



# CITY OF EAST PALO ALTO

## Informational Memo

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**DATE:** June 7, 2022

**TO:** All Interested Parties

**VIA:** Amy Chen, Community and Economic Development Director

**BY:** Elena Lee, Planning Manager  
Troy Reinhalter and Amber Sharpe, Project Consultants

**SUBJECT:** Comments received on the NOP (Notice of Preparation) and Planning Commission Scoping Meeting for the SEIR related to the RBD / 4 Corners Specific Plan Update

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### **Background**

On April 15, 2022, the Notice of Preparation (NOP) for the RBD/4 Corners Specific Plan Update Supplemental Environmental Impact Report (SEIR) was released in accordance with the California Environmental Quality Act (CEQA). The NOP was submitted to the State's Office of Planning and Research for distribution to State Agencies and was also mailed to property owners within 600 feet, to local and regional agencies, as well as to community groups, religious institutions, and other parties in and near the Ravenswood Business District. As required by CEQA, the NOP disclosed that an environmental impact report is going to be prepared and solicited feedback from the public and agencies on specific topics that they believe should be studied in the project SEIR. Comments were due to the City by May 16, 2022, the end of the 30-day scoping period. Seven comment letters were received.

During this period, the EIR Scoping meeting was held at the May 9<sup>th</sup> Planning Commission meeting. The EIR scoping meeting is an opportunity as part of CEQA process to inform the Planning Commission and the public of the proposed Plan update and to solicit public input on the scope and content of the EIR. At this scoping meeting, project consultants discussed the CEQA environmental review process, key topics or issues anticipated for the SEIR, and opportunities for public and agency input. A copy of the Planning Commission staff report is included as Attachment 3. Comments were provided at the scoping meeting, as well as by email or post; all comments received to date by staff are summarized below.

## **Comments Received at Planning Commission**

A total of 39 participants attended the public scoping meeting held virtually on May 9, 2022, in front of the Planning Commission. The remarks that were received from the Commission included concerns regarding the following issues:

- **Contamination impacts.** Given the area's history with hazardous materials, the SEIR should analyze how this contamination could potentially impact future residents (wherever residential uses may be allowed in the updated Plan). The SEIR must provide necessary mitigation measures to address these hazards.
  - Related to this topic, concerns were raised about how future flooding or sea level rise might interact with contamination buried in the soil, if future groundwater levels are elevated through inundation.
- **Traffic.** The SEIR must address how congestion could be worsened by the proposed development scenarios, including intersection-level analysis.
  - Related to this topic, the SEIR should explore how emergency access routes in and out of the city would be impacted by new developments, as well as the ability of fire and police to access new residents and offices.
- **Infrastructure capacity.** The City has many known constraints on its ability to provide adequate infrastructure, and new development will add to these demands. It was specifically requested that the SEIR include capacity analysis for the water, stormwater, and sanitary systems, as well as understanding whether the City has enough electric power to serve new developments.
  - Related to this topic, it was commented on specifically that the interaction with the East Palo Alto Sanitary District's capacity and any plans for future improvements should be studied.
- **Displacement (indirect and direct).** As has been mentioned previously by Council and the community, the SEIR should include the potential for displacement of EPA residents, including in University Village (staff notes that lengthy analysis of potential displacement impacts was conducted by the project team in fall of 2021).
  - Related to the above topic, the SEIR should consider how housing needs in the city would be impacted by new office/R&D development.
- **Cumulative impacts.** Broadly, several comments addressed the importance of the SEIR considering all of future development both within and outside East Palo Alto (such as the neighboring Willow Village-Facebook project).

- **Sea level rise.** It is vital that the SEIR include consideration of future sea level rise impacts, to understand what drainage improvements will be required to prevent future flooding.
- **Loop Road.** It was requested that the SEIR analyze how construction of a potential Loop Road might have impacts on the environment and the residents, relative to transportation/traffic patterns, habitat, noise impacts, etc.
- **Air pollution.** Residents raised the potential for negative impacts to air pollution from more vehicle trips occurring in the city and requested that the SEIR include analysis of potential airborne pollutants and mitigation measures to monitor the quality of the City's air.
- **1201 Runnymede.** A resident suggested that the existing zoning for this parcel be reduced (staff notes that a condominium project has received entitlements for this site).

### **Comments Received via Email/Letter**

Public comments on the NOP that have been received as of the date of this report are summarized below:

- *County of Santa Clara Airport Land Use Commission (ALUC)*, from Carl Hilbrants. The County ALUC requests consideration of the proximity of the proposed developments to the Palo Alto airport, notes the flight paths and Traffic Pattern Zone that overlays the project site and the need to verify whether building height limitations may apply in the RBD area.
- *Metropolitan Transportation Commission (MTC)*, from Joel Shaffer. MTC's response focuses mainly on the interaction with the Bay Trail, noting that the SEIR must analyze any potential impacts of the project on the Bay Trail alignment and mitigate these impacts, working to close gaps in the trail.
- *Ravenswood Shores Business District*, from Jeff Poetsch. The president of the Business District raised a question about whether the ultimate district capacity should be based on a total amount of square feet or a total amount of predicted impact (if there are fewer trips than expected). Furthermore, he noted the critical importance of understanding the real costs of infrastructure improvements.
- *Midpeninsula Regional Open Space District*, from Melissa Borgesi. The Midpen OSD commented that the SEIR must analyze impacts on biological resources (including impacts to local and migratory birds), hydrology and water quality, noise and vibration, aesthetics, and recreation (an increase in residents should be accompanied by an increase in parks).

- *California Department of Transportation*, from Laurel Sears. Caltrans' comments revolve around the need to conduct VMT analysis pursuant to the City's guidelines, to provide illustrations and analysis of the walking, biking and auto conditions within the project site, and a robust analysis of Transportation Demand Management (TDM) measures and strategies.
- *San Francisco Public Utilities Commission (SFPUC)*, from Joanne Wilson. Comments from the SFPUC focus on the proposed linear park running through University Village that was identified as a potential park improvement in the adopted Specific Plan. This property is owned by the SFPUC and is therefore subject to many restrictions. Further discussion will be required.
- *Loma Prieta Chapter of the Sierra Club, the Citizens Committee to Complete the Refuge, Green Foothills, and Sequoia Audubon Society*, from Barbara Kelsey. The comments from a collective of environmental groups are exhaustive, touching on the need for a biological resources assessment, light pollution and glare impacts, hazardous chemicals in the soil (including assessment of sediment contamination in estuarine channels adjacent to the project), sea-level rise impacts on shallow groundwater, a shoreline overlay to support a future levee, expansion of public services, expansion of park and recreational facilities, impacts from a loop road, deficiencies in the provision of local sewer services, and more.

### **AB 52/SB 18 Compliance**

Pursuant to Senate Bill 18, tribes have a right to consult when municipal agencies consider the adoption or amendment of general plans or specific plans or create open space designations. In addition, per Assembly Bill 52, tribes have a right to consult on a proposed public or private project prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report.

Staff reports that it has been in communication with the Native American Heritage Commission per regulatory requirements and has established contact with a local tribe who has requested consultation. Staff and consultants will conduct this outreach in the upcoming phase of SEIR work.

### **Next Steps/Anticipated Schedule**

The City staff review and public review processes continue after the NOP review period is concluded. The following milestone schedule is subject to change, for example, if a high volume of public comments is received by the City during the NOP or Draft SEIR review or it is determined that new information requested by the public or a reviewing agency needs to be addressed in the SEIR.

1. Staff Review of the Admin Draft EIR – Fall 2022

2. Public Review of the Draft EIR – Fall/Winter 2023
3. Final EIR – Winter/Spring 2023
4. Public Hearings – Spring 2023

### **Attachments**

1. Ravenswood Business District/4 Corners TOD Specific Plan SEIR– Notice of Preparation, April 15, 2022
2. Public comments on NOP received as of the end of the public comment period
3. May 9, 2022 Planning Commission Scoping Meeting staff report and attachments



## NOTICE OF PREPARATION OF ENVIRONMENTAL IMPACT REPORT

**TO:** State Clearinghouse, Responsible & Trustee Agencies, and Other Interested Parties  
**DATE:** April 15, 2022  
**SUBJECT:** **Notice of Preparation of Supplement Environmental Impact Report (SEIR)**  
**Notice of SEIR Scoping Meeting on Monday, May 9, 2022**  
**LEAD AGENCY:** City of East Palo Alto  
**PROJECT TITLE:** Ravenswood Business District/4 Corners Transit-Oriented Development (TOD)  
 Specific Plan Update  
**PROJECT AREA:** City of East Palo Alto, Ravenswood Business District

Notice is hereby given that the City of East Palo Alto (City) will be the Lead Agency and will prepare a Supplemental Environmental Impact Report (SEIR) for the Ravenswood Business District/ 4 Corners Transit-Oriented Development (TOD) Specific Plan Update. The project location, project description, and the potential environmental effects that will be evaluated in the SEIR are described below. Pursuant to the CEQA Guidelines (14 C.C.R. § 15060(d)), the City has determined that a SEIR is required for the project tiered from the certified 2012 Ravenswood/4 Corners TOD Specific Plan Final EIR (SCH#2011052006).

The City is requesting comments and guidance on the scope and content of the SEIR from interested public agencies, organizations and the general public. With respect to the views of Responsible and Trustee Agencies as to significant environmental issues, the City needs to know the reasonable alternatives and mitigation measures that are germane to each agency's statutory responsibilities in connection with the project. Responsible agencies may need to use the SEIR prepared by the City when considering permitting or other approvals for the project.

We would appreciate your response at the earliest possible date. As mandated by state law, comments on the Notice of Preparation (NOP) are due no later than the close of the NOP review period on **Monday, May 16, 2022, at 4 PM**. Please mail or email your written comments to City at the address shown below. Public agencies providing comments are asked to include a contact person for the agency.

### LEAD AGENCY CONTACT:

City of East Palo Alto, Planning Division  
 1960 Tate Street (Attn: RBD Project)  
 East Palo Alto, CA 94303  
[rbd@cityofepa.org](mailto:rbd@cityofepa.org)

A digital copy of this NOP and additional detail about the project can be viewed at:

<https://www.cityofepa.org/planning/page/ceqa-notices> or  
<https://www.cityofepa.org/planning/page/ravenswood-business-district-4-corners-specific-plan-update>

An EIR scoping meeting will be held by the Planning Commission at a regularly scheduled meeting on:

**May 9, 2022, at 7PM**

Due to the COVID-19 pandemic this meeting will be held virtually. Members of the public and public agencies may participate remotely. For access information, please see page 6 below.

**INTRODUCTION:**

The purpose of an Environmental Impact Report (EIR) is to inform decision-makers and the general public of the environmental effects of a proposed project. The EIR process is intended to provide environmental information sufficient to evaluate a proposed project and its potential to cause significant effects on the environment; examine methods of reducing adverse environmental impacts; and consider alternatives to a proposed project.

A supplement to the Ravenswood Business District/4 Corners TOD Specific Plan EIR, (certified in 2013), will be prepared to evaluate the environmental impacts of additional development to be allowed within Ravenswood Business District/4 Corners TOD Specific Plan Update (see project description below). SEIRs need contain only the information necessary to make the previous EIR adequate for the project as revised (per the CEQA Guidelines, Section 15163) and the Ravenswood Business District/4 Corners TOD Specific Plan SEIR will evaluate impacts related to key environmental resource topics. The Ravenswood Business District/4 Corners TOD Specific Plan SEIR will be a programmatic EIR. It is the intent that subsequent environmental review for future individual projects within the Specific Plan area would tier from this SEIR.

**PROJECT LOCATION:**

The approximately 350-acre Ravenswood Business District/4 Corners TOD Specific Plan area is located in the northeastern area of East Palo Alto, in southern San Mateo County.

The project site is generally bounded by the City Limits/Union Pacific Railroad tracks to the north, Weeks Street or Runnymede St to the south, University Avenue and Gloria Way to the west, and the Ravenswood Open Space Preserve and Palo Alto Baylands Nature Preserve to the east. Existing development within the Specific Plan area includes residential, retail, medical office, light and heavy industrial, and institutional land uses. University Village, a single-family neighborhood immediately east of University Avenue, is located within the Specific Plan area (no land use changes are proposed for this neighborhood). Regional, vicinity, and aerial maps of the project site are shown on Figure 1, Figure 2, and Figure 3, respectively.

**PROJECT DESCRIPTION:**

The current Ravenswood Business District /4 Corners TOD Specific Plan, approved in 2013, serves as a guide for development and redevelopment in the Specific Plan area and provides a policy and regulatory framework by which development projects and public improvements are reviewed. Additional information on the Ravenswood Business District/4 Corners TOD Specific Plan Update can be found on the City's project page: <https://www.cityofepa.org/planning/page/ravenswood-business-district-4-corners-specific-plan-update>

The current Specific Plan allows for development of up to 1.268 million square feet of office uses, 351,820 square feet of industrial or research and development uses, 112,400 square feet of retail uses, 61,000 square feet of civic/community uses, 835 housing units (816 multifamily, 19 single-family). As of the date of this NOP,

approximately 10 percent (140,650 square feet) of office uses, 40 percent (25,000 square feet) of civic/community uses, and 20 percent (168 units) of residential uses have been constructed or entitled.

Table 1: Existing Plan and Development to Date							
	Office (s.f.)	R&D/Lab (s.f.)	Light Industrial	Retail (s.f.)	Civic (s.f.)	Amenity (s.f.)	Housing Units
Allowed Under Existing Specific Plan	<u>1,268,500</u>	<u>175,910</u>	<u>175,910</u>	<u>112,400</u>	<u>61,000</u>	<u>0</u>	<u>835</u>
Constructed/Built	32,650	0	0	0	25,000	0	0
Entitled	108,000	0	0	0	0	0	168
Subtotal	140,650	0	0	0	25,000	0	168
<i>Remaining from Existing Plan Allocation</i>	<i>1,127,850</i>	<i>175,910</i>	<i>175,910</i>	<i>112,400</i>	<i>36,000</i>	<i>0</i>	<i>667</i>

The proposed update to the Ravenswood 4/Corners TOD Specific Plan (Plan) would **increase the total amount of development allowed within the Specific Plan area** by increasing the maximum square footages for office, research and development/life science, light industrial, civic/community, tenant amenity, and the total number of residential units allowed to be developed within the Specific Plan area. The SEIR will evaluate two scenarios for non-residential development consisting of 2.82 million square feet of office and Research and Development (R&D) and 3.35 million square feet, respectively. The SEIR will also evaluate two scenarios for residential development consisting of 1,350 residential units and 1,600 residential units, respectively. The project will also include comprehensive utility, infrastructure, transportation, and sea level rise improvements. Therefore, this SEIR is seeking to environmentally clear a cumulative amount of development that is greater than the existing Specific Plan. The future exact allocation of that development will be determined by project-specific applications and approvals but will not exceed the total under cleared this SEIR.

The project will include adoption of amendments to the East Palo Alto General Plan and Zoning Ordinance, changing certain existing land use designations in the Plan Area and updating existing or establishing new development standards to replace some of the current zoning provisions applicable to the Plan Area. These amendments must be completed to ensure consistency between the Specific Plan, General Plan, and Zoning Ordinance. There would be no change in the Specific Plan area boundaries.

Compared to the existing Plan, for some land use designations increased intensity and height may be allowed, while in others, the allowed maximum intensity and height may be decreased. Under both Buildout Scenarios that comprise the ‘project,’ all proposed increases in non-residential development square footage would occur on parcels within the Plan Area that currently allow such non-residential land uses. In contrast, under the project, residential uses are proposed to be allowed in more zones/parcels compared to the existing Plan.



**Table 2: Development Under Scenarios #1 and #2**

	Non-Residential (square feet)						Housing Units			
	Office/ R&D	Office	R&D/ Light Industrial or Flex		Retail	Civic/ Comm	Tenant Amenity	All	Multi- family	Single- Family
Allowed Under Existing Plan	n/a	1,268,500	351,820		112,400	61,000	0	835	816	19
<i>Reallocation</i>		<b>Office</b>	<b>R&amp;D/Lab</b>	<b>Industrial</b>						
“No Project” Scenario	1,444,410	1,268,500	175,910	175,910	112,400	61,000	0	835	816	19
Buildout Scenario #1 (“Reduced”)	2,824,000	1,835,600	988,400	250,000	112,400	154,700	43,870	1,350	1,270	80
<i>Net Change #1</i>	+1,379,590	+567,100	+812,490	+74,090	0	+93,700	+43,870	+515	+454	+61
Buildout Scenario #2	3,335,000	2,167,750	1,167,250	300,000	112,400	154,700	53,500	1,600	1,472	128
<i>Net Change #2</i>	+1,890,590	+899,250	+991,340	+124,090	0	+93,700	+53,500	+765	+656	+109

**SEIR ANALYSIS:**

The SEIR will assess both project scenarios and the potential direct, indirect, and cumulative environmental impacts on key environmental resource topics outlined in the CEQA Environmental Checklist (CEQA Guidelines, Appendix G) and listed below. Mitigation measures will be identified for significant impacts, as warranted.

- *Air Quality/Greenhouse Gas Emissions.* An Operational Air Quality (e.g., criteria pollutants) and GHG Assessment will be completed for the Specific Plan Update SEIR Buildout Scenarios. A Construction Health Risk and Construction Criteria Pollutant Assessment will be required for project-specific tiering for specific development projects when detailed information about construction activity is known.
- *Archaeological/Cultural Resources.* An updated archaeological review and sensitivity map will be completed for the Specific Plan Update SEIR. An Archaeological Resources Assessment will be required for project-specific tiering for specific development projects located within an Archaeological Sensitivity Zone.
- *Biological Resources.* A Biological Assessment will be completed for the Specific Plan Update SEIR. The report will address any potential impacts to biological resources in the Plan area and identify mitigation measures required for future individual projects. The assessment will include an updated database search for special status wildlife species and rare plants that may occur in the Plan area. Results of the Specific Plan Update Biological Assessment will determine further site studies that would be required for project-specific tiering for development projects.
- *Geology and Soils.* The Specific Plan Update will identify soil types and faults across the Plan Area, as well as a general description of geologic and seismic conditions. Project-specific Geotechnical Reports will be required for each individual site at the time specific developments are proposed.
- *Hazards and Hazardous Materials.* A Geotracker/EnviroStor search will be completed to identify any contaminated sites within the Plan area. Specific development projects- will be required to address

hazardous materials as applicable in greater detail such as through preparation of an Environmental Site Assessment.

- *Hydrology and Water Quality.* The Specific Plan SEIR will add any relevant new data as necessary (e.g., Sea Level Rise/flood plain maps, Safer Bay levee alignment and design, FEMA 2.0 data). The analysis of specific development projects will tier from the Specific Plan SEIR based on information provided by project engineers.
- *Noise/Vibration.* A Noise Assessment will be prepared for Specific Plan Update, including an operational (traffic) noise analysis, development of performance standards for operational mechanical equipment, and analysis of standard construction noise and mitigation measures required for future specific development projects. The analysis of specific development projects will tier from the Specific Plan SEIR, with supplemental noise analysis to be prepared for projects with the potential to generate substantial noise during construction and/or operation that differs from the assumptions used in the SEIR's analysis.
- *Transportation.* The cumulative traffic study for the Specific Plan Update SEIR will include a vehicle-miles traveled (VMT) analysis and a level of service (LOS) analysis for the Plan Buildout Scenarios presented above and identify the roadway improvements required. Additional project-specific analysis will be required at the time of future development projects, the extent of which will depend on the results of the Specific Plan Update analysis.
- *Utilities and Service Systems.* An updated Utility Study including Water Supply Assessment, Sewer Assessment, and Storm Drainage Assessment will be prepared for the Specific Plan Update, which will identify any deficiencies or infrastructure improvements necessary.

**Alternatives:** In addition to the evaluation of two scenarios for office/R&D (2.82 million and 3.35 million s.f. of office/R&D, respectively) and two scenarios for housing (1,350 and 1,600 units, respectively), the SEIR will examine alternatives to the proposed Plan Update including a “No Project” alternative (which would represent full buildout of the existing Specific Plan of approximately 1.4 million s.f. of office/R&D). Additional alternatives may be generated depending on the impacts identified; other alternatives that may be discussed could include an alternative Plan configuration. Alternatives evaluated will be chosen based on their ability to reduce or avoid identified project impacts while achieving most of the identified project objectives.

**Cumulative Impacts:** The SEIR will address the potentially significant cumulative impacts of the project when considered together with other past, present, and reasonably foreseeable future projects in the project area.

In conformance with the CEQA Guidelines, the SEIR will also include the following information: 1) consistency with local and regional plans and policies, 2) growth inducing impacts, 3) significant unavoidable impacts, 4) significant irreversible environmental changes, 5) references and organizations/persons consulted, and 6) SEIR authors.

**PUBLIC SCOPING MEETING:**

This scoping session will be an agenda item of a scheduled session of the Planning Commission on Monday, May 9, 2022. The City Council for the City of East Palo Alto has adopted a resolution making the AB 361 findings necessary to continue virtual public meetings for the City Council and City Advisory Bodies During the COVID-19 State of Emergency. To reduce the spread of Covid-19, this meeting will be held by virtual teleconference/video conference only.

Members of the public and public agencies are invited to view and participate in this virtual gathering to provide comments regarding the scope and content of the SEIR. Members of the public can find information and may provide comments by signing up on the City's meeting page at <http://eastpal Alto.iqm2.com/Citizens/Default.aspx> or by attending the meeting live via Zoom and using the "RAISE HAND" feature when the Chair or Planning Clerk calls for public comment. Project questions and comments can also be sent to the contact information listed above.

The Monday, **May 9, 2022** virtual Planning Commission meeting will be held online at 7:00 pm and can be accessed via the Zoom meeting link listed below. In addition, an agenda packet, which includes meeting links, will be available no later than the Friday before the meeting date at the following: [http://eastpal Alto.iqm2.com/Citizens/Detail\\_Meeting.aspx?ID=1049](http://eastpal Alto.iqm2.com/Citizens/Detail_Meeting.aspx?ID=1049). Members of the public may provide comments by email to [rbd@cityofepa.org](mailto:rbd@cityofepa.org).

The length of the emailed comments should be within the three minutes customarily allowed for verbal comments, which is approximately 200 to 250 words. To ensure that your comment is received and read to the Planning Commission for the appropriate study session agenda item, please submit your email no later than 4:00 p.m. on May 9 2022. The City will make every effort to read emails received after that time but cannot guarantee that such emails will be read into the record. Any emails received after the 4:00 p.m. deadline that are not read into the record will be provided to the Planning Commission after the meeting and will be included into the project record for the preparation of the SEIR.

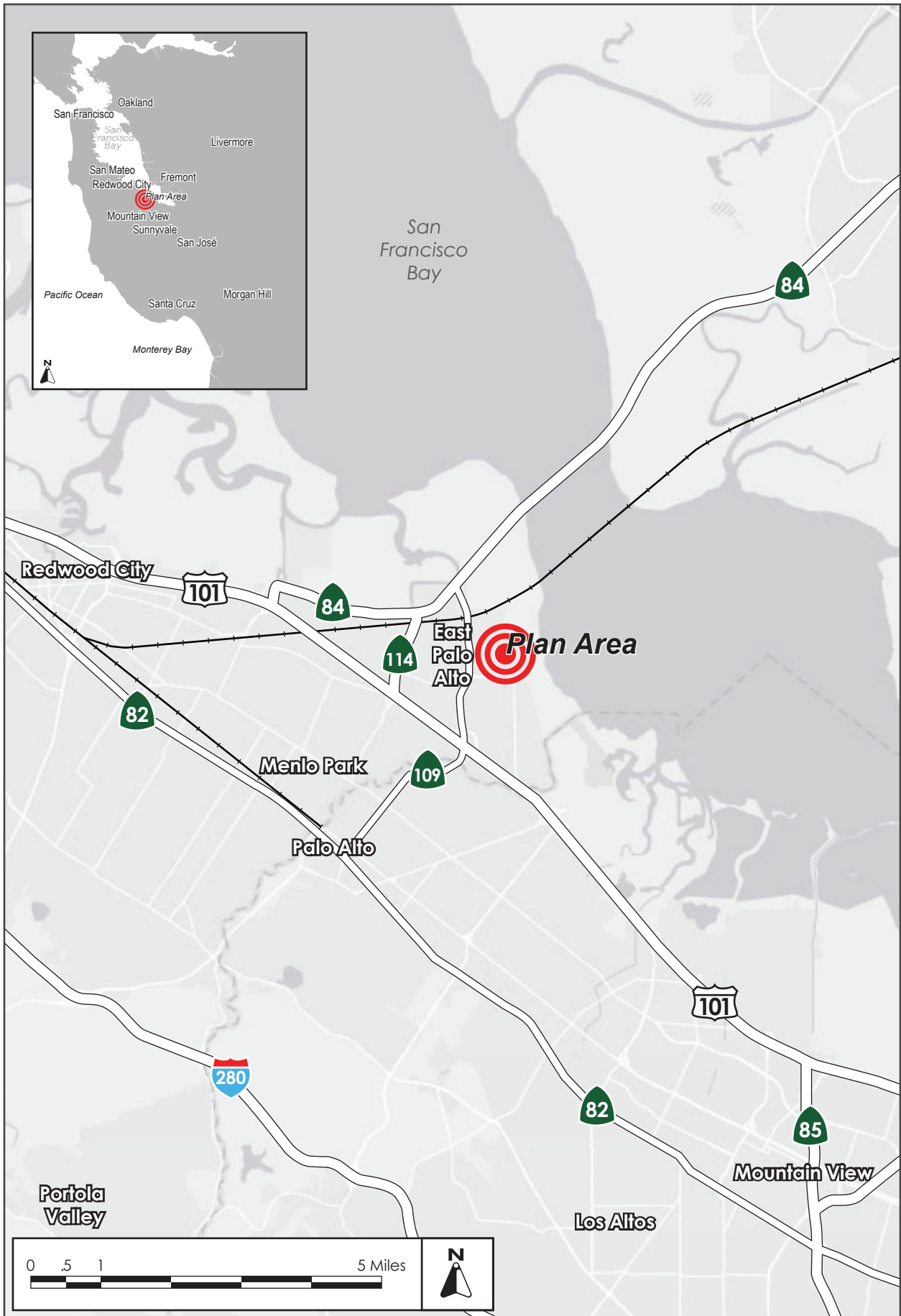
Members of the public may view the meeting by:

- 1) viewing the City's live broadcast accessed through <http://eastpal Alto.iqm2.com/Citizens/Default.aspx>
- 2) tuning to Channel 29 (local television);
- 3) going to <https://midpenmedia.org/local-tv/watch-now/>;
- 4) going to the City Facebook page at <https://www.facebook.com/CityOfEastPaloAlto>;
- 5) joining the meeting via Zoom from a PC, Mac, iPad, iPhone or Android device at <https://zoom.us/j/264253019> Meeting ID: 264 253 019; or
- 6) dialing +1 669 900 6833 (San Jose) and entering Meeting ID: 264 253 019.

For further information regarding this meeting, contact the City of East Palo Alto Planning Division, (650) 853-3189. The Americans with Disabilities Act (ADA) requires reasonable accommodation and access for the physically challenged. Those requesting such accommodation should contact the Planning Commission Secretary at (650) 853-3189 four days before the hearing date.

