



**The Amah Mutsun Tribal Band of San Juan Bautista
&
A.M.T.B. Inc.**

Letter of Response

To whom it may concern:

It is our pride and privilege to be of service for any Native American Cultural Resource Monitoring, Consulting and/ or Sensitivity Training you may need or require. We take our Heritage and History seriously and are diligent about preserving as much of it as we can. Construction is a constant in the Bay Area and with that new discoveries are bound to happen. If you choose our services, we will gladly guide all personnel through proper procedures to safely protect and preserve: Culture, Heritage, and History.

It is highly recommended, if not previously done, to search through Sacred Lands Files (SLF) and California Historical Resource Information Systems (CHRIS) as well as reaching out to the Native American Heritage Commission (NAHC) In order to determine whether you are working in a Cultural and/ or Historic sensitivity.

If you have received any positive cultural or historic sensitivity within 1 mile of the project area here are A.M.T.B Inc's and Amah Mutsun Tribal Band of San Juan Bautista's recommendations:

- All Crews, Individuals and Personnel who will be moving any earth be Cultural Sensitivity Trained.
- A Qualified California Trained Archaeological Monitor is present during any earth movement.
- A Qualified Native American Monitor is present during any earth movement.

If further Consultation, Monitoring or Sensitivity Training is needed please feel free to contact A.M.T.B. Inc. or Myself Directly. A.M.T.B. Inc. 650 851 7747

Irenne Zwiierlein

Irenne Zwiierlein



3030 Soda Bay Road, Lakeport
CA 95453
amtbinc21@gmail.com
(650)851-7447

From: [Ruby Phillips](#)
To: [Alvin Jen](#)
Subject: FW: Notice of Availability SEIR - Ravenswood Business District/4 Corners Specific Plan Update, City of East Palo Alto
Date: Friday, July 26, 2024 1:14:25 PM
Attachments: [image001.png](#)
[Outlook-hempmyby.png](#)

From: Richard Massiatt <rmassiatt@muwekma.org>
Sent: Friday, July 26, 2024 11:26 AM
To: Ruby Phillips <rphillips@cityofepa.org>
Subject: Re: Notice of Availability SEIR - Ravenswood Business District/4 Corners Specific Plan Update, City of East Palo Alto

Hello Ruby,

Thank you for reaching out to Muwekma Ohlone Tribe, Inc., we are interested in your project and would like to have further discussions in assisting you with our services. Please allow this letter serve as an introduction to our tribal administration with regards to future Tribal Consultations as defined under Section 106, CEQA, Assembly Bill (AB) 52, Senate Bill (SB) 18 Consultation, and California Public Resources Code § 21080.3.1.

Should your agency and/or project developers choose to work with our Tribe for monitoring and, if necessary, burial recovery services after reviewing documents our Senior Tribal Archeologist and Ethnohistorian Alan Levanthal will have further discussions with you.

At your request we can email you our services and our Muwekma Rate sheet for your review. Any other future concerns please contact us.

Best regards,

Richard Massiatt
Executive Director
Muwekma Ohlone Tribe of the San Francisco Bay Area
(209) 321-0372
Rmassiatt@muwekma.org



From: Ruby Phillips <rphillips@cityofepa.org>

Sent: Friday, July 26, 2024 9:53 AM

Cc: Alvin Jen <ajen@cityofepa.org>; Elena Lee <elee@cityofepa.org>; Ruby Phillips <rphillips@cityofepa.org>

Subject: Notice of Availability SEIR - Ravenswood Business District/4 Corners Specific Plan Update, City of East Palo Alto

Hello,

The City of East Palo Alto, as the Lead Agency, prepared a Subsequent Environmental Impact Report (SEIR) in accordance with the California Environmental Act (CEQA) for the Ravenswood Business District/4 Corners Specific Plan Update. Please see the attached document in English and Spanish for more details.

The public review period and comments will be open from July 26, 2024 until September 10, 2024 at 5PM. Written comments should be addressed to: Alvin Jen, Associate Planner, City of East Palo Alto, 1960 Tate Street, East Palo Alto, CA 94303. Alternatively, written comments can also be emailed to rbd@cityofepa.org. Emailed comments must include "Ravenswood Business District/4 Corners Specific Plan Update SEIR" in the subject box.

Thanks,

City of East Palo Alto, Community and Economic Development Department

Hola,

La Ciudad de East Palo Alto, como agencia principal, preparó un Informe de Impacto Ambiental Posterior (SEIR) de acuerdo con la Ley Ambiental de California (CEQA) para el Distrito Comercial de Ravenswood/Actualización del Plan Específico de 4 Esquinas (Ravenswood Business District/4 Corners Specific Plan). Por favor de revisar el documento adjunto en inglés y español para obtener más detalles.

