations regarding the hours in which construction can occur on-site until the Settlement Agreement expires on December 15, 2023.

General Plan Safety and Noise Policy 7.11 states that a significant construction noise impact would occur if substantial noise-generating construction activities (such as building demolition, grading, excavation, pile driving, use of impact equipment, or building framing) occurred outside of the hours of 7:00 a.m. and 7:00 p.m. on weekdays, outside of the hours of 9:00 a.m. to 7:00 p.m. on Saturdays and within 500 feet of residential uses or 200 feet of commercial or office uses for more than 12 months.[100] Further, Policy 7.11 requires the creation of a construction noise logistics plan for large complex projects prior to the start of construction. The construction noise logistics plan should specify hours of construction, noise and vibration minimization measures, posting or notification of construction schedules, and designation of a noise disturbance coordinator who would respond to neighborhood complaints. These measures are to be implemented during construction to reduce noise impacts on neighboring residents and other uses.

Project construction activities between 7:00 a.m. and 7:00 p.m. on weekdays and between 9:00 a.m. and 5:00 p.m. weekends would occur within the City's allowable construction hours and would not be subject to the 55 dBA threshold. However, in applying the compatibility standards in the Noise Ordinance as required by General Plan Safety and Noise Policy 6.2, construction activities occurring between 7:00 p.m. and 10:00 p.m. would be subject to the 55 dBA threshold at the exterior property lines of nearby residential uses. Noise levels from construction activities occurring between 7:00 p.m. and 10:00 pm would range from 56 to 57 dBA Leq at the nearest residences to the east and to the south of the project site, exceeding the 55 dBA threshold at nearby residential uses. Additionally, because all construction activities would occur within approximately 130 feet of the nearest commercial use (existing office building on-site) and approximately 250 feet from the

[98] The project requests an exception to the construction hours permitted in the Municipal Code. Per Municipal Code Section 15.040125B(3) an exception to the permitted construction hours may be granted by Planning Commission.
[99] Per Municipal Code Section 15.040125B(3) an exception to the permitted construction hours may be granted by Planning Commission.
[100] Per Municipal Code Section 15.040125B(3) an exception to the permitted construction hours may be granted by Planning Commission.

nearest residential use and would extend over a period of approximately 36 months, project construction automatically exceeds the City's General Plan threshold for construction noise impacts. For these reasons, the proposed project would result in a significant construction noise impact.

Impact NOI-1.1: Non-exempt construction activities would exceed the 55 dBA threshold at the nearest residential uses and all project construction would occur within 500 feet of the nearest residential use and within 200 feet of the nearest commercial use for a period of more than 12 months, exceeding the City's Municipal Code and General Plan thresholds for construction noise levels at these receptors. **(Significant Impact)**

Mitigation Measure: Incorporation of the following mitigation measure would reduce construction noise impacts on nearby sensitive receptors to a less than significant level.

MM NOI-1.1: The project applicant shall prepare a construction noise logistics plan for review and approval by the Department of Public Works prior to issuance of grading and/or demolition permits on the project. The construction noise logistics plan shall include, but not be limited to, the following measures to reduce construction noise levels to a less than significant noise impact:

- Limit construction activities to weekdays between 7:00 a.m. and 7:00 p.m.[101] and Saturdays between 9:00 a.m. and 7:00 p.m. Prohibit construction on Sundays and holidays.
- Utilize "quiet" models of air compressors and other stationary noise sources where such technology exists.
- Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment.
- Locate all stationary noise-generating equipment, such as air compressors and portable power generators, as far away as possible from adjacent land uses.
- Locate staging areas and construction material areas as far away as possible from adjacent land uses.
- Prohibit all unnecessary idling of internal combustion engines.
- Construct solid eight- to 10-foot-tall plywood fences along the construction site boundaries with direct line-of-site to noise-sensitive receptors. Constructing temporary noise barrier fences to shield these receptors would provide a five dBA noise reduction if the noise barrier interrupts the line-of-sight between the noise source and receptor and if the barrier is constructed in a manner that eliminates any cracks or gaps.
- Where feasible, limit the quantity of equipment operating simultaneously to 10 pieces of equipment or less;
- The applicant shall designate a "disturbance coordinator" who would be responsible for responding to local complaints about construction noise. The

[101] Excepting haul and truck deliveries between 7:00 and 10:00 pm.

disturbance coordinator will determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and will require that reasonable measures warranted to correct the problem are implemented.

- Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction.

In addition, to reduce noise levels at nearby residential uses from non-exempt construction activities to a less than significant level between the hours of 7:00 p.m. and 10:00 p.m., the following measures shall be implemented by the project:

- Prohibit use of noise-generating equipment outdoors between 7:00 p.m. and 10:00 p.m.
- Limit truck loading and unloading to the hours of 7:00 a.m. to 7:00 p.m.
- Limit the number of truck deliveries to two trucks an hour between the hours of 7:00 p.m. and 10:00 p.m.
- Prohibit truck travel routes along Manhattan Avenue between the hours of 7:00 p.m. and 10:00 p.m.

With implementation of the construction noise logistics plan and limitations on construction activities between the hours of 7:00 p.m. and 10:00 p.m., as specified above under MM NOI-1.1, project construction activities would be consistent with the City's General Plan and would meet the City's 55 dBA daytime exterior noise limit at the surrounding residential uses and the 45 dBA daytime interior limit at surrounding residential and hotel uses, resulting in a less than significant impact.

Operational Noise

Mechanical Equipment Noise

Residences are located to the west, south, and east of the project site, across Manhattan Avenue, Woodland Avenue, and University Avenue, respectively. Since mechanical equipment could run during daytime and nighttime hours, the exterior noise thresholds at the property line of these sites would be 55 dBA L_{50} between 7:00 a.m. and 10:00 p.m. and 50 dBA L_{50} between 10:00 p.m. and 7:00 a.m.

Commercial office buildings typically include various mechanical equipment such as air conditioners, exhaust fans, chillers, pumps, and air handling equipment. The most substantial noise-generating equipment would likely be large exhaust fans and building air conditioning units. As shown on the project site plan, the HVAC units would be located on the rooftop, with a mechanical screen of more than 14 feet tall constructed around the perimeter of the rooftop. Depending on the specific type, location, and operation of the project HVAC equipment, noise levels generated by the HVAC equipment could potentially exceed the City's Municipal Code thresholds.

Impact NOI-1.2: Noise generated by project HVAC equipment could exceed the City's Municipal Code thresholds for exterior noise levels at the nearest residential property line. **(Significant Impact)**

Mitigation Measure: Incorporation of the following mitigation measure would reduce mechanical noise impacts on nearby sensitive receptors to a less than significant level.

MM NOI-1.2: Prior to issuance of building permits, project mechanical equipment shall be selected and designed to reduce impacts on surrounding uses and meet the City's exterior and interior noise level requirements. A qualified acoustical consultant shall be retained by the project applicant to review mechanical noise as the equipment systems are selected and determine specific noise reduction measures necessary to reduce noise to comply with the City's 55 dBA L_{50} daytime exterior limit and 50 dBA L_{50} nighttime exterior limit at the nearest residential property lines. Noise reduction measures could include, but are not limited to, selection of equipment that emits low noise levels and/or installation of noise barriers, such as enclosures and parapet walls to block the line-of-sight between the noise receptors. Alternate measures may include locating equipment in less noise-sensitive areas. With implementation of this measure, the impact would be reduced to a less than significant level. **(Less than Significant Impact with Mitigation Incorporated)**

Truck Loading and Unloading Activities Noise

Delivery and truck loading activities on-site would remain on University Circle, in the center of the project site during project operations. The addition of a 180,000-square-foot office building to an existing office campus would not substantially increase truck delivery and unloading activities such that it would result in a perceptible increase in noise levels. For these reasons, unloading and loading activities at the project site would not result in the exposure of off-site sensitive receptors to noise levels in excess of standards established in the City's General Plan or Municipal Code. **(Less than Significant Impact)**

Parking Lot Noise

As noted in Section 4.16, Transportation, below, the project would result in up to 1,315 additional daily vehicle trips to the project site, including 157 trips during the a.m. peak hour and 155 trips during the p.m. peak hour.[102] The project would replace 99 existing surface parking spaces with 513 below-grade parking spaces and 14 surface parking spaces. As provided in General Plan Safety and Noise Policies 6.3 and 7.7, the walls of and soil surrounding the below-grade parking garage would provide insulation and attenuate noise generated in the below-grade parking garage. Therefore,

[102] Project trip generation was developed based on the TDM ordinance in effect at the time of preparation of this Draft EIR. As noted in Section 4.16.1, Environmental Setting, City Council adopted a new TDM ordinance on June 1, 2021, which requires developments approved after January 1, 2022, to achieve a 40 percent reduction in daily vehicle trips. Thus, the trip generation developed for this project represents a conservative estimate and the proposed project would be subject to the new TDM ordinance if approved after January 1, 2022.

although the proposed project would increase the number of vehicle trips to and from the site compared to existing conditions, on-site parking lot activity would not increase such that it would result in a perceptible increase in parking lot noise. For these reasons, the proposed project would not result in the exposure of off-site sensitive receptors to noise levels in excess of those permitted by the City's General Plan or Municipal Code. **(Less than Significant Impact)**

Traffic Noise

Based on the General Plan Safety and Noise Policy 7.2, a significant impact would occur if the permanent noise level increase due to project-generated traffic was three dBA CNEL and exceeded the "normally acceptable" level or was five dBA CNEL or greater and remained "normally acceptable."

Existing noise levels at the residences to the west exceed 65 dBA CNEL, and would continue to exceed the 65 dBA CNEL threshold under future conditions. A significant impact would, therefore, occur if project-generated traffic increased levels by three dBA CNEL or more. For reference, a three dBA CNEL noise increase would be expected if the project would double existing traffic volumes along a roadway.

The traffic study prepared for the proposed project included peak hour existing and existing plus project traffic scenarios based on traffic data collected in 2019. By comparing the traffic volumes of existing plus project traffic volumes to the existing volumes, a traffic noise increase of two dBA CNEL was calculated along University Circle, north of Woodland Avenue. Along every other roadway segment include in the traffic study, a noise level increase of one dBA CNEL or less was calculated. Therefore, the permanent traffic noise increase attributable to the project would be two dBA CNEL or less in the project vicinity. This would not be considered a significant permanent noise level increase. For these reasons, the project would have a less than significant traffic noise impact. **(Less than Significant Impact)**

Impact NOI-2:	The project would not result in generation of excessive groundborne vibration or groundborne noise levels. **(Less than Significant Impact with Mitigation Incorporated)**

Project construction may generate vibration when heavy equipment or impact tools (e.g. jackhammers, hoe rams) are used. Based on the construction equipment expected to be used for the proposed project, pile driving, which can cause excessive vibration, would not be required.

For structural damage, the California Department of Transportation recommends a vibration limit of 0.3 in/sec PPV for buildings that are found to be structurally sound but where structural damage is a major concern, and a limit of 0.08 in/sec PPV of ancient buildings or buildings found to be structurally weakened or are adjacent to the project site. These limits are aligned with those limits outlined in General Plan Safety and Noise Policy 6.4, which requires that new development minimize vibration impacts to adjacent uses during demolition and construction. As noted in Section 4.5, Cultural Resources, there are no historic structures on or adjacent to the project site. Therefore, groundborne vibration levels exceeding 0.3 in/sec PPV would have the potential to result in a significant vibration impact on the surrounding buildings.

Vibration levels would vary depending on soil conditions, construction methods, and equipment used. Table 4.12-6 shows vibration levels that could be expected at the nearest buildings from construction equipment at the project site. The equipment in Table 4.12-6 represent reference vibration levels from the US Department of Transportation.[103] Vibration levels for all construction equipment are not available for reference. Vibration levels during project construction activities, however, would fall within the range of vibration levels shown in Table 4.12-6.

Table 4.12-6: Vibration Source Levels for Construction Equipment

Equipment		PPV at 25 ft (in/sec)	Approximate L_v at 25 ft (VdB)	Office 5 ft to North	Office 85 ft to West	Residence 125 ft to East	Residence 190 ft to West
Clam shovel drop		0.202	94	**1.186**	0.053	0.034	0.022
Hydromill (slurry wall)	In soil	0.008	66	0.047	0.002	0.001	0.001
	In rock	0.017	75	0.100	0.004	0.003	0.002
Vibratory roller		0.210	94	**1.233**	0.055	0.036	0.023
Hoe ram		0.089	87	**0.523**	0.023	0.015	0.010
Large bulldozer		0.089	87	**0.523**	0.023	0.015	0.010
Caisson drilling		0.089	87	**0.523**	0.023	0.015	0.010
Loaded trucks		0.076	86	**0.446**	0.020	0.013	0.008
Jackhammer		0.035	79	0.206	0.009	0.006	0.004
Small bulldozer		0.003	58	0.018	0.001	0.001	0.000

Source: United States Department of Transportation, Office of Planning and Environment. *Transit Noise and Vibration Impact Assessment Manual*. September 2018; Illingworth & Rodkin, Inc., *University Circle Phase II Office Project, Noise and Vibration Assessment.* September 30, 2021.

As shown in Table 4.12-6 above, typical construction equipment would have the potential to produce vibration levels up to 1.2336 in/sec PPV at the nearest structures (existing office building immediately north of construction activities), potentially resulting in cosmetic damage to this structure. These potential vibration levels may also exceed the limits set by Safety and Noise Policy 6.4 for new development. While vibration levels at other structures within 200 feet of the proposed project could be perceptible, use of administrative controls, such as notifying neighbors of scheduled construction activities and scheduling construction activities with the highest potential to produce perceptible vibration during hours with the least potential to affect nearby businesses, would ensure that perceptible vibration would be kept to a minimum.

Impact NOI-2: Construction-related vibration levels at the existing office buildings on the site to the north will be up to 1.233 in/sec PPV, which would exceed the 0.3 in/sec PPV threshold. **(Significant Impact)**

[103] United States Department of Transportation, Office of Planning and Environment. *Transit Noise and Vibration Impact Assessment Manual*. September 2018.

Mitigation Measure: The proposed project would implement the following measures to reduce vibration from construction activities to a less than significant level.

NOI-2.1: The proposed project shall incorporate the following measures during project construction:

- Limit vibration-inducing equipment.
- Use of the heavy vibration-generating construction equipment shall be prohibited within 20 feet of existing on-site buildings.
- Use of smaller equipment to minimize vibration levels below the limits near existing on-site buildings shall be required.
- Modify/design or identify alternative construction methods to reduce vibration levels below the limits.
- Avoid dropping heavy objects or materials.

With the implementation of mitigation measure MM NOI-2.1, vibration levels at the nearest existing structures during project construction activities would not exceed the 0.3 in/sec PPV threshold.[104] **(Less than Significant Impact with Mitigation Incorporated)**

Impact NOI-4:	The project would not be located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport. The project would not expose people residing or working in the project area to excessive noise levels. **(No Impact)**

The project site is approximately 1.3-miles west of the Palo Alto Airport. The project site is not within the 55 dBA CNEL noise contour specified in the Palo Alto Airport CLUP. According to Table 4-1 of the Palo Alto Airport CLUP, office buildings located outside the 55 dBA CNEL noise contour would be considered generally acceptable. Further, standard construction materials would achieve a 25 to 30 dBA exterior-to-interior noise reduction with the windows closed. The project would not exacerbate noise levels from the airport, and exterior and interior noise levels resulting from aircraft would be low enough to be compatible with the proposed project. Moreover, the commercial nature of the project aligns with General Plan Safety and Noise Policy 6.5, which provides for the maintenance of non-residential designations near the airport to prevent new noise-sensitive residential uses from being constructed in areas with excessive aircraft noise.

Other airports in the project vicinity include San Francisco International Airport (approximately 16.5-miles northwest), San Carlos Airport (approximately 6.5-miles northwest), Moffett Field Federal Airfield (approximately 5.25-miles southeast), and Norman Y. Mineta San Jose International Airport (approximately 12.5-miles southeast). The project site lies outside the areas of influence for each of these airports, and the noise environment at the project site would not substantially increase due to aircraft noise from these airports. **(No Impact)**

[104] Illingworth & Rodkin, Inc., *University Circle Phase II Office Project, Noise and Vibration Assessment.* September 30, 2021.

4.12.2.3 *Cumulative Impacts*

Impact NOI-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant noise impact. **(Less than Significant Cumulative Impact)**

Cumulative Operation Noise

As discussed under Impact NOI-1 above, operation of the proposed office building would result in noise from operation of rooftop mechanical equipment, truck loading, and parking lot activity. However, implementation of mitigation measure MM NOI-2.1 would reduce the project's operational noise impacts to less than significant and the project's contribution to cumulative noise impacts would not be cumulatively considerable.

Cumulative Traffic Noise

A significant cumulative traffic noise impact would occur if two criteria area met: 1) the cumulative traffic noise level increase was three dBA CNEL or greater for future levels exceeding 65 dBA CNEL or was five dBA CNEL or greater for future levels at or below 65 dBA CNEL; and 2) the project would make a "cumulatively considerable" contribution to the overall traffic noise increase. A "cumulatively considerable" contribution would be defined as an increase of one dBA CNEL or more attributable solely to the proposed project.

Cumulative traffic volumes identified in the Transportation Analysis prepared for the project by Hexagon Transportation Consultants and included as Appendix G to this Draft EIR were used to assess the projects' contribution to cumulative traffic noise. Cumulative traffic volumes include past, present, future development in the project vicinity.[105] Cumulative traffic noise level increases were calculated by comparing the cumulative no project traffic volumes and the cumulative plus project volumes to existing traffic volumes. A traffic noise increase of three dBA CNEL or more was calculated under both cumulative scenarios along the US 101 northbound on-ramp and future University Plaza Phase II driveway at Donohoe Street, along University Avenue (south of Bay Road), along Bay Road (east and west of University Avenue), and along Donohoe Street (east of East Bayshore Road). All other segments included in the traffic study would result in noise level increases of less than three dBA CNEL under cumulative conditions. Since the same cumulative traffic noise level increase was calculated for both cumulative scenarios (with and without the project), the project's contribution along these roadway segments would be less than one dBA CNEL. Therefore, the project contribution to cumulative traffic noise impacts in the project area would not be cumulatively considerable.

Cumulative Construction Noise

Cumulative projects within 1,000 feet of the proposed project that could possibly share overlapping construction schedules include the proposed Woodland Apartments Expansion project (2001

[105] Hexagon Transportation Consultants, Inc. *University Circle Phase II Development, Transportation Analysis.* August 9, 2021.

Manhattan Avenue), the 660 Donohoe Street office tower project, the 630 Donohoe Street hotel project, and the University Plaza Phase II mixed-use project. With the exception of the Woodland Apartments Expansion project, all other cumulative projects would be located too far from nearby residences and the proposed project to share impacted receptors.[106] Therefore, no cumulative construction noise is expected to occur from construction of these other cumulative projects. The Woodland Apartments Expansion project is located approximately 635-feet northwest of the project site (as measured from the center of proposed construction area). The Woodland Apartments Expansion project construction schedule has not yet been established; however, because it is not subject to the Settlement Agreement, it can proceed with demolition and construction immediately following project approval. In contrast, no building permits can be issued for construction of the proposed project until after the Settlement Agreement expires on December 15, 2023. Thus, primary noise generating construction activities (such as demolition, excavation, and building construction) for the Woodland Apartments Expansion project would not likely occur simultaneously with the proposed project. If construction of these two projects were to occur simultaneously, the multi-family residential buildings located at the corner of Woodland Avenue and Manhattan Avenue would have some exposure project construction noise; however, the existing University Circle buildings and the existing commercial buildings along O'Connor Street would intervene and provide shielding for the residents from both the proposed project and the Woodland Apartments Expansion project. Therefore, construction noise from that site would not be considered significant. Similar to the proposed project, the Woodland Apartment Expansion project, would be required by the City to implement measures to reduce construction noise levels.[107] Therefore, implementation of mitigation measure MM NOI-2 by the proposed project, and the construction noise measures to be incorporated by the Woodland Apartment Expansion project, cumulative construction noise and vibration impacts would be less than significant. **(Less than Significant Cumulative Impact)**

[106] For cumulative construction projects, shared noise receptors are considered residences located within 500 feet of both cumulative projects.
[107] City of East Palo Alto. *Woodland Park Euclid Improvements Project Draft Environmental Impact Report.* June 30, 2021.

4.13 POPULATION AND HOUSING

The following discussion is based, in part, on a Housing Needs Assessment prepared by BAE Urban Economics on September 28, 2021. This report is attached as Appendix G to this Draft EIR.

4.13.1 Environmental Setting

4.13.1.1 *Regulatory Framework*

State

Housing-Element Law

State requirements mandating that housing be included as an element of each jurisdiction's general plan is known as housing-element law. The Regional Housing Need Allocation (RHNA) is the state-mandated process to identify the total number of housing units (by affordability level) that each jurisdiction must accommodate in its housing element. California housing-element law requires cities to: 1) zone adequate lands to accommodate its RHNA; 2) produce an inventory of sites that can accommodate its share of the RHNA; 3) identify governmental and non-governmental constraints to residential development; 4) develop strategies and a work plan to mitigate or eliminate those constraints; and 5) adopt a housing element and update it on a regular basis.[108] The City of East Palo Alto Housing Element and related land use policies were last updated in 2015.

Regional and Local

Plan Bay Area 2040

Plan Bay Area 2040 is a long-range transportation, land-use, and housing plan intended support a growing economy, provide more housing and transportation choices, and reduce transportation-related pollution and GHG emissions in the Bay Area. Plan Bay Area 2040 promotes compact, mixed-use residential and commercial neighborhoods near transit, particularly within identified PDAs.[109]

Association of Bay Area Governments (ABAG) allocates regional housing needs to each city and county within the nine-county San Francisco Bay Area, based on statewide goals. ABAG also develops forecasts for population, households, and economic activity in the Bay Area. ABAG, MTC, and local jurisdiction planning staff created the Regional Forecast of Jobs, Population, and Housing, which is an integrated land use and transportation plan through the year 2040 (upon which Plan Bay Area 2040 is based).

[108] California Department of Housing and Community Development. "Regional Housing Needs Allocation and Housing Elements" Accessed October 14, 2021. https://www.hcd.ca.gov/community-development/housing-element/index.shtml

[109] Association of Bay Area Governments and Metropolitan Transportation Commission. "Project Mapper." http://projectmapper.planbayarea.org/.

Vista 2035 East Palo Alto General Plan

Various policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating population and housing impacts resulting from planned development within the City, including the following:

Policy	Land Use and Urban Design
2.1	Jobs housing balance. Strive for a balanced land use pattern that has a one-to-one ratio of jobs per employed residents.
Policy	**Health and Equity**
11.2	Displacement. Establish goals for preventing displacement of existing long-time residents and businesses. If feasible, track displacement.
Policy	**Economic Development**
2.1	Job growth. Promote the establishment, retention and expansion of businesses that provide employment for East Palo Alto's residents.

4.13.1.2 *Existing Conditions*

Population and Employment

In 2021, the City of East Palo Alto had an approximate population of 30,350.[110] ABAG estimates that for 2040, the City's projected population would be 36,090 residents in 8,675 households and jobs in the City will increase from approximately 5,810 in 2020 to 6,660 in 2040.[111]

Jobs Housing Balance

The jobs-housing balance represents the number of jobs divided by the number of housing units. A jobs-housing balance number of one indicates a community with the same number of jobs as housing units. Numbers greater than one indicate a jobs-rich community and below one indicates a shortage of jobs in that community. A low jobs-housing balance can also indicate that most people living in the community travel beyond their community for employment. East Palo Alto's jobs-housing balance number in recent years has been 0.25 or lower.[112]

4.13.2 Impact Discussion

For the purpose of determining the significance of the project's impact on population and housing, would the project:

[110] California Department of Finance. *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011 – 2021 with 2020 Census Benchmark. May 2021*.
[111] Association of Bay Area Governments. "Plan Bay Area Projections 2040."Accessed October 14, 2021. Available at: http://projections.planbayarea.org/data
[112] City of East Palo Alto. *East Palo Alto General Plan Update Draft Environmental Impact Report.* April 2016.

1) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
2) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

4.13.2.1 *Project Impacts*

Impact POP-1:	The project would not induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure). **(Less than Significant Impact)**

Due to the City's low jobs to housing ratios, the General Plan prioritizes nonresidential development in key areas to increase the City's tax base and employment opportunities. The project site is located in an identified gateway area, with General Plan policies to promote intensification of the existing office and hotel uses on the site (see Section 4.11 Land Use and Planning). Consistent with the existing site General Plan land use designation and policies, the proposed 180,000-square-foot office building is estimated to support approximately 720 employees.[113] The increase in jobs from the proposed project would incrementally decrease the current jobs to housing imbalance within the City. Because the proposed project is consistent with the land use and development assumptions identified for the site in the General Plan, the associated increase jobs from the proposed project were assumed in the General Plan and, therefore, do not constitute unplanned population growth. For these reasons, the project would have a less than significant impact on population and housing in East Palo Alto. **(Less than Significant Impact)**

Impact POP-2:	The project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. **(No Impact)**

The proposed project is located on an infill site currently developed with three office buildings, a hotel building and parking. No housing is provided on the project site. Therefore, the project would not displace housing.