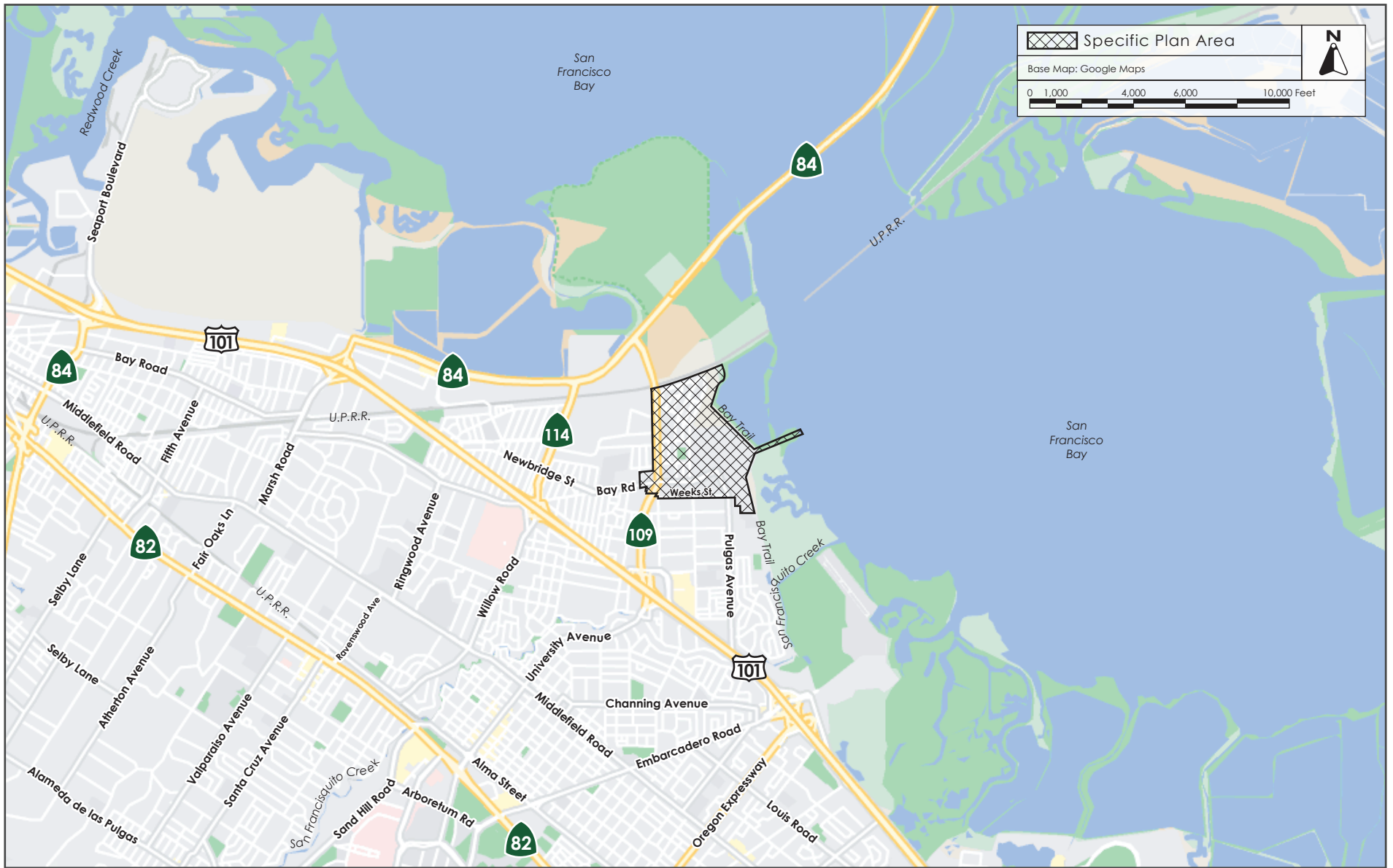
Date: April 15, 2022

Elena Lee  
Planning Manager  
City of East Palo Alto



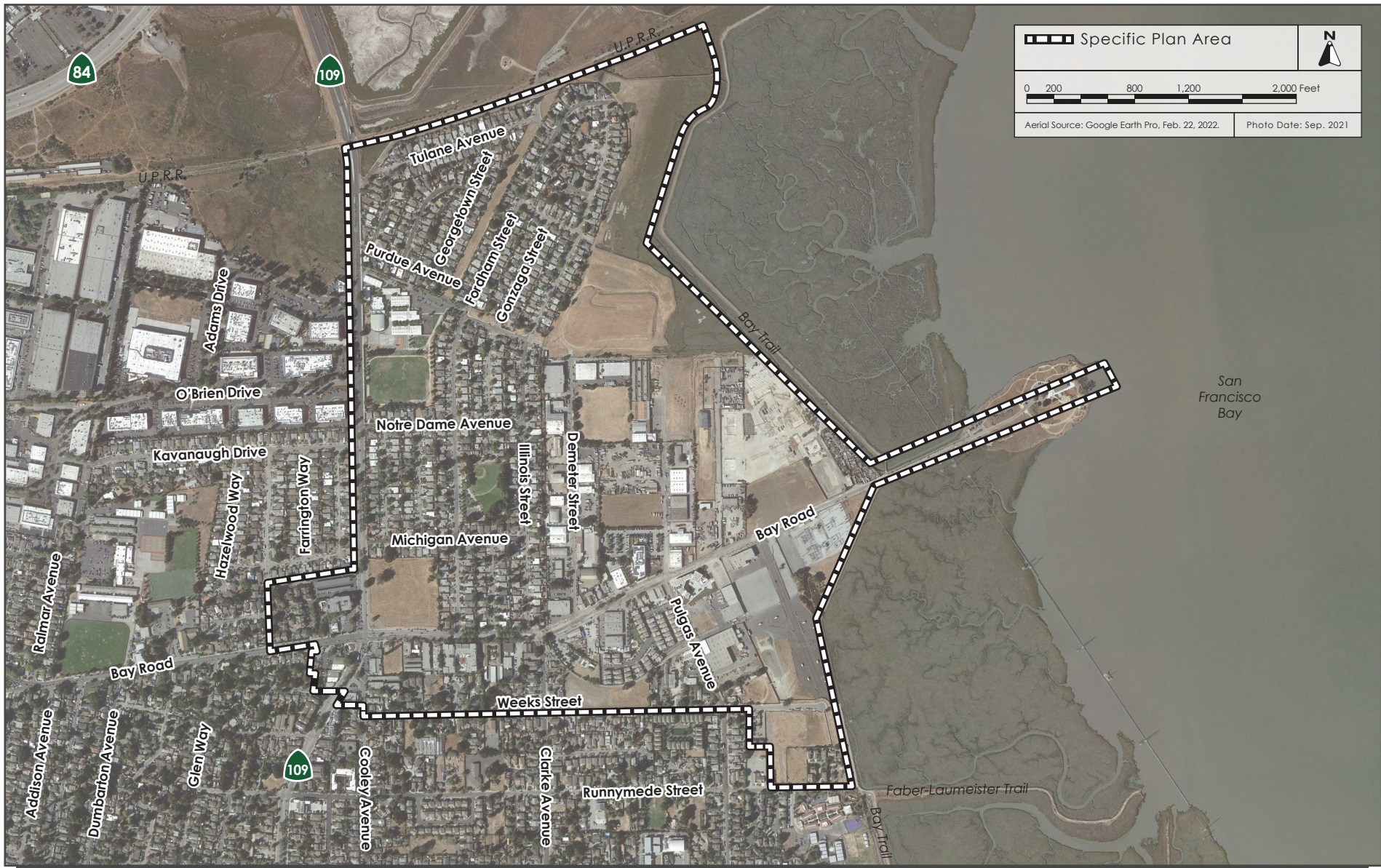
REGIONAL MAP

FIGURE 1



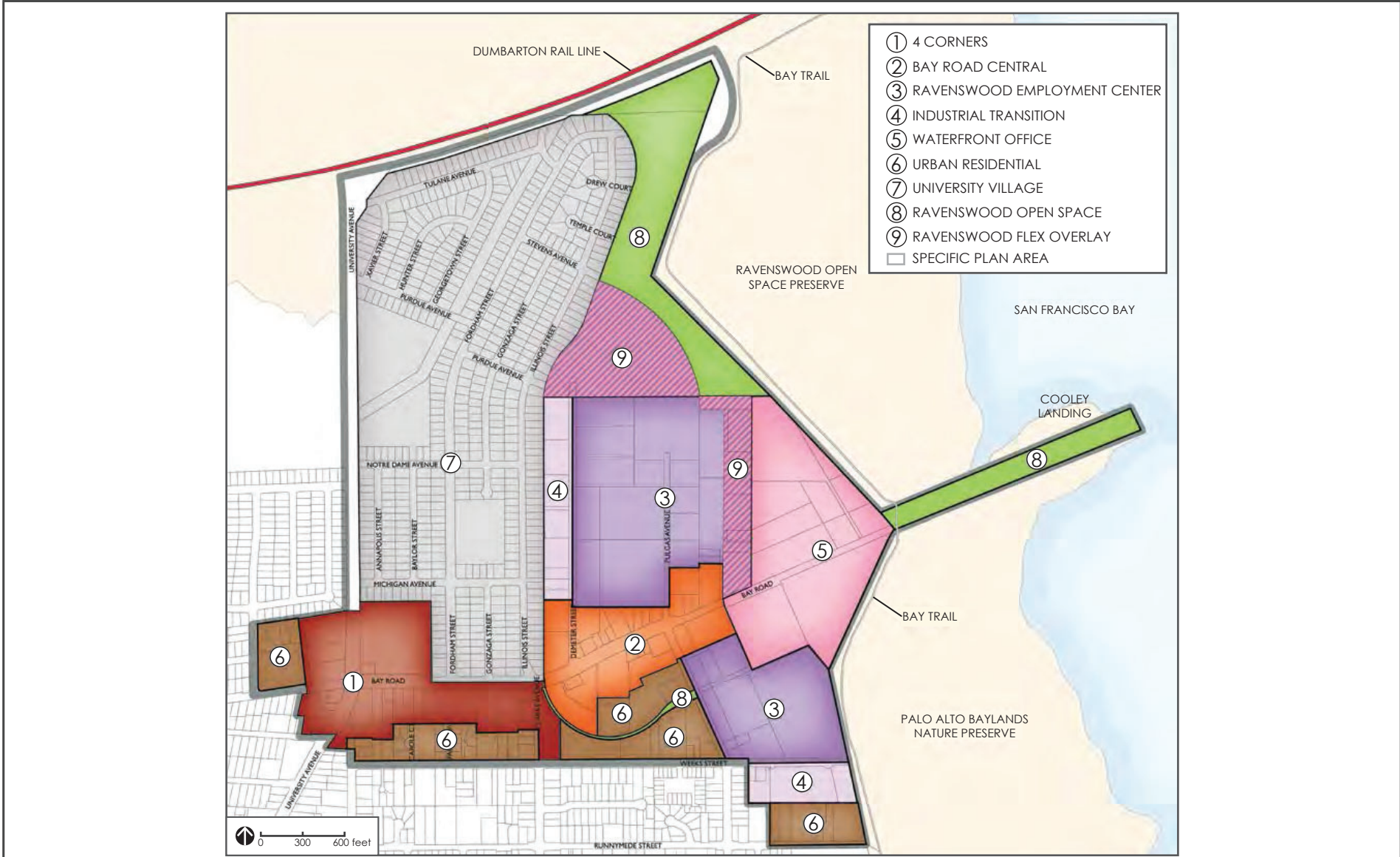
VICINITY MAP

FIGURE 2



AERIAL PHOTOGRAPH OF RAVENSWOOD/4 CORNERS TOD SPECIFIC PLAN AREA

FIGURE 3



Source: City of East Palo Alto, Ravenswood/4 Corners TOD Specific Plan.

EXISTING RAVENSWOOD/4 CORNERS TOD SPECIFIC PLAN ZONING

FIGURE 4

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**From:** Hilbrants, Carl <Carl.Hilbrants@PLN.SCCGOV.ORG>  
**Sent:** Sunday, April 17, 2022 7:38 PM  
**To:** RBD  
**Cc:** Singh, Bharat  
**Subject:** RBD RFP Comment

To whom it may concern,

My name is Carl Hilbrants and I am the County of Santa Clara Airport Land Use Commission (ALUC) Coordinator.

My comments are brief and solely related to the operations of Palo Alto Airport. I am, however, not a representative of Palo Alto Airport.

The ALUC is concerned with Noise, Safety and Height as they relate to operations of County Airports.

The Palo Alto Airport, lying to the south of the RBD, should have minimal disturbance to the RBD.

- a) The Airport Influence Area lies wholly to the south of the RBD.
- b) Regarding potential noise impacts; the eastern portion of the RBD is located within the 55, 60 and 65 CNELs (Community Noise Equivalent Level). The majority of the RBD does not lie within any CNEL contour. CNEL is a single number result that is calculated for a complete 24-hour period and usually made up of results taken at shorter intervals such as 5 minutes or 1 hour and then averaged over the whole 24 hours. CNEL is the average sound level over a 24 hour period, with a penalty of 5 dB added between 7 pm and 10 pm. and a penalty of 10 dB added for the nighttime hours of 10 p.m. to 7 a.m.
- c) The southeast corner of the RBD is within the Traffic Pattern Zone and the very southeastern tip of the RBD lies within the Outer Safety Zone. The safety zones restrict the activities of members of the public and limits the types, sizes and uses of structures while mandating specific construction methods to ensure short-term and long-term safety of the public.
- d) Regarding building height limitations: A majority of the RBD is restricted by conical surfaces ranging from 154 feet above mean sea level to 354 feet above mean sea level, from south to north. These heights restrict the ultimate height of a structure above mean sea level.
- e) The entirety of the RBD is located under several different flight paths.

If you have any questions or wish to discuss these or other matters related to ALUC concerns, please do not hesitate to ask.

Regards,  
Carl Hilbrants  
Senior Planner

**Thank you for your inquiry: Due to the immediate need of the Department of Planning and Development staff to support the County-wide effort regarding the COVID-19 Pandemic; there will be a delay in our ability to respond to telephone calls and emails.**

**CARL HILBRANTS**  
Senior Planner



**Department of Planning and Development  
County of Santa Clara**

70 W. Hedding Street | 7th Floor | East Wing

San Jose | CA 95110

Phone: (408) 299-5781

[carl.hilbrants@pln.sccgov.org](mailto:carl.hilbrants@pln.sccgov.org)



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May 13, 2022

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*Dina El-Tawansy*  
California State Transportation Agency

*Victoria Fleming*  
Sonoma County and Cities

*Dorene M. Giacomini*  
U.S. Department of Transportation

*Federal D. Glover*  
Contra Costa County

*Sam Liccardo*  
San Jose Mayor's Appointee

*Nate Miley*  
Alameda County

*Gina Papan*  
Cities of San Mateo County

*David Rabbitt*  
Association of Bay Area Governments

*Hillary Ronen*  
City and County of San Francisco

*Libby Schaaf*  
Oakland Mayor's Appointee

*James P. Spering*  
Solano County and Cities

*Amy R. Worth*  
Cities of Contra Costa County

*Vacant*  
U.S. Department of Housing and Urban  
Development

*Therese W. McMillan*  
Executive Director

*Alix Bockelman*  
Deputy Executive Director, Policy

*Andrew B. Fremier*  
Deputy Executive Director, Operations

*Brad Paul*  
Deputy Executive Director, Local  
Government Services

Attn: Ravenswood Business District (RBD)  
Elena Lee, Planning Manager  
City of East Palo Alto, Planning Division  
1960 Tate Street  
East Palo Alto, CA 94303

RE: RBD / 4 Corners Transit Oriented Development (TOD) Specific Plan Notice of  
Preparation (NOP)

Dear Ms. Lee,

On behalf of the San Francisco Bay Trail, I am writing to submit comments on the NOP for the Supplemental EIR on the Ravenswood Business District / 4 Corners TOD Specific Plan (RBD Project). The Bay Trail is a joint project of the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG) that plans, promotes, and advocates for the implementation of the Bay Trail. The Bay Trail is a planned 500-mile continuous network of multi-use bicycling and hiking paths that, when complete, will encircle San Francisco and San Pablo Bays in their entirety. It will link the shoreline of all nine Bay Area counties, as well as 47 cities. To date, over 350 miles of the proposed Bay Trail system has been developed.

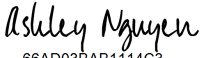
Based on the project information and maps provided within the NOP, the Bay Trail has three (3) comments:

1. From Figure 3 in the NOP, the Bay Trail enters the Specific Plan area at the Bay Road crossing, and the Bay Trail is immediately adjacent to the Specific Plan area from Runnymede Street to the Dumbarton Rail Corridor. As such, the EIR should analyze any potential impacts of the RBD Project on the Bay Trail alignment and mitigate these impacts. The Bay Trail must continue to provide safe, attractive, seamless, and connected travel for pedestrians and bicyclists.
2. Further, the Bay Trail is recognized as both an important active transportation and recreational corridor as evidenced by its inclusion the MTC Regional Active Transportation Plan (forthcoming), C/CAG San Mateo County Comprehensive Bicycle and Pedestrian Plan (2021), Caltrans District 4 Bike Plan (2018), East Palo Alto 2035 General Plan Transportation Chapter (2016), Ravenswood / 4 Corners Transit Oriented Development Plan (2012), East Palo Alto Bicycle Transportation Plan (2011), and East Palo Alto Bay Access Master Plan (2007). The EIR must analyze the RBD Project's consistency and compliance with these various plans and the adopted Bay Trail alignment.
3. Per the [MTC Bay Trail website](#) interactive map, there is an existing gap in the Bay Trail north of Weeks Street consisting of a narrow dirt path in poor condition.

The RBD Project should consider improvements to this segment of Bay Trail (i.e., widening the path and improving surface quality or paving the path) to enhance connectivity to the proposed development and throughout the region.

The Bay Trail appreciates the opportunity to comment on the NOP for the RBD Project. We look forward to working with the City of East Palo Alto and the other stakeholders on this project to improve bicycle and pedestrian access along the Bay Trail. Please do not hesitate to contact Joel Shaffer of my staff at [jshaffer@bayareametro.gov](mailto:jshaffer@bayareametro.gov) or 415-778-5257 if you have any questions regarding the above comments or the Bay Trail.

Sincerely,

DocuSigned by:  
  
66AD03BAB1114C3...

Ashley Nguyen  
Director, Design & Project Delivery

**RAVENSWOOD SHORES BUSINESS DISTRICT, LLC (RSBD)**

PO Box 51862, Palo Alto CA 94303

Jeff Poetsch, President -

Phone - 650-207-4994 / email - jeffcp@earthlink.net

May 11, 2022

Ms. Elena Lee, Planning Manager  
City of East Palo Alto, Planning Division  
1960 Tate Street (attn: RBD Project)  
East Palo Alto, CA 94303

Via e-mail - rbd@cityofepa.org

RE: Comments to the Notice of Preparation ("NOP") for the Ravenswood Business District / 4 Corners Transit-Orient Development Specific Plan Update Supplemental Environmental Impact Report

Dear Ms. Lee:

Pursuant to the April 15, 2022 Notice of Preparation ("NOP") for the Ravenswood Business District / 4 Corners Transit-Orient Development Specific Plan Update Supplemental Environmental Impact Report, I wanted to raise the following issues, comments and concerns:

1. Studied versus Allowed - The NOP indicates that the current Specific Plan "allows" for development up to 1.268MM square feet of office.... - To the best of my knowledge, the 1.268MM square feet is the amount of square footage "studied" and is not referred to in the current "Specific Plan" as a "cap" or "limit". The NOP then on the following page (Page 3) states that the future allocation of development will NOT EXCEED the total cleared under the approved SEIR. I would think that the City would not want to explicitly limit development to the square footages studied but rather limit the square footage to the "impacts" that result from the square footage studied. As we know, the main determinant of the square footage to be studied currently in the SEIR, was based upon the traffic analysis - as we also know, this traffic analysis is based on "pre-COVID" traffic patterns - If actual traffic impacts remain depressed due to work from home ("WFH"), and other flex scheduling, and traffic impacts were significantly less than forecast in the studies, I'd think the City would want to have the flexibility to modify the total square footage appropriate pursuant to this SEIR.

2. Areas of Study - I'm not sure why Archeological/Cultural Resources, Biological Resources, Geology and Soils, Hazards and Hazardous Material are being reviewed under this SEIR. Nothing is changing as the result of additional square footage of development in these areas so not sure why these areas are being revisited.

3. Transportation - In this SEIR, I would suggest that Hexagon should consider lower VMT and improved LOS that result from continued impacts from WFH and flex scheduling. Analyzing traffic solely on the basis of pre-COVID traffic patterns is not comprehensive.

4. Utilities & Services - As this SEIR will be undertaking a robust analysis of the current infrastructure deficiencies, I would think this analysis would need to include a robust discussion of how these infrastructure improvements will be paid for. There is a lot less money available for these improvements (as well as community benefits) when the programed development studied is reduced.

City of East Palo Alto, Planning Division  
Notice of Preparation  
May 11, 2022

Thank you for your consideration of these issues.

Sincerely,

*Jeff Poetsch*

Jeff Poetsch, President and Executive Director  
Ravenswood Shores Business District'



GENERAL MANAGER  
Ana M. Ruiz

BOARD OF DIRECTORS  
Jed Cyr  
Larry Hassett  
Karen Holman  
Zoe Kersteen-Tucker  
Yoriko Kishimoto  
Curt Riffle  
Pete Siemens

May 13, 2022

City of East Palo Alto, Planning Division  
1960 Tate Street (Attn: RBD Project)  
East Palo Alto, CA 94303  
Submitted via email: [rbd@cityofepa.org](mailto:rbd@cityofepa.org)

**Re: Notice of Preparation of a Supplement Environmental Impact Report (SEIR)**

To Whom It May Concern,

On behalf of the Midpeninsula Regional Open Space District (Midpen), we respectfully submit the following comments regarding the Notice of Preparation (NOP) of a Supplement Environmental Impact Report (SEIR) for the Ravenswood Business District (RBD) / 4 Corners Transit-Oriented Development (TOD) Specific Plan Update (Specific Plan Update).

Preserving nearly 65,000 acres of open space on the San Francisco Peninsula, Midpen is one of the largest regional open space districts in California. Our mission is:

*To acquire and preserve a regional greenbelt of open space land in perpetuity, protect and restore the natural environment, and provide opportunities for ecologically sensitive public enjoyment and education.*

Located immediately adjacent to the RBD Specific Plan Update area, Ravenswood Open Space Preserve (Ravenswood Preserve) and Ravenswood Bay Trail offer much needed open space, natural ecosystems, protected sensitive habitat and wetland areas, as well as public recreational trails and community benefits to city residents, employers and workers. There has been significant public investment in the Ravenswood Bay Trail, including funds from the voter-approved Measure AA general obligation bond, San Mateo County Measure K, Santa Clara County Stanford Mitigation Fund, California Natural Resources Agency grant, Caltrans Mitigation Fund, and Facebook. The Ravenswood Bay Trail was completed and opened to the public in August 2020. This newest trail segment, closing a critical 0.6-mile gap to connect 80 miles of continuous San Francisco Bay Trail, has enhanced land that was once a diked, working salt pond and is now restored to a thriving tidal marsh habitat for countless waterbirds and other wildlife. Our mission-driven work, which is consistent with the City's 2013 RBD Specific Plan and City of Menlo Park's Bay Trail Feasibility Study, has built a beautiful new trail, bridge and boardwalk that expand community access to nature close to many neighborhoods within East Palo Alto and the Belle Haven community of Menlo Park.

We would like to highlight the critical importance of continuing to protect the natural-systems and community-serving infrastructure found at Ravenswood Preserve, including the connection to the San Francisco Bay Trail, tidal marshes and wetlands, and sensitive species and habitats, to ensure the ongoing health and sustainability of local communities and native wildlife. Use of

best management practices and infrastructure design in the wildland urban interface is encouraged to protect sensitive habitats.

As stated in the NOP,

[T]he proposed update to the Specific Plan would increase the total amount of development allowed within the Specific Plan area by increasing the maximum square footages for office, research and development/life science, light industrial, civic/community, tenant amenity, and the total number of residential units allowed to be developed within the Specific Plan area. The SEIR will evaluate two scenarios for non-residential development consisting of 2.82 million square feet of office and Research and Development (R&D) and 3.35 million square feet, respectively. The SEIR will also evaluate two scenarios for residential development consisting of 1,350 residential units and 1,600 residential units, respectively. The project will also include comprehensive utility, infrastructure, transportation, and sea level rise improvements.

Based on the stated project description in the NOP, the City should conduct the following studies and include their findings in the SEIR.

### **Biological Resources**

Ravenswood Preserve contains critical wildlife habitat for many native species and due to the proximity to the RBD Specific Plan Update area, Midpen recommends studying both shade and light pollution impacts for development near the bayfront. We are concerned that building heights could lead to significant shade impacts to the Preserve and adjacent sensitive bayland habitats. We urge the City of East Palo Alto (City) to conduct a study to determine the extent of shade impacts to these delicate habitats, which harbor federally-endangered and protected species, including Ridgway's rail and salt marsh harvest mouse.

The SEIR should consider impacts to local and migratory birds who may be affected by new development near the bayland. Bird safe design mitigations can be included in the RBD Specific Plan Update to mitigate bird strikes and other bird impacts from light, noise, window glaze reflection, and increased urban predation. In analyzing impacts on birds and aquatic habitats, Midpen recommends that the City consider measures to address bird safety around buildings in the Specific Plan Area:

- Apply bird-safe treatments to windows and glass (glazing) features.
- Point external lights towards the ground, never emitting light upwards.
- Shield light fixtures to reduce glare ensuring the majority of light is directed at the intended area, which will also promote energy efficiency.
- Use motion activated lights to ensure light is emitted only when needed for both indoor and outdoor uses.
- Use green or blue external light when possible. Other wavelengths are more disorienting to birds, especially white and red.
- Avoid the use of spotlights or searchlights during migratory season; only use when needed for security.
- Use flashing or interrupted external light beams, rather than continuous beams.
- Use wildlife-proof trash containers to prevent the congregation of opportunistic animals that may prey on native wildlife. Enforce no feeding of wildlife or feral cats.

## **Hydrology and Water Quality**

Midpen appreciates the City incorporating new relevant data into the SEIR, including the Sea Level Rise/flood plain maps, *Strategy to Advance Flood protection, Ecosystems and Recreation along the San Francisco Bay* (SAFER Bay) levee alignment and design, and FEMA 2.0 data. Incorporating sea level rise adaptation strategies into the SEIR for inclusion in future development plans will protect both the EPA community and infrastructure. Midpen encourages the use of storm water detention basins and other low-impact designs as mitigation measures to minimize storm water runoff issues arising from hardscaping of new development projects.

