



Loma Prieta Chapter serving San Mateo, Santa Clara & San Benito Counties

August 1, 2016

Ms Deanna Chow, Principal Planner
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via email: DMChow@menlopark.org

**RE: Comments on Draft EIR for Connect Menlo:
General Plan Land Use & Circulation Elements and M-2 Area Zoning Update**

Dear Ms Chow,

Thank you for providing the opportunity for the Sierra Club Loma Prieta Chapter to comment on the proposed draft EIR for the Connect Menlo Project.

The proposed project has an appealing vision and goals to create a sustainable live/work/play community north of 101. However, we find that the Draft EIR has raised some critical impacts that need to be thoughtfully addressed. If achieved, this would allow the project to move forward with fewer undesirable impacts

We hope that our comments will encourage the City of Menlo Park to re-evaluate the draft EIR (DEIR) and details of the project to bring it more in line with the Vision and Goals that inspired the project.

Our concerns fall into three general categories:

- A. Impacts of the M2 area changes to the San Francisco Bay Don Edwards National Wildlife Refuge
- B. Issues with the R-MU zoning and O zoning categories given the Jobs/Housing imbalance
- C. Traffic mitigation

A. Impacts to San Francisco Bay Don Edwards Wildlife Refuge

San Francisco Bay is the heart of the Bay Area and after a century of neglect the Bay is finally being restored to health for the benefit of the residents around the bay as well as the creatures that depend on a clean and healthy Bay.

The South Bay Saltponds Restoration Project (SBSRP) is the centerpiece of this restoration effort. It is the largest and most ambitious restoration project in the United States, with the exception of the Florida Everglades restoration project. The current phase of restoration includes extensive work on restoring the Ravenswood Ponds in Menlo Park, which are presently still abandoned saltponds.

The focus area of this DEIR, the M2 area, lies stretched along this sensitive wildlife refuge and in the Pacific Flyway, the west coast's major bird migration corridor, where water, wetlands and wildlife, including endangered species and species of special concern, are being nurtured painstakingly back to health. Here old saltponds are being restored, from their current degraded state, to become vibrant healthy wildlife and wetland communities.

With the proposed changes to the M2 area, buildings and traffic would add excessive reflective glazing, glare, noise, traffic, night lighting, air pollution and human activity to the Refuge and thus affect the wildlife and birds that are to be feeding, resting and nesting there or stopping over during migration. San Francisco Bay and the restored saltponds are the single largest stopover, on the Pacific Flyway, for migratory birds on the west coast. These changes

could have a significant impact to vast numbers of migrants that are planned to be using the restoration areas as a refueling site, of which many will be juvenile birds migrating for the first time. The restored Refuge sites are very important to their survival into adulthood as they make their first migratory journeys.¹

Facebook East, in particular, is an island of development, almost entirely surrounded by habitat areas. To its north and west stretches the national wildlife refuge and along the south lies the endangered salt marsh harvest mouse habitat mitigation area. Most of this area is in the process of being restored to create healthy habitat, over the next few decades.

Concerns:

- **Given this context, the EIR does not lay out in sufficient detail the impacts of increased development in the M2 area on adjacent wildlife and on these sensitive zones.**
- **The EIR does not adequately integrate available mitigation strategies to protect biological species from negative impacts.**

The Draft EIR claims that the proposed project could affect wildlife corridors and movement of fish and wildlife (Draft EIR p. 4.3-26: BIO-4).

Recommendations for Section A: We believe that additional mitigation measures and some modifications to the proposed project can help reduce or avoid identified significant impacts. Given the proximity to the refuge, we recommend that the city, in the proposed project area, encourage reducing the impact to the biological resources using strategies mentioned below.

1. Facebook East: The proposed high density residential mixed use (R-MU) zoning on the Facebook East Campus site will cause intensive development on the proposed site (Bayfront Area Proposed Zoning Map Draft EIR p. 3.25, Figure 3.8). We believe, due to its encirclement by habitat areas, Intense, high density land use, including tall buildings with bright lighting, should not be considered on this island. The approach to any new development on this site should be that the development should be used to ameliorate existing conditions and improve the ecology of this island. Therefore, this site should be lightly and sensitively developed. Residential uses are not really compatible with the site's location in the Refuge and it would be preferable if they could be allocated elsewhere within rest of the M-2 area.

2. Habitat Overlay: The M-2 area is located adjacent to Don Edwards San Francisco Bay National Wildlife Refuge. As mentioned in the Draft EIR, the proposed development could be inconsistent with policies and programs in the general plan that has been prepared to reduce impacts to the environment (Draft EIR p. 4.9-14: Impact LU-2). Placing development along the edges of the refuge and open space can impact the birds and animal residing in the Refuge. Hence, we recommend that a habitat overlay zone should be employed along the refuge that will secure the edges of the Refuge, provide increased building setbacks - 200' from the Refuge edge and 100' from Open Space- in order to protect wildlife. Within the habitat overlay zone, the developer can use strategies so that the buildings in this zone are respectful of and supportive of the ecology of the Refuge².