As discussed under Impact POP-1, the project would result in an increase of approximately 720 employees on the project site.[114] It is anticipated that some of these employees may already live near the project site or choose to commute to work and some may choose to relocate closer to the project site increasing demand for housing in East Palo Alto. Increased housing demand could result in indirect displacement of current residents. The California Department of Finance estimates there were 7,917 housing units in East Palo Alto in 2020.[115] The San Francisco Peninsula is experiencing

[113] Hexagon Transportation Consultants. *Traffic Impact Analysis Report, University Circle Phase II Project, East Palo Alto, California*. August 9, 2021.
[114] Hexagon Transportation Consultants. *Traffic Impact Analysis Report, University Circle Phase II Project, East Palo Alto, California*. August 9, 2021.
[115] California Department of Finance. *E-5 Population and Housing Estimates,* May 2021.

a severe housing shortage, which is increasing housing prices.[116] East Palo Alto has a large number of renter households, which tend to be more susceptible to involuntary displacement than owners.[117] According to a Housing Needs Assessment prepared for the proposed project by BAE and included as Appendix G to this EIR, recent housing cost increases in East Palo Alto have generally tracked housing cost increases in the County overall, which suggests that displacement pressures are largely the result of regional housing market trends and East Palo Alto's position within the regional housing market, rather than individual projects that add employment at the scale anticipated from the Project.[118] The estimated direct, indirect, and induced housing that the project would generate could potentially be accommodated through absorption of residential units through the course of typical annual turnover or through absorption of a portion of units in the development pipeline. The projected housing needed for the estimated direct, indirect, and induced jobs from development of the project is within the range of recent and projected future growth in San Mateo and Santa Clara Counties and would represent a minimal increase in the number of households in the region. The amount of employment growth that the project would generate is minimal in relation to the amount of growth that was necessary to drive recent housing cost increases in the region. To the extent that employment growth from the project may have a marginal impact on housing demand and resulting displacement pressures in the region, these impacts are likely to be partially counteracted by new housing unit production and local policies and programs that help to address displacement pressures.[119] For these reasons, increased demand from the project's 720 new employees would not cause substantial displacement of existing East Palo Alto residents. **(No Impact)**

4.13.2.2 *Cumulative Impacts*

Impact POP-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant population and housing impact. **(Less than Significant Cumulative Impact)**

The geographic area for cumulative population and housing impacts is the City of East Palo Alto. The proposed project, which is consistent with the General Plan, would not result in unplanned growth or displacement of people or housing. The proposed project would incrementally improve the City's jobs to housing ratio. Improving the City's jobs-housing ratio would reduce secondary population and housing impacts (e.g., traffic, air quality, and GHG emissions). For these reasons, the project would not contribute to a significant cumulative population and housing impact. **(Less than Significant Cumulative Impact)**

[116] Metropolitan Transportation Commission. *Plan Bay Area 2040.* July 26, 2017.
[117] City of East Palo Alto. *Vista 2035 East Palo Alto General Plan, Housing Element.* October 4, 2016.
[118] BAE Urban Economics. Housing Needs Assessment and Displacement Assessment Report for University Circle Phase II. September 28, 2021.
[119] Ibid.

4.14 PUBLIC SERVICES

4.14.1 Environmental Setting

4.14.1.1 *Regulatory Framework*

State

Government Code Section 66477

The Quimby Act (included within Government Code Section 66477) requires local governments to set aside parkland and open space for recreational purposes. It provides provisions for the dedication of parkland and/or payment of fees in lieu of parkland dedication to help mitigate the impacts from new residential developments. The Quimby Act authorizes local governments to establish ordinances requiring developers of new residential subdivisions to dedicate parks, pay a fee in lieu of parkland dedication, or perform a combination of the two.

Government Code Section 65995 through 65998

California Government Code Section 65996 specifies that an acceptable method of offsetting a project's effect on the adequacy of school facilities is the payment of a school impact fee prior to the issuance of a building permit. Government Code Sections 65995 through 65998 set forth provisions for the payment of school impact fees by new development by "mitigating impacts on school facilities that occur (as a result of the planning, use, or development of real property" (Section 65996[a]). The legislation states that the payment of school impact fees "are hereby deemed to provide full and complete school facilities mitigation" under CEQA (Section 65996[b]).

Developers are required to pay a school impact fee to the school district to offset the increased demands on school facilities caused by the proposed residential development project. The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code.

Regional and Local

Vista 2035 East Palo Alto General Plan

Various policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating impacts to public services resulting from planned development within the City, including the following:

Policy	Economic Development
3.1	New development. Require new development to pay its fair share of required improvements to public facilities and services through impact fees or other financial and regulatory mechanisms.
3.3	Supporting infrastructure and public services. Require new development projects to provide supporting infrastructure and public services that contribute to an overall improvement in the quality of life in the City.

Policy	Infrastructure, Services, and Facilities
5.1	Impact fees. Collect nexus-based impact fees that mitigate the cost of providing infrastructure and public facilities to serve new development.
7.10	Libraries. Coordinate with San Mateo County to provide library services for the community, aiming to provide approximately 750 square feet of equipped and staffed library space per 1,000 residents.
10.3	Fire and emergency services. Continue to coordinate with MPFPD to ensure excellent fire and emergency services.
10.4	Excellent police service. Strive to continuously improve the performance and efficiency of the East Palo Alto Police Department.

Policy	Transportation
1.5	Coordination with public safety. Ensure that the Menlo Park Fire Protection District (MPFPD) and the City's Police Department review construction plans for roadway modifications, internal circulation, and establish, if needed, temporary alternative emergency routes to be used the duration of any construction project. During design review, ensure that roads and driveways are established that meet applicable code requirements for emergency access, including potentially including signal preemption mechanisms. Ensure that the MPFPD reviews related building plans for compliance with the Fire Code and establishes a future inspection schedule for continued compliance. Continue the existing practice of informing the MPFPD and the Police Department of projects and proactively engaging with the MPFPD and the Police Department through the Development Review Committee (DRC) and the plan check process.

Policy	Parks, Open Space, and Conservation
1.1	New parks and open space. Maintain a park standard of 3 acres per 1,000 residents. Undertake a program to add 79 acres of new formalized park spaces, prioritizing the areas of the City currently underserved by parks (Weeks, Kavanaugh, Willow, and Woodland).

4.14.1.2 *Existing Conditions*

Fire Protection Services

MPFD provides fire protection and emergency medical services to the City of East Palo Alto as well as the City of Menlo Park and the Town of Atherton.[120] The MPFD responds to approximately 8,500 emergencies a year with approximately 60 percent of the emergencies being emergency

[120] Menlo Park Fire District. "About the Fire District." Accessed December 3, 2020. Available at: https://www.menlofire.org/about-the-fire-district.

medical incidents. Additionally, the MPFD is part of the greater San Mateo County boundary-drop plan whereby the closest apparatus responds to each emergency services call.

The MPFD has seven stations that are strategically placed to provide the most efficient response times. The closest MPFD station to the project site is Station 2, which is located at 2290 University Avenue approximately 0.5-mile north of the site. Station 2 was recently rebuilt with a new fire station approximately three times the size of the original Station 2.[121] Station 2 is currently manned by seven personnel (two captains, four firefighters, and one Battalion Chief) per shift. Of the seven personnel on duty, two of them are licensed paramedics providing Advanced Life Support. Station 2 is the busiest fire station in the District and San Mateo County. In 2018, the MPFPD responded to a total of 2,630 incidents (MPFPD, 2018). The MPFPD's Fire Board has adopted time and response standards under Board Resolution 1818 to be on-scene of any incident within seven minutes 90 percent of the time. Seven minutes includes one minute for dispatch, up to two minutes for turnout time and four minutes for response or drive time and 11 minutes for all units to arrive on-scene of any major emergency at a first alarm assignment.

Police Protection Services

The East Palo Alto Police Department (EPAPD) provides police services in the City of East Palo Alto.[122] The EPAPD patrols four beats in the City. EPAPD headquarters are located at 141 Demeter Street, approximately 0.94-mile northeast of the project site.

Schools

The project site is located within the Ravenswood City Elementary School District and the Sequoia Union High School District.[123] The Ravenswood City Elementary School District operates five K-8 schools and one middle school.[124] The closest Ravenswood City Elementary School District school to the project site is Willow Oaks Elementary School, located at 620 Willow Road, approximately 0.68-mile west of the project site. The Sequoia Union High School District operates seven high schools and one adult school.[125] The closest high school to the site is the East Palo Alto Academy, located approximately 0.48-mile northeast of the project site at 1050 Myrtle Street.

Parks

The City of East Palo Alto owns and maintains eight parks and contains 225 acres of the Don Edwards San Francisco Bay National Wildlife Refuge.[126] The park closest to the project site is Bell

[121] San Jose Mercury News. "Menlo Park: Fire district on track to replace seven stations in 10 years." Accessed December 3, 2020. Available at: https://www.mercurynews.com/2016/03/16/menlo-park-fire-district-on-track-to-replace-seven-stations-in-10-years/.
[122] City of East Palo Alto. "Police Department." Accessed October 14, 2021. Available at: https://www.ci.east-palo-alto.ca.us/police.
[123] Great Schools. "School and District Boundaries Map." Accessed October 14, 2021. Available at: https://www.greatschools.org/school-district-boundaries-map/
[124] Ravenswood Elementary School District. "Schools." Accessed October 14, 2021. Available at: http://www.ravenswoodschools.org/Schools/index.html.
[125] Sequoia Union High School District. "Schools." Accessed October 14, 2021. Available at: https://www.seq.org/SCHOOLS/index.html
[126] City of East Palo Alto. "City Parks." Accessed October 14, 2021. Available at: https://www.ci.east-palo-alto.ca.us/parksrec

Street Park, approximately 0.25-mile north of the project site. Bell Street Park features a jump house area, grass area, and skate park.

Libraries

East Palo Alto Library is part of the San Mateo County Libraries system.[127] East Palo Alto Library is located approximately 0.84-mile north of the site on 2415 University Avenue. Library features include book rentals, computer services, wireless internet, and access to 3D printers.

4.14.2 Impact Discussion

For the purpose of determining the significance of the project's impact on public services, would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

1) Fire protection?
2) Police protection?
3) Schools?
4) Parks?
5) Other public facilities?

4.14.3 Thresholds of Significance

Unlike utility services, public services are provided to the community as a whole, usually from a central location or from a defined set of nodes. The resources base for delivery of the services, including the physical service delivery mechanisms, is financed on a community-wide basis, usually from a unified or integrated financial system. The service delivery can be provided by a city, county, service, or other special district. Usually, new development will create an incremental increase in the demand for these services. The amount of the demand will vary widely, depending on both the nature of the development (residential vs. industrial, for instance) and the type of services, as well as on the specific characteristics of the development (such as senior housing vs. family housing). The impact of a particular project on public services and facilities is generally a fiscal impact. By increasing the demand for a type of service, a project could cause an eventual increase in the cost of providing the service (more personnel hours to patrol an area, additional fire equipment needed to service a tall building, etc.).

CEQA does not require analysis of fiscal impacts. Instead, impacts to public services and facilities are discussed based on the project's increased demand on facilities (such as a school or fire station), and potential to result in need for construction of a new facility which would have physical effects on the environment.

[127] San Mateo County Libraries. "East Palo Alto." Accessed October 14, 2021. Available at: https://smcl.org/

4.14.3.1 *Project Impacts*

Impact PS-1:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection services. **(Less than Significant Impact)**

According to the General Plan EIR, MPFPD has adequate capacity to serve development allowed under the General Plan and would not require construction of new fire stations or significant expansion of existing stations or other facilities.[128] Since the proposed project is consistent with the development assumptions for the site, provision of new or physically altered governmental facilities would not be required. Additionally, the proposed project would include construction of a 186,000-gallon fire water tank and pump within the below-grade parking garage which would provide sufficient fire water supply and pressure to serve the proposed project. For these reasons, impacts to fire protection and emergency services would be less than significant. **(Less than Significant Impact)**

Impact PS-2:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police protection services. **(Less than Significant Impact)**

Implementation of the proposed project would intensify use of the project site and incrementally increase demand for police protection services compared to existing conditions. As discussed in the General Plan EIR, EPAPD does not have any immediate needs to expand existing or construct new police protection facilities. The project would be required to be maintained in accordance with applicable City policies to promote public and property safety (Economic Development Policy 3.1 and Policy 3.3, and Transportation Policy 1.5). The project is consistent with the General Plan development assumptions, therefore, consistent with the General Plan EIR, development of the project would not result in a significant impact to police protection services. **(Less than Significant Impact)**

Impact PS-3:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for schools. **(No Impact)**

[128] City of East Palo Alto. Draft Environmental Impact Report City of East Palo Alto General Plan Update. April 2016. Page 4.13.15

The proposed construction of an office building would not result in an increase of students. Project implementation, therefore, would not impact existing school services or result in the need for new or physically altered schools in the project area. **(No Impact)**

Impact PS-4:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for parks. **(Less than Significant Impact)**

According to the General Plan, the City has an overall parkland deficit of 56 acres based on the goal of three acres per 1,000 residents.[129] Employees of the proposed project may use Bell Street Park (or others in the vicinity, such as the Bay Trail, Cooley Landing, or Jack Farrell Park) during breaks or before or after work. The incremental increase in usage of these facilities by future employees would not be substantial enough to require new or physically altered parks in the project area which would cause significant environmental impacts. Nonetheless, the proposed project would be required to pay the Citywide parks and trails impact fee toward new parks and needed improvements to existing parks within the City. For these reasons, the proposed project would not result in the need for new or physically altered parks in the project area. **(Less than Significant Impact)**

Impact PS-5:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for other public facilities. **(Less than Significant Impact)**

As discussed in Impact PS-1, PS-2, PS-3, and PS-4, the project would not result in the need for new or physically altered fire, police, park, or school facilities. Other public facilities which future employees could utilize include community centers and libraries. As noted in the Project Description, the project includes 2,940 square feet of community space within the proposed office building. For this reason, the proposed project would not require the provision of new or physically altered community center facilities. The environmental impacts associated with provision of community space on-site are discussed throughout this EIR.

The San Mateo County Libraries system limits lending services to San Mateo County residents.[130] Since the project does not include residential uses and would not increase the number of residents in the area, the project would not generate a substantial increase in the number of library users such that it would result in physical deterioration of existing library facilities or require development of

[129] City of East Palo Alto. City of East Palo Alto Vista 2035 General Plan. March 2017. Page 1-6.
[130] County of San Mateo Libraries. "Card Services." Accessed July 30, 2021. https://smcl.org/card-services/

new library facilities. For these reasons, the project would not have an adverse impact on the City's library services or other public facilities. **(Less than Significant Impact)**

4.14.3.2 *Cumulative Impacts*

Impact PS-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant public services impact. **(Less than Significant Cumulative Impact)**

The geographic area for a cumulative public services impact is within the boundaries of the City of East Palo Alto. The cumulative projects (including the proposed project) in East Palo Alto analyzed in this Draft EIR could result in an additional need for fire and police services as the population increases. The expansion of existing public facilities or construction of new facilities to serve projects in the cumulative scenario would be subject to CEQA review and the policies and requirements of the General Plan and Municipal Code. Consistent with the General Plan Transportation Policy 1.5, Coordination with Public Safety, the MPFD would complete plan review to ensure the cumulative projects would be accessible and meet the fire codes and access requirements during construction and operation.

The proposed office development does not include new residences. The project would, therefore, not contribute to cumulative school impacts. While employees of the office development may use nearby parks and trails during breaks, and before, or after work, the project would not result in permanent new residents that would substantially increase park use such that physical deterioration would occur or provision of new parks would be necessary. The project would not substantially contribute to the cumulative impacts to parks in the area. Additionally, future employees at the proposed office project would have access to existing open space on the project site in addition to existing public facilities. For these reasons, and cumulative impacts to public services and recreational facilities would be less than significant. **(Less than Significant Cumulative Impact)**

4.15 RECREATION

4.15.1 Environmental Setting

4.15.1.1 *Regulatory Framework*

State

Government Code Section 66477

The Quimby Act (included within Government Code Section 66477) authorizes local governments to impose fees or dedication of land on projects for recreational purposes. In addition, the Quimby Act authorizes local governments to establish ordinances requiring developers of new residential subdivisions to dedicate parks, pay a fee in lieu of parkland dedication, or perform a combination of the two.

Vista 2035 East Palo Alto General Plan

Various policies in the City's General Plan have been adopted for the purpose of avoiding mitigating recreation impacts resulting from planned development within the City, including the following:

Policy	Parks, Open Space, and Conservation
1.1	New parks and open space. Maintain a park standard of 3 acres per 1,000 residents. Undertake a program to add 79 acres of new formalized park spaces, prioritizing the areas of the City currently underserved by parks (Weeks, Kavanaugh, Willow, and Woodland).
1.8	Parks and open spaces. Establish a range of parks and open spaces, including tot lots, neighborhood parks, plazas/greens, and/or greenways/parkways within all new Neighborhoods, Centers and Districts.
3.1	Commercial and residential park impact fees. Adopt a Nexus Study Impact Fee so that commercial and residential development contributes its fair share toward capital improvements, operations, and maintenance of parks and recreational facilities.
Policy	**Health and Equity**
3.1	Parks and open space. Encourage the City to create safe and attractive places for recreation and exercise. This policy is implemented through the Parks and Open Space Element of the General Plan.

4.15.1.2 *Existing Conditions*

The City of East Palo Alto owns and maintains eight parks and contains 225 acres of the Don Edwards San Francisco Bay National Wildlife Refuge.[131] The park closest to the project site is Bell

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[131] City of East Palo Alto. "City Parks." Accessed October 14, 2021. Available at: https://www.ci.east-palo-alto.ca.us/parksrec

Street Park, approximately 0.25-mile north of the project site. Bell Street Park features a jump house area, grass area, and skate park.

Protected open space near East Palo Alto includes Ravenswood Open Space Preserve, owned and managed by the Midpeninsula Regional Open Space District. The 376-acre preserve is comprised of two noncontiguous areas located north and south of the Dumbarton Bridge and adjacent to San Francisco Bay. Cooley Landing Park and Education Center within the Ravenswood Preserve is located approximately 1.45-mile northeast of the project site.

There are two recreational trails in East Palo Alto: the San Francisco Bay Trail and the San Francisquito Creek Trail. The San Francisco Bay Trail, a pedestrian and bicycle regional trail system, is located approximately 0.9-mile northeast of the project site. The Bay Trail is a multi-use public recreation corridor located along the San Francisco and San Pablo Bays. There are two sections of the trail within the City of East Palo Alto. The northern section of the trail runs along portions of the Ravenswood Open Space Preserve to Bay Road. The southern section connects O'Connor Street to Weeks Street. To connect the Ravenswood Open Space Preserve to University Avenue, the City worked with the MidPeninsula Open Space District to extend the trail through a Southern Pacific easement immediately north of the University Village neighborhood. The Bay Trail connection now extends to the existing trail in the Ravenswood Open Space Preserve. The Bay Trail connection was completed and opened to the public in August 2020.[132]

The San Francisquito Creek Trail is pedestrian/bicycle trail located along San Francisquito Creek and extends from Palo Alto Baylands Preserve to the area approximately 250 feet east of East Bayshore Road. The San Francisquito Creek Trail is located approximately 0.9 miles southeast of the project site.

4.15.2 Impact Discussion

For the purpose of determining the significance of the project's impact on recreation:

1) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
2) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

4.15.2.1 *Project Impacts*

Impact REC-1:	The project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. **(Less than Significant Impact)**

[132] MidPeninsula Open Space District. "Ravenswood Bay Trail Project." Accessed March 25, 2021. https://openspace.org/our-work/projects/ravenswood-bay-trail

Unlike residential development, which increases City population and associated demand on City parks, the proposed office development would not create demand for more parks within the City. While employees of the proposed project may use Bell Street Park (or others in the vicinity, such as the Bay Trail, Cooley Landing, or Jack Farrell Park) during breaks or before or after work, the incremental increase in use would not result in the deterioration of these facilities. Furthermore, future employees would have access to existing on-site open space areas and the project would be required to pay the Citywide parks and trails impact fee toward new parks and needed improvements to existing parks within the city. For these reasons, the proposed project would not result in the need for new or physically altered parks in the project area. **(Less than Significant Impact)**

Impact REC-2:	The project does not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. **(No Impact)**

The proposed office building does not include recreational facilities. As discussed in Impact REC-1 above, employees may use parks and recreational facilities in the project area during breaks or before or after their shifts. However, usage of these facilities by future employees would not be substantial enough to require the construction of new recreational facilities or expansion of existing recreational facilities, resulting in significant environmental effects. For these reasons, the project would not result in impacts due to the construction or expansion of recreational facilities. **(No Impact)**

4.15.2.2 *Cumulative Impacts*

Impact REC-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant recreation impact. **(Less than Significant Cumulative Impact)**

The geographic area for cumulative park/recreational facility impacts is the City of East Palo Alto. According to the General Plan EIR, the City currently does not meet its standard of three acres of parkland per 1,000 residents.[133] The proposed office development does not include new residences. While employees of the office development may use nearby parks during breaks, and before or after work, as discussed in Section 4.13, Population and Housing, the project would not result in new permanent residents that could substantially increase park use such that physical deterioration would occur or substantially contribute to cumulative park impacts in the area. Future residential projects would be required to dedicate parkland and/or pay in lieu fees to reduce the cumulative parks impacts consistent with Municipal Code Section 13.28.040. For these reasons, cumulative impacts to recreational facilities would be less than significant. **(Less than Significant Cumulative Impact)**

[133] City of East Palo Alto. *East Palo Alto General Plan Update Draft Environmental Impact Report.* April 2016.

4.16 TRANSPORTATION

The following discussion is based, in part, on a Transportation Analysis prepared by Hexagon Transportation Consultants on May 14, 2021. This report is attached as Appendix H to this Draft EIR.

4.16.1 Environmental Setting

4.16.1.1 *Regulatory Framework*

State

Regional Transportation Plan

MTC is the transportation planning, coordinating, and financing agency for the nine-county San Francisco Bay Area, including San Mateo County. MTC is charged with regularly updating the Regional Transportation Plan, a comprehensive blueprint for the development of mass transit, highway, airport, seaport, railroad, bicycle, and pedestrian facilities in the region. MTC and ABAG adopted Plan Bay Area 2040 in July 2017, which includes a Regional Transportation Plan to guide regional transportation investment for revenues from federal, state, regional and local sources through 2040.

Senate Bill 743

SB 743 establishes criteria for determining the significance of transportation impacts using a vehicle miles traveled (VMT) metric intended to promote reduction of GHG emissions, development of multimodal transportation networks, and a diversity of land uses. Specifically, SB 743 requires analysis of VMT in determining the significance of transportation impacts. Local jurisdictions were required by Governor's Office of Planning and Research (OPR) to implement a VMT policy by July 1, 2020.

SB 743 did not authorize OPR to set specific VMT impact thresholds, but it did direct OPR to develop guidelines for jurisdictions to utilize. CEQA Guidelines Section 15064.3(b)(1) describes factors that might indicate whether a development project's VMT may be significant. Notably, projects located within 0.50 mile of a major transit stop should be considered to have a less than significant transportation impact based on OPR guidance.

Regional and Local

Congestion Management Program

The City/County Association of Governments of San Mateo County (C/CAG) oversees the area's Congestion Management Program (CMP), which identifies strategies to respond to future transportation needs, development procedures to alleviate and control congestion, and promotes countywide solutions to congestion issues. State legislation requires that urbanized counties in California prepare a CMP in order to alleviate and control congestion and promotes countywide solutions to congestion issues. State legislation requires that urbanized counties in California prepare a CMP in order to obtain their share of increased gas tax revenues. The legislation requires that each CMP contain the following elements: 1) a system definition and traffic level of service

standard element; 2) a transit service and standard element; 3) a trip reduction and transportation demand management element; 4) a land use impact analysis program element; and 5) a capital improvement element.

Vista 2035 East Palo Alto General Plan

Various policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating transportation/traffic impacts resulting from planned development within the City, including the following:

Policy	Transportation
2.1	Accommodating all modes. Plan, design, and construct transportation projects to safely accommodate the needs of pedestrians, bicyclists, transit riders, motorists, people with disabilities, and persons of all ages and abilities.
2.2	University Avenue. As the main transportation spine of East Palo Alto, ensure that any future redesign of University Avenue includes improvements for all modes of travel, focusing on its local functions as a community centerpiece for local activity and travel. Design options could include buffered and painted bicycle lanes, streetscape improvements, such as benches and pedestrian scale lighting, and mid-block crossings, reversible lanes, and the reintroduction of on-street parking. The City shall maintain control of University Avenue (not Caltrans).
3.3	Pedestrian network. Create a safe, comfortable, and convenient pedestrian network that focuses on a) safe travel; b) improving connections between neighborhoods and commercial areas, and across existing barriers; c) providing places to sit or gather, pedestrian-scaled street lighting, and buffers from moving vehicle traffic; and d) includes amenities that attract people of all ages and abilities.
4.1	Bicycle Network. Improve facilities and eliminate gaps along the bicycle network to connect destinations across the city and create a network of bicycle facilities along multiple types that connect to neighboring cities, including a path along Newell Road between Highway 101 and San Francisquito Creek. The network should facilitate bicycling for commuting, school, shopping and recreational trips by riders of all ages and levels of experience.
4.6	Bicycle parking standards. Require large public and private development projects to provide sufficient bicycle parking, shower and locker facilities.
5.4	Access to transit. Provide connecting bicycle and pedestrian infrastructure and amenities to improve access to transit stations and stops and encourage new development projects near transit to improve transit stop amenities.
5.5	Transit stops. Support the installation of transit stop amenities, including shelters, benches, real-time information panels, lighting, bike parking, bike sharing stations, etc.
5.6	Local transportation services. Create or partner with transit provers, employers, educational institutions, major commercial entities and event organizers to improve local transportation services including developing discount transit pass programs for groups such as students.
6.2	Parking requirements. Maintain efficient parking standards that consider the effect on demand due to various contextual conditions such as parking prices, transportation

	demand management strategies, transit accessibility, walkability, and bikeability. Study establishing a density bonus program for developments that utilize mechanized parking lifts.
6.3	Off-Street Parking. Ensure that off-street parking is properly designed and used efficiently.
7.1	Automobile Level of Service Standards. Improve the East Palo Alto circulation system roadways in concert with land development to maintain adequate LOS for automobile travel. Automobile LOS performance can be measured using a volume-to-capacity (V/C) ratio. V/C ratios are calculated based on existing or future average daily traffic (ADT) volumes and daily capacity values for various types of roadways. A level of service scale is used to evaluate roadway performance based on V/C ratios. These levels range from "A" to "F", with LOS A representing free flow conditions and LOS F representing severe traffic congestion. Descriptions of traffic flow for the different levels of service are provided in Table 6-4 Standards for Roadway Level of Service. The performance criteria for evaluating volumes and capacities of the East Palo Alto roadway system is LOS D. At a signalized intersection, an impact is considered significant if it causes operations to degrade from LOS D or better to LOS E or F; or exacerbates LOS E of F conditions by increasing critical delay by >4 seconds and increasing volume to capacity ration (V/C ratio) by 0.01; or increases the V/C ratio by >0.01 at an intersection that exhibits unacceptable operations, even if the calculated LOS is acceptable. At an un-signalized intersection, an impact is considered significant if it: causes operations to degrade from LOS D or better to LOS E or F; or exacerbates LOS E or F conditions by increasing control delay; or causes volumes under project conditions to exceed the Caltrans Peak Hour Volume Warrant Criteria. Where the City determines that proposed development projects will cause LOS standards to be exceeded, appropriate mitigation will be required to improve roadways to meet LOS standards.
7.2	Updating Transportation Performance Measures. Update the transportation performance measures in the Transportation Element, including Automobile Level of Service standards, once the State of California has amended the California Environmental Quality Act Guidelines to implement Senate Bill 743's requirements to provide an alternative to automobile Level of Service for evaluating transportation impacts (see California Public Resources Code Section 21099(b)(1).). Additionally, designate appropriate infill opportunity zones in East Palo Alto, within which the automobile Level of Service standards prescribed by the California Government Code Section 65089 shall not apply (see Government Code Section 65088.1 and 65088.4).
7.3	Multimodal transportation impact fee. Adopt a transportation impact fee for new development that raises funds for improving all modes of transportation.
8.1	Transportation Demand Management (TDM). Promote effective TDM programs to reduce travel demand from existing and new development, shifting trips to alternative modes. Regularly update the TDM ordinance to establish effective requirements that reduce travel demand from existing and new development. Require projects to implement TDM programs, as defined in the TDM ordinance.
Policy	**Safety and Noise**
4.4	Transportation safety. Minimize transportation accidents by considering pedestrian safety in all land use decisions and working closely with CHP, Caltrans, SamTrans, and other relevant agencies to identify safety problems and implement corrective measures.