We strongly recommend that the City work closely with the San Francisquito Creek Joint Powers Authority (SFCJPA) to evaluate potential flood protection measures for the built environment that are fully protective of the adjacent sensitive wetland and tidal marsh lands and that these be integrated as potential shoreline protection measures in the Specific Plan Update. Given the highly sensitive and regulated resources found on Midpen lands, Midpen should be included in discussions with the City and SFCJPA to ensure that the natural resource values are well protected into the future. Other key stakeholders that would likely need to be included in these discussions given their proximity and regulatory oversight include the City of Menlo Park, San Francisco Public Utilities Commission, SamTrans, Bay Conservation Development Commission, Regional Water Quality Control Board, U.S. Fish and Wildlife Service and California Department of Fish and Wildlife.

## **Noise/Vibration**

The Ravenswood Preserve provides a tranquil nature experience for the community and for maintaining critical wildlife habitat. Midpen recommends any construction noise near the bayfront be studied for impacts to both recreational users and wildlife. The study should consider nesting bird seasons, impacts to small breeding mammals like salt marsh harvest mouse, and other sensitive species who may be directly impacted by noise or vibration. In addition to construction noise, the City should study the type and length of time associated with noise impacts resulting from the proposed uses listed in the NOP (office, research and development /labs, light industrial, retail, civic and housing).

The City should also notify Midpen of proposed developments adjacent to open space preserves for the opportunity to review and comment.

## **Transportation**

The SEIR should include a study of equitable transportation and public access to the bayfront, providing continuous public access through development areas to the shoreline. Any new development plans should ensure the bayfront is accessible and welcoming to East Palo Alto residents and those visiting the area. The SEIR should analyze any proposed Project impacts to pedestrian and bicycle connectivity in the area.

Currently, the neighborhood experiences limited access and parking for both Ravenswood Preserve and Cooley Landing, where the new development in the RBD Specific Plan Area will increase traffic and circulation impacts on Bay Road, which is the primary road for residents and visitors to access Ravenswood Preserve and Cooley Landing Park. Midpen would like to ensure that sufficient on-site parking and adequate circulation be provided and maintained within the new developments to minimize traffic congestion impacts to nearby facilities and neighborhoods.



In addition to the resources outlined in the NOP, Midpen recommends that the City also include Aesthetics and Recreation as key environmental resource topics to analyze in the SEIR for the following reasons.

### **Aesthetics**

The 2013 Specific Plan (Figure 6-2) identified three key viewsheds that should be preserved from the Specific Plan Area to Ravenswood Open Space Preserve and the San Francisco Bay, where the Northern Viewshed is aligned with the Bay Trail, Central Viewshed aligned with a proposed new street and Southern Viewshed aligned with Bay Road. The SEIR should evaluate the aesthetic impacts to these viewsheds that may result from the proposed Project. Key viewsheds from the proposed Project should maintain continuous, open views towards the bay, Ravenswood Preserve and the Bay Trail for the residents, workers and visitors in the Specific Plan Area.

### **Recreation**


The NOP does not include Recreation as one of the key environmental resource topics for the SEIR analysis. However, both Specific Plan Update SEIR Buildout Scenarios anticipate increased numbers of residents in the Specific Plan area (1,350 residential units and 1,600 residential units), which is much greater than the 835 residential units proposed in the 2013 adopted Specific Plan (19 units of Single-Family Residential and 816 units of Multi-family Residential). As a result, the SEIR should analyze the additional recreational and open space needs and impacts on the existing park, open space and trails within the vicinity of the Specific Plan Area. There will be additional demand created with the increased residential units in the area that will result in some level of impact on Ravenswood Preserve, Cooley Landing Parks, Bay Trail and other nearby park facilities.

As outlined in the 2013 Specific Plan, approximately 30 acres of new parks and trails were proposed to be added to East Palo Alto. At that time, there existed approximately 16 acres of parks in East Palo Alto. “The 2013 Specific Plan’s proposed park and trail expansion would increase the existing amount of park and trail space in East Palo Alto by nearly 200 percent, which represents the largest open space expansion to be undertaken in East Palo Alto to-date.” The SEIR should evaluate how the Specific Plan Area’s proposed park and recreational facilities will fulfill the Specific Plan’s goals and parkland requirements.

As stated in the 2013 Specific Plan, “... trails and parks should also be improved as a system for their cumulative benefit. That is to say that the proposed park and trail improvements, when designed as an open space system, will benefit East Palo Alto by providing a comprehensive and substantial alternative to driving in the Specific Plan Area, but will also result in a unique, varying and critical open space system that can serve as a model for additional Bay Area jurisdictions.” The SEIR should analyze the adequacy of the additional acreage of new parks and trails that will be proposed as part of the Specific Plan Update to meet the cumulative needs of the new residents residing (1,350 to 1,600 residential units) and new employees working in the area (2.82 million square feet to 3.35 million square feet of office and R&D space).

Midpen appreciates the City’s planning process and community and stakeholder engagement activities for the RBD Specific Plan Update. We look forward to continued engagement in the RBD Specific Plan Update and review of the draft SEIR. Please follow-up with Jane Mark, Planning Manager, on coordination meetings with the City, SFCJPA and other stakeholders. Jane can be reached at [jmark@openspace.org](mailto:jmark@openspace.org) or at (650) 625-6563. Thank you for the opportunity to submit comments on the RBD Specific Plan Update NOP.

Sincerely,

DocuSigned by:  
  
B0890649F640410...

Ana M. Ruiz  
General Manager

cc: Midpeninsula Regional Open Space District Board of Directors  
Patrick Heisinger, Interim City Manager, City of East Palo Alto  
Amy Chen, Community & Economic Development Director, City of East Palo Alto  
Elena Lee, Planning Manager, City of East Palo Alto  
Margaret Bruce, Executive Director, San Francisquito Creek Joint Powers Authority  
Lee Huo, MTC/ABAG San Francisco Bay Trail Project  
Alice Kaufman, Green Foothills  
Eileen McLaughlin, Citizens Committee to Complete the Refuge  
Jennifer Chang Hetterly, Sierra Club

## California Department of Transportation

DISTRICT 4  
OFFICE OF TRANSIT AND COMMUNITY PLANNING  
P.O. BOX 23660, MS-10D | OAKLAND, CA 94623-0660  
[www.dot.ca.gov](http://www.dot.ca.gov)



May 16, 2022

SCH #: 2022040352  
GTS #: 04-SM-2022-00437  
GTS ID: 26271  
Co/Rt/Pm: SM/109/1.121

Elena Lee, Planning Manager  
City of East Palo Alto, Planning and Housing Division  
1960 Tate Street  
East Palo Alto, CA 94303

### **Re: Ravenswood Business District/ 4 Corners TOD Specific Plan Update Notice of Preparation (NOP) for a Supplemental Environmental Impact Report (SEIR)**

Dear Elena Lee:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Ravenswood Business District Project. We are committed to ensuring that impacts to the State's multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system. The following comments are based on our review of the April 2022 NOP.

#### **Project Understanding**

A supplemental EIR is being prepared for the Ravenswood Business District/4 Corners TOD Specific Plan EIR, certified in 2013, to evaluate the environmental impacts of additional development limits to be allowed within Ravenswood Business District/4 Corners TOD Specific Plan Update. The SEIR will evaluate two scenarios for non-residential development consisting of 2.82 million square feet of office and Research and Development (R&D) and 3.35 million square feet, respectively. The SEIR will also evaluate two scenarios for residential development consisting of 1,350 residential units and 1,600 residential units, respectively.

#### **Travel Demand Analysis**

With the enactment of Senate Bill (SB) 743, Caltrans is focused on maximizing efficient development patterns, innovative travel demand reduction strategies, and multimodal improvements. For more information on how Caltrans assesses Transportation Impact Studies, please review Caltrans' Transportation Impact Study Guide ([link](#)).

If the project meets the screening criteria established in the City's adopted Vehicle Miles Traveled (VMT) policy to be presumed to have a less-than-significant VMT impact and exempt from detailed VMT analysis, please provide justification to support the exempt status in alignment with the City's VMT policy. If the project does not meet the screening criteria, please include a detailed VMT analysis in the SEIR, which should include the following:

- VMT analysis pursuant to the City's guidelines. Projects that result in automobile VMT per capita above the threshold of significance for existing (i.e. baseline) city-wide or regional values for similar land use types may indicate a significant impact. If necessary, mitigation for increasing VMT should be identified. Mitigation should support the use of transit and active transportation modes. Potential mitigation measures that include the requirements of other agencies such as Caltrans are fully enforceable through permit conditions, agreements, or other legally-binding instruments under the control of the City.
- A schematic illustration of walking, biking and auto conditions at the project site and study area roadways. Potential traffic safety issues to the State Transportation Network (STN) may be assessed by Caltrans via the Interim Safety Guidance (*link*).
- The project's primary and secondary effects on pedestrians, bicycles, travelers with disabilities and transit performance should be evaluated, including countermeasures and trade-offs resulting from mitigating VMT increases. Access to pedestrians, bicycle, and transit facilities must be maintained.

### **Mitigation Strategies**

Location efficiency factors, including community design and regional accessibility, influence a project's impact on the environment. Using Caltrans' Smart Mobility Framework Guide 2020 (*link*), the proposed project site is identified as an Urban Community where community design is moderately efficient and regional accessibility is strong.

Given the place, type and size of the project, the SEIR should include a robust Transportation Demand Management (TDM) Program to reduce VMT and greenhouse gas emissions from future development in this area. The measures listed below have been quantified by California Air Pollution Control Officers Association (CAPCOA) and shown to have different efficiencies reducing regional VMT:

- Project design to encourage mode shift like walking, bicycling and transit access;
- Transit and trip planning resources such as a commute information kiosk;
- Real-time transit information systems;

- Transit access supporting infrastructure (including bus shelter improvements and sidewalk/ crosswalk safety facilities);
- New development vehicle parking reductions;
- Implementation of a neighborhood electric vehicle (EV) network, including designated parking spaces for EVs;
- Designated parking spaces for a car share program;
- Unbundled parking;
- Wayfinding and bicycle route mapping resources;
- Participation/Formation in/of a Transportation Management Association (TMA) in partnership with other developments in the area;
- Aggressive trip reduction targets with Lead Agency monitoring and enforcement;
- VMT Banking and/or Exchange program;
- Area or cordon pricing;
- Inclusion of additional below-market-rate or affordable residential housing options in the Plan.

Using a combination of strategies appropriate to the project and the site can reduce VMT, along with related impacts on the environment and State facilities. TDM programs should be documented with annual monitoring reports by a TDM coordinator to demonstrate effectiveness. If the project does not achieve the VMT reduction goals, the reports should also include next steps to take in order to achieve those targets.

Please reach out to Caltrans for further information about TDM measures and a toolbox for implementing these measures in land use projects. Additionally, Federal Highway Administration's Integrating Demand Management into the Transportation Planning Process: A Desk Reference (Chapter 8). The reference is available online at: <http://www.ops.fhwa.dot.gov/publications/fhwahop12035/fhwahop12035.pdf>.

### **Transportation Impact Fees**

We encourage a sufficient allocation of fair share contributions toward multimodal and regional transit improvements to fully mitigate cumulative impacts to regional transportation. We also strongly support measures to increase sustainable mode shares, thereby reducing VMT. Caltrans welcomes the opportunity to work with the City and local partners to secure the funding for needed mitigation. Traffic mitigation- or cooperative agreements are examples of such measures.

Please identify in text and graphics existing and proposed improvements for the pedestrian, bicycle, and transit networks. The City should estimate the cost of needed improvements, expansion, and maintenance for the Plan area, as well as identify viable sources of funding, correlated with the pace of improvements, and a scheduled plan for implementation along with the SEIR.

### **Lead Agency**

As the Lead Agency, the City of East Palo Alto is responsible for all project mitigation, including any needed improvements to the STN. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

### **Equitable Access**

If any Caltrans facilities are impacted by the project, those facilities must meet American Disabilities Act (ADA) Standards after project completion. As well, the project must maintain bicycle and pedestrian access during construction. These access considerations support Caltrans' equity mission to provide a safe, sustainable, and equitable transportation network for all users.

### **Encroachment Permit**

Please be advised that any permanent work or temporary traffic control that encroaches onto Caltrans' ROW requires a Caltrans-issued encroachment permit. As part of the encroachment permit submittal process, you may be asked by the Office of Encroachment Permits to submit a completed encroachment permit application package, digital set of plans clearly delineating Caltrans' ROW, digital copy of signed, dated and stamped (include stamp expiration date) traffic control plans, this comment letter, your response to the comment letter, and where applicable, the following items: new or amended Maintenance Agreement (MA), approved Design Standard Decision Document (DSDD), approved encroachment exception request, and/or airspace lease agreement. Your application package may be emailed to [D4Permits@dot.ca.gov](mailto:D4Permits@dot.ca.gov).

Please note that Caltrans is in the process of implementing an online, automated, and milestone-based Caltrans Encroachment Permit System (CEPS) to replace the current permit application submittal process with a fully electronic system, including online payments. The new system is expected to be available during 2022. To obtain information about the most current encroachment permit process and to download the permit application, please visit <https://dot.ca.gov/programs/traffic-operations/ep/applications>.

Elena Lee, Planning Manager  
May 16, 2022  
Page 5

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, or for future notifications and requests for review of new projects, please email [LDR-D4@dot.ca.gov](mailto:LDR-D4@dot.ca.gov).

Sincerely,

A handwritten signature in black ink that reads "Mark Leong". The signature is written in a cursive, flowing style.

MARK LEONG  
District Branch Chief  
Local Development Review

c: State Clearinghouse

---

**From:** Wilson, Joanne <jwilson@sflower.org>  
**Sent:** Monday, May 16, 2022 1:37 PM  
**To:** RBD  
**Cc:** Natesan, Ellen; Wayne, Lisa B; Russell, Rosanna S; Rando, Casey; Read, Emily; Herman, Jane; Feng, Stacie  
**Subject:** SEIR for Ravenswood Business District/4 Corners TOD Specific Plan Update  
**Attachments:** Scanned\_FINAL\_EPA\_General\_Plan\_Update\_DEIR-SFPUC\_Comments\_6-14-16-SR\_Sig.pdf; Table\_2-EPA\_General\_Plan\_DEIR-SFPUC\_Comments.pdf; Table\_1-EPA\_General\_Plan-SFPUC\_Comments.pdf; FINAL Interim Water Pipeline Right of Way Policy.pdf; FINAL-Amended Right of Way Integrated Vegetation Management Policy.pdf

To: City of East Palo Alto  
Planning Division  
1960 Tate Street  
Attn: RBD Project  
East Palo Alto, CA 94303  
VIA Email: [rbd@cityofepa.org](mailto:rbd@cityofepa.org)

Thank you for this opportunity to provide comments on the Supplemental EIR (SEIR) for the above-referenced project on behalf of the San Francisco Public Utilities Commission (SFPUC). I am providing the attached SFPUC comments on the draft EIR for the proposed 2035 East Palo Alto General Plan submitted on June 14, 2016. The 2035 East Palo Alto General Plan included the 4 Corners (University Village) neighborhood where the SFPUC owns a right-of-way (ROW) in fee for its Bay Division Pipeline Nos. 1, 2 and 5. Similar to the 2035 East Palo Alto General Plan, the current RBD/4 Corners TOD Specific Plan Update identifies the SFPUC ROW for future use as a linear park and trail (Hetch Hetchy ROW Park, Hetch Hetchy ROW Trail). Please consider the attached comments as the SFPUC's current comments on the proposed project SEIR, in addition to the following comments.

The SFPUC ROWs are primarily used for utility purposes and are vital to the reliable operation of a regional water system. The SFPUC has policies that limit third-party uses and improvements on San Francisco property due to the presence of high-pressure, subsurface water transmission lines and appurtenances and other infrastructure located above-grade. Please see the attached Interim Water Pipeline ROW Use Policy and Integrated Vegetation Management Policy for more information about restrictions on the ROW.

Certain secondary uses by third parties on SFPUC property are allowed under a fee-based lease or license agreement requiring payment of fair market value to the SFPUC. Such a secondary use may occur only if the SFPUC determines that the secondary use does not in any way interfere with, endanger, or damage existing or future SFPUC operations, security, or facilities.

The SFPUC prohibits any use on its ROW property that:

1. Cannot be removed promptly, to allow SFPUC construction, maintenance, or emergency repairs of its facilities.
2. Would conflict with SFPUC legal obligations to adjoining property owners or tenants. Some SFPUC parcels could be subject to easements or other agreements held by adjoining landowners or third parties which may present conflicts with the proposed park and trail. Further research by the SFPUC's Real Estate Services is needed, but it is possible that certain SFPUC parcels may not be available for trail use.
3. Would conflict with the resolution of unauthorized third-party encroachments that currently exist on some SFPUC ROW parcels.



4. Would create an unreasonable burden for the SFPUC (or its ratepayers) in the use of its property for utility purposes. The SFPUC reasonably anticipates that its property in the City of East Palo Alto will be available for future utility infrastructure and capital projects. Revocable licenses and leases issued by the SFPUC contain standard language requiring any lessee or licensee of SFPUC lands to mitigate the effects for the disruption of its recreational use on SFPUC lands, even if the SFPUC is causing the disruption of the recreational use. This includes required mitigation under the California Environmental Quality Act (CEQA).

5. Is otherwise inconsistent with SFPUC plans and policies.

This list is not exhaustive. The SFPUC retains the right to disallow any use that, at the SFPUC's sole discretion, may interfere with, endanger or damage existing or future SFPUC operations, security, or facilities.

If you have any questions or require more information, please contact me.

Sincerely,

*Joanne Wilson*

Joanne Wilson  
Senior Land and Resources Planner  
Natural Resources and Lands Management Division  
Water Enterprise  
1657 Rollilns Road  
Burlingame, CA 94010

Please consider the environment before printing this email.

Hetch Hetchy Regional Water System  
Operated by San Francisco Water, Power and Sewer | Services of the San Francisco Public Utilities  
Commission



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**San Francisco**  
**Water Power Sewer**  
 Operator of the Hetch Hetchy Regional Water System

525 Golden Gate Avenue, 13th Floor  
 San Francisco, CA 94102  
 T 415.554.3155  
 F 415.554.3161  
 TTY 415.554.3488

June 14, 2016

Mr. Guido F. Persicone, Senior Planner  
 City of East Palo Alto  
 1960 Tate Street  
 East Palo Alto, CA 94303

Re: East Palo Alto General Plan and Draft Environmental Impact Report (DEIR)

Dear Mr. Persicone:

Thank you for the notice of availability and for this opportunity to comment on the East Palo Alto General Plan (Plan) and on the related Draft Environmental Impact Report (DEIR). On behalf of the San Francisco Public Utilities Commission (SFPUC), we provide the following general comments below and specific comments in the attached table to be addressed in the final Plan and EIR.

**Background**

The San Francisco Public Utilities Commission (SFPUC) manages 63,000 acres of watershed land and 210 miles of pipeline right-of-way (ROW) in three Bay Area counties that are part of the Hetch Hetchy Regional Water System providing water to approximately 2.6 million people. The SFPUC monitors and protects its lands by reviewing proposed projects and activities (that may affect SFPUC lands and infrastructure) for consistency with SFPUC policies and plans.

The City and County of San Francisco (San Francisco), through the SFPUC, owns approximately 13 acres of real property **in fee** in East Palo Alto (San Francisco Property) that crosses the Plan area as an 80-foot wide ROW and a service road connecting University Avenue to the SFPUC's Ravenswood Facility. The San Francisco Property's primary purpose is to serve as a utility corridor which is improved by three large subsurface water transmission lines and other appurtenances, linking the Hetch Hetchy and local reservoirs to the Bay Area via the Hetch Hetchy Regional Water System.

- Edwin M. Lee  
Mayor
- Francesca Vietor  
President
- Anson Moran  
Vice President
- Ann Moller Caen  
Commissioner
- Vince Courtney  
Commissioner
- Ike Kwon  
Commissioner
- Harlan L. Kelly, Jr.  
General Manager



### **General Plan Comments**

In several sections of the proposed Plan, the San Francisco Property is referred to as “unused” or “vacant.” These lands are not unused; they serve an important purpose and are vital to the operation of a regional water system. We request that the Plan identify the San Francisco Property as a utility ROW that is primarily used for utility purposes. The SFPUC has policies that limit third-party uses and improvements on San Francisco Property. Please see the attached Interim Water Pipeline ROW Use Policy and Integrated Vegetation Management Policy for more information about restrictions on the ROW. The SFPUC would like to underscore that the San Francisco Property may not be used to “...fulfill a development's open space, setback, emergency access or other requirements...”<sup>i</sup> This prohibition also includes parking or third-party development requirements. In addition, any proposed use or improvement on the SFPUC ROW must: 1.) comply with current SFPUC policies; 2.) be vetted through the SFPUC's Project Review process (see below for more information); and 3.) be formally authorized by the SFPUC.

Several figures in the proposed General Plan (pages 6-3 to 6-13) show the following proposed uses on the SFPUC's fee-owned property, including the conversion of an existing SFPUC service road to an East Palo Alto public street:

- Truck Route (Proposed)
- Planned Off-Street Bike Path (Class I)
- Planned Pathways
- Connector Street

As described above, the SFPUC's fee-owned service road provides access to the SFPUC's Ravenswood Facility. This facility is an important element of the SFPUC's regional water system and critical to water utility operations. The proposed General Plan should include policies that address the importance of regional water utility infrastructure within, and adjacent to, the General Plan area. In particular, the proposed General Plan should include policies that promote collaborative efforts with the owners of properties identified in the General Plan for conversion to new public land uses (such as the proposed public street on the SFPUC's existing, fee-owned service road and the proposed linear park/trail on SFPUC fee-owned ROW) to ensure a workable, fair and equitable outcome. In addition, the proposed General Plan should acknowledge that the SFPUC's approval and authorization would be required to convert its fee-owned property to a public street.

Please see the attached table for specific SFPUC comments about the General Plan.

***Draft Environmental Impact Report (DEIR) Comments***

The SFPUC previously sent a letter on October 17, 2014 providing comments as requested in the Notice of Preparation for the proposed project. That letter included a general description of SFPUC land ownership for utility operations in the Plan area. Within the DEIR, Section 4.10 (Land Use and Planning) should be amended to include a description of SFPUC policies regarding its ROW lands (see attachments). In addition, Section 4.10.2 (Environmental Setting – Existing Uses) should include a description of the San Francisco property as being actively in use for ongoing water utility operations.

Please see the attached table for specific SFPUC comments about the DEIR.

***SFPUC Project Review Process***

Proposed projects and other activities on any San Francisco Property must undergo the Project Review Process if the project will include: construction; digging or earth moving; clearing; installation; the use of hazardous materials; other disturbance to watershed and ROW resources; or the issuance of new or revised leases, licenses and permits. This review is done by the SFPUC's Project Review Committee (Committee).

The Project Review Committee is a multidisciplinary team with expertise in natural resources management, environmental regulatory compliance, engineering, water quality and real estate. Projects and activities are reviewed by the Committee for:

1. Conformity with the Alameda and Peninsula Watershed Management Plans;
2. Consistency with our Environmental Stewardship Policy, Real Estate Guidelines, Interim ROW Use Policy and other policies and best management practices; and
3. Compliance with the California Environmental Quality Act (CEQA) and environmental regulations including mitigation, monitoring and reporting plans.

In reviewing a proposed project, the Project Review Committee may conclude that modifications or avoidance and minimization measures are necessary. Large and/or complex projects may require several project review sessions to review the project at significant planning and design stages.

Please notify all property owners and/or developers that, to the extent their proposals will involve the development or use of the San Francisco Property, such proposals are first subject to the SFPUC's Project Review Process. The proposal must first be vetted in Project Review, and then the project sponsor must receive authorization from the SFPUC pursuant to a final executed lease or revocable license before they can use or make any changes to the SFPUC ROW. To initiate the Project Review process, a project sponsor must download and fill out a Project Review application at <http://www.sfwater.org/ProjectReview> and return the completed application to Jonathan S. Mendoza at [jsmendoza@sfwater.org](mailto:jsmendoza@sfwater.org).

If you have any questions or need further information, please contact Jonathan S. Mendoza, Land and Resources Planner, in the SFPUC's Natural Resources and Lands Management Division at [jsmendoza@sfwater.org](mailto:jsmendoza@sfwater.org).

Sincerely,



Steven R. Ritchie  
Assistant General Manager, Water

- Attachments:
- 1.) Table 1. East Palo Alto General Plan - SFPUC Comments
  - 2.) Table 2. East Palo Alto General Plan Draft Environmental Impact Report (DEIR) - SFPUC Comments
  - 3.) SFPUC Interim Water Pipeline ROW Use Policy
  - 4.) ROW Integrated Vegetation Management Policy

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<sup>1</sup> SFPUC Guidelines for the Real Estate Services Division, Section 2.0.

Table 2. East Palo Alto General Plan Draft Environmental Impact Report (DEIR) - SFPUC Comments

Comment Number	PDF Document Page Number	Section Number and Title	Beginning Text of Paragraph	Table or Figure Number	Comment
1	N/A	General Comment	N/A	N/A	Include a discussion and analysis of impacts from "Land Use Goal 17 - Policy 17.8 Hetch Hetchy linear park" on SFPUC property in this DEIR. This proposal potentially conflicts with SFPUC land use policies and should be analyzed in the DEIR with relation to the SFPUC's existing policies.
2	N/A	General Comment	N/A	N/A	Include a discussion and analysis of impacts from "Transportation Goal 3 - Policy 3.2 Loop road" on SFPUC property in this DEIR. This proposal potentially conflicts with SFPUC land use policies and should be analyzed in the DEIR with relation to the SFPUC's existing policies.
3	N/A	General Comment	N/A	N/A	Include a discussion and analysis of impacts from "Transportation Goal 3 - Policy 3.3 Pedestrian network" on SFPUC property in this DEIR. This proposal potentially conflicts with SFPUC land use policies and should be analyzed in the DEIR with relation to the SFPUC's existing policies.

Table 2. East Palo Alto General Plan Draft Environmental Impact Report (DEIR) - SFPUC Comments

Comment Number	PDF Document Page Number	Section Number and Title	Beginning Text of Paragraph	Table or Figure Number	Comment
4	N/A	General Comment	N/A	N/A	Include a discussion and analysis of impacts from "Parks, Open Space and Conservation Goal 1 - Policy 1.12 Opportunistic conversions" on SFPUC property in this DEIR. This proposal potentially conflicts with SFPUC land use policies and should be analyzed in the DEIR with relation to the SFPUC's existing policies.
5	52	3.0 Project Description - Implementation Strategy	16. Secure stable water resources for new development. Adding new housing and jobs in the City is constrained by a lack of water to support development. A critical step to strengthen the economy and achieve fiscal stability is to address the water shortage in the City, which may include: securing additional water from SFPUC...	N/A	No comment.