3. Aesthetics: Impacts to Visual Resources are Significant

We disagree that the proposed project would not have a substantial adverse effect on a scenic vista and would not degrade the view from a scenic highway (Draft EIR p. 4.1-8, 4.1-14).AES-1 and AES-4.

At the Facebook East site, tall buildings and high density is allowed by right in the new R-MU zoning, all around the existing buildings on the property. The height limit of 65' and 85' with bonus level³, implies 6 or 8 story tall buildings -plus 10' added height to be above flood levels. (Table 4.1-4)

¹ Josh Scullen, Landbird Program Director, SFBBO, unpublished data.

² Mountain View North Bayshore Precise Plan uses a Habitat Overlay Zone along the bay and creeks that includes a defined setback as well as limiting the height to lower heights within the overlay zone. It also allows transfer of development rights away from the zone to other parts of the specific plan that allow higher height limits.

³ Unstable project information: The maximum height limit appears to vary in different documents.

Development of 60'-85' tall buildings on the Facebook East Campus would significantly change the view from Bedwell Bayfront Park, looking south, for visitors using the park trails. In addition, the Ravenwood Ponds Restoration envisions a new scenic pedestrian trail across the wetlands from which the view looking south would be affected by 60'-85' tall new buildings on Facebook East.

In addition, the perception of wide open spaces and Bay views while traveling along the Bay front Expressway, passing Facebook East, would be significantly changed.

Hence, we recommend that building heights at Facebook East be reduced to be no more than the height of existing office buildings. This, including setbacks using the habitat overlay, would help the aesthetics so that the impact of obstructing views will be reduced significantly.

4. Light pollution: Light pollution has negative impacts on wildlife and ecosystems It also affects human health, and the human wonder at the beauty of the night sky (<http://darksky.org/light-pollution/>). The potential for significant light pollution in Menlo Park M2 area must be reduced and mitigated. =

A project of this size needs to look at impacts on regional light pollution and reduce sky glow, glare, and light trespass especially toward the bay and wildlife flight paths. The International Dark-Sky Model Ordinance should be used as a basis for lighting requirements for the Project (<http://darksky.org/our-work/public-policy/mlo/>). Night lighting in such close proximity to the bay and wetlands also interferes with bird flight patterns and causes birds to be attracted like moths to night lighting, resulting in their death from confusion and exhaustion.⁴

a. The Bird-Safe Design ordinances and guidelines currently being considered by the City of Sunnyvale and San Jose⁵ should be considered for adoption by the City of Menlo Park and be applied especially to the M2 area as well as to all new development in the City. See Attachment A - Bird Safe Guidelines for Sunnyvale

b. Lighted billboards should not be allowed along the Bayfront Expressway for the same reasons. The lights along migratory flight paths interferes with bird flight patterns and causes birds to be attracted like moths to night lighting, resulting in their death.

5. Bird-Safe Design and Reflective glass. Impacts of Bird Collision are potentially significant and should be mitigated: The proposed development is on the Pacific Flyway for bird migration. Millions of birds fly through the area on their way to using San Francisco Bay as a rest stop on their annual migrations. In addition, San Francisco Bay and the wetlands adjacent to the area are home to thousands of local birds.

Reflective glass surfaces are confusing and detrimental to wild birds and cause thousands of unnecessary deaths.⁶ Recent studies estimate that 300 million to a billion birds die each year as a result of collision with glass windows and structures⁷. This is an unnecessary toll on bird populations, a toll that can be reduced if buildings are designed/retrofitted with bird safety in mind. Audubon Society's guidelines for Bird -Safe Design should be incorporated into the mitigation strategies in the EIR.

The State of North America's Birds 2016 report provides the first-ever conservation vulnerability assessment for all 1,154 native bird species that occur in Canada, the continental United States, and Mexico.⁸ The National

⁴ http://green.blogs.nytimes.com/2012/04/25/a-lethal-beacon-for-migrating-birds/?_r=0

⁵ See also City of San Jose: Bird-friendly design, reduce glass reflectivity, light pollution, etc <http://sfplanning.org/standards-bird-safe-buildings>, <http://sanjoseca.gov/DocumentCenter/View/3563>

⁶ [The invisible killer causing thousands of migratory bird deaths](http://www.aoucospubs.org/doi/pdf/10.1650/CONDOR-13-090.1)

⁷ <http://www.aoucospubs.org/doi/pdf/10.1650/CONDOR-13-090.1>

⁸ <https://www.allaboutbirds.org/state-of-north-americas-birds-2016-more-than-one-third-in-need-of-conservation-action/>

see also <http://www.stateofthebirds.org/2016/>

http://www.stateofthebirds.org/2016/?hstc=75100365.9fd7bbe83668b70d6019a016f45c56a5.1464138202191.1464138202191.1466161063307.2&_hss

Audubon Society has recently published a study showing how Global Climate Change would cause shifts and shrinking of habitat for dozens of birds. The study includes several migratory bird species that are found near the Project⁹.

