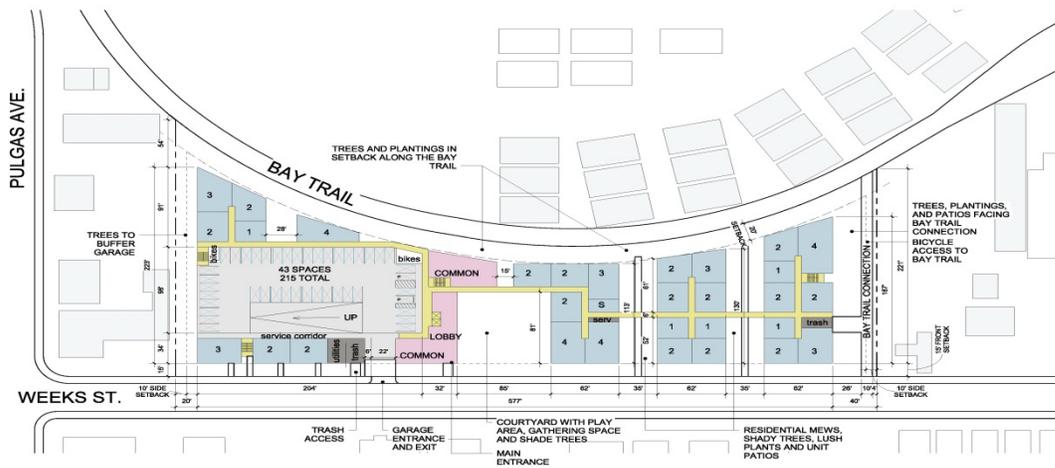


Proposed Mitigated Negative Declaration

965 Weeks Street Apartments

November 7, 2019



Prepared by
EMC Planning Group



NOTICE OF INTENT

Notice of Intent to Adopt a Mitigated Negative Declaration

To: Interested Individuals, Reviewing Agencies, County Clerk of San Mateo County

Subject: Notice of Intent to Adopt a Mitigated Negative Declaration (MND) in compliance with Section 21092.3 of the Public Resources Code.

This is to advise that the **City of East Palo Alto Planning Division** has prepared an **Initial Study** for the project identified below and intends to adopt a **Mitigated Negative Declaration** on the project. The minimum review period for this document is thirty (30) days. The document is available for review at the City of East Palo Alto Planning Division office, 1960 Tate Street, East Palo Alto and online at <http://cityofepa.org/index.aspx?NID=642>

Project Location: 965 Weeks Street, East Palo Alto, CA 94303

Project Title: 965 Weeks Street Apartments

Project Description: 965 Weeks Street is proposed as a residential development of 136 units on a 2.52-acre site. The proposed development would be an affordable rental housing development with office spaces for Property Management and Resident Services staff, as well as community amenity spaces including a community room with kitchen, outdoor play areas, and space for after school program. The Development Team's proposal includes 136 rental homes that will serve a broad range of housing needs in the community, with affordability levels between 30% and 60% of AMI and with a range of unit types from studios to 4-bedroom units. The preliminary unit breakdown of the 136 units is as follows: 16 studios, 10 one-bedroom units, 73 two-bedroom units, 30 three-bedroom units, and 7 four-bedroom units.

Public Review and Comment: The review period for the Initial Study and MND extends from **November 12, 2019 to December 11, 2019 (30 days)**. Comments on the IS and draft MND must be submitted in writing to the Planning Division at the address below prior to the close of the public comment period. The Initial Study and draft MND are available for review during the circulation period at <http://cityofepa.org/index.aspx?NID=642> or in print at the City of East Palo Alto Planning Division office, 1960 Tate Street, East Palo Alto during normal office hours. A copy is also available at the San Mateo County Public Library located at 2415 University Avenue, East Palo Alto, CA 94303.

Public Hearing: A public hearing on the project, the Initial Study and the proposed Mitigated Negative Declaration has been tentatively scheduled before the **Planning Commission on December 16, 2019, at 7:00 p.m.**

Interested residents, agencies and other concerned citizens may transmit their concerns or comments within the public review period. Please direct your comments regarding potential environmental impacts to:

Daniel Berumen, Senior Planner

Planning Division, 1960 Tate Street, East Palo Alto, CA 94303, dberumen@cityofepa.org, 650-853-3151

PROPOSED MITIGATED NEGATIVE DECLARATION

965 WEEKS STREET APARTMENTS

PREPARED FOR

The City of East Palo Alto

Guido Persicone, Planning & Housing Manager

1960 Tate Street

East Palo Alto, CA 94303

Tel 650.853.3148

PREPARED BY

EMC Planning Group Inc.

301 Lighthouse Avenue, Suite C

Monterey, CA 93940

Tel 831.649.1799

Fax 831.649.8399

Sally Rideout, EMPA

Rideout@emcplanning.com

www.emcplanning.com

November 7, 2019

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PROPOSED MITIGATED NEGATIVE DECLARATION
In Compliance with the
California Environmental Quality Act (CEQA)

Project Name	965 Weeks Street Apartments
Lead Agency	City of East Palo Alto
Project Proponent	Duane Bay EPA CAN-DO 2369 University Avenue East Palo Alto, CA 94303 Victoria Wong, Project Manager MidPen Housing Corporation 1970 Broadway, Suite 100 Oakland, CA 94612
Project Location	965 Weeks Street, East Palo Alto, CA 94303
Project Description	Construction and operation of a four to five-story, 136-unit affordable apartment complex and parking garage on a vacant site. The proposed project consists of the apartment complex, a 215-space parking garage, office space for property management and resident services staff, as well as community amenity spaces including a community room with kitchen, outdoor play areas, and space for an after school program for resident children. The proposed project would provide housing for families and individuals with affordability levels between 30 percent and 60 percent of area median income. The height of the proposed apartment buildings will be approximately 54 feet tall at the tallest point, and up to 59 feet tall with mechanical equipment screens on the roof east of the parking garage. Building mass would step down to three and two stories adjacent to the Rail Spur. The 136 apartments would be located in a series of structures connected by interior and exterior walkways with public pedestrian/bicycle access through the site from Weeks Street to the public trail known as the Rail Spur. The proposed five-level parking

garage is accessed by a driveway between the structure and abuts the western property line. Emergency vehicle access is provided on the east and west sides of the site.

Public Review Period

Begins – November 12, 2019

Ends – December 11, 2019

Written Comments To

Daniel Berumen MCRP, Senior Planner
City of East Palo Alto Planning Division
1960 Tate Street
East Palo Alto, CA 94303

Proposed Findings

The City of East Palo Alto is the custodian of the documents and other material that constitute the record of proceedings upon which this decision is based. The initial study indicates that the proposed project has the potential to result in significant adverse environmental impacts. However, the mitigation measures identified in the initial study would reduce the impacts to a less than significant level. There is no substantial evidence, in light of the whole record before the lead agency (City of East Palo Alto) that the project, with mitigation measures incorporated, may have a significant effect on the environment. See the following project-specific mitigation measures:

Mitigation Measures

Air Quality

AQ-1 The following basic construction mitigation measures shall be incorporated into project construction documents, and implemented during construction activities, subject to review and approval by the City planning department:

All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day;

- b. All haul trucks transporting soil, sand, debris, or other loose material off-site shall be covered;
- c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited;
- d. All driveways and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;
- e. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points;
- f. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation; and
- g. Post a publicly visible sign with telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The air district's phone number shall also be visible to ensure compliance with applicable regulations.

AQ-2 Prior to issuance of a grading permit, the applicant shall prepare an updated remediation plan for Regional Water Quality Control Board approval, and shall submit the approved plan to the City planning department.

The approved remediation plan shall be implemented prior to project-related excavation activities. Project-related excavation and site preparation activities shall not be allowed until all remediation plan requirements have been met. Remediation of on-site soils shall be considered complete when sufficient evidence is provided to the City planning department that all thresholds have been met to the satisfaction of the Water Board.

AQ-3 Prior to issuance of grading and building permits, the project applicant shall prepare a plan demonstrating that the off-road equipment proposed to be used onsite to construct the project would achieve a fleet-wide average 88 percent reduction in DPM exhaust emissions or greater. One feasible plan to achieve this reduction would include the following:

- a. All diesel-powered off-road equipment, larger than 25 horsepower, operating on the site for more than two days continuously shall meet U.S. EPA Tier 4 particulate matter emissions standards. Alternatively, the following types of equipment would also meet this requirement: Tier 3 engines that include CARB-certified Level 3 Diesel Particulate Filters (or equivalent), or the use of equipment that is electrically powered or uses non-diesel fuels.
- b. Cranes used during construction shall be electrified and temporary line power shall be available to minimize use of portable diesel-powered equipment.

The plan shall be submitted to the City planning department for review and approval prior to issuance of grading and building permit.

Biological Resources

BIO-1 To avoid impacts to nesting birds, construction activities that include grading, grubbing, or demolition should be conducted between September 16 and January 14, which is outside of the bird nesting season (January 15 through September 15). If grading, grubbing, or demolition occurs during the bird nesting season, then the applicant shall engage a qualified biologist to conduct a pre-construction survey for nesting birds to ensure that no nests would be disturbed during project construction.

If project-related work is scheduled during the nesting season (February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors), a qualified biologist shall conduct nesting bird surveys. A survey for active nests of such birds shall occur within 7 days prior to start of construction. Appropriate minimum survey

radius surrounding each work area is typically 250 feet for passerines, 500 feet for smaller raptors, and 1,000 feet for larger raptors. Surveys shall be conducted at the appropriate times of day to observe nesting activities.

If the qualified biologist documents active nests within the project site or in nearby surrounding areas, an appropriate buffer between each nest and active construction shall be established. The buffer shall be clearly marked and maintained until the young have fledged and are foraging independently. Prior to construction, the qualified biologist shall conduct baseline monitoring of each nest to characterize “normal” bird behavior and establish a buffer distance, which allows the birds to exhibit normal behavior. The qualified biologist shall monitor the nesting birds daily during construction activities and increase the buffer if birds show signs of unusual or distressed behavior (e.g. defensive flights and vocalizations, standing up from a brooding position, and/or flying away from the nest). If buffer establishment is not possible, the qualified biologist or construction foreman shall have the authority to cease all construction work in the area until the young have fledged and the nest is no longer active. If pre-construction nesting bird surveys are necessary, based upon the requirements of this mitigation measure, then a survey report shall be prepared and submitted to the City planning department for review and approval, prior to issuance of a grading permit.

- BIO-2 The applicant shall retain a certified arborist to develop a site-specific tree protection plan for retained trees, and supervise the implementation of all proposed tree preservation and protection measures during construction activities. Also, in accordance with the City’s Tree Protection Ordinance, the applicant shall obtain a tree removal permit for proposed tree removals, and shall install replacement trees in accordance with all mitigation, maintenance, and monitoring requirements specified in the tree removal permit(s) or otherwise required by the City for project approvals. The tree protection plan shall be subject to review and approval by the City planning department, prior to issuance of a tree removal permit.

Cultural Resources

- CR-1 Prior to issuance of a tree removal permit and a grading permit, because the possibility that significant buried cultural resources might be found during construction activities, the applicant shall include the following language on all construction documents and on any permits issued for the project site:

“A California-trained archaeological monitor and a qualified Native American monitor shall be on site during all earth moving activities, including tree removal and grading.

All construction crews involved with earth movement shall receive cultural sensitivity training provided by the qualified Native American monitor, prior to excavation activity on the site.

If archaeological resources are unexpectedly discovered during construction, work shall be halted immediately within 50 meters (160 feet) of the find, and the Planning Department notified, until it can be evaluated by a qualified professional archaeologist. If the find is determined to be unique, appropriate mitigation measures shall be formulated and implemented subject to the review and approval of the City planning department.”

CR-2 Due to the possibility that Native American human remains may be discovered during project construction activities, the following language shall be included in all construction documents and on any permits issued for the project site, including, but not limited to, tree removal, grading, and building permits.

“If human remains are found during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the San Mateo County Coroner is contacted to determine that no investigation of the cause of death is required.

If the coroner determines the remains to be Native American, then the coroner shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American. The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code Section 5097.98.

The landowner or authorized representative will rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance if: a) the Native American Heritage Commission is unable to identify a MLD or the MLD failed to make a recommendation within 48 hours after being allowed access to the site; b) the descendent identified fails to make a recommendation; or c) the landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

Geology and Soils

GEO-1 Prior to issuance of any permits, and due to the possibility that unique paleontological resources might be found during construction, the applicant shall include the following language on all construction documents and on any permits issued for the project site, including, but not limited to, tree removal, grading, and building permits:

“If paleontological resources are unexpectedly discovered during construction, work shall be halted immediately within 50 meters (160 feet) of the find, and the Planning Department notified, until it can be evaluated by a qualified professional paleontologist. If the find is determined to be unique, appropriate mitigation measures shall be formulated and implemented subject to the review and approval of the City planning department.”

Hazards and Hazardous Materials

HAZ-1 Prior to the issuance of a grading permit, the applicant shall provide evidence to the City planning department that an updated remediation work plan has been reviewed and approved by the Regional Water Quality Control Board.

The approved work plan shall be implemented prior to site preparation and excavation activity associated with the proposed project. No building permits shall be issued until the applicant provides evidence to the City planning department that the site remediation has been completed to the satisfaction of the Water Board.

Noise

N-1 The contractor shall prepare a detailed construction noise logistics plan for review and approval by the City planning department prior to issuance of any permit on the site, and will implement the plan during all site preparation, grading, and construction. The construction noise logistics plan shall include, but not be limited to, the following measures to reduce construction noise levels as low as practical:

- Utilize "quiet" air compressors and other stationary noise sources where such technology exists;
- Equip all internal combustion engine-driven equipment with mufflers that are in good condition and appropriate for the equipment;
- Locate all stationary noise-generating equipment, such as air compressors and portable power generators, as far away as possible from adjacent land uses;

- Locate staging areas and construction material areas as far away as possible from adjacent land uses;
- Prohibit all unnecessary idling of internal combustion engines;
- Locate material stockpiles, as well as maintenance/equipment staging and parking areas, as far as feasible from residential receptors;
- Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site;
- Construct solid plywood fences around construction sites adjacent to operational business, residences or noise-sensitive land uses;
- Erect temporary noise control blanket barrier, if necessary, along building façades facing construction sites. Noise control blanket barriers can be rented and quickly erected and with proper installation can typically lower construction noise levels by 10 dBA;
- Prepare a detailed construction schedule for major noise-generating construction activities. Notify in writing all adjacent business, residences, and other noise-sensitive land uses of the construction schedule. Identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance; and
- Designate a "disturbance coordinator" who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.

N-2 Prior to the issuance of building permits, mechanical equipment for proposed project building shall be selected and designed to reduce impacts on surrounding uses to meet the City's exterior and interior noise level requirements. A qualified acoustical consultant shall be retained by the project applicant to review mechanical noise as the equipment systems are selected in order to determine specific noise reduction measures necessary to reduce noise to comply with the

City's 50 dBA L50 exterior limit at the nearest residential property lines. Noise reduction measures could include, but are not limited to, selection of equipment that emits low noise levels and/or installation of noise barriers such as enclosures and parapet walls to block the line-of-sight between the noise source and the nearest receptors. Alternate measures may include locating equipment in less noise-sensitive areas, where feasible. The measures recommended by the acoustical consultant to ensure compliance with the City's requirements would be implemented as project conditions of approval.

- N-3 To reduce vibration from construction activities, the use of equipment, such as vibratory rollers, tampers, and clam shovel drops, shall be prohibited within 20 feet of the shared property line to the west. The applicant shall include this language on all grading and construction plans prior to issuance of any permit.

Transportation

- T-1 The project developer is responsible for the payment of traffic impact fees for its fair share of the costs to construct the planned loop road and a new traffic signal or one lane roundabout at the intersection of Clarke Avenue and Weeks Street. All intersection improvements shall include appropriate pedestrian and bicycle accommodation including pedestrian countdown timers, Americans with Disabilities Act (ADA) compliant curbs, and bicycle detection loops. The project's fee payment is required prior to issuance of a building permit.
- T-2 Prior to issuance of the building permit, the project developer is responsible for the payment of its fair share of traffic impact fees to construct the planned loop road and a new traffic signal at the intersection of Pulgas Avenue and Weeks Street. All intersection improvements shall include appropriate pedestrian and bicycle accommodation including pedestrian countdown timers, Americans with Disabilities Act (ADA) compliant curbs, and bicycle detection loops.
- T-3 Prior to issuance of a building permit, the project developer shall pay its proportionate fair share of traffic impact fees toward the cost of constructing a signal at the intersection of Pulgas Avenue and Runnymede Street, or shall prepare and implement a Transportation Demand Management Program that identifies enhanced TDM measures that will be implemented to achieve a 14 percent reduction in project traffic volumes.

Fair share payments of traffic impact fees for any intersection improvements shall include the costs of constructing appropriate pedestrian and bicycle accommodation including pedestrian countdown timers, Americans with Disabilities Act (ADA) compliant curbs, and bicycle detection loops. New pedestrian crosswalks at the Pulgas Avenue and Weeks Street intersection should

be yellow due to their proximity to the nearby school. For added visibility, the area of the crosswalks should be marked with yellow longitudinal lines parallel to traffic flow. The amount of required fair share traffic impact fee payments shall be reviewed and approved by the City Engineer and Community Development Director prior to issuance of a building permit.

The Transportation Demand Management Program shall be submitted to the Community Development Director for review and approval prior to issuance of a grading permit, and shall demonstrate the measures to be implemented and how they achieve the required 14 percent reduction in vehicle trips.

- T-4 Prior to issuance of a grading permit, the project developer shall prepare a Transportation Demand Management Program that identifies enhanced TDM measures that will be implemented, in addition to proposed measures, to achieve a 14 percent reduction in project traffic volumes. The Vehicle Trip Reduction Plan shall demonstrate the measures to be implemented and quantify how they achieve the required 14 percent reduction in vehicle trips and shall be submitted to the Community Development Director for review and approval.

INITIAL STUDY

965 WEEKS STREET APARTMENTS

PREPARED FOR

The City of East Palo Alto

Guido Persicone, Planning & Housing Manager

1960 Tate Street

East Palo Alto, CA 94303

Tel 650.853.3148

PREPARED BY

EMC Planning Group Inc.

301 Lighthouse Avenue, Suite C

Monterey, CA 93940

Tel 831.649.1799

Fax 831.649.8399

Sally Rideout, EMPA

Rideout@emcplanning.com

www.emcplanning.com

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TABLE OF CONTENTS

A.	BACKGROUND.....	1
B.	ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED.....	15
C.	DETERMINATION	16
D.	EVALUATION OF ENVIRONMENTAL IMPACTS.....	17
1.	Aesthetics.....	19
2.	Agriculture and Forest Resources	22
3.	Air Quality	24
4.	Biological Resources.....	32
5.	Cultural Resources.....	39
6.	Energy	43
7.	Geology and Soils	45
8.	Greenhouse Gas Emissions	49
9.	Hazards and Hazardous Materials	55
10.	Hydrology and Water Quality.....	59
11.	Land Use and Planning.....	69
12.	Mineral Resources	71
13.	Noise.....	72
14.	Population and Housing.....	80
15.	Public Services.....	81
16.	Recreation	84
17.	Transportation.....	85
18.	Tribal Cultural Resources	98
19.	Utilities and Services Systems.....	100
20.	Wildfire	103
21.	Mandatory Findings of Significance	104
E.	SOURCES.....	106

Appendices (on CD inside back cover)

- Appendix A Project Plans
- Appendix B Environmental Site Assessments
- Appendix C Community Risk Assessment
- Appendix D Focused Plant Survey Results
- Appendix E EMFAC2017 Results
- Appendix F CalEEMod Memorandum and Results
- Appendix G Water Supply Evaluation Study
- Appendix H Environmental Noise and Vibration Assessment
- Appendix I Traffic Impact Analysis

Figures

Figure 1	Location Map	7
Figure 2	Aerial Photograph.....	9
Figure 3	Site Photographs	11
Figure 4	Conceptual Site Plan.....	13
Figure 5	FEMA Flood Zone.....	63
Figure 6	Cumulative Intersection Conditions With and Without the Project	91

Tables

Table 1	2020 California Greenhouse Gas Inventory for Land Use Driven Emissions	51
Table 2	Project GHG Emissions Summary.....	53
Table 3	Student Generation.....	82

A. BACKGROUND

Project Title	965 Weeks Street Apartments
Lead Agency Contact Person and Phone Number	Guido F. Persicone, AICP Planning & Housing Manager City of East Palo Alto 1960 Tate Street East Palo Alto, CA 94303
Date Prepared	November 7, 2019
Study Prepared by	EMC Planning Group Inc. 301 Lighthouse Avenue, Suite C Monterey, CA 93940 Sally Rideout, EMPA, Principal Planner Janet Walther, Principal Biologist Gail Bellenger, MA, RPA, Senior Biologist/Registered Professional Archaeologist Stuart Poulter, AICP, MCRP, Associate Planner Tanya Kalaskar, MS, Associate Planner Taylor Hawkins, Assistant Planner
Project Location	965 Weeks Street, East Palo Alto, CA 94303 (APNs 063-232-210, 063-232-220, 063-232-230)
Project Sponsor Name and Address	Duane Bay EPA CAN-DO 2369 University Avenue East Palo Alto, CA 94303 Victoria Wong, Project Manager MidPen Housing Corporation 1970 Broadway, Suite 100 Oakland, CA 94612
General Plan Designation	High Density Residential
Zoning	Urban Residential (Ravenswood Specific Plan)

Setting

The 2-52 acre project site is owned by the City of East Palo Alto (hereinafter “City”) and is bordered by the Rail Spur pedestrian/bike path, multi-family residences, a commercial business, and vacant land to the north, light industrial uses to the east, Weeks Street and a single-family neighborhood to the south, and commercial uses and a wellness center along Clark Avenue to the west. A small neighborhood market is located northwest of the project site. The project site has a *City of East Palo Alto General Plan* (2016) (general plan) land use designation of “High Density Residential.” The site is located within the *Ravenswood/4 Corners Transit Oriented Development (TOD) Specific Plan* (2012) (Ravenswood Specific Plan) area and is zoned “Urban Residential”.