Table 2. East Palo Alto General Plan Draft Environmental Impact Report (DEIR) - SFPUC Comments

Comment Number	PDF Document Page Number	Section Number and Title	Beginning Text of Paragraph	Table or Figure Number	Comment
6	53	3.0 Project Description - Implementation Strategy	N/A	Figure 3-3 General Plan Update Major Strategies Map	Image quality is poor. The Plan shows either a "New Trail or Pathway" and/or "Pedestrian/Bicycle Connection" on the SFPUC ROW and existing SFPUC Ravenswood facility service road. The SFPUC owns in fee the improved ROW parcels containing BDPL Nos. 1, 2 and 5 and the parcel and service road that connects from University Avenue to the SFPUC's Ravenswood facility. Any proposed use of SFPUC property must: 1.) comply with current SFPUC policies; 2.) be vetted through the SFPUC's Project Review process; and 3.) be formally authorized by the SFPUC.
7	61	3.0 Project Description	N/A	Figure 3-4 General Plan Update Land Use Map	The SFPUC owns in fee the improved ROW parcels containing BDPL Nos. 1, 2 and 5 and the parcel and service road that connects from University Avenue to the SFPUC's Ravenswood facility. Any proposed use of SFPUC property must: 1.) comply with current SFPUC policies; 2.) be vetted through the SFPUC's Project Review process; and 3.) be formally authorized by the SFPUC.



Table 2. East Palo Alto General Plan Draft Environmental Impact Report (DEIR) - SFPUC Comments

Comment Number	PDF Document Page Number	Section Number and Title	Beginning Text of Paragraph	Table or Figure Number	Comment
8	80	4.1 Aesthetics - 4.1.4 Environmental Impacts - a) Have a substantial adverse effect on a scenic vista (less-than-significant impact).	Parks, Open Space, and Conservation Element Goal POC-1. Create new parks and open spaces throughout the City. Policy 1.12, Opportunistic conversions. Work to convert unused utility rights-of way (including the Hetch Hetchy ROW), railroad rights-of-way (including the UP Spur), and alleys into attractive open space corridors.	N/A	This statement is incorrect. The SFPUC owns this ROW parcel in fee and the parcel is not "unused." It is improved with three major pipelines: BDPLs No. 1, 2 and 5. Any proposed use of SFPUC property must: 1.) comply with current SFPUC policies; 2.) be vetted through the SFPUC's Project Review process; and 3.) be formally authorized by the SFPUC.
9	252	4.9 Hydrology and Water Quality - 4.9.4 Environmental Impacts - Infrastructure, Services, and Facilities Goal ISF-2.	Policy 2.3, New water sources. Actively seek to secure additional water supply from SFPUC, groundwater sources, neighboring cities, or other available sources. Securing additional water supply and adding water storage facilities should be a City priority.	N/A	No comment.

Table 2. East Palo Alto General Plan Draft Environmental Impact Report (DEIR) - SFPUC Comments

Comment Number	PDF Document Page Number	Section Number and Title	Beginning Text of Paragraph	Table or Figure Number	Comment
10	255	4.9 Hydrology and Water Quality - 4.9.4 Environmental Impacts b) Substantially deplete groundwater recharge or substantially interfere	The City obtains potable water primarily through the San Francisco Public Utilities Commission (SFPUC) supplemented by two small local water suppliers. No pumping of local groundwater currently occurs, although the City has historically operated a groundwater pump that could be reactivated in the future. The SFPUC relies on meltwater from Sierra Nevada snowpack as a primary source of water.	N/A	No comment.
11	261-264	4.10 Land Use and Planning - Local Plans and Regulations	N/A	N/A	Add SFPUC "Interim Water Pipeline ROW Use Policy" and "Integrated Vegetation Management Policy" to this section.
12	268	4.10 Land Use and Planning - Public and Institutional Uses	There are a variety of public and institutional uses distributed throughout the City. These uses account for approximately 10 percent of the land area (133 acres) and most of this area is used for several schools including Cesar Chavez Elementary School, Costaña Elementary School, and Brentwood Elementary School.	N/A	This section should include a description of the SFPUC's right of way (ROW) as part of the existing land uses and development under the "Public and Institutional Uses" section.

Table 2. East Palo Alto General Plan Draft Environmental Impact Report (DEIR) - SFPUC Comments

Comment Number	PDF Document Page Number	Section Number and Title	Beginning Text of Paragraph	Table or Figure Number	Comment
13	275-276	4.10.4 Environmental Impacts - b) Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction of the project adopted for the purpose of avoiding or mitigating an environmental effect (no impact).	N/A	N/A	Lack of discussion of potential impacts to the SFPUC ROW. This section should include an analysis of potential impacts to the SFPUC ROW. The Plan proposals potentially conflicts with SFPUC land use policies and should be analyzed in the EIR with relation to the SFPUC's existing ROW policies. A project proposal may not use the SFPUC ROW to fulfill a development's open space, setback, emergency access or other requirements, [including parking, third-party development requirements, or use of San Francisco Property as a mitigation site].
14	418	4.15 Utilities and Service Systems	East Palo Alto Municipal Code - Chapter 13.24, Article VI of the East Palo Alto Municipal Code outlines the City's water conservation plan. The code identifies three phases of conservation pending a 20, 40, or 60 percent reduction of the City's water supply from the Hetch Hetchy watershed.	N/A	Suggest editing as follows: "The code identifies three phases of conservation pending a 20, 40, or 60 percent reduction of the City's water supply from the Hetch Hetchy watershed Regional Water System."

Table 2. East Palo Alto General Plan Draft Environmental Impact Report (DEIR) - SFPUC Comments

Comment Number	PDF Document Page Number	Section Number and Title	Beginning Text of Paragraph	Table or Figure Number	Comment
15	426	4.15 Utilities and Service Systems - 4.15.4 Environmental Setting - Water	Three water companies supply water to the City of East Palo Alto: City of East Palo Alto/American Water Enterprises, Palo Alto Park Mutual Water Company (PAPMWC), and O'Connor Tract Co-Operative Water Company. All water supplied to the City by American Water Enterprises (approximately 80 percent of the City's water) comes from the San Francisco Public Utilities Commission (SFPUC) supply...	N/A	Description of SFPUC supply and system is accurate except for capacity of Harry Tracy Water Treatment Plan. Due to the upgrade completed in 2015, peak capacity increased from 140 to 180 mgd, and sustainable capacity increased from 120 to 140 mgd.
16	427	4.15 Utilities and Service Systems - 4.15.4 Environmental Setting - Water	Tuolumne River watershed in the Sierra Nevada, and is stored in three major reservoirs: Hetch Hetchy Reservoir, Lake Lloyd, and Lake Eleanor. Water is delivered to the Bay Area via a system of aqueducts. The remaining 15 percent of the water supply comes from Bay Area reservoirs in the Alameda and Peninsula watersheds. East Palo Alto has an individual supply guarantee from SFPUC for 1.963 MGD (approximately 2,199 acre-feet per year [AFY]).	N/A	No comment.

Table 2. East Palo Alto General Plan Draft Environmental Impact Report (DEIR) - SFPUC Comments

Comment Number	PDF Document Page Number	Section Number and Title	Beginning Text of Paragraph	Table or Figure Number	Comment
17	428	4.15 Utilities and Service Systems - 4.15.4 Environmental Setting - Existing Water Demand	American Water Enterprises serves 4,183 accounts in the City of East Palo Alto, of which 3,923 are residential accounts. In FY 2014/15, residential, commercial, and municipal accounts in East Palo Alto used 1,755 acre-feet per year (AFY) of water. Water use was 444 AF below the individual supply guarantee, a reduction in demand that is primarily attributed to conservation measures during the ongoing drought and demand elasticity due to higher water prices charged by the SFPUC. Table 4.15-1 shows historical water use in East Palo Alto.	N/A	FY 2014-15 water use is consistent with SFPUC FY 2014-15 sales data. No comment.
18	436	4.15 Utilities and Service Systems - 4.15.4 Environmental Impacts	As part of the adoption of its Water System Improvement Program in October 2008, SFPUC is limiting its sales of water to each customer through 2018. It has established an interim supply allocation of 2,199 AFY (1.96 MGD) for East Palo Alto. In times of drought, SFPUC would provide less than the assurance.	N/A	Suggest editing as follows: "In times of drought, SFPUC <del>would</del> <u>may</u> provide less than the assurance <u>depending on the severity of the water shortage in accordance with the Water Shortage Allocation Plan adopted by SFPUC and its wholesale customers.</u> "

Table 2. East Palo Alto General Plan Draft Environmental Impact Report (DEIR) - SFPUC Comments

Comment Number	PDF Document Page Number	Section Number and Title	Beginning Text of Paragraph	Table or Figure Number	Comment
19	438-439	4.15 Utilities and Service Systems - 4.15.4 Environmental Impacts	<p>The SFPUC Agreement allows for the transfer or exchange of water among parties, both inside and outside of the RWS. Within the SFPUC system, it is possible to transfer individual supply guarantee and/or unused portions of water allocations among contracting agencies. The Water Shortage Allocation Plan (WSAP) adopted by SFPUC and its wholesale customers provides for voluntary transfers of water among wholesale customers during periods when mandatory rationing is in effect within the RWS.</p>	N/A	<p>This section references the "RWS" multiple times, but this acronym is not defined in the document. Suggest writing out as "Hetch Hetchy Regional Water System."</p>

Table 2. East Palo Alto General Plan Draft Environmental Impact Report (DEIR) - SFPUC Comments

Comment Number	PDF Document Page Number	Section Number and Title	Beginning Text of Paragraph	Table or Figure Number	Comment
20	439	4.15 Utilities and Service Systems - 4.15.4 Environmental Impacts	Both the SFPUC Agreement and state law also allow purchase and transfer of water from outside the SFPUC service area. As permitted by the SFPUC Agreement and state law, water may be purchased from outside of the RWS and conveyed to SFPUC and/or East Palo Alto through third-party transmission systems. Additional water could be secured either by SFPUC or East Palo Alto to augment its water supply. Such an arrangement would require both a contract with the third-party water supplier and an agreement between East Palo Alto and the SFPUC on the water quality, price, and operational terms.	N/A	No comment.
21	439	4.15 Utilities and Service Systems - 4.15.4 Environmental Impacts	In addition to acquiring transferred water individually, BAWSCA has statutory authority to assist the wholesale customers of the Hetch Hetchy regional water system to plan for and acquire supplemental water supplies.	N/A	No comment.

Table 2. East Palo Alto General Plan Draft Environmental Impact Report (DEIR) - SFPUC Comments

Comment Number	PDF Document Page Number	Section Number and Title	Beginning Text of Paragraph	Table or Figure Number	Comment
22	439	4.15 Utilities and Service Systems - 4.15.4 Environmental Impacts - Infrastructure, Services, and Facilities Element Goal ISF-2.	Policy 2.3, New water sources. Actively seek to secure additional water supply from SFPUC, groundwater sources, neighboring cities, or other available sources. Securing additional water supply and adding water storage facilities should be a City priority.	N/A	No comment.
23	456	5.0 Cumulative Impacts - 5.2.15 Utilities and Service Systems - Water	The cumulative setting for water supply includes the City of East Palo Alto and all other cities that receive water from the San Francisco Public Utilities Commission's (SFPUC's) Hetch Hetchy reservoir. East Palo Alto receives the majority of its water supply from SFPUC through American Water. As discussed in Section 4.15, Utilities and Service Systems, East Palo Alto has an individual supply guarantee from SFPUC for approximately 2,199 acre-feet per year (AFY) in normal water years and 2,033 AFY in dry years.	N/A	No comment.



Table 1. East Palo Alto General Plan - SFPUC Comments

Comment Number	PDF Document Page Number	Section Number and Title	Beginning Text of Paragraph	Table or Figure Number	Comment
1	14	Chapter 1: Vision and Guiding Principles - Major Strategies	16. Secure stable water resources for new development. Adding new housing and jobs in the City is constrained by a lack of water to support development. A critical step to strengthen the economy and achieve fiscal stability is to address the water shortage in the City, which may include: securing additional water from SFPUC...	N/A	No comment.
2	52	Chapter 4: Land Use and Urban Design	N/A	Figure 4-2: General Plan Land Use Designations	The SFPUC owns in fee the improved ROW parcels containing BDPL Nos. 1, 2 and 5 in the "University Park" area of the Plan area; and the parcel and service road that connects from University Avenue to the SFPUC's Ravenswood facility.
3	79	Chapter 4: Land Use and Urban Design - University Village	N/A	Figure 4-14: University Village Neighborhood Land Use Designations	The SFPUC owns in fee the improved ROW parcels containing BDPL Nos. 1, 2 and 5 in the "University Park" area of the Plan area; and the parcel and service road that connects from University Avenue to the SFPUC's Ravenswood facility.

Table 1. East Palo Alto General Plan - SFPUC Comments

Comment Number	PDF Document Page Number	Section Number and Title	Beginning Text of Paragraph	Table or Figure Number	Comment
4	80	Chapter 4: Land Use and Urban Design - Goal LU-17. Preserve the single family...	17.8 Hetch Hetchy linear park. Pursue the creation of a public park atop the San Francisco Public Utilities Commission's (SFPUC's) Hetch Hetchy right-of-way...	N/A	The SFPUC owns in fee the improved ROW parcels containing BDPL Nos. 1, 2 and 5. Any proposed use on the SFPUC ROW must: 1.) comply with current SFPUC policies; 2.) be vetted through the SFPUC's Project Review process; and 3.) be formally authorized by the SFPUC.
5	93	Chapter 6: Transportation	N/A	Figure 6-1: Truck Routes	The Plan shows "Truck Route (Proposed)" on an existing SFPUC Ravenswood facility service road. The SFPUC owns in fee the parcel and service road that connects from University Avenue to the SFPUC's Ravenswood facility. Any proposed use on SFPUC property must: 1.) comply with current SFPUC policies; 2.) be vetted through the SFPUC's Project Review process; and 3.) be formally authorized by the SFPUC.

Table 1. East Palo Alto General Plan - SFPUC Comments

Comment Number	PDF Document Page Number	Section Number and Title	Beginning Text of Paragraph	Table or Figure Number	Comment
6	94	Chapter 6: Transportation	Finally, as regional through traffic contributes to localized congestion within East Palo Alto, a plan for truck traffic is an important tool to protect neighborhood streets from noise and traffic impacts. Figure 6-1 maps existing and proposed truck routes within city limits.	N/A	The Plan shows "Truck Route (Proposed)" on an existing SFPUC Ravenswood facility service road. The SFPUC owns in fee the parcel and service road that connects from University Avenue to the SFPUC's Ravenswood facility. Any proposed use on SFPUC property must: 1.) comply with current SFPUC policies; 2.) be vetted through the SFPUC's Project Review process; and 3.) be formally authorized by the SFPUC.
7	98	Chapter 6: Transportation	N/A	Figure 6-5: Existing and Proposed Bicycle Network	The Plan shows "Planned Off-Street Bike Path (Class I)" on the SFPUC ROW and existing SFPUC Ravenswood facility service road. The SFPUC owns in fee the improved ROW parcels containing BDPL Nos. 1, 2 and 5 and the parcel and service road that connects from University Avenue to the SFPUC's Ravenswood facility. Any proposed use of SFPUC property must: 1.) comply with current SFPUC policies; 2.) be vetted through the SFPUC's Project Review process; and 3.) be formally authorized by the SFPUC.

Table 1. East Palo Alto General Plan - SFPUC Comments

Comment Number	PDF Document Page Number	Section Number and Title	Beginning Text of Paragraph	Table or Figure Number	Comment
8	99	Chapter 6: Transportation	N/A	Figure 6-6: Existing and Proposed Pedestrian Network	The Plan shows "Planned Pathways" on the SFPUC ROW and existing SFPUC Ravenswood facility service road. The SFPUC owns in fee the improved ROW parcels containing BDPL Nos. 1, 2 and 5 and the parcel and service road that connects from University Avenue to the SFPUC's Ravenswood facility. Any proposed use of SFPUC property must: 1.) comply with current SFPUC policies; 2.) be vetted through the SFPUC's Project Review process; and 3.) be formally authorized by the SFPUC.
9	99	Chapter 6: Transportation	N/A	Figure 6-7: Traffic Calming Priority Corridors	The Plan shows "Planned Bicycle Facilities" on the SFPUC ROW and existing SFPUC Ravenswood facility service road. The SFPUC owns in fee the improved ROW parcels containing BDPL Nos. 1, 2 and 5 and the parcel and service road that connects from University Avenue to the SFPUC's Ravenswood facility. Any proposed use of SFPUC property must: 1.) comply with current SFPUC policies; 2.) be vetted through the SFPUC's Project Review process; and 3.) be formally authorized by the SFPUC.

Table 1. East Palo Alto General Plan - SFPUC Comments

Comment Number	PDF Document Page Number	Section Number and Title	Beginning Text of Paragraph	Table or Figure Number	Comment
10	103	Chapter 6: Transportation	N/A	Figure 6-8: Street Network	The Plan shows a "Connector" street and a "Bicycle/Pedestrian Path" on the SFPUC ROW and existing SFPUC Ravenswood facility service road. The SFPUC owns in fee the improved ROW parcels containing BDPL Nos. 1, 2 and 5 and the parcel and service road that connects from University Avenue to the SFPUC's Ravenswood facility. Any proposed use of SFPUC property must: 1.) comply with current SFPUC policies; 2.) be vetted through the SFPUC's Project Review process; and 3.) be formally authorized by the SFPUC.
11	110	Chapter 6: Transportation - Goal T-3. Create a complete, safe, and comfortable pedestrian network ...	3.2 Loop road. Pursue the new multimodal Loop Road, including the Bay Trail connection, as described in the Ravenswood/4 Corners TOD Specific Plan to alleviate congestion and neighborhood traffic	N/A	The SFPUC owns in fee the parcel and service road that connects from University Avenue to the SFPUC's Ravenswood facility. Any proposed use of SFPUC property must: 1.) comply with current SFPUC policies; 2.) be vetted through the SFPUC's Project Review process; and 3.) be formally authorized by the SFPUC.

Table 1. East Palo Alto General Plan - SFPUC Comments

Comment Number	PDF Document Page Number	Section Number and Title	Beginning Text of Paragraph	Table or Figure Number	Comment
12	110	Chapter 6: Transportation - Goal T-3. Create a complete, safe, and comfortable pedestrian network ...	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.	N/A	Lights and structures are prohibited on the SFPUC ROW. Any proposed use of SFPUC property must: 1.) comply with current SFPUC policies; 2.) be vetted through the SFPUC's Project Review process; and 3.) be formally authorized by the SFPUC.
13	110	Chapter 6: Transportation - Goal T-3. Create a complete, safe, and comfortable pedestrian network ...	4.8 San Francisco Bay Trail. Support the completion of the San Francisco Bay Trail, including relevant portions within East Palo Alto.	N/A	Any proposed use of SFPUC property must: 1.) comply with current SFPUC policies; 2.) be vetted through the SFPUC's Project Review process; and 3.) be formally authorized by the SFPUC.

Table 1. East Palo Alto General Plan - SFPUC Comments

Comment Number	PDF Document Page Number	Section Number and Title	Beginning Text of Paragraph	Table or Figure Number	Comment
14	128	Chapter 8: Parks, Open Space and Conservation - Park Facilities and Character	The City also has several planned or potential expansions to its inventory of existing open space, the most significant of which is the approximately 30 acres of new parks included in the Ravenswood TOD Specific Plan. New parks would be located at the termini of Demeter Street and Purdue Avenue, and at the entry to Cooley Landing. Another major opportunity site is the vacant Right of Way owned by the SFPUC adjacent to Costaño Elementary School.	N/A	This statement is incorrect. The SFPUC owns this improved ROW parcel in fee and the parcel is not "vacant." It is improved with three major pipelines: BDPLs No. 1, 2 and 5. Any proposed use of SFPUC property must: 1.) comply with current SFPUC policies; 2.) be vetted through the SFPUC's Project Review process; and 3.) be formally authorized by the SFPUC.
15	137	Chapter 8: Parks, Open Space and Conservation - Goal POC-1. Create new parks and open spaces throughout the City.	1.12 Opportunistic conversions. Work to convert unused utility rights-of-way (including the Hetch Hetchy ROW), railroad rights-of-way (including the UP Spur) and alleys into attractive open space corridors.	N/A	This statement is incorrect. The SFPUC owns this improved ROW parcel in fee and the parcel is not "unused." It is improved with three major pipelines: BDPLs No. 1, 2 and 5. Any proposed use of SFPUC property must: 1.) comply with current SFPUC policies; 2.) be vetted through the SFPUC's Project Review process; and 3.) be formally authorized by the SFPUC.

Table 1. East Palo Alto General Plan - SFPUC Comments

Comment Number	PDF Document Page Number	Section Number and Title	Beginning Text of Paragraph	Table or Figure Number	Comment
16	137	Chapter 8: Parks, Open Space and Conservation - Goal POC-1. Create new parks and open spaces throughout the City.	N/A	N/A	This goal should include a policy for interagency coordination with the SFPUC if the City of East Palo Alto proposes using SFPUC parcels for any recreational use.
17	138	General Comment	N/A	Figure 8-7: Existing and Proposed Open Space Network	The Plan shows future parks and trails on the SFPUC ROW and existing SFPUC Ravenswood facility service road. The SFPUC owns in fee the improved ROW parcels containing BDPL Nos. 1, 2 and 5 and the parcel and service road that connects from University Avenue to the SFPUC's Ravenswood facility. Any proposed use of SFPUC property must: 1.) comply with current SFPUC policies; 2.) be vetted through the SFPUC's Project Review process; and 3.) be formally authorized by the SFPUC.



Table 1. East Palo Alto General Plan - SFPUC Comments

Comment Number	PDF Document Page Number	Section Number and Title	Beginning Text of Paragraph	Table or Figure Number	Comment
18	139	Chapter 8: Parks, Open Space and Conservation - Goal POC-2. Improve and enhance existing parks and trails.	2.7 Baylands use. Encourage public recreational use and access to the Baylands, South Bay Salt Pond, and other nearby open space...	N/A	Any proposed use of SFPUC property must: 1.) comply with current SFPUC policies; 2.) be vetted through the SFPUC's Project Review process; and 3.) be formally authorized by the SFPUC.
19	139	Chapter 8: Parks, Open Space and Conservation - Goal POC-3. Expand funding for park improvements and maintenance.	3.4 Baylands PCA. Leverage the Priority Conservation Area (PCA) designation for the Ravenswood Open Space Preserve and Don Edwards San Francisco Bay National Wildlife Refuge areas to obtain new revenue streams and grant funding from regional authorities.	N/A	Any proposed use of SFPUC property must: 1.) comply with current SFPUC policies; 2.) be vetted through the SFPUC's Project Review process; and 3.) be formally authorized by the SFPUC.
20	146	Chapter 9: Infrastructure, Services, and Facilities - Potable Water Quality and Supply	The majority of the City's water supply is supplied by the San Francisco Public Utilities Commission (SFPUC) Bay Division Pipelines 1 and 2, as well as two small independent systems: the Palo Alto Park Mutual Water Company and the O'Connor Tract Co-Op Water Company.	N/A	Add Bay Division Pipeline (BDPL) No. 5.

Table 1. East Palo Alto General Plan - SFPUC Comments

Comment Number	PDF Document Page Number	Section Number and Title	Beginning Text of Paragraph	Table or Figure Number	Comment
21	146	Chapter 9: Infrastructure, Services, and Facilities - Potable Water Quality and Supply	According to the existing infrastructure analysis performed by Schaaf & Wheeler for this General Plan Update, East Palo Alto has a significant water supply challenge.	N/A	Description relating to SFPUC supply is accurate. No comment.
22	152	Chapter 9: Infrastructure, Services, and Facilities - Goal ISF-2. Ensure a sustainable, clean, long-term water supply.	2.3 New water sources. Actively seek to secure additional water supply from SFPUC, groundwater sources, neighboring cities, or other available resources. Securing additional water supply and adding water storage facilities should be a City priority.	N/A	No comment.
23	218	Chapter 12: Implementation s - Table 12-10: Parks, Open Space, and Conservation Physical Improvements	Right-of-Way Conversion. Convert the following into public linear parks: Hetch Hetchy right-of-way between Rutgers St and Purdue Ave (Hetch Hetchy Aqueduct Linear Park)	Table 12-10: Parks, Open Space, and Conservation Physical Improvements	The SFPUC owns this ROW parcel in fee. It is improved with three major pipelines: BDPLs No. 1, 2 and 5. Any proposed use of the SFPUC ROW must: 1.) comply with current SFPUC policies; 2.) be vetted through the SFPUC's Project Review process; and 3.) be formally authorized by the SFPUC.



# Hetch Hetchy Regional Water System

Services of the San Francisco Public Utilities Commission

## **AMENDMENT TO THE RIGHT OF WAY INTEGRATED VEGETATION MANAGEMENT POLICY**

**Approved January 13, 2015**

**by**

**SFPUC Resolution No. 15-0014**

## **12.000 RIGHT OF WAY INTEGRATED VEGETATION MANAGEMENT POLICY**

### **12.001 General**

The San Francisco Public Utilities Commission (“SFPUC”) is responsible for the delivery of potable water and the collection and treatment of wastewater for some 800,000 customers within the City of San Francisco; it is also responsible for the delivery of potable water to 26 other water retailers with a customer base of 1.8 million. **The following policy is established to manage vegetation on the transmission, distribution and collection systems within the SFPUC Right of Way (“ROW”) so that it does not pose a threat or hazard to the system’s integrity and infrastructure or impede utility maintenance and operations.**

The existence of large woody vegetation<sup>1</sup>, hereinafter referred to as vegetation, and water transmission lines within the ROW are not compatible and, in fact, are mutually exclusive uses of the same space. Roots can impact transmission pipelines by causing corrosion. The existence of trees and other vegetation directly adjacent to pipelines makes emergency and annual maintenance very difficult, hazardous, and expensive, and increases concerns for public safety. The risk of fire within the ROW is always a concern and the reduction of fire ladder fuels within these corridors is another reason to modify the vegetation mosaic. In addition to managing vegetation in a timely manner to prevent any disruption in utility service, the SFPUC also manages vegetation on its ROW to comply with local fire ordinances enacted to protect public safety.

One of the other objectives of this policy is to reduce and eliminate as much as practicable the use of herbicides on vegetation within the ROW and to implement integrated pest management (IPM).

### **12.002 Woody Vegetation Management**

1.0 Vegetation of any size or species will not be allowed to grow within certain critical portions of the ROW, pumping stations or other facilities as determined by a SFPUC qualified professional, and generally in accordance with the following guidelines.

#### **1.1 Emergency Removal**

SFPUC Management reserves the right to remove any vegetation without prior public notification that has been assessed by a SFPUC qualified professional as an immediate threat to transmission lines or other utility infrastructure, human life and property due to acts of God, insects, disease, or natural mortality.

#### **1.2 Priority Removal**

Vegetation that is within 15 feet of the edge of any pipe will be removed and the vegetative debris will be cut into short lengths and chipped whenever possible. Chips will be spread upon the site where the vegetation was removed. Material that cannot be chipped will be hauled away to a proper disposal site.

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<sup>1</sup> Woody vegetation is defined as all brush, tree and ornamental shrub species planted in (or naturally occurring in) the native soil having a woody stem that at maturity exceeds 3 inches in diameter.

If vegetation along the ROW is grouped in contiguous stands<sup>2</sup>, or populations, a systematic and staggered removal of that vegetation will be undertaken to replicate a natural appearance. Initial removal<sup>3</sup> will be vegetation immediately above or within 15 feet of the pipeline edges; secondary vegetation<sup>4</sup> within 15 to 25 feet from pipelines will then be removed.