6. Feral Cats and Vector Management

Recently, several volunteer organizations have started releasing and feeding feral cats at office parks and industrial areas, especially near open space and baylands. It is reasonable to predict that increased development close to Open Space and the Refuge could result in the establishment of cat colonies. Cat related depredation would become an indirect yet a potentially significant impact to migratory birds and shore birds in the Refuge.

Mitigation for feral cats would be to

- a. Remove residential uses from Facebook East island as it makes the Refuge vulnerable to a feral cat problem that would be extremely difficult to eradicate
- b. Prohibit release and feeding of feral cats in the M2 zone
- c. Contract with USDA to remove feral cats, similar to the program implemented in several areas of Santa Clara County along the bay and creeks

A Vector Management Plan is needed to protect the adjacent sensitive habitat from nuisance species that are attracted to trash, such as rats and raccoons and from secondary poisoning of wildlife due to poisoning methods for rodent control. Rodent bait stations should not be used outdoors. All trash enclosures should be closed and inaccessible to scavengers such as rodents, raccoons, and crows. These scavengers may also depredate bird nests and their populations should not be supported via supplemental food from human trash bins. We believe that drive-through restaurants should not be permitted in the M2 area, since this type of restaurants is usually associated with food availability for scavengers and nuisance species and with litter.

7. Resilient Landscape Framework: The Bay-front M2 area, after its full development, will lead to immense growth in population, thus increasing the impacts on the environment and specifically on the environmentally sensitive areas abutting the proposed site. Hence, it is necessary that resilient landscape design principles should be used to help in revitalizing the ecology of the area while accommodating development in this area.

The San Francisco Estuary Institute has established the [Resilient Landscape Framework](#) that identifies seven principles of landscape resiliency. According to the Estuary Institute, the framework is designed to provide the structure needed to comprehensively incorporate the key concepts for building landscape resiliency into restoration and management of development planning. We recommend the framework strategies be incorporated in the proposed project so as to build in resiliency using the landscape and ecology of the area. Along with the resilient landscape framework, green infrastructure strategies such as flood plain parks, urban storm water wetlands, and greenways and ecological networks also provide biological benefits and should be incorporated in the Project.

8. Air Quality: The Draft EIR notes that the proposed project would increase the emission of certain air pollutants substantially and would violate the air quality standard set by Bay Area Air Quality Management District (BAAQMD) (Draft EIR p. 4.2-39). Specifically, at maximum 2040 built-out, the air pollutants resulting from transportation, energy, and other area sources such as off-street emissions would worsen the air quality conditions due to increase in reactive organic gases and nitrogen oxide and would increase the net emission to levels higher than the BAAQMS regional significance thresholds.

Currently, in the south bay, cardiovascular events, chronic lower respiratory disease and lung cancer, are among the top 5 leading causes of death for residents; and scientific studies by reputable organizations including the

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⁹ <http://climate.audubon.org/geographical-search/california>

American Heart Association, World Health Organization, and The International Agency for Research on Cancer, have established a causal relationship between these diseases, and both short and long-term exposure to air pollution.

To protect the health of Menlo Park Belle Haven residents and children in the nearby school, who are already significantly burdened by poor air quality, it is clearly imperative that the City incorporate into the EIR, a more robust transportation demand management plan, if it is serious about a mitigation strategy for air pollution. This mitigation strategy will result in reduced air pollution and is a viable strategy. See Section C- Transportation, below.

This transportation demand management plan must prioritize and achieve transit, pedestrian, and bicycle travel, safety and connectivity, above cars, using clearly stated and measurable goals for shifting the mode share, and a pro-active program for meeting these goals. The program should include third party monitoring and regular reporting to ensure compliance, with penalties for non-compliance.¹⁰

9. Nitrogen Deposition: Nitrogen deposition impacts on ecosystems and species are extensive in California, and the Bay Area is one of the hot spots as a result of traffic.¹¹ Therefore, nitrogen deposition should be considered in local environmental assessments. The impacts of N-deposition on California ecosystems are generally cumulative. Salt marsh in the Bay Area has been identified as one of the ecosystems affected by nitrogen deposition.

We do not agree that impact item BIO-2 is "less than significant". "Impacts to coastal salt marsh vegetation in the baylands, and possibly areas of riparian scrub and woodland along San Francisquito Creek and other drainages in the study area could occur as a result of new development potential in the Bayfront Area and from existing and ongoing development potential in the remainder of the city if adequate controls are not implemented".