El período de revisión pública y comentarios estará abierto desde el 26 de julio del 2024 hasta el 10 de septiembre del 2024 a las 5 p.m. Los comentarios escritos deben dirigirse a: Alvin Jen, Associate Planner, City of East Palo Alto, 1960 Tate Street, East Palo Alto, CA 94303. Alternativamente, los comentarios escritos también pueden enviarse por correo electrónico a: rbd@cityofepa.org. Los comentarios enviados por correo electrónico deben incluir "SEIR de actualización del plan específico del distrito comercial de Ravenswood/(4 Corners)" en el cuadro de asunto.

Gracias,

El Departamento de Comunidad y Desarrollo Económico de la Ciudad de East Palo Alto



Ruby Phillips

Secretary II

Phone (650) 853-3189

Email

rphillips@cityofepa.org

Web www.cityofepa.org

1960 Tate St., East Palo Alto,
CA 94303

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From: [KKLLC Admin](#)
To: [RBD](#)
Subject: Ravenswood Business District/4 Corners Specific Plan Update, City of East Palo Alto
Date: Saturday, July 27, 2024 4:00:13 PM

miSmin Tuuhis [Good Day]

Kan rakat Kanyon Sayers-Roods. I am writing this on behalf of the Indian Canyon Band of Costanoan Ohlone People as requested, responding to your letter

As this project's Area of Potential Effect (APE) overlaps or is near the management boundary of a potentially eligible cultural site, I am interested in consulting and voicing our concerns. With some instances like this, usually we recommend that a Native American Monitor and an Archaeologist be present on-site at all times during any/all ground disturbing activities. The presence of a Native monitor and archaeologist will help the project minimize potential effects on the cultural site and mitigate inadvertent issues.

Kanyon Konsulting, LLC has numerous Native Monitors available for projects such as this, if applicable, we recommend a Cultural Sensitivity Training at the beginning of each project. This service is offered to aid those involved in the project to become more familiar with the indigenous history of the peoples of this land that is being worked on.

Kanyon Konsulting is a strong proponent of honoring truth in history, when it comes to impacting Cultural Resources and potential ancestral remains, we need to recognise the history of the territory we are impacting. We have seen that projects like these tend to come into an area to consult/mitigate and move on shortly after - barely acknowledging the Cultural Representatives of the territory they steward and are responsible for. Because of these possibilities, we highly recommend that you receive a specialized consultation provided by our company as the project commences, bringing in considerations about the Indigenous peoples and environment of this territory that you work, have settled upon and benefit from.

As previously stated, our goal is to Honor Truth in History. And as such we want to ensure that there is an effort from the project organizer to take strategic steps in ways that #HonorTruthinHistory. This will make all involved aware of the history of the Indigenous communities whom we acknowledge as the first stewards and land managers of these territories.

Potential Approaches to Indigenous Cultural Awareness/History:

Signs or messages to the audience or community of the territory being developed. (ex. A commemorable plaque, page on the website, mural, display, or an Educational/Cultural Center with information about the history/ecology/resources of the land)

Commitment to consultation with the Native Peoples of the territory in regards to presenting and messaging about the Indigenous history/community of the land (Land

Acknowledgement on website, written material about the space/org/building/business/etc, Cultural display of cultural resources/botanical knowledge or Culture sharing of Traditional Ecological Knowledge - Indigenous Science and Technology)

Advocation of supporting indigenous lead movements and efforts. (informing one's audience and/or community about local present Indigenous community)

We look forward to working with you.

Tumsan-ak kannis [Thank You]

Kanyon Sayers-Roods

Consultant / Tribal Monitor [ICMBCO]

Kanyon Konsulting, LLC

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Kind Regards

Nichole Rhodes

Executive Administrator Kanyon Konsulting LLC

Email: Admin@kanyonkonsulting.com

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From: [Ruby Phillips](#)
To: [RBD](#)
Subject: FW: Notice of Availability SEIR - Ravenswood Business District/4 Corners Specific Plan Update, City of East Palo Alto
Date: Friday, August 2, 2024 4:05:56 PM
Attachments: [image002.png](#)
[image003.png](#)
[Initial Response Letter 7-29-2024.pdf](#)

From: PGE Plan Review <PGEPanReview@pge.com>
Sent: Monday, July 29, 2024 7:04 AM
To: Ruby Phillips <rphillips@cityofepa.org>
Subject: RE: Notice of Availability SEIR - Ravenswood Business District/4 Corners Specific Plan Update, City of East Palo Alto

Classification: [Internal](#)

Dear Ruby Phillips,

Thank you for submitting the Ravenswood Business District plans. The PG&E Plan Review Team is currently reviewing the information provided. Should this project have the potential to interfere with PG&E's facilities, we intend to respond to you with project specific comments. Attached is some general information when working near PG&E facilities that must be adhered to when working near PG&E's facilities and land rights.