### 1.3 Standard Removal

Vegetation that is more than 25 feet from the edge of a pipeline and up to the boundary of the ROW will be assessed by a SFPUC qualified professional for its age and condition, fire risk, and potential impact to the pipelines. Based on this assessment, the vegetation will be removed or retained.

### 1.4 Removal Standards

Each Operating Division will develop its own set of guidelines or follow established requirements in accordance with local needs.

2.0 All stems of vegetation will be cut flush with the ground and where deemed necessary or appropriate, roots will be removed. All trees identified for removal will be clearly marked with paint and/or a numbered aluminum tag.

3.0 Sprouting species of vegetation will be treated with herbicides where practicable, adhering to provisions of Chapter 3 of the San Francisco Environment Code.

4.0 Erosion control measures, where needed, will be completed before the work crew or contractors leave the work site or before October 15 of the calendar year.

5.0 Department personnel will remove in a timely manner any and all material that has been cut for maintenance purposes within any stream channel.

6.0 All vegetation removal work and consultation on vegetation retention will be reviewed and supervised by a SFPUC qualified professional. All vegetation removal work and/or treatment will be made on a case-by-case basis by a SFPUC qualified professional.

7.0 Notification process for areas of significant resource impact that are beyond regular and ongoing maintenance:

7.1 County/City Notification – The individual Operating Division will have sent to the affected county/city a map showing the sections of the ROW which will be worked, a written description of the work to be done, the appropriate removal time for the work crews, and a contact person for more information. This should be done approximately 10 days prior to start of work. Each Operating Division will develop its own set of guidelines in accordance with local need.

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<sup>2</sup> A stand is defined as a community of trees possessing sufficient uniformity in composition, structure, age, arrangement, or condition to be distinguishable from adjacent forest communities to form a management unit.

<sup>3</sup> Initial removal is defined as the vegetation removed during the base year or first year of cutting.

<sup>4</sup> Secondary vegetation is defined as the vegetative growth during the second year following the base year for cutting.

7.2 Public Notification – The Operating Division will have notices posted at areas where the vegetation is to be removed with the same information as above also approximately 10 days prior to removal. Notices will also be sent to all property owners within 300 feet of the removal site. Posted notices will be 11- by 17-inches in size on colored paper and will be put up at each end of the project area and at crossover points through the ROW. Questions and complaints from the public will be handled through a designated contact person. Each Operating Division will develop its own set of guidelines in accordance with local needs.

### **12.003 Annual Grass and Weed Management**

Annual grasses and weeds will be mowed, disked, sprayed or mulched along the ROW as appropriate to reduce vegetation and potential fire danger annually. This treatment should be completed before July 30 of each year. This date is targeted to allow the grasses, forbs and weeds to reach maturity and facilitate control for the season.

### **12.004 Segments of ROW that are covered by Agricultural deed rights**

The only vegetation that may be planted within the ROW on those segments where an adjacent owner has Deeded Agricultural Rights will be: non-woody herbaceous plants such as grasses, flowers, bulbs, or vegetables.

### **12.005 Segments of ROW that are managed and maintained under a Lease or License**

Special allowance may be made for these types of areas, as the vegetation will be maintained by the licensed user as per agreement with the City, and not allowed to grow unchecked. Only shallow rooted plants may be planted directly above the pipelines.

Within the above segments, the cost of vegetation maintenance and removal will be borne by the tenant or licensee exclusively. In a like fashion, when new vegetative encroachments are discovered they will be assessed by a SFPUC qualified professional on a case-by-case basis and either be permitted or proposed for removal.

The following is a guideline for the size at maturity of plants (small trees, shrubs, and groundcover) that may be permitted to be used as landscape materials. Note: All distance measurements are for mature trees and plants measured from the edge of the drip-line to the edge of the pipeline.

- Plants that may be permitted to be planted directly above existing and future pipelines: shallow rooted plants such as ground cover, grasses, flowers, and very low growing plants that grow to a maximum of one foot in height at maturity.
- Plants that may be permitted to be planted 15–25 feet from the edge of existing and future pipelines: shrubs and plants that grow to a maximum of five feet in height at maturity.
- Plants that may be permitted to be planted 25 feet or more from the edge of existing and future pipelines: small trees or shrubs that grow to a maximum of twenty feet in height and fifteen feet in canopy width.

Trees and plants that exceed the maximum height and size limit (described above) may be permitted within a leased or licensed area provided they are in containers and are above ground. Container load and placement location(s) are subject to review and approval by the SFPUC.

Low water use plant species are encouraged and invasive plant species are not allowed.

All appurtenances, vaults, and facility infrastructure must remain visible and accessible at all times. All determinations of species acceptability will be made by a SFPUC qualified professional.

**The above policy is for general application and for internal administration purposes only and may not be relied upon by any third party for any reason whatsoever. The SFPUC reserves the right at its sole discretion, to establish stricter policies in any particular situation and to revise and update the above policy at any time.**



# Hetch Hetchy Regional Water System

Services of the San Francisco Public Utilities Commission

## **SFPUC Interim Water Pipeline Right of Way Use Policy for San Mateo, Santa Clara, and Alameda Counties**

**Approved January 13, 2015**

**by**

**SFPUC Resolution No. 15-0014**

**as an amendment to the SFPUC Real Estate Guidelines**



## **SFPUC Water Pipeline Right of Way Use Policy for San Mateo, Santa Clara, and Alameda Counties**

As part of its utility system, the San Francisco Public Utilities Commission (SFPUC) operates and maintains hundreds of miles of water pipelines. The SFPUC provides for public use on its water pipeline property or right of way (ROW) throughout Alameda, Santa Clara, and San Mateo counties consistent with our existing plans and policies. The following controls will help inform how and in which instances the ROW can serve the needs of third parties—including public agencies, private parties, nonprofit organizations, and developers—seeking to provide recreational and other use opportunities to local communities.

Primarily, SFPUC land is used to deliver high quality, efficient and reliable water, power, and sewer services in a manner that is inclusive of environmental and community interests, and that sustains the resources entrusted to our care. The SFPUC's utmost priority is maintaining the safety and security of the pipelines that run underneath the ROW.

Through our formal Project Review and Land Use Application and Project Review process, we may permit a secondary use on the ROW if it benefits the SFPUC, is consistent with our mission and policies, and does not in any way interfere with, endanger, or damage the SFPUC's current or future operations, security or facilities.<sup>1</sup> No secondary use of SFPUC land is permitted without the SFPUC's consent.

These controls rely on and reference several existing SFPUC policies, which should be read when noted in the document. Being mindful of these policies while planning a proposed use and submitting an application will ease the process for both the applicant and the SFPUC. These controls are subject to change over time and additional requirements and restrictions may apply depending on the project.

The SFPUC typically issues five-year revocable licenses for use of our property, with a form of rent and insurance required upon signing.<sup>2</sup>

*Note: The project proponent is referred to as the "Applicant" until the license agreement is signed, at which point the project proponent is referred to as the "Licensee."*

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<sup>1</sup> SFPUC Guidelines for the Real Estate Services Division, Section 2.0.

<sup>2</sup> SFPUC Guidelines for the Real Estate Services Division, Section 3.3.

## I. ***Land Use, Structures, and Compliance with Law***

The following tenets govern the specifics of land use, structures, and accessibility for a project. Each proposal will still be subject to SFPUC approval on a case-by-case basis.

- A. SFPUC Policies. The Applicant's proposed use must conform to policies approved by the SFPUC's Commission, such as the SFPUC's Land Use Framework (<http://sfwater.org/index.aspx?page=586>).
- B. Americans with Disabilities Act Compliance. The Applicant must demonstrate that a Certified Access Specialist (CASP) has reviewed and approved its design and plans to confirm that they meet all applicable accessibility requirements.
- C. Environmental Regulations. The SFPUC's issuance of a revocable license for use of the ROW is subject to compliance with the California Environmental Quality Act (CEQA). The Applicant is responsible for assessing the potential environmental impacts under CEQA of its proposed use of the ROW. The SFPUC must be named as a Responsible Agency on any CEQA document prepared for the License Area. In addition, the Applicant shall provide to SFPUC a copy of the approved CEQA document prepared by the Applicant, the certification date, and documentation of the formal approval and adoption of CEQA findings by the CEQA lead agency. The SFPUC will not issue a license for the use of the ROW until CEQA review and approval is complete.
- D. Crossover and Other Reserved Rights. For a ROW parcel that bisects a third party's land, the Applicant's proposed use must not inhibit that party's ability to cross the ROW. The Applicant must demonstrate any adjoining owner with crossover or other reserved rights approves of the proposed recreational use and that the use does not impinge on any reserved rights.
- E. Width. The License Area must span the entire width of the ROW.
  - *For example, the SFPUC will not allow a 10-foot wide trail license on a ROW parcel that is 60 feet wide.*
- F. Structures. Structures on the ROW are generally prohibited. The Licensee shall not construct or place any structure or improvement in, on, under or about the entire License Area that requires excavation, bored footings or concrete pads that are greater than six inches deep.
  - i. Structures such as benches and picnic tables that require shallow (four to six inches deep) cement pads or footings are generally permitted on the ROW. No such structure may be placed directly on top of a pipeline or within 20 feet of the edge of a pipeline.
  - ii. The SFPUC will determine the permitted weight of structures on a case-by-case basis.

- *When the SFPUC performs maintenance on its pipelines, structures of significant weight and/or those that require footings deeper than six inches are very difficult and time-consuming to move and can pose a safety hazard to the pipelines. The longer it takes the SFPUC to reach the pipeline in an emergency, the more damage that can occur.*

- G. Paving Materials. Permitted trails or walkways should be paved with materials that both reduce erosion and stormwater runoff (e.g., permeable pavers).
- H. License Area Boundary Marking. The License Area's boundaries should be clearly marked by landscaping or fencing, with the aim to prevent encroachments.
- I. Fences and Gates. Any fence along the ROW boundary must be of chain-link or wooden construction with viewing access to the ROW. The fence must include a gate that allows SFPUC access to the ROW.<sup>3</sup> Any gate must be of chain-link construction and at least 12 feet wide with a minimum 6-foot vertical clearance.

## II. ***Types of Recreational Use***

Based on our past experience and research, the SFPUC will allow simple parks without play structures, community gardens and limited trails.

- A. Fulfilling an Open Space Requirement. An applicant may not use the ROW to fulfill a development's open space, setback, emergency access or other requirements.<sup>4</sup> In cases where a public agency has received consideration for use of SFPUC land from a third party, such as a developer, the SFPUC may allow such recreational use if the public agency applicant pays full Fair Market Rent.
- B. Trail Segments. At this time, the SFPUC will consider trail proposals when a multi-jurisdictional entity presents a plan to incorporate specific ROW parcels into a fully connected trail. Licensed trail segments next to unlicensed parcels may create a trail corridor that poses liability to the SFPUC. The SFPUC will only consider trail proposals where the trail would not continue onto, or encourage entry onto, another ROW parcel without a trail and the trail otherwise meet all SFPUC license requirements.

## III. ***Utilities***

- A. Costs. The Licensee is responsible for all costs associated with use of utilities on the License Area.

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<sup>3</sup> SFPUC Right of Way Requirements.

<sup>4</sup> SFPUC Guidelines for the Real Estate Services Division, Section 2.0.

- B. Placement. No utilities may be installed on the ROW running parallel to the SFPUC's pipelines, above or below grade.<sup>5</sup> With SFPUC approval, utilities may run perpendicular to the pipelines.
- C. Lights. The Licensee shall not install any light fixtures on the ROW that require electrical conduits running parallel to the pipelines. With SFPUC approval, conduits may run perpendicular to and/or across the pipelines.
- Any lighting shall have shielding to prevent spill over onto adjacent properties.
- D. Electricity. Licensees shall purchase all electricity from the SFPUC at the SFPUC's prevailing rates for comparable types of electrical load, so long as such electricity is reasonably available for the Licensee's needs.

#### **IV. Vegetation**

A. The Applicant shall refer to the SFPUC Integrated Vegetation Management Policy for the *minimum* requirements concerning types of vegetation and planting. (<http://www.sfwater.org/index.aspx?page=431>.) The Licensee is responsible for all vegetation maintenance and removal.

B. The Applicant shall submit a Planting Plan as part of its application.

*(Community garden applicants should refer to Section VII.C for separate instructions.)*

- i. The Planting Plan should include a layout of vegetation placement (grouped by hydrozone) and sources of irrigation, as well as a list of intended types of vegetation. The SFPUC will provide an area drawing including pipelines and facilities upon request.
- ii. The Applicant shall also identify the nursery(ies) supplying plant stock and provide evidence that each nursery supplier uses techniques to reduce the risk of plant pathogens, such as *Phytophthora ramorum*.

#### **V. Measures to Promote Water Efficiency<sup>6</sup>**

A. The Licensee shall maintain landscaping to ensure water use efficiency.

B. The Licensee shall choose and arrange plants in a manner best suited to the site's climate, soil, sun exposure, wildfire susceptibility and other factors. Plants with similar water needs must be grouped within an area controlled by a single irrigation valve

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<sup>5</sup> SFPUC Land Engineering Requirements.

<sup>6</sup> SFPUC Rules and Regulations Governing Water Service to Customers, Section F.

- C. Turf is not allowed on slopes greater than 25 percent.
- D. The SFPUC encourages the use of local native plant species in order to reduce water use and promote wildlife habitat.
- E. Recycled Water. Irrigation systems shall use recycled water if recycled water meeting all public health codes and standards is available and will be available for the foreseeable future.
- F. Irrigation Water Runoff Prevention. For landscaped areas of any size, water runoff leaving the landscaped area due to low head drainage, overspray, broken irrigation hardware, or other similar conditions where water flows onto adjacent property, walks, roadways, parking lots, structures, or non-irrigated areas, is prohibited.

## VI. ***Other Requirements***

- A. Financial Stability. The SFPUC requires municipalities or other established organizations with a stable fiscal history as Licensees.
  - i. Applicants must also demonstrate sufficient financial backing to pay rent, maintain the License Area, and fulfill other license obligations over the license term.
- B. Smaller, community-based organizations without 501(c)(3) classifications must partner with a 501(c)(3) classified organization or any other entity through which it can secure funding for the License Area over the license term. Maintenance. The Licensee must maintain the License Area in a clean and sightly condition at its sole cost.<sup>7</sup> Maintenance includes, but is not limited to, regular weed abatement, mowing, and removing graffiti, dumping, and trash.
- C. Mitigation and Restoration. The Licensee will be responsible, at its sole cost, for removing and replacing any recreational improvements in order to accommodate planned or emergency maintenance, repairs, replacements, or projects done by or on behalf of the SFPUC. If the Licensee refuses to remove its improvements, SFPUC will remove the improvements I at the Licensee's sole expense without any obligation to replace them.
- D. Encroachments. The Licensee will be solely responsible for removing any encroachments on the License Area. An encroachment is any improvement on SFPUC property not approved by the SFPUC. Please read the SFPUC ROW Encroachment Policy for specific requirements. If the Licensee fails to remove encroachments, the SFPUC will remove them at Licensee's sole expense. The Licensee must regularly patrol the License Area to spot encroachments and remove them at an early stage.

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<sup>7</sup> SFPUC Framework for Land Management and Use.

- E. Point of Contact. The Licensee will identify a point of contact (name, position title, phone number, and address) to serve as the liaison between the Licensee, the local community, and the SFPUC regarding the License Agreement and the License Area. In the event that the point of contact changes, the Licensee shall immediately provide the SFPUC with the new contact information. Once the License Term commences, the point of contact shall inform local community members to direct any maintenance requests to him or her. In the event that local community members contact the SFPUC with such requests, the SFPUC will redirect any requests or complaints to the point of contact.
- F. Community Outreach.
- i. Following an initial intake conversation with the SFPUC, the Applicant shall provide a Community Outreach Plan for SFPUC approval. This Plan shall include the following information:
    1. Identification of key stakeholders to whom the Applicant will contact and/or ask for input, along with their contact information;
    2. A description of the Applicant's outreach strategy, tactics, and materials
    3. A timeline of outreach (emails/letters mailing date, meetings, etc.); and
    4. A description of how the Applicant will incorporate feedback into its proposal.
  - ii. The Applicant shall conduct outreach for the project at its sole cost and shall keep the SFPUC apprised of any issues arising during outreach.
  - iii. During outreach, the Applicant shall indicate that it in no way represents the SFPUC.
- G. Signage. The SFPUC will provide, at Licensee's cost, a small sign featuring the SFPUC logo and text indicating SFPUC ownership of the License Area at each entrance. In addition, the Licensee will install, at its sole cost, an accompanying sign at each entrance to the License Area notifying visitors to contact the organization's point of contact and provide a current telephone number in case the visitors have any issues. The SFPUC must approve the design and placement of the Licensee's sign.

## **VII. Community Gardens**

The following requirements also apply to community garden sites. As with all projects, the details of the operation of a particular community garden are approved on a case-by-case basis.

- A. The Applicant must demonstrate stable funding. The Applicant must provide information about grants received, pending grants, and any ongoing foundational support.
- B. The Applicant must have an established history and experience in managing urban agriculture or community gardening projects. Alternatively, the Applicant may demonstrate a formal partnership with an organization or agency with an established history and experience in managing urban agriculture or community gardening projects
- C. During the Project Review process, the Applicant shall submit a Community Garden Planting Plan that depicts the proposed License Area with individual plot and planter box placements, landscaping, and a general list of crops that may be grown in the garden.
- D. The Applicant shall designate a Garden Manager to oversee day-to-day needs and serve as a liaison between the SFPUC and garden plot holders. The Garden Manager may be distinct from the point of contact, see Section VI.E.
- E. The Licensee must ensure that the Garden Manager informs plot holders about the potential for and responsibilities related to SFPUC repairs or emergency maintenance on the License Area. In such circumstances, the SFPUC is not liable for the removal and replacement of any features on the License Area or the costs associated with such removal and replacement.
- F. The Licensee must conduct all gardening within planter boxes with attached bottoms that allow for easy removal without damaging the crops.



May 16, 2022

Amy Chen, Community Development Director  
City of East Palo Alto, Planning Division  
1960 Tate Street (Attn: RBD Project)  
East Palo Alto, CA 94303  
[rbd@cityofepa.org](mailto:rbd@cityofepa.org)

Dear Ms. Chen,

The Loma Prieta Chapter of the Sierra Club, the Citizens Committee to Complete the Refuge, Green Foothills, and Sequoia Audubon Society respectfully submit the following comments regarding the Notice of Preparation (NOP) for the Supplemental Environmental Impact Report (SEIR) for the Ravenswood Business District/4 Corners Transit-Oriented Development Specific Plan (RBDSP) Update.

Our organizations have a deep interest in the San Francisco Bay and its ecosystems, as well as areas near the Bay where development may impact natural resources and climate resilience in the region. We recognize the critical role that the RBDSP Update will play in shaping the future of East Palo Alto and its natural resources along the San Francisco Bay. We have participated in community meetings, engaged with local residents, community groups, and city staff/consultants, and commented to the Planning Commission and City Council throughout the planning process. Please see our full scoping comments below.

### **Project Description**

We understand that this is a programmatic EIR and that environmental review for future projects will tier off of the SEIR. Nevertheless, it is known to the City that current development proposals (which together exceed this project's maximum office/R&D square footage) would shift new development away from the Bay Road core that was envisioned in and subject to environmental



review in the 2013 Specific Plan. Instead, these projects would concentrate the plan area's building intensity and height in areas adjacent to the wetlands, introducing substantial additional development and human impacts to sensitive habitat areas. This expected geographic shift and concentration of building intensity should be reflected in the project description and its impacts should be specifically evaluated in the SEIR.

We understand from the City's May 9, 2022 scoping meeting that mitigations adopted in the 2013 RBD/4 Corners Specific Plan FEIR will carry over and be supplemented with additional mitigation measures in the SEIR for this RBDSP Update. Please clearly identify in the SEIR any mitigation measures that are intended to update or supersede mitigations adopted in the 2013 FEIR as well as which measures they supplant.

### **Alternatives**

Please include and analyze an environmental alternative that incorporates a wetlands setback<sup>1</sup> to avoid or minimize development and use impacts on the Bay's ecology while also accommodating bayside wetland migration (nature based adaptation) and enabling the San Francisco Creek Joint Powers Authority's preference for a wide sea level rise levee that can be raised over time as sea level rise worsens. Such an alternative could include an alternative Plan configuration that retains proposed housing but reduces office density or directs development intensity away from the Bay.

Community workshops and city study sessions regarding the RBDSP Update indicated that the proposed loop road is both controversial and likely to produce mixed results at best for local traffic conditions. We encourage you to evaluate all alternatives both with, and without the loop road.

### **Cumulative Impacts**

Please include these projects in the cumulative analysis: SAFER Bay project, Facebook's Willow Village and other proposed new biotech building(s) in Menlo Park's bayfront area, Dumbarton Corridor project.

### **ENVIRONMENTAL IMPACT ANALYSIS AND MITIGATION CATEGORIES**

We note that the NoP omits several potential CEQA environmental analysis categories. Because (1) the proposed RBDSP Update could more than double the allowed office/R&D/Lab square footage in the Plan area, (2) the City can reasonably anticipate concentration of that development along the shoreline, and (3) the allowed intensity and height may change for some

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<sup>1</sup> A Wetlands Setback alternative establishing a 300-foot setback for new development was analyzed in the 2013 Specific Plan DEIR and judged to be "the next most environmentally superior alternative after the No Project Alternative." The Wetlands Setback was the recommended alternative coming out the 2013 DEIR. 2013 Draft Environmental Impact Report for the City of Palo Alto Ravenswood/4 Corners TOD Specific Plan, p. 5-30.

land use designations, we encourage you additionally to evaluate impacts in these areas: Aesthetics, Land Use and Planning, Population and Housing, Public Services, and Recreation through the SEIR.

## **AESTHETICS**

Given the substantial increase in development potential and anticipated shift of development intensity within the plan area from Bay Road to bayfront, Aesthetics should be included in the SEIR scope of analysis, providing guidance to developers, perhaps with modeled building heights, of acceptable limits for development. The SEIR should carefully identify scenic resources, including open views of the Bay and foothills in the East Bay, sunrise over the bay, baylands, mature vegetation, and historic resources that may be affected, and should identify those resources that are likely to be impacted by the anticipated development program. Specific standards for building bulk and maximum building widths should be identified to preserve community viewsheds and avoid or minimize potential impacts of tall buildings, such as shadowing from buildings, glare from morning sun reflected onto the bay from glazing, and wind tunnels around tall buildings.

## **AIR QUALITY/GREENHOUSE GAS EMISSIONS**

A detailed study of the impact of construction is needed. Construction activities and construction equipment will have an ongoing impact on air emissions, noise, and vibration. The SEIR should provide a quantitative analysis of air emissions and noise/vibration attributable to construction (including the use of heavy equipment, construction worker traffic, etc.), and provide appropriate standards and control measures for future projects under the Plan.

## **BIOLOGICAL RESOURCES**

When it comes to shoreline locales around the Bay, East Palo Alto and the RBDSP shore are indeed rich. The bayland marshes spread out from the Dumbarton rail right of way, surround Cooley Landing and stretch eastward toward San Francisquito Creek. Its richness can be measured by multiple values: simple, restful pleasure in wild, open space; tidal habitat serving many wildlife species, some endangered; an established, vegetated tidal plain mitigating tidal surges; a carbon exchange engine equal to or perhaps better than rain forests and most of the wetlands are already protected at no cost to the City.

In sum, these wetlands are an ecological treasure for which East Palo Alto and the RBDSP must provide all appropriate care. We understand that the SEIR must perform a thorough review of the entire RBDSP area. Our comments here will focus on shoreline and near shoreline natural communities.

**The SEIR should establish a Biological Resource Assessment standard for tiered projects.**

For the SEIR, the Biological Resources analysis needs to reach beyond the CEQA checklist and regional databases to establish appropriate standards to be used by tiered projects. Please consider the Biological Resource Assessment (BRA) approach described below, as you develop standards for tiered project biological resource analysis.

Biological Resource Assessment (BRA): For tiered projects, a baseline biological resource assessment must be performed and submitted by a qualified biologist for any site that may impact sensitive biological resources. Sensitive biological resources triggering the need for the baseline BRA shall include wetlands occurrences or suitable habitat for special-status species, sensitive natural communities, and important movement corridors for wildlife such as green corridors and shorelines.

The BRA will assess natural habitats occurring on or adjacent to a project site including wetlands, mature trees, unused structures that could support species like swallows or special-status bats or other biological resources. The BRA will consider seasonality including nesting resources for migratory or locally resident birds.

The baseline BRA shall provide a determination on whether any sensitive biological resources are present on or adjacent to the site, including jurisdictional wetlands and waters, essential habitat for special-status species, and sensitive natural communities. If jurisdictional wetlands and/or waters are suspected to be present on the site, a jurisdictional delineation confirmed by the U.S. Army Corps of Engineers (USACE) will be provided as part of the baseline BRA.

The baseline BRA will also include consideration of existing conservation plans that apply to adjoining lands. For the RBDSP shoreline projects these include the Don Edwards National Wildlife Refuge (Refuge) Comprehensive Conservation Plan<sup>2</sup> and any similar plan the Midpeninsula Regional Open Space District (MPROSD) has for the Ravenswood Open Space Preserve. In such instances, the BRA will also include consultation with staff of the Refuge and of the MPROSD.

The baseline BRA for any project along the shoreline, regardless of natural resource owner, will also consider the US Fish and Wildlife Service Tidal Marsh Recovery Plan<sup>3</sup> and relevant references of the South Bay Salt Pond Restoration Project.

**The SEIR should perform a similar Biological Resource Assessment and identify both direct and indirect impacts using best available data.**

In addition to establishing the BRA role for tiered projects, please employ similar standards for the SEIR analysis, especially for areas along the shoreline, and identify both direct and indirect impacts based on the full development potential proposed in the RBDSP Update. Conservation

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<sup>2</sup> Don Edwards National Wildlife Refuge Comprehensive Conservation Plan 2012;  
<https://permanent.fdlp.gov/gpo51796/index.htm>

<sup>3</sup> US Fish and Wildlife Service Tidal Marsh Recovery Plan, 2013:  
[https://ecos.fws.gov/docs/recovery\\_plan/TMRP/20130923\\_TMRP\\_Books\\_Signed\\_FINAL.pdf](https://ecos.fws.gov/docs/recovery_plan/TMRP/20130923_TMRP_Books_Signed_FINAL.pdf)

managers for lands along the shoreline must be consulted as they have more relevant and complete data than any regional database, especially with regards to federally endangered species like Ridgway's rail and the salt marsh harvest mouse, both present along the RBDSP shoreline. The documents already mentioned should be used in SEIR analysis by qualified biologists. The SEIR must use the best available data in order to adequately update the RBDSP.

## **Impacts of Concern**

Priority: For all impacts on wildlife and habitats the highest and best mitigation is avoidance.

### Human Disturbance

Alternatives proposed in the NoP would produce exceptional increases in human density and activity near wetlands and other natural communities. The SEIR needs to analyze the biological impacts of such presence in regard to noise, litter, encroachment in habitats, dogs off leashes, food trucks, use of helium balloons and similar activities.