San Mateo County has identified Nitrogen deposition as a significant environmental impact in proximity to major arterials resulting from exhaust from vehicles.¹² In recent years, significant, new information regarding the impacts and potential mitigation measures of nitrogen deposition from development projects has been developed for Santa Clara County. These are embodied in the documents of the Santa Clara Valley Habitat Conservation Plan (HCP) for the region (See HCP, Appendix E, *Estimation of Contributions to Deposition of Nitrogen in Santa Clara County for the Santa Clara Valley Habitat Plan*).

The EIR has not addressed the very real issues of nitrogen deposition. While the City of Menlo Park is not subject to the mandatory requirements of the Santa Clara Valley HCP, the HCP nonetheless represents the best available, current science on the acknowledged impact of nitrogen deposition regionally. The Project should acknowledge the impacts, analyze these and include mitigation for nitrogen deposition impacts in accordance with the principles laid out in the HCP. This would substantially reduce the impacts of nitrogen deposition from the Project on sensitive habitats and is clearly a feasible and accepted mitigation measure, as evidenced by the fact that many other development projects in the region are using the HCP as the best tool to deal with nitrogen deposition impacts.

¹⁰ Regarding penalties-The first step in the compliance measures should be a requirement to add additional incentives for reducing drive-alone trips. If compliance is still not achieved, then monetary penalties could be considered. Facebook currently operates successfully under a similar compliance directive.

¹¹ **Weiss, S.B.** 2006. Impacts of nitrogen deposition on California ecosystems and biodiversity, California Energy Commission Report. [pdf](#)

¹² **Weiss, S.B.** 2002. Final report on NFWF grant for habitat restoration at Edgewood Natural Preserve, San Mateo County, CA. Creekside Center for Earth Observation Report, Menlo Park, CA. [pdf part1](#) & [pdf part2](#)

10. Noise: The draft EIR notes that the future projects on the proposed site could result in the development of noise that exceeds the noise limits and it could expose people to excessive ground-borne noises (draft EIR p. 4.10-28: Impact NOISE-2). There are many major and minor streets such as US 101 and Interstate-84 abutting the proposed site and railroad line crossing through the proposed project site, causing on-road vehicular noise. Vehicles traveling on roads creates noise level 60-70 dBA (draft EIR p. 4.10-16, Image 4.10-2).

The EIR has not considered the impact of noise and vibration on wildlife, a major consideration given the adjacency of the Don Edwards National Wildlife Refuge to the M2 area. This oversight needs to be addressed in the EIR. The indisputable impacts of both shorter term and long term construction activity and increased traffic in the area should be studied and mitigation strategies included.

a. Drilled (bored piles) versus Driven piles: Since piles will be required for foundation stability in the M2 area which has largely been created by filling in the bay front, drilled piles should be required instead of impact driven piles.

To reduce noise from impact vibrations that will continue for many years, noise mitigation strategies should include the use of drilled piles or piers rather than driven piles, as drilled piles are a quieter way of constructing piles and are an accepted construction technique.

b. An important and highly feasible mitigation is the use of Rubberized Asphalt: Increased traffic noise from traffic along the Bayfront Expressway is a concern for the wildlife in the Refuge as well as for employees and residents in the housing included in the M2 area. We do not agree that it is insignificant or unmitigatable.

We recommend that the EIR include the use of rubberized asphalt, for noise mitigation, as a pavement material in high density areas, such as the proposed M2 area,

Noise reduction pavement should also be included for all major arterials as well as in downtown, when upgrading the streets, to reduce noise levels in the heart of town.

The use of rubberized asphalt is now fairly common in the Bay area. It was first widely used in the US by the Arizona Highway Department. It has been used internationally for noise abatement and has been demonstrated to provide longer lasting road surface with better performance.¹³

In the vicinity of Menlo Park, the Town of Woodside has worked with CalTrans, since the 1990s, to install rubberized asphalt, for noise reduction of freeway traffic noise on the segment of I-280 that runs along and thru Woodside. Currently, CalTrans is in the process of extending the rubberized asphalt pavement from Woodside northwards to I-92. as well as in many other areas of the Bay area.

Though Arizona Department of Transportation (ADOT) has been using rubberized asphalt (a.k.a. Asphalt Rubber Friction Course, or ARFC) for decades, increasing its usage in the 1980s, ADOT did not initially apply ARFC to intentionally reduce urban highway noise. Instead, they were merely trying to extend the lifespan of their rural roadways.

ADOT found that durability, especially crack resistance and a smooth-riding surface were and still are the key benefits for using rubberized asphalt. The resulting reduction in tire noise is usually in the range of 4 to 6 decibels. This is a very significant reduction as a 4 decibel reduction is a 60% reduction in noise level.