The site forms a transition between the Weeks residential neighborhood and industrial areas along Bay Road, which has a cluster of light industrial businesses. The Rail Spur follows the alignment of a former Union Pacific Railroad rail spur that connected the industrial area to regional markets and delineates the site’s northern property boundary. The Rail Spur is paved for pedestrian and bicycle use and curves 90 degrees, separating the project site from the residences to the north. The Rail Spur and Weeks Street provide access to the public trail network in San Francisco Bay National Wildlife Refuge, which is located about one-quarter mile to the east. Access to the project site is available from Weeks Street and from University Avenue via Bay Road, one block north of the site. [Figure 1, Location Map](#), shows the regional and vicinity location of the project site. An aerial view of existing conditions and surrounding land uses are presented in [Figure 2, Aerial Photograph](#). [Figure 3, Site Photographs](#), presents representative examples of existing conditions of the vacant site and the Weeks Street frontage.

Project Background

According to a Phase I Environmental Site Assessment prepared for the project site (SECOR 2004) and included in Appendix B, the project site was been historically used for agricultural row crop and cut flower production uses up until the early 2000s. A historic-era single family residence was present on the site between the 1950s and 2004. An EIR prepared by LSA in 2005 was certified by the City Council in 2006 for a project on this site that would have developed 55 dwelling units. Site preparation activities were initiated, including demolition of the historic single-family residence, but the project was put on hold due to the market downturn in 2008. The City purchased the site in July 2009 and has actively sought proposals for an affordable housing project on the site since 2014.

The *Ravenswood/4 Corners TOD Specific Plan EIR* (Ravenswood Specific Plan EIR) was prepared to analyze the environmental impacts of development with the Ravenswood Specific Plan area, and was certified by the East Palo Alto City Council in 2012. The Ravenswood Specific Plan EIR analyzed and addressed buildout consistent with the specific

plan land uses, including the project site. The City updated its general plan and certified the *City of East Palo Alto General Plan Update* EIR (general plan EIR) in 2016. The general plan EIR analyzed and addressed buildout of the general plan planning area including the Ravenswood Specific Plan area within which the project site is located. This initial study provides an evaluation of project- and site-specific environmental effects that would occur from development of the project site.

Description of Project

The 965 Weeks Street Apartments Project (proposed project) is the construction and operation of a four to five-story, 136-unit affordable apartment complex and parking garage on the vacant site. The preliminary project plans are included in [Appendix A](#). The application requests include a density bonus to increase the allowed density on the project site from 40 dwelling units per acre allowed by the Ravenswood Specific Plan to 54 dwelling units per acre, and for an increase in the number of building stories allowed by the Ravenswood Specific Plan Urban Residential development standards. Approval of a Tier Three density bonus request will likely be necessary for the proposed project, per the City of East Palo Alto Municipal Code Section 18.36.050(c)a.

The proposed project consists of the apartment complex, a parking garage, office space for property management and resident services staff, as well as community amenity spaces including a community room with kitchen, outdoor play areas, and space for an after school program for resident children. The proposed project would provide housing for families and individuals with affordability levels between 30 percent and 60 percent of area median income. The proposed apartments will include four studio units, 23 one-bedroom units, 75 two-bedroom units, 19 three-bedroom units, and 15 four-bedroom units. The anticipated population served by the project is 442 persons including families with children.

The height of the proposed apartment buildings will be approximately 54 feet tall at the tallest point, and up to 59 feet tall with mechanical equipment screens on the roof east of the parking garage. Building mass would step down to three and two stories adjacent to the Rail Spur. [Figure 4, Conceptual Site Plan](#), presents a conceptual layout of buildings on the project site. The 136 apartments would be located in a series of structures connected by interior and exterior walkways, totaling approximately 126,000 square feet. A pedestrian and bicycle / emergency vehicle access connection follows the east property line to provide a connection from Weeks Street to the Rail Spur north of the site. The proposed five-level parking garage is accessed by a driveway between the structure and the western property line. Emergency vehicle access would be available from the west driveway and east side pedestrian/bicycle trail through the site from Weeks Avenue to the Rail Spur.

The garage structure extends to the east toward the middle of the project site, and is partially “wrapped” by the residential units. A total of 215 vehicle parking spaces and 77 bicycle parking spaces are proposed. A series of courtyards and pathways provide internal connections between the residential components with open- and common-space areas on the site, and from the complex to Weeks Street. Central walkways and activity areas would be available for public use. The proposed project would add approximately 75,000 square feet of impervious surfaces to the site, assuming all building footprint, walkways, and surface parking are constructed with non-porous materials.

The proposed project would utilize drought tolerant plantings, and energy efficient light fixtures and appliances would be used as much as possible. The overall project would be designed to meet the minimum requirements to certify the project through the GreenPoint rating system. Roof-mounted solar panels may be placed on the fifth level of the parking garage and on other buildings. Construction is anticipated to start in 2020 with a duration of 18 months. According to the applicant, major construction activities such as site preparation, excavation and building construction are anticipated to be completed in the first 12 months, with lesser activities such as interior and exterior finishes and landscaping to occur in the final six months (Victoria Wong personal communication, September 12, 2019). Full occupancy of the apartments is expected by 2022.

Other Public Agencies Whose Approval is Required

- California Housing Finance Agency (CalHFA) (potential)
- United States Department of Housing and Urban Development Community Development Block Grant (HUD CDBG) (NEPA Documentation)

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

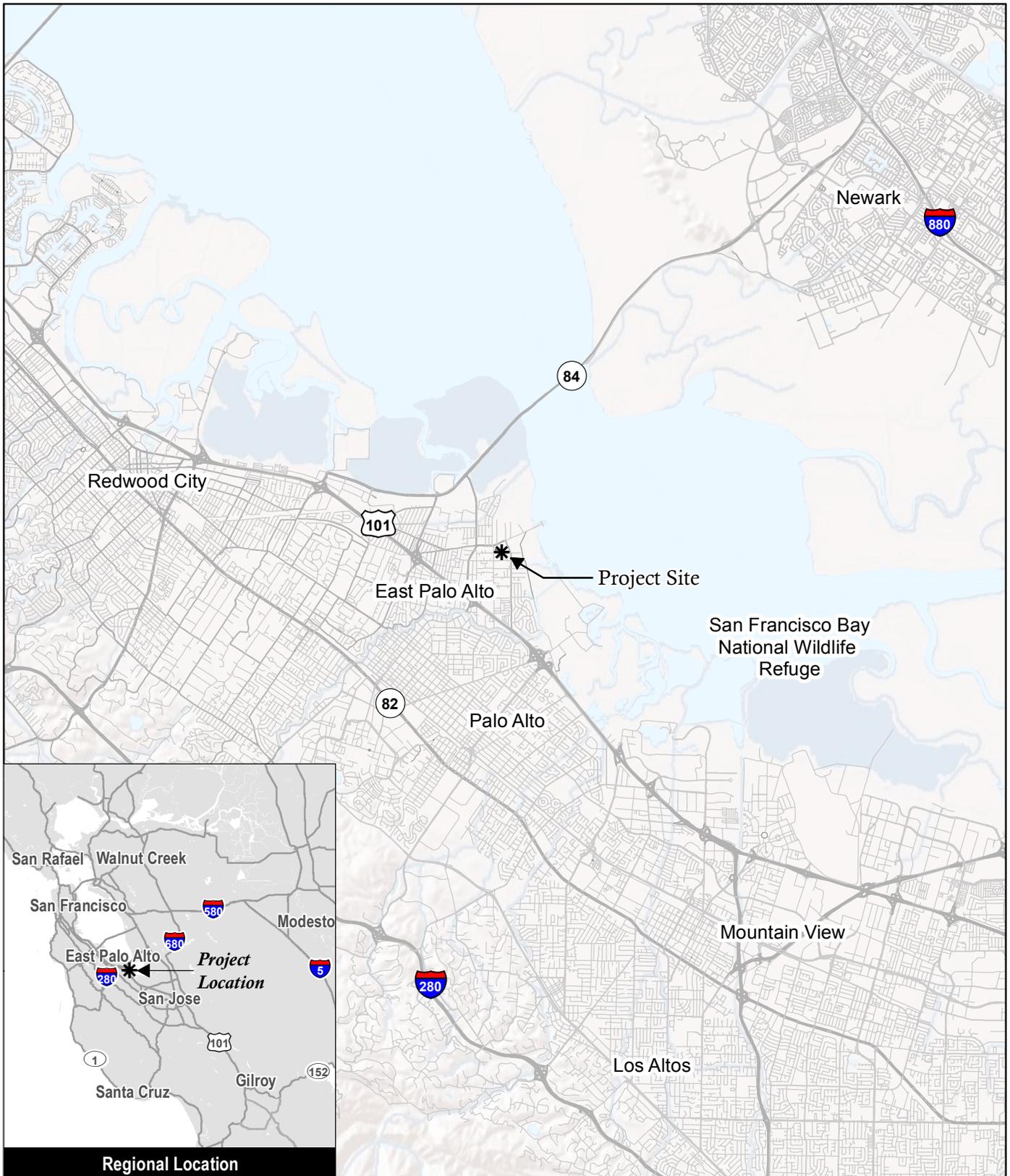
The CEQA statute as amended by Assembly Bill 52 (AB 52) (Public Resources Code Sections 21073 and 21074) defines “tribal cultural resources”, and “California Native American tribe” as a Native American tribe located in California that is on the contact list maintained by the Native American Heritage Commission. Public Resources Code Section 21080.3.1 outlines procedures for tribal consultation as part of the CEQA environmental review process. The City of East Palo Alto requested consultation initiation from Native American tribes and individuals with geographic associations to the City of East Palo Alto pursuant to AB 52 during the preparation of the EIR for the City’s recent general plan. According to the general

plan EIR, “In November 2013, the City conducted formal outreach to potentially interested organizations identified through the Native American Heritage Commission, and again in October 2015 during an update of the City’s general plan and Development Code (zoning and subdivision regulations). No California Native American tribes traditionally and culturally affiliated with the project area requested consultation or notification pursuant to Public Resources Code section 21080.3.1 for future projects related to future development associated with buildout of the general plan and zoning code updates.

On a related note, a request for information regarding Native American Sacred Lands that could potentially be impacted by the proposed project was submitted to Native American tribal representatives in addition to an archival records search performed for this analysis. The list of Native American tribal representatives that were contacted was provided by the Native American Heritage Commission. One response with recommendations was received. The City acknowledges the request and the recommendations are incorporated into the discussion and mitigation measures identified in Section 5, Cultural Resources. No other requests for notification or consultation have been received by the City.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission’s Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

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Source: ESRI 2019

Figure 1
Location Map



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0 150 feet



Project Boundary

Source: ESRI 2019, Santa Clara County GIS 2016



Figure 2
Aerial Photograph

965 Weeks Street Apartments Initial Study

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① View east adjacent to Bay Trail



② View west



③ View north



 Project Site

Source: ESRI 2019

Photographs: EMC Planning Group 2019



④ View east

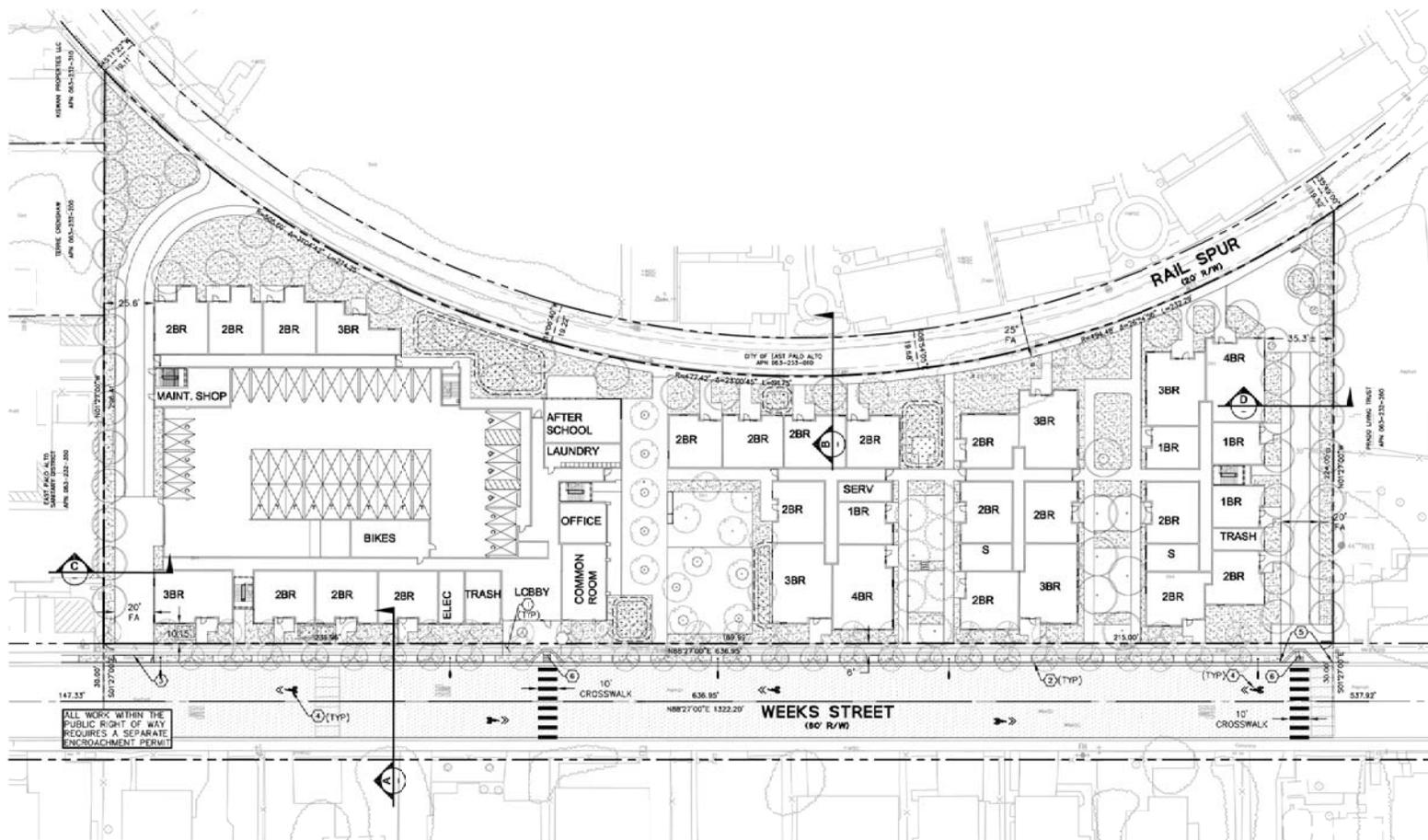


⑤ View west along Weeks Street



⑥ View east along Weeks Street

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LEGEND

	PROPERTY LINE
	ADJACENT PROPERTY LINE
	CENTERLINE
	VERTICAL CURB AND GUTTER
	GRAND AND OVERLAY (MINIMUM 2')
	BIORETENTION AREA

ABBREVIATIONS

(E)	EXISTING
ESMT	EASEMENT
FA	FIRE ACCESS
HDM	HIGHWAY DESIGN MANUAL
L/S	LANDSCAPE
(N)	NEW
NTS	NOT TO SCALE
PL	PROPERTY LINE
R	RADIUS
TL	THROUGH LANE
(TYP)	TYPICAL
S/W	SIDEWALK

- KEYNOTES**
- 1 NEW SIDEWALK PER CITY STANDARDS
 - 2 NEW VERTICAL CURB AND GUTTER TYPE A PER CITY STANDARDS
 - 3 NEW 20' WIDE DRIVEWAY PER CITY STANDARDS
 - 4 NEW SHARROW PER HOM
 - 5 ROLLED CURB FOR FIRE ACCESS
 - 6 NEW CURB RAMP PER CITY STANDARDS



Source: BKF Engineers 2019

Figure 4
Conceptual Site Plan



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B. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Energy | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Noise | <input type="checkbox"/> Mandatory Findings of Significance |
| | <input checked="" type="checkbox"/> None with Mitigation | |

C. DETERMINATION

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (1) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (2) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Daniel Berumen, MCRP
Senior Planner



Date

D. EVALUATION OF ENVIRONMENTAL IMPACTS

Notes

1. A brief explanation is provided for all answers except “No Impact” answers that are adequately supported by the information sources cited in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer is explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once it has been determined that a particular physical impact may occur, then the checklist answers indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less-Than-Significant Impact with Mitigation Measures Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less-Than-Significant Impact.” The mitigation measures are described, along with a brief explanation of how they reduce the effect to a less-than-significant level (mitigation measures from section XVII, “Earlier Analyses,” may be cross-referenced).
5. Earlier analyses are used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier document or negative declaration. [Section 15063(c)(3)(D)] In this case, a brief discussion would identify the following:
 - a. “Earlier Analysis Used” identifies and states where such document is available for review.
 - b. “Impact Adequately Addressed” identifies which effects from the checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and states whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. “Mitigation Measures” —For effects that are “Less-Than-Significant Impact with Mitigation Measures Incorporated,” mitigation measures are described which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances, etc.) are incorporated. Each reference to a previously prepared or outside document, where appropriate, includes a reference to the page or pages where the statement is substantiated.
7. “Supporting Information Sources” — A source list is attached, and other sources used or individuals contacted are cited in the discussion.
8. This is a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected. This is the format recommended in the CEQA Guidelines as amended 2018.
9. The explanation of each issue identifies:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any to reduce the impact to less than significant.

1. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista? (1, 4, 8, 24)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? (1, 4-8, 24)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (1, 4-6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:

a. The site is not located within designated viewsheds or view corridors identified in either the general plan or the Ravenswood Specific Plan. Bay Road is identified as a scenic view corridor by the Ravenswood Specific Plan and the plan's Plan Policy LU-4.4 requires new development to respect existing and proposed public view corridors through the Ravenswood Specific Plan area. The City of East Palo Alto general plan does not identify any other designated scenic vistas, scenic resources, or scenic highways. The general plan notes that views of the San Francisco Bay, Santa Cruz Mountains, and East Bay Hills are available from numerous publicly accessible areas within the City, such as park and open space areas near the San Francisco Bay.

The project site is located in a flat, urbanized area of East Palo Alto along Weeks Street with high density residential development, a paved pedestrian/bike path, to the north; light commercial/industrial development to the northeast; light industrial uses to the east; single-family homes to the south and commercial uses to the west. The project site is not located within the Bay Road view corridor and does not offer

high-quality scenic views due to its topography, distance from the shoreline, and the location of the site in an established urban area. Therefore, the project would have no impact on designated scenic vistas or scenic view corridors.

- b. There are no state scenic highways located within the City (City of East Palo Alto 2016, page 4.1-2). Therefore, the project would have no impact within a state scenic highway.
- c. The proposed project is located in an established urban area within the City limit. The project site is identified as an infill site in the Ravenswood Specific Plan and City of East Palo Alto General Plan Housing Element. The site is located in the Ravenswood Subarea of the Ravenswood Specific Plan, where multi-family apartment buildings and parking structures are allowed uses on residentially-designated land, subject to compliance with Ravenswood Specific Plan development standards and design guidelines (City of East Palo Alto 2012). An Administrative Design Review Permit is required for all new construction. General Plan LU Element Policy 12.7 requires that all development in the Ravenswood Specific Plan area adheres to the Specific Plan's design standards and guidelines, which are identified Chapter Six of the Ravenswood Specific Plan. Design standards for streetscape improvements and landscaping are found in the Ravenswood Specific Plan Chapter Seven. The project is subject to compliance with these standards and performance measures. Site-specific details for project materials or on and off-site landscaping and street improvements are not yet available. Review of the site plan and elevations indicates the proposed project complies with minimum requirements for setbacks and the amount of off-street parking spaces and placement of parking areas, bicycle parking, and pedestrian access, and parking. Provision of a landscape plan and building materials is required prior to approval of the Administrative Design Approval Permit. Compliance with the Ravenswood Specific Plan Design Standards ensures that no significant visual impacts would occur.

Impacts to aesthetic resources resulting from development of uses consistent with the Ravenswood Specific Plan area were addressed in the Ravenswood Specific Plan EIR, Section 4.1. The Ravenswood Specific Plan EIR analysis concluded that compliance with general plan and Ravenswood Specific Plan policies, design guidelines and performance standards ensures that no significant project or cumulative impacts related to aesthetics would occur. Subject to approval of the density bonus request and approval of an Administrative Design Review Permit, the proposed project would not conflict with the Ravenswood Specific Plan. Development of the site would contribute to the less than significant impacts to aesthetic resources identified and addressed by the Ravenswood Specific Plan EIR. No mitigation is required.

- d. The proposed project would introduce new sources of light and glare to the vacant site. Existing sources of light in the vicinity of the project site are primarily from residences and other buildings, streetlights, and headlights of vehicular traffic. Sources of daytime glare can either be a direct source of light, or can be an object which reflects light from another source, such as windows. External nighttime lighting from residences near the project site would also contribute low levels of nighttime glare.