1. Evaluate and mitigate potential impacts on resident, nesting and migratory wildlife of any trash inclusive of food and food-contaminated trash that may be introduced by food vendors or picnickers especially along the shoreline inclusive of attraction of flocking gulls, pigeons or predators of any kind.
2. Evaluate and mitigate the potential impacts of increased human traffic using outdoor recreation infrastructure like trails. Studies have shown that wildlife retreat when humans move along trails<sup>4</sup> and that waterfowl are particularly intolerant of recreational trail use.<sup>5</sup>
3. Evaluate and mitigate impacts of noise on wildlife arising from events of any size or large gatherings along the shoreline or amidst developed shoreline projects.
4. Evaluate and mitigate impacts of human intrusion into and destruction of habitats.
5. Evaluate and mitigate impacts of people walking their dogs off-leash particularly adjoining shoreline wetland habitats, habitats of endangered species. Enforcement is challenging but some methods can be more effective than others as discussed by Mountain View's Senior Biologist Phil Higgins in a Palo Alto webinar last November.<sup>6</sup>

### Predation

Increased human presence and tall structures will increase predation along the shoreline. Analysis must identify and mitigate to minimize predation. For wetland species, those predators

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<sup>4</sup> Trulio, L. A., & Sokale, J. (2008). Foraging Shorebird Response to Trail Use around San Francisco Bay. *The Journal of Wildlife Management*, 72(8), 1775–1780. <http://www.jstor.org/stable/40208460>

<sup>5</sup> Lynne A. Trulio and Heather R. White "Wintering Waterfowl Avoidance and Tolerance of Recreational Trail Use," *Waterbirds* 40(3), 252-262, (1 September 2017). <https://doi.org/10.1675/063.040.0306>

<sup>6</sup> Phil Higgins, Balancing Public Access and Habitat Enhancement in the Baylands, 11/16/21, webinar @ ~1:50:02; <https://www.sfestuary.org/truw-pahlp/>

include racoons, opossums, skunks, foxes, rats and roaming cats. Predation is of major concern for the endangered species that live in the shoreline marshes.

1. Evaluate and mitigate outdoor feeding of animals along the shoreline by prohibiting the practice on lands of any new development and the Bay Trail. Outdoor feeding attracts and concentrates any and all of the species mentioned above and each will roam in wetlands consuming eggs, nestlings or adults inclusive of endangered species.
2. Evaluate and mitigate by controlling food trash that would cause gulls to congregate, species that also predate eggs or young of other wildlife.
3. Evaluate and mitigate building design near the shoreline to prevent perching or nesting of avian predators.
4. Evaluate and mitigate tree selection along or near the shoreline to control avian predators by prohibiting trees along the shoreline public access right of way and avoiding tall or spiking tree shapes in nearby, setback locations.
5. Evaluate and mitigate project level landscaping to avoid places where predator species might hide in daylight hours.

#### Disruption of tidal wetlands

Wetlands are uniquely sensitive to impacts from actions on surrounding lands and necessarily are subject to Clean Water Act as well as wildlife and habitat legal protections regardless of land ownership and location of the BCDC band. As such actions such as construction or landscape management along the RBDSP shoreline must be carefully monitored and mitigated even if equipment or workers never touch the marsh. Dust and seeds of invasive species can travel on even slight breezes. Oil spills or other contaminants may travel to sensitive habitats within the Plan area, particularly north of Bay Road and close to and within the BCDC buffer zone.

Both temporary and permanent impacts to these wetlands must be evaluated and avoided, including impacts resulting from construction activities such as grading, installation of subsurface infrastructure and placing of fill to raise the height of buildings or installation of flood barriers such as anticipated in the SAFER Bay Project. In addition,

1. Mitigation Measure BIO-5 from the 2013 Ravenswood Four Corners/TOD Specific Plan FEIR should be amended to apply to all potentially impacted wetland habitats, private or publicly owned, inclusive of those identified as under State or federal jurisdiction and to require that no fill material be placed on the wetlands.
2. Construction and landscaping practices should evaluate and mitigate impacts of work like construction (temporary impact) and landscaping (temporary and repetitive) on sensitive wetlands by setting standards and monitoring compliance for all such actions.
  - a. Place dirt piles away from the shoreline, covering with tarps when not in use.
  - b. Require tire washing for all vehicles used on the site to avoid import of invasive plant species.
  - c. If pile driving is necessary, use methods that minimize noise and are confined to limited periods of time and incorporate all actions needed to protect the federally endangered Ridgway's rail. See 2f below.

- d. Do not permit night-time construction activities along the shoreline to avoid impacts on night-active species in the marshes. If any exceptions to night-time construction activities, require that all needed lighting be shielded, directed down and away from the sensitive habitats.
- e. Landscapers should not use blowers near the wetlands as the practice will send seeds, dust, and other contaminants into the wetlands. Blower noise would also disrupt the quiet of the shoreline environment for people and wildlife.
- f. Construction and noise require all appropriate protections for the federally endangered Ridgway's rail. The BRA of shoreline projects must (1) include rail surveys to establish existing conditions and again prior to any noise or other marsh impacts, (2) observe nesting season construction restrictions if the rails are within 700' and (3) work in consultation with the US Fish and Wildlife Service before and throughout construction activity having any potential impacts.
- g. Consistent with 2013 RBDSP Policy LU-9.4, the SEIR should establish development standards that ensure adequate "Rights-of-way" for SAFER project preferred-design levees and be sufficiently wide on the upland side to allow for future levee widening to support additional levee height and ensure that no fill for levee construction or widening is placed in the Bay. Please see further comments under Land Use and Planning.

### Bird Safety

Human infrastructure threatens communities and ecosystems with significant impacts. Collisions with buildings alone kill nearly 1 billion birds per year, highlighting the necessity for bird-safe design to protect local and migratory bird populations. Please study any potential impacts of the project's design on bird populations, such as the likelihood of bird-strikes. Consider the following policies as mitigation:

1. The applicability of the Bird-safe policy of the 2013 RBDSP should be expanded to include all commercial development regardless of habitat proximity.
2. For residential development, we ask for the addition of bird-safe design requirements for developments within 300-ft from riparian habitats, wetlands and open space.

### Light Pollution

Artificial light at night from this infrastructure causes significant impacts. Light disrupts the circadian rhythm of living beings which can impact mating, foraging, and migration behaviors, sometimes with lethal results. Light pollution has also been correlated with increased cancer risks and hormone disruption in humans. To mitigate these impacts, we recommend that the impacts of light pollution be studied and that the following standards be established.

1. Require shielded lights and prohibit up-lighting.
2. All lighting shall have a correlated color temperature of 2700 Kelvin or less City-wide.

3. All lighting shall be angled downwards and facing away from the Bay or other habitat areas<sup>7</sup>.
4. Timers, dimmers, shades, and occupancy sensors should be used in commercial buildings to ensure that lights are turned off when buildings are not in use. Non-essential lights should be turned off at 10pm.
5. Lighting fixtures should be coordinated with street tree placement and species.
6. Construction lighting should not be exempted from outdoor lighting standards in shoreline areas within the plan area.

### Shading

Analyze and mitigate daylight attenuation impacts on the health and survival of the bayland ecosystem due to shadowing by tall adjacent buildings. Studies have shown the importance of sunlight<sup>8</sup> to estuarine ecosystems and that shadowing from bridges<sup>9</sup> and docks<sup>10</sup> can negatively affect plant growth and invertebrate density in estuarine ecosystems. By extension, tall buildings along East Palo Alto's treeless marsh plain that thrives in open sunlight are likely to introduce even broader shadow impacts. Please include shadow studies to analyze shading impacts on the baylands from buildings. Mitigations should include setback standards that apply to shoreline projects developed under the RBDSP and also require stepped-back heights for building design as well as avoidance of recreation or other features that extend over bayland habitat.

### Glare and lightcast

Analyze and mitigate glare and night light cast from windows with building design guidelines that avoid both impacts on surrounding natural communities especially marsh wetlands.

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<sup>7</sup> This aligns with East Palo Alto Municipal Code Section 18.34.110 - Outdoor Light and Glare: All outdoor lighting shall be arranged so as to keep light directed only on the subject property. It is unlawful to create illumination exceeding 0.1 foot-candles on any adjacent property. It is unlawful to create or allow direct glare, whether from floodlights or from high temperature processes (e.g., combustion, welding, etc.) visible at the property line in violation of Section 18.34.110

<sup>8</sup>Thom et al. 2008 Light Requirements for Growth and Survival of Eelgrass *Zostera marina* L in Pacific Northwest USA Estuaries

[https://www.researchgate.net/publication/226247644\\_Light\\_Requirements\\_for\\_Growth\\_and\\_Survival\\_of\\_Eelgrass\\_Zostera\\_marina\\_L\\_in\\_Pacific\\_Northwest\\_USA\\_Estuaries](https://www.researchgate.net/publication/226247644_Light_Requirements_for_Growth_and_Survival_of_Eelgrass_Zostera_marina_L_in_Pacific_Northwest_USA_Estuaries)

<sup>9</sup> Broome et al. 2005 Effects of Shading from Bridges on Estuarine Ecosystems. CTE/NCDOT Joint Environmental Research Program Final Report

<https://connect.ncdot.gov/projects/research/RNAProjDocs/2001-12FinalReport.pdf>

<sup>10</sup> Logan et al. 2017 Effects of Docks on Salt Marsh Vegetation: An Evaluation of Ecological Impacts and the Efficacy of Current Design Standards <https://www.mass.gov/doc/effects-of-docks-on-salt-marsh-vegetation-an-evaluation-of-ecological-impacts-and-the-efficacy/download>

### Pesticides and rodenticides

Analyze and mitigate both pesticides and rodenticides with avoidance practices as each is known to kill desired species, directly or indirectly. Pesticides used along the often windy shoreline can both impact habitat and become a water quality contaminant.

## **GEOLOGY AND SOILS**

Please see Hazards and Hazardous Materials, below.

## **HAZARDS AND HAZARDOUS MATERIALS**

### **The Ravenswood District Specific Plan SEIR should evaluate the cumulative impacts of all hazardous waste sites and other chemical pollution within the Plan Area**

1. Due to chemical contamination of large areas of the Plan Area by past and ongoing land uses, it is critical that the SEIR evaluate the impact of hazardous chemicals on anticipated future land uses. It is not appropriate to defer those evaluations to the project-specific EIRs, as the Plan's development goals may not be realistic or economically feasible due to the decades-long timeframes and high costs of site remediation. Additionally, the SEIR should address the cumulative health and environmental impact of pollutant releases from multiple hazardous waste sites within the Plan Area.

The SEIR should address the following topics related to hazardous chemicals within the Plan Area should:

Evaluate the suitability of properties within the Plan Area for future development using current toxicity values published by the USEPA and DTSC. The cleanup requirements for the Rhone-Poulenc<sup>11</sup> and Romic<sup>12</sup> sites are based on toxicity screening values for cancer risk, noncancer health impacts, and estuarine protection from 1988 (Rhone-Poulenc) and 2004 (Romic), respectively. If more health-protective values have since been published, the contractor should use those values to assess the risk associated with future land uses.

1. Anticipate likely near-term changes to cleanup requirements based on toxicity assessments currently in progress at USEPA or DTSC. Several examples follow:

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<sup>11</sup> *UNITED STATES OF AMERICA, Plaintiff, vs. STARLINK LOGISTICS, INC., Defendant. Consent Decree.* [https://elr.info/sites/default/files/doj-consent-decrees/r\\_starlink\\_logistics\\_inc.\\_consent\\_decreefinal.pdf](https://elr.info/sites/default/files/doj-consent-decrees/r_starlink_logistics_inc._consent_decreefinal.pdf)

<sup>12</sup> *Land Use Covenant and Agreement, Environmental Restrictions, and Final Remedy Decision for Former Romic Environmental Technologies Corporation Facility, East Palo Alto, California.* <https://19january2017snapshot.epa.gov/www3/region9/waste/romic-eastpaloalto/pdf/Romic-Decision-Comment-Response.pdf>



- a. The IRIS reevaluation of inorganic arsenic, expected to be completed in the next year, may result in more stringent soil and groundwater cleanup levels. This would impact the Rhone-Poulenc site, where arsenic at up to 500 parts per million remains in subsurface soils.
  - b. USEPA has declared the intention to add two chemicals within the category of Per-and-poly-fluorinated alkyl substances (PFAS) to the RCRA and CERCLA hazardous chemicals lists in 2022, and to promulgate Ambient Water Quality Criteria for those chemicals. The Romic facility treated wastes from electronics manufacturing, which could indicate the presence of PFAS in soil and groundwater at this site. New site investigations could be required to determine if these chemicals are present in soil and groundwater, as well as in adjacent estuarine waters and sediments.
2. Evaluate the impact of land covenants or deed restrictions on the entire Plan Area. The Romic site (12.6 acres) and Rhone-Poulenc site (5 acres) have land covenants or deed restrictions prohibiting many land uses, and that also prohibit any activities disturbing soil or pumping groundwater without written permission from the regulator. Construction of multi-story buildings on soil prone to liquefaction will require extensive boring and dewatering.
  3. Evaluate the impact of construction activities and new construction across the Plan Area on the following:
    - a. **Compatibility with existing remediation and groundwater monitoring systems**

Construction activities and new construction should not damage or prevent operation of existing remediation and monitoring systems, such as impermeable caps, monitoring wells, or the biobarrier at the Romic site that is attempting to prevent pollutants from entering the Eastern Slough. In addition, redevelopment should not be allowed to prohibit, limit, or significantly complicate future environmental remediation.
    - b. **Changes to groundwater flow directions or rates due to pumping for borehole drilling and dewatering of building foundations**

Consolidation of soils by dewatering and placement of building foundations will create a subsurface barrier, shifting groundwater flow.
    - c. **Transport of contaminated soils as dust to adjacent residential neighborhoods, schools, sensitive or vulnerable populations, and wetlands**
    - d. **The potential for subsurface utilities such as sewers or electrical lines to act as conduits for transport of hazardous soil vapors into buildings**

This is of particular concern at the Romic site, which has both a dense non-aqueous phase layer (DNAPL) of halogenated solvents such as trichloroethene

(TCE) at the bottom of several aquifers and a floating oil layer atop the groundwater that may contain toxic pollutants such as benzene and toluene.<sup>13</sup>

4. Address the potential human health and environmental impacts of the current and historical auto salvage yards and other industries that bordered the western and southern sides of the Romic site<sup>14</sup>, and were not investigated in the Romic assessment. Several of those properties have deed restrictions.<sup>15</sup> Pollutants commonly present at auto salvage sites include oil, heavy metals, ethylene glycol, and arsenic.<sup>16</sup>
5. Investigate the transport of hazardous substances from the Plan Area to estuarine sediments and waters. Neither the Romic nor the Rhone-Poulenc site actions included an assessment of sediment contamination or water quality in estuarine channels adjacent to those sites. The 2008 Romic remediation plan states that such an assessment would take place at a future date, but as of 2022 that has not occurred. The Plan EIR contractor should evaluate cumulative impacts to aquatic species from all pollution sources on the East Slough and other waters that could potentially receive groundwater or surface runoff from the Plan Area. Eventually, there will need to be a long-term monitoring plan for estuarine water quality.

**The SEIR should evaluate the potential for sea-level rise to worsen pollution of surface soils within and beyond the Plan Area.**

Sea-level rise is projected to lead to increased direct flooding of the Plan Area (see Figure 1), which is already at risk from King Tides and storm surges. Without raised levees or other shoreline protection along the entire bayfront, future development will be at risk from more frequent floods. A less recognized hazard that should be evaluated in the Plan EIR is groundwater flooding and the potential for rising water tables to bring buried pollutants to the ground surface and to transport additional pollutants into wetlands. Land within the Plan Area is likely to experience groundwater flooding with a 1-meter rise in sea level.<sup>17</sup> In the East Bay, groundwater bubbling out of manhole covers has been reported 250 feet from the shoreline.<sup>18</sup> Rising water tables and tidal fluctuations could move contamination from buried soils to the surface and force hazardous vapors along utility conduits into buildings. The Plan EIR should include a detailed hydrologic evaluation of this potential pathway for chemical exposures.

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<sup>13</sup> *First Semiannual 2021 Groundwater Monitoring and Remediation Evaluation Report, Bay Road Holdings Site, 2081 Bay Road, East Palo Alto, California. August 16, 2021.* <https://www.epa.gov/ca/bay-road-holdings-llc-formerly-romic-environmental-technologies-corporation>

<sup>14</sup> Google Earth Historical Imagery, October 1991.

<sup>15</sup> State Water Resources Control Board Geotracker. <https://geotracker.waterboards.ca.gov/>

<sup>16</sup> [https://www3.epa.gov/npdes/pubs/sector\\_m\\_autosalvage.pdf](https://www3.epa.gov/npdes/pubs/sector_m_autosalvage.pdf)

<sup>17</sup> Plane, E., Hill, K., and C. May. "A Rapid Assessment Method to Identify Potential Groundwater Flooding Hotspots as Sea Levels Rise in Coastal Cities." *Water*. 2019, 11, 2228.

<sup>18</sup> "Groundwater and sea level rise: What's at risk?" Kristina Hill, UC-Berkeley. *Sea Level Rise and Shoreline Contamination Regional Workshop*, December 2021.

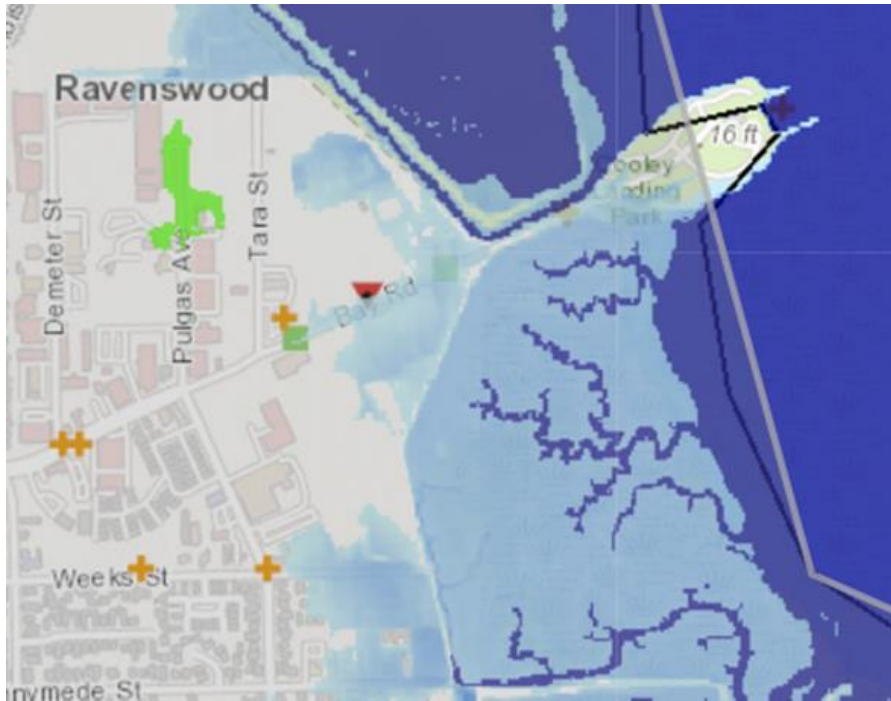


Figure 1. Projected flooding (blue shading) with 1-meter sea-level rise (<https://cimc.epa.gov/>)

**BioScience projects may bring heightened safety risks due to sea level rise and associated groundwater rise.**

Please evaluate and mitigate potential safety risks related to an expansion of life science/lab facilities in the plan area. In an urbanized setting, the biological materials being studied could become a regional health hazard if allowed to escape. Furthermore, siting of such facilities in shoreline areas, identified as flood zones, can create vulnerabilities for the Bay ecology as sea levels rise and 100-year flood events occur with increased frequency; placement in areas where soil liquefaction in seismic events could lead to structural failure also pose heightened biosafety hazards. Please consider guidance in the attached April 11, 2022 letter to East Palo Alto.

**HYDROLOGY AND WATER QUALITY**

**Stormwater Services**

As part of its analysis of EPASD Sewer Services, the LAFCo MSR<sup>19</sup> reviewed and described other service systems in East Palo Alto including Stormwater Services. Those findings identified several vulnerabilities that could impact the RBDSP area and that should be analyzed in the SEIR. Notably and related to the RBDSP, the MSR discussion noted risks associated with City location by the Bay, sea level rise, and deficiencies of the pump station and storm drain system. Currently 56% of the City is designated at elevated risk of flooding.

<sup>19</sup> LAFCo Municipal Service Report, East Palo Alto Sewer District: p. 74

## Areas of Concern

### O'Connor Street Pump Station improvements

This is the stormwater system's sole pump station, draining into San Francisquito Creek. The MSR cited the City's 2015 Storm Drain Master Plan as a resource that identified in good detail improvements needed in the Stormwater System including the pump station. East Palo Alto has made some improvements recently and is planning more work in 2022-2023. Equipment in the facility, such as its water pumps, no longer work efficiently and thus pose risk to the community upstream in major storm events. As this is critical infrastructure and an existing condition, the SEIR needs to discuss and analyze potential impacts if the pump station continues in status quo.

### Storm drain deficiencies

The MSR discussion describes the entire stormwater system of which the RBDSP area is a major component. The city-wide system of drainpipes includes some 430 nodes (manholes, inlets, similar). Of those, modeled analysis identified 68 nodes where some level of flooding could be expected. Among those, 33 would be locations of flooding of one foot or more. In the SEIR, analysis should identify impacted nodes within the RBDSP area and provide a map to show locations inclusive of degree of risk such as the depth of potential flooding.

### **Climate Challenge: Water above and below ground**

Associated with climate change, meteorological shifts have already changed the local climate: extended periods of drought and less frequent but intense, major storms or sequential storms such as last October's atmospheric river. Such storms test local stormwater systems and, by infiltration, sewer systems and produce surface ponding and localized flooding. Steadily, over the decades of development envisioned for the RBD, rising groundwater (subsurface aquifers) will exacerbate the problem. For the RBDSP, the SEIR needs to set a framework for development actions that can adapt and survive these climate changes and to preserve the outcomes the Specific Plan pursues.

An important reference to consult is a report prepared by the San Francisco Estuary Institute for the City of Sunnyvale: Sea-level rise impacts on shallow groundwater in Moffett Park.<sup>20</sup> This report is specific to findings in Moffett Park but its analysis is useful, discussing potential impacts and adaptation action for development. Notably its sources for groundwater data are from existing well databases, not involving any physical hydrologic study. SFEI has consulted with East Palo Alto on urban ecology and should be on groundwater risk planning. Although, in the scoping meeting, Troy Reinhalter said that there would be no groundwater study, we urge

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<sup>20</sup> SFEI et al, Sea-level rise impacts on shallow groundwater in Moffett Park, November 2021; <https://static1.squarespace.com/static/5e38a3dd6f9db304821e8e5e/t/61a7b37743ec4b770e11ee73/1638380421678/Moffett+Park+Specific+Plan+Groundwater+Addendum.pdf>

the project team to reconsider that decision so that the RBD might benefit from that baseline preparation for the future.

As food for thought, here is the list of potential impacts compiled in the SFEI report:

- Corrosion. Salinity impacting below ground infrastructure
- Buoyancy. Buoyant force impact on foundations, buried utilities and pipes, roads
- Seepage. Seepage into subsurface structures, floors, walls
- Infiltration: Infiltration into stormwater and sewage pipelines reducing capacity
- Liquefaction: Higher water tables increase liquefaction risk
- Damage to vegetation: Saturated soils and/or higher salinity can impact plants
- Contaminant mobilization: Movement in existing remediation or of unidentified contaminants
- Emergence flooding. Site-dependent; even non-emergent levels can exacerbate surface flooding

Again, given the RBDSP hydro-geologic location, we strongly urge inclusion of groundwater analysis in the SEIR and use it to set an adaptive framework for RBDSP area development.

## LAND USE AND PLANNING

### Consider shoreline overlay to accommodate SAFER Levee and avoid Bay fill.

In the 2013 RBDSP on p. 73, the City established the following policy:

Policy LU-9.4: For development projects within the BCDC jurisdiction:  
New projects on fill or near the shoreline should either be set back from the edge of the shore so that the project will not be subject to dynamic wave energy, be built so the bottom floor level of structures will be above a 100-year flood elevation that takes future sea level rise into account for the expected life of the project, be specifically designed to tolerate periodic flooding, or employ other effective means of addressing the impacts of future sea level rise and storm activity. **Rights-of-way for levees or other structures protecting inland areas from tidal flooding should be sufficiently wide on the upland side to allow for future levee widening to support additional levee height so that no fill for levee widening is placed in the Bay.** (emphasis added)

This policy statement makes several important points. Sufficient land width must be provided for flood protection structures and no fill is to be placed in the Bay. In 2013 the SAFER Bay levee was already under discussion through the San Francisquito Creek Joint Powers Authority (SFCJPA) and was anticipated to protect a flood-weary city from oncoming sea level rise. Even in 2013 the City anticipated, as reflected in LU-9.4, that the original levee, when built, would subsequently require added height and width.

Time has moved on. The SFCJPA completed a feasibility study and its NoP for a programmatic EIR has been released concurrent with the scoping period of the RBDSP Update. Clearly much more is known about the SAFER levee and requirements of its construction.

The LAFCo MSR discussion mentioned that, since 1940, City residents have suffered through eight major flood events, all fluvial. As is well understood and the purpose of the SAFER levee, City residents, schools and businesses require this sea level rise protection, need it as a priority construction for long-term health and safety.

It is time to use recent, available information to define and apply a land use overlay preserving lands for the SAFER levee and critical community protection and to update or replace LU-9.4 using that information.

**Reserve land for the SAFER levee.** To date neither the 2013 RBDSP nor any other City document identifies and protects land needed to prepare the City for sea level rise. In recent years, the City has seen multiple proposals from developers whose projects encroach on the shoreline, allowing only sufficient land for the Bay Trail with no set aside for the City's critical levee infrastructure.

**SAFER levee width.** In a discussion with the Tess Byler,<sup>21</sup> SAFER Project Manager for the SFCJPA, we learned that the SFCJPA's *preferred* engineered levee design would be a structure with a 3:1 slope, 20' wide upper surface. Such a structure could have a width footprint of potentially 100' or more particularly if including the width for height requirements of the 2013 LU-9.4. In comments about flood walls (vertical structures), we learned they were not preferred but would be used where shoreline space is limited such as the bayward side of the PG&E substation on Bay Road. **We recommend that the SEIR analysis include discussions with the SFCJPA to directly acquire data to be used to define the width of land that needs to be reserved for the levee.** The same conversations should substantiate the value the preferred levee type provides to the City and its residents.

**SAFER levee location.** As stated in the existing LU-9.4, the City does not want any fill for levee construction put into the Bay. That reference was speaking only to the addition of height to a future levee. Revisions need to include all actions regarding the levee including original construction. Regulatory oversight for the SAFER levee is coordinated by the BIRRT (Bay Integrated Restoration Regulatory Team), a team composed of representatives of all regulatory agencies that have Bay responsibilities. We learned that the SAFER project has committed to the BIRRT that the levee will not be built in Bay wetlands. As such, the City must set aside sufficient land that lies inland from the Bay wetland edge and without regard to existing locations of the Bay Trail or the BCDC band. For SEIR analysis, here again discussions with the SFCJPA are essential.