¹³ [Report on Status of Rubberized Asphalt Traffic Noise Reduction](#): The conclusions of the 6-year study, in Sacramento, California, indicate that the use of rubberized asphalt on Alta Arden Expressway resulted in a 60% reduction in traffic noise energy, and a clearly perceptible decrease in traffic noise. This traffic noise attenuation from rubberized paving is similar to the results documented in several non-related studies conducted in recent years at other locations, both nationally and internationally

B. Issues with the R-MU zoning and O zoning categories given the Jobs/Housing imbalance

The proposed project will exacerbate the already bad jobs-housing imbalance in Menlo Park and the region. Menlo Park's jobs to housing ratio will go from an existing ratio of 2.4 to a ratio of 2.7 by 2040.

The communities of Belle Haven, East Palo Alto, north Redwood City and North Fair Oaks, which have traditionally provided affordable housing, are already being affected by the strong demand for housing by new office- specifically Facebook- development in the M2 area. The Menlo Park Housing Committee has rightfully pointed out the speciousness of the arguments in the EIR of this project on population and housing.

Concerns:

- **In order to obtain an objective analysis, an independent third party opinion may be beneficial, at this point, since it appears that the EIR consultant team may not include the required professional experience to do a credible housing impact analysis. We expect the City to revise the EIR to provide more complete background data, information and conclusions that are based on a more rigorous analysis of the realities of housing demand and its dynamics.**

Recommendations for Section B: We have the following suggestions for possible modifications to the project that could be considered to address the problem:

- 1. Modify R-MU zoning to maximize housing:** The R-MU zoning proposed for the M2 area currently allows 25% of the FAR to be used for additional commercial space.^{14 15} Given the project's exacerbation of the jobs housing imbalance, we believe it is advisable to consider removing the office allowance from the R-MU zoning and encourage maximum housing, with associated mixed use retail and service uses, on these sites.
- 2. Need for added flexibility in the zoning:** In general, we believe that in the new M2 area, could benefit from more flexibility in Land Use zoning, specifically in order to allow more housing. High housing demand has made housing development more competitive with commercial development and the M2 area could benefit from allowing more flexibility. Possibly a new "flexible" zoning category could allow either office or housing or mixed office and housing.
- 3. Need to include housing in the office triangle on Marsh Road:** The M2 area south of I-101, bounded by 101, Marsh Road and the Dumbarton rail line- is currently zoned as 100% O (office) zoning. This area needs revision to provide housing in this area. The location is even more ideal for housing than, for example, the Menlo Gateway area, as the area is already in proximity to all the amenities for residential uses as it is located adjacent to the North Fair Oaks community. Within walking distance is an existing shopping area with all neighborhood stores, and schools are nearby.
- 4. Height limits:** While the issue of tall buildings in the M2 area is always controversial, it seems arbitrary that residential buildings should be kept to a different/lower height limit than office buildings. As mentioned earlier, sensitivity to the Wildlife refuge would mean keeping building heights lower on Facebook East which is important for birds that flock to restored marshes and minimizing glassy facades that are deadly to birds flying around the buildings to the nearby refuge.
- 5. Additional Planning needed for Housing:** The EIR shows that, with full implementation of the plan, the jobs/housing balance would be worse than it is currently. To reduce the VMT impacts of a worsened

¹⁴ In some online documents the maximum allowable percentage for Commercial Office in the M2 area R-MU zoning is noted as 50%.

¹⁵ The table in the draft R-MU chapter is unclear whether the allowable Commercial area is in addition to the allowable Residential area or reduces the maximum allowable residential area. This needs to be clarified.

jobs/housing balance, we would urge the City Council to direct additional planning with the goal of adding more housing near jobs elsewhere in the city in addition to the new housing proposed in the M2 area.

6. Phased approval for housing and office development: It is important to include mitigation strategies to balance the jobs creation and available housing units in Menlo Park. Given a large number of jobs being created in the M2 area, and the relatively smaller amount of housing in this location, it is important to consider making phased approvals so that development in M2, and also downtown, is controlled and contingent on appropriate amounts of housing being developed both in the M2 area as well as elsewhere in Menlo Park, to keep up with jobs creation. This phased mitigation strategy has been used in other cities to track and address the jobs housing imbalance as well as to track traffic mitigation compliance before authorizing additional development .

7. Affordable housing: The draft EIR states that the proposed project would lead to an increase of 5,500 new residents and 9,900 jobs. Proposed project along with cumulative developments will cause 40% rate increase in households and 59% rate increase in employees (Draft EIR p. 4.11-17: Table 4.11-2). This increase in the number of employees and their households would increase housing prices, as well as the create demand for new services to service the new population. This , in turn, will create an even greater increase in the demand for affordable housing.

The draft EIR in its housing policies (Draft EIR p. 4.11-14, policy H-4.1) identifies the provision of affordable housing, but it does not indicate the percent of affordable housing to be included in the proposed project. We suggest that there should be a specified goal for a required amount of affordable housing identified in the proposal.