Policy	Westside Area Plan
6.7	Parking Frontage. Whenever possible, locate parking and vehicle areas in the Westside behind or under buildings, and should not be located on street corners.
6.9	Garage and driveway entries. Limit the number of new garage entries and driveway curb cuts crossing the sidewalk to encourage a more complete and comfortable pedestrian environment in the Westside.
6.11	Loading docks and service access. Ensure that loading docks and service entrances in the Westside are screened from the right-of-way and adjacent properties; are accessed via alleys, side streets, or service access driveways; and are internal to the building envelope and equipped with closable doors to improve the aesthetics of the public realm and limit noise.
7.6	University Circle integration. Seek opportunities to better integrate the University Circle area into the surrounding neighborhoods, including through new street and pedestrian connections, more pedestrian-focused streetscape and façade design, better public access into and across the site, and better crossings of adjacent streets.
9.1	New Street connections. Should redevelopment occur, establish new street connections across existing large blocks, whenever possible, prioritizing connections in the following locations… into and through University Circle.
9.2	Safe pedestrian network. Develop a safe pedestrian network through the Westside, including regular sidewalks, consistent sidewalks, traffic calming where necessary, special crossing treatments in areas of high pedestrian traffic, and better access across University Avenue and Highway 101.
9.3	Safe bicycle network. Implement a safe, complete and well-connected bicycle network through the Westside, emphasizing connections to the existing bicycle networks in Menlo Park, Palo Alto, and the rest of East Palo Alto
9.5	Complete Streets. Implement the concepts of Complete Streets, balancing the needs of automobiles, cyclists, pedestrians, and transit as appropriate when improving streets or creating new streets.
9.6	Sidewalks. Ensure sidewalks are provided on both sides of all streets in the Westside, with wider sidewalks in retail areas, and replace and repair missing sidewalks.
9.7	Pedestrian crosswalks. Provide better and more frequent pedestrian crosswalks, with special priority treatments such as bulbouts, elevated crosswalks, in-pavement markers or texture, or high-visibility crosswalks in areas with high levels of pedestrian activity.
9.9	Improve access across Highway 101. Complete a new pedestrian bridge over Highway 101 at Newell Road. Establish a new connection across Highway 101 north of University Avenue, either by re-opening and improving the existing pedestrian underpass or by constructing a new bridge over the freeway.
9.11	University Avenue crossings. Improve pedestrian crossings of University Avenue at Woodland Avenue and at the freeway interchange in order to improve transportation safety and enable improved pedestrian connections from the Westside.
9.12	University Avenue overpass. Fully implement safe bicycle and pedestrian facilities on the University Avenue overpass of Highway 101, ensuring that bicycle facilities are integrated with the bicycle network on either side of the overpass.

10.1	Parking for new development. Ensure an appropriate supply of parking for new development.
10.3	Off-street parking allocation. Work with building owners to provide a fair, efficient, consistent, and integrated approach to allocating parking spaces to tenants. Work with property owners and managers to improve the parking situation for existing residents.
10.4	Increase opportunities for residents parking. Seek opportunities to ensure an adequate supply of parking for residents and visitors on the Westside including: • Constructing public parking lots or garages • Providing incentives for new projects to provide additional parking spaces as part of the project for existing residents and visitors. • Encouraging all existing and new non-residential development to allow residents to park in parking lots during non-business hours.
10.5	Transportation demand management. Encourage efforts to reduce transportation demand and trip generation, and require significant transportation demand management planning as part of any future master planning process in the Westside.

City of East Palo Alto Municipal Code

The City of East Palo Alto Municipal Code Chapter 10.32, Transportation System Management Plan (TSM), outlines requirements for TSM programs based on the number of employees, with thresholds for employer program requirements at 25 and 100 employees and was adopted with the following purposes:

- To reduce peak hour traffic congestion in the city, county, and surrounding region by reducing the number of vehicular trips and vehicular miles travelled related to work travel;
- To reduce vehicular emissions, energy usage, and ambient noise levels as a result of fewer vehicle trips, fewer vehicle miles travelled, and reduced traffic congestion;
- To achieve, as an initial goal, a twenty-five (25) percent participation rate by employees who work in the City in alternatives to single-occupancy vehicle commuting during weekday peak hours. The City will periodically reevaluate this goal in conjunction with the countywide TSM program and will revise it upward when warranted by traffic conditions and demonstrated results of the TSM program.

This chapter of the Municipal Code outlines requirements for TSM programs based on the number of employees, with thresholds for employer program requirements at 25 and 100 employees (refer to Municipal Code section 10.32.040, Trip Reduction Program).

On June 1, 2021, City Council adopted a resolution to repeal the existing Chapter 10.32 of the East Palo Alto Municipal Code and enact a new Chapter 10.32 establishing a transportation demand management (TDM) ordinance. The new TDM ordinance requires nonresidential developments approved after January 1, 2022, to achieve a 40 percent reduction in daily vehicle trips and existing developments with 100 or more employees to submit TDM plans that demonstrate how the worksite will achieve a 40 percent reduction in average daily trips. The proposed project would be subject to the new TDM ordinance if approved after January 1, 2022.

City of East Palo Alto Vehicle Miles Traveled Policy

Consistent with Senate Bill 743 (SB743), the City of East Palo Alto adopted a new transportation analysis policy in July 2020 that establishes the thresholds for transportation impacts under CEQA based on vehicle miles traveled (VMT) instead of level of service (LOS). Under this policy, beginning July 7, 2020, all new projects are required to analyze transportation impacts using the VMT metric.

The City's VMT policy identifies a citywide average home-based VMT per capita for existing residential land uses and a citywide average home-based work trip VMT per employee for existing employment uses. For residential and office projects, the City of East Palo Alto's significance threshold is 15 percent below that of existing home-based work trip VMT per employee for office developments.

City of East Palo Alto Bike Master Plan

The East Palo Alto Bicycle Transportation Plan, adopted in 2011, was created to reflect the goals and policies of the 1999 General Plan and Bay Access Master Plan and improve the overall community health through improved air-quality and by helping people stay physically fit. The plan embraces a reduction in greenhouse gas emissions and advocated for connectivity of schools with residential areas, shoppers with businesses, and commuters to employment centers.

4.16.1.2 *Existing Conditions*

Regional Roadway Access

Regional access to the project site is provided by U.S. 101 and Bayfront Expressway (State Route 84), as described below.

U.S. 101 is a north-south freeway in the vicinity of the project site. U.S. 101 extends northward through San Francisco and southward through San José. Within East Palo Alto, U.S. 101 has three general-purpose travel lanes, one high-occupancy vehicle (HOV) lane, and one auxiliary lane in each direction. Access to and from the project study area is provided via full-access interchanges at Embarcadero Road and at University Avenue.

Bayfront Expressway (SR84) is a six-lane expressway that extends along the northern edge of East Palo Alto. SR 84 extends eastward across the Dumbarton Bridge into Alameda County and westward through San Mateo County. Bayfront Expressway provides access to the project study area via University Avenue.

Local Roadway Access

Local access to the project site is provided via University Avenue, East Bayshore Road, Donohoe Street, Woodland Avenue, and Manhattan Avenue.

University Avenue Is a north-south arterial that extends from Stanford University in Palo Alto to Bayfront Expressway just north of the City of East Palo Alto. Within East Palo Alto, University

Avenue is a four-lane divided roadway with no on-street parking. South of Bay Road, University Avenue has continuous sidewalks on both sides of the street. Between Bay Road and Purdue Avenue, University Avenue has a sidewalk on only one side of the street. The posted speed limit on University Avenue is 25 mph between Woodland Avenue and Notre Dame and 35 mph between Notre Dame and SR84/Bayfront Expressway.

East Bayshore Road is a two-lane north-south frontage road with two disjointed segments directly east of US 101. East Bayshore Road extends southward from Saratoga Avenue near Willow Road to Euclid Avenue, where it becomes Donohoe Street. East of University Avenue, East Bayshore Road extends southward from Donohoe Street to San Antonio Road. East Bayshore Road has continuous sidewalks on the east side of the street with no on-street parking. The posted speed limit on East Bayshore Road is 25 mph.

Donohoe Street is an east-west street that extends from East Bayshore Road in the west to Clarke Avenue in the east. Its classification varies from a local street to a major thoroughfare, while the cross section varies from a two-lane street with on-street parking to a divided six lane street. Donohoe Street has a speed limit of 25 mph.

Woodland Avenue is a two-lane east-west connector street with a small section that widens to four lanes in the vicinity of the project site. Woodland Avenue extends from Middlefield Road in the west to West Bayshore Road in the east. A sidewalk is provided on only the north side of the street. The sidewalk is continuous adjacent to the project site between Manhattan Avenue and University Avenue. West of Manhattan Avenue and east of University Avenue, there are gaps in the sidewalk. Woodland Avenue is a designated bike route with on-street parking allowed on certain segments (e.g. a 125-foot segment on the north side of the street west of Manhattan Avenue). The posted speed limit for Woodland Avenue is 25 mph. Woodland Avenue provides direct access to the project site via a signalized intersection at University Circle.

Euclid Avenue is a north-south street with one travel lane and on-street parking in each direction. The segment north of US 101 functions as a collector street and extends from East Bayshore Road in the south to Runnymede Street in the north. The segment south of US 101 functions as a local street and designated bike route and extends from Woodland Avenue in the south to West Bayshore Road in the north.

Manhattan Avenue is a two-lane collector street. Manhattan Avenue extends from Woodland Avenue to West Bayshore Road. Manhattan Avenue is a designated bike route with sidewalks along both sides of the street. On-street parking is allowed along most sections of Manhattan Avenue. Manhattan Avenue provides access to the below-grade parking garage, the surface parking lot, and the above-grade parking garage on the project site. The below-grade parking garage access is gated and restricted to authorized personnel only.

Existing Pedestrian, Bicycle, and Transit Facilities

Bicycle Facilities

Bicycle facilities include bike paths, bike lanes, and bike routes. Bike paths (Class I facilities) are pathways, separate from roadways that are designated for use by bicycles. Often, these pathways

also allow pedestrian access. Bike lanes (Class II facilities) are lanes on roadways designated for use by bicycles with special lane markings, pavement legends, and signage. Bike routes (Class III) are existing rights-of-way that accommodate bicycles but are not separate from the existing travel lanes. Routes are typically designated with signs and/or shared lane pavement markings, also known as "sharrows".

In the vicinity of the project site, Class II bicycle lanes exist on University Avenue south of Woodland Avenue and north of US 101 between Donohoe Street and the location of the future loop road. Between the future loop road and Bayfront Expressway, there is a bike lane on the west (southbound) side of University Avenue and a separate bikeway on the east side of University Avenue. Bike lanes are present along the entirety of Willow Road with the exception of a short segment between Durham Street and Bay Road where a Class III bike route is provided. Woodland Avenue, Manhattan Avenue, Euclid Avenue, O'Connor Street, West Bayshore Road, Menalto Avenue, and Donohoe Street are all designated as bike routes. Existing bicycle facilities are shown on Figure 4.16-1.

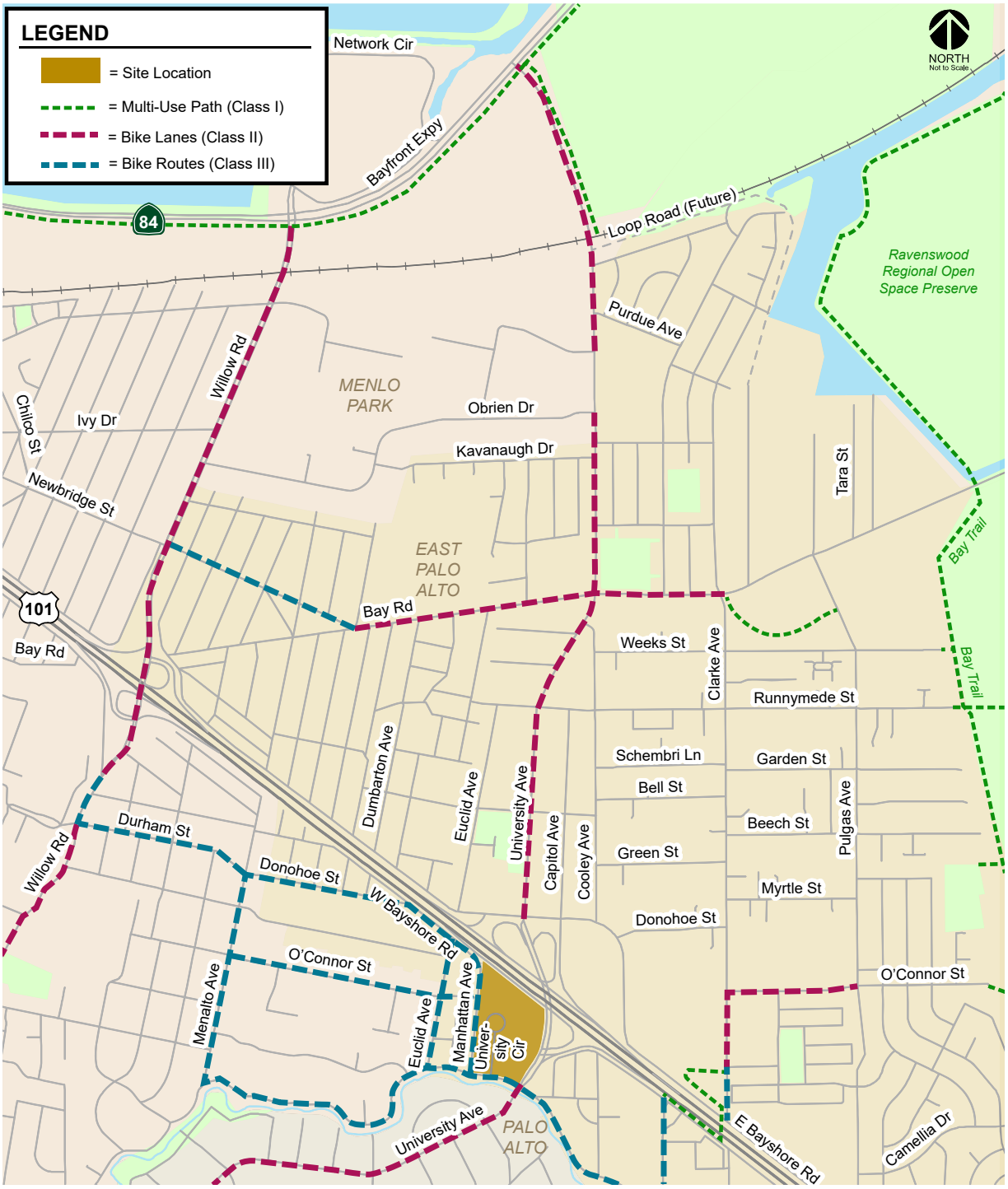
Pedestrian Facilities

Pedestrian facilities consist of sidewalks, crosswalks, and pedestrian signals at signalized intersections. In the vicinity of the project site, sidewalks are provided on both sides of Manhattan Avenue and the north side of Woodland Avenue between Manhattan Avenue and University Avenue. Sidewalks are provided on both sides of University Avenue south of Woodland Avenue and north of Donohoe Street. On the US 101 overcrossing, a sidewalk is available only on the west side of University Avenue.

Crosswalks are found on one or more approaches at most of the signalized study intersections. The intersection of University Circle and Woodland Avenue has a crosswalk on only the north approach. The intersection of University Avenue and Woodland Avenue has a crosswalk on all approaches but the north approach. The intersection of University Avenue and Donohoe Street has crosswalks on all but the south approach. There are no crosswalks at the intersection of University Avenue and the US 101 southbound ramps.

The all-way stop controlled intersection of Manhattan Avenue and Woodland Avenue has a crosswalk on only the east approach. There are no crosswalks available at the following three unsignalized study intersections:

- Euclid Avenue and Woodland Avenue
- Euclid Avenue and East Bayshore Road/Donohoe Street
- US 101 Northbound on-ramp/University Plaza Phase II driveway (future) and Donohoe Street



Source: Hexagon Transportation Consultants, Inc., August 9, 2021.

EXISTING BICYCLE FACILITIES | FIGURE 4.16-1

Transit Facilities

Existing transit services in the study area are provided by the San Mateo County Transit District (Samtrans). The bus stops closest to the project site are at the intersection of Manhattan Avenue and Woodland Avenue and the intersection of University Avenue and Woodland Avenue. Existing transit facilities within the project area are shown in Figure 4.16-1, Samtrans bus service and the locations of the nearest bus stops are described below.

The **81 line** operates on Manhattan Avenue, Euclid Avenue, Woodland Avenue, and University Avenue within the study area, looping throughout East Palo Alto and providing services to Menlo-Atherton High School. The line operates twice in the morning and once in the afternoon on school days only and stops at the Manhattan/Woodland and University/Woodland bus stops.

The **280 line** operates on Manhattan Avenue, Euclid Avenue, Woodland Avenue, and University Avenue within the study area, providing service between the Stanford Shopping Center and East Palo Alto. The line operates with approximately 60-minute headways during the a.m. and p.m. peak periods and stops at the Manhattan/Woodland and University/Woodland bus stops.

The **281 line** operates on University Avenue within the study area, providing service between the Stanford Shopping Center and the Onetta Harris Community Center in the Belle Haven neighborhood of Menlo Park. The line operates with approximately 30-minute headways during the a.m. peak period and 20-minute headways during the p.m. peak period. The closest bus stop is located at the intersection of University Avenue and Woodland Avenue.

The **296 line** operates limited service on University Avenue within the study area between 8:00 p.m. and 7:00 a.m. on weekends and between 10:00 p.m. and 5:00 a.m. on weekdays only, providing service between the Redwood City and Palo Alto Caltrain Stations and East Palo Alto. The closest bus stops are at the intersection of University Avenue and Woodland Avenue.

The **397 line** operates on University Avenue within the study area, providing service between the Palo Alto Caltrain Station and Downtown San Francisco. The line operates only during late night and early morning hours with 60-minbute headways. The bus stops at the intersection of University Avenue and Woodland Avenue.

4.16.2 Impact Discussion

For the purpose of determining the significance of the project's impact on transportation, would the project:

1) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian facilities?
2) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?
3) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
4) Result in inadequate emergency access?

Source: Hexagon Transportation Consultants, Inc., August 9, 2021.

EXISTING TRANSIT FACILITIES | FIGURE 4.16-2

4.16.2.1 *Threshold of Significance*

According to the City's recently adopted VMT policy, a project would have a significant impact on VMT if the following is satisfied:

- For office and retail land use projects, a project exceeding a level of 15 percent below the existing (at the time of policy development) East Palo Alto citywide reference average VMT per employee shall be presumed to cause a significant transportation impact.

4.16.2.2 *Project Impacts*

Impact TRN-1:	The project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian facilities. **(Less than Significant Impact)**

Pedestrian Facilities

Pedestrian facilities in the study area consist of sidewalks, crosswalks, and pedestrian signals at signalized intersections, which serve the residential and commercial uses in the project area and bus stops along Manhattan Avenue and University Avenue.

The project would construct the following pedestrian improvements:

- Construct a new sidewalk along the east side of University Circle, extending from Woodland Avenue to the pedestrian plaza and lobby entrance on the north side of the proposed new office building;
- Construction of a new walkway on the west side of University Avenue extending from the University Avenue/Woodland Avenue intersection to the main entrance lobby on the north side of the building;
- Construction of a new pedestrian access point to the site from the Manhattan Avenue near the existing bus stop;
- Construction of a new pedestrian access point to the site from University Avenue near the planned bike/pedestrian overcrossing of US 101;
- Construct a new sidewalk along Woodland Avenue at the proposed office building frontage separated from the street by a landscape strip.

As noted in Section 4.16.1 Environmental Setting, the General Plan contains policies related to pedestrian facilities. General Plan Transportation Policy 3.3, and Westside Area Plan Policy 9.2 call for the creation of a safe, comfortable, and convenient pedestrian network throughout the city, and in the Westside Area. This is achieved through implementation of Westside Area Plan Policies 6.9, 9.6 and 9.7 which limit the number of driveways and new garage entries that cross sidewalks, ensure sidewalks are provided on both sides of the streets and provide better and more frequent crosswalks in the Westside area. The proposed project would not increase the number of driveways on-site. As noted in the Project Description, the proposed project would construct a new entrance ramp to the expanded below-grade parking garage, however, this ramp would not intersect with any exiting or proposed sidewalks. The proposed project would also construct a new sidewalk along the east side

of University Circle, extending from Woodland Avenue to the proposed office building entrance and two new pedestrian access points to the project site and new office building on University Avenue. These pedestrian improvements would improve pedestrian access to the site and facilitate safe, comfortable, and convenient pedestrian access to the site, consistent with these policies. The pedestrian improvements would not conflict with General Plan Policy 2.2 regarding the potential redesign of University Avenue and would incorporate some of the potential improvements that are contemplated in this policy for the segment of University Avenue adjacent to the project site. Additionally, Westside Area Plan Policies 7.6, and 9.1 call for better integration of the University Circle development into the surrounding neighborhood and improved pedestrian circulation within the site. Consistent with these policies, the project proposes construction of three new pedestrian site access points, one adjacent to the existing bus stop on Manhattan Avenue and two on University Avenue, which would improve access to the site from the residential neighborhood to the west and facilitate improved access through the site and across the Westside area. Westside Area Plan Policy 9.9 calls for the City to complete a new pedestrian bridge over highway 101 at Newell Road. As noted in the Project Description, as a community benefit, independent of the proposed project, the applicant has agreed to grant an easement to the City along the eastern property line from U.S. 101 to Woodland Avenue for development of a planned bike/pedestrian overcrossing and future bike path which will allow for implementation of Westside Area Plan Policy 9.9. Furthermore, the proposed new pedestrian access point to the site at the northeast corner of 1950 University Circle would provide direct access to the site from the future bike/pedestrian overcrossing. For these reasons, the proposed project would not conflict with a program, plan, ordinance, or policy addressing the pedestrian circulation system.

Bicycle Facilities

Designated bicycle facilities within the project vicinity include bike lanes on University Avenue, south of Woodland Avenue and north of Donohoe Street. Woodland Avenue, Manhattan Avenue, Euclid Avenue, O'Connor Street, West Bayshore Road, Menalto Avenue, and Donohoe Street are all designated as bike routes.

As noted in Section 4.16.1 Environmental Setting, the City of East Palo Alto Bicycle Master Plan identifies existing and proposed bicycle facilities in East Palo Alto and sets goals for implementation of planned facilities to increase ridership. As of March 2011, when the Bicycle Master Plan was adopted, 35 percent of the planned bicycle facilities in East Palo Alto were constructed. The most significant missing link in the City's bicycle facilities was and continues to be the overcrossing of U.S. 101 at University Avenue which would reconnect the Westside area to the rest of the City. As discussed in the Project Description and under Pedestrian Facilities above, the applicant has agreed to grant an easement to the City along the eastern property line from U.S. 101 to Woodland Avenue for development of a planned bike/pedestrian overcrossing. Additionally, the project would construct three new public access points to the site (one at the Manhattan Avenue bus stop and two on University Avenue) which would facilitate better bicycle access to and through the site. For this reason, the proposed project would not conflict with the City's Bicycle Master Plan.

General Plan Westside Area Plan Policies 9.3 and 9.12 call for the City to implement a safe, complete, and well-connected bicycle network through the Westside and full implementation of a safe bicycle and pedestrian facilities on the University Avenue overpass of Highway 101. As noted

above, the City of East Palo Alto is currently working with Caltrans on a US 101/University Avenue bike/pedestrian overcrossing. The proposed project would provide an easement for the planned bike/pedestrian overcrossing and a 12-foot-wide bike path that would extend from the planned bike/pedestrian overcrossing along the south and east edges of the site connecting the Manhattan Avenue/Woodland Avenue intersection. The planned bike/pedestrian overcrossing and 12-foot-wide bike path would be funded and constructed by the City of East Palo Alto. Additionally, the project would include bicycle amenities such as bike parking, showers, and lockers that encourage and support workers who bike to and from work. These additions to the existing bicycle transportation network would greatly improve bicycle access to the project area by facilitating travel across US 101. For these reasons, the proposed project would not conflict with a program, plan, ordinance, or policy addressing the bicycle circulation system.

Transit Facilities

Excluding the school-day only and nighttime only bus routes, the study area is served by two SamTrans bus routes with a total of three to four buses that stop within walking distance[134] of the project site each hour during the peak commute periods.[135] In addition, University Circle provides private shuttle service to and from the Palo Alto Caltrain Station with 30-minute headways as well as free lunchtime shuttle service to Downtown Palo Alto that further promotes the use of alternative modes during the peak commute periods by eliminating the need for a vehicle midday. The General Plan contains policies related to transit facilities. Transportation Policies 2.1, 5.4, and 5.6 call for the City to plan, design, and construct transportation projects that accommodate the needs of pedestrians, bicyclists, and transit riders, provide connecting bicycle and pedestrian infrastructure and amenities to improve access to transit stations and stops, and support installation of transit stop amenities including shelters benches, real-time information panels, lighting, bike parking, bike sharing stations, etc. Westside Area Plan Policy 9.4 calls for the City to work with transit providers to increase transit services and easily accessible transit stops. As noted in Section 3.2.11, Community Benefits, and consistent with General Plan Transportation Policies 2.1, 5.4, and 5.6, the project would include upgrades to the existing bus stop on Manhattan Avenue near the Woodland Avenue intersection and construction of a new staircase and three publicly accessible access point to the site, including one adjacent to the bus stop. These improvements would accommodate the needs of transit users on-site by improving an existing bus stop and increasing access to the site from the Manhattan Avenue bus stop. For these reasons, the proposed project would not conflict with a program, plan, ordinance, or policy addressing the transit circulation system. **(Less than Significant Impact)**

Impact TRN-2:	The project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). **(Less than Significant Impact with Mitigation Incorporated)**

[134] Typical walking distance is generally assumed to be 0.25 to 0.5-mile. Source: US Department of Transportation, Federal Highway Administration. "Safety, Pedestrian Safety Guide for Transit Agencies." Accessed July 22, 2021. https://safety.fhwa.dot.gov/ped_bike/ped_transit/ped_transguide/ch4.cfm

[135] Peak commute periods in Northern California are defined as between 6:00 a.m. - 10:00 a.m. and between 3:00 p.m. – 7:00 p.m. Source: Caltrans. "High-Occupancy Vehicle (HOV) Systems." Accessed July 22, 2021. https://dot.ca.gov/programs/traffic-operations/hov

The City of East Palo Alto adopted a VMT policy on July 1, 2020. Under this policy, a project's VMT is compared to the threshold of 15 percent below the existing citywide average home-based work trip VMT per employee for office developments.