This email and attachment does not constitute PG&E's consent to use any portion of PG&E's land rights for any purpose not previously conveyed. If there are subsequent modifications made to your design, we ask that you resubmit the plans to the email address listed below.

If you have any questions regarding our response, please contact the PG&E Plan Review Team at pgeplanreview@pge.com.

Thank you,



Pacific Gas and Electric Company
Plan Review Team

Email: pgeplanreview@pge.com

From: Ruby Phillips <rphillips@cityofepa.org>
Sent: Friday, July 26, 2024 9:53 AM
Cc: Alvin Jen <ajen@cityofepa.org>; Elena Lee <elee@cityofepa.org>; Ruby Phillips <rphillips@cityofepa.org>
Subject: Notice of Availability SEIR - Ravenswood Business District/4 Corners Specific Plan Update,

CAUTION: EXTERNAL SENDER!

This email was sent from an EXTERNAL source. Do you know this person? Are you expecting this email? Are you expecting any links or attachments? If suspicious, do not click links, open attachments, or provide credentials. Don't delete it. **Report it by using the "Report Phish" button.**

Hello,

The City of East Palo Alto, as the Lead Agency, prepared a Subsequent Environmental Impact Report (SEIR) in accordance with the California Environmental Act (CEQA) for the Ravenswood Business District/4 Corners Specific Plan Update. Please see the attached document in English and Spanish for more details.

The public review period and comments will be open from July 26, 2024 until September 10, 2024 at 5PM. Written comments should be addressed to: Alvin Jen, Associate Planner, City of East Palo Alto, 1960 Tate Street, East Palo Alto, CA 94303. Alternatively, written comments can also be emailed to rbd@cityofepa.org. Emailed comments must include "Ravenswood Business District/4 Corners Specific Plan Update SEIR" in the subject box.

Thanks,

City of East Palo Alto, Community and Economic Development Department

Hola,

La Ciudad de East Palo Alto, como agencia principal, preparó un Informe de Impacto Ambiental Posterior (SEIR) de acuerdo con la Ley Ambiental de California (CEQA) para el Distrito Comercial de Ravenswood/Actualización del Plan Específico de 4 Esquinas (Ravenswood Business District/4 Corners Specific Plan). Por favor de revisar el documento adjunto en inglés y español para obtener más detalles.

El período de revisión pública y comentarios estará abierto desde el 26 de julio del 2024 hasta el 10 de septiembre del 2024 a las 5 p.m. Los comentarios escritos deben dirigirse a: Alvin Jen, Associate Planner, City of East Palo Alto, 1960 Tate Street, East Palo Alto, CA 94303. Alternativamente, los comentarios escritos también pueden enviarse por correo electrónico a: rbd@cityofepa.org. Los comentarios enviados por correo electrónico deben incluir "SEIR de actualización del plan específico del distrito comercial de Ravenswood/(4 Corners)" en el cuadro de asunto.

Gracias,

El Departamento de Comunidad y Desarrollo Económico de la Ciudad de East Palo Alto



Ruby Phillips

Secretary II

Phone (650) 853-3189

Email

rphillips@cityofepa.org

Web www.cityofepa.org

1960 Tate St., East Palo Alto,
CA 94303

You can read about PG&E's data privacy practices at PGE.com/privacy.

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From: [Wu, Elton H](#)
To: [RBD](#)
Cc: [Read, Emily](#); [Feng, Stacie](#); [Leung, Tracy](#); [RES](#); [Wilson, Joanne](#)
Subject: Ravenswood Business District/4 Corners Specific Plan Update SEIR- SFPUC Public Notice Response
Date: Monday, July 29, 2024 1:52:14 PM
Attachments: [SFPUC Comments Via Email JWilson 5-16-2022.msg](#)

Hello,

Thank you for sending SFPUC a public notification regarding the SEIR for the Ravenswood Business District/ 4 Corners Specific Plan Update. SFPUC previously submitted comments regarding this SEIR on May 16, 2022. I have attached these comments for your information and as part of the public record for this SEIR. We would appreciate your responses to these comments in the final SEIR.