Impacts to the visual environment resulting from new sources of light and glare generated by development consistent with the Ravenswood Specific Plan were addressed in the Ravenswood Specific Plan EIR, Section 4.1. The Ravenswood Specific Plan EIR analysis concluded that compliance with general plan policies and Ravenswood Specific Plan policies, performance standards, and design guidelines would reduce the effects of light and glare to the extent that no significant project or cumulative impacts would occur. In particular, the Ravenswood Specific Plan requires that new development shield and orient lighting so as to protect adjacent uses from excessive glare or lighting. The Ravenswood Specific Plan also includes performance standards in the Urban Residential zone district that prohibit glare and heat radiation and/or reflection beyond property lines that would constitute a nuisance or hazard or that would be recognized by a reasonable person as offensive. However, this standard is not to be interpreted as prohibiting nighttime illumination of a property (City of East Palo Alto 2012, Chapter 6). The Ravenswood Specific Plan Design Guidelines provide specific options for reflective building materials and how lighting can be shielded, as well as guidelines for the orientation and types of lighting fixtures that should be provided as part of new development. The proposed project is subject to conformance with these policies, performance standards and design guidelines as part of the Administrative Design Review Permit process.

Subject to approval of the density bonus request and approval of an Administrative Design Review Permit, the proposed project would be consistent with the design criteria and performance standards set forth in the Ravenswood Specific Plan. Development of the site would contribute to the less than significant impacts to aesthetic resources identified and addressed by the Ravenswood Specific Plan EIR. No mitigation is required.

2. AGRICULTURE AND FOREST RESOURCES

In determining whether impacts on agricultural resources are significant environmental effects and in assessing impacts on agriculture and farmland, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use? (1-5, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract? (1-5, 7, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (1-5, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use? (1-5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forest land to non-forest use? (1-5, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a-e. The project site is located in an established urban area of East Palo Alto and is surrounded by residential/urban uses. There are no Williamson Act contracts on the site, and the site is zoned for high density residential uses. There is no agricultural land in East Palo Alto. Therefore, the project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, or conflict with a Williamson Act contract or Agricultural zoning.

There are no lands zoned for forest land or timber production located in East Palo Alto. Therefore, the project would have no impact on agricultural or forest land.

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan? (8, 18, 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard? (8, 19)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Expose sensitive receptors to substantial pollutant concentrations? (11, 19)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Result in other emissions (such as those leading to odors adversely affecting a substantial number of people? (8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:

a. East Palo Alto, including the project site, is located in the San Francisco Bay Area Air Basin (hereinafter “air basin”), which is under the jurisdiction of the Bay Area Air Quality Management District (hereinafter “air district”). Regional air districts must prepare air quality plans specifying how state air quality standards would be met. The air district’s currently adopted plan is the *2017 Clean Air Plan: Spare the Air, Cool the Climate* (hereinafter “2017 CAP”). The air district *2017 CEQA Air Quality Guidelines* (hereinafter “2017 CEQA Guidelines”) specify 2017 CAP consistency methods for plan level evaluation only. Air district guidance for project-level analysis focuses on attainment of criteria air pollutant emissions thresholds and health risk standards. Development projects such as the proposed project are considered to be consistent with the 2017 CAP if emissions are within the thresholds presented in the air district 2017 CEQA Guidelines.

The number of residential units proposed by the project is below the air district’s screening size for potentially significant residential development that could generate operational and construction criteria air pollutant emissions (see the discussion in item “b” below). Further, the proposed project’s impact on health risks standards

would be less than significant with Mitigation measure AQ-3 (see the discussion in item “c” below). Therefore, the proposed project would not conflict with or obstruct the implementation of the 2017 CAP.

- b. An air quality standard defines the maximum amount of a pollutant averaged over a specified period of time that can be present in outdoor air without significant harmful effects on people or the environment. The air district is responsible for assuring that federal and state ambient air quality standards are attained and maintained in the air basin. Air pollutants of concern in the air basin are ozone and particulate matter (PM₁₀ and PM_{2.5}). The air district 2017 CEQA Guidelines contain instructions on how to evaluate, measure, and mitigate air quality impacts generated from land development construction and operation activities.

The air district has developed criteria air pollutant emissions thresholds, which are used to determine whether or not the proposed project would result in a cumulatively considerable net increase of criteria air pollutants during operations and/or construction. The air district 2017 CEQA Guidelines, Table 3-1 Operational-Related Criteria Air Pollutant and Precursor Screening Level Sizes, identifies land uses by size that are typically not expected to result in criteria air pollutant emissions that would exceed the air district thresholds.

Health effects of criteria air pollutants include, but are not limited to, asthma, bronchitis, chest pain, coughing, throat irritation, and airway inflammation. As discussed in the amicus briefs submitted on the *Sierra Club v. County of Fresno* (2014) 226 Cal.App. 4th 704, currently available modeling tools are not equipped to provide a meaningful analysis of the correlation between an individual development project’s criteria air pollutant emissions and specific human health impacts. The air quality analysis for criteria air pollutants is not really a localized, project-level impact analysis but one of regional, cumulative impacts. Therefore, it is not the norm to conduct an analysis of the localized health impacts associated with a project’s criteria air pollutant emissions as part of the CEQA process.

Operational Emissions. The operational criteria air pollutant screening size for mid-rise apartments is 494 dwelling units (2017 CEQA Guidelines, Table 3-1). The proposed project is the development of a 136-unit apartment complex. Therefore, operation of the proposed project would generate criteria air pollutant emissions that are below the air district thresholds. As a result, the impact of the proposed project’s operational criteria pollutant emissions would be less than significant. No mitigation is required.

Construction Emissions. Table 3-1 also contains screening criteria for construction impacts of criteria pollutant emissions from new development projects. For mid-rise apartments, construction emissions impacts are less than significant for projects of 240 dwelling units. The proposed 136-unit apartment complex falls below the screening size and would result in a less-than-significant impact from construction activities.

However, dust emissions from demolition and excavation activities could result in significant localized impacts. Additionally, cumulative development projects in the region could have a cumulatively significant effect on air quality impacts associated with construction activity. The air district recommends the implementation of the following mitigation measures to mitigate contributions to significant cumulative dust emissions for all proposed projects whether or not construction-related emissions exceed applicable thresholds of significance (2017 CEQA Guidelines, page 8-4). Implementation of the following mitigation measure would reduce the proposed project's construction-related contribution to local and regional air quality impacts to less than cumulatively considerable.

Mitigation Measure

- AQ-1 The following basic construction mitigation measures shall be incorporated into project construction documents, and implemented during construction activities, subject to review and approval by the City planning department:
- a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day;
 - b. All haul trucks transporting soil, sand, debris, or other loose material off-site shall be covered;
 - c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited;
 - d. All driveways and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;
 - e. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control

measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points;

- f. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation; and
 - g. Post a publicly visible sign with telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The air district's phone number shall also be visible to ensure compliance with applicable regulations.
- c. The air district defines sensitive receptors as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples include schools, hospitals and residential areas. The closest sensitive receptors to the project site are single-family homes adjacent to the northern and southern project site boundaries. There are additional residences to the south and east, and west of the project site, across Clarke Avenue. There are a number of small health clinics and one charter school operated by Sequoia Union High School District in the vicinity of the project site. The clinics nearest to the project site are the Barbara A. Mouton Multicultural Wellness Center adjoining the west boundary of the project site, and the South County Community Health Center is located north of the site and Rail Spur at 1798 Bay Road. The nearest school to the project site is the Aspire East Palo Alto Phoenix Academy located at 1039 Garden Street, about one-quarter mile to the south. Construction activities associated with the proposed project could increase the risks of sensitive receptor exposures to toxic air contaminants (TACs) including dust and equipment exhaust from construction activity, and to pesticide residues in on-site soils that are associated with the former railroad spur north of the site, which is now the Rail Spur, and with the former agricultural use of the site.

Contaminated Soils. A Phase II Environmental Site Assessment (SECOR, 2005) (2005 Phase II Report) summarized the results of soil sampling conducted to determine if hazardous levels of metals and pesticides were present on the site. The 2005 Phase II Report is included in [Appendix B](#). The soils sampling revealed the presence of pesticide residues, including DDT at concentrations above state hazardous waste standards (1.6 milligrams per kilogram), and concentrations of DDT, Chlordane and

Dieldrin exceeding U.S. Environmental Protection Agency (US EPA) Region IX preliminary remediation goal standards. In addition, a chemical analysis of the collected soil samples also showed detectable concentrations of arsenic and lead, although the concentration of lead were well below the US EPA standards for lead. Arsenic concentrations in the samples were found to be consistent with naturally occurring background levels. Based on the observed low concentrations of arsenic and lead, the 2005 Phase II Report concluded that an additional assessment or remediation was not necessary to address arsenic and lead abatement on the site; however, the report included recommendations for remediation of soils contaminated with pesticide residues from the form agricultural activity on the project site.

The 2019 Phase I Environmental Site Assessment prepared by Geosyntec Consultants (2019 Phase I Report) evaluates the analytical findings of the 2005 Phase II Report using the Regional Water Quality Control Board (Water Board) January 2019 Environmental Screening Levels for Residential Soil (Regional Water Quality Control Board, 2019 as cited by Geosyntec Consultants 2019). This report is also included in Appendix B. A work plan for pesticide management has reportedly been approved by the Water Board, but has not yet been implemented. The 2019 Phase I Report did not find any other historic recognized environmental conditions, controlled recognized environmental conditions, or di minimus conditions. Implementation of the following mitigation measure in addition to mitigation measure HAZ-1 (refer to Section 9) would reduce the risks of significant exposures of workers and nearby sensitive receptors to airborne toxic air contaminants from disturbance of on-site soils to less than significant.

Mitigation Measure

AQ-2 Prior to issuance of a grading permit, the applicant shall prepare an updated remediation plan for Regional Water Quality Control Board approval, and shall submit the approved plan to the City planning department.

The approved remediation plan shall be implemented prior to project-related excavation activities. Project-related excavation and site preparation activities shall not be allowed until all remediation plan requirements have been met. Remediation of on-site soils shall be considered complete when sufficient evidence is provided to the City planning department that all thresholds have been met to the satisfaction of the Water Board.

Construction TAC Emissions and Community Health Risk. Illingworth & Rodkin prepared a community risk assessment (2019) to address project construction community risk impacts to nearby sensitive receptors, specifically the impact of project-related construction TAC emissions on sensitive receptors. The impact of existing sources of TACs upon the project site was also addressed. The community risk assessment is included as [Appendix C](#). The report notes that the proposed residential project would not generate substantial operational TACs or criteria pollutant emissions.

Construction equipment and associated heavy-duty truck traffic generates diesel exhaust. Diesel Particulate Matter (DPM) and fine particulate matter (PM_{2.5}) are components of diesel exhaust, which are known TAC, during construction that may pose health risks for nearby sensitive receptors. The community risk assessment includes dispersion modeling to predict the offsite and onsite concentrations of project construction emissions of DPM and PM_{2.5} in order to evaluate the lifetime cancer risks, annual PM_{2.5} concentrations, and Hazard Index for non-cancer health risks.

The community risk assessment identifies the maximally exposed individuals (MEIs) from project construction as several single-family homes south of the project site across Weeks Street. At these locations, the maximum excess residential cancer risks would exceed the air district threshold of 10 cases in one million and the maximum PM_{2.5} concentrations would exceed the air district threshold of 0.3 μ g/m³.

According to the assessment, the proposed project's modeled cancer risks and annual PM_{2.5} concentrations from construction exceed the air district standards for single sources of TAC emissions; however, the Hazard Index for non-cancer related health risks was found to be less than the air district standard (Illingworth and Rodkin, 2019, Table 2). Implementation of Mitigation Measure AQ-1 and AQ-3 would reduce the computed maximum increased lifetime residential cancer risk from construction, assuming infant exposure, from 73.8 cases per million to 6.3 cases per million or less. The maximum annual PM_{2.5} concentration would be reduced from 0.51 μ g/m³ to 0.09 μ g/m³, and the Hazard Index would be reduced from 0.08 to 0.01. Mitigation is necessary to reduce the exposures to PM_{2.5} and to reduce related cancer risks to a less-than-significant level. The report recommends that implementation of Mitigation Measure AQ-1, in addition to the following mitigation measure, would reduce the impacts of exposures to construction emissions to less than significant.

Mitigation Measure

AQ-3 Prior to issuance of grading and building permits, the project applicant shall prepare a plan demonstrating that the off-road equipment proposed to be used onsite to construct the project would achieve a fleet-wide average 88 percent reduction in DPM exhaust emissions or greater. One feasible plan to achieve this reduction would include the following:

- a. All diesel-powered off-road equipment, larger than 25 horsepower, operating on the site for more than two days continuously shall meet U.S. EPA Tier 4 particulate matter emissions standards. Alternatively, the following types of equipment would also meet this requirement: Tier 3 engines that include CARB-certified Level 3 Diesel Particulate Filters (or equivalent), or the use of equipment that is electrically powered or uses non-diesel fuels.
- b. Cranes used during construction shall be electrified and temporary line power shall be available to minimize use of portable diesel-powered equipment.

The plan shall be submitted to the City planning department for review and approval prior to issuance of grading and building permit.

Cumulative Community Risks. Community health risk assessments typically look at all substantial sources of TACs located within 1,000 feet of project sites. These sources include highways, busy surface streets, and stationary sources identified by the air district. Traffic on nearby streets all have average daily traffic that is less than 10,000 vehicles per day based on existing plus project traffic volumes provided by the traffic consultant. Therefore, no roadways were included in the cumulative analysis.

A review of the air district's stationary source Google Earth map tool identified two sources within a 1,000-foot influence area. The air district noted that J's Product Painting Co, Inc. (Plant #1434) formerly located on Demeter Street, north of Bay Road has been shut down, and therefore, it was not included within the cumulative analysis. Only one other stationary source was identified: Cal Spray Inc. (Plant #610), which is a spray booth located north of Bay Road near Pulgas Avenue, approximately 250 meters (about 820 feet) from the project site.

As previously noted, the unmitigated emissions from project construction activities would contribute to cumulative TAC exposures at the Maximally Exposed Individual

(MEI) across Weeks Street. However, the combined unmitigated emissions from the project and the Cal Spray facility would not exceed the air district thresholds for cumulative conditions. With implementation of mitigation measures AQ-1 and AQ-3, cumulative cancer risks, annual PM_{2.5} concentrations or non-cancer hazards would be further reduced (Illingworth and Rodkin 2019, Table 3). Therefore, the project's contribution to cumulative TAC emissions and exposures to cancer and non-cancer health risks is less than cumulatively considerable. No additional mitigation is required.

Community Risks to New Project Residents. A screening health risk assessment was completed by Illingworth and Rodkin to analyze the health risk impacts to project residents from exposures to nearby stationary sources of operational TAC emissions. As discussed earlier, the only existing stationary source of operational TAC emissions in the project vicinity is Cal Spray Inc. The community risk assessment found that emissions from this source fall well below the air district standards at the project site. Therefore, new sensitive receptors introduced by the project would not be exposed to any significant existing TAC sources (Illingworth and Rodkin 2019, Table 4).

- d. The proposed project would not result in any objectionable odors during the operational phase. During project construction, there may be nuisance diesel odors associated with operation of diesel construction equipment on-site (primarily during initial grading phases), but this effect would be localized, sporadic, and short-term in nature. Therefore, temporary impacts from nuisance diesel odors on adjacent residential receptors would be less than significant.

4. BIOLOGICAL RESOURCES

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? (41, 42, 43, 44, 45)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? (42, 46)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.), through direct removal, filling, hydrological interruption, or other means? (42, 46)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (42, 45)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (1, 7, 37)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (1, 7, 42, 45)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

EMC Planning Group biologist Gail Bellenger conducted a field survey of the property on August 7, 2019, to document current conditions, habitats, and plant communities on site. The project site is positioned on the Palo Alto U.S. Geological Survey (USGS) 7.5-minute quadrangle map, and is relatively flat, averaging an elevation of approximately four to seven feet above mean sea level. The project site is located approximately one-quarter mile west and south of San Francisco Bay and approximately one mile northwest of San Francisquito Creek.

The project site is vacant. The on-site plant community is dominated by ruderal (weedy) species consisting of non-native grasses, curly dock (*Rumex crispus*), field bindweed (*Convolvulus arvensis*), bristly ox-tongue (*Helminthotheca echioides*), California poppy (*Eschscholzia californica*), wild radish (*Raphanus raphanistrum*), castor bean plant (*Ricinus communis*), and California blackberry (*Rubus ursinus*). Several walnut trees (*Juglans hindsii*) are located on a neighboring property near the northwest corner of the site. Three coast live oak trees (*Quercus agrifolia*) are located on the site: two near the north property line and a third near the northeast corner of the site.

The habitat is classified as annual non-native grassland, which can provide foraging for numerous avian species and small mammals such as California ground squirrel (*Spermophilus beecheyi*), raccoon (*Procyon lotor*), or skunk (*Mephitis mephitis*). Species observed during the site visit included mourning dove (*Zenaidura macroura*), American crow (*Corvus brachyrhynchos*), and several passerine bird species in the surrounding trees. Several small one-inch to three-inch animal burrows were observed on-site, and one six-inch burrow was found under the fence on the east, but this burrow appeared to be unoccupied and caved in or blocked on the neighboring property's side of the fence.

- a. A search of the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB) was conducted for the Palo Alto, San Mateo, Redwood Point, Newark, Woodside, Mountain View, La Honda, Mindego Hill, and Cupertino USGS quadrangles to generate a list of potentially occurring special-status species in the project vicinity (CDFW 2019). Records of occurrence for special-status plants were reviewed in the California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants (CNPS 2019). A U.S. Fish and Wildlife Service (USFWS) Endangered Species Program threatened and endangered species list was also generated for San Mateo County (USFWS 2019). Special-status species in this report are those listed as Endangered, Threatened, or Rare, or as Candidates for listing by the USFWS and/or CDFW, Species of Special Concern or Fully Protected species by the CDFW, or as Rare Plant Rank 1B or 2B by the CNPS.

The project site is within proximity to several records of special-status plant and wildlife species:

Special-status Wildlife Species

San Francisco Garter Snake (*Thamnophis sirtalis tetrataenia*). This species is a federally and state-listed endangered species and state fully protected species. However, this species' preferred habitat is densely vegetated ponds near open hillsides, and their main prey base is California red-legged frog. Given the lack of a water source, hillsides, and prey base on the project site, as well as the existing level of disturbance and urban location, it is unlikely San Francisco garter snake would occur on the project site due to lack of suitable habitat.

Northern Harrier (*Circus hudsonius*). This bird of prey is a state species of special concern. Their habitat includes grasslands or wetlands. Their diet consists mostly of small mammals and birds, but they can also eat insects, snakes, lizards, toads, and frogs. Due to unsuitable habitat, northern harrier is unlikely to occur on the project site.

California Least Tern (*Sternula antillarum browni*). This bird is a federally and state listed endangered species and a state fully protected species. Habitat includes undisturbed nesting sites on open, sandy, or gravelly shores near shallow water feeding areas in estuaries. They nest in colonies in areas relatively free of human or predatory disturbance. There is no suitable habitat on the project site.

Western Burrowing Owl (*Athene cunicularia*). This species is a California Species of Special Concern. This species lives and breeds in burrows in the ground, especially in abandoned ground squirrel burrows. Optimal habitat conditions include large open, dry, and nearly level grasslands or prairies with short to moderate vegetation height and cover, areas of bare ground, and populations of burrowing mammals. Areas with active colonies of California ground squirrels or manmade structures such as culverts that could be utilized for nesting provide suitable nesting habitat. Burrowing owls may occur in areas with burrows and suitable foraging habitat; however, even though small mammal burrows were seen on the project site, the habitat is restrictive as it is surrounded by urban development. Therefore, it is unlikely this species would occur on the project site.

Special-status Plant Species

Congdon's Tarplant (*Centromadia parryi* ssp. *congdonii*). This species is an annual herb that blooms from May to November; it prefers alkaline grasslands, but may also be found in disturbed areas on various substrates. There is potential for this species to be

found on the project site due to potential habitat and recorded occurrence in the project vicinity. Therefore a focused survey was performed to determine if the plant is present on the project site. The direct loss of protected plants could be considered a significant impact. The survey was conducted by EMC Planning Group biologist Daniel Edelstein on September 24, 2019 during the flowering season for the species. The results of the focused plant survey are included in [Appendix D](#). No Congdon's tarplants were observed on the site during the survey.

Alkali Milk-Vetch (*Astragalus tener* var. *tener*). This species occurs in wetlands, playas, and vernal pools in valley grasslands, alkali sinks, freshwater wetlands, and wetland-riparian areas. There is no suitable habitat on the project site for this species.

Point Reyes Salty Bird's-Beak (*Chloropyron maritimum* ssp. *palustre*). This species occurs in wetlands, salt-marsh, and coastal wetland-riparian areas. There is no suitable habitat on the project site.

California Seablite (*Suaeda californica*). This species is a federally endangered rare plant that occurs in wetlands, salt-marsh, coastal wetland-riparian areas. There is no suitable habitat on the project site.

The project site and the surrounding properties contain a variety of trees and shrubs, which may provide habitat for nesting birds. Construction activities, including ground disturbance and tree removal, can impact nesting birds protected under the federal Migratory Bird Treaty Act and California Fish and Game Code, should nesting birds be present during construction. If nesting birds are nesting on or adjacent to the project site during the bird nesting season (January 15 through September 15), then noise-generating construction activities could result in the loss of fertile eggs, nestlings, or otherwise lead to the abandonment of nests. This would be a potentially significant impact. Implementation of mitigation measure BIO-1 would reduce potentially significant impacts to nesting birds to a less-than-significant level.