Existing VMT at the University Circle development was estimated based on driveway counts conducted by Hexagon, an employee commute survey conducted by University Circle, and reviewing the proposed TDM program. Details regarding the results of the driveway counts and employee commute survey are included in Appendix H of this EIR. Based on this information, it is conservatively estimated that existing VMT at the project site is 11.2 percent below the citywide average home-based work trip VMT. As noted above, the project will grant an easement for the planned bike/pedestrian overcrossing of U.S. 101, and will provide pedestrian facilities (sidewalks, crosswalks, pedestrian signals) and bicycle facilities, which are estimated to reduce existing VMT at the site by 2.0 percent.[136] Therefore, with this planned improvement, project VMT would be 13.2 percent below the citywide average and exceed the City's VMT threshold of 15 percent below the citywide average. **(Significant Impact)**

Impact TRA-1: Project VMT would be 13.2 percent below the citywide average home-based work trip VMT, exceeding the City's threshold of 15 percent below the citywide average home-based work trip VMT.

Mitigation Measure: The project applicant shall implement the following measures to reduce project generated VMT to below the City's threshold of 15 percent below the citywide average home-based work trip VMT per employee.

MM TRA-1.1: Prior to issuance of grading and/or demolition permits on the project, the project applicant shall develop and submit to the Director of Community Development for review and approval an enhanced TDM program that demonstrates a reduction in project VMT to 15 percent below the Citywide average home-based work trip VMT.[137] The enhanced TDM program shall include the following measures:

- Expand University Circle Caltrain shuttle to meet more trains before 7 a.m., between 10 a.m. and 12 p.m., and after 6:30 p.m.,[138]
- Add a University Circle last-mile[139] shuttle connection for Dumbarton Express riders,
- Provide transit subsidies,
- Provide vanpool subsidies, and/or
- Provide commuter cash allowances.

[136] The applicant has agreed to grant the easement irrespective of project approval.
[137] Chapter 10.32 of the Municipal Code was amended on June 1, 2021 requiring nonresidential developments approved after January 1, 2022, to achieve a 40 percent reduction in daily vehicle trips.
[138] Consistent with the findings of the 2019 UC Commute Survey as shown in Appendix H to the EIR, expansion of shuttle service during these hours would better serve the over 20% of respondents who arrive at the UC Campus before 7 AM or after 10 AM and about 14% who leave after 6:30 PM, which are outside the existing shuttle hours.
[139] Last mile refers to the beginning or end of an individual trip made primarily by public transportation. Source: Intelligent Mobility Xperience. "The first and last-mile: the problem and the solution." Accessed March 25, 2021. https://www.intelligent-mobility-xperience.com/the-first-and-last-mile-the-problem-and-the-solutions-a-917862/

As discussed in detail in Appendix H, one of the existing on-site office tenants offers transit subsidies and commuter cash allowances in addition to the TDM measures provided for all existing office buildings on-site. A commuter survey conducted for this existing on-site office tenant shows an alternative mode use of 23 percent compared to the 14.2 percent average alternative mode use for the entire existing University Circle campus.[140] Therefore, it is estimated that if transit subsidies and commuter cash allowances are offered to employees at the proposed office building in addition to expanded University Circle Caltrain shuttles, last-mile shuttle connection for the Dumbarton Express riders, and vanpool subsidies, the proposed project would achieve a VMT reduction of 15 percent or greater.[141] Based on this information, the traffic engineer determined with implementation of the enhanced TDM measures required in MM TRA-1.1 and the proposed multimodal improvements, project generated VMT would be reduced to 15 percent below the citywide average home-based work trip VMT per employee. **(Less than Significant Impact with Mitigation Incorporated)**

Impact TRN-3:	The project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). **(Less than Significant Impact)**

The following site access and circulation evaluation is based on a review of the project site plan. Site access was evaluated to determine the adequacy of access points with regard to traffic volume, delays, vehicle queues, geometric design, and corner sight distance. On-site vehicular circulation was reviewed in accordance with the City of East Palo Alto Municipal Code and generally accepted traffic engineering standards.

Vehicular access to the project site would not change from existing conditions and would continue to be provided primarily via University Circle, a full-access signalized driveway which intersects with Woodland Avenue approximately 200 feet west of University Avenue. University Circle provides access to the on-site at-grade parking lots and below-grade parking garage. The northern driveway on Manhattan Avenue provides access to surface parking lots and an above-grade parking garage. The southern driveway on Manhattan Avenue is located near O'Connor Street and provides access to the below-grade parking garage. No new permanent driveways are proposed, and the project would not introduce new uses on-site. It is expected that most of the project trips would access the site via University Circle since it provides direct access to the subterranean parking garage directly below the proposed new office building. Traffic volumes at the Manhattan Avenue driveways would be unchanged.[142]

The project is estimated to generate 135 inbound trips during the AM peak hour and 130 outbound trips during the PM peak hour. The most heavily used movements to and from the University Circle driveway are expected to be the westbound right turn into the project site and the southbound left-turn out of the project site. A queueing analysis prepared for the proposed project concluded that the

[140] Hexagon Transportation Consultants, Inc. *University Circle Phase II Development, Transportation Analysis*. August 9, 2021.
[141] Ibid.
[142] Ibid.

proposed project would increase vehicle queues for through/right traffic on westbound Woodland Avenue and adequate right-turn pocket storage is available on Woodland Avenue for traffic under both existing and existing plus project conditions. Therefore, vehicle queues would not extend off-site. Additionally, the analysis also concluded that adequate left-turn lane storage is available on southbound University Circle under both the existing and existing plus project conditions during the AM peak hour. During the PM peak hour, under existing conditions, the estimated queue exceeds the existing vehicle storage capacity by seven vehicles. With project implementation, this queue would increase by 24 vehicles. Traffic exiting the site during the PM peak hour would experience significant delays, however, with the planned Donohoe Street Improvements, traffic flow on northbound University Avenue and Woodland Avenue would decrease significantly during the PM peak hour and would be shorter than existing conditions. Therefore, vehicular queues are not likely to cause significant on-site queueing within the below-grade parking garage and would not extend off-site. Additionally, the proposed community benefits could further reduce delays for outbound traffic on University Circle. For these reasons, the project would not increase hazard due to geometric design. **(Less than Significant Impact)**

Impact TRN-4:	The project would not result in inadequate emergency access. **(Less than Significant Impact)**

The project would replace an existing surface parking lot in the southern portion of the project site with a new office building. The project would not place structures within the public right-of-way that could affect emergency access. Adequate truck access (including garbage trucks and emergency vehicles) to the project site is currently and would continue to be provided under the proposed project, via University Circle and surface parking lot drive aisles. The proposed site design provides adequate driveway width, and parking dimensions, which satisfy the City's design standards. Further, the project would be reviewed for consistency with CBC and Fire Code requirements for access and safety. For these reasons, the proposed project would not result in an emergency access impact. **(Less than Significant Impact)**

4.16.2.3 *Cumulative Impacts*

Impact TRN-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant transportation impact. **(Less than Significant Cumulative Impact)**

Projects must demonstrate consistency with the East Palo Alto General Plan and demonstrate a less than significant project level VMT impact to address cumulative impacts. Because VMT is framed in terms of efficiency as a ratio of vehicles miles traveled per job, a project that falls below the City's threshold and is aligned with long-term environmental goals and relevant plans, such as the General Plan, would have no cumulative impact distinct from the project impact. In other words, the combined effect of individual projects that each meet the VMT threshold would result in a collective VMT metric that also meets the threshold since the VMT metric is expressed as a ratio of vehicle miles traveled per job. Accordingly, a finding of less than significant project impacts would imply a less than significant cumulative impact. Since the proposed project is consistent with the City's General Plan and would have a less than significant impact with the enhanced TDM program, the

project would have a less than significant cumulative impact. **(Less than Significant Cumulative Impact)**

4.16.3 Non-CEQA Effects

As noted above, with the passage of SB 743 amending CEQA's evaluation of transportation impacts and the effective date of the Guidelines implementing SB 743, a project's effects on intersection on level of service shall no longer be considered an impact on the environment. The following discussion is included because the City of East Palo Alto has policies that address LOS as a planning or growth management matter, outside the CEQA process. In the event a deficient LOS condition is identified, the City has discretion whether to require a project to address the deficiency by implementing roadway or other transportation improvements to restore or improve the LOS, and the relevant question under CEQA is whether those improvements would result in adverse physical changes to the environment, and not whether LOS has degraded below the condition considered acceptable.

Methodology

Consistent with City requirements, an LTA was completed for the project. The Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition (2017) was utilized to calculate the vehicle trips generated by the proposed project.

Trip Generation

Trip generation and intersection level of service analysis for the proposed project was completed in accordance with the City of East Palo Alto and the City of Menlo Park intersection analysis methodology and standards. Additionally, consistent with the City of East Palo Alto's current TDM policy which requires projects to implement TDM measures achieving a 25 percent peak hour trip reduction, a 25 percent reduction in peak-hour trips was assumed for the proposed project (refer to Appendix H for additional details).[143] As shown in Table 4.16-1, after applying the ITE trip rates and appropriate trip reductions, it is estimated that the project would generate an additional 1,315 new daily vehicle trips, with 157 trips (135 inbound and 22 outbound) occurring during the a.m. peak hour and 155 trips (25 inbound and 130 outbound) occurring during the p.m. peak hour.

[143] Project trip generation was developed based on the TDM ordinance in effect at the time of preparation of this Draft EIR. As noted in Section 4.16.1, Environmental Setting, City Council adopted a new TDM ordinance on June 1, 2021, which requires developments approved after January 1, 2022, to achieve a 40 percent reduction in daily vehicle trips. Thus, the trip generation developed for this project represents a conservative estimate and the proposed project would be subject to the new TDM ordinance if approved after January 1, 2022.

Table 4.16-1: Project Trip Generation Estimates								
Land Use	**Size**	**Daily Trips**	**Peak Hour (a.m.)**			**Peak Hour (p.m.)**		
			In	**Out**	**Total**	**In**	**Out**	**Total**
PROPOSED LAND USES								
General Office[1]	180,000 sf[2]	1,753	180	29	209	33	174	207
25% TDM Trip Reduction		- 438	-45	-7	-52	-8	-44	-52
Project Trips After Reductions		1,315	135	22	157	25	130	155

[1] Source: ITE Trip Generation Manual, 10th Edition 2017, average trip generation rates.

[2] Project size (180,000 sf) includes 2,940 sf of community space. The use of the community space is undetermined at this time. The traffic analysis assumes an office-type use in this community space.

Intersection Operations Analysis

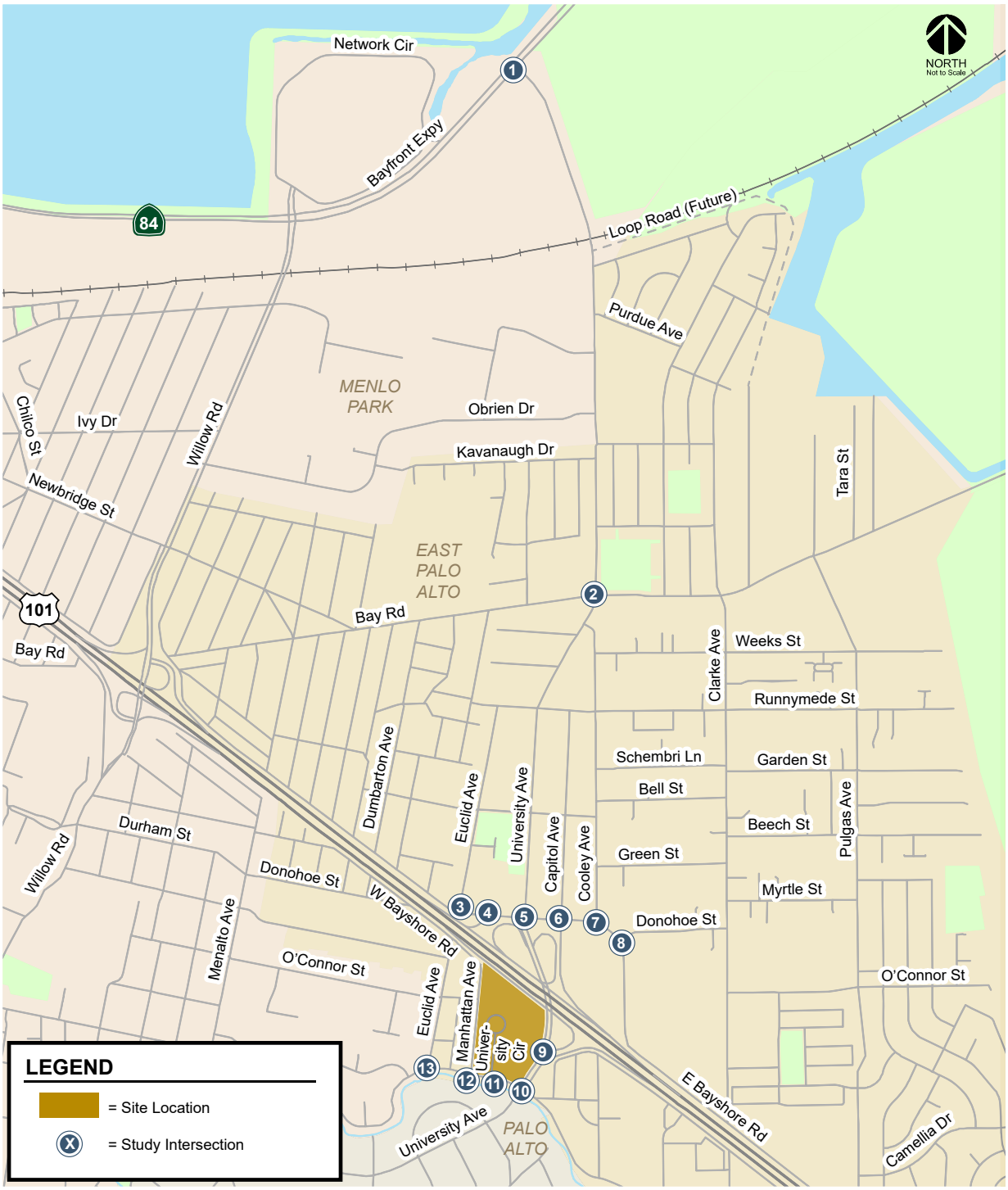
Traffic conditions at 13 intersections in the project area as shown on Figure 4.16-3 were evaluated using LOS and compared to the City of East Palo Alto and the City of Menlo Park LOS standards. LOS is a qualitative description of operating conditions ranging from LOS A, or free-flow conditions with little or no delay, to LOS F, or jammed conditions with excessive delays. As shown in Table 4.16-2 below, 10 of the 13 study intersections currently operate with LOS deficiencies. Project trips were added to existing traffic volumes based on traffic counts conducted in 2019 while nearby schools were in session and before COVID-19 related shelter in place orders. Traffic counts were analyzed both with the planned loop road serving the Ravenswood Business District and without. The planned loop road would divert some traffic from the University Avenue/Bay Road intersection. For the purposes of a conservative analysis, the project impacts on the intersections was based on volume analysis without the loop road.

As shown in Table 4.16-2 below, the project would have an adverse effect on the following intersections during one or both peak hours under existing plus project conditions both with and without the planned loop road[144]:

- Euclid Avenue and Donohoe Street/East Bayshore Road – a.m. peak hour
- US 101 Northbound on-ramp/University Plaza Phase II driveway and Donohoe Street – a.m. peak hour
- University Avenue and Donohoe Street – a.m. peak hour
- US 101 Northbound Off-Ramp/University Plaza Phase I driveway and Donohoe Street – a.m. peak hour
- East Bayshore Road and Donohoe Street – a.m. peak hour
- University Avenue and US 101 Southbound ramps – p.m. peak hour

[144] General Plan Transportation Policy 3.2 calls for development of a new multi-modal loop road including a connection to the Bay Trail to alleviate traffic congestion. The loop road would loop around the north and east sides of University Village and will connect University Avenue to Ravenswood. Creating this new connection will help to alleviate traffic congestion on Bay Road and at the Bay Road/University Avenue intersection.

- University Circle and Woodland Avenue – p.m. peak hour
- Manhattan Avenue and Woodland Avenue – p.m. peak hour



Source: Hexagon Transportation Consultants, Inc., August 9, 2021.

LOCATION OF STUDY INTERSECTIONS | FIGURE 4.16-3

Table 4.16-2: Existing and Existing Plus Project Intersection Levels of Service										
Intersection	**LOS Standard**	**Peak Hour**	**Existing Conditions**		**Existing Plus Project**				**Existing Plus Project (With Improvements)**	
			Average Delay	**LOS**	**Average Delay**	**LOS**	**Increase in Critical Delay**	**Increase in Critical V/C**	**Average Delay**	**LOS**
University Avenue and Bayfront Expressway (Menlo Park)*	D	a.m.	**>80**	**F**	**>80**	**F**	0.2	N/A		
		p.m.	**94.1**	**F**	**96.3**	**F**	2.2	N/A		
University Avenue and Bay Road[5]	D	a.m.	41.7	D	41.5	D	-0.1	0.008		
		p.m.	48.4	D	48.5	D	0.2	0.007		
Euclid Avenue and Donohoe Street/East Bayshore Road[2] (all-way stop)[1]	D	a.m.	**52.3**	**F**	**93.8**	**F**	N/A	N/A	48.7	D
		p.m.	32.6	D	30.7	D	N/A	N/A	13.5	B
US 101 NB On-Ramp & Donohoe Street[2, 3] (all-way stop)[1]	D	a.m.	**64.7**	**F**	**89.7**	**F**	N/A	N/A	33.7	C
		p.m.	10.2	B	9.2	A	N/A	N/A	20.6	C
University Avenue and Donohoe Street[2]	D	a.m.	**107.9**	**F**	**115.2**	**F**	N/A	N/A	93.1	F
		p.m.	**74.9**	**E**	**70.7**	**E**	N/A	N/A	39.7	D
US 101 NB Off-Ramp/University Plaza Ph I driveway and Donohoe Street[2]	D	a.m.	49.3	D	**59.0**	**E**	N/A	N/A	37.1	D
		p.m.	**142.6**	**F**	**138.4**	**F**	N/A	N/A	34.3	C
Cooley Avenue and Donohoe Street[2]	D	a.m.	31.8	C	51.0	D	N/A	N/A	41.1	D
		p.m.	36.6	D	33.7	C	N/A	N/A	22.5	C
East Bayshore Road and Donohoe Street[2]	D	a.m.	32.9	C	**98.1**	**F**	N/A	N/A	23.5	C
		p.m.	38.2	D	25.4	C	N/A	N/A	15.5	B
University Avenue and US101 SB Ramps[2]	D	a.m.	**99.2**	**F**	**104.6**	**F**	N/A	N/A	79.7	E
		p.m.	**87.4**	**F**	**86.3**	**F**	N/A	N/A	45.9	D
University Avenue and Woodland Avenue[2]	D	a.m.	**66.1**	**E**	**64.7**	**E**	N/A	N/A	50.6	D

		p.m.	**248.0**	**F**	**248.6**	**F**	N/A	N/A	**146.6**	F
University Circle and Woodland Avenue[2]	D	a.m. p.m.	18.7 **126.8**	B **F**	20.9 **256.2**	C **F**	N/A N/A	N/A N/A	13.6 24.1	B C
Manhattan Avenue and Woodland Avenue[2] (all-way stop) [1]	D	a.m. p.m.	11.6 **92.4**	B **F**	16.6 **197.7**	B **F**	N/A N/A	N/A N/A	8.6 7.0	A A
Euclid Avenue and Woodland Avenue[2, 4] (one-way stop) [1]	D	a.m. p.m.	6.6 317.0	A F	8.8 OVFL	A F	N/A N/A	N/A N/A	6.6 6.0	A A

* Indicates LOS based on "unserved demand." At this location, upstream & downstream congestion results in delay not captured by the VISTRO analysis.

Bold text indicates intersections operates at unacceptable level of service. **Bold and highlighted** text indicates adverse operations effect caused by the project. OVFL indicates that the results is out of software calculation limits.

1 For one-way and two-way stop controlled intersections, the average delay and LOS is reported for the worst approach. Changes in critical delay and v/c cannot be calculated (N/A)

2 Intersections were analyzed using Synchro/Sim Traffic software due to close proximity of these intersections. Changes in critical delay and v/c cannot be calculated (N/A).

3 Delay shown is the average delay for the westbound left-turning vehicles, which have to find gaps in the eastbound traffic flow.

4 Existing traffic volumes both without and with the proposed project are not expected to meet the Peak-Hour Signal Warrant. Therefore, the project is expected to have a less than significant adverse effect at this intersection. LOS results with improvements reflect recommended improvements on Donohoe Street and Euclid Avenue, at the US 101 northbound on ramp, at University Avenue, at the US 101 northbound off ramp and at Cooley Avenue, which would improve traffic flow on University Avenue, and as a result reduce the queues and delay on Woodland Avenue.

5 The above level of service results reflect intersection operations without the loop road. With the planned loop road, the intersection of University Avenue and Bay Road would operate at LOS D with average delay of 40.5 seconds per vehicle in the a.m. peak hour and 46.5 seconds per vehicle in the p.m. peak hour. The loop road will not affect the level of service or delay at the other study intersections.

LOS = Level of Service, V/C = volume-to-capacity ratio, a.m. = morning peak hour (between 7:00 and 9:00 a.m.), p.m. = evening peak hour (between 4:00 and 6:00 p.m.).

*Denotes CMP intersection

The following additional improvements would be required to further reduce the project's adverse effects on study intersections.

Euclid and Donohoe Street/East Bayshore Road

Construction of the planned loop road serving the Ravenswood Business District is not expected to affect the traffic volumes or delay at this intersection. A new traffic signal should be installed at this intersection and coordinated with other closely spaced traffic signals along Donohoe Street. Along with a new traffic signal, appropriate pedestrian and bicycle accommodations should be provided. This includes pedestrian countdown timers, Americans with Disabilities Act (ADA) compliant curbs, and bicycle detection loops. Furthermore, the westbound approach should be restriped to add an exclusive right-turn lane. With implementation of these improvements, the Euclid Avenue/Donohoe Street intersection is expected to operate at an acceptable LOS D or better during both the a.m. and p.m. peak hours.

US 101 Northbound On-Ramp and Donohoe Street

Construction of the planned loop road is not expected to affect the traffic volumes or delay at this intersection. A new traffic signal should be installed at this intersection and coordinated with other closely spaced traffic signals along Donohoe Street. Along with a new traffic signal, appropriate pedestrian and bicycle accommodations should be provided. This includes ADA compliant curbs, and bicycle detection loops. In order to align with the proposed driveway for the University Plaza Phase II site on the north side of Donohoe Street, the US 101 ramp shall be shifted approximately 30 feet to the east. In addition, the westbound approach on Donohoe Street shall be restriped to accommodate a short exclusive left-turn pocket, a shared left/through lane, and a shared through-right lane. These improvements would require widening of the US 101 northbound on ramp to accommodate two lanes that taper down to a single lane before this ramp connects with the loop on-ramp from northbound University Avenue.

With the recommended improvements, the US 101 Northbound on-ramp/University Plaza Phase II driveway/Donohoe intersection is expected to operate at an acceptable LOS C or better during both the a.m. and p.m. peak hours.

University Avenue and Donohoe Street

Construction of the planned loop road is not expected to affect the traffic volumes or delay at this intersection. The westbound approach on Donohoe Street shall be widened to accommodate dual left-turn lanes, one exclusive through lane, one shared through/right lane, and one exclusive right-turn lane to allow for simultaneous left-turn movement on Donohoe Street. These improvements would require right-of-way acquisition along the southside of Donohoe Street between University Avenue and the US 101 northbound off ramp. The changes to the westbound approach will require modifications to the eastbound approach to ensure proper lane alignment. The eastbound approach shall include one left turn lane and one shared through/right-turn lane. The east west legs would be converted from split phase signal operations to protected left-turn signal phasing.

With the recommended improvement, the intersection is expected to continue to operate at LOS F during the a.m. peak hour, however, the average delay would be less than under existing conditions. Thus, the improvements would eliminate the adverse effect of the project.

US 101 Northbound Off-Ramp and Donohoe Street

Construction of the planned loop road is not expected to affect the traffic volumes or delay at this intersection. The westbound approach on Donohoe Street at the US 101 northbound off ramp shall be widened to accommodate four through lanes to improve the vehicular throughput at this intersection. This improvement would require median modifications and narrowing the eastbound Donohoe Street approach to Cooley Avenue to include two through lanes and a full length left-turn lane. In addition, the traffic signals shall be coordinated with adjacent traffic signals on Donohoe Street.

With these proposed improvements, the intersection of US 101 northbound offramp and Donohoe Street is expected to operate at an acceptable LOS D or better during the a.m. and p.m. peak hours.

East Bayshore Road/Donohoe Street

Construction of the planned loop road is not expected to affect the traffic volumes or delay at this intersection. The recommended Donohoe Street improvements at Euclid Avenue, at the US 101 northbound on ramp, at University Avenue, at the US 101 northbound off-ramp, and at Cooley Avenue would improve traffic flow on Donohoe Street and cause the East Bayshore/Donohoe intersection to operate at LOS C during the a.m. peak hour under existing plus project conditions. No additional improvements would be required at this intersection.

Cooley Avenue and Donohoe Street

Construction of the planned loop road is not expected to affect the traffic volumes or delay at this intersection. The eastbound Donohoe Street approach to Cooley Avenue should be restriped to include two through lanes and a full length left-turn lane and the traffic signal shall be coordinated with adjacent traffic signals on Donohoe Street. These recommended changes together with the improvements along Donohoe Street at Euclid Avenue, US 101 northbound on ramp, and University Avenue, would allow the intersection of Cooley Avenue and Donohoe Street operate at an acceptable (LOS D or better) during the a.m. and p.m. peak hours.