Location of affordable housing: Affordable housing in close proximity to public transit is important because individuals in the lower income brackets are most likely to use alternative transportation options and add fewer automobiles on streets, thus contributing to meeting the air quality goals and public transportation, walking and bicycling mode-share goals.

Hence, the Project should include that affordable housing should be located in close proximity to public transit and shuttle service should be provided to these areas so as to increase connectivity.

In addition, affordable housing is required in all areas of the city and should be distributed rather than accumulated in one area.

C. Traffic Mitigation

The proposed land use changes will add 11,570 residents and 5,500 employees by 2040 and will increase the traffic considerably in the study area as well as the entire region. The resulting degradation of air quality, greenhouse gas (GHG) levels, noise, congestion and time spent in traffic all contribute to impacts on the environment and a lowered quality of life for the entire area affected by this project.

Concerns:

- **We believe that the EIR does not propose strong enough mitigations to address traffic problems.**
- **Robust strategies are available that are being implemented in other cities on the peninsula and around the bay to reduce these impacts.**
- **A Mitigation Implementation Plan (MIP), done by the City, is a critical tool in successfully implementing mandatory TDM.**

Recommendations for Section C: There are significant impacts on not only the study area but also the region and hence, this section needs modifications. It is essential that strategies to reduce the number of trips traveled should be devised by the City of Menlo Park that would help reduce the congestion on streets and intersections.

Some of the suggested strategies in the Draft EIR for mitigating traffic, such as widening the streets by adding lanes, and adding traffic lanes at intersections, will not help to reduce vehicle trips and would only result in a temporary solution. Studies have shown that the added lanes will attract more traffic, increasing the traffic congestion on streets and intersections and increasing the delays and all the attendant problems.

Hence, we suggest that long term solutions should be identified, instead, to reduce the traffic problems.

1. Mandatory Transportation Demand Management: The draft EIR states that the City of Menlo Park Transportation Demand Management (TDM) Guidelines identifies a variety of measures such as providing employer shuttle, shared parking, and provision of bike storage and showers, etc.. However, the EIR does not require mandatory TDM as a mitigation measure

We recommend that the EIR should include mandatory TDM for traffic mitigation, not only in M2 area but also extend the area to include the City employment centers such as downtown and SRI.

We also recommend that the City put in place a Transportation Plan or a Mitigation Implementation Plan (MIP) in anticipation of the development in the M2 area and the Downtown. This Transportation plan (MIP) would be done by the City and funded by development fees. It would lay out the GOALS for reducing drive alone rates and mode share goals, as well as the metrics to be used to track progress towards the goals and mode share targets. Reporting and monitoring should be regular and transparent so that progress or lack of it is clear to council.

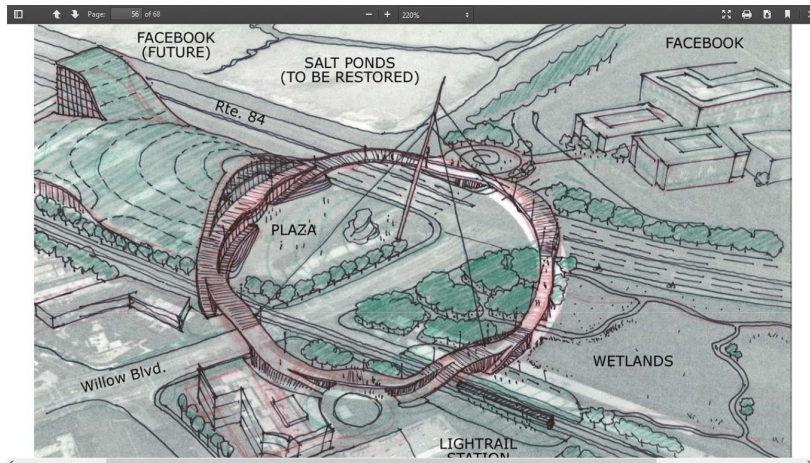
2. Importance of setting a Goal for TDM: Setting a goal set a target for TDM strategies. Currently the drive alone rate is very high. With stronger transportation infrastructure, the trip reduction goal should be 40% (approximately 50% drive alone mode share) or other goal stronger than today's goal as evaluated by staff once specific transportation improvements are planned.

3. Phased Plan for TDM: Towards meeting the trip reduction goal, we would like to see a phased plan, as used in the San Mateo Rail Corridor plan, where they set phased goals. A stronger goal could be required after Caltrain electrification. For the General Plan, there should be one or more future phase goals if and when there are major transportation improvements on the Dumbarton corridor and/or other major initiatives directed by General Plan policies.

4. Separating local traffic from pass-thru traffic on arterials: Bayfront Expressway and Willow are currently used for local traffic as well as heavy regional pass-thru traffic. The specific plan for the M2 area should include a design to try to provide greater connectivity of the different "pods" of development in the M2 area that are separated by arterial roadways.