Mitigation Measure

BIO-1 To avoid impacts to nesting birds, construction activities that include grading, grubbing, or demolition should be conducted between September 16 and January 14, which is outside of the bird nesting season (January 15 through September 15). If grading, grubbing, or demolition occurs during the bird nesting season, then the applicant shall engage a qualified biologist to conduct a pre-construction survey for nesting birds to ensure that no nests would be disturbed during project construction.

If project-related work is scheduled during the nesting season (February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors), a qualified biologist shall conduct nesting bird surveys. A survey for active nests of such birds shall occur within 7 days prior to start of construction. Appropriate minimum survey radius surrounding each work area is typically 250 feet for passerines, 500 feet for smaller raptors, and 1,000 feet for larger raptors. Surveys shall be conducted at the appropriate times of day to observe nesting activities.

If the qualified biologist documents active nests within the project site or in nearby surrounding areas, an appropriate buffer between each nest and active construction shall be established. The buffer shall be clearly marked and maintained until the young have fledged and are foraging independently. Prior to construction, the qualified biologist shall conduct baseline monitoring of each nest to characterize “normal” bird behavior and establish a buffer distance, which allows the birds to exhibit normal behavior. The qualified biologist shall monitor the nesting birds daily during construction activities and increase the buffer if birds show signs of unusual or distressed behavior (e.g. defensive flights and vocalizations, standing up from a brooding position, and/or flying away from the nest). If buffer establishment is not possible, the qualified biologist or construction foreman shall have the authority to cease all construction work in the area until the young have fledged and the nest is no longer active. If pre-construction nesting bird surveys are necessary, based upon the requirements of this mitigation measure, then a survey report shall be prepared and submitted to the City planning department for review and approval, prior to issuance of a grading permit.

- b. The project site does not contain riparian habitat or sensitive natural communities. The main aquatic feature near the project site, San Francisquito Creek, is outside the project site boundaries and is approximately 0.8 miles to the southeast. The project site does not drain toward San Francisquito Creek, and no impact to the creek would occur. Water quality issues associated with construction are addressed in Section 10, Hydrology and Water Quality.
- c. San Francisquito Creek is approximately 0.8 miles to the southeast and the San Francisco Bay is approximately 0.3 miles to the northeast. Natural drainage channels and wetlands are considered Waters of the U.S., and the U.S. Army Corps of

Engineers regulates the filling or grading of such jurisdictional waters by authority of Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. The project site, as shown on the HM Control Area Map, is located in an area that drains into hardened channels (California Regional Water Quality Control Board San Francisco Bay Region Municipal Regional Stormwater NPDES Permit Appendix H). There are no wetlands or waterways on the project site, therefore, no direct impacts to wetland or waterways are anticipated. Water quality issues associated with construction are addressed in Section 10, Hydrology and Water Quality.

- d. The proposed project would not substantially interfere with wildlife movement corridors as it is located within a developed residential and light commercial area, and is completely fenced. Wildlife movement corridors provide connectivity between habitat areas, enhancing species richness and diversity, and usually also provide cover, water, food, and breeding sites. The project site is not likely to facilitate major wildlife movement due to current active disturbance. There are small animal burrows on-site that could potentially provide habitat or facilitate movement corridors for commonly occurring, urban-adapted mammals such as California ground squirrel and Botta's pocket gopher (*Thomomys bottae*). However, because the habitat is marginal, the proposed project would have a less-than-significant impact on wildlife movement.
- e. Measures to protect sensitive biological resources within the City of East Palo Alto are identified in the General Plan in the Parks, Open Space and Conservation Element, Goal POC-4-Protect and preserve the City's natural habitat and wildlife. This goal is to "Ensure that public access to the Bay is designed, developed, and maintained in a manner that protects the existing natural resources and habitats."

Policies within this element include protecting wildlife from adverse impacts caused by human activities, coordinating with federal agencies and neighboring cities to manage the Don Edwards San Francisco Bay National Wildlife Refuge or Ravenswood Open Space Preserve, shield any site lighting from the Bay, ensure that new development and landscaping adjacent to tidal marshes and other bayfront areas avoids tall perches for raptors or other predatory birds, protect the salt-marsh harvest mouse from feral cat predation, encourage or require the use of native and/or non-invasive plants in privately built landscaping, and do not allow new development within a 100-foot buffer zone from the top of the San Francisquito Creek bank. The proposed project is not close enough to either preserve, the tidal marshes, or San Francisquito Creek to result in impacts to these areas, therefore, the project would have a less-than-significant impact with regard to local biological resources ordinances or policies.

The City of East Palo Alto's tree ordinance requires a tree removal permit (Chapter 18.28.40) for any tree with a main stem or trunk that measures 40 inches or greater in circumference at a height of 24 inches to two feet above natural grade, any tree within a public street or public right-of-way, regardless of size, any tree that existed at the time of an approval granted under the City's subdivision or zoning ordinance and required to be preserved as part of such approval, any tree required to be planted as a condition of any development approval granted by the City, and any tree required to be planted as a replacement for an unlawfully removed tree.

The following mitigation would be necessary prior to any tree removal on the property.

Mitigation Measure

BIO-2 The applicant shall retain a certified arborist to develop a site-specific tree protection plan for retained trees, and supervise the implementation of all proposed tree preservation and protection measures during construction activities. Also, in accordance with the City's Tree Protection Ordinance, the applicant shall obtain a tree removal permit for proposed tree removals, and shall install replacement trees in accordance with all mitigation, maintenance, and monitoring requirements specified in the tree removal permit(s) or otherwise required by the City for project approvals. The tree protection plan shall be subject to review and approval by the City planning department, prior to issuance of a tree removal permit.

Implementation of this mitigation measure would reduce impacts by requiring City approval prior to removal of regulated trees, installation of adequate replacement trees, and protection of all retained trees during construction.

- f. There is no critical habitat, habitat conservation plan, natural community conservation plan, or other approval local, regional, or state habitat conservation plan applicable to the project site.

5. CULTURAL RESOURCES

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource pursuant to section 15064.5? (1, 38, 39, 40)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5? (38, 1, 38, 39, 40)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Disturb any human remains, including those interred outside of dedicated cemeteries? (38, 39)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:

The project site is a fenced vacant lot, with areas of fill gravel around the perimeter. Policy 9.1 of the general plan requires that areas of important archaeological, paleontological and natural resources be protected. Paleontological resources are discussed in Section 7, Geology and Soils. An archival database search was conducted through the Northwest Information Center (NWIC), NWIC file #19-0252, of the California Historical Resources Information Center (CHRIS) affiliated with the State of California Office of Historic Preservation. The NWIC was provided with a location map and coordinates of the site to be surveyed, with a records request for any recorded sites or previous surveys within the project site boundary. A Sacred Lands record search requested from the Native American Heritage Commission who replied with a negative records search result but provided a list of local tribes to contact for any specialized information or knowledge they might have of the property and vicinity. Letters requesting information were sent to the list of tribal representatives provided by NAHC. One response was received from the Amah Mutsun tribal representative, who recommended that a Native American monitor be present during site excavation activity.

- a. The historic significance of the site was analyzed in the certified EIR prepared for a previously approved residential project on the site (City of East Palo Alto 2006, SCH 2006012093) (certified EIR). The certified EIR analyzed impacts to cultural resources including demolition of a historic-era residence and former tankhouse, circa 1917, that was included on the City of East Palo Alto Historic Resource Inventory. The EIR determined that the building was eligible for listing in the California Register of Historical Resources due to its association with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage. The

certified EIR determined that the residence was historically significant for “its role as part of Charles Weeks’ utopian agricultural colony of Runnymede, an important component of East Palo Alto’s history and the early 20th century Little Landers utopian movement in California” (City of East Palo Alto 2006, page 31). Mitigation measures were developed and implemented to reduce the project impact, but not to a less than significant level and the City Council adopted a statement of overriding considerations. As noted in Section A of this initial study, site preparation activities for the previously-approved project were initiated, including demolition of the historic building, but the project for which the EIR was certified was never constructed.

EMC Planning Group registered professional archaeologist Gail Bellenger conducted a pedestrian survey of the project site on August 7, 2019. No significant historic or prehistoric cultural resources were identified within the project site boundaries. During the 2019 survey, broken concrete slabs were observed placed around the northeast and east periphery of the site, following the fence line. These slabs were flat and only a few inches thick. It is unknown if they were part of a building foundation or other structure. Development of the site would not result in a significant effect on a historic building since the residential building was previously demolished. However, there may be subsurface and potentially historically significant materials on the site that are associated with the demolished historic structure. These potential historically and significant archaeological materials could be incidentally disrupted and/or damaged during excavation of the site. Implementation of Mitigation Measure CR-1 identified in item b., below, would reduce potential impacts to potentially significant historic archaeological materials to less than significant.

- b. There are no records of previously recorded archaeological resources, sacred lands, or sacred sites, on the project site. However, the NWIC database archival search revealed several records of prehistoric sites containing artifacts and shell middens in proximity to the project site. Although no surface indicators of prehistoric archaeological resources or sites were identified during the 2019 survey, due to the nearby locations of known prehistoric resources, there is the possibility that during earth-moving activities, unknown buried and potentially significant prehistoric archaeological resources could be accidentally discovered. Disturbance of unique prehistoric archaeological resources, including potential historically unique archaeological resources is a potentially significant impact.

A response to the Sacred Lands records search was received from the Amah Mutsun Tribe that recommends that all construction crews receive cultural sensitivity training and that a qualified Native American monitor be on site during all soil disturbing

activities. The City acknowledges that a Native American monitor during excavation is appropriate given the proximity of known significant prehistoric archaeological resources, including Native American burials. Mitigation Measure CR-1 would reduce the potential impacts to unique archaeological resources, including potential historically significant unique archaeological resources to a less-than-significant level.

Mitigation Measure

CR-1 Prior to issuance of a tree removal permit and a grading permit, because the possibility that significant buried cultural resources might be found during construction activities, the applicant shall include the following language on all construction documents and on any permits issued for the project site:

“A California-trained archaeological monitor and a qualified Native American monitor shall be on site during all earth moving activities, including tree removal and grading.

All construction crews involved with earth movement shall receive cultural sensitivity training provided by the qualified Native American monitor, prior to excavation activity on the site.

If archaeological resources are unexpectedly discovered during construction, work shall be halted immediately within 50 meters (160 feet) of the find, and the Planning Department notified, until it can be evaluated by a qualified professional archaeologist. If the find is determined to be unique, appropriate mitigation measures shall be formulated and implemented subject to the review and approval of the City planning department.”

- c. The NWIC database archival search revealed a record of Native American burials within one-quarter-mile of the project site. The proposed project includes excavation activities and could disrupt Native American burials, if they are present on the site. Disturbance of Native American human remains or burial grounds would be a significant impact. Mitigation Measure CR-2 would reduce the potential for impacts to Native American burials to a less-than-significant level.

Mitigation Measure

CR-2 Due to the possibility that Native American human remains may be discovered during project construction activities, the following language shall be included in all construction documents and on any permits issued for the project site, including, but not limited to, tree removal, grading, and building permits.

“If human remains are found during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the San Mateo County Coroner is contacted to determine that no investigation of the cause of death is required.

If the coroner determines the remains to be Native American, then the coroner shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American. The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code Section 5097.98.

The landowner or authorized representative will rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance if: a) the Native American Heritage Commission is unable to identify a MLD or the MLD failed to make a recommendation within 48 hours after being allowed access to the site; b) the descendent identified fails to make a recommendation; or c) the landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

6. ENERGY

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (8, 27, 28, 29)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (8, 27, 28, 29)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

a/b. For purposes of this analysis, the proposed project would be considered to result in significant environmental effects due to wasteful, inefficient, or unnecessary consumption of energy if it failed to comply with California energy efficiency/conservation regulations and failed to implement energy demand reduction/efficiency measures.

The proposed project will result in increased demand for energy during construction and operations. Primary sources of energy use will be transportation fuels, electricity, and natural gas.

Transportation Fuel. The proposed project will generate new traffic trips associated with residents that would increase vehicle miles traveled (VMT). New vehicle trips will result in increased demand for and consumption of transportation fuel. CalEEMod results included in [Appendix F](#) show that the estimated annual VMT associated with the proposed project would be 1,165,793 miles. The Emissions Factor Model (EMFAC2017) version 1.0.2 was used to forecast annual transportation fuel demand based on the projected annual VMT. Transportation fuel demand is forecast at about 45,623.15 gallons per year. The EMFAC2017 model results are included in [Appendix E](#).

Electricity. According to the California Energy Commission Energy Consumption Data Management System, in 2018, total electricity consumption in San Mateo County was 4,225,602,787 kWh. Section 5.3, Energy by Land Use – Electricity, of the CalEEMod results ([Appendix F](#)) show that the total electricity demand from the proposed project would be approximately 916,252 kWh/year. Therefore, electricity consumption at project build-out would be less than 0.1 percent of the total San Mateo County electricity consumption for 2018.

Natural Gas. According to the California Energy Commission Energy Consumption Data Management System, in 2018 total natural gas consumption in San Mateo County was 209.663993 million therms. Section 5.2, Energy by Land Use – Natural Gas, in the CalEEMod results shows that at project build-out, the total natural gas demand would be about 937,829,000 BTU/year or 9,380.53 therms/year. This is less than 0.1 percent of the total San Mateo County natural gas consumption in 2018.

Conclusion. A multitude of state regulations and legislative acts are aimed at improving vehicle fuel efficiency, energy efficiency, and enhancing energy conservation. For example, in the transportation sector, the representative legislation and standards for improving transportation fuel efficiency include the Pavley I standards. The gradual increased usage of electric cars powered with cleaner electricity will also reduce fossil fuel usage associated with transportation. In the renewable energy use sector, representative legislation for the use of renewable energy includes, but is not limited to Senate Bill 350 and Executive Order B-16-12. In the building energy use sector, representative legislation and standards for reducing natural gas and electricity consumption include, but are not limited to Assembly Bill 2021, CALGreen, and California Building Standards Code.

According to the project description the proposed project will be designed to meet the minimum requirements of GreenPoint Rated, which represents the gold standard in green homes. In addition, the City enforces the California Building Standards Code through the building permit process. As discussed above, the proposed project's energy consumption would represent only a small fraction of San Mateo County's long-term energy consumption. Conformance with applicable energy conservation/efficiency regulations and standards and inclusion of GreenPoint Rated measures into the project would ensure that the proposed project would not directly or indirectly result in inefficient, wasteful, and unnecessary consumption of energy.

7. GEOLOGY AND SOILS

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
(1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42? (1, 2, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(2) Strong seismic ground shaking? (1, 2, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(3) Seismic-related ground failure, including liquefaction? (1, 2, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(4) Landslides? (1, 2, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil? (2, 5, 8)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? (1, 2, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, creating substantial direct or indirect risks to life or property? (1, 2, 5, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (1, 2, 4, 5, 40)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:

a. Potential impacts from exposure to geologic risks are as follows:

(1) No Alquist-Priolo Earthquake Fault Zones are located within East Palo Alto. Therefore, the proposed project would not be subject to effects from a known surface fault rupture, and no impact would occur.

(2) East Palo Alto is located within the seismically active San Francisco Bay region, which is one of the most seismically active zones in the United States. No known active faults traverse the City. Faults in the vicinity of the City include the San Andreas, the Pilarcitos, and the San Gregorio. The closest known active fault, the Monte Vista-Shannon Fault, is located approximately six miles southwest of the City. Due to its proximity to major potentially active faults, the City is subject to a medium to high risk of seismic shaking. Therefore, the proposed project could increase exposures to seismic ground shaking.

The general plan Safety and Noise Element includes policies to reduce the risk to people and property from earthquakes and other geologic hazards. Policies 1.1 through 1.4 require new development to apply the proper engineering and building construction requirements, enforce the most recent State guidance for seismic and geologic hazards, incorporate recommendations of a state licensed engineering geologist into design plans, and examine necessity of seismic upgrades to existing multi-family housing constructed prior to 1971. The Safety and Noise Element also includes policies 5.1 and 5.2 to provide efficient and effective emergency response in the immediate aftermath of a disaster.

Preparation of a geotechnical report is required for new development in East Palo Alto as a standard condition of approval. The geotechnical report is required to include, but not be limited to, an analysis of existing soils, and provide recommendations for foundations, pavement sections, compaction, and over excavation. A geotechnical report is currently being prepared for the proposed project and is subject to review and approval by the City's Chief Building Official as part of the building permit process, to ensure compliance with seismic safety measures and building code requirements. Implementation of the recommendations in the approved geotechnical report in addition to compliance with the most current building code requirements would reduce impacts associated with seismic ground shaking to a less-than-significant level. No mitigation is required.

(3) Liquefaction is the term used to describe how underlying soils can "liquefy" or lose stability during a seismic event. Substantial areas of the City are at an elevated risk of liquefaction. According to Figure 4.6-1 of the general plan draft EIR, the

project site is located within the “Very High” liquefaction zone. Buildings on the project site are at an increased risk for significant damage during a seismic event, with the potential for loss of life or severe injury to humans. Implementation of the recommendations in the approved geotechnical report and compliance with building code requirements for structural design and performance criteria would reduce impacts associated with seismic liquefaction to a less-than-significant level. No mitigation is required.

(4) The project site is flat. No areas in East Palo Alto exhibit steep slopes or other features that would result in landslide or collapse.

- b. Erosion is a process that transports soil materials to another area, typically by wind or water. Erosion is a natural process that can vary depending on the soil material and structure, placement, and human activity. Grading and other construction activities associated with the proposed project could result in erosion that could deposit soil in nearby water bodies, degrading local water quality and could cause wind erosion as well. Implementation of the dust control measures included in Mitigation Measure AQ-1 and, as discussed in Section 9, Hydrology and Water Quality, the proposed project is required to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP). These measures reduce impacts related to erosion.

The City of East Palo Alto municipal code section 15.48.160 requires the preparation and implementation of an erosion and sediment control plan to minimize the potential for erosion. Any land disturbing activity during the rainy season requires authorization from the planning director per requirements of municipal code section 15.48.160. Municipal code section 15.48.160 also requires all projects to submit dust control plans and implement performance standards as detailed in the Grading Permit Performance Standards Handbook. The proposed project is subject to compliance with applicable regulations related to erosion control. Compliance with these provisions would reduce this potential impact to less than significant. No mitigation is required.

- c/d. See also item a(4). Expansive soils shrink and swell as a result of moisture changes. This can cause heaving and cracking of slabs-on-grade, pavements, and structures with shallow foundations. The proposed project could be subject to impacts related to expansive soils. Implementation of the recommendations in the approved geotechnical report in addition to compliance with standard building code requirements for structural design and performance criteria would reduce impacts associated with expansive soils to a less-than-significant level. No mitigation is required.

- e. The proposed project would be connected to the City's sewer system, and would not rely on septic tanks or alternative wastewater systems.
- f. Policy 9.1 of the general plan requires that areas of important archaeological, paleontological and natural resources be protected. Potential impacts to paleontological resources resulting from development of the site were analyzed in the certified EIR for the formerly proposed Clark and Weeks Townhome project (City of East Palo Alto 2006, SCH 2006012093) (certified EIR). According to the certified EIR, no unique geologic features or paleontological resources were identified on the project site. However, an initial study included as an appendix to the certified EIR reports that one fossil locality has been listed near the project site in the same type of alluvial materials that underlie the project site. The certified EIR concluded that, although the site is located near the historic margins of bay tidal marshlands, which contain mud that overlies the alluvial soils, it is possible that ground-disturbing activities could potentially disrupt undiscovered paleontological resources if present on the site (City of East Palo Alto 2006, Appendix A, Page 18). This possibility holds true for the proposed project and mitigation is required to reduce this potentially significant impact.

Although there are no specific indications of paleontological resources associated with the project site, it is always possible to accidentally discover unknown buried paleontological resources during earth-moving activities. Disturbance of unique paleontological resources could be considered a significant adverse environmental impact. Implementation of the following mitigation measure would reduce the potential, significant impact to unique paleontological resources to less than significant.

Mitigation Measure

GEO-1 Prior to issuance of any permits, and due to the possibility that unique paleontological resources might be found during construction, the applicant shall include the following language on all construction documents and on any permits issued for the project site, including, but not limited to, tree removal, grading, and building permits:

“If paleontological resources are unexpectedly discovered during construction, work shall be halted immediately within 50 meters (160 feet) of the find, and the Planning Department notified, until it can be evaluated by a qualified professional paleontologist. If the find is determined to be unique, appropriate mitigation measures shall be formulated and implemented subject to the review and approval of the City planning department.”

8. GREENHOUSE GAS EMISSIONS

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (8, 19, 30, 31, 32, 33, 34)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (8, 19, 30, 34)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

a/b. The California Legislature has enacted a series of statutes addressing the need to reduce greenhouse (GHG) emissions across the State. In September 2006, the California State Legislature enacted the California Global Warming Solutions Act of 2006, also known as Assembly Bill (AB) 32. AB 32 required that statewide GHG emissions be reduced to 1990 levels by 2020. AB 32 was amended by Senate Bill (SB) 32. Effective January 1, 2017, SB 32 requires that statewide GHG emissions be reduced to 40 percent below 1990 levels by 2030. SB 32 represents the current state legislative framework commonly used by local and regional agencies across the state as guidance for reducing GHG emissions from activities within their respective jurisdictions.