University Avenue and US 101 Southbound Ramps

Construction of the planned loop road is not expected to affect the traffic volumes or delay at this intersection. The recommended Donohoe Street improvements at Euclid Avenue, at the US 101 northbound on-ramp, at University Avenue, at the US 101 northbound off-ramp, and at Cooley Avenue would improve traffic flow on University Avenue and eliminate the queue spillback that extends from Donohoe Street past the US 101 southbound ramps. With the Donohoe Street improvements, the University Avenue/US 101 southbound ramps intersection would operate at an unacceptable LOS E during a.m. peak hour. However, the average delay would be less than under existing conditions. Thus, the improvements would satisfactorily eliminate the adverse effects of the project. No additional improvements are required at this intersection.

University Circle and Woodland Avenue

Construction of the planned loop road is not expected to adversely affect the traffic volumes or delay at this intersection. The recommended Donohoe Street improvements at University Avenue, at the US 101 northbound off-ramp, and at Cooley Avenue would improve traffic flow on University Avenue. This would allow the University Circle/Woodland Avenue intersection to operate with a shorter cycle length, and as a result reduce the queues on Woodland Avenue. These improvements would improve the intersection operations at LOS C during the p.m. peak hour. Thus, the improvements would eliminate the adverse effect of the project at this intersection. No additional improvements are required at this intersection.

Manhattan Avenue and Woodland Avenue

Construction of the planned loop road is not expected to affect the traffic volumes or delay at this intersection. The recommended Donohoe Street improvements at Euclid Avenue, at the US 101 northbound on-ramp, at University Avenue, at the US 101 northbound off-ramp, and at Cooley Avenue would improve traffic flow on University Avenue, and as a result reduce the queues on Woodland Avenue. These improvements would improve the intersection operations to LOS A during the a.m. and p.m. peak hours. Thus, the improvements would satisfactorily eliminate the adverse effect of the project. No additional improvements are required at this intersection.

The recommended Donohoe Street improvements at Euclid Avenue and at the US 101 northbound on ramp will be constructed as part of the University Plaza Phase II development with full funding from the Sobrato Organization. The City of East Palo Alto intends to enter into a reimbursement agreement with the Sobrato Organization that sets forth a mechanism and formula for reimbursement of a portion of the costs of these improvements by future developments that would add traffic to these intersections. Hence, the University Circle Phase II project will be expected to reimburse the Sobrato Organization for a portion of the costs of these improvements based on the number of trips added by the University Circle Phase II project.

As for the Donohoe Street improvements at University Avenue, at the US 101 northbound off ramp, and at Cooley Avenue, the project would be responsible for reimbursing the City of East Palo Alto for a portion of the cost of these improvements based on a fair share formula based on the number of trips added by the University Circle Phase II project.

Freeway Analysis

A congestion management program freeway analysis was prepared to be consistent with the methodologies set forth by C/CAG and VTA because the project is expected to add more than 100 net new peak-hour trips to the roadway network. The analysis looked at the following freeway segments:

- US 101 between Whipple Avenue and Embarcadero Road
- US 101 between Embarcadero Road and San Antonio
- US 100 between San Antonio Road and Rengstorff Avenue
- SR 84 at Dumbarton Bridge.

All four of the study freeway segments operate at an unacceptable LOS F during both a.m. and p.m. peak hours based on existing traffic volumes and level of services obtained from the 2019 C/CAG CMP monitoring Report and the 2018 Santa Clara Valley Transportation Authority CMP Monitoring Report. Traffic volumes on the study freeway segments under existing plus project conditions were estimated by adding the project trips to the existing volumes obtained from the 2019 CMP Monitoring Report for San Mateo County and the 2018 CMP Monitoring Report for Santa Clara County. Using the CMP Guidelines, the results show that the project would not cause any adverse effect at any of the study freeway segments.

On-Site Circulation

In general, the proposed site plan would provide adequate connectivity through the parking areas for vehicles, bicycles, and pedestrians. Currently, vehicle access to the below-grade parking garage is provided via one inbound ramp and one outbound ramp located on the east and west of University Circle, respectively. The site plan shows that the existing inbound garage ramp located east of University Circle would be redesigned and shifted slightly to make room for the proposed office building. The new inbound ramp would be 22 feet wide (the same width as the existing ramps) and would allow for dual entry lanes. The site plan shows the new entry ramp would have a maximum slope of 15 percent, which is acceptable. However, the site plan does not indicate if the ramp would have transition slopes at the top and bottom of the ramp. The existing driveways on Manhattan Avenue and the entry and exit ramps to the underground parking garage area all gate controlled. The site plan indicates that the existing entry gates and controls are to be relocated to the sides of the aisle between the new and existing garages near the new garage entry ramp. However, the location shown on the site plan would not restrict entry or result in queues that extend onto the public roadway network. As a condition of approval on the proposed project, prior to final design, the driveway widths, radii, and throat depth should be measured to confirm that they comply with City of East Palo Alto standards and are adequate to handle truck traffic.

The project would provide 90-degree parking throughout the underground garage with standard parking stalls that meet the City's minimum parking stall dimensions. The drive aisles adjacent to the parking stalls are shown to be 25 feet wide and are wide enough to provide two-way circulation. The drive aisle width would meet the City's standards and provide sufficient room for vehicles to back out of the 90-degree parking stalls. For these reasons, the project would not result in a significant hazard from geometric design of the proposed parking garage.

Parking

Vehicle Parking

The three existing office buildings are currently served by a total of 1,194 parking stalls (345 surface parking spaces and 849 garage spaces). The proposed project would construct a new 180,000-square-foot office building and expand the existing below-grade parking garage resulting in a total of 1,634 parking spaces, a net increase of 440 spaces. The required parking based on the City of East Palo Alto off-street parking requirements (Municipal Code Section 18.30.050) is 600 parking spaces. However, the Municipal Code states that large office projects may be allowed to reduce parking with

approval of a Conditional Use Permit (CUP) and a TDM plan to reduce impacts at the discretion of the City Council. The project proposes a CUP and TDM plan.

Hexagon conducted a parking demand study for the existing office buildings using historical parking count data provided by the applicant to estimate future parking demand on-site with the proposed office building (refer to Appendix H for additional details). Parking demand for the existing office buildings was determined to be 891 spaces (25.4 percent lower than the parking spaces provided). This is attributable to existing TDM measures that have been implemented by the existing University Circle development, which would continue to be implemented with the proposed project. Based on parking demand rates for the existing office buildings on-site, the proposed office building would have an estimated parking demand of 349 spaces at full occupancy, bringing the total estimated parking demand for the project site 1,240 parking spaces with implementation of the proposed project. Thus, the proposed parking supply with the project would be adequate to accommodate the peak parking demand that would be generated by all four office buildings.

Bicycle Parking

According to the City's Bicycle Parking Standards (Municipal Code Section 18.30.120), the project is required to provide a total of 30 bicycle parking spaces. Of the 30 required bicycle parking spaces, 23 are required to be long-term parking spaces (bike lockers) and 7 are required to be short term parking spaces (bike racks). The site plans show that the project would provide a total of 18 short-term bicycle parking spaces in the northeast corner of the proposed new office building at ground level and 48 bicycle parking spaces in a secure bicycle room in garage level B1. Therefore, the proposed project would meet the City's bicycle parking standards.

Construction Traffic

To allow for construction of the expanded below-grade parking garage, the proposed project would temporarily close all access to and from University Circle for a period of approximately 18 months. During this period, a temporary driveway would be provided on Woodland Avenue east of Manhattan Avenue. This temporary driveway would be restricted to inbound right-turns only from Woodland Avenue and would provide direct access to the surface parking lot. Access to the existing below-grade parking garage would be available via the two existing driveways on Manhattan Avenue. All outbound traffic from the existing University Circle development would use the driveways on Manhattan Avenue. A temporary signal would be installed at the intersection of Woodland Avenue and Manhattan Avenue during construction to accommodate the increased traffic at the intersection. Additionally, construction truck traffic would operate only during the off-peak hours to specifically avoid peak hour traffic. A lane closure of westbound Woodland Avenue would be needed to provide a staging area for the construction trucks during off peak hours, beginning after 9:00 a.m. and ending before 4:00 p.m. The lane closure along Woodland Avenue would be identified as part of the Traffic Management plan that will be developed and submitted to the City for review in advance of construction work.

Hexagon modeled traffic circulation through the site and level of service at intersections adjacent to the project site during project construction. Existing University Circle traffic volumes were used to identify any negative effects due to the project's construction on existing traffic operations during the a.m. and p.m. peak hours. The analysis shows both the intersections of University Avenue/Woodland

Avenue and Woodland Avenue/Manhattan Avenue would continue to operate at existing levels of service during both the a.m. and p.m. peak hours. Furthermore, with conversion of the Woodland Avenue/Manhattan Avenue intersection to a signalized intersection and Woodland Avenue/University Circle to an all-way stop controlled intersection, vehicle queues on Woodland Avenue in the eastbound direction would decrease during the p.m. peak hour due to better traffic progression along eastbound Woodland Avenue. However, with all outbound University Circle traffic using Manhattan Avenue, the analysis shows that the vehicular queue on southbound Manhattan Avenue would increase and vehicles would queue within the University Circle parking garage during the p.m. peak hour.

Community Benefits

As noted in Section 3.0 Project Description, consistent with General Plan Land Use Policy 2.7, the project proposes community benefits including the addition of a third left-turn lane on eastbound Woodland Avenue at University Avenue. Two possible scenarios for this community benefit were analyzed to assess the impacts of these improvements on intersection operations. The first scenario would restripe the eastbound Woodland Avenue approach at University Avenue to convert the shared through/right turn lane to a shared left/through/right lane. This change would allow three lanes of left turns off Woodland Avenue onto University Avenue. The second scenario would widen Woodland Avenue to add a third left-turn lane on eastbound Woodland Avenue at University Avenue. The improvement would require modifications to the curb and sidewalk on the north side of Woodland Avenue adjacent to the project site and on the northeast corner of the University Avenue/Woodland Avenue intersection within the existing right-of-way.

Both community benefits scenarios were analyzed to assess intersection operations along Woodland Avenue. The analysis shows slightly better traffic operations under the second scenario compared to the first scenario. The second scenario would increase the intersection capacity at University Avenue/Woodland Avenue and theoretically allow a higher number of vehicles to turn left onto University Avenue: however, the actual benefit from the additional left turn lane would be reduced due to congestion downstream on northbound University Avenue between the US 101 southbound ramps and Woodland Avenue. Since the adverse effects of the project would be fully offset by implementation of the Donohoe Street improvements, the potential benefits of implementation of the community benefits improvements should be considered and weighed with the potential benefits of other community benefits.

4.17 TRIBAL CULTURAL RESOURCES

4.17.1 Environmental Setting

4.17.1.1 *Regulatory Framework*

State

Assembly Bill 52

AB 52, effective July 2015, established a new category of resources for consideration by public agencies called Tribal Cultural Resources (TCRs). AB 52 requires lead agencies to provide notice of projects to tribes that are traditionally and culturally affiliated with the geographic area if they have requested to be notified. Where a project may have a significant impact on a tribal cultural resource, consultation is required until the parties agree to measures to mitigate or avoid a significant effect on a tribal cultural resource or until it is concluded that mutual agreement cannot be reached.

Under AB 52, TCRs are defined as follows:

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are also either:
    - Included or determined to be eligible for inclusion in the California Register of Historic Resources, or
    - Included in a local register of historical resources as defined in Public Resources Code Section 5020.1(k).
- A resource determined by the lead agency to be a TCR.

4.17.1.2 *Existing Conditions*

There are no known tribal cultural resources on-site. A records search of the Native American Heritage Commission (NAHC) Sacred Lands File was completed for the site and the results were negative.[145] A copy of the Notice of Preparation for the project was sent to the Native American Heritage Commission (NAHC) on June 8, 2020. The NAHC responded, recommending consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of the proposed project. Therefore, the City contacted the Muwekma Ohlone Indian Tribe of the San Francisco Bay Area, the Ohlone Indian Tribe, and the Indian Canyon Band of Costanoan (i.e., the California Native American tribes traditionally affiliated with the project area). The tribes were contacted via certified mail on July 6, 2020 and invited to initiate formal consultation with the City of East Palo Alto under AB 52, pursuant to applicable Public Resources and Government Codes. On August 27, 2021, the City received a request from Tamien Nation for formal consultation with under AB 52. The City met with a representative of the tribe on September 20, 2021. During the meeting, the tribal representative requested that mitigation measure MM CUL-2.1, 2.2, and 2.3 in Section 4.5, Cultural Resources, include a requirement for a Native American monitor to be present during construction activities disturbing native soils on the site, Native American involvement in the assessment of any cultural resource finds, and Native American involvement in

[145] Kathy Sanchez, NAHC. Personal Communication. October 4, 2021.

the formulation of a Treatment Plan, should one be necessary. The tribal representative did not indicate that any known TCRs are present on the site.

4.17.1.3 *Impact Discussion*

For the purpose of determining the significance of the project's impact on tribal cultural resources, would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?
2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

4.17.1.4 *Project Impacts*

Impact TCR-1:	The project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k). **(Less than Significant Impact)**

As noted in Section 4.17.1.2, Tamien Nation has requested to be informed of proposed projects within East Palo Alto under AB 52. In addition, after receiving notice of the proposed project, Tamien Nation requested formal consultation on the project. The City met with a representative of the tribe on September 20, 2021. During the meeting, the tribal representative requested that mitigation measure MM CUL-2.1, 2.2, and 2.3 be modified to include a requirement for a Native American monitor to be present during construction activities disturbing native soils on the site, Native American involvement in the assessment of any cultural resource finds, and Native American involvement in the formulation of a Treatment Plan, should one be necessary. The tribal representative did not indicate that any known TCRs are present on the site or in the project area.

Because the record search of the NAHC Sacred Lands File did not identify the presence of TCRs on the site or surrounding area, and because no tribes have provided information indicating that TCRs are present on the site, the project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k). **(Less than Significant Impact)**

Impact TCR-2:	The project would not cause a substantial adverse change in the significance of a tribal cultural resource that is determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. **(Less than Significant Impact)**

As discussed in Section 4.17.1.2 and under Impact TCR-1, a record search of the NAHC Sacred Lands File did not identify any known tribal cultural resources on the project site. Additionally, no known tribal cultural resources were identified during the Native American consultation process. If cultural resources are encountered during construction, mitigation measures MM CUL 2.1, 2.2, 2.3, and CUL 3.1 through CUL 3.3 would be implemented to reduce cultural resource impacts to a less than significant level. For these reasons, the project would not result in a substantial adverse change to a tribal cultural resource. **(Less than Significant Impact)**

4.17.1.5 *Cumulative Impacts*

Impact TCR-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant tribal cultural resources impact. **(Less than Significant Cumulative Impact)**

As described above, Tamien Nation contacted the City of East Palo Alto requesting to be informed of proposed projects in accordance with AB 52 and requested formal consultation on the proposed project. No recorded cultural resources or tribal cultural resources were identified during the records search completed for the project at the Northwest Information Center, at the NAHC Sacred Lands File, or during formal consultation with Tamien Nation. As discussed in Section 4.5, Cultural Resources, if any Native American deposits or cultural resources are uncovered during project excavation, the project would implement mitigation measures MM CUL 2.1, 2.2, 2.3, or MM CUL 3.1 through CUL 3.3 to ensure impacts to cultural resources are less than significant. For these reasons, the proposed project would not result in a cumulatively considerable contribution to a cumulative tribal cultural resource impact. **(Less than Significant Impact)**

4.18 UTILITIES AND SERVICE SYSTEMS

The following discussion is based, in part, on a Water and Wastewater Projections Report prepared by ACIES Engineering on June 29, 2020. This report is attached as Appendix I to this Draft EIR.

4.18.1 Environmental Setting

4.18.1.1 *Regulatory Framework*

State

State Water Code

Pursuant to the State Water Code, water suppliers providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet (approximately 980 million gallons) of water annually must prepare and adopt an urban water management plan (UWMP) and update it every five years. As part of a UWMP, water agencies are required to evaluate and describe their water resource supplies and projected needs over a 20-year planning horizon, water conservation, water service reliability, water recycling, opportunities for water transfers, and contingency plans for drought events. The City of East Palo Alto adopted its most recent UWMP in June 2016.

Assembly Bill 939

The California Integrated Waste Management Act of 1989, or AB 939, established the Integrated Waste Management Board, required the implementation of integrated waste management plans, and mandated that local jurisdictions divert at least 50 percent of solid waste generated (from 1990 levels), beginning January 1, 2000, and divert at least 75 percent by 2010. Projects that would have an adverse effect on waste diversion goals are required to include waste diversion mitigation measures.

Assembly Bill 341

AB 341 sets forth the requirements of the statewide mandatory commercial recycling program Businesses that generate four or more cubic yards of garbage per week and multi-family dwellings with five or more units in California are required to recycle. AB 341 sets a statewide goal for 75 percent disposal reduction by the year 2020.

Senate Bill 1383

SB 1383 establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. The bill grants CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that at least 20 percent of currently disposed edible food is recovered for human consumption by 2025.

California Green Building Standards Code

In January 2010, the State of California adopted the California Green Building Standards Code, establishing mandatory green building standards for all buildings in California. The code covers five

categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and indoor environmental quality. These standards include the following mandatory set of measures, as well as more rigorous voluntary guidelines, for new construction projects to achieve specific green building performance levels:

- Reducing indoor water use by 20 percent;
- Reducing wastewater by 20 percent;
- Recycling and/or salvaging 50 percent of nonhazardous construction and demolition debris; and
- Providing readily accessible areas for recycling by occupants.

Local

Vista 2035 East Palo Alto General Plan

The following policies included in the City's General Plan have been adopted for the purpose of avoiding or mitigating utilities and service systems impacts.

Policy	Economic Development
1.9	Office and R&D business. Promote growth of office and R&D businesses that contribute property and sales tax revenues to the city, particularly at the University Avenue and Highway 101 interchange and within the Ravenswood TOD Specific Plan.
3.2	Concurrency. Require that infrastructure is in place or planned and funded prior to approval of new development projects that require such infrastructure, including water availability.
Policy	**Infrastructure, Services, and Facilities**
1.3	Stormwater infrastructure for new development. Require development projects to pay for their share of new stormwater infrastructure or improvement necessitated by that development.
2.2	Water supply infrastructure. Improve infrastructure to ensure the provision of a clean, reliable citywide water supply sufficient to serve existing and planned development.
2.4	Water supply planning and demand offset regulations for new or intensified development. Consider and adopt a water offset ordinance or other policy to reduce the water demand and to ensure adequate water supply exists to meet the needs of new projects or intensified development. Allow the City the right to require a Water Supply Assessment of any development project. The policy will consider the type and size of projects that might be exempt, the water offset ratio, the method for analyzing the projected water demand and methods for offsetting demand, the types of demand reduction/mitigation implementation options (e.g., on-site or off-site design or building modification), including an in-lieu fee, that will be required, a method for estimating the savings from on-site or off-site efficiency measures, and the appropriate regulatory instruments to enforce, implement, and monitor the offset policy.
2.6	Water infrastructure for new development. Require development projects to pay for their share of new water infrastructure or improvements necessitated by that development, including but not limited to water supply, storage, and conservation, and recycled water.

2.7	ISF-2.7 Municipal water conservation and efficiency. Seek to reduce municipal water use through the following strategies: • Implement aggressive indoor and outdoor water efficiency measures in all new city developments, substantial rehabs and remodels. • Prioritize water efficiency upgrades to existing buildings, such as water efficient fixtures. • Reduce potable water used for parks, by planting drought-tolerant species and implementing other water saving practices.
2.8	Citywide water conservation and efficiency. Encourage and promote community water conservation and efficiency efforts, including indoor and outdoor efforts that exceed CALGreen requirements.
4.2	Waste reduction. Seek to reduce East Palo Alto's rate of waste disposal per capita, and to increase the diversion rate of recycling and green waste.
4.4	Construction waste. Encourage all construction projects to divert 80% of their construction waste away from landfills, exceeding CALGreen requirements.

City of East Palo Alto Urban Water Management Plan

Pursuant to the State Water Code, water suppliers providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet (approximately 980 million gallons) of water annually must prepare and adopt an urban water management plan (UWMP) and update it every five years. As part of a UWMP, water agencies are required to evaluate and describe their water resource supplies and projected water demands over a 20-year planning horizon, water conservation, water service reliability, water recycling, opportunities for water transfers, and contingency plans for drought events. The City of East Palo Alto adopted its most recent UWMP in June 2021.

The East Palo Alto UWMP was developed based on the growth projections and land use changes included in the Vista 2035 General Plan and based on the Water Supply Assessment prepared in support of the General Plan. The UWMP concluded that the City would have adequate supplies during normal years through 2045. However, under both single- and multiple-dry years beginning in 2025, the City would experience water supply shortages. Additionally, from 2023 through 2025, if the Bay-Delta Plan Amendment is implemented, under single- and multiple dry-years, water supplies from SFPUC are expected to be reduced further contributing to additional water supply shortages.[146] To address these potential water shortages, the UWMP identifies water conservation measures such as restricting the time and duration of potable water use for irrigation, requiring hotels and motels to limit laundry service to at the end of a guests stay or at the guest's request, requiring restaurants to only serve water when requested by customers, as well as limiting the number and times of day when agricultural and commercial nursery operations are allowed to use potable water. Implementation of water conservation measures identified in the UWMP would ensure adequate water supplies would be available during single- and multiple-dry years.

[146] The Bay-Delta Plan Amendment requires the release of waters in SFPUC supplies to three San Joaquin River tributaries (the Stanislaus, Merced, and Tuolomne Rivers) and the Bay-Delta, reducing the amount of water available to serve SFPUC customers during single and multiple-dry years. Source: City of East Palo Alto. *Final Urban Water Management Plan.* June 2021.

4.18.1.2 *Existing Conditions*

Water Service and Supply

The majority of East Palo Alto is served by the City's water system, which is operated as a public-private partnership between the City and Veola.[147] The City of East Palo Alto water system receives its domestic water from the County of San Francisco's Regional Water System operated by the San Francisco Public Utilities Commission (SFPUC). Supply comes from the Sierra Nevada mountain range and is delivered through Hetch Hetchy aqueducts, but also includes treated water produced by the SFPUC from its local watersheds and facilities in Alameda and San Mateo counties. Limited groundwater is produced for non-potable uses such as street sweeping and construction.

The SFPUC supplies to both retail and wholesale customers located within the City and County of San Francisco, and outside of San Francisco at Treasure Island, the Town of Sunol, San Francisco International Airport, and Lawrence Livermore Laboratory. The SFPUC also sells water on a wholesale basis to 26 water agencies in San Mateo, Santa Clara, and Alameda counties (including the City of East Palo Alto). The amount of imported water available to the SFPUC's retail and wholesale customers is constrained by hydrology and physical facilities. Due to hydrological and physical facilities constraints, the SFPUC is dependent on reservoir storage to firm-up its water supplies.

Domestic water service is provided to the project site by the City and Veola.[148] Each of the existing on-site buildings is currently served by a dedicated four-inch water meter and four-inch water line. According to water demand calculations conducted for the proposed project, water demand at the project site under existing conditions is approximately 338,470 gallons per month.[149]

Wastewater Services

Wastewater services are provided to the City of East Palo Alto by the East Palo Alto Sanitary District (EPASD) and the West Bay Sanitary District. Wastewater services are provided to the project site by the EPASD.[150] EPASD infrastructure includes approximately 30 miles of sewer lines and 560 manholes. According to the General Plan EIR, the average dry weather flow for the EPASD is 1.5 million gallons per day (mgd) and average wet weather flow for the EPASD is unknown. Wastewater from the EPASD is treated at the Palo Alto Regional Water Quality Control Plant (PARWQCP).[151]

The City of Palo Alto owns, maintains, and upgrades the PARWQCP, based on the RWQCB permit, and the contributing jurisdictions purchase capacity rights. Discharge from the PARWQCP is required to meet stringent standards to protect the health of the South Bay, where the water is

[147] City of East Palo Alto. "Utilities." Accessed January 28, 2021. https://www.ci.east-palo-alto.ca.us/publicworks/page/utilities. Other purveyors within City limits include the Palo Alto Park Municipal Water Company, serving customers in the western portion of the City, and the O'Connor Tact Co-operative Water Company, serving the southwestern portion of the City.
[148] City of East Palo Alto. "Water District Boundaries Map." Accessed January 28, 2021. https://www.ci.east-palo-alto.ca.us/DocumentCenter/View/964
[149] ACIES Engineering. *Impact on the Overall Water Consumption and Connection/Waste Water Production and Connection to Existing Water Services*. June 29, 2020.
[150] City of East Palo Alto. *Water, Garbage, & Sewer Services.* Accessed January 27, 2020. http://www.ci.east-palo-alto.ca.us/index.aspx?NID=512
[151] City of East Palo Alto. *General Plan Update Draft Environmental Impact Report.* April 2016.

discharged. The PARWQCP operates under the conditions of a RWQCB discharge permit that regulates discharge limits. The PARWQCP has a dry weather capacity of 39 mgd and a wet weather capacity of 80 mgd.[152] Of this total, the EPASD is allocated a total treatment capacity of 3.06 mgd for dry weather flow. Peak dry weather flows into the plant are currently 35 mgd and peak wet weather flows typically do not exceed 70 mgd.

The project site is currently served by an eight-inch sanitary sewer line in Manhattan Avenue. Existing wastewater production at the project site is approximately 358,116 gallons per month.[153]

Storm Drainage

The City of East Palo Alto's storm drainage system is composed of networks of pipes, channels, storage ponds, and pump stations which outlet to San Francisquito Creek and the San Francisco Bay.[154] Stormwater in the City drains into two major drainage systems: the Runnymede Storm Drain System and the O'Connor Storm Drain System. Due to their proximity to the San Francisco Bay, portions of the drainage systems are influenced by tide. Many of the streets do not have storm drains, and those that do are unable to handle stormwater during peak events, resulting in flooding during 10- and 20-year storm events.

Solid Waste

East Palo Alto is a member of the South Bay Waste Management Authority (SBWMA), a joint powers authority whose other members include Atherton, Belmont, Burlingame, Foster City, Hillsborough, Menlo Park, Redwood City, San Carlos, San Mateo, the West Bay Sanitary District, and San Mateo County.[155] The Shoreway Environmental Center (SEC) serves as a regional solid waste and recycling facility for the receipt, handling, and transfer of solid waste and recyclables collected from the SBWMA service area.

The vast majority of solid waste generated in East Palo Alto (as well as other SBWMA member communities) is transported to the Ox Mountain Landfill near Half Moon Bay. The remaining permitted capacity of the landfill is 22,030,078 cubic yards (as of December 31, 2015).[156] Based upon current waste disposal rates, the estimated closure date for the landfill is 2034.