The intersection of Bayfront Expressway and Willow presents an very difficult intersection for pedestrians and bicycles. It might be advantageous to consider connectivity to allow pedestrians, bicycles, electric golf cart type vehicles and small shuttles to bridge over the intersections and provide attractive connection, for LOCAL TRIPS to all the isolated land segments at that are separated by that busy intersection.

In 2011, a design "charette" organized by the AIA (American Institute of Architects) and Menlo Park presented some interesting ideas to address this problem. See sketch below as an example.



*"Friends Circle" provides pedestrian bicycle connectivity, views to the bay and a gateway identity for Menlo Park - AIA 2011
Note early green roof suggestion for Facebook*

5. Regional traffic solutions needed: The City needs to work collaboratively with adjacent cities in adopting mandatory TDM / MIP plans with shared goals. Much of the traffic in the M2 area is "pass-thru" traffic going to employment centers in downtown Palo Alto, into Menlo Park and to Redwood City. As an example, at this time, studies indicate that more commute traffic on Willow goes to downtown Palo Alto than into Menlo Park. (However, traffic to downtown can be expected to increase significantly as downtown Menlo Park grows with new office space.) Therefore, trip reduction into downtown Palo Alto and Menlo Park is critical for the M2 area.

In addition, Stanford in Redwood City will add traffic that has not been taken into account in the EIR. Stanford Redwood City campus will include over 1.5 million sf and over 4,500 parking spaces. The first phase of its 35 acre campus is slated for completion in 3 years, with 500,000 sf and 3,500 new employees in phase one plus over 2,300 parking spaces. Trip reduction strategies into Stanford in Redwood City will affect the M2 area.

It should be noted that other cities are requiring developers to step up to address regional traffic congestion realities. As an example, the city of Mountain View, for the North Bayshore precise plan area, is requiring developers to meet a target of 45% single occupancy vehicles before new development can be approved. This is in recognition of the fact that Freeway 101, in the area, and main access roads are at capacity now and changes to add capacity to freeways will take a decade.

6. Shuttle Service should be open to public: In order to reduce the vehicular commuter traffic, connectivity via shuttles to public transit, downtown and the train station should be provided for not only employees of companies but also for the public. It will ensure reduction not only in vehicles miles traveled but also delays caused due to increasing traffic. It will also improve the quality of life for people who don't own a vehicle and use public transit to commute to work.

7. Parking: Along with minimum parking ratio, maximum parking ratios should be implemented. It will help to limit wasting precious real estate on parking spaces within projects, reduce costs and encourage developers to think about environmentally friendly transit options.

D. Other concerns

1. Hydrology and Water Quality

The draft EIR mentions that implementation of the proposed project would neither affect water quality nor it will substantially deplete groundwater supply and drainage pattern.

Storm-water Retention: As mentioned in the draft EIR, operational impacts due to runoff from residential and commercial properties and parking lots would result in the initial storm-water runoff with high pollutant concentrations (draft EIR p. 4.8-28: Operation Impacts: Paragraph 1). Hence, we urge the development projects in the proposed project should use Low Impact Development practices for storm-water runoff management. The proposed project can also benefit by using green infrastructure strategies for on-site storm water retention. Use of such techniques will not only improve the water infiltration but also enhances community aesthetics and safety.

2. Public Services and Recreation

The draft EIR states that the City of Menlo Park currently has 7 acres of parkland per 1000 acres and has adopted the goal of maintaining a ratio of 5 acres of parkland per 1000 people. With the addition of approximately 14,150 people on the proposed project, the city will be able to maintain its goal of 5 acres per 1000 people (draft EIR p. 4.12-23: Impact Discussion).

Connectivity to Parks: The site for the proposed projects abuts major arterial roads and railroad and it becomes difficult for pedestrians and bicyclist to cross and reach their destinations. Also, longer routes discourage walking and bicycling activity and encourage auto-oriented travel pattern. Hence, even though the proposed project indicates it would not require new or physical altered park to maintain acceptable ratios, we propose that connectivity to the existing park should be enhanced using pedestrian/bicycle over passes. For example, the M2 area and Flood Park are physically separated by US Highway 101 and access is provided at only one overpass, the Ringwood Bike/Ped crossing. As the proposed project would add residents, there should be multiple access points to cross highways and railroad tracks.

Unstable project information

Information in the EIR contradicts information in the draft General Plan documents.

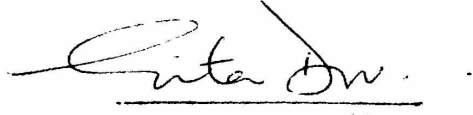
For example, information in the R-MU section of the Land Use chapter of the draft Gen Plan, Table 16.XX.050 (sic) gives maximum height in R-MU zoning as 70'. However the EIR indicates that maximum height in the R-MU zoning is 85'.