The proposed project is located in the San Francisco Bay Area Air Basin (hereinafter “air basin”), which is under the jurisdiction of the Bay Area Air Quality Management District (hereinafter “air district”). The air district has published comprehensive guidance on evaluating, determining significance of, and mitigating GHG impacts of projects subject to CEQA review. The guidance is contained in the air district 2017 CEQA Air Quality Guidelines (hereinafter “2017 CEQA Guidelines”). The air district 2017 CEQA Guidelines identify three thresholds of significance options for operational-related GHG emissions from land use development projects: 1) compliance with a qualified GHG reduction strategy; 2) annual emissions less than 1,100 metric tons (MT) per year of CO_{2e}; or 3) emissions below 4.6 MT CO_{2e} per service population per year (residents + employees). The air district does not have an adopted threshold of significance for construction-related GHG emissions.

The City adopted the *City of East Palo Alto Final Climate Action Plan* (hereinafter “Climate Action Plan”) in December 2011 to present goals and measures for reducing the City’s GHG emissions. The Climate Action Plan established a citywide emissions reduction goal of 15 percent below 2005 levels by 2020.

The air district thresholds of significance and the Climate Action Plan are based on AB 32 GHG emission reduction goals for the year 2020. Build-out of the project site is anticipated to occur in 2022. Therefore, neither the air district thresholds, nor the Climate Action Plan address GHG emissions reductions needed after 2020 to keep statewide emissions on a path toward meeting the 2030 SB 32 emissions reduction target.

In light of these circumstances, a GHG threshold of significance for the project build-out year of 2022 has been developed for the proposed project that is based on the air district’s service population threshold approach. The project-specific threshold reflects an emissions reduction target that extends beyond 2020 to the project build-out year of 2022. The threshold is a statewide GHG efficiency metric that represents a rate of statewide emissions generation. The statewide GHG efficiency metric is the ratio of total statewide GHG emissions to statewide service population, where service population is the sum of the number of jobs and the number of residents. If the proposed project rate of emissions is equal to or below the threshold, project emissions would not conflict with the state’s ability to achieve the SB 32 GHG reduction target of 40 percent below 1990 levels by 2030.

The California Air Resources Board (CARB) stated in the *First Update to the Climate Change Scoping Plan* that an average statewide GHG reduction of 5.2 percent per year from the projected statewide year 2020 GHG emissions inventory volume will be needed to stay on a trajectory to achieve state reduction targets for 2030. The first step in deriving an applicable statewide efficiency metric threshold is to determine the projected volume of statewide GHG emissions from land use driven sectors in 2022 (anticipated project build-out year) that must be achieved to stay on trajectory towards meeting the statewide 2030 reduction target of 40 percent below 1990 levels.

[Table 1, 2020 California Greenhouse Gas Inventory for Land Use Driven Emissions](#), shows the 2020 state emissions inventory for land use driven GHG emissions. Total land use driven emissions are projected at 286.70 million metric tons (MMT) CO₂e.

Applying CARB’s 5.2 percent annual emissions reduction rate to the 2020 projected state inventory volume of 286.70 MMT CO₂e for two consecutive years yields an emissions volume of 257.66 MMT CO₂e in 2022. The 2022 statewide service population is the sum of the projected statewide 2022 population and projected statewide 2022 employment. The projected 2022 statewide population is 41,110,032

(California Department of Finance 2019). The California Employment Development Department, California Occupational Employment Projections 2016-2026, show that the 2026 employment projection is 20,022,700 jobs (California Employment Development Department 2018). Projected 2022 employment is equivalent to 20,022,700 jobs minus the annual average rate of employment during the period 2016 to 2026, which equals 193,310 jobs per year or 773,240 for the four-year period 2022 to 2026. Therefore, 2022 employment is estimated at 19,249,460 jobs.

Table 1 2020 California Greenhouse Gas Inventory for Land Use Driven Emissions

Land Use Type	Emissions (MMT CO ₂ e)
On-Road Transportation	
Passenger Cars	63.77
Light Duty Trucks	44.75
Motorcycles	0.43
Heavy Duty Trucks	29.03
Freight	0.02
Subtotal	138.00
Electricity Generation In-State	
Commercial Cogeneration	0.70
Merchant Owned	2.33
Transmission and Distribution	1.56
Utility Owned	29.92
Subtotal	34.51
Electricity Generation In-State	
Specified Imports	29.61
Transmission and Distribution	1.02
Unspecified Imports	30.96
Subtotal	61.59
Commercial	
CHP: Commercial	0.40
Communication	0.07
Domestic Utilities	0.34
Education	1.42
Food Services	1.89
Healthcare	1.32
Hotels	0.67
Not Specified Commercial	5.58

Land Use Type	Emissions (MMT CO ₂ e)
Offices	1.46
Retail & Wholesale	0.68
Transportation Services	0.03
Subtotal	13.86
Residential	
Household Use	29.66
Subtotal	29.66
Industrial	
Landfills	6.26
Domestic Wastewater Treatment	2.83
Subtotal	9.09
Total Emissions	286.70

SOURCE: California Air Resources Board. No date.

The 2022 service population is 41,110,032 (population) plus 19,249,460 (jobs), for a total of 60,359,492. Therefore, the 2022 GHG efficiency threshold is 257.66 MMT CO₂e/60,359,492, or 4.27 MT CO₂e per year per service population. This value represents the threshold of significance for the proposed project.

The proposed project would generate GHG emissions during its construction and operational phases. Construction GHG emissions would be generated by equipment used during site preparation, grading, and building construction. Operational GHG emissions would be generated primarily by vehicle trips of resident vehicle trips, and indirectly by use of electricity and natural gas on site, by use of electricity to pump water supply and treat wastewater, and from decomposition of solid waste generated by project residents.

GHG emissions from project construction and project operations have been estimated using California Emissions Estimator Model (CalEEMod) version 2016.3.2. CalEEMod also estimates the changes in the carbon sequestration potential of the project site based on changes in natural vegetation communities and the net number of new trees that would be planted as part of the proposed project. Refer to [Appendix F](#) for the CalEEMod modeling results and a memorandum describing the CalEEMod modeling assumptions and methodology, *965 Weeks Street Apartments – Greenhouse Gas Emissions Modeling Assessment*.

Construction GHG Emissions. Total unmitigated construction emissions are projected at 450.42 MT CO₂e. The air district recommends amortizing the short-term GHG construction emissions over a 30-year time period to yield an annual emissions

volume. Averaged over a 30-year operational project lifetime period, the annual amortized construction emissions would be approximately 15.01 MT CO₂e per year.

Operational GHG Emissions. The proposed project would generate an estimated 701.34 MT CO₂e of annual unmitigated emissions during operations. The unmitigated operational GHG emissions volume includes reductions from compliance with state regulations and by virtue of project characteristics.

Carbon Sequestration Potential. The model estimates a net gain in carbon sequestration potential as 59.94 MT CO₂e, over the lifetime of the project. The net gain is derived by the difference between a one-time loss in sequestration potential from developing the site, and the increase in carbon sequestration potential from planting trees. Averaged over a 30-year lifetime, the annual gain in carbon sequestration potential associated with the proposed project would be equivalent to 59.94 MT CO₂e / 30 years or 2.00 MT CO₂e per year.

Service Population. Project service population is the sum of the new population and employment it generates. The service population for the proposed project is the projected 442 new residents that would occupy the apartments.

Net GHG Emissions Attributable to the Proposed Project. [Table 2, Project GHG Emissions Summary](#), summarizes the net GHG emissions attributable to the proposed project at build-out in consideration of all components of its GHG inventory presented above.

Table 2 Project GHG Emissions Summary

Emission Source	Annual GHG Emissions MT/Year CO ₂ e
Amortized Construction	15.01
Annual Unmitigated Operational	701.34
Carbon Sequestration Potential (gain)	<2.00>
Net Annual GHG Emissions	714.35
Service Population	442
GHG Emissions/Service Population	1.62
Threshold of Significance	4.27
Project Emissions Exceed Threshold?	No

SOURCES: EMC Planning Group 2019
Notes: <Brackets> indicate deductions.

Conclusion. As summarized in Table 2, at build-out, the proposed project would generate approximately 1.62 MT CO₂e per year per service population (714.35 MT CO₂e per year / 442 service population). This is below the threshold of significance of 4.27 MT CO₂e per year per service population for the year 2022. Therefore, the proposed project would not generate GHG emissions volumes, either directly or indirectly, that would have a significant impact on the environment. This impact is less than significant. No mitigation is required.

As discussed above, SB 32 is considered to be the plan for reducing GHG emissions that is applicable to the proposed project. The GHG threshold of significance derived for the project is based on the rate of project emissions below which the project would not impede attainment of the SB 32 statewide emissions reduction goal for 2030. SB 32 is considered to be the applicable plan for reducing GHG emissions. Since project emissions are below the threshold, the project would not conflict with SB 32 emissions reduction goals.

9. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (1, 2, 3, 4, 5, 16, 17, 40, 54)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (9)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, create a significant hazard to the public or the environment? (16, 17, 54)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or a public-use airport, result in a safety hazard or excessive noise for people residing or working in the project area? (1-3, 26)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (1-5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

Several environmental site assessments have been prepared for the project site. The discussion in this section is based primarily on the following documents:

- Phase I Environmental Site Assessment 965 Weeks Street, East Palo Alto, California, prepared by SECOR International Inc. (2004).
 - Phase II Environmental Site Assessment Proposed Residential Property, 965 Weeks Street, East Palo Alto, California, prepared by SECOR International Inc. (2005).
 - Phase I Environmental Site Assessment 965 Weeks Street, East Palo Alto, California, prepared by Geosyntec Consultants (2019).
- a. The proposed project is a residential development that that does not involve the routine transport, use, or disposal of hazardous materials or waste.
- b/d. As reported in Section 3, Air Quality, the project site is located adjacent to a former railroad spur and has historically been used for agriculture. A Phase II Environmental Site Assessment (SECOR, 2005) (Phase II Report) summarizes the results of soil sampling conducted to determine if hazardous levels of metals and pesticides were present on the site. The soils sampling revealed the presence of pesticide residues, including DDT at concentrations above state hazardous waste standards (1.6 milligrams per kilogram), and concentrations of DDT, Chlordane and Dieldrin exceeding U.S. Environmental Protection Agency (US EPA) Region IX preliminary remediation goal standards. In addition, a chemical analysis of the collected soil samples conducted as part of the Phase II Report also showed detectable concentrations of arsenic and lead, although the concentrations of lead were well below the US EPA standards for lead, and the concentrations of arsenic were found to be consistent with naturally occurring background levels of arsenic. Based on the observed low concentrations of arsenic and lead, the Phase II Report concluded that additional assessment or remediation was not necessary to address arsenic and lead abatement on the site; however, the report concluded that remediation of soils contaminated with pesticide residues from the former agricultural activity on the project site was required.

The 2019 Phase I Environmental Site Assessment prepared by Geosyntec Consultants (2019 Phase I Report) evaluates the analytical findings of the 2005 Phase II report using the Regional Water Quality Control Board (Water Board) January 2019 Environmental Screening Levels for Residential Soil (Water Board, 2019 as cited by Geosyntec Consultants 2019). This evaluation indicated that the concentrations of Chlordane, DDE, and Dieldrin exceed the Residential Environmental Screening Levels for shallow soil. A work plan was submitted to and approved by the Water Board in 2007, but was not implemented. The project site is listed as an “Open-Inactive Site since 2007” by the Water Board for potential contaminants of concern including pesticides (Geosyntec Consultants 2019, page 16). The 2019 Phase I Report did not find any other historic recognized environmental conditions, controlled

recognized environmental conditions, or di minimus conditions. No conditions were observed at adjacent properties that would environmentally impact the project site. The 2019 Phase I Report includes the following comments:

“Documents on the GeoTracker website include a public notice issued by the RWQCB dated May 2007 regarding a Plan Proposed for Pesticide Management for the Site and an approval letter from the RWQCB to The Olsen Company for a Draft Workplan for Pesticide Management for the Site dated July 19, 2007.

The former rail road track located adjacent to the Site to the north is listed as a closed case as of July 18, 2017. Review of the website information indicates that arsenic affected soil was capped in place beneath an asphalt walking/bike path. This property is subject to a land use covenant restricting the future land use and a risk management plan for the maintenance of the property.” (page 21)

Implementation of an approved remediation/work plan is required prior to project construction to avoid the release of hazardous substances during construction that could expose nearby receptors to unacceptable concentrations of pesticide residues. Implementation of the following mitigation measure in addition to mitigation measure AQ-2 would reduce this impact to less than significant.

Mitigation Measure

HAZ-1 Prior to the issuance of a grading permit, the applicant shall provide evidence to the City planning department that an updated remediation work plan has been reviewed and approved by the Regional Water Quality Control Board.

The approved work plan shall be implemented prior to site preparation and excavation activity associated with the proposed project. No building permits shall be issued until the applicant provides evidence to the City planning department that the site remediation has been completed to the satisfaction of the Water Board.

- c. The nearest school to the project site is the Aspire East Palo Alto Phoenix Academy located at 1039 Garden Street, about one-quarter mile to the south. The proposed project would not emit or handle hazardous materials that would substantially increase students’ exposure risks. Implementation of Mitigation Measure HAZ-1 would reduce risks of exposures to hazardous materials to less than significant.
- e. The southeast corner of the project site is located within the Santa Clara County Land Use Plan Traffic Pattern Zone for the Palo Alto Airport (refer to Figure 4.8-1 of GP

EIR). The Traffic Pattern Zone is that portion of the airport area routinely overflowed by aircraft operating in the airport traffic pattern. The potential for aircraft accidents is relatively low and the need for land use restrictions is minimal (City of East Palo Alto 2016, pages 4.8-10). However, there is a possibility of crashes or other potential safety incidents from aircraft using the Palo Alto Airport. According to the table of Safety Zone Compatibility Guidelines in the *Comprehensive Land Use Plan Santa Clara County Palo Alto Airport* (Santa Clara County Airport Land Use Commission 2016) (airport land use plan), there are no restrictions on residential uses in the Traffic Pattern Zone. The project site lies outside the 60 dBA CNEL Noise Contour for aircraft noise, which is within the normally acceptable range of noise in East Palo Alto, and for which noise restrictions are not required by the airport land use plan (page 4-1). The proposed 54-foot height of the buildings would not exceed the 154-foot height limit identified in Figure 6 of the airport land use plan and is not subject to height restrictions identified in the plan (*ibid*).

Therefore, the proposed project would not result in a safety hazard or excessive noise for people residing or working in the project area. See also Section 13, Noise.

- f. The proposed project is located in an established area of East Palo Alto and will have direct access to Weeks Street. No changes are proposed to the street system. Therefore, the proposed project would not impair implementation of, or physically interfere with, adopted emergency response plans or emergency evacuation plans.
- g. Wildfires pose a potential hazard to people and property and generally occur in rural foothill and mountainous areas. The risk of wildfire is limited in East Palo Alto due to its location in a highly urbanized portion of San Mateo County (general plan EIR, page 4.8-25). Therefore, the proposed project would not expose people or structures to a risk of loss, injury or death involving wildland fires.

10. HYDROLOGY AND WATER QUALITY

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? (1, 2, 21, 22, 53)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (1, 2, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
(1) Result in substantial erosion or siltation on- or off-site; (4-6, 8, 21)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(2) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; (4-6, 8, 20, 21)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(3) Create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or(8, 20, 23)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(4) Impede or redirect flood flows? (1-3, 8, 20, 24)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (1-3, 17)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a. The San Francisco Bay Region Regional Water Quality Control Board (Water Board) regulates water quality in accordance with the *San Francisco Bay Basin (Regional 2) Water Quality Control Plan* (May 4, 2017) or “Basin Plan.” The Basin Plan designates the beneficial uses that the Water Board has identified for local aquifers, streams, marshes, rivers, and the San Francisco Bay and quality objectives and criteria to protect these uses. The Water Board implements the Basin Plan by issuing and enforcing waste discharge requirements, including permits for nonpoint sources such as the urban runoff discharged by a City’s storm water drainage system.

The Nonpoint Source Management Program adopted by the State Water Resources Control Board (SWRCB) requires individual permits to control water pollutant discharges associated with construction activities. The Nonpoint Source Management Program is administered by Water Board under the National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit). Projects disturbing one acre or more of soil must obtain permit coverage under the Construction General Permit by filing a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan with the Water Board prior to commencement of construction.

The Water Board issued a Municipal Regional Stormwater NPDES Permit (Permit) to standardize storm water management requirements. The Permit replaces the countywide municipal storm water permits with a regional permit for bay area municipalities, including the City of East Palo Alto. Projects that add and/or replace more than 10,000 square feet of impervious surface or 5,000 square feet of specified Special Land Use Categories must comply with the Permit. Projects subject to the provisions of the Permit must incorporate Low Impact Development (LID) storm water treatment controls (e.g., biotreatment facilities) to treat all post-construction storm water runoff. In addition to water quality controls, the Permit also has hydromodification controls, which are defined in the Hydromodification Management Plan. Projects may be deemed exempt from the Permit hydromodification controls if they do not meet the Permit size threshold, drain into tidally influenced areas or directly into the San Francisco Bay, drain into hardened channels, or are infill projects in subwatersheds that are 65 percent or more impervious as shown on the HM Control Area Map.

The project site, as shown on the HM Control Area Map, is located in an area that drains into hardened channels (California Regional Water Quality Control Board San Francisco Bay Region Municipal Regional Stormwater NPDES Permit Appendix H).

However, East Palo Alto is largely situated in the floodplain of San Francisquito Creek and is considered a community vulnerable to sea level rise; as such, the project will require source controls that reduce or, at a minimum, are equal to the pre-project runoff volumes for storm water discharge. Additionally, the project adds more than 10,000 square feet of impervious surfaces and, therefore, must comply with other Permit requirements to include appropriate source control, site design, and storm water treatment measures to address storm water runoff pollutant discharges and prevent increases in runoff flows (California Regional Water Quality Control Board San Francisco Bay Region Municipal Regional Stormwater NPDES Permit).

The City of East Palo Alto municipal code section 15.48.160 requires the preparation and implementation of an erosion and sediment control plan to minimize the potential for erosion. The proposed project will be required to file a Notice of Intent (NOI) with the SWRCB and prepare a SWPPP prior to commencing construction. The project's SWPPP must include site-specific and seasonally appropriate Best Management Practices to control erosion, run-on and run-off, and sediment and must include Best Management Practices for active treatment systems (when applicable), good site management, and non-storm water management. The City will review the erosion control plan for consistency with local requirements and the appropriateness and adequacy of proposed Best Management Practices for each site before issuance of grading permits for projects as part of the building permit process. Best Management Practices must include measures for soil stabilization, sediment control, sediment tracking control, wind erosion control, and non-storm water management, and waste management and disposal control.

With the required preparation and implementation of a SWPPP and the standard measures in conformance with the Permit, the proposed project would not violate any water quality standards or waste discharge requirements or result in a significant water quality impact. .

- b. The City of East Palo Alto does not use groundwater for its potable water demands. Currently, the City uses groundwater to meet limited non-potable water demands, such as street sweeping and construction. Per the *Water Supply Evaluation Study for the 965 Weeks Development* (Appendix G), the City has been working on expanding groundwater supplies to meet future water demands within its service area, provide sufficient fire flow, and provide supplemental potable water supply in the event of water supply emergencies. As a part of this effort, the City has been pursuing: (1) installation of a treatment system to allow use of its existing Gloria Way well and (2) constructing a new water supply well and treatment system (the Pad D well). The

City of East Palo Alto intends to use the Gloria Way and Pad D wells on a limited basis to preserve their operational capacity for emergency purposes, thereby protecting their shared aquifer.

The proposed project will be served by the City of East Palo Alto water system. The City relies on the San Francisco Public Utilities Commission for its domestic water supplies, which provides surface water from Hetch Hetchy Reservoir in the Sierra Nevada, augmented with water from local watersheds in Alameda and San Mateo counties. Therefore, the proposed project would not use groundwater as a water supply source.

According to Figure 13 of the *Groundwater Management Plan for City of East Palo Alto*, the City is not located within a groundwater recharge area.

Therefore, the project would have no impact on groundwater.

- c. The topography of the project site is relatively flat (refer to site photographs in Figure 3). Drainage from the site flows northeast towards the San Francisco Bay (SECOR 2004, page 3-2). The site is located within the Runnymede Drainage Sub-Area identified in the City's Storm Drain Master Plan (City of East Palo Alto 2015). The site is also located within the Federal Emergency Management Agency (FEMA) Flood Zone X, 500 year floodplain. Areas within Zone X are defined as areas with a 0.2 percent annual chance of flood hazard, a one percent annual chance of flooding with an average depth of less than one foot, or with a drainage area of less than one square mile (FEMA Panel 307, Map 06081C0307F). [Figure 5, FEMA Flood Zone](#), shows the extent of the Zone X 500 year flood zone across the site.

(1) The proposed project would add approximately 75,000 square feet of impervious surfaces to the site, which would increase the amount of surface water runoff that would drain from the project site toward the San Francisco Bay. Development of the project site is subject to compliance with post-construct storm water controls as part of their obligations under Provision C.3 and C.6 of the Permit including the Permit requirements for preparation of a SWPPP and with City Municipal Code requirements for the preparation and implementation of an erosion control plan (refer to the discussion in item a of this section). The SWPPP/erosion control plan will include standard storm water control measures that would reduce and/or avoid the potential for project-generated runoff to result in erosion, and/or siltation. Development of the proposed project in compliance with the approved SWPPP and erosion control plan would not result in significant on- and/or off-site erosion and siltation impacts through alterations to the existing site drainage. The impact is less than significant and no mitigation is required.