4.18.2 Impact Discussion

For the purpose of determining the significance of the project's impact on utilities and service systems, would the project:

[152] City of Palo Alto. *City Council Staff Report (ID#9485): Design Services for RWQCB Secondary Treatment Process Upgrades.* October 1, 2018. Accessed January 27, 2020. https://www.cityofpaloalto.org/civicax/filebank/documents/66788
[153] ACIES Engineering. *Impact on the Overall Water Consumption and Connection/Waste Water Production and Connection to Existing Water Services*. June 29, 2020.
[154] City of East Palo Alto. *Vista 2035 East Palo Alto General Plan.* October 2016.
[155] Ibid.
[156] CalRecycle. SWIS Facility Detail: Corinda Los Trancos Landfill (Ox Mtn) (41-AA-0002). Accessed January 27, 2020. https://www2.calrecycle.ca.gov/SWFacilities/Directory/41-AA-0002/Detail

1) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?
2) Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?
3) Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
4) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
5) Be noncompliant with federal, state, or local management and reduction statutes and regulations related to solid waste?

4.18.2.1 *Project Impacts*

Impact UTL-1:	The project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. **(Less than Significant Impact)**

Water Supply Infrastructure

As stated in the Project Description, the proposed project would construct a new 180,000-square-foot office building, 186,000-gallon fire water tank and pump, and retrofit three existing on-site office buildings with water efficient plumbing fixtures and appliances. The proposed retrofit of the existing office buildings would reduce on-site water demand and because the new office building would be constructed to current CBC standards for water efficiency, water demand associated with the new office building would result in a net reduction in water demand at the project site compared to existing conditions.[157] Additionally, the firewater tank and pump would provide adequate fire water supply and pressure to serve the proposed office building. The proposed project would connect to an existing water line located in Manhattan Avenue. For these reasons, no improvements to or expansion of existing water supply infrastructure is required to serve the proposed project. **(Less than Significant Impact)**

Sanitary Sewer Infrastructure

The project site is currently served by existing sanitary sewer lines in Manhattan Avenue and would continue to be served by these existing sanitary sewer lines with project implementation. The EPASD has stated the sanitary sewer conveyance system (e.g., sanitary sewer pipes and pump stations) downstream of the project site does not have capacity to handle flows from additional development. As noted in the Project Description and discussed in detail in Appendix I, the project would not result

[157] As noted in Section 3.2.5, Water, retrofit of the existing office buildings would be required to be complete prior to issuance of occupancy permits on the proposed office building.

in a net increase in wastewater generation above existing conditions on the project site.[158] Therefore, impacts would be less than significant. **(Less than Significant Impact)**

Storm Drain Infrastructure

As discussed in Section 4.10, Hydrology and Water Quality, the proposed project would increase in impervious surfaces at the project site from approximately 68,311 square feet to 77,302 square feet. The amount of runoff generated would, therefore, increase at the site. In compliance with the MRP, the project would install biorentention basins and flow through planters to filter pollutants from stormwater runoff prior to entering the City's storm drainage system. As stated in the project description (refer to Section 3.2.7, Storm Drain), in addition to treating stormwater runoff, the proposed biotreatment areas will be designed to reduce the rate and volume of runoff generated on-site to pre-project conditions. Therefore, surface runoff from the project would not exceed the capacity of the stormwater drainage system and the project would not require construction of new off-site stormwater drainage facilities. **(Less than Significant Impact)**

Electric Power, Natural Gas, and Telecommunications Facilities

Existing natural gas, electricity, and telecommunications utilities currently serve the project site. The project site would continue to be served by these existing utilities. No improvements or relocation are proposed for these utilities and, therefore, the project would not result in a significant environmental effect from the construction or relocation of natural gas, electricity or telecommunication utilities. **(Less than Significant Impact)**

Impact UTL-2:	The project would not have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years. **(Less than Significant Impact)**

As noted in Section 4.18.1, the City of East Palo Alto has adequate water supplies, as demonstrated in the most recent UWMP, during normal years through 2045 but would experience significant water shortages beginning in 2023 if the Bay-Delta Amendment is implemented or beginning in 2025 if the Bay-Delta Amendment is not implemented. However, with implementation of water conservation measures identified in the UWMP, adequate water supplies would be available during single- and multiple-dry years.

The existing water demand at the project site is 338,470 gallons per month. As discussed in Section 3.2.5, Water, the proposed project would construct a new 180,000-square-foot office building, 186,000-gallon fire water tank and pump, and retrofit three existing on-site office buildings with water efficient plumbing fixtures and appliances. According to a project-specific water demand calculation prepared for the project by ACIES Engineering, the proposed retrofit of the existing office buildings would reduce on-site water demand to 262,460 gallons per month (a reduction of

[158] ACIES Engineering. *Impact on the Overall Water Consumption and Connection/Waste Water Production and Connection to Existing Water Services*. June 29, 2020. As noted in Section 3.2.5, Water, retrofit of the existing office buildings would be required to be complete prior to issuance of occupancy permits on the proposed office building, reducing water demand and wastewater generation on-site compared to existing conditions.

76,010 gallons per month).[159] As noted in Section 3.2.5, Water, retrofit of the existing office buildings would be required to be complete prior to issuance of occupancy permits on the proposed office building. Because the new office building would be constructed to current CBC standards for water efficiency, water demand associated with the new office building is estimated to be 75,922 gallons per month.[160] Therefore, the proposed project (construction of a new office building and retrofit of existing office buildings with water efficient plumbing) would achieve net neutral water consumption or slightly decrease water demand at the project site compared to existing conditions and would not result in insufficient water supplies during normal, dry, and multiple dry years. The 186,000-gallon fire water tank and pump would provide sufficient fire water to serve the proposed office building. Furthermore, because the proposed project is consistent with the General Plan land use designation for the site, the proposed increase in non-residential development on-site was included in the growth projections assumed in the City's UWMP. Therefore, adequate water supplies would be available to serve the proposed project during normal, single- and multiple-dry years. **(Less than Significant Impact)**

Impact UTL-3:	The project would not result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. **(Less than Significant Impact)**

Palo Alto Regional Water Quality Control Plant

As discussed in Section 4.18.1.2, wastewater from the EPASD is treated at the PARWQCP, which has a dry weather capacity of 39 mgd and a wet weather capacity of 80 mgd. According to the General Plan Update EIR, the PARWQCP is in good condition and is considered to have sufficient capacity to serve the community for 30 years without the need for expansion. The average dry weather flow for the EPASD is 1.8 mgd, which is below the dry weather flow treatment capacity of 3.06 mgd. The EPASD, however, has stated the sanitary sewer conveyance system (e.g., sanitary sewer pipes and pump stations) downstream of the project site does not have capacity to handle flows from additional development. As discussed under Impact UTIL-1, the proposed project would not increase water demand at the project site[161] and, therefore, would not increase wastewater treatment demand. For these, the proposed office project would not generate wastewater that would require the construction of new wastewater treatment facilities and would not result in a determination by the EPASD that it does not have capacity to serve the proposed project. **(Less than Significant Impact)**

Impact UTL-4:	The project would not generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. **(Less than Significant Impact)**

[159] Ibid. City of East Palo Alto, Department of Public Works. Confirming ACIES Report Findings. December 10, 2020.
[160] Ibid.
[161] As noted in Section 3.2.5, Water, retrofit of the existing office buildings would be required to be complete prior to issuance of occupancy permits on the proposed office building.

The Ox Mountain Landfill has an agreement with San Mateo County to provide disposal capacity for development within East Palo Alto. The Ox Mountain Landfill has sufficient capacity to accommodate waste materials from East Palo Alto through the year 2034 and increased recycling throughout the City would extend the useful life of the landfill. New landfill facilities would not be needed to serve the proposed project.

Solid waste would be generated during construction activities. As noted in Section 4.18.1 Environmental Setting above, General Plan Policy ISF-4.4 requires development projects to divert at least 80 percent of construction waste away from landfills. In accordance with General Plan Policy ISF-4.4 Construction Waste, the project would divert 80 percent of its construction waste away from landfills, which would meet CALGreen construction waste diversion requirements.

As noted in Section 4.18.1 Environmental Setting, AB 939 and 341 require local jurisdictions to divert at least 75 percent of solid waste away from landfills and establish a mandatory commercial recycling program. Additionally, SB 1383 establishes a target of 75 percent reduction in statewide disposal of organic wase from 2014 levels by 2025. Consistent with these regulations, all businesses within East Palo Alto are required to have a contract for recycling, organics, and trash collection services with Recology of San Mateo County. The proposed project would generate solid waste during operations. University Circle currently has a contract with Recology of San Mateo County and would maintain this contract with expanded services to serve the proposed office development. For these reasons, the project would not generate solid waste in excess of state standards that would impair the attainment of solid waste reduction goals. **(Less than Significant Impact)**

Impact UTL-5:	The project would comply with federal, state, or local management and reduction statutes and regulations related to solid waste. **(Less than Significant Impact)**

As discussed in the response to Impact UTL-4, the proposed project would comply with state and local regulations related to solid waste services and would comply with AB 341 which requires all businesses in California that generate four or more cubic yards of garbage per week (approximately 6,740 pounds per week) to recycle. University Circle currently has a contract with Recology of San Mateo County and would maintain this contract with expanded services to serve the proposed office development. Future occupants of the site would be required to direct and recycle waste consistent with federal, state, and local requirements. Thus, the project would comply with statewide and local solid waste statutes and regulations. **(Less than Significant Impact)**

4.18.2.2 *Cumulative Impacts*

Impact UTL-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant utilities and service systems impact. **(Less than Significant Cumulative Impact)**

Water

The City's UWMP concluded that water supplies would be adequate to serve projected demand during normal years through 2045 but the City would experience shortages under single- and

multiple-dry years beginning in 2023 if the Bay-Delta Amendment is implemented or beginning in 2025 if the Bay-Delta Amendment is not implemented. The Vista 2035 East Palo Alto General Plan EIR concluded that adoption and implementation of the General Plan Update would result in a significant and unavoidable cumulative impact on water supply as development would exceed existing available supplies. As noted under Impact UTIL-2 above, the proposed project (including water conservation retrofits to the existing office buildings and water efficient fixtures in the proposed office building), would result in net neutral water consumption or a slight reduction in water demand at the project site.[162] Therefore, the proposed project would not result in a cumulatively considerable contribution to the cumulative water supply impact. **(Less than Significant Cumulative Impact)**

Wastewater

As discussed under Impacts UTIL-1 and UTIL-3 above, the proposed project, as conditioned to complete the retrofit of existing buildings prior to occupancy of the new building, would not increase water demand at the project site and, therefore, would not increase demand on wastewater conveyance and treatment systems. Therefore, the proposed project would not result in a cumulatively considerable contribution to a cumulative wastewater impact. **(Less than Significant Cumulative Impact)**

Stormwater

As discussed under Impact UTIL-1 above, in addition to treating stormwater runoff, the proposed biotreatment areas would be designed to reduce the rate and volume of runoff generated on-site to pre-project conditions. Therefore, the proposed project would not result in a cumulatively considerable contribution to a cumulative stormwater impact. **(Less than Significant Cumulative Impact)**

Solid Waste

The Vista 2035 East Palo Alto General Plan EIR concluded build out of the General Plan would have a less than significant solid waste impact. As discussed under Impact UTIL-4 and UTIL-5, the Ox Mountain Landfill has adequate disposal capacity through 2034 and the project is consistent with the General Plan growth projections. In addition, the project would be required to conform to City plans and policies to reduce solid waste generation and would not generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure. For these reasons, the proposed project would not result in a cumulatively considerable contribution to a cumulative solid waste impact. **(Less than Significant Cumulative Impact)**

[162] City of East Palo Alto, Department of Public Works. City of East Palo Alto, Department of Public Works. Confirming ACIES Report Findings. December 10, 2020.

SECTION 5.0 GROWTH-INDUCING IMPACTS

5.1 INTRODUCTION AND THRESHOLDS

As stated in the California Environmental Quality Act (CEQA) Guidelines Section 15126.2(e), a project is considered growth-inducing if it would:

- Directly or indirectly foster economic growth or population growth, or the construction of additional housing in the surrounding environment.
- Remove obstacles to population growth or tax community service facilities to the extent that the construction of new facilities would be necessary.
- Encourage or facilitate other activities that would cause significant environmental effects.

Examples of projects likely to have significant growth-inducing impacts include extensions or expansions of infrastructure systems beyond what is needed to serve project-specific demand, and development of new residential subdivisions or industrial parks in areas that are currently only sparsely developed or are undeveloped.

Impact GRO-1:	The project would not foster or stimulate significant economic or population growth in the surrounding environment. **(Less than Significant Impact)**

5.1.1 Economic or Population Growth

The project is located within the Westside neighborhood of East Palo Alto. This area is designated for job and housing growth in the City's General Plan. The project proposes a new six-story office building and three-story below-grade parking garage.

Implementation of the project would bring new jobs to the area, consistent with General Plan Economic Development Policy 1.9, Office and R&D Businesses.[163] While new employment opportunities at the office building could encourage employees to migrate to the area, the increase in housing demand because of new jobs is expected and planned (growth assumptions) in the General Plan. It is also speculative to assume that the majority of employees would move to the area, as many may already live nearby or would commute from adjacent communities. Furthermore, the economic stimulus provided by the project to the surrounding areas (i.e., employees using nearby retail and services) would be incremental and would not warrant the construction of new off-site facilities to accommodate their needs.

5.1.2 Removal of Obstacles to Growth

The project site is located in an urbanized area of East Palo Alto, and implementation of the project would not result in an expansion of urban services or the pressure to expand beyond the City's existing boundaries or sphere of influence.

Development of the project would be restricted to the site boundaries. Therefore, project would not open undeveloped land to further growth or provide expanded utility capacity that would be available

[163] City of East Palo Alto. *Vista 2035 General Plan, Chapter 5, Economic Development.* January 2016.

to serve future unplanned development and existing utility lines and service providers would be available to serve the proposed office building.

The proposed project is consistent with the growth assumptions of the General Plan and would not tax community service facilities to the extent that construction of new facilities would be necessary. The project would not encourage or facilitate other activities that would cause significant environmental effects. For these reasons, the project would not result in a significant growth - inducing impact by removing obstacles to growth. **(Less than Significant Impact)**

SECTION 6.0 SIGNIFICANT AND IRREVERSIBLE ENVIRONMENTAL CHANGES

This section was prepared pursuant to (California Environmental Quality Act (CEQA) Guidelines Section 15126.2(c), which requires a discussion of the significant irreversible changes that would result from the implementation of a proposed project. Significant irreversible changes include the use of nonrenewable resources, the commitment of future generations to similar use, irreversible damage resulting from environmental accidents associated with the project, and irretrievable commitments of resources.

6.1 USE OF NONRENEWABLE RESOURCES

During construction and operation of the project, nonrenewable resources would be consumed. Unlike renewable resources, nonrenewable resources cannot be regenerated over time. Nonrenewable resources include fossil fuels and metals. Renewable resources, such as lumber and other wood byproducts, could also be used.

Energy, as discussed in more detail in Section 4.6, Energy, would be consumed during both the construction and operation of the project. Construction would require the use of nonrenewable construction material, such as concrete, metals, plastics, and glass. Nonrenewable resources and energy would also be consumed during the manufacturing and transportation of building materials, site preparation, and construction of the buildings. Operation would consume energy for multiple purposes including building heating and cooling, lighting, appliances, and electronics. Energy, in the form of fossil fuels, will be used to fuel vehicles traveling to and from the project site.

Development of the project would result in an increase in demand for nonrenewable resources. Green building, however, is a key strategy in the City's CAP (Measure E-1.1) to achieve long-term sustainability and reach its GHG reduction goals. The project would be subject to CALGreen energy-efficiency requirements, and, as stated in the project description (Section 3.2.9, Green Building Measures), the project would achieve the equivalent of (Leadership in Energy and Environmental Design) LEED Platinum certification and includes the following green building measures:

- Bicycle parking spaces
- On-site showers
- Electric vehicle charging stations
- White vinyl rooftop
- LED light fixtures
- Water efficient landscaping with irrigation design
- On-site stormwater management, bioretention swales and permeable paving
- Roof top solar panels covering 15 percent of the roof area
- Low flow indoor water fixtures
- Variable refrigerant flow HVAC system

Implementation of the above green building measures encourage use of alternative modes of transportation, reduce energy use for building heating, cooling, and lighting, and reduce water demand from the project. For these reasons, the proposed project would minimize the use of nonrenewable energy resources.

6.2 COMMITMENT OF FUTURE GENERATIONS TO SIMILAR USE

Examples of projects considered to commit future generations to similar uses include those that develop previously undeveloped sites, extend roads or highways into previously inaccessible areas, or use hazardous materials that could contaminate the site and prevent future redevelopment. The proposed project would redevelop an existing surface parking lot on a site developed with commercial uses and located in an urban area. The proposed project would not extend roads or highways, does not involve the use of hazardous materials that could contaminate the site. For these reasons, the proposed project would not commit future generations to similar uses.

6.3 IRREVERSIBLE DAMAGE FROM ENVIRONMENTAL ACCIDENTS

The project does not propose new or uniquely hazardous uses, and its operation would not be expected to cause environmental accidents that would impact other areas. As discussed in Section 4.9, Hazards and Hazardous Materials, there are no significant unmitigable hazards and hazardous materials conditions on-site or off-site that would substantially affect the public and surrounding environment. There are no significant unmitigable geology and soils impacts from implementation of future projects. For these reasons, the proposed project would not result in irreversible damage that may result from environmental accidents.

6.4 IRREVERSIBLE COMMITMENT OF RESOURCES

As discussed above under Section 6.1, the project would consume nonrenewable resources during construction and operation. With implementation of the CALGreen Code, the City's Green Building Policies and Greenhouse Gas Reduction Strategy, and project's green building measures (as stated in Section 3.2.9), the project would minimize its consumption of nonrenewable resources.

SECTION 7.0 SIGNIFICANT AND UNAVOIDABLE IMPACTS

The project would not result in any significant unavoidable project level or cumulative impacts. All significant impacts of the proposed project would be mitigated to a less than significant level with incorporation of applicable mitigation measures identified in this EIR.

SECTION 8.0 ALTERNATIVES

8.1 INTRODUCTION

The CEQA Guidelines give extensive direction on identifying and evaluating alternatives to a proposed project. CEQA Guidelines Section 15126.6 states that an Environmental Impact Report (EIR) must analyze a range of reasonable alternatives to the project that are feasible, would "feasibly attain most of the basic objectives of the project," and would substantially lessen any of the project's significant impacts.

The range of alternatives selected for analysis is governed by the "rule of reason", which requires the EIR to discuss only those alternatives necessary to permit a reasoned choice. Although the alternatives do not have to meet every goal and objective set for the proposed project, they should attempt to feasibly attain most of the basic objectives.

The CEQA Guidelines do not require that all possible alternatives be evaluated, only that a range of feasible alternatives be discussed so as to encourage both meaningful public participation and informed decision making. In selecting alternatives to be evaluated, consideration may be given to their potential for reducing significant unavoidable impacts, reducing significant impacts that are mitigated to less than significant levels by the project, and further reducing less than significant impacts.

The three critical factors to consider in selecting and evaluating alternatives are, therefore: (1) the significant impacts from the proposed project which could be reduced or avoided by the alternative, (2) the project's objectives, and (3) the feasibility of the alternatives available. Each of these factors is described below.

8.1.1 Significant Impacts

As mentioned above, the CEQA Guidelines advise that the alternatives analysis in an EIR should be limited to potentially feasible alternatives that would avoid or substantially lessen any of the significant effects of the project and would achieve most of the project objectives. Alternatives may also be considered if they would further reduce impacts that are already less than significant because of required or proposed mitigation measures or conditions of approval. The proposed project would not result in significant unavoidable impacts. Impacts that would be significant and reduced to a less than significant level with implementation of mitigation measures or conditions of approval include:

- Generation of fugitive dust emissions during project construction
- Generation of exhaust emissions and TACs during project construction
- Impacts to nesting birds during construction of the proposed office building
- Impacts to movement of native birds due to increased risk of bird collision resulting from building design
- Impacts to previously unrecorded archaeological resources
- Impacts to subsurface cultural resources and human remains during construction
- Impacts to paleontological resources

- Generation of noise levels in excess of City standards resulting from operation of mechanical equipment during construction
- Generation of noise levels in excess of City standards resulting from the projects HVAC equipment
- Generation of temporary vibration impacts during project construction
- Generation of VMT exceeding the City's threshold of 15 percent below the citywide average home-based work trip VMT.

8.2 PROJECT OBJECTIVES

The objectives of the proposed project are as follows:

1. Construct and operate an additional office building consistent with and in furtherance of applicable General Plan and Westside Plan goals and policies calling for the intensification of office uses at University Circle and additional build out of the original University Circle development project (refer to General Plan Land Use and Urban Design Policy 2.7 and Westside Plan Policy 4.6).

2. Expand University Circle development to create a larger office campus, which better aligns with and helps to achieve the City's goals relating to growing its tax and employment base and improving its job-housing balance. (refer to General Plan Land Use and Urban Design Goal 2)

3. Utilize the build-out and operation of the additional office space as an opportunity to further integrate the University Circle into the surrounding neighborhoods via enhanced bike and pedestrian connectivity between the Westside and Downtown East Palo Alto, and along the Westside generally. (refer to General Plan Westside Area Plan Policies 4.6, 7.6)

4. Utilize the build-out and operation of the additional office space as an opportunity to enhance the look of one of the City's nonresidential areas and improve local traffic and circulation through implementation of an enhanced TDM program and other offsite voluntary traffic improvements. (refer to General Plan Westside Area Plan Goal W-9)

5. Use the development of a new office building as the catalyst to re-energize and modernize the University Circle campus as a more active and community-oriented space for East Palo Alto's residents. Examples include the ground floor indoor/outdoor community room, a public art plaza and ongoing curation of annual community events and the farmer's market. (refer to General Plan Westside Area Plan Policy 4.6, 8.4)

8.3 PROJECT ALTERNATIVES

8.3.1 Feasibility of Alternatives

CEQA, the CEQA Guidelines, and case law on the subject have found that feasibility can be based on a wide range of factors and influences. The Guidelines advise that such factors can include (but

are not necessarily limited to) the suitability of an alternative site, economic viability, availability of infrastructure, consistency with a general plan or with other plans or regulatory limitations, jurisdictional boundaries, and whether the project proponent can "reasonably acquire, control, or otherwise have access to the alternative site" [Section 15126.6(f)(1)].

8.3.2 Alternatives Considered But Rejected

8.3.2.1 *Location Alternative*

The CEQA Guidelines encourage consideration of an alternative site when significant effects of the project might be avoided or substantially lessened (Section 15126.6(f)(2)(A)). Only locations that would avoid or substantially lessen the significant impacts of the project and meet most of the project objectives need to be considered for inclusion in the EIR.

The project proposes to redevelop a portion of an existing office campus with a new office building. The new office building would be six stories in height and support approximately 720 employees.[164] An alternative site would need to be at least of comparable size, within the urbanized area of East Palo Alto, and have adequate transit access, roadway access, and utility capacity to serve the development proposed.

In order to identify an alternative site that might be reasonably considered to "feasibly accomplish most of the basic purposes" of the project, and would also reduce significant impacts, it was assumed that such a site would ideally have the following characteristics:

- Approximately 2.24 acres in size;
- Located near transit facilities;
- Located near freeways and/or major roadways;
- Served by available infrastructure;
- Available for development;
- Allow high intensity commercial office development at an intensity up to a 1.27 FAR.

In considering an alternative location in an EIR, the CEQA Guidelines advise that the key question is "whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location."[165] Any project of this size and intensity within East Palo Alto could be expected to have similar impacts associated with project construction. Furthermore, it is not likely that an alternative location anywhere in East Palo Alto would substantially lessen the identified impacts. Finally, the applicant does not have within their control an alternative site. As a result, an alternative site was considered but rejected.

8.3.2.2 *Residential Use Alternative*

The proposed project would construct an approximately 180,000-square-foot office building, below-grade parking garage, landscaping, and pedestrian improvements on the project site. Public comments received during the scoping process suggested that residential uses may be more compatible with the surrounding residential neighborhood with regard to transportation. Under the

[164] 720 employees is a conservative assumption for the purpose of this EIR analysis
[165] CEQA Guidelines Section 15126.6(f)(2)(A).

Residential Use Alternative, a building of similar size, height and massing would be constructed in the same location as the proposed project, however, under this alternative, the building would be used for residential instead of office uses. Vehicle parking would be provided in the form of a below-grade parking garage, similar to the proposed project.

The project site is zoned (O) Office and has a General Plan land use designation of Office. Residential uses would not be allowed on the project site under the current zoning and general plan land use designation for the site. Furthermore, development of a residential building would not meet the project objectives. For these reasons, further analysis of a Residential Use Alternative was not conducted.

8.3.2.3 *Ground Floor Retail Alternative*

The proposed project would construct an approximately 180,000-square-foot office building (including 2,940 square feet of dedicated ground floor community space), below-grade parking garage, landscaping, and pedestrian improvement on the project site. Public comments received during the scoping process suggested that ground floor retail uses may be more beneficial to the surrounding residential neighborhood and reduce transportation impacts compared to the proposed project. Under the Ground Floor Retail Alternative, a building of similar size, height and massing would be constructed in the same location as the proposed project. Pedestrian improvements and landscaping would be constructed similar to the proposed project. However, under the Ground Floor Retail Alternative, 17,658 square feet of ground floor space would be dedicated to retail uses and the remaining 2,940 square feet would be dedicated for community space.

The project site is zoned (O) Office and has a General Plan land use designation of Office. Retail uses up to 10,000 square feet would be permitted on the project site under the current zoning and general plan land use designation for the site. However, when retail uses were operated within the ground floor of the existing office buildings on-site previously, customer traffic was not sufficient to support these businesses. Therefore, it has been determined that a Ground Floor Retail Alternative would not be economically feasible, and no further analysis of this Alternative was conducted.

8.3.3 Selection of Alternatives

In addition to the No Project Alternative, the CEQA Guidelines advise that the range of alternatives discussed in the EIR should be limited to those that "would avoid or substantially lessen any of the significant impacts of the project" [Section 15126.6(f)]. The discussion below addresses a No Project Alternative, Reduced Scale Alternative, Above-Grade Parking Alternative, and Reconfigured Parking Alternative. These alternatives are discussed for their potential impacts as compared to the proposed project and ability to achieve the project objectives.