In the same Table 16.xx.050, Maximum commercial floor area is shown as 25%. However, in the EIR the maximum commercial Floor area in R-MU zoning is 50%.

In addition, decisions in subsequent planning commission and/or council meetings apparently changes information in both of the above documents and these changes are not included in the EIR. These contradictions need to be reconciled, and the public needs an opportunity to comment on the environmental impacts of the actual zoning information before it can be finalized.

The Sierra Club submits the above comments with the expectation that our suggestions will be considered in improving General Plan Land Use & Circulation Elements and M-2 Area Zoning Update. We believe the changes will result in reduced environmental impacts and hope that together we can create a robust plan that will improve the quality of life for residents of the City of Menlo Park as well as the region.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gita Dev", is written over a horizontal line. The signature is fluid and cursive.

Gita Dev
Co-Chair, Sustainable Land Use Committee, Sierra Club Loma Prieta

CC Mike Ferreira, Chair Executive Committee, Sierra Club Loma Prieta
James Eggers, Executive Director, Sierra Club Loma Prieta

Attachment A- Final " Safe Design Guidelines" for the City of Sunnyvale, California

ATTACHMENT A

Final BIRD SAFE BUILDING DESIGN GUIDELINES

There are two types of design guidelines to address bird safe building. The first option is for projects within 300 feet of a body of water or projects adjacent to a landscaped or open space area larger than one acre in size. The second option is criteria to be used in reviewing new projects located in all other areas of the city.

Option 1: If within 300 feet of a body of water larger than one acre in size or located immediately adjacent to a landscaped area, open space or park larger than one acre in size.

If the project meets any of the prior criteria, projects should include specific bird safe design elements into the building and site design and operation. These would include:

1. Avoid the use of multi-floor expanse of reflective or transparent glass in the first 60 feet of the building design, specifically in these area facing the water or open space;
2. Building glass shall be limited to low reflectivity levels such as 25% or less;
3. Limit the amount of glass on ground level stories, especially in areas adjacent to landscaping;
4. Add architectural devices, such as louvers, awnings, sunshades or light shelves to building design to reduce massing of glass;
5. Consider use of opaque, fritted or etched glass on ground floor in areas adjacent to landscaped areas;
6. If site is near water features, use soil berms, furniture, landscaping or other features to prevent reflection of water in glass building facades;
7. Consider using angled glass (20-40 degrees) from vertical to reflect ground instead of adjacent habitat or sky buildings with an expanse of glass near water or landscaping areas
8. Avoid placing tall landscaping in front of highly reflective glass and the use of green roofs and water features near glass;
9. Avoid the funneling of open space towards a building face;
10. Avoid glass skyways or freestanding glass walls;
11. No up lighting or spot lights on site;
12. Ensure all site lighting uses shielded fixtures;
13. Turn building lights off at night or incorporate blinds into window treatment to use when lights are on at night;
14. Create smaller zones in internal lighting layouts to discourage wholesale area illumination;
15. Place signs at several locations near building with the telephone number an authorized bird conservation organization or museum to aid in species identification and to benefit scientific study;
16. Monitoring efforts shall include a bird-safe program developed by the project owner of the methods to ensure necessary steps are taken to reduce bird strikes. These efforts would include how each dead bird will be handled and donated to scientific study, providing a yearly inventory to the City of the number of birds found and locations, and the steps necessary to resolve any consistent location's bird deaths. Options include shades to reduce transparency and night lighting, fritted glass, netting, stickers, etc.

Option 2: All other locations in city

Efforts should be taken to reduce bird strikes in all locations of the city. The following items should be included regardless of location. These guidelines could be used as part of a project's review. Staff could include a discussion relative to the guidelines in staff reports in order to give decision-makers information necessary to review this aspect of a project's impact.

1. Avoid large expanse of glass near open areas, especially when tall landscaping is immediately adjacent to the glass walls;
2. Avoid the funneling of open space towards a building face;
3. Prohibit glass skyways or freestanding glass walls;
4. Avoid transparent glass walls coming together at building corners to avoid birds trying to fly through glass;
5. Reduce glass at top of building, especially when incorporating a green roof into the design;
6. Prohibit up lighting or spotlights;
7. Shield lighting to cast light down onto the area to be illuminated;
8. Turn commercial building lights off at night or incorporate blinds into window treatment to use when lights are on at night;
9. Create smaller zones in internal lighting layouts to discourage wholesale area illumination;

Monitoring efforts

The following options should be considered by each project owner for all locations in order to learn more about the subject and to avoid further issues:

1. Reduce the use of night lighting in the building without incorporating blinds into the window design;
2. Donation of discovered dead birds to an authorized bird conservation organization or museum;
3. Consider placing signs in several locations around the building with the telephone number an authorized bird conservation organization or museum to aid in species identification and to benefit scientific study.