0 200 feet



Project Boundary

Flood Zone

- X - Area of Minimal Flood Hazard
- A - 1% Annual Chance of Flooding

Source: ESRI 2019, Santa Clara County GIS 2016

Figure 5

FEMA Flood Zones

965 Weeks Street Apartments Initial Study



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(2) The project site is located in an area of the City that is subject to periodic inundation that could result in human harm and/or property damage. The site is not located within a floodway or riparian area. The City's building design and construction performance standards and regulations for development within floodplains are outlined within the City's Municipal Code Chapter 15.52, Floodplain Management. Development of the proposed project in compliance with the approved SWPPP and the requirements of Chapter 15.52 would not result in significant on- and/or off-site flooding impacts through alterations to the existing site drainage. Therefore, the impact is less than significant and no mitigation is required.

(3) About two thirds of the City's storm water drains into two major drainage systems: the Runnymede Storm Drain System and the O'Connor Storm Drain System. Portions of the Runnymede Storm Drain System and all of the O'Connor System are distributed directly into San Francisquito Creek. Both systems ultimately drain to the San Francisco Bay (general plan 4.15-16). The storm drainage system south of Bay Road generally conducts flows in a southeasterly direction to the O'Connor Pump Station near San Francisquito Creek. The proposed project would add approximately 75,000 square feet of impervious surfaces to the site, which would increase the volumes of surface water runoff and urban pollutants that would potentially drain from the project site toward the San Francisco Bay. The nearest storm drains to the project site are located at the intersection of Weeks Street and Clarke Avenue and on Weeks Street near the southwest corner of the project site (City of East Palo Alto 2015). There are no other storm drain inlets on Weeks Street or along the Rail Spur.

According to the Storm Drain Master Plan, the existing storm drain system on Weeks Street has capacity sufficient to accommodate runoff from a 10 year storm event. The proposed project would connect to the existing drainage system on Weeks Street. According to Storm Drain Master Plan there are several locations in the storm drain system that currently experience flooding during a 10 year storm event (City of East Palo Alto 2015, page 4-3). Drainage volumes from the project site have the potential to contribute storm water flows that result in localized flooding along City streets between the site and the O'Connor Street Pump Station south of the project site. However, the Storm Drain Master Plan identifies several improvements that will reduce surface street flooding to acceptable levels during the 10-year storm event at several locations near the project site. Planned improvements include channel rehabilitation for flows from Runnymede to the O'Connor Street Pump Station, replacement of the O'Connor Street Pump Station, and increasing pipe sizes along Pulgas Avenue and other locations between the project site and the pump station.

As noted previously, development of the project site is subject to compliance with post-construct storm water controls as part of their obligations under Provision C.3 and C.6 of the Permit including the Permit requirements for preparation of a SWPPP and its implementation during construction. Projects subject to the provisions of the Permit must incorporate LID storm water treatment controls (e.g., biotreatment facilities) to capture and treat all post-construction storm water runoff for pollutants and silt and sediments. The proposed project is subject to compliance with the Permit and must submit grading and drainage plans as part of the building permit application. The plans must demonstrate how these measures are incorporated into the project during and post construction. The plans are subject to City approval prior to issuance of any permits on the site.

Additionally, the project developers are required to participate in the Citywide Development Impact Fee Program, and are responsible for the payment of the project's share of costs for the City's planned downstream storm drainage improvements, as discussed above, that are necessary to maintain overall system capacity at the 10 year storm event. The payment of development impact fees and compliance with the MRP Permit requirements, including the approved SWPPP and erosion control plan, mitigate the project's contribution to cumulative storm drain capacity impacts related to volume and polluted runoff. Therefore, the proposed project would not result in significant storm water runoff impacts related to runoff volume or the transport of urban pollutants. The impact to storm water volume and quality is less than significant. No mitigation is required.

(4) The project site is located in the 500 year flood zone, but is not located near a creek or river, or in a floodway. The City's building design and construction performance standards and regulations for development within floodplains are outlined within the City's Municipal Code Chapter 15.52, Floodplain Management. Development of the proposed project in compliance with the approved SWPPP and the requirements of Chapter 15.52 would not result in significant on-site flooding impacts..

- d. As reported previously in Section 3, Air Quality, and Section 9, Hazards and Hazardous Waste, the project site is located adjacent to a former railroad spur and has historically been used for agriculture. Soil sampling conducted as part of the Phase II Environmental Site Assessment (SECOR, 2005) revealed the presence of pesticide residues, including DDT at concentrations above state hazardous waste standards (1.6 milligrams per kilogram), and concentrations of DDT, Chlordane and Dieldrin exceeding U.S. Environmental Protection Agency (US EPA) Region IX preliminary remediation goal standards. The report concluded remediation is required to reduce the concentration of pesticide residues in onsite soils from past

agricultural activity on the project site. An update to the 2005 Phase II report has since been prepared (Geosyntec Consultants 2019) that reassessed the previous report conclusions and provided recommendations for remediation of the site in consultation with the Water Board. The recommendations are incorporated in Mitigation Measure HAZ-1 (refer to the discussion in Section 9, Hazards and Hazardous Materials).

The City of East Palo Alto general plan has identified the Searsville Dam as posing a potential dam failure hazard to the lower reaches of San Francisquito Creek, which forms the boundary of East Palo Alto and Palo Alto as it enters San Francisco Bay. According to the Tsunami and Dam Inundation Zones map, the project site is not located within the tsunami runup or Searsville Dam Inundation Zone (p. 10-4). Although the project site is not located in a special flood hazard, tsunami, or seiche zone, the site could be inundated during a combination of a 500 year storm event that occurs simultaneously during tidal extremes such as King Tides, or as a result of sea level rise within San Francisco Bay. The inundation effects and risks of human harm from sea level rise in two scenarios, in the years 2050 and 2110, were addressed in the *City of East Palo Alto General Plan Update EIR (2016)* (general plan EIR). The EIR reports projections that estimate an increase in sea levels of 16 inches by 2050 and by about 55 inches in 2110. Increased precipitation and sea level rise could increase coastal flooding and impact drainage infrastructure to the extent that inundation of areas outside the 100-foot flood zone, such as the project site, would be impacted. Figure 4.9-2 in the general plan EIR visually presents the extent of anticipated inundation within East Palo Alto based on a one- to six-foot rise in sea levels. The project site would be vulnerable with a rise in sea level of five to six feet. However, with implementation of mitigation measure HAZ-1 well before the year 2050, the risk of exposure to harmful levels of pesticides associated with sea level rise is reduced to a less than significant level.

- e. All development within the City is subject to the provisions of the Water Board's Basin Plan (introduced in "a" above) in managing its storm water and wastewater discharge. As noted previously the proposed project is required to prepare and implement a SWPPP in conformance to the Water Board construction general permit. The proposed project is also subject to compliance with the City's storm water management ordinance (Municipal Code Chapter 13.12) and other relevant standards, which are established by the City pursuant to its Municipal Regional Stormwater Permit and Waste Discharge Requirements (Regional Board Order No. R2-2015-0049). Additionally, the proposed project is subject to compliance with the City's sanitary sewer ordinance (Municipal Code Chapter 13.08) and requirements of the East Palo Alto Sanitary District. Wastewater generated onsite would be collected

by the East Palo Alto Sanitary District's wastewater collections system and conveyed to the City of Palo Alto's Regional Water Quality Control Plant, which is then treated and discharged pursuant to the plant's Waste Discharge Requirements (Order No. R2-2019-0015). Therefore, the proposed project would not conflict with the Basin Plan.

The project overlies the San Mateo Plain Subbasin of the Santa Clara Valley Groundwater Basin. The basin has a "very low" priority ranking designated by the Department of Water Resources and is therefore not subject to the Sustainable Groundwater Management Act, and therefore, is not subject to a sustainable groundwater management plan.

Therefore, the proposed project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan

11. LAND USE AND PLANNING

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Physically divide an established community? (1, 4, 24)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause any significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (1-8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a. The proposed project is located within an established urban area of the City and would not physically divide an established community.
- b. The proposed project, as mitigated, would be consistent with the air district 2017 CAP and would not conflict with general plan policies and air district requirements that call for the reduction of exposures to significant sources of air contaminants (refer to Section 3, Air Quality and Section 9, Hazards and Hazardous Materials).

The project site is not part of or near an existing habitat conservation plan or natural community conservation plan (refer to Section 4, Biological Resources).

SB 32 is considered to be the plan for reducing GHG emissions that is applicable to the proposed project. The GHG threshold of significance derived for the project is based on the rate of project emissions below which the project would not impede attainment of the SB 32 statewide emissions reduction goal for 2030. SB 32 is considered to be the applicable plan for reducing GHG emissions. Project emissions are below the threshold, the project would not conflict with SB 32 emissions reduction goals (refer to Section 8, Greenhouse Gas Emissions).

As discussed in Section 10, Hydrology and Water Quality, the project overlies the San Mateo Plain Subbasin of the Santa Clara Valley Groundwater Basin. The basin has a “very low” priority ranking designated by the Department of Water Resources (“DWR”) and is therefore not subject to the Sustainable Groundwater Management Act (“SGMA”), and therefore, is not subject to a sustainable groundwater management plan. Additionally, the proposed project is required to prepare and implement a SWPPP in conformance to the Water Board construction general permit. The proposed project is also subject to compliance with the City’s storm water

management ordinance (Municipal Code Chapter 13.12) and other relevant standards, which are established by the City pursuant to its Municipal Regional Stormwater Permit and Waste Discharge Requirements (Regional Board Order No. R2-2015-0049). Additionally, the proposed project is required to implement a remediation plan as discussed in Section 9, Hazards and Hazardous Materials, to remove soils contaminated with pesticide residues prior to construction.

For these reasons, the proposed project would not result in significant physical environmental impacts due to conflicts with land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect.

12. MINERAL RESOURCES

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Result in loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (1-3, 5, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally important mineral resource recovery site delineated in a local general plan, specific plan, or other land-use plan? (1-3, 5, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a-b. The California Geological Survey (CGS) is responsible under the Surface Mining Control and Reclamation Act (SMARA) for classifying land into Mineral Resource Zones (MRZ) based on the known or inferred mineral resource potential of that land. East Palo Alto is located in an area zoned MRZ-1. MRZ-1 zones are areas where adequate information indicates that no significant mineral or aggregate deposits are present or where it is judged that little likelihood exists for their presence. No statewide or regionally significant mineral resources have been documented by the California Geological Survey in East Palo Alto. No mineral extraction operations exist within the City. Therefore, the project would have no impact on the availability of a known mineral resource.

13. NOISE

Would the project result in:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in applicable standards of other agencies? (26)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Generation of excessive ground-borne vibration or ground borne noise levels? (26)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. For a project located within the vicinity of a private airstrip or an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or public-use airport, expose people residing or working in the project area to excessive noise levels? (26)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

The discussion in this section is based primarily on the *965 Weeks Street Affordable Housing Project Noise and Vibration Assessment* (hereinafter “noise assessment”) prepared by Illingworth & Rodkin, Inc. The noise assessment is included as [Appendix H](#).

- a. The Safety and Noise Chapter of the general plan provides goals and policies to reduce noise within the community. The goals and policies that apply to the proposed project are presented in the noise assessment (pages 8 and 9). The general plan Safety and Noise Element Policy 7.2 requires the preparation of acoustical analysis to evaluate the effects of noise-generating projects. According to Policy 7.2, a significant adverse community response would be expected to occur if the Ldn/Community Noise Equivalent Level (CNEL) at noise sensitive uses would permanently increase by 3 dBA or more and exceed the normally acceptable noise levels, or cause the Ldn/CNEL to increase by 5 dBA but remain within the normally acceptable noise levels. Table 10-1 of the general plan Safety and Noise Element identifies normally acceptable noise levels for all residential uses as 45dB CNEL for interior noise and 65 dB CNEL for exterior noise. The CNEL is a weighted equivalent sound level averaged over a 12-hour period and is a measure of the cumulative noise exposure in a community, with a five dB penalty added to evening (7:00 pm - 10:00

pm) and a 10 dB addition to nocturnal (10:00 pm - 7:00 am) noise levels. General plan Policy 7.11 states that a significant construction noise impacts may occur when construction is located within 500 feet of a residential use or 200 feet from a commercial or office use would generate substantial noise from construction activities such as building demolition, grading, excavation, pile driving, use of impact equipment, or building framing that continues for more than 12 months. Reasonable noise reduction measures and limiting of construction hours are required for all construction activities.

City of East Palo Alto Municipal Code Chapter 8.52, Noise Control, includes measures to protect the citizens of East Palo Alto from unnecessary, excessive, and annoying noise; to maintain quiet in areas where noise levels are low; and to implement programs to reduce unacceptable noise. Section 15.04.125 of the City's Municipal Code limits construction activity to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. on Saturdays. No construction activity is allowed on Sundays or national holidays. The municipal code identifies categories of exterior and interior noise standards based on duration of activity (refer also to the noise assessment Tables 4 and 5 of the noise assessment).

Temporary Noise. Project-related construction activity would generate noise and temporarily increase noise levels at adjacent residential receptors. Construction activities generate considerable amounts of noise, especially when project infrastructure improvements are made with the use of heavy construction equipment. Construction of the proposed project is expected to occur over an 18-month period with major infrastructure and building framing and roofing occurring within 12 months, with the less noise intensive exterior and interior finish work occurring in the final six months (Victoria Wong, personal communication September 19, 2019).

Neither the City of East Palo Alto nor the State of California specifies quantitative thresholds for temporary increases in noise due to construction. However, the noise assessment bases its analysis of temporary noise impacts on the following threshold: temporary construction noise impact would be considered significant if project construction activities exceeded 60 dBA L_{eq} (L_{eq} or energy-equivalent sound/noise descriptor is defined as the average level of sound that has the same acoustical energy as the summation of all the time-varying events) at nearby noise-sensitive receptors or exceeded 70 dBA L_{eq} at nearby commercial land uses and exceeded the ambient noise environment by 5 dBA L_{eq} or more for a period longer than one year.

The noise assessment found that construction noise levels would exceed 60 dBA L_{eq} at nearby residential land uses and would increase ambient levels by more than 5 dBA L_{eq} throughout construction of the major infrastructure components, which is

expected to last less than one year (Illingworth and Rodkin 2019, Table 9). Noise generated during the final six months of construction would be primarily from interior work, application of exterior finishes and landscaping. Although the most severe noise generating activities would occur within the first 12 months of construction it is possible that construction noise levels could result in periodic 5 dBA increases in ambient noise levels at any time during the entire 18-month construction period. An increase in ambient noise levels of 5dBA during a construction of more than 12 months is a potentially significant impact. Implementation of the following mitigation measure in addition to compliance with general plan Policy 7.11 and with the municipal code sections referenced above would reduce the impacts of temporary increases in unacceptable noise during construction to less than significant.

Mitigation Measure

N-1 The contractor shall prepare a detailed construction noise logistics plan for review and approval by the City planning department prior to issuance of any permit on the site, and will implement the plan during all site preparation, grading, and construction. The construction noise logistics plan shall include, but not be limited to, the following measures to reduce construction noise levels as low as practical:

- Utilize "quiet" air compressors and other stationary noise sources where such technology exists;
- Equip all internal combustion engine-driven equipment with mufflers that are in good condition and appropriate for the equipment;
- Locate all stationary noise-generating equipment, such as air compressors and portable power generators, as far away as possible from adjacent land uses;
- Locate staging areas and construction material areas as far away as possible from adjacent land uses;
- Prohibit all unnecessary idling of internal combustion engines;
- Locate material stockpiles, as well as maintenance/equipment staging and parking areas, as far as feasible from residential receptors;

- Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site;
- Construct solid plywood fences around construction sites adjacent to operational business, residences or noise-sensitive land uses;
- Erect temporary noise control blanket barrier, if necessary, along building façades facing construction sites. Noise control blanket barriers can be rented and quickly erected and with proper installation can typically lower construction noise levels by 10 dBA;
- Prepare a detailed construction schedule for major noise-generating construction activities. Notify in writing all adjacent business, residences, and other noise-sensitive land uses of the construction schedule. Identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance; and
- Designate a "disturbance coordinator" who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.

Implementation of the above measures would reduce construction noise levels emanating from the site, limit construction hours, and minimize disruption and annoyance. With the implementation of these measures the temporary increase in ambient noise levels would be less than significant.

Permanent Noise Increases. Long-term, permanent increases in ambient noise levels would be primarily associated with potential increases in vehicle traffic on nearby roadways; as well as, noise generated by mechanical systems. The proposed project would contribute to an increase in traffic on area roadways.

Project traffic data for existing plus project scenario with and without the addition of the planned loop road were compared to existing scenario to calculate the permanent traffic noise increase that would be attributable to the project. From this comparison, the proposed project is expected to result in a noise level increase of less than 2dBA CNEL or less along nearly all roadway segments studied in the project traffic analysis, which is less than the 3dBA increase threshold set forth in general plan Policy 7.2. A noise level increase of 3dBA along Demeter Street north of Bay Road, was calculated under the existing plus project (with loop) scenario; however, an increase of less than 1dBA CNEL was calculated along this segment under the existing plus project (without loop) scenario. Since the 3dBA increase was calculated under one project scenario and not the other, the increase is attributable to the construction of the new loop and not to the proposed project. Further, there are no residential uses along this roadway segment. Therefore, the noise report concludes that the proposed project's mobile-source noise impacts under existing conditions with or without the loop road are less than significant.

Cumulative traffic noise level increases were calculated by comparing the cumulative no project traffic volumes and the cumulative plus project volumes (with and without loop) to existing traffic volumes, based on the information provided in the traffic report (Hexagon Transportation Consultants 2019). For purposes of estimating the worst-case scenario, the cumulative scenario resulting in the highest peak hour traffic volumes along Weeks Street under future conditions was modeled with the Federal Highway Administration's Traffic Noise Model (FHWA TNM), version 2.5 to estimate the peak hour noise levels. Based on the results for the monitoring location LT-1, which represents the residences located along Weeks Street, the peak hour noise level was equivalent to the average community noise equivalent level. Future cumulative noise levels were estimated to be 65 dBA CNEL under future project conditions at a setback of 30 feet from the centerline of Weeks Street (LT-1). Therefore, the proposed project contribution to future ambient noise levels along Weeks Street are less than cumulatively considerable. No mitigation is required.

A traffic noise increase of 3 dBA CNEL or more was calculated under both cumulative scenarios (with and without the loop road) along the following roadway segments: along Bay Road, east and west of University Avenue; along Bay Road, east and west of Clarke Avenue; along Weeks Street, east and west of Clarke Avenue; along Bay Road, east and west of Demeter Street; along Bay Road, east and west of Pulgas Avenue; along Weeks Street, east and west of Pulgas Avenue; along Pulgas Avenue, north and south of Bay Road; along Pulgas Avenue, north and south of Weeks Street; along Pulgas Avenue, north and south of Runnymede Street; and along Pulgas Avenue, north and south of O'Connor Street. Since the same increase was

calculated for the cumulative no project and both cumulative plus project scenarios (with and without loop), the project's contribution along these roadway segments would be less than 1 dBA CNEL, which would not be considered a "cumulatively considerable" contribution. No mitigation is required.

The proposed project would include mechanical equipment, such as heating, ventilation, and air conditioning systems (HVAC). The proposed project would also include rooftop solar panels. However, solar panels do not typically generate substantial noise levels measurable above other types of mechanical equipment. Since mechanical equipment could run during daytime and nighttime hours, the exterior noise level thresholds would be 55 dBA L₅₀ between 7:00 a.m. and 10:00 p.m. and 50 dBA L₅₀ between 10:00 p.m. and 7:00 a.m, and the interior noise level thresholds would be 45 dBA L₅₀ during the daytime hours and 40 dBA L₅₀ during nighttime hours, consistent with the standards identified in the municipal code Chapter 8.52 (refer also to the noise assessment Table 4 and Table 5).

Detailed information on the location of the HVAC units and specific equipment to be used were not available at the time of the noise assessment, and therefore, worst-case conditions were assumed for calculating mechanical equipment noise. The noise assessment determined that project-related mechanical equipment noise would be approximately 51 dBA at the nearest residences to the east and west of the project site (Illingworth and Rodkin 2019, Table 10), which exceeds the City's exterior noise threshold during nighttime hours. This is a potentially significant impact.

The noise assessment found that, assuming standard residential construction materials for the existing residences surrounding the project site, a 15 dBA reduction in noise levels from exterior-to-interior would typically occur. Therefore, the expected interior noise levels from exterior mechanical equipment noise would be at or below 40 dBA Leq at each of the surrounding land uses. This would meet the City's interior noise threshold for daytime and nighttime, resulting in a less than significant impact.

Implementation of the following mitigation measure would reduce the exterior noise impacts from project mechanical equipment to less than significant.

Mitigation Measure

- N-2 Prior to the issuance of building permits, mechanical equipment for proposed project building shall be selected and designed to reduce impacts on surrounding uses to meet the City's exterior and interior noise level requirements. A qualified acoustical consultant shall be retained by the project applicant to review mechanical noise as the

equipment systems are selected in order to determine specific noise reduction measures necessary to reduce noise to comply with the City's 50 dBA L50 exterior limit at the nearest residential property lines. Noise reduction measures could include, but are not limited to, selection of equipment that emits low noise levels and/or installation of noise barriers such as enclosures and parapet walls to block the line-of-sight between the noise source and the nearest receptors. Alternate measures may include locating equipment in less noise-sensitive areas, where feasible. The measures recommended by the acoustical consultant to ensure compliance with the City's requirements would be implemented as project conditions of approval.