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<sup>21</sup> Virtual meeting, Tess Byler, SFCJPA, 04/19/22

**SAFER levee and the BCDC band.** There is a popular misunderstanding that the BCDC band is the only jurisdiction affecting where development can occur on the shoreline. The SAFER Bay levee is critical city infrastructure, the project has initiated CEQA and levees are already being built or planned in other Bay locations. For the SEIR, analysis should include discussion with BCDC to clarify jurisdictional status regarding the levee in addition to discussions with the SFCJPA.

**We strongly recommend that the RBDSP Update adopt specific SAFER levee guidelines and establish a dedicated levee right-of-way.**

**SAFER levee and the Loop Road.** Considering the levee needs discussed above, it is apparent that lands proposed for the Loop Road in the 2013 RBDSP will be needed for construction of a levee that will protect the University Village area. It is our recommendation that that is the best and highest use of the “Loop Road” location. **The SEIR should update the Loop Road analysis accordingly.**

## **POPULATION AND HOUSING**

Given the substantial proposed increase in development intensity under the RBDSP Update, the SEIR should study the expanded project’s impact on city-wide and regional jobs/housing balance and evaluate and mitigate displacement impacts as well as gentrification impacts due to poor jobs match and proposed new amenities.

## **PUBLIC SERVICES**

Please evaluate the potential for the RBDSP Update to necessitate the expansion or construction of additional facilities or services and include potential new facilities for public safety services, schools, community services and similar institutions. in the Water Supply Assessment.

## **RECREATION**

East Palo Alto is currently well below the City’s target ratio of 3.9 acres of parkland per 1,000 residents. The 2013 Specific Plan proposed adding 30 acres of new parks and trails. Because the RBDSP Update scenarios anticipate much more residential and commercial growth in the plan area, the SEIR should evaluate how park and recreation facilities in the plan area will fulfill the Specific Plan’s goals and parkland requirements. The SEIR should:

1. Analyze what the potentially underserved recreational needs are for future residents, employees, and visitors to the Plan area and evaluate the need for additional parkland and recreation facilities (including access and parking) to accommodate increased demand.

2. Evaluate the impacts of increased resident and employee recreational activity on the quality and accessibility of recreational facilities in and near the Plan area including libraries, community centers, Cooley Landing, Ravenswood Open Space Preserve, the Bay Trail, and Jack Farrell Park. Include mitigations to maintain service levels and address increased wear and tear on existing nearby facilities.
3. Consider the mitigation potential of recreational open space along the bay front serving as temporary stormwater catchment areas for flooding in extreme storm events.

## **TRANSPORTATION**

1. Loop road: Analyze whether the loop road indicated around the west side marsh can be built on existing land and if so, whether it is feasible without taking space from the backyards of residences (using eminent domain), impacting adjoining wetlands or obstructing alignment of the planned SAFER Bay levee along the planned route.
2. If a loop road is included, provide traffic studies for traffic that such a loop road would carry (especially during commute hours), and the safety impacts on the adjacent neighborhood, from cut through traffic generated by the loop road.
3. Analyze traffic studies with no loop road. See comments under Land Use, above.
4. Analyze potential for including a safe slow network of streets with slow auto traffic, pedestrian priority and safe bike lanes to encourage mode shift away from auto usage.
5. Analyze the effectiveness of including wider sidewalks and adequate street lighting to encourage safe walking on streets that would benefit from these amenities.

## **UTILITIES AND SERVICE SYSTEMS**

### **Impact of rising groundwater**

The RBDSP area is served by a variety of utilities that rely on underground conduits and other utilities that may be seriously impacted by rising groundwater associated with sea level rise. Please see the rising groundwater discussion in our comments on Hydrology and Water Quality.

### **Sewer System Analysis**

Recently, San Mateo County LAFCo released a draft Municipal Services Report<sup>22</sup> (MSR), an updated review of sewer services provided by the East Palo Alto Sanitary District. EPASD is the primary sewer service provider for the RBDSP area. The MSR's Summary<sup>23</sup> includes a long list of issues of concern and companion list of recommendations. Currently management of action on the issues is in the hands of EPA SD. Per the MSR, that management could be in the hands

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<sup>22</sup> SMC LAFCo, draft MSR Update, East Palo Alto Sewer District: [https://www.cityofepa.org/sites/default/files/fileattachments/city\\_manager039s\\_office/page/21302/epa-epasd-wbsd\\_msr-update\\_2022-03-28\\_draft.pdf](https://www.cityofepa.org/sites/default/files/fileattachments/city_manager039s_office/page/21302/epa-epasd-wbsd_msr-update_2022-03-28_draft.pdf)

<sup>23</sup> LAFCo Municipal Service Report, East Palo Alto Sewer District: pp. 96-99, "Summary of East Palo Alto Determinations"



of the City of East Palo Alto through an available LAFCo action that would transfer jurisdictional authority.

#### Deficiencies of the EPASD sewage collection system

It is a serious health and safety concern that, as reported in the MSR,<sup>24</sup> 70% (~21 miles) of the existing EPASD sewer system has a carrying capacity that is substandard at 6" diameter, needing upgrading to 8", and increasing the risk of surcharge or overflows during major storm events. Additionally substantial but unidentified parts of the collection system are still composed of the original clay pipe with brick and mortar manholes, aged infrastructure that is at high risk of failure.

1. **The SEIR should analyze and provide a baseline of existing location and physical conditions of the sewer services, especially for the EPASD-served area.** The analysis should provide maps of the existing sewer pipeline system showing where it is located and what is known about pipe conditions. Even if EPASD cannot or will not provide all the necessary data (as the MSR reported), analysis should report all pipeline data that is available, provide a method to add pipeline data for planning use as it becomes available and evaluate impact significance arising from lack of data.
2. The West Bay Sanitary District (WBSD) provides sewer services to a small portion of the RBDSP area. As such **the SEIR analysis should include a description of that service area, primarily the University Village area including certain adjoining lands on the shoreline.** In its discussion of WBSD,<sup>25</sup> the MSR remarks mention that collection capacity issues exist in that system as well but without identifying location. A map of that collection system with locations of substandard pipelines, if any exist in the RBDSP area, should be included. WBSD is a significantly larger service that the MSR discussion describes as better managed and generally more reliable.
3. New RBDSP Utility Policy: One action taken in the SEIR can be to create a new utility policy establishing a process toward resolution of significant sewer services impacts. In addition to condition issues already discussed, the MSR exposes a wide-ranging list of deficiencies that together indicate that the EPASD, as current service provider, is unable or unlikely to fulfill requirements in the RBDSP area. The Specific Plan should analyze and address that issue as a priority. **We suggest that the RBDSP Update include a new policy**, such as the following:

The City of East Palo Alto will pursue actions to improve sewer services for health and safety reliability, timeliness for new tie-ins and expansion of collection capacity for the purpose of providing for community quality of life and economic growth.

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<sup>24</sup> LAFCo Municipal Service Report, East Palo Alto Sewer District: p. 105, "Wastewater Services"

<sup>25</sup> LAFCo Municipal Service Report, East Palo Alto Sewer District: p. 155

Thank you for the opportunity to submit comments on the RBDSP Update NOP. We look forward to continued engagement in the Specific Plan Update process and review of the draft SEIR.

Sincerely,



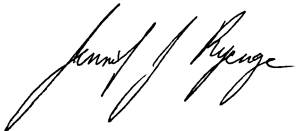
Jennifer Chang Hetterly  
Campaign Lead, Bay Alive  
Sierra Club Loma Prieta Chapter



Eileen McLaughlin  
Board Member  
Citizens Committee to Complete the Refuge



Alice Kaufman  
Policy and Advocacy Director  
Green Foothills



Jennifer Rycenga  
President  
Sequoia Audubon Society



## EAST PALO ALTO PLANNING COMMISSION STAFF REPORT

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**DATE:** May 9, 2022

**TO:** Planning Commission Members

**VIA:** Amy Chen, Community & Economic Development Director

**BY:** Elena Lee, Planning Manager

**SUBJECT:** Scoping Meeting for the Ravenswood Business District/4 Corners Transit-Oriented Development Specific Plan Update Supplemental Environmental Impact Report

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### **Recommendation**

1. **Conduct** a public Scoping Session on the Notice of Preparation (NOP) for the Ravenswood Business District/4 Corners Transit-Oriented Development (TOD) Specific Plan Update Supplemental Environmental Impact Report (SEIR)
2. **Provide** public and Commission feedback to City Staff and the SEIR Consultant
3. **Recommend** that the results of the Commission session be sent to the City Council for information.

### **Alignment with City Council Strategic Plan**

This recommendation is primarily aligned with:

Priority No. 2: Enhance Economic Vitality

Priority No. 5: Improve Communication and Enhance Community Engagement

Priority No. 6: Create a Healthy and Safe Community

### **Background**

#### *Project Information and Existing Setting*

**Lead Agency:** City of East Palo Alto

**Location:** The 350-acre Ravenswood Business District/4 Corners TOD Specific Plan area is located in the northeastern area of East Palo Alto, in southern San Mateo County.

<b>Existing Use:</b>	Office, Research and Development and Industrial, Retail, Civic/Community, and Residential Uses
<b>General Plan:</b>	General Industrial, Corridor, Industrial Buffer, Low Density Residential, Parks/Recreation/Conservation, Office, High Density Residential, Mixed Use High, Medium Density Residential
<b>Zoning:</b>	4 Corners, Bay Road Central, Ravenswood Employment Center, Industrial Transition, Waterfront Office, Urban Residential, University Village, Ravenswood Open Space, and Ravenswood Flex Overlay
<b>Surrounding:</b>	<p><b>North:</b> Menlo Park</p> <p><b>East:</b> Ravenswood Open Space Preserve and City of Palo Alto</p> <p><b>South:</b> R-MD-1 (Multiple-Family Density Residential), R-MD-2 (Multiple-Family Density Residential), PI (Public Institution), R-LD (Single-Family Residential), Urban Residential</p> <p><b>West:</b> R-HD-5 (multiple-family high density), MUC-1 (mixed-use corridor)</p>
<b>Flood Zone:</b>	Flood Zone X (determined to be outside the 500-year floodplain) and Zone AE (within the Specific Flood Hazard Area)
<b>CEQA Status:</b>	Supplemental Environmental Impact Report (SEIR) to be developed.
<b>Public Notice:</b>	The Notice of Preparation was sent to state, local and regional agencies and posted with the County of San Mateo. The NOP was also mailed to property owners both within the project area and within 600 feet and published in the Palo Alto Daily News. The notice was also posted in the Specific Plan area.

The purpose of this Scoping Meeting is for the Planning Commission, public, and agencies to have an opportunity at a public meeting to provide input on the scope and content of the SEIR for the Ravenswood Business District/4 Corners Transit-Oriented Development Specific Plan Update (RBD Update). The City's SEIR Consultant, David J. Powers & Associates, and City Staff will provide an overview of the SEIR process. The RBD Update Consultant, Raimi and Associates, will also be available to provide a brief update on the project. City staff and the project consultant team will be available to receive feedback from the Commission and the public to help guide the development of the EIR.

A summary of much of the following information will be provided in a PowerPoint presentation at the meeting:

1. Purpose of the SEIR Scoping Session
2. Project Overview
3. CEQA Environmental Review Process
4. Key Subjects/Issues anticipated for the SEIR
5. Opportunities for Public and Agency Input
6. Next Steps

A digital copy of the NOP and additional details about the project can be viewed at the project website:

<https://www.cityofepa.org/planning/page/ravenswood-business-district-4-corners-specific-plan-update>

### *Project Overview*

The 2013 Ravenswood Business District/4 Corners TOD Specific Plan allows for development of up to 1.268 million square feet of office uses, 351,820 square feet of industrial or research and development uses, 112,400 square feet of retail uses, 61,000 square feet of civic/community uses, 835 housing units (816 multifamily, 19 single-family). As of the date of this NOP, approximately 10 percent (140,650 square feet) of office uses, 40 percent (25,000 square feet) of civic/community uses, and 20 percent (168 units) of residential uses have been constructed or entitled.

The proposed update to the Ravenswood 4/Corners TOD Specific Plan (Plan) would increase the total amount of development allowed within the Specific Plan area by increasing the maximum square footages for office, research and development/life science, light industrial, civic/community, tenant amenity, and the total number of residential units allowed to be developed within the Specific Plan area. The SEIR will evaluate two scenarios for non-residential development – one consisting of an additional 2.82 million square feet of office and Research & Development (R&D) and a second consisting of an additional 3.35 million square feet of office/R&D. The SEIR will also evaluate two scenarios for residential development – one consisting of an additional 1,350 residential units and a second consisting of an additional 1,600 residential units, respectively. The update would not modify the current Specific Plan area boundary.

The RBD Update would require the following approvals from the Planning Commission and City Council:

- Supplemental Environmental Impact Report (Certification)
- General Plan Amendments (to allow housing)
- Adoption of RBD Specific Plan Update

Staff will be keeping the community, the Planning Commission and the City Council informed as the SEIR develops. Public hearings before the Commission and the City Council on the SEIR and the project will be held later this year through 2023, along with discussions regarding any other reports and studies that need to be submitted to the City.

### ***Prior Community Outreach and Public Hearings***

The City and Raimi & Associates previously held three rounds of public workshops with residents and neighbors, as well as many 1-on-1 conversations and interviews to discuss the RBD Update.

On March 23, 2021, a study session was held to provide City Council an update on the RBD Specific Plan. On March 27, 2021, a virtual public workshop (#1) was held to discuss the initiation of the Plan update, the community's vision, and changes since the adoption of the first Plan. On June 8, 2021, a study session was held with City Council to discuss

transportation impacts and strategies exclusively.

During summer 2021, more than a dozen stakeholder interviews and group listening sessions were held with representatives from the community, neighboring cities, and interested agencies. On September 22 and 27, 2021, two iterations of a virtual public workshop (#2) were held to discuss the impacts that could result from increased RBD development.

On September 28, 2021, a joint study session was held with the City Council and Planning Commission to review and discuss the results of the analysis of the different growth scenarios for six topic areas. On November 16, 2021, a study session was held to decide on the maximum development scenarios to be analyzed under CEQA.

On February 1, 2022, a study session was held to decide on the total amount of residential units to be studied under the SEIR. Also in February 2022, three rounds of community office hours were held to provide an opportunity for questions and comments from interested parties. On March 23, 2022, a virtual public workshop (#3) was held to discuss the priorities and outcomes related to community benefits in the Plan Area.

## **Analysis**

### *CEQA*

The EIR scoping meeting is an opportunity as part of the California Environmental Quality Act (CEQA) process to inform City decision-makers and the public of the proposed Plan update and to solicit public input on the scope and content of the EIR, including:

1. Potential significant environmental effects
2. Possible ways to minimize significant effects
3. Reasonable alternatives to the project

CEQA applies to all activities determined to be a “project”. The City of East Palo Alto is the Lead Agency and is responsible for a factual, impartial review of the project. Early public consultation is a key element of the CEQA process, and the EIR scoping meeting facilitates public participation in the preparation of the Draft EIR.

### *Steps in the CEQA Process*

Initial project review, the NOP, and the public scoping meeting are early steps in the CEQA process. The NOP notifies the public that an SEIR is underway and identifies issue areas to be analyzed.

The NOP was released for public review on April 15, 2022. This release is followed by a public Scoping Meeting on May 9, 2022. After the NOP review period ends (May 16, 2022), the Draft SEIR will be prepared and circulated for Public Review for a minimum of 45 days. This is followed by preparation of a Final SEIR, which includes responses to substantive comments received during the public Draft SEIR review, text revisions to supplement or clarify information in the Draft SEIR, as well as the preparation of an environmental Mitigation Monitoring and Reporting Program (MMRP) and Final SEIR Certification – CEQA Findings. The Final and

Draft SEIR document along with the Plan update materials and other submitted reports would be reviewed by the Planning Commission and the City Council at future noticed public hearings.

### *CEQA Resources to be Analyzed*

The SEIR's analysis will build upon and supplement the information and environmental analysis contained in the EIR prepared in connection with the adoption of the Plan in 2013, taking into account changed circumstances in the surrounding environment since adoption of the Plan in 2013 along with the changes in development amounts proposed as part of the Plan update. The SEIR will assess both project scenarios, i.e. differing levels of non-residential and residential development noted above, and the potential direct, indirect, and cumulative environmental impacts on key environmental resource topics outlined in the CEQA Environmental Checklist (CEQA Guidelines, Appendix G) and listed below. Mitigation measures will be identified for significant impacts, as warranted.

- Air Quality/Greenhouse Gas Emissions
- Archaeological/Cultural Resources
- Biological Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Noise/Vibration
- Transportation
- Utilities and Service Systems
- Alternatives
- Cumulative Impacts

The purpose of the Scoping Meeting is to discuss the scope and content of the SEIR and its analysis, and specifically provide an opportunity for the public and the Planning Commission to identify environmental issues or topics of analysis they would like to see the SEIR address. The merits of the project, submitted reports, and other details will be considered at later public meetings, following preparation of the Draft SEIR and the public review and comment period, and the completion of the Final SEIR responding to public comments on the Draft SEIR.

### **Fiscal Impact**

There is no fiscal impact at this time related to the EIR Scoping Session for the project. Fiscal analysis of the proposed update has been ongoing and will be an important part of the project.

### **Public Notice**

The Notice of Preparation was submitted to the State's Office of Planning and Research for distribution to State Agencies on April 15, 2022 (*Attachment 1*). A copy of the NOP was emailed to the Office of the San Mateo County Clerk-Recorder for posting. The NOP notice included reference to the May 9, 2022 Scoping Meeting. Staff mailed notices regarding the Scoping Meeting to property owners within 600 feet, to local and regional agencies as well as to community groups, religious institutions, and other parties in and near the Ravenswood Business District that were on the City's community outreach list. The Agenda for the Scoping

Meeting has also been published on the City's website, notices are displayed at 1960 Tate Street (the City's Permit Center) and at City Hall. The NOP was also published in the Palo Alto Daily News.

Public comments on the NOP that have been received as of the date of this report are in Attachment 2 (one comment attached). Comments should be sent in to [rbd@cityofepa.org](mailto:rbd@cityofepa.org). Comments may also be mailed to the City at the address noted below. If requested to be read into the record at the Scoping Meeting, comments must be received by the City by 4 pm on May 9, 2022. Comments sent to the City after that time may not be able to be read into the record at the meeting but will be given to the Commission at a later date.

The deadline for sending comments to the City on the NOP is 4 pm on May 16, 2022. Comments may be mailed or emailed to the following addresses:

City of East Palo Alto, Planning Division  
1960 Tate Street (Attn: RBD Project)  
East Palo Alto, CA 94303  
Email: [rbd@cityofepa.org](mailto:rbd@cityofepa.org)

#### *Next Steps/Anticipated Schedule*

The City staff review and public review processes continue after the NOP review period is concluded. The following milestone schedule is subject to change, for example, if a high volume of public comments is received by the City during the NOP or Draft SEIR review or it is determined that new information requested by the public or a reviewing agency needs to be addressed in the SEIR.

1. Staff Review of the Admin Draft EIR – Fall 2022
2. Public Review of the Draft EIR – Fall/Winter 2023
3. Final EIR – Winter/Spring 2023
4. Public Hearings – Spring 2023

#### **Environmental**

The project has been assessed in accordance with the authority and criteria contained in CEQA, the State CEQA Guidelines, and the City's Municipal Code. The public scoping meeting is being held to facilitate public comment for the preparation of the Draft EIR for this project. However, no action on the project is being taken at this hearing, and the hearing is exempt from CEQA. The RBD Specific Plan project is subject to California Environmental Quality Act (CEQA) requirements and the Supplemental Environmental Impact Report (EIR) will be prepared to evaluate the potential project impacts and identify appropriate mitigation measures. The Notice of Preparation was issued on April 15, 2022, starting a 30-day public scoping period ending on May 16, 2022.

#### **Attachments**

1. RBD Specific Plan Update Notice of Preparation
2. Public Scoping Comments





## NOTICE OF PREPARATION OF ENVIRONMENTAL IMPACT REPORT

**TO:** State Clearinghouse, Responsible & Trustee Agencies, and Other Interested Parties  
**DATE:** April 15, 2022  
**SUBJECT:** **Notice of Preparation of Supplement Environmental Impact Report (SEIR)**  
**Notice of SEIR Scoping Meeting on Monday, May 9, 2022**  
**LEAD AGENCY:** City of East Palo Alto  
**PROJECT TITLE:** Ravenswood Business District/4 Corners Transit-Oriented Development (TOD)  
 Specific Plan Update  
**PROJECT AREA:** City of East Palo Alto, Ravenswood Business District

Notice is hereby given that the City of East Palo Alto (City) will be the Lead Agency and will prepare a Supplemental Environmental Impact Report (SEIR) for the Ravenswood Business District/ 4 Corners Transit-Oriented Development (TOD) Specific Plan Update. The project location, project description, and the potential environmental effects that will be evaluated in the SEIR are described below. Pursuant to the CEQA Guidelines (14 C.C.R. § 15060(d)), the City has determined that a SEIR is required for the project tiered from the certified 2012 Ravenswood/4 Corners TOD Specific Plan Final EIR (SCH#2011052006).

The City is requesting comments and guidance on the scope and content of the SEIR from interested public agencies, organizations and the general public. With respect to the views of Responsible and Trustee Agencies as to significant environmental issues, the City needs to know the reasonable alternatives and mitigation measures that are germane to each agency's statutory responsibilities in connection with the project. Responsible agencies may need to use the SEIR prepared by the City when considering permitting or other approvals for the project.

We would appreciate your response at the earliest possible date. As mandated by state law, comments on the Notice of Preparation (NOP) are due no later than the close of the NOP review period on **Monday, May 16, 2022, at 4 PM**. Please mail or email your written comments to City at the address shown below. Public agencies providing comments are asked to include a contact person for the agency.

### LEAD AGENCY CONTACT:

City of East Palo Alto, Planning Division  
 1960 Tate Street (Attn: RBD Project)  
 East Palo Alto, CA 94303  
[rbd@cityofepa.org](mailto:rbd@cityofepa.org)

A digital copy of this NOP and additional detail about the project can be viewed at:

<https://www.cityofepa.org/planning/page/ceqa-notices> or  
<https://www.cityofepa.org/planning/page/ravenswood-business-district-4-corners-specific-plan-update>

An EIR scoping meeting will be held by the Planning Commission at a regularly scheduled meeting on:

**May 9, 2022, at 7PM**

Due to the COVID-19 pandemic this meeting will be held virtually. Members of the public and public agencies may participate remotely. For access information, please see page 6 below.

**INTRODUCTION:**

The purpose of an Environmental Impact Report (EIR) is to inform decision-makers and the general public of the environmental effects of a proposed project. The EIR process is intended to provide environmental information sufficient to evaluate a proposed project and its potential to cause significant effects on the environment; examine methods of reducing adverse environmental impacts; and consider alternatives to a proposed project.

A supplement to the Ravenswood Business District/4 Corners TOD Specific Plan EIR, (certified in 2013), will be prepared to evaluate the environmental impacts of additional development to be allowed within Ravenswood Business District/4 Corners TOD Specific Plan Update (see project description below). SEIRs need contain only the information necessary to make the previous EIR adequate for the project as revised (per the CEQA Guidelines, Section 15163) and the Ravenswood Business District/4 Corners TOD Specific Plan SEIR will evaluate impacts related to key environmental resource topics. The Ravenswood Business District/4 Corners TOD Specific Plan SEIR will be a programmatic EIR. It is the intent that subsequent environmental review for future individual projects within the Specific Plan area would tier from this SEIR.

**PROJECT LOCATION:**

The approximately 350-acre Ravenswood Business District/4 Corners TOD Specific Plan area is located in the northeastern area of East Palo Alto, in southern San Mateo County.

The project site is generally bounded by the City Limits/Union Pacific Railroad tracks to the north, Weeks Street or Runnymede St to the south, University Avenue and Gloria Way to the west, and the Ravenswood Open Space Preserve and Palo Alto Baylands Nature Preserve to the east. Existing development within the Specific Plan area includes residential, retail, medical office, light and heavy industrial, and institutional land uses. University Village, a single-family neighborhood immediately east of University Avenue, is located within the Specific Plan area (no land use changes are proposed for this neighborhood). Regional, vicinity, and aerial maps of the project site are shown on Figure 1, Figure 2, and Figure 3, respectively.

**PROJECT DESCRIPTION:**

The current Ravenswood Business District /4 Corners TOD Specific Plan, approved in 2013, serves as a guide for development and redevelopment in the Specific Plan area and provides a policy and regulatory framework by which development projects and public improvements are reviewed. Additional information on the Ravenswood Business District/4 Corners TOD Specific Plan Update can be found on the City's project page: <https://www.cityofepa.org/planning/page/ravenswood-business-district-4-corners-specific-plan-update>

The current Specific Plan allows for development of up to 1.268 million square feet of office uses, 351,820 square feet of industrial or research and development uses, 112,400 square feet of retail uses, 61,000 square feet of civic/community uses, 835 housing units (816 multifamily, 19 single-family). As of the date of this NOP,

approximately 10 percent (140,650 square feet) of office uses, 40 percent (25,000 square feet) of civic/community uses, and 20 percent (168 units) of residential uses have been constructed or entitled.

Table 1: Existing Plan and Development to Date							
	Office (s.f.)	R&D/Lab (s.f.)	Light Industrial	Retail (s.f.)	Civic (s.f.)	Amenity (s.f.)	Housing Units
Allowed Under Existing Specific Plan	<u>1,268,500</u>	<u>175,910</u>	<u>175,910</u>	<u>112,400</u>	<u>61,000</u>	<u>0</u>	<u>835</u>
Constructed/Built	32,650	0	0	0	25,000	0	0
Entitled	108,000	0	0	0	0	0	168
Subtotal	140,650	0	0	0	25,000	0	168
<i>Remaining from Existing Plan Allocation</i>	<i>1,127,850</i>	<i>175,910</i>	<i>175,910</i>	<i>112,400</i>	<i>36,000</i>	<i>0</i>	<i>667</i>

The proposed update to the Ravenswood 4/Corners TOD Specific Plan (Plan) would **increase the total amount of development allowed within the Specific Plan area** by increasing the maximum square footages for office, research and development/life science, light industrial, civic/community, tenant amenity, and the total number of residential units allowed to be developed within the Specific Plan area. The SEIR will evaluate two scenarios for non-residential development consisting of 2.82 million square feet of office and Research and Development (R&D) and 3.35 million square feet, respectively. The SEIR will also evaluate two scenarios for residential development consisting of 1,350 residential units and 1,600 residential units, respectively. The project will also include comprehensive utility, infrastructure, transportation, and sea level rise improvements. Therefore, this SEIR is seeking to environmentally clear a cumulative amount of development that is greater than the existing Specific Plan. The future exact allocation of that development will be determined by project-specific applications and approvals but will not exceed the total under cleared this SEIR.