8.3.3.1 *No Project Alternative*

The CEQA Guidelines specifically require consideration of the No Project Alternative. The purpose of including a No Project Alternative is to allow decision makers to compare the impacts of approving the project with the impacts of not approving the project. The CEQA Guidelines specifically advise that the No Project Alternative is "what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with

available infrastructure and community services." The Guidelines emphasize that an EIR should take a practical approach, and not "… create and analyze a set of artificial assumptions that would be required to preserve the existing physical environment [Section 15126.6 (e)(3)(B)]." Given the site's Office land use and (O) Office zoning and its location within the University Circle site (which was identified in the General Plan as an area for increased commercial development), it is reasonable to assume that if the proposed project were not approved or implemented, an alternative development would likely be proposed in the future which would conform to the Office land use designation and General Plan Policies pertaining to the site. An alternative project proposed on-site consistent with existing plans and policies would likely be a commercial office project comparable in scale to the proposed project and located in the southeast corner of the site due the location of existing buildings across the remainder of the site. Such an alternative would have construction and operational impacts in keeping with what has been disclosed throughout this EIR, and therefore further discussion is unwarranted.

Currently, the project site is developed with three office buildings and a hotel, an above-grade parking garage, below-grade parking garage, surface parking, and landscaping. The portion of the project site where a new office building is proposed is currently developed with surface parking and landscaping. Under the No Project Alternative, it is assumed for purposes of the remainder of this discussion, the existing development on the project site would continue to operate and the portion of the project site where a new office building is proposed would remain as surface parking and landscaping.

Comparison of Environmental Impacts

Under the No Project Alternative, the site would generate less traffic than under the proposed project, and traffic levels would remain as they are with the current developed site condition. The No Project Alternative scenario would avoid the significant but mitigable project VMT impacts, in addition to avoiding adverse effects on local intersections and freeway segments. Since no construction would occur on the project site under the No Project Alternative, construction-related impacts identified to occur under the proposed project would be avoided. None of the project objectives, however, would be met under the No Project Alternative. In addition, General Plan Westside Area Policy 4.6, University Circle allows for intensification of development at the University Circle site so long as it meets the vision for the Westside.

Conclusion

The No Project Alternative would maintain the current development at the site. The existing office buildings and hotel would remain on-site and continue to operate. Because the No Project Alternative would not result in any physical changes to the project site compared to existing conditions, there would be no environmental impacts. However, this alternative would not achieve any of the project objectives. In the event the current project was not approved/implemented, and future development was proposed on the site consistent with current plans and policies, it would be expected to be similar to the proposed project and have similar construction and operational impacts.

8.3.3.2 *Below Grade Parking Reduced Scale Alternative*

Given many of the project's impacts are due to extensive construction activity to accomplish three levels of below grade parking, the purpose of the Below-Grade Parking Reduced Scale Alternative is to reduce construction related impacts by developing an office project that can be parked adequately with parking provided in one level of below-grade parking, consistent with the rest of the developed site condition. The Below-Grade Parking Reduced Scale Alternative would develop an office building and one level of below-grade parking with 175 spaces in the same location on-site as under the proposed project. Based on the parking ratios required by the City (1:300) and included in the proposed project (1:420), under this Alternative, the office building could have between 52,500 square feet and 73,588 square feet of office uses and would be two to three stories in height. The maximum depth of excavation under this Alternative would be reduced from 36 feet for three levels to approximately 16 feet bgs to accommodate the single level parking garage.

Comparison of Environmental Impacts

The reduced building height under the Below-Grade Parking Reduced Scale Alternative would result in fewer changes to the existing views in the surrounding area and would respond to controversy regarding the proposed building height expressed in comments received during the scoping period. Under the Below-Grade Parking Reduced Scale Alternative, most of the construction-related impacts identified to occur under the proposed project would be reduced. Because the office building would be smaller and maximum depth of excavation would be reduced to 16 feet bgs, the Below-Grade Parking Reduced Scale Alternative would result in fewer construction air quality emissions from operation of heavy-duty excavation equipment and hauling soil off-site compared to the proposed project. Construction-noise impacts would also be less due to the shorter construction duration. The reduced amount of traffic generated under this alternative, consisting of roughly one third of the project's proposed office space, would result in a commensurate reduction in air quality and noise emissions compared to the proposed project. The possibility of noise impacts from mechanical equipment operation and impacts to birds during construction and operation of this Alternative would be similar to the proposed project and would be reduced to a less than significant level with implementation of the mitigation measures identified under the proposed project. Because VMT is measured as a ratio per employee, the VMT impacts associated with this alternative would be the same as the proposed project and would also be reduced to a less than significant level with implementation of the mitigation measures identified under the proposed project.

Relationship to Project Objectives

The Below-Grade Parking Reduced Scale Alternative would only partially meet some of the project objectives due to the reduced size of the office building. Due to the reduced square footage of office space, no community space would be provided under the Below-Grade Parking Reduced Scale Alternative and thus the fifth objective to re-energize and modernize University Circle campus as a more active and community-oriented space for East Palo Alto residents would not be met. The project applicant has indicated that this alternative cannot effectively cover the cost of constructing the below-grade parking garage and, therefore, would not be economically feasible.

Conclusion

The Below-Grade Parking Reduced Scale Alternative would respond to controversy regarding the proposed building height expressed in comments received during the scoping period. Due to the reduced size of the proposed office building and parking garage, potential environmental impacts associated with ground disturbing activities and soil export would be reduced. However, impacts to nesting birds would be the same as the proposed project due to the similar building and parking garage footprints. This Alternative would only partially meet some of the project objectives, due to the reduced square footage of office space, with the alternative only achieving roughly one third of the proposed new office space.

8.3.3.3 *Above-Grade Parking Reduced Scale Alternative*

Given many of the project's impacts are due to extensive construction activity to accomplish three levels of below grade parking, the purpose of the Above-Grade Parking Reduced Scale Alternative is to develop an office project that can be parked adequately with parking provided above grade at the lower levels of the new office building, thereby avoiding all substantial excavation beyond typical building foundation and utility work. No below-grade parking would be constructed under this Alternative. The Above-Grade Parking Reduced Scale Alternative would construct an office building above two levels of above-grade parking. The two levels of parking under this Alternative can provide approximately 160 parking spaces, which would create a net increase of 61 parking spaces over the existing surface parking. Based on the City's required parking ratio (1:300) and the parking ratio included in the proposed project (1:420), between 48,000 and 67,200 square feet of office uses can be adequately parked with two levels of above-grade parking. Under this Alternative, the maximum height of the building would be between four and five stories, with two or three levels of office above the two parking podium levels, and the podium footprint would be increased compared to the proposed project to maximize the amount of parking while allowing the University Circle entrance to remain open during construction. Since the entire ground floor of the building would be occupied by parking and the podium footprint would be expanded, the community space, public art, and an additional left turn lane on Woodland Avenue included as a community benefit under the proposed project would not be constructed under this Alternative.

Comparison of Environmental Impacts

Under the Above-Grade Parking Reduced Scale Alternative, construction-related impacts identified to occur under the proposed project including those to air quality, noise, archaeological resources, and paleontological resources would be reduced because excavation for below-grade parking would not occur, and because the building square footage would be reduced from 180,000 to between 48,000 to 67,200 square feet. Impacts to nesting birds during construction would be similar to the proposed project and would be reduced to a less than significant level with implementation of the mitigation measures identified under the proposed project. The reduced amount of traffic generated during operation of this Alternative (roughly 50 to 66 percent less, given the office space is reduced by one half to two thirds) would result in a commensurate reduction in air quality and noise emissions compared to the proposed project. The possibility of noise impacts from mechanical equipment operation and impacts to birds during construction and operation of this Alternative would be similar to the proposed project and would be reduced to a less than significant level with implementation of the mitigation measures identified under the proposed project. Because VMT is

measured as a ratio per employee, the VMT impacts associated with this alternative would be the same as the proposed project and would also be reduced to a less than significant level with implementation of the mitigation measures identified under the proposed project. Other operational impacts, such as demand on utilities including water, energy, sewer treatment, would be reduced proportionally, as the alternative is half to two thirds smaller than the proposed project.

Relationship to Project Objectives

The Above-Grade Parking Reduced Scale Alternative would partially meet some of the project objectives. Due to the reduced amount of office space by one half to two thirds, no community space would be provided under this Alternative. In order to provide adequate parking above-grade, a larger building footprint would be required under this Alternative which would preclude community benefits such as community space, pedestrian access, public art, and the widening of Woodland Avenue to provide an additional left turn lane. The Above-Grade Parking Alternative would also not meet General Plan policies, such as General Plan Land Use and Urban Design Policy 2.7 which allows intensification of the University Circle site with an additional office or hotel building and Westside Plan Policy 8.4 which calls for acquiring community benefits from new development in the Westside area.

Conclusion

Compared to the proposed project, reducing the amount of office space by half to two thirds and construction of above-grade parking instead of below-grade parking would reduce project construction-related impacts, but not to a less than significant level, i.e., mitigation measures similar in nature, although to lesser extent, to what would be required of the project would continue to be required of this alternative. The Above-Grade Parking Reduced Scale Alternative would not avoid impacts that could occur during operation of the proposed project, but operational impacts would be reduced by roughly one half to two thirds as the building square footage was reduced by the same amount. This Alternative would partially meet some but not all of the project objectives. No community space, no public art, no pedestrian connection at the intersection of University Avenue and Woodland Avenue, and no improvements to the intersection of University Avenue and Woodland Avenue would be provided under this Alternative. The Above-Grade Parking Reduced Scale Alternative would not meet General Plan policies, such as General Plan Land Use and Urban Design Policy 2.7 and Westside Plan Policy 8.4.

8.3.3.4 *Reconfigured Parking Alternative*

The following discussion is based, in part, on an Air Quality and Greenhouse Gas Analysis and Addendum to the Noise and Vibration Analysis, prepared by Illingworth & Rodkin, Inc. in October 2021, and based on a Transportation Analysis prepared for the project by Hexagon Transportation Consultants in August 2021. These reports are attached as Appendix B, F, and G respectively.

Overview

The Reconfigured Parking Alternative would seek to develop the same 180,000-square-feet of new office uses by constructing a building in the same location as the proposed project but reducing the amount of below-grade parking proposed to a single level basement garage and providing adequate parking elsewhere above ground on the larger office campus. In contrast to the proposed project,

parking for this alternative would be provided through a combination of the following: 1) expanding the existing one level below-grade parking garage beneath the proposed office building, 2) expanding the existing on-site above-grade parking garage from four-levels to 6.5-levels, and 3) using existing under-utilized parking spaces in the existing above-grade parking garage. This alternative would involve construction of 192 new above-grade parking spaces and 100 new below-grade parking spaces. In total, 361 parking spaces would be constructed for exclusive use by office tenants and 44 spaces on the ground floor of the above-grade garage would be shared between the hotel and office tenants under this alternative, resulting in a net increase of 405 spaces for use of office tenants above existing conditions. Because this alternative comes the closest to meeting the project objectives and has similar square footage to the proposed project, it has the highest likelihood of being feasible while reducing environmental impacts and is, therefore, analyzed in detail below.

Construction

Construction of this Alternative would occur in two phases over a period of approximately 44 months compared to one phase over 36 months for the proposed project. The additional time and phasing is needed in order to minimize disturbance of the existing office and hotel uses on-site during construction. Under the Reconfigured Parking Alternative, expansion of the above-grade parking garage would be completed first and would take approximately 16 months. Upon completion of the above-grade garage, excavation for and expansion of the below-grade parking garage would begin followed by construction of the office building and would take approximately 28 months. During both phases of construction, construction activities would occur between the hours of 7:00 a.m. and 10:00 p.m.[166] A total of approximately 43,702 cubic yards of soil would be exported from the site during construction of this Alternative, compared to 133,673 cubic yards of soil under the proposed project. The maximum depth of excavation required for construction of the single level below-grade parking garage expansion is 16 feet, compared to 36 feet required for three levels. Additionally, micro piles would be drilled between 80 and 150 feet below the ground surface within the footprint of the existing above-grade garage to provide structural support for the 2.5-level addition.

Construction Circulation

During construction of the Reconfigured Parking Alternative, University Circle will remain open to provide access to the site for office and hotel visitors. The existing below-grade garage entrance ramp from University Circle would be temporarily closed during construction of the office building and below-grade garage expansion. During this time, the existing double exit ramp on the west-side of University Circle would remain open and used to enter and exit the below-grade parking garage. Similar to the proposed project, a lane closure of westbound Woodland Avenue would be needed to provide a staging area for the construction trucks during off-peak hours, between 9:00 a.m. and 4:00 p.m.

[166] The Reconfigured Parking Alternative would require an exception to the permitted construction hours. Per Municipal Code Section 15.040125B(3) an exception to the permitted construction hours may be granted by Planning Commission.

Comparison of Environmental Impacts

As with the proposed project, the Reconfigured Parking Alternative would not result in impacts to Agricultural, Forestry, or Mineral Resources or those related to Wildfire, given those resources/issues are absent from the site.

Aesthetics

Because the Reconfigured Parking Alternative would construct an office building on the same site and in the same location as the proposed project and at the same scale and appearance above ground, aesthetics impacts would be similar to the proposed project. As with the proposed project, the Reconfigured Parking Alternative would not impact a designated scenic vista or State Scenic Highway or create new sources of substantial light and glare. The Reconfigured Parking Alternative would increase the height of the existing above-grade parking garage located in the northwest corner of the project site by approximately 26 feet. Increasing the height of the existing above-grade parking garage from four-levels to 6.5-levels would increase the visibility of the parking garage from surrounding streets and other public vantage points in the area compared to existing conditions and conditions under the proposed project, resulting in a less-desirable aesthetic condition, as parking garages are generally considered unattractive, utilitarian structures.

As shown in Figure 8.3-1, Figure 8.3-2, and Figure 8.3-3, this Alternative would be visible from publicly accessible viewpoints in the project area including from southbound U.S. 101 and from O'Connor Street. Existing street trees on Manhattan Avenue would largely obstruct views of the expanded above-grade parking garage from that roadway. However, because the existing public views of the site and its surroundings are currently dominated by existing structures on the project site, the additional 2.5-levels of above-grade parking would not substantially degrade the visual character and quality of public views.

As discussed in Section 4.11, Land Use, the General Plan identifies the U.S. 101/University Avenue interchange area as a designated Gateway and includes goals (Goals LU-8.1 and LU-2.7) that call for intensification of the project site and development of character defining commercial buildings in identified gateway areas. The above-grade parking garage expansion would feature the same façade materials as the existing above-grade garage and the western façade of the hotel building to ensure the addition would complement design features of the existing on-site buildings. For this reason, the Reconfigured Parking Alternative would not conflict with General Plan Goals LU-8.1 and LU-2.7. Westside Area Plan Policy 6.7 calls for parking to be located behind or under buildings whenever possible. Expansion of the above-grade parking garage would not meet the intent of Westside Area Plan Policy 6.7.

Increasing the height of the existing above-grade parking garage, as proposed under the Reconfigured Parking Alternative, would be less aesthetically pleasing than the proposed project, but would not result in new or substantially greater CEQA aesthetics impacts compared to the proposed project. Therefore, aesthetic impacts under the Reconfigured Parking Alternative would be less than significant, albeit less desirable than the proposed project.

PROPOSED VIEW

EXISTING VIEW

Source: Chang Architecture, December 20, 2019.

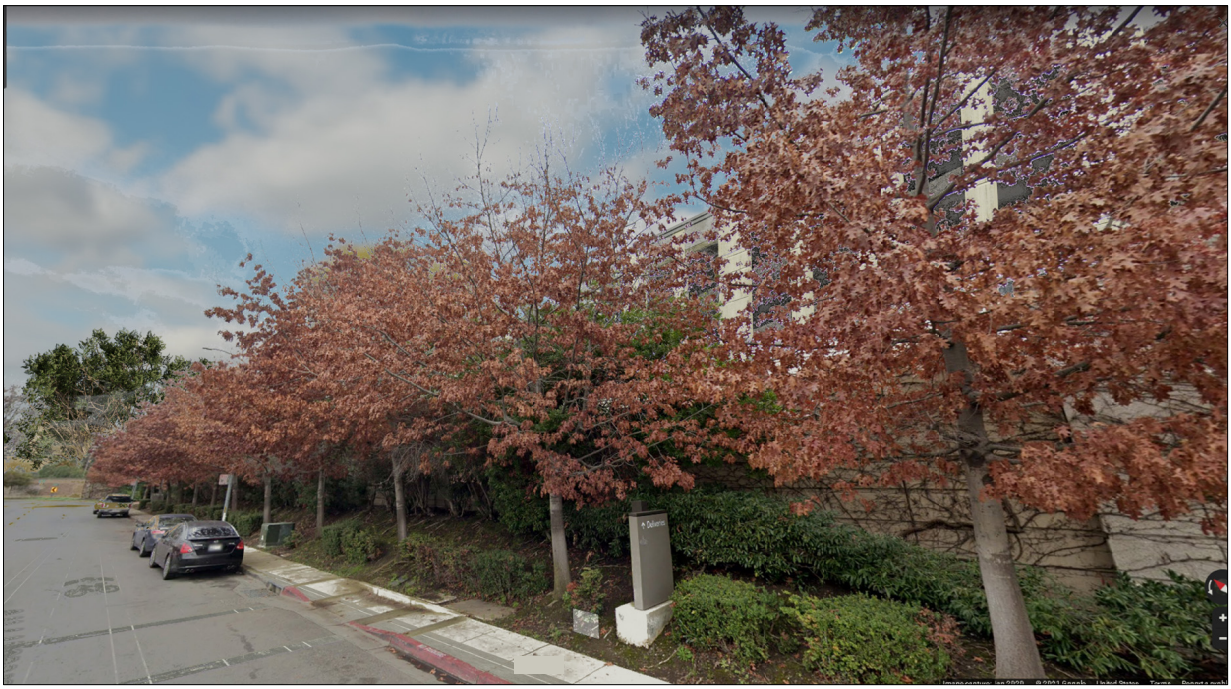
PHOTO SIMULATION OF VIEW FROM SOUTHBOUND U.S. 101 | FIGURE 8.3-1

PROPOSED VIEW

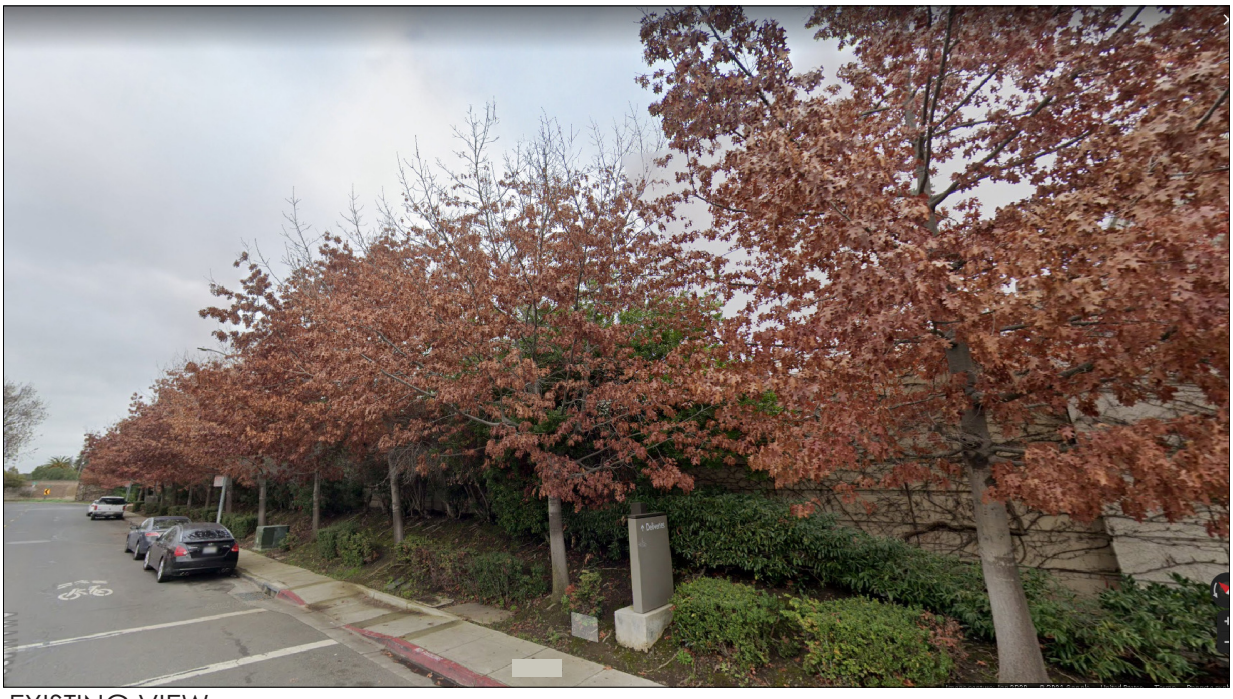
EXISTING VIEW

Source: Chang Architecture, December 20, 2019.

PHOTO SIMULATION OF VIEW FROM O'CONNOR STREET | FIGURE 8.3-2



PROPOSED VIEW



EXISTING VIEW

Source: Chang Architecture, December 20, 2019.

PHOTO SIMULATION OF VIEW FROM MANHATTAN AVENUE | FIGURE 8.3-3

Air Quality

The following discussion is based, in part, on an addendum to the Air Quality and Greenhouse Gas Analysis prepared in October 2021 by Illingworth & Rodkin, Inc. The Addendum analyzed criteria air pollutant emissions and community risk impacts associated with construction of the Reconfigured Parking Alternative. This report is attached as Appendix B.

The operational air quality impacts of the Reconfigured Parking Alternative would be the same as those under the proposed project since the alternative would provide equivalent office square footage. As with the proposed project, implementation of mitigation measures MM AQ-1.1 and MM AQ-2.1 would reduce operational air quality impacts under the Reconfigured Parking Alternative to less than significant.

Air quality impacts during construction of the Reconfigured Parking Alternative are summarized in Table 8.3-1 below. As shown in Table 8.3-1, although the number of workdays during one year may be less or similar to another year, emissions vary due to the type of construction activity occurring that year. For example, the last year of construction will have the fewest construction days but result in the highest ROG emissions due to painting, coating, and paving activities.

Table 8.3-1: Reconfigured Parking Alternative Construction Period Emissions

Year	ROG	NOx	PM_{10}	$PM_{2.5}$
Average Daily Construction Emissions Per Year (pounds/day)				
2024 (262 construction workdays)	1.45	12.01	0.52	0.49
2025 (261 construction workdays)	2.52	21.51	0.93	0.83
2026 (261 construction workdays)	5.13	28.36	1.13	1.04
2027 (175 construction workdays)	10.14	10.76	0.51	0.44
BAAQMD Threshold	*54*	*54*	*82*	*54*
Exceed Threshold?	**No**	**No**	**No**	**No**

Source: Illingworth & Rodkin, Inc. *University Circle Phase II Alternative, East Palo Alto, CA Addendum to the Air Quality and Greenhouse Gas Assessment.* October 7, 2021.

As shown in Table 8.3-1, criteria pollutant emissions during construction of the Reconfigured Parking Alternative would not exceed the BAAQMD thresholds for ROG, NOx, PM_{10}, and $PM_{2.5}$ emissions and implementation of BAAQMD best management practices would reduce fugitive dust emissions to a less than significant level. Compared to the proposed project (refer to Table 4.3-4 in Section 4.3 Air Quality for proposed project construction emissions results), criteria pollutant emissions during construction of the Reconfigured Parking Alternative would be approximately 66 percent less than the proposed project. Because this Alternative would require approximately one third of the excavation included in the proposed project, there would be a corresponding reduction in excavation and truck trips to off-haul soil.

As with the proposed project, the maximally exposed individual (MEI) is located in the multi-family residence at the northeast corner of the University Avenue/Woodland Avenue intersection. The Reconfigured Parking Alternative would have an unmitigated cancer risk of 68.1 per million, annual

$PM_{2.5}$ concentrations of 0.94 µg/m^3, and hazard index of 0.05. Compared to the proposed project, the Reconfigured Parking Alternative would have 22 percent less unmitigated cancer risk, 20 percent less annual $PM_{2.5}$ concentrations, and 16 percent less hazard index than the proposed project (refer to Table 4.3-6 in Section 4.3 Air Quality for proposed project construction emissions results). However, similar to the proposed project, the Reconfigured Parking Alternative would exceed (albeit to a somewhat lesser extent than the project) the single source thresholds for cancer risk and annual $PM_{2.5}$ emissions[167], requiring implementation of mitigation measures MM AIR-2.1 and MM AIR-3.1 to reduce cancer risk levels and annual $PM_{2.5}$ concentrations to a less than significant level.

Biological Resources

Biological resource impacts during construction and operation of the Reconfigured Parking Alternative would be the same as those identified to occur under the proposed project since the same office building construction would occur. These include construction-related impacts to trees and nesting birds and avian mortality due to collision with glass building facades. As with the proposed project, compliance with the City's tree replacement policy and implementation of mitigation measures MM BIO-1.1 through MM BIO-1.4 would reduce tree removal impacts to a less than significant level and avoid nesting bird impacts, respectively. Bird collision impacts would be reduced to a less than significant level with implementation of mitigation measures MM BIO-4.1 and 4.2, same as the proposed project. Impacts to riparian areas, wetlands, and sensitive natural communities would be less than significant and the Alternative would not conflict with a habitat conservation plan or natural community conservation plan area.

Because biological resource impacts under the Reconfigured Parking Alternative would be the same as the proposed project, cumulative biological resource impacts under this Alternative would also be the same as the proposed project.

[167] BAAQMD single-source threshold for cancer risk is 10 per million and the single-source threshold for annual $PM_{2.5}$ concentrations is 0.3 µg/m^3. Source: Illingworth & Rodkin, Inc. *University Circle Phase II Alternative, East Palo Alto, CA Addendum to the Air Quality and Greenhouse Gas Assessment.* October 7, 2021.

Cultural Resources

Because development under the Reconfigured Parking Alternative would occur on the same site as the proposed project where no historic resources have been identified, impacts to historic resources under this Alternative would be less than significant, the same as the proposed project.