- b. Project construction activities, such as drilling, the use of jackhammers, rock drills and other high-power or vibratory tools, and rolling stock equipment (tracked vehicles, compactors, etc.), may generate substantial vibration in the project vicinity. Based on the California Department of Transportation recommendations, the noise assessment used a conservative threshold of 0.3 in/sec Peak Particle Velocity (PPV) for determining vibration impacts.

According to the noise assessment, the vibration levels at the residential buildings to the north, south, and east would be below the threshold of 0.3 in/sec PPV because of the distance between them and the building footprints. According to the site plan, the shortest distance between the proposed buildings and nearby buildings varies between 15-20 feet between the proposed garage structure and adjacent structures to the west of the site. The noise assessment found that at 20 feet the vibration levels would not exceed 0.3 in/sec PPV. However, adjacent buildings would be exposed to vibration levels exceeding 0.3 in/sec PPV when clam shovel drops and vibratory rollers (or similar types of equipment) are used within 10 to 15 feet of the shared property line. This is a potentially significant impact.

Implementation of Mitigation Measure N-3 would reduce this impact to a less-than-significant level.

Mitigation Measure

- N-3 To reduce vibration from construction activities, the use of equipment, such as vibratory rollers, tampers, and clam shovel drops, shall be prohibited within 20 feet of the shared property line to the west. The applicant shall include this language on all grading and construction plans prior to issuance of any permit.

- c. The Palo Alto Airport is located approximately 0.9 miles southeast of the project site. The project site lies outside the 60 dBA CNEL noise contour for 2022, as shown in Figure 5 of the noise assessment. This means aircraft noise associated with this airport would result in noise levels at or below 60 dBA CNEL by the year 2022. Since the number of flights expected in the future would not increase from the existing aircraft traffic at the time of the ambient noise monitoring survey, noise due to future aircraft overflights is not expected to substantially increase ambient noise levels at the project site. Based on the 15 to 20 dBA exterior-to-interior noise reduction provided by standard residential construction materials, depending on whether windows are open or closed, the noise levels inside residential units of the proposed building would be below 45 dBA CNEL, and the exterior and interior noise levels would be compatible with the City's threshold.

Other airports in the vicinity of the project site include the Moffett Federal Airfield (5.1 miles southeast), Norman Y. Mineta San José International Airport (12.3 miles southeast), San Carlos Airport (6.7 miles northwest), and San Francisco International Airport (15.6 miles northwest). The project site lies outside the areas of influence for each of the airports, and the noise environment at the site would not substantially increase due to aircraft noise from these airports.

Therefore, the proposed project would not expose residents or workers to excessive noise levels from airport or airstrip operations.

14. POPULATION AND HOUSING

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)? (4, 8, 23, 24)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (8, 23)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a. Development consistent with the Ravenswood Specific Plan would result in up to 816 dwelling units (City of East Palo Alto 2013, Table 4-2). The proposed project is consistent with the uses allowed by the Ravenswood Specific Plan and contributes 136 affordable dwelling units to the development potential identified in the Ravenswood Specific Plan. The project site is located in an established urban area, has direct access to the roadway and utility infrastructure located on Weeks Street. Therefore, the proposed project would not induce population growth that is not already planned for by the Ravenswood Specific Plan.
- b. The proposed project is development of an affordable apartment complex on a vacant site. No persons or housing would be displaced by the project.

15. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Fire protection? (2, 7, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Police protection? (2, 7, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Schools? (2, 8, 35, 36)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Parks? (2, 7, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other public facilities? (2, 7, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a. The Menlo Park Fire Protection District (fire district) provides emergency response services such as fire prevention, hazardous materials response, search-and-rescue, and paramedic services to the cities of East Palo Alto, Atherton, and Menlo Park, and portions of unincorporated San Mateo County. The closest fire station to the project site is located at 2290 University Avenue, approximately 0.6 miles southwest of the project site. According to the general plan EIR, the adopted response standard for the fire district is within seven minutes 90 percent of the time (City of East Palo Alto 2019, page 4.13-4). The project site is located within the existing service area of the fire district.

General plan Policy 5.1, Impact Fees, requires the collection of impact fees that mitigate the cost of providing infrastructure and public facilities to serve new development. The impacts of increases in service demands were addressed in the general plan EIR Public Services Section. The general plan EIR found that buildout of the general plan would increase demand for fire protection and emergency medical services. However, the fire district did not identify a need to construct new or significantly expand existing stations or other facilities (*ibid*, page 4.13-15).

The proposed 136-unit apartment complex would contribute to the increase in the demand for fire protection services analyzed in the general plan EIR, and would not

require the construction of new fire facilities. Therefore no new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, would be needed to serve the project.

- b. The East Palo Alto Police Department (police department) provides law enforcement services to the City. The police department currently operates one police station located at 141 Demeter Street, approximately 0.3 miles north of the project site. The project would contribute to an increase in demand identified in the general plan EIR that would result from buildout of the general plan land uses. No facility upgrades were identified in the general plan EIR, and the impact to police facilities and services resulting from general plan buildout was found to be less than significant. The proposed project is located within the service boundary of the police department and would contribute to the less than significant increase in demand for police services and facilities identified in the general plan EIR. The impact from the proposed project is less than significant.
- c. Two school districts serve East Palo Alto: the Ravenswood City School District, which serves grades kindergarten through grade eighth, and Sequoia Union High School District, which serves grades nine through 12.

The proposed project would result in the generation of new students. The Ravenswood City School District uses a student generation rate of 0.56 students per multi-family dwelling unit (BAE Urban Economics 2016). The student generation rate for the Sequoia Union High School District is 0.2 students per dwelling unit (Jack Schreder & Associates 2018). [Table 3, Student Generation](#), presents an estimate of the number of students that would be generated by the proposed project.

Table 3 Student Generation

Proposed Project	Ravenswood City School District (K-5)	Sequoia Union High School District (9-12)	Total Students
136 units	$0.56 \times 136 = 76$	$0.2 \times 136 = 27$	103

SOURCES: BAE Urban Economics 2016, Jack Schreder & Associates 2018

NOTE: Numbers are rounded

In accordance with SB 50, the project developer would be required to pay development impact fees to each affected school districts at the time of the building permit issuance. School districts would use collected funds towards new facilities to offset any impacts associated with new development. Pursuant to California Government Code Section 65996, payment of these fees is deemed to fully mitigate CEQA impacts of new development on school facilities. Furthermore, expansions or new school construction that may be required to accommodate the projected increase

in students within the Ravenswood City School District and Sequoia Union High School District would be addressed through separate CEQA review when specifics of those projects are known.

Payment of state-mandated impact fees would reduce the project project's environmental impacts on school facilities to a less-than-significant level. No additional mitigation is required.

- d. The City of East Palo Alto has approximately 34 acres of parks and open space, including four neighborhood parks, two "pocket parks," and two nature preserves. The closest park to the project site is the Jack Farrell Park, located approximately 0.5 miles northwest of the project site. The City of East Palo Alto has a standard of three acres of parkland per 1,000 residents. The proposed project would be required to provide approximately 1.3 acres of public parkland. The City requires residential development to either dedicate land for a park and/or pay parks and trails impact fees to offset the need for expanded park facilities.

The proposed 136-unit apartment complex would result in incremental increase in the demand for public parks. The proposed project includes the provision of a public pedestrian and bicycle connection between Weeks Street and the Rail Spur north of the site, and includes public open space at the front of the site along Weeks Street, the total of which is less than one acre. In addition to the provision of these areas of public open space, the proposed project is responsible for the payment of parks and trails impact fees as calculated by the City. The project developer would be required to pay the applicable parks and trails impact fees that would be used to improve or expand existing park facilities to offset the increase in demand. Payment of the applicable park and recreation impact fees would reduce the proposed project's impact on parks to a less-than-significant level.

- e. The East Palo Alto Library, operated by the County of San Mateo, provides library services to the City. The library is located at 2415 University Avenue, approximately 0.4 miles west of the project site. The proposed project would result in an incremental increase in the demand for public library services, but not to the extent that new library facilities would be needed. Impacts to library services resulting from buildout of the general plan were studied in the general plan EIR, which concluded that the library is in need of additional technology access, but there is little room for expansion and no current plan to expand. The proposed project would contribute to the increase in demand for library services that was addressed in the general plan EIR. The project would result in nominal increase of the population and would not require construction of new facilities.

16. RECREATION

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (2, 7, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? (2, 7, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:

a/b. See Section 15, Public Services, section “d” above.

17. TRANSPORTATION

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (10)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? (10)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (1, 2, 3, 6, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in inadequate emergency access? (1, 2, 3, 6,10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decreased the performance or safety of such facilities? (1, 2, 6, 10)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:

The following discussion is based primarily on the analysis and conclusions of the *965 Weeks Street Residential Development Traffic Impact Analysis* prepared by Hexagon Transportation Consultants, Inc. (2019). The traffic impact analysis is included as Appendix I. The City of East Palo Alto has not yet determined to use vehicle miles travelled as the metric for determining transportation impacts, and is currently in the process of preparing a VMT policy. Therefore, the potential CEQA impacts of the proposed project were evaluated based on the City's established level of service impact criteria.

The impacts of the project were evaluated following the standards and methodologies set forth by the City of East Palo Alto and the City of Palo Alto. The traffic study includes an analysis of the following 12 study intersections in the vicinity of the project site. Traffic conditions were analyzed for the weekday AM and PM peak-hours of traffic. The weekday AM peak hour of traffic generally falls within the 7:00 to 9:00 AM period and the weekday PM peak hour is typically in the 4:00 to 6:00 PM period. It is during these times that the most congested traffic conditions occur on an average day. The study intersections are listed below.

1. University Avenue and Bay Road;
2. Clarke Avenue/Illinois Street and Bay Road (unsignalized);
3. Clarke Avenue and Weeks Street (unsignalized);
4. Clarke Avenue and Runnymede Street (unsignalized);
5. Clarke Avenue and Donohoe Street (unsignalized);
6. Demeter Street and Bay Road (unsignalized);
7. Pulgas Avenue and Bay Road (unsignalized);
8. Pulgas Avenue and Weeks Street (unsignalized);
9. Pulgas Avenue and Runnymede Street (unsignalized);
10. Pulgas Avenue and O'Connor Street (unsignalized);
11. Pulgas Avenue and East Bayshore Road; and
12. East Bayshore Road and Embarcadero Road (Palo Alto).

Freeway Segments. The number of project trips generated by the new project added to the freeways in the area is estimated to be well below the one percent threshold of significance. Therefore, a detailed analysis of freeway segment levels of service was not performed.

Intersection Thresholds of Significance. Traffic conditions were evaluated using level of service (LOS). Level of Service is a qualitative description of operating conditions ranging from LOS A, or free-flow conditions with little or no delay, to LOS F, or forced-flow

conditions with extreme delays. Traffic conditions were evaluated using level of service (LOS). Level of Service is a qualitative description of operating conditions ranging from LOS A, or free-flow conditions with little or no delay, to LOS F, or forced-flow conditions with extreme delays. The City of East Palo Alto level of service standard for all intersections is LOS D or better. Specifically, a significant automobile delay impact under this LOS D standard would be considered to occur at an intersection if for any peak hour the the following circumstances are met.

1. Signalized intersections.
 - a. Causes operations to degrade from LOS D (or better) to LOS E or F;
 - b. Exacerbates LOS E or F conditions by both increasing critical movement delay by four or more seconds and increasing volume-to-capacity ratio (V/C ratio) by 0.01; or
 - c. Increases the V/C ratio by > 0.01 at an intersection that exhibits unacceptable operations, even if the calculated LOS is acceptable.
2. Unsignalized intersections.
 - a. Causes operations to degrade from LOS D or better to LOS E or F; or
 - b. b) Exacerbates LOS E or F conditions by increasing control delay by five or more seconds; and c) Causes volumes under project conditions to exceed the Caltrans Peak Hour Volume Warrant Criteria.

Participation in the City of East Palo Alto Transportation Infrastructure Impact Fee Program is required as a condition of project approval.

The intersection at Embarcadero Road and East Bayshore Road is located within the City of Palo Alto. The City of Palo Alto has established LOS D as the minimum acceptable intersection level of service for the intersection at East Bayshore Road and Embarcadero Road. For signalized intersections within the City of Palo Alto, significant adverse traffic impacts may occur for either peak hour under the following conditions:

1. The level of service at the intersection degrades from an acceptable level (LOS D or better for non-Congestion Management Plan (CMP) intersections and LOS E or better for CMP intersections) under background conditions to an unacceptable level under background plus project conditions, or
2. The level of service at the intersection is an unacceptable level (LOS E or F at non-CMP intersections and LOS F at CMP intersections) under background conditions and the addition of project trips causes the critical-movement delay at the intersection to increase by four or more seconds and the demand-to-capacity ratio (V/C) to increase by .01 or more.

An exception to this rule applies when the addition of project traffic reduces the amount of average delay for critical movements (i.e. the change in average delay for critical movements is negative). In this case, the threshold of significance is an increase in the critical V/C value by .01 or more.

As reported by the traffic report, measures that restore intersection conditions to their level of service or result in an average delay that is better than conditions without the project, the City of Palo Alto considers the impact to be satisfactorily mitigated, and no additional measures are required.

a/b. Based on the Institute of Transportation Engineers' (ITE) Trip Generation Manual, 10th Edition (2017) rates, the proposed residential development project is estimated to generate 49 gross AM peak-hour trips and 60 gross PM peak-hour trips. The project will implement a number of Transportation Demand Management (TDM) measures intended to reduce single-occupant vehicle (SOV) trips including bike parking, a pathway connecting to the paved mixed-use trail immediately adjacent to the north edge of the project site, and fully subsidized transit passes for every resident over the age of five. A five percent trip reduction was assumed for the project based on the proposed TDM measures. After applying the TDM reduction, the proposed project is expected to generate 47 net new vehicle trips (12 inbound and 34 outbound) during the AM peak hour and 57 net new vehicle trips (35 inbound and 22 outbound) during the PM peak hour. Participation in the City of East Palo Alto Transportation Infrastructure Impact Fee Program is a required condition of project approval.

In order to determine potential traffic impacts from traffic generated by the proposed project, the traffic impact analysis evaluated four study scenarios: existing conditions, existing plus project conditions, 2040 cumulative conditions, and 2040 cumulative plus project conditions. In addition, the Ravenswood Four Corners Specific Plan identifies the construction of a new "loop road", which would extend northward from the current terminus of Demeter Street and then turn westward to connect to University Avenue at the northern edge of the Ravenswood Specific Plan area. Because it is uncertain when the planned loop road will be constructed, the analysis of traffic conditions with project traffic volumes was conducted both with and without the loop road.

Existing Project Conditions. Existing traffic conditions are based on traffic counts conducted in 2018 and 2019. The results of the intersection LOS analysis under existing conditions show that most of the study intersections currently operate at acceptable levels, with the exception of the Embarcadero Road/East Bayshore Road intersection, which operates at LOS F.

Existing Plus Project Conditions. Existing plus project traffic volumes were estimated by adding to existing traffic volumes the trips associated with the proposed project. Two existing plus project scenarios were evaluated to assess traffic conditions both with and without the loop road identified in the Ravenswood Four Corners Specific Plan. The results of the intersection level of service analysis (refer to Table 5 of the traffic report) show that most of the study intersections would continue to operate at acceptable levels of service during both AM or PM peak hours under existing plus project conditions with and without the loop road.

Under existing plus project conditions, the Embarcadero Road and East Bayshore Road intersection would continue to operate at LOS F during the PM peak hour. The intersection LOS and delay with the loop road is the same as without the loop road. However, the project would not result in a significant project impact at this intersection because the project traffic would not cause an increase in critical-movement delay of four or more seconds or an increase in critical v/c of one percent (0.01) or more. The project impact to this intersection is less than significant and no mitigation is required.

2040 Cumulative Conditions. Cumulative conditions represent future traffic volumes with all foreseeable development expected to occur by the year 2040 on the future transportation network. Cumulative traffic volumes were estimated by applying a growth factor (1.2 percent per year) for 22/21 years to existing (2018/2019) traffic volumes to account for regional growth and adding trips associated with the development allowed under the Ravenswood Specific Plan and other approved and pending development projects in the City of East Palo Alto other than the proposed project. Cumulative conditions assume the construction of mitigation measures identified in the Ravenswood/4 Corners TOD Specific Plan EIR but do not assume the completion of the planned loop road. Cumulative level of service and delay conditions on study intersections with and without the project are summarized in Table 6 of the traffic report, which is presented in [Figure 6, Cumulative Intersection Conditions With and Without the Project](#).

Under 2040 cumulative conditions without the project, the following intersections are anticipated to operate at unacceptable LOS E or worse during at least one peak hour:

- University Avenue and Bay Road (AM LOS E; PM LOS F);
- Clarke Avenue/Illinois Street and Bay Road (unsignalized) (AM LOS E; PM LOS F);
- Clarke Avenue and Weeks Street (unsignalized) (AM LOS F; PM LOS E);

- Clarke Avenue and Runnymede Street (unsignalized) (AM LOS F);
- Clarke Avenue and Donohoe Street (unsignalized) (AM/PM LOS F));
- Pulgas Avenue and Bay Road (unsignalized) (AM/PM LOS F);
- Pulgas Avenue and Weeks Street (unsignalized) (AM/PM LOS F);
- Pulgas Avenue and Runnymede Street (unsignalized) (AM/PM LOS F);
- Pulgas Avenue and O'Connor Street (unsignalized) (AM/PM LOS F);
- Pulgas Avenue and East Bayshore Road (PM LOS F); and
- East Bayshore Road and Embarcadero Road (Palo Alto) (PM LOS F).

2040 Cumulative Plus Project Conditions. Cumulative plus project conditions reflect the projected traffic volumes with implementation of the project. Projected peak-hour traffic volumes were estimated by adding to cumulative traffic volumes the additional traffic generated by the project. Cumulative plus project conditions were evaluated relative to cumulative no project conditions in order to determine potential impacts. However, the loop road was evaluated as a potential mitigation measure. Conditions with and without the Loop Road and other planned improvements are also shown in Figure 6. Under cumulative plus project conditions, traffic generated by the proposed project would contribute to significant cumulative impacts at the four of the study intersections.

- *Clarke Avenue and Weeks Street.* Project-related traffic would increase delays by 35.2 seconds at the intersection of Clarke Avenue and Weeks Street, which operates at LOS F during the AM peak hour under cumulative conditions without the project. This is a cumulatively considerable impact. Additionally, there are no crosswalks at this intersection. Enhanced TDM measures that would reduce project trip generation by greater than five percent could also reduce delays and improve intersection operations somewhat. However, the project would still have a significant impact even with a 25 percent reduction in trips due to TDM measures. As such, the traffic report concludes that TDM measures alone would not be sufficient to reduce the project impacts to a less than significant level.

The construction of the planned loop road would reduce the traffic volume at the Clarke/Weeks intersection causing a decrease in the average vehicle delay during the AM peak hour. If the loop road is operational, the project's contribution to unacceptable delays would be 15.5 seconds. The intersection delay under cumulative plus project conditions with the loop road would be greater than under cumulative no project conditions; therefore, construction of the loop road would only partially mitigate the project's cumulatively considerable impact at this intersection.

#	Intersection	Peak Hour	Cumulative No Project		Cumulative with Project				Mitigated Cumulative			
			without Loop Rd		without Loop Road				Loop Road Only		Loop Road + Other Improvements	
			Avg Delay (sec/veh)	LOS	Avg Delay (sec/veh)	LOS	Incr. In Crit. Delay	Incr. In Crit. V/C	Avg Delay (sec/veh)	LOS	Avg Delay (sec/veh)	LOS
1	University Avenue and Bay Road	AM	70.3	E	70.5	E	0.1	0.001	65.2	E		
		PM	93.3	F	94.0	F	1.1	0.003	74.5	E		
2	Clarke Avenue/Illinois St and Bay Rd ² (All-way Stop)	AM	121.7	F	121.9	F	-0.2	0.000	48.1	D		
		PM	77.0	E	78.5	E	2.2	0.005	41.4	D		
3	Clarke Avenue and Weeks Street ³ (Two-way Stop ¹)	AM	74.1	F	109.3	F	n/a	n/a	89.6	F	12.8	B
		PM	30.7	D	34.3	D	n/a	n/a	32.9	D	10.4	B
4	Clarke Avenue and Runnymede Street (All-way Stop)	AM	78.7	F	81.2	F	2.5	0.017				
		PM	27.3	D	28.7	D	1.4	0.011				
5	Clarke Avenue and Donohoe Street (All-way Stop)	AM	90.8	F	90.8	F	0.0	0.000				
		PM	80.3	F	80.3	F	0.0	0.000				
6	Demeter Street and Bay Road ² (Two-way Stop ¹)	AM	21.1	C	21.1	C	n/a	n/a	33.2	C		
		PM	39.7	D	39.7	D	n/a	n/a	36.0	D		
7	Pulgas Avenue and Bay Road ² (Two-way Stop ¹)	AM	106.2	F	106.2	F	n/a	n/a	108.3	F		
		PM	286.0	F	286.0	F	n/a	n/a	284.1	F		
8	Pulgas Avenue and Weeks Street ³ (Two-way Stop ¹)	AM	OVFL	F	OVFL	F	n/a	n/a	OVFL	F	15.2	B
		PM	OVFL	F	OVFL	F	n/a	n/a	OVFL	F	10.0	B
9	Pulgas Avenue and Runnymede Street ³ (All-way Stop)	AM	305.1	F	309.2	F	4.1	0.010			32.7	C
		PM	178.4	F	184.2	F	5.8	0.019			15.3	B
10	Pulgas Avenue and O'Connor Street (All-way Stop)	AM	119.9	F	123.8	F	4.0	0.019				
		PM	146.1	F	150.9	F	4.9	0.012				
11	Pulgas Avenue and East Bayshore Rd	AM	39.4	D	40.9	D	2.1	0.008				
		PM	132.4	F	136.3	F	4.4	0.010				
12	Embarcadero Rd and East Bayshore Rd [City of Palo Alto]	AM	42.1	D	42.9	D	0.9	0.006				
		PM	167.5	F	168.7	F	1.1	0.004				

Notes:

Bold indicates a substandard level of service.