The project will include adoption of amendments to the East Palo Alto General Plan and Zoning Ordinance, changing certain existing land use designations in the Plan Area and updating existing or establishing new development standards to replace some of the current zoning provisions applicable to the Plan Area. These amendments must be completed to ensure consistency between the Specific Plan, General Plan, and Zoning Ordinance. There would be no change in the Specific Plan area boundaries.

Compared to the existing Plan, for some land use designations increased intensity and height may be allowed, while in others, the allowed maximum intensity and height may be decreased. Under both Buildout Scenarios that comprise the 'project,' all proposed increases in non-residential development square footage would occur on parcels within the Plan Area that currently allow such non-residential land uses. In contrast, under the project, residential uses are proposed to be allowed in more zones/parcels compared to the existing Plan.

Table 2: Development Under Scenarios #1 and #2										
	Non-Residential (square feet)						Housing Units			
	Office/ R&D	Office	R&D/ Light Industrial or Flex		Retail	Civic/ Comm	Tenant Amenity	All	Multi- family	Single- Family
Allowed Under Existing Plan	n/a	1,268,500	351,820		112,400	61,000	0	835	816	19
<i>Reallocation</i>		<b>Office</b>	<b>R&amp;D/Lab</b>	<b>Industrial</b>						
"No Project" Scenario	1,444,410	1,268,500	175,910	175,910	112,400	61,000	0	835	816	19
Buildout Scenario #1 ("Reduced")	2,824,000	1,835,600	988,400	250,000	112,400	154,700	43,870	1,350	1,270	80
<i>Net Change #1</i>	+1,379,590	+567,100	+812,490	+74,090	0	+93,700	+43,870	+515	+454	+61
Buildout Scenario #2	3,335,000	2,167,750	1,167,250	300,000	112,400	154,700	53,500	1,600	1,472	128
<i>Net Change #2</i>	+1,890,590	+899,250	+991,340	+124,090	0	+93,700	+53,500	+765	+656	+109

**SEIR ANALYSIS:**

The SEIR will assess both project scenarios and the potential direct, indirect, and cumulative environmental impacts on key environmental resource topics outlined in the CEQA Environmental Checklist (CEQA Guidelines, Appendix G) and listed below. Mitigation measures will be identified for significant impacts, as warranted.

- *Air Quality/Greenhouse Gas Emissions.* An Operational Air Quality (e.g., criteria pollutants) and GHG Assessment will be completed for the Specific Plan Update SEIR Buildout Scenarios. A Construction Health Risk and Construction Criteria Pollutant Assessment will be required for project-specific tiering for specific development projects when detailed information about construction activity is known.
- *Archaeological/Cultural Resources.* An updated archaeological review and sensitivity map will be completed for the Specific Plan Update SEIR. An Archaeological Resources Assessment will be required for project-specific tiering for specific development projects located within an Archaeological Sensitivity Zone.
- *Biological Resources.* A Biological Assessment will be completed for the Specific Plan Update SEIR. The report will address any potential impacts to biological resources in the Plan area and identify mitigation measures required for future individual projects. The assessment will include an updated database search for special status wildlife species and rare plants that may occur in the Plan area. Results of the Specific Plan Update Biological Assessment will determine further site studies that would be required for project-specific tiering for development projects.
- *Geology and Soils.* The Specific Plan Update will identify soil types and faults across the Plan Area, as well as a general description of geologic and seismic conditions. Project-specific Geotechnical Reports will be required for each individual site at the time specific developments are proposed.
- *Hazards and Hazardous Materials.* A Geotracker/EnviroStor search will be completed to identify any contaminated sites within the Plan area. Specific development projects- will be required to address

hazardous materials as applicable in greater detail such as through preparation of an Environmental Site Assessment.

- *Hydrology and Water Quality.* The Specific Plan SEIR will add any relevant new data as necessary (e.g., Sea Level Rise/flood plain maps, Safer Bay levee alignment and design, FEMA 2.0 data). The analysis of specific development projects will tier from the Specific Plan SEIR based on information provided by project engineers.
- *Noise/Vibration.* A Noise Assessment will be prepared for Specific Plan Update, including an operational (traffic) noise analysis, development of performance standards for operational mechanical equipment, and analysis of standard construction noise and mitigation measures required for future specific development projects. The analysis of specific development projects will tier from the Specific Plan SEIR, with supplemental noise analysis to be prepared for projects with the potential to generate substantial noise during construction and/or operation that differs from the assumptions used in the SEIR's analysis.
- *Transportation.* The cumulative traffic study for the Specific Plan Update SEIR will include a vehicle-miles traveled (VMT) analysis and a level of service (LOS) analysis for the Plan Buildout Scenarios presented above and identify the roadway improvements required. Additional project-specific analysis will be required at the time of future development projects, the extent of which will depend on the results of the Specific Plan Update analysis.
- *Utilities and Service Systems.* An updated Utility Study including Water Supply Assessment, Sewer Assessment, and Storm Drainage Assessment will be prepared for the Specific Plan Update, which will identify any deficiencies or infrastructure improvements necessary.

**Alternatives:** In addition to the evaluation of two scenarios for office/R&D (2.82 million and 3.35 million s.f. of office/R&D, respectively) and two scenarios for housing (1,350 and 1,600 units, respectively), the SEIR will examine alternatives to the proposed Plan Update including a "No Project" alternative (which would represent full buildout of the existing Specific Plan of approximately 1.4 million s.f. of office/R&D). Additional alternatives may be generated depending on the impacts identified; other alternatives that may be discussed could include an alternative Plan configuration. Alternatives evaluated will be chosen based on their ability to reduce or avoid identified project impacts while achieving most of the identified project objectives.

**Cumulative Impacts:** The SEIR will address the potentially significant cumulative impacts of the project when considered together with other past, present, and reasonably foreseeable future projects in the project area.

In conformance with the CEQA Guidelines, the SEIR will also include the following information: 1) consistency with local and regional plans and policies, 2) growth inducing impacts, 3) significant unavoidable impacts, 4) significant irreversible environmental changes, 5) references and organizations/persons consulted, and 6) SEIR authors.

#### **PUBLIC SCOPING MEETING:**

This scoping session will be an agenda item of a scheduled session of the Planning Commission on Monday, May 9, 2022. The City Council for the City of East Palo Alto has adopted a resolution making the AB 361 findings necessary to continue virtual public meetings for the City Council and City Advisory Bodies During the COVID-19 State of Emergency. To reduce the spread of Covid-19, this meeting will be held by virtual teleconference/video conference only.

Members of the public and public agencies are invited to view and participate in this virtual gathering to provide comments regarding the scope and content of the SEIR. Members of the public can find information and may provide comments by signing up on the City's meeting page at <http://eastpal Alto.iqm2.com/Citizens/Default.aspx> or by attending the meeting live via Zoom and using the "RAISE HAND" feature when the Chair or Planning Clerk calls for public comment. Project questions and comments can also be sent to the contact information listed above.

The Monday, **May 9, 2022** virtual Planning Commission meeting will be held online at 7:00 pm and can be accessed via the Zoom meeting link listed below. In addition, an agenda packet, which includes meeting links, will be available no later than the Friday before the meeting date at the following: [http://eastpal Alto.iqm2.com/Citizens/Detail\\_Meeting.aspx?ID=1049](http://eastpal Alto.iqm2.com/Citizens/Detail_Meeting.aspx?ID=1049). Members of the public may provide comments by email to [rbd@cityofepa.org](mailto:rbd@cityofepa.org).

The length of the emailed comments should be within the three minutes customarily allowed for verbal comments, which is approximately 200 to 250 words. To ensure that your comment is received and read to the Planning Commission for the appropriate study session agenda item, please submit your email no later than 4:00 p.m. on May 9 2022. The City will make every effort to read emails received after that time but cannot guarantee that such emails will be read into the record. Any emails received after the 4:00 p.m. deadline that are not read into the record will be provided to the Planning Commission after the meeting and will be included into the project record for the preparation of the SEIR.

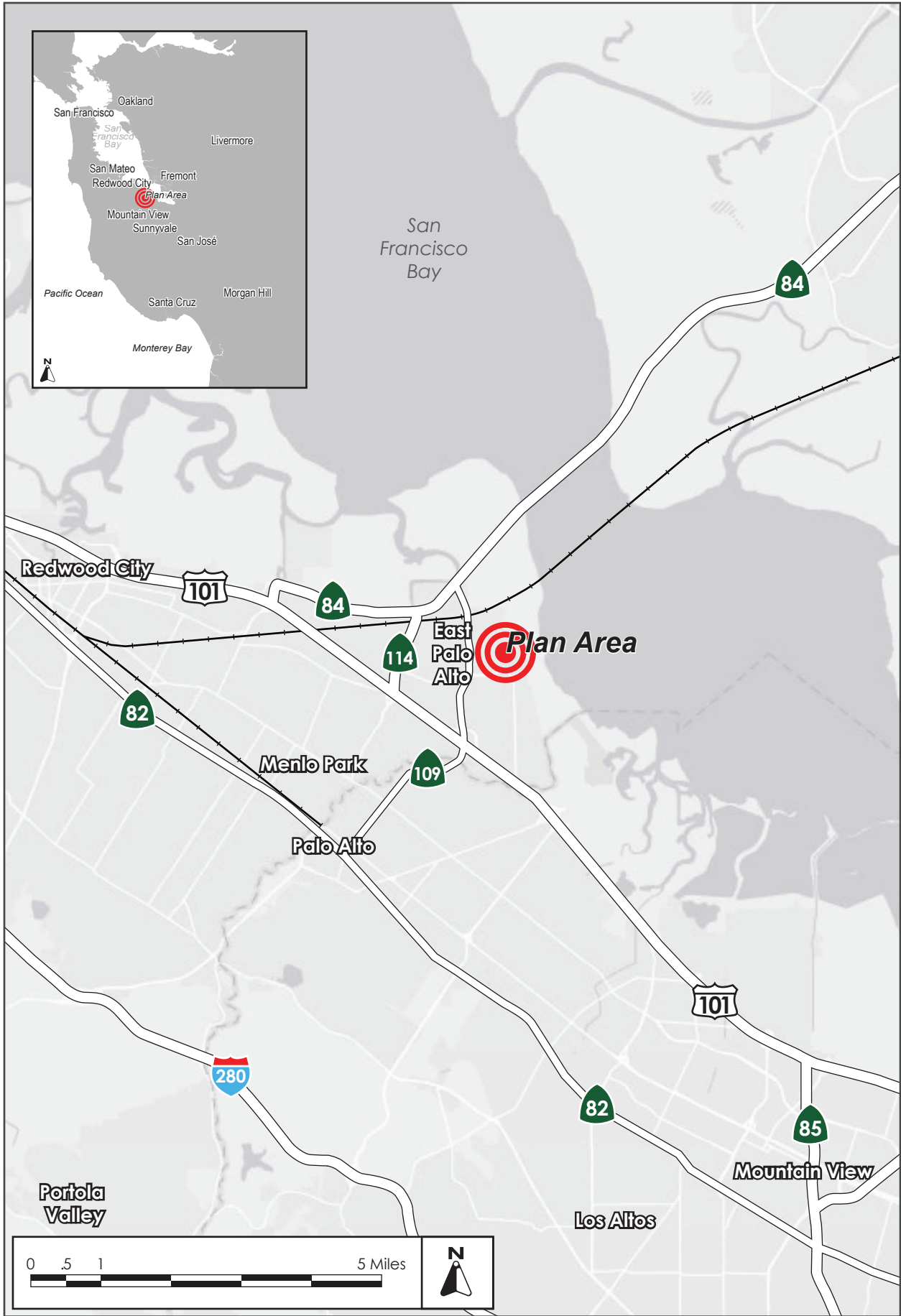
Members of the public may view the meeting by:

- 1) viewing the City's live broadcast accessed through <http://eastpal Alto.iqm2.com/Citizens/Default.aspx>
- 2) tuning to Channel 29 (local television);
- 3) going to <https://midpenmedia.org/local-tv/watch-now/>;
- 4) going to the City Facebook page at <https://www.facebook.com/CityOfEastPaloAlto>;
- 5) joining the meeting via Zoom from a PC, Mac, iPad, iPhone or Android device at <https://zoom.us/j/264253019> Meeting ID: 264 253 019; or
- 6) dialing +1 669 900 6833 (San Jose) and entering Meeting ID: 264 253 019.

For further information regarding this meeting, contact the City of East Palo Alto Planning Division, (650) 853-3189. The Americans with Disabilities Act (ADA) requires reasonable accommodation and access for the physically challenged. Those requesting such accommodation should contact the Planning Commission Secretary at (650) 853-3189 four days before the hearing date.

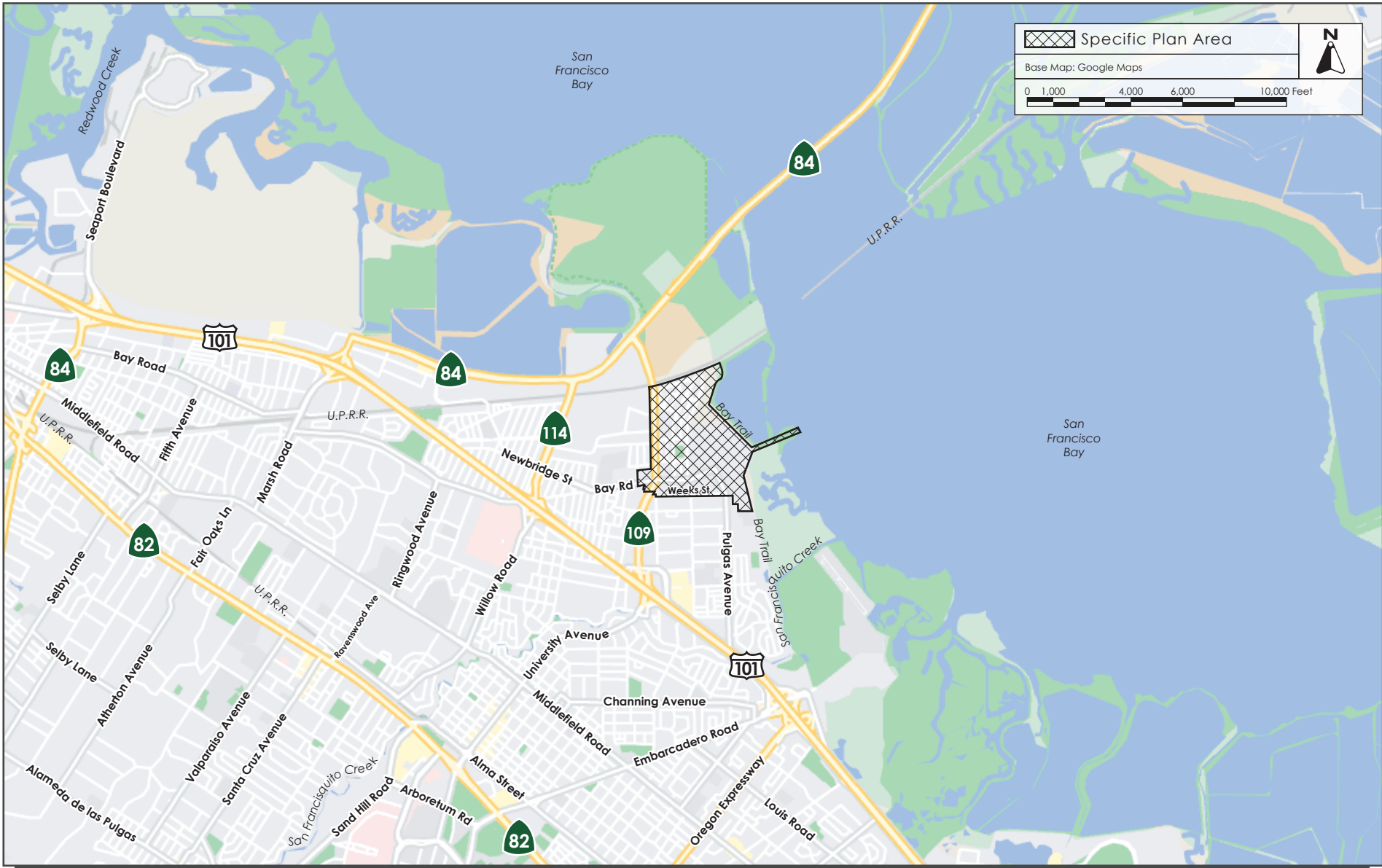
Date: April 15, 2022

Elena Lee  
 Planning Manager  
 City of East Palo Alto



REGIONAL MAP

FIGURE 1



Specific Plan Area

Base Map: Google Maps

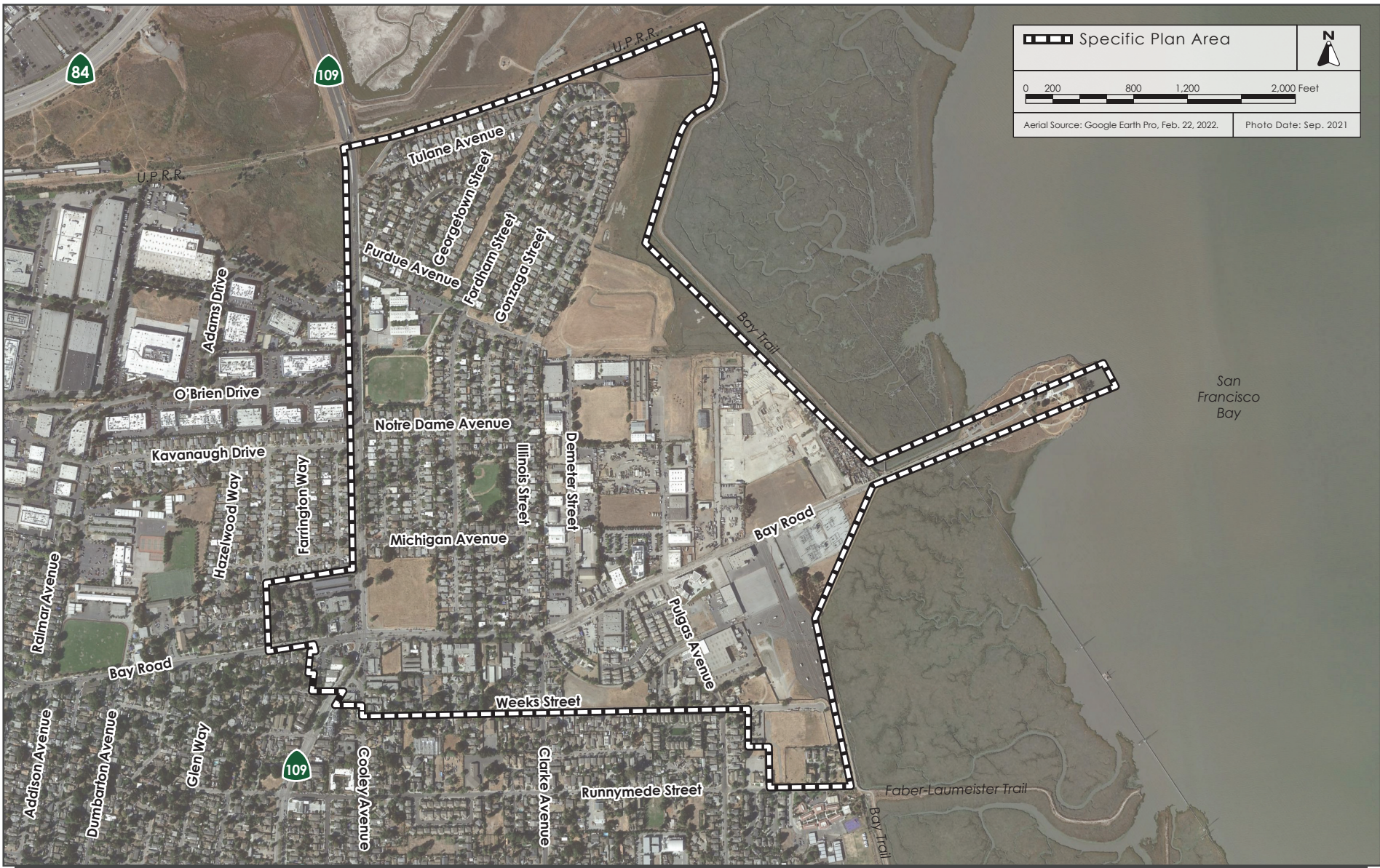
0 1,000 4,000 6,000 10,000 Feet

VICINITY MAP

FIGURE 2

Attachment: RBD Specific Plan Update Notice of Preparation (2241 : Scoping Meeting for the

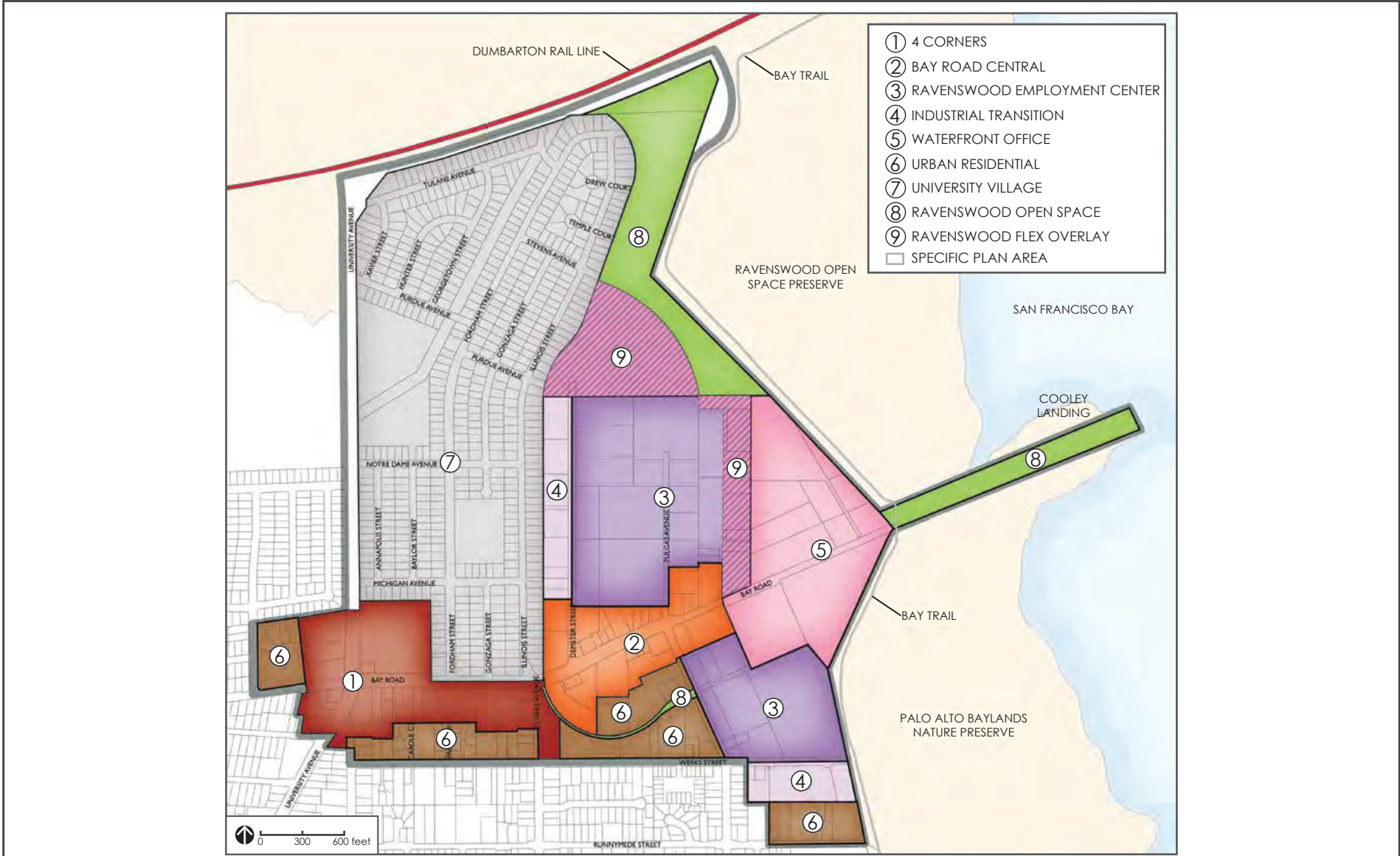




AERIAL PHOTOGRAPH OF RAVENSWOOD/4 CORNERS TOD SPECIFIC PLAN AREA

FIGURE 3

Attachment: RBD Specific Plan Update Notice of Preparation (2241) : Scoping Meeting for the



Source: City of East Palo Alto, Ravenswood/4 Corners TOD Specific Plan.

EXISTING RAVENSWOOD/4 CORNERS TOD SPECIFIC PLAN ZONING

FIGURE 4

Attachment: RBD Specific Plan Update Notice of Preparation (2241 : Scoping Meeting for the

## RBD RFP Comment

Hilbrants, Carl <Carl.Hilbrants@PLN.SCCGOV.ORG>

Sun 4/17/2022 7:37 PM

To: RBD <rbd@cityofepa.org>

Cc: Singh, Bharat <bharat.singh@pln.sccgov.org>

To whom it may concern,

My name is Carl Hilbrants and I am the County of Santa Clara Airport Land Use Commission (ALUC) Coordinator.

My comments are brief and solely related to the operations of Palo Alto Airport. I am, however, not a representative of Palo Alto Airport.

The ALUC is concerned with Noise, Safety and Height as they relate to operations of County Airports.

The Palo Alto Airport, lying to the south of the RBD, should have minimal disturbance to the RBD.

- a. The Airport Influence Area lies wholly to the south of the RBD.
- b. Regarding potential noise impacts; the eastern portion of the RBD is located within the 55, 60 and 65 CNELs (Community Noise Equivalent Level). The majority of the RBD does not lie within any CNEL contour. CNEL is a single number result that is calculated for a complete 24-hour period and usually made up of results taken at shorter intervals such as 5 minutes or 1 hour and then averaged over the whole 24 hours. CNEL is the average sound level over a 24 hour period, with a penalty of 5 dB added between 7 pm and 10 pm. and a penalty of 10 dB added for the nighttime hours of 10 p.m. to 7 a.m.
- c. The southeast corner of the RBD is within the Traffic Pattern Zone and the very southeastern tip of the RBD lies within the Outer Safety Zone. The safety zones restrict the activities of members of the public and limits the types, sizes and uses of structures while mandating specific construction methods to ensure short-term and long-term safety of the public.
- d. Regarding building height limitations: A majority of the RBD is restricted by conical surfaces ranging from 154 feet above mean sea level to 354 feet above mean sea level, from south to north. These heights restrict the ultimate height of a structure above mean sea level.
- e. The entirety of the RBD is located under several different flight paths.

If you have any questions or wish to discuss these or other matters related to ALUC concerns, please do not hesitate to ask.

Regards,  
Carl Hilbrants  
Senior Planner

**Thank you for your inquiry: Due to the immediate need of the Department of Planning and Development staff to support the County-wide effort regarding the COVID-19 Pandemic; there will be a delay in our ability to respond to telephone calls and emails.**

### CARL HILBRANTS

Senior Planner

#### Department of Planning and Development County of Santa Clara

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San Jose | CA 95110

Phone: (408) 299-5781

[carl.hilbrants@pln.sccgov.org](mailto:carl.hilbrants@pln.sccgov.org)

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