The Reconfigured Parking Alternative would involve demolition of the existing surface parking lot and excavation to a depth of 16 feet bgs for the below-grade parking garage within the same footprint of the proposed project. Additionally, drilling to a depth of 80 to 150 feet bgs would be required to install micro-piles within the footprint of the existing above-grade parking garage to provide additional support for the 2.5 level addition. Construction of one level of below-grade parking, compared to three level of below-grade parking under the proposed project, would require less excavation and, as a result, could reduce the potential for encountering archaeological resources compared to the proposed project. However, as discussed in Section 4.5, Cultural Resources, although no archaeological resources have been recorded on the project site, the site has high sensitivity for Native American archaeological resources. Additionally, based on the timing of historic and prehistoric occupation of the area, soils between zero and 23 feet bgs have highest potential to contain archaeological resources.[168] Therefore, although ground disturbance under this Alternative would be less, ground disturbing activities during construction of the Reconfigured Parking Alternative could disturb previously unrecorded archaeological resources. Therefore, similar to the proposed project, ground-disturbing activities associated with the Reconfigured Parking Alternative could disturb human remains. As with the proposed project, implementation of mitigation measures MM CUL-2.1, 2.2, 2.3, and MM CUL-3.1 would reduce potential impacts to unrecorded archaeological resources to a less than significant level. Therefore, although the Reconfigured Parking Alternative would require construction at the location of the existing above-grade parking garage, cultural resources impacts would be less than significant with mitigation incorporated, same as the proposed project and would not result in a significant cumulative cultural resources impact.

Energy

Similar to the proposed project, the Reconfigured Parking Alternative would require energy during construction and operation of the office building and parking garages and would be subject to the same State and local energy efficiency standards and building code requirements. Because the Reconfigured Parking Alternative would construct the same office building as the proposed project (i.e., consistent with Title 24 and CALGreen and designed to achieve LEED Platinum certification), the Alternative would result in the same less than significant energy impacts during operation.

Although the Reconfigured Parking Alternative would be constructed over a longer period than the proposed project (44 months instead of 36 months for the proposed project), because this Alternative would construct one level of below-grade parking, compared to three levels of below-grade parking under the proposed project, fewer pieces of construction equipment would be required to expand the above-grade and below-grade parking garages and roughly one third as much soil would be exported, resulting in less energy consumed for fuel and building materials compared to the proposed project. As with the proposed project, construction of the Reconfigured Parking Alternative would be

[168] Holman & Associates, Inc. *Result of CEQA Archaeological Literature Search for University Circle Phase II Office Project, 1900, 1950, and 2000 University Circle, East Palo Alto, San Mateo County, California.* May 20, 2020.

completed as efficiently as possible to avoid excess monetary costs. Furthermore, as discussed above, this Alternative would implement MM AIR-2.1 to minimize equipment idling times, same as the proposed project. For these reasons, the Reconfigured Parking Alternative would not consume energy in a manner that is wasteful, unnecessary, or inefficient, same as the proposed project. Because energy impacts from the Reconfigured Parking Alternative would be the less than the proposed project, cumulative energy impacts under this Alternative would also be less than the proposed project.

Geology and Soils

As discussed in Section 4.7, Geology and Soils, the project site is located in a seismically active region and is within a State-designated liquefaction hazard zone, however, no active faults run through the project site and the site has low potential for expansive soils. The potential for paleontological resources on-site is also low. The Reconfigured Parking Alternative would be subject to the same site conditions as the proposed project and would not be subject to landslide hazards, or hazards related to expansive soils. Although unlikely, as with the proposed project, construction could disturb currently unknown paleontological resources, and implementation of mitigation measure MM GEO-1 would be required. Construction of the office building and parking garages under this Alternative would not exacerbate ground shaking, permanently modify groundwater levels such that it would exacerbate hazards due to liquefaction, same as the proposed project. Groundwater at the project site is located approximately 15 feet bgs.[169] Construction of the Reconfigured Parking Alternative would require excavation to a depth of 16 feet for the below-grade parking garage and drilling to a depth of 80 to 150 feet for the above-grade garage foundation. Therefore, the Reconfigured Parking Alternative could require temporary dewatering during construction and would be required to comply with National Pollutant Discharge Elimination System (NPDES) Construction General Permit and the Municipal Regional Permit (MRP) to reduce potential soil erosion and loss of topsoil. As with the proposed project, this Alternative would be served by the City's existing wastewater utilities, and no septic systems or Alternative wastewater disposal system would be necessary. Because geology and soils impacts from the Reconfigured Parking Alternative would be the same as the proposed project, cumulative geology and soils impacts under this Alternative would also be the same as the proposed project.

Greenhouse Gas Emissions

The Reconfigured Parking Alternative would construct the same office building in the same location on-site as the proposed project. Construction activities under this Alternative would result in temporary GHG emissions; however, similar to the proposed project, construction emissions from the Reconfigured Parking Alternative would not interfere with implementation of AB 32 or SB 32. Operational GHG emissions associated with development of the Reconfigured Parking Alternative would be less than significant, the same as the proposed project. Because GHG impacts from operation of the Reconfigured Parking Alternative would be the same as the proposed project, cumulative GHG impacts under this Alternative would also be the same as the proposed project.

[169] Ibid.

Hazards and Hazardous Materials

Development under the Reconfigured Parking Alternative would occur on the same site as the proposed project; therefore, impacts related to airport hazards, wildfires, hazardous emissions and handling of hazardous or acutely hazardous materials within one-quarter mile of an existing or proposed school, and development on a site included on a list of hazardous materials sites would be the same as the proposed project. Additionally, because the Reconfigured Parking Alternative would develop the same office building in the same location on-site as the proposed project, impacts related to routine transport, use, or disposal of hazardous materials, reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment and impairing or physically interfering with an adopted emergency response or evacuation plan would be the same as the proposed project. Because hazards and hazardous materials impacts from the Reconfigured Parking Alternative would be the same as the proposed project, cumulative hazards impacts under this Alternative would also be the same as the proposed project.

Hydrology and Water Quality

Because development under the Reconfigured Parking Alternative would occur on the same site as the proposed project, no impacts would occur related to release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones, same as the proposed project.

Similar to the proposed project, construction of the Reconfigured Parking Alternative could require temporary groundwater dewatering and would comply with the Construction General Permit to avoid violating water quality standards or waste discharge requirements or otherwise substantially degrading surface or groundwater quality.

As under the proposed project and consistent with the requirements of the MRP, the Reconfigured Parking Alternative would include flow-through planters and a lined bioretention area to capture, treat, and reduce the rate and volume of project-generated runoff to pre-project conditions. Therefore, runoff would not result in erosion or flooding or exceed the capacity of existing or planned stormwater drainage systems. As with the proposed project, the Reconfigured Parking Alternative would not measurably affect groundwater levels, and with implementation of conditions of approval and compliance with the MRP, would not conflict with a water quality or groundwater management plan. For these reasons and those stated above, the hydrology and water quality impacts from the Reconfigured Parking Alternative would be less than significant and would not result in a significant cumulative hydrology and water quality impact, same as the proposed project.

Land Use and Planning

The Reconfigured Parking Alternative would construct an office building of the same size and in the same location as the proposed project. The location and construction of on-site parking and vehicle circulation during construction is different than the proposed project, but all other components of the Reconfigured Parking Alternative are identical to the proposed project. Therefore, as with the proposed project, the Alternative would not construct a road or infrastructure that could physically divide the existing community and would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Because land use impacts from the Reconfigured Parking

Alternative would be the same as the proposed project, cumulative land use impacts under this Alternative would also be the same as the proposed project.

Noise

The following discussion is based, in part, on an addendum to the Noise and Vibration Assessment prepared in September 2021 by Illingworth & Rodkin, Inc. The Noise and Vibration Assessment Addendum analyzed the construction and operational noise and vibration impacts from the Reconfigured Parking Alternative. This report is attached as Appendix F.

The Reconfigured Parking Alternative would construct the same office building, in the same location on the site as the proposed project. Therefore, the building would be located outside of the 55 dBA CNEL noise contour for Palo Alto Airport and would not expose people residing or working in the project vicinity to excessive noise levels. Operation of the office building including traffic noise, below-grade parking garage noise, and mechanical equipment noise would be the same as the proposed project because the Reconfigured Parking Alternative would generate the same vehicle trips, parking lot activity within the below grade garage, and mechanical noise levels from operation the HVAC system as the proposed project. Although vehicles would utilize the above-grade parking structure under this alternative, noise levels would not measurably change compared to conditions under the proposed project due to elevated noise levels in this area from U.S. 101. Additionally, cumulative traffic noise impacts would be the same as the proposed project.

The Reconfigured Parking Alternative would result in different parking lot noise within the above-grade garage compared to the proposed project because it would expand the parking garage and increase vehicle traffic within the garage. However, the above-grade parking garage is adjacent to U.S. 101 and experiences high ambient noise levels under existing conditions. Therefore, although parking lot activities would increase under the Reconfigured Parking Alternative, the increase would be minor and would not be perceptible at nearby receptors.

Construction of the Reconfigured Parking Alternative would occur after the Settlement Agreement expires. Construction would occur between the hours of 7:00 a.m. and 10:00 p.m. and approximately 130 feet from the nearest commercial use (existing office building on-site), and approximately 250 feet from the nearest residential use, the same as the proposed project.[170] However, construction of this Reconfigured Parking Alternative would occur in two separate phases over a period of approximately 44-months to allow for completion of the above-grade parking garage expansion before construction of the below-grade garage and office building is started, compared to a 36-month construction period for the proposed project. Noise levels from construction of the Reconfigured Parking Alternative would exceed the Municipal Code threshold of 55 dBA at nearby residential uses between 7:00 p.m. and 10:00 p.m., and the General Plan threshold of conducting construction activities within 500 feet of residential uses or 200 feet of commercial uses, for a period of greater than 12 months, the same as the proposed project. For these reasons, as with the proposed project, the Reconfigured Parking Alternative would result in a significant construction noise impact and would be required to implement mitigation measure MM NOI-1.1 to reduce construction noise impacts to a less than significant level.

[170] Per Municipal Code Section 15.040125B(3) an exception to the permitted construction hours may be granted by Planning Commission.

Although the location and duration of construction activity under the Reconfigured Parking Alternative would be different from the proposed project, it would also result in significant construction noise impacts and require the same mitigation measures as the proposed project. For this reason, the Reconfigured Parking Alternative would result in the same less than significant cumulative construction noise impacts as the proposed project.

Construction of the Reconfigured Parking Alternative would generate vibration at different locations within the project site compared to the proposed project. Vibration levels at all off-site residential and commercial buildings would be less than significant under this alternative. On-site vibration levels, however, would reach a maximum of 1.233 in/sec PPV at the hotel and office building at 1900 University Circle, exceeding the 0.3 in/sec PPV threshold and potentially result in cosmetic damage to these structures. For this reason, as with the proposed project, the Reconfigured Parking Alternative would be required to implement mitigation measure MM NOI-3.1.

Population and Housing

Except for the location and construction of on-site parking and vehicle circulation during construction, the Reconfigured Parking Alternative is identical to the proposed project and, therefore, would result in impacts similar to the proposed project. As with the proposed project, the Reconfigured Parking Alternative would not displace housing or people and would not result in unplanned population growth. For these reasons, the Reconfigured Parking Alternative would have a less than significant impact on population and housing in East Palo Alto, same as the proposed project. Because population and housing impacts from the Reconfigured Parking Alternative would be the same as the proposed project, cumulative population and housing impacts under this Alternative would also be the same as the proposed project.

Public Services

Except for the location and construction of on-site parking and vehicle circulation during construction, the Reconfigured Parking Alternative is identical to the proposed project and, therefore, would result in impacts similar to the proposed project. Therefore, as with the proposed project, the Reconfigured Parking Alternative would be consistent with the City's General Plan development assumptions for the site and would not result in significant environmental impacts related to the provision of new or physically altered public facilities. Because public services impacts under the Reconfigured Parking Alternative would be the same as the proposed project, cumulative public services impacts under the Reconfigured Parking Alternative would also be the same as the proposed project.

Recreation

Except for the location and construction of on-site parking and vehicle circulation during construction, the Reconfigured Parking Alternative is identical to the proposed project and, therefore, would result in impacts similar to the proposed project. Therefore, as with the proposed project, the Reconfigured Parking Alternative would not result in significant impacts due to the deterioration of existing recreational facilities or construction of new recreational facilities. Because recreational impacts from the Reconfigured Parking Alternative would be the same as the proposed project,

cumulative recreational impacts under this Alternative would also be the same as the proposed project.

Transportation

The following discussion is based, in part, on a Transportation Analysis prepared for the project by Hexagon Transportation Consultants in August 2021. This report is attached as Appendix H.

Except for the location and construction of on-site parking and vehicle circulation during construction, the Reconfigured Parking Alternative is identical to the proposed project and, therefore, would result in impacts similar to the proposed project. This alternative would require roughly one third as much soil export, and therefore require correspondingly fewer construction truck trips, compared to the project. Therefore, as with the proposed project, the Reconfigured Parking Alternative would not conflict with a program, plan, ordinance, or policy addressing pedestrian, bicycle, or transit circulation and would be required to implement mitigation measures MM TRA-1.1 to reduce its VMT impacts to a less than significant level. Additionally, since the size and location of the office building would not change under this Reconfigured Parking Alternative, the traffic operations under the Alternative would be the same as the proposed project. Because transportation impacts from the Reconfigured Parking Alternative would be the same as the proposed project, cumulative transportation impacts under this Alternative would also be the same as the proposed project.

Parking and Circulation

The Reconfigured Parking Alternative would provide adequate connectivity through the parking areas for vehicles, bicycles, and pedestrians. Vehicle access to the below-grade parking garage and above-grade parking garage would continue to meet the City's standards.

There are a total of 1,670 parking spaces on-site shared between the existing office buildings and hotel (1,194 spaces for three office buildings and 476 spaces for hotel). Parking demand for the existing office buildings was determined by the traffic study to be 891 spaces (25.4 percent lower than the parking spaces provided) and parking demand for the hotel was determined to be 222 spaces (64.4 percent lower than the parking spaces provided). The current parking ratio for the site is one space per 385 square feet of office uses and 2.38 spaces per guest room for the hotel uses.

The Reconfigured Parking Alternative would construct a new 180,000-square-foot office building, expand the existing above-grade parking garage from four to 6.5 levels and expand the existing one level below-grade parking garage. As with the proposed project, the City parking requirement would be 600 spaces to support the additional 180,000 square feet of office space (1 space per 300 square feet), which may be reduced with approval of a Conditional Use Permit (CUP) and Transportation Demand Management (TDM) plan to reduce parking demand at the discretion of City Council.

A parking demand analysis prepared by Hexagon Transportation Consultants (Appendix H) determined the peak parking demand for the new office building would be 349 spaces, same as the proposed project. Under the Reconfigured Parking Alternative, there would be a total of 1,815 spaces

on-site, including 263 spaces for hotel use[171] and 1,552 spaces for office use. Based on the parking demand analysis, this Alternative would provide sufficient parking for both existing and future uses on-site. As with the proposed project, the Reconfigured Parking Alternative would require a CUP to allow for reduced on-site parking.

As noted above, under the Reconfigured Parking Alternative, University Circle would remain open during construction; however, the existing entrance ramp to the below-grade parking garage would be temporarily closed, and the existing exit ramp would be converted to provide below-grade garage ingress and egress. Because University Circle would remain open, the Reconfigured Parking Alternative, unlike the proposed project, would not require the redistribution of traffic to entrances on Manhattan Avenue or construction of off-site temporary traffic improvements. Similar to the proposed project, under this Alternative, a lane closure of the westbound Woodland Avenue would be required between 9:00 am and 4:00 p.m. Since there would not be any lane closures along Woodland Avenue during the peak commute hours, there would be no impact to traffic circulation during construction of the Reconfigured Parking Alternative.

During operation, the Above-Grade Alternative is estimated to generate the same number of vehicle trips as the proposed project since it provides the same building space. It is expected that most of the trips under the Reconfigured Parking Alternative would access the site via University Circle since it provides direct access to the subterranean parking garage directly below the proposed office building. As a result, traffic volumes at Manhattan Avenue driveways would be unchanged from predicted conditions under the proposed project.

Tribal Cultural Resources

As discussed in Section 4.17, Tribal Cultural Resources, no known tribal cultural resources are located on the site. Except for the location and construction of on-site parking and vehicle circulation during construction, the Reconfigured Parking Alternative is identical to the proposed project and, therefore, would result in impacts similar to the proposed project. Therefore, as with the proposed project, impacts to tribal cultural resources under the Reconfigured Parking Alternative would be less than significant. Because impacts from the Reconfigured Parking Alternative would be the same as the proposed project, cumulative tribal cultural resources impacts under this Alternative would also be the same as the proposed project.

Utilities

Except for the location and construction of on-site parking and vehicle circulation during construction, the Reconfigured Parking Alternative is identical to the proposed project and, therefore, would result in impacts similar to the proposed project. The Reconfigured Parking Alternative would construct the same office building in the same location as the proposed project and retrofit the three existing on-site office buildings with water efficient plumbing fixtures and appliances. Therefore, as with the proposed project, the Reconfigured Parking Alternative would not require or result in the relocation or construction of new or expanded water, wastewater, stormwater, electricity, natural gas or telecommunications facilities, which could cause significant environmental effects. Additionally, the Reconfigured Parking Alternative would not have insufficient water supplies to serve the project

[171] This includes 44 spaces shared between the hotel and future office building.

or result in a determination by the wastewater treatment provider which serves the project site that it does not have capacity to serve the project's projected demand in addition to the provider's existing commitments. Solid waste generated by the office building and parking areas under the Reconfigured Parking Alternative would also be the same as the proposed project, as it would not generate solid waste in excess of state or local standards or the capacity of local infrastructure and would comply with federal, state, and local management and reduction statutes and regulations related to solid waste. Because utilities impacts from the Reconfigured Parking Alternative would be the same as the proposed project, cumulative utilities impacts under this Alternative would also be the same as the proposed project.

Relationship to Project Objectives

Because the Reconfigured Parking Alternative would develop the same office building, retrofit the existing office buildings with water efficient plumbing fixtures and appliances, and include the same community benefits as the proposed project, it would meet all of the project objectives to the same extent as the proposed project.

Conclusion

The Reconfigured Parking Alternative would construct the same office building and include the same community benefits as the proposed project with parking provided through a combination of expanding the existing below-grade and above-grade parking garages, rather than providing all the project's parking in a three level below-grade garage. This alternative would trade off a reduction in temporary construction impacts with a design that entails public views of a taller parking structure for the lifespan of the project. Retrofit of the existing office buildings on-site with water efficient plumbing fixtures and appliances would also occur under this Reconfigured Parking Alternative. This Reconfigured Parking Alternative would meet all of the stated project objectives.

The Reconfigured Parking Alternative would construct the same size office building as the proposed project and, therefore, would result in operational impacts similar to the proposed project. As described above, compared to the proposed project, impacts to cultural resources, construction criteria air pollutant and TAC emissions, construction noise and vibration would be less due to the reduced excavation required for the smaller below-grade parking garage. The CEQA aesthetics impacts from expansion of the above-grade parking garage would be less than significant, the same as the proposed project, but the taller above-grade garage would be less aesthetically pleasing than existing conditions and conditions under the proposed project. Impacts from the Reconfigured Parking Alternative would be less than significant or reduced to a less than significant level with incorporation of the same mitigation measures required for the proposed project.

8.3.4 Environmentally Superior Alternative

The CEQA Guidelines state that an EIR shall identify an environmentally superior alternative. If the environmentally superior alternative is the "No Project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives (Section 15126.6 (e) (2)). Table 8.3-1 summarizes the level of impact under the proposed project and each project alternative.

Table 8.3-2: Comparison of Impacts from Alternatives to the Proposed Project					
Resource Areas	**Proposed Project**	**No Project**	**Below-Grade Reduced Scale Parking**	**Above-Grade Reduced Parking**	**Reconfigured Parking**
Aesthetics	LTS	No Impact	*LTS*	**LTS**	**LTS**
Agriculture and Forestry Resources	No Impact	No Impact	No Impact	No Impact	No Impact
Air Quality	LTS with MM	No Impact	*LTS with MM*	*LTS with MM*	*LTS with MM*
Biological Resources	LTS with MM	No Impact	LTS with MM	LTS with MM	LTS with MM
Cultural Resources	LTS with MM	No Impact	LTS with MM	*LTS with MM*	LTS with MM
Energy	LTS	No Impact	*LTS*	*LTS*	*LTS*
Geology and Soils	LTS with MM	No Impact	LTS with MM	LTS with MM	LTS with MM
Greenhouse Gas Emissions	LTS	No Impact	*LTS*	*LTS*	*LTS*
Hazards and Hazardous Materials	LTS	No Impact	LTS	LTS	LTS
Hydrology and Water Quality	LTS	No Impact	*LTS*	*LTS*	*LTS*
Land Use and Planning	LTS	No Impact	LTS	LTS	LTS
Noise	LTS with MM	No Impact	LTS with MM	*LTS with MM*	LTS with MM
Population and Housing	LTS	No Impact	LTS	LTS	LTS
Public Services	LTS	No Impact	LTS	LTS	LTS
Recreation	LTS	No Impact	LTS	LTS	LTS
Transportation	LTS with MM	No Impact	LTS with MM	LTS with MM	LTS with MM
Tribal Cultural Resources	LTS	No Impact	LTS	*LTS*	LTS
Utilities and Service Systems	LTS	No Impact	LTS	LTS	LTS
Wildfire	No Impact	No Impact	No Impact	No Impact	No Impact
Meets Project Objectives?	Yes	No	Partially	Partially	Yes

LTS: Less than Significant Impact.

LTS with MM: Impact reduced to a less than significant level with mitigation.

Impacts in **Bold** text are greater than comparable project impact. Impacts that are in *italics* are less than the project

As shown in Table 8.3-2, the environmentally superior alternative would be the No Project Alternative, which would avoid all project impacts, by leaving the site in its current condition. The No Project Alternative, however, would achieve none of the project objectives. Beyond the No Project Alternative, all of the alternatives presented above would be environmentally superior to the project, but the two reduced scale alternatives fall far short of meeting project objectives by achieving roughly one third of the proposed office space and not providing community benefits. The Reconfigured Parking Alternative would be the environmentally superior alternative that achieves project objectives. The Reconfigured Parking Alternative would result in fewer construction-related impacts and would reduce potential impacts to unknown subsurface cultural and paleontological resources impacts. This alternative would not avoid project operation impacts (e.g., mechanical equipment noise). The Reconfigured Parking Alternative would meet all of the project objectives.

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SECTION 10.0 LEAD AGENCY AND CONSULTANTS

10.1 LEAD AGENCY

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SECTION 11.0 ACRONYMS AND ABBREVIATIONS

Amsl	Above mean sea level
ADA	Americans with Disabilities Act
ACM	Asbestos containing material
AIA	Airport Influence Area
APN	Assessor's Parcel Number
ABAG	Association of Bay Area Governments
ADT	Average Daily Traffic
2017 CAP	Bay Area 2017 Clean Air Plan
BAAQMD	Bay Area Air Quality Management District
BAWSCA	Bay Area Water Supply and Conservation Agency
BCDC	Bay Conservation and Development Commission
Bgs	Below ground surface
BMP	Best Management Practices
CARB	California Air Resources Board
CDFW	California Department of Fish and Wildlife
Cal Fire	California Department of Forestry and Fire Projection
Cal/OSHA	California Department of Industrial Relations, Division of Occupational Safety and Health
Caltrans	California Department of Transportation
CalEPA	California Environmental Protection Agency
CEQA	California Environmental Quality Act
CGS	California Geological Survey
CALGreen	California Green Building Standards Code
CRHR	California Register of Historic Resources
CO_2	Carbon dioxide
CO	Carbon monoxide
CUP	Conditional Use Permit
CUPA	Certified Unified Program Agency
CFCs	Chlorofluorocarbons
C/CAG	City/County Association of Governments of San Mateo County
CO_2e	CO_2 equivalents
CLUP	Comprehensive Land Use Plan

PM_{10}	Coarse Particulate Matter
CMP	Congestion Management Plan
DTSC	Department of Toxic Substances Control
DRC	Development Review Committee
DPM	Diesel particulate matter
EPAPD	East Palo Alto Police Department
EPASD	East Palo Alto Sanitary District
EOP	Emergency Operations Plan
EIR	Environmental Impact Report
ESA	Environmental Site Assessment
FAA	Federal Aviation Administration
FEMA	Federal Emergency Management Administration
FTA	Federal Transportation Administration
$PM_{2.5}$	Fine Particulate Matter
FHSZ	Fire Hazard Severity Zones
FIRMs	Flood Insurance Rate Maps
FAR	Floor Area Ratio
Construction General Permit	General Construction Permit for the State of California
GWP	Global warming potential
GHG	Greenhouse gases
O_3	Ground-level ozone
HOV	High-occupancy vehicle
HFCs	Hydrofluorocarbons
ITE	Institute of Transportation Engineers
LEED	Leadership in Energy and Environmental Design
LOS	Level of service
MEI	Maximally exposed individual
MPFPD	Menlo Park Fire Protection District
CH_4	Methane
MTC	Metropolitan Transportation Commission
Mpg	Miles per gallon
$MMTCO_2e$	Million metric tons of CO_2 emissions

MLD	Most likely descendant
HMP	Multi-jurisdictional Hazard Mitigation Plan
MRP	Municipal Regional Stormwater NPDES Permit
NHPA	National Historic Preservation Act of 1966
NRHP	National Register of Historic Places
NAHC	Native American Heritage Commission
NO_2	Nitrogen dioxide
NO_x	Nitrogen oxides
N_2O	Nitrous oxides
NOD	Notice of Determination
NOI	Notice of Intent
NOP	Notice of Preparation
OPR	Office of Planning and Research
Airport	Palo Alto Airport
PARWQCP	Palo Alto Regional Water Quality Control Plant
PM	Particulate matter
PPV	Peak Particle Velocity
PCE	Peninsula Clean Energy
PFCs	Perfluorocarbons
PDA	Priority Development Areas
Qhl	Quarternary-age natural levee deposits
ROG	Reactive organic gases
RWQCB	Regional Water Quality Control Basin
Basin Plan	San Francisco Bay Basin Plan
SFPUC	San Francisco Public Utilities Commission
Habitat Plan	Santa Clara Valley Habitat Plan/Natural Community Conservation Plan
VTA	Santa Clara Valley Transportation Authority
Valley Water	Santa Clara Valley Water District
SHMA	Seismic Hazards Mapping Act
SB	Senate Bill
SEC	Shoreway Environmental Center
SBWMA	South Bay Waste Management Authority
SFHAs	Special Flood Hazard Areas

SR	State Route
SWRCB	State Water Resources Control Board
SWPPP	Storm Water Pollution Prevention Plan
SF_6	Sulfur hexafluoride
SO_x	Sulfur oxides
SCS	Sustainable Communities Strategy
TACs	Toxic Air Contaminants
TDM	Transportation Demand Management
TSM	Transportation System Management Plan
TCR	Tribal Cultural Resources
USDA	U.S. Department of Agriculture
EPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
USACE	U.S. Army Corps of Engineers
University Circle Phase I Project	University Circle Redevelopment Plan
UWMP	Urban Water Management Plan
VMT	Vehicle miles travelled
V/C	Volume to capacity ratio