Box indicates a significant project impact.

OVFL indicates that the result is out of software c

-- indicates that the intersection level of service and delay with the loop road is the same as without the loop road.

1. For one-way and two-way stop controlled intersections, the average delay and LOS is reported for the worst approach. Changes in critical

2. A new traffic signal is assumed under cumulative conditions based on mitigation measures identified in the Ravenswood/Four Corners

3. Average delay and LOS under mitigated cumulative plus project with loop road and other improvements reflect signalization.

Source: Hexagon Traffic Consultants Inc. 2019

Figure 6

Intersection Cumulative LOS With and Without the Project

965 Weeks Street Apartments Initial Study



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To fully mitigate the cumulative impact at the intersection without the project, the traffic report recommends constructing the planned loop road and installing a new traffic signal at this intersection. Along with a new traffic signal, appropriate pedestrian and bicycle accommodation should be provided. This includes pedestrian countdown timers, Americans with Disabilities Act (ADA) compliant curbs, and bicycle detection loops. With these improvements, the intersection would operate at an acceptable LOS B during AM and PM peak hours under cumulative plus project conditions. An alternative to installing a new traffic signal is to construct a roundabout at the intersection. A one-lane roundabout would also operate at an acceptable LOS B during the AM and PM peak hours under cumulative plus project conditions.

Payment of a proportionate share of traffic impact fees for the costs of constructing the improvements would mitigate the project contribution to the cumulative impact. Implementation of the following mitigation measure would reduce the project's contribution to cumulative transportation impacts to a less than significant level.

Mitigation Measure

T-1 The project developer is responsible for the payment of traffic impact fees for its fair share of the costs to construct the planned loop road and a new traffic signal or one lane roundabout at the intersection of Clarke Avenue and Weeks Street. All intersection improvements shall include appropriate pedestrian and bicycle accommodation including pedestrian countdown timers, Americans with Disabilities Act (ADA) compliant curbs, and bicycle detection loops. The project's fee payment is required prior to issuance of a building permit.

Pulgas Avenue and Weeks Street. The addition of project traffic to this intersection would cause the control delay to increase by five or more seconds during the AM and PM peak hours under cumulative plus project conditions, and the intersection traffic volumes are expected to satisfy the Peak-Hour Volume Warrant. This intersection is expected to operate at an unacceptable LOS F during both peak hours without the project. The project's contribution to unacceptable levels of service at this intersection are cumulatively considerable based on the City of East Palo Alto standards. Further, there are no crosswalks at this intersection.

Enhanced TDM measures that would reduce project trip generation by greater than five percent could reduce delays and improve intersection operations but not to a less-than cumulatively considerable level. According to the traffic report, the project would still have a significant impact even with a 25 percent reduction in trips due to TDM measures. Additionally, the construction of the planned loop road would have only a minor effect on the traffic volumes and delay at the

Pulgas/Weeks intersection; therefore, construction of the loop road also would not fully mitigate the cumulative impact at this intersection or the project's contribution to it.

The traffic report concludes that construction of the loop road and signalization of the intersection would return levels of service to LOS B; thereby reducing the cumulative impact to less than significant, and the project's contribution to the cumulative impact to less than cumulatively considerable. Payment of a proportionate share of traffic impact fees for the costs of constructing the improvements would mitigate the project contribution to the cumulative impact. Implementation of the following mitigation measure will reduce the project's contribution to the significant cumulative impact at the intersection of Pulgas Avenue and Weeks Street to less than cumulatively considerable.

Mitigation Measure

T-2 Prior to issuance of the building permit, the project developer is responsible for the payment of its fair share of traffic impact fees to construct the planned loop road and a new traffic signal at the intersection of Pulgas Avenue and Weeks Street. All intersection improvements shall include appropriate pedestrian and bicycle accommodation including pedestrian countdown timers, Americans with Disabilities Act (ADA) compliant curbs, and bicycle detection loops.

With this improvement, the intersection would operate at an acceptable level (LOS B) during the AM and PM peak hours under cumulative plus project conditions.

- *Pulgas Avenue and Runnymede Street.* The addition of project traffic to this intersection would cause the control delay to increase by five or more seconds during the PM peak hour under cumulative plus project conditions, and the intersection traffic volumes are expected to satisfy the Peak-Hour Volume Warrant. This intersection is expected to operate at an unacceptable LOS F during both peak hours without the project. The project's contribution to unacceptable levels of service at this intersection are cumulatively considerable based on the City of East Palo Alto standards. Payment of a proportionate share of traffic impact fees for the costs of constructing the improvements would mitigate the project contribution to the cumulative impact.
- Intersection operations would not be affected by construction of the planned loop road. The traffic report notes that signalization would also mitigate the significant cumulative impact at this intersection to which the project contributes. However, enhanced TDM measures that reduce project trip generation by 14 percent would eliminate unacceptable delays caused by the addition of project traffic and based on the City of East Palo Alto standards, and

correspondingly, the project's contribution to unacceptable levels of service would be reduced to a less-than-cumulatively-considerable level. Implementation of the following mitigation measure will reduce the project's contribution to the significant cumulative impact at the intersection of Pulgas Avenue and Weeks Street to less than cumulatively considerable.

Mitigation Measure

T-3 Prior to issuance of a building permit, the project developer shall pay its proportionate fair share of traffic impact fees toward the cost of constructing a signal at the intersection of Pulgas Avenue and Runnymede Street, or shall prepare and implement a Transportation Demand Management Program that identifies enhanced TDM measures that will be implemented to achieve a 14 percent reduction in project traffic volumes.

Fair share payments of traffic impact fees for any intersection improvements shall include the costs of constructing appropriate pedestrian and bicycle accommodation including pedestrian countdown timers, Americans with Disabilities Act (ADA) compliant curbs, and bicycle detection loops. New pedestrian crosswalks at the Pulgas Avenue and Weeks Street intersection should be yellow due to their proximity to the nearby school. For added visibility, the area of the crosswalks should be marked with yellow longitudinal lines parallel to traffic flow. The amount of required fair share traffic impact fee payments shall be reviewed and approved by the City Engineer and Community Development Director prior to issuance of a building permit.

The Transportation Demand Management Program shall be submitted to the Community Development Director for review and approval prior to issuance of a grading permit, and shall demonstrate the measures to be implemented and how they achieve the required 14 percent reduction in vehicle trips.

- *Pulgas Avenue and East Bayshore Road.* The addition of project traffic would cause the critical-movement delay at the intersection to increase by four or more seconds and the volume-to-capacity ratio (V/C) to increase by .01 or more during the PM peak hour under cumulative plus project conditions. The intersection operates at an unacceptable LOS F during the PM peak hour without the project, and based on the City of East Palo Alto standards the project contribution to the cumulative impact at this intersection is cumulatively considerable. Payment of a proportionate share of traffic impact fees for the costs of constructing the

improvements would mitigate the project contribution to the cumulative impact. Construction of the planned loop is not expected to affect the traffic volumes or delay at this intersection. Physical improvements that would mitigate the significant impact at this intersection are infeasible as it would require acquisition of additional right-of-way and demolition of existing structures on abutting parcels in order to widen the roadway.

- Implementation of the following mitigation measure in addition to implementation of mitigation measures T-1 – T-3 would reduce the project contribution to less than cumulatively considerable.

Mitigation Measure

T-4 Prior to issuance of a grading permit, the project developer shall prepare a Transportation Demand Management Program that identifies enhanced TDM measures that will be implemented, in addition to proposed measures, to achieve a 14 percent reduction in project traffic volumes. The Vehicle Trip Reduction Plan shall demonstrate the measures to be implemented and quantify how they achieve the required 14 percent reduction in vehicle trips and shall be submitted to the Community Development Director for review and approval.

- c. The proposed project would not result in a change in air traffic patterns. Therefore, the proposed project would not result in a safety risk associated with air traffic.
- d/e The traffic report also analyzed access to the site and area hazards. No hazards were identified that are not able to be addressed through site and access design in compliance with City of Palo Alto performance standards and design criteria for streets, driveways, emergency vehicle access, and sidewalks. At the time of the report preparation, only one vehicle access was provided on the site. The project has since been revised to extend the driveway to provide through access between Weeks Street and the Rail Spur on the west side of the site, and also to provide a secondary emergency vehicle access through the site along the eastern boundary between Weeks Street and the Rail Spur. The traffic report notes that traffic volumes on Weeks Street are quite low such that vehicles turning to or from the project driveway would encounter minimal delay.
- f. Pedestrian facilities consist of sidewalks, crosswalks, and pedestrian signals at signalized intersections. In the vicinity of the project site, sidewalks are provided on both sides of Weeks Street. Sidewalks are also provided on the adjacent streets of Clarke Avenue and Pulgas Avenue. The project site plan shows that the project would retain a sidewalk along its frontage on Weeks Street and provide through access between Weeks Street and the Rail Spur at the center of the site and along the

west and east sides. However, there are no crosswalks at the intersection of Pulgas Avenue and Weeks Street or the intersection of Clarke Avenue and Weeks Street. The traffic report recommends that crosswalks with ADA-compliant curb ramps should be provided on all approaches at these intersections to enhance pedestrian access to nearby bus stops, schools, recreational facilities (such as the Bay Trail), and other nearby destinations. The new pedestrian crosswalks at the intersection of Pulgas Avenue and Weeks Street should be yellow due to their proximity to the nearby school. For added visibility, the area of the crosswalks should be marked with yellow longitudinal lines parallel to traffic flow.

Pedestrian improvements identified in Mitigation Measure T-1 and Mitigation Measure T-2 address these recommendations and ensure that improvements made to the intersections include these accommodations for pedestrians.

Designated bicycle facilities in the immediate vicinity of the project site include bike lanes on Bay Road from west of Clarke Avenue and the Bay Trail, a bike and pedestrian path that runs along the west boundary of the Baylands Nature Preserve area about one quarter mile east of the project site. There is also a paved mixed-use trail adjacent the northern edge of the project site that extends from Bay Road to Pulgas Avenue that would provide direct access to the project site. These bicycle facilities are not well-connected. While Weeks Street and many of the other the neighborhood streets in the vicinity of the project site do not have bicycle lanes, they are conducive to bicycle travel due to their low traffic volumes and low speeds.

It should be noted that the East Palo Alto General Plan 2035 shows planned Class II bike lanes along the entirety of Bay Road and Pulgas Avenue. The General Plan also highlights planned Class III bike routes along Weeks Street, Cooley Avenue, East Bayshore Road, Euclid Avenue, and Runnymede Street between Cooley Avenue and Euclid Avenue. These additions to the bicycle network would improve bike access to the site.

The study area is served by three SamTrans bus routes. The applicant is working with SamTrans to plan a new bus rapid transit (BRT) route between Palo Alto and San Bruno with a stop within a five minute walking distance of the project site. The project also would provide free transit passes to all residents over age 5, which would encourage residents to use the transit. The new ridership generated by the proposed project could be accommodated by the existing transit service provided in the project vicinity.

18. TRIBAL CULTURAL RESOURCES

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
(1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources code section 5020.1(k), or (3,5,38,39)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (3,5,38,39)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:

- a. The CEQA statute as amended by Assembly Bill 52 (AB 52) (Public Resources Code Sections 21073 and 21074) defines “tribal cultural resources”, and “California Native American tribe” as a Native American tribe located in California that is on the contact list maintained by the Native American Heritage Commission. Public Resources Code Section 21080.3.1 outlines procedures for tribal consultation as part of the environmental review process. The City of East Palo Alto requested consultation initiation from Native American tribes and individuals with geographic associations to the City of East Palo Alto per the requirements of Senate Bill 18 (SB 18) and AB 52 during the preparation of the general plan EIR. According to the general plan EIR, “In November 2013, the City conducted formal outreach to these potentially interested organizations, but received no response.” On October 28, 2015, an invitation to consult under SB 18 and AB 52 for the general plan and development

code (Zoning and Subdivision Regulations) was requested. No California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1.

However, a request for information regarding Native American Sacred Lands that could potentially be impacted by the proposed project was submitted to a number of Native American tribal representatives identified by the Native American Heritage Commission. One response with recommendations was received, and the recommendations are incorporated into the discussion and mitigation measures identified in Section 5, Cultural Resources. No other requests for notification or consultation have been received by the City.

19. UTILITIES AND SERVICES SYSTEMS

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? (2, 8, 12, 48, 49)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? (12, 48)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (2, 8, 49)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? (2, 50, 51, 52)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (2, 50, 51, 52)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a. There is sufficient water and wastewater capacity available to serve the proposed project (see "b" and "c" below). The proposed project would connect to the existing drainage system on Weeks Street. According to the City's Storm Drain Master Plan, the existing storm drain system on Weeks Street has capacity sufficient to accommodate runoff from a 10 year storm event. The proposed project would connect to the existing drainage system on Weeks Street (City of East Palo Alto 2015, page 4-3). Refer also to the related discussion in Section 10, Hydrology and Water Quality. Pacific Gas and Electric provides electricity and natural gas to the project vicinity. Wireless internet service and cable television in the project vicinity are

provided by companies such as AT&T and Xfinity. The proposed project would not require relocation or construction of new or expanded water, wastewater treatment, storm water drainage, electric power, natural gas, and telecommunication facilities.

- b. The proposed project will be served by the City of East Palo Alto water system that is operated by American Water Enterprises. The *Water Supply Evaluation Study for the 965 Weeks Development* (“water assessment”) prepared by EKI Environment and Water Inc. and included in Appendix G estimates the total annual water demand for the proposed project at buildout to be 23,096 gallons per day (0.02 MGD) or 26 AFY.

The City purchases water from the San Francisco Public Utilities Commission to meet all of the potable water demands within its service area. According to the *2015 Urban Water Management Plan for the City of East Palo Alto*, the City’s contractual entitlement to San Francisco Public Utilities Commission water was equal to 1.963 million gallons per day (MGD) or 2,199 acre-feet per year. Since 2015, the City has obtained an additional allocation of 1.0 MGD from the City of Mountain View and 0.5 MGD from the City of Palo Alto (EKI Environment and Water Inc. 2019, page 13). As a result, the City’s total water supply equals 3.463 MGD or 3,879 AFY.

According to Table 6 of the water assessment, the City-wide water demand is estimated to increase by 1,556 AFY by 2040 relative to the water demand of existing service conditions. With the proposed project’s water demand of 26 AFY, approximately 1,530 AFY is available for other development in the City of East Palo Alto through 2040.

Therefore, sufficient water is available to serve the proposed project.

- c. The project site lies within the service area of the East Palo Alto Sanitary District (“sanitary district”). Sewage collected by the sanitary district is treated at the Palo Alto Regional Water Quality Control Plant. The sanitary district has an annual average dry-weather flow capacity allotment of 2.9 MGD at the Palo Alto Regional Water Quality Control Plant (general plan EIR, page 4.15-11). The sanitary district is operating below its system dry-weather flow capacity, with an average dry-weather flow of 1.5 MGD (general plan EIR, page 4.15-11). Akin Okupe (email message, September 5, 2019) stated that the sanitary district uses a wastewater generation factor of 240 gallons per day per dwelling unit. The proposed project would generate approximately 32,640 gallons per day of wastewater (136 dwelling units x 240 gallons per day per dwelling unit) or 0.032640 MGD. With the proposed project, the sanitary district’s average wastewater collection would total approximately 1.53264 MGD. This is below the sanitary district’s average capacity allotment of 2.9 MGD. Therefore, the sanitary district has adequate capacity to serve the project’s projected wastewater demand.

d/e. As a part of California's continued commitment to reduce the amount of solid waste entering landfills, AB 939 (also known as the California Integrated Waste Management Act) requires each jurisdiction in California to divert at least 50 percent of its waste away from landfills, whether through waste reduction, recycling or other means.

Solid waste generated by the project would be handled in accordance with the requirements of AB 939. Garbage service and recycling in East Palo Alto is provided by Recology of San Mateo County. Residential and commercial solid waste and recyclable materials collected by the franchise hauler, Recology of San Mateo County, will be taken to Shoreway Environmental Center, a recycling center and transfer station that implements and manages waste reduction and recycling programs.

Solid waste from East Palo Alto is disposed of at the Corinda Los Trancos (Ox Mountain) Landfill near Half Moon Bay. The landfill is owned and operated by Republic Services. According to the *Application for Solid Waste Facility Permit and Waste Discharge Requirements*, the Corinda Los Trancos (Ox Mountain) Landfill has a remaining capacity of approximately 20 million cubic yards as of April 30, 2018. The landfill has a cease operation date of January 1, 2034. On an average, the landfill receives 1,700 tons per day of solid waste. The maximum permitted throughput is 3,598 tons per day.

According to California Department of Resources Recycling and Recovery's Disposal Rate Calculator, the disposal rate in East Palo Alto in 2018 was 2.6 pounds per person per day. With a population of 442 persons, the proposed project could generate approximately 1,149 pounds per day or 210 tons per year of solid waste. The average landfill tonnage per day with the proposed project would be approximately 1,910, which would not exceed the landfill's maximum permitted throughput of 3,598 tons per day.

Therefore, the proposed project would not generate solid waste that exceeds the landfill capacity, impair the attainment of solid waste reduction goals, and conflict with state regulations related to solid waste.

20. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan? (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire? (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a-d. The risk of wildfire is limited in East Palo Alto due to its location in a highly urbanized portion of San Mateo County. The CAL FIRE FHSZ Map for San Mateo County indicates that the City of East Palo Alto is not located within or near a State Responsibility Area for wildfires, which means that local responsibility for fire protection falls to City fire departments, fire protection districts, counties, and CAL FIRE under contract to local government. Therefore, no analysis is required.

21. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Does the project have the potential to substantially degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; substantially reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory? (1, 7, 24, 37, 38-46)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects) (1, 3-6, 8, 9, 20, 21, 23, 24)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? (1-9, 12, 16, 17, 20-24, 26, 40, 53, 54)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:

- a. As discussed in Section 4, Biological Resources, the project site is within the range of several special-status wildlife and plant species. Special-status wildlife species (e.g., San Francisco garter snake, Northern harrier, California least tern, Western burrowing owl) and special-status plant species (e.g., Alkali milk-vetch, Point Reyes salty bird’s-beak, and California seablite) are not likely to occur on the project site due to lack of suitable habitat. A focused plant survey determined that individuals or suitable habitat for Congdon’s tarplant is not present on the site. During construction, the project has the potential to impact nesting birds protected under the federal Migratory Bird Treaty Act and California Fish and Game Code. Implementation of Mitigation Measures BIO-1 and BIO-2 would reduce the potentially significantly impacts to nesting birds to a less-than-significant level.

The project site is a vacant lot and does not include any historic structures. As described in Section 5, Cultural Resources, there are no records of previously recorded archaeological resources, sacred lands, or sacred sites on the project site. However, it is possible that these resources could be accidentally uncovered during grading and construction activities. In the event this should occur, Mitigation Measures CR-1 – CR-2 would ensure that the potential impacts to historic and prehistoric archaeological resources would not be significant.

- b. The proposed project has the potential to result in cumulatively considerable air quality construction-related impacts. During construction, the proposed project would generate fugitive dust and ozone precursors emissions that contribute to cumulative air quality impacts. However, with implementation of the mitigation measure AQ-1, the proposed project's construction dust and ozone precursor emissions would be reduced to less than cumulatively considerable. The proposed project would contribute to cumulative storm drain infrastructure impacts that could result in localized flooding off the site (refer to Section 10, Hydrology and Water Quality). The payment of development impact fees and compliance with the MRP Permit requirements, including the approved SWPPP and erosion control plan, would reduce the project's contribution to cumulative storm drain capacity impacts related to volume and polluted runoff to less than cumulatively considerable.

The proposed project would also contribute to cumulative increases in ambient noise levels at the project site and along several area roadways. However, as discussed in Section 13, Noise, the project's contributions to ambient noise levels would be less than cumulatively considerable. As discussed in Section 17, Transportation, the proposed project would contribute to cumulative traffic volumes on area roadways; however, with implementation of Mitigation Measures T-1 – T-4, the project's contribution to cumulative traffic impacts is less than cumulatively considerable. c.

The proposed project has the potential to result in adverse environmental effects to human beings from the following: excavation of contaminated soils that results in the release of pesticide residues into the air, from construction-related fugitive dust emissions and construction-related emissions of dust and diesel exhaust, and from mechanical and construction noise at nearby sensitive receptors that exceed noise thresholds. Implementation of mitigation measures AQ-1 – AQ-3, HAZ-1, and N-1 - N-3 would reduce these potential impacts to a less-than-significant level.

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All documents in **bold** are available for review at the **City of East Palo Alto Community and Economic Development Department, 1960 Tate Street, East Palo Alto, CA 94303, (650) 853-3189** during normal business hours.

All documents listed above are available for review at EMC Planning Group Inc., 301 Lighthouse Avenue, Suite C, Monterey, California 93940, (831) 649-1799 during normal business hours.