Thank you,

Elton Wu

Pronouns: He/ Him

Environmental Compliance and Land Planner

SFPUC Water Enterprise

Natural Resources and Lands Management Division

525 Golden Gate Avenue, 10th Floor

San Francisco, CA 94102

cell: (415) 971-7657

ewu@swater.org



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From: Wilson, Joanne
To: rbd@cityofepa.org
Cc: Natesan, Ellen; Wayne, Lisa B; [Russell, Rosanna S \(RSRussell@sfwater.org\)](mailto:Russell, Rosanna S (RSRussell@sfwater.org)); Rando, Casey; Read, Emily; Herman, Jane; Feng, Stacie
Subject: SEIR for Ravenswood Business District/4 Corners TOD Specific Plan Update
Date: Monday, May 16, 2022 1:37:00 PM
Attachments: [image001.png](#)
[Scanned FINAL EPA General Plan Update DEIR-SFPUC Comments 6-14-16-SR Sig.pdf](#)
[Table 2-EPA General Plan DEIR-SFPUC Comments.pdf](#)
[Table 1-EPA General Plan-SFPUC Comments.pdf](#)
[FINAL Interim Water Pipeline Right of Way Policy.pdf](#)
[FINAL-Amended Right of Way Integrated Vegetation Management Policy.pdf](#)

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

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

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

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

The SFPUC prohibits any use on its ROW property that:

1. Cannot be removed promptly, to allow SFPUC construction, maintenance, or emergency repairs of its facilities.
2. Would conflict with SFPUC legal obligations to adjoining property owners or tenants. Some SFPUC parcels could be subject to easements or other agreements held by adjoining landowners or third parties which may present conflicts with the proposed park and trail. Further research by the

SFPUC's Real Estate Services is needed, but it is possible that certain SFPUC parcels may not be available for trail use.

3. Would conflict with the resolution of unauthorized third-party encroachments that currently exist on some SFPUC ROW parcels.

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

5. Is otherwise inconsistent with SFPUC plans and policies.

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

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

Sincerely,

Joanne Wilson

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

Please consider the environment before printing this email.

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





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

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

June 14, 2016

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

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

Dear Mr. Persicone:

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

Background

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

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

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



General Plan Comments

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

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

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

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

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

Draft Environmental Impact Report (DEIR) Comments

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

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

SFPUC Project Review Process

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

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

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

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

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

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

Sincerely,



Steven R. Ritchie
Assistant General Manager, Water

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

¹ SFPUC Guidelines for the Real Estate Services Division, Section 2.0.

Table 1. East Palo Alto General Plan - SFPUC Comments

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

Table 1. East Palo Alto General Plan - SFPUC Comments

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

Table 1. East Palo Alto General Plan - SFPUC Comments

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

Table 1. East Palo Alto General Plan - SFPUC Comments

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

Table 1. East Palo Alto General Plan - SFPUC Comments

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

Table 1. East Palo Alto General Plan - SFPUC Comments

Comment Number	PDF Document Page Number	Section Number and Title	Beginning Text of Paragraph	Table or Figure Number	Comment
12	110	Chapter 6: Transportation - Goal T-3. Create a complete, safe, and comfortable pedestrian network ...	3.3 Pedestrian network. Create a safe, comfortable, and convenient pedestrian network that focuses on a) safe travel; b) improving connections between neighborhoods and commercial areas, and across existing barriers; c) providing places to sit or gather, pedestrian-scaled street lighting, and buffers from moving vehicle traffic; and d) includes amenities that attract people of all ages and abilities.	N/A	Lights and structures are prohibited on the SFPUC ROW. Any proposed use of SFPUC property must: 1.) comply with current SFPUC policies; 2.) be vetted through the SFPUC's Project Review process; and 3.) be formally authorized by the SFPUC.
13	110	Chapter 6: Transportation - Goal T-3. Create a complete, safe, and comfortable pedestrian network ...	4.8 San Francisco Bay Trail. Support the completion of the San Francisco Bay Trail, including relevant portions within East Palo Alto.	N/A	Any proposed use of SFPUC property must: 1.) comply with current SFPUC policies; 2.) be vetted through the SFPUC's Project Review process; and 3.) be formally authorized by the SFPUC.

Table 1. East Palo Alto General Plan - SFPUC Comments

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

Table 1. East Palo Alto General Plan - SFPUC Comments

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

Table 1. East Palo Alto General Plan - SFPUC Comments

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

Table 1. East Palo Alto General Plan - SFPUC Comments

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



Hetch Hetchy Regional Water System

Services of the San Francisco Public Utilities Commission

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

Approved January 13, 2015

by

SFPUC Resolution No. 15-0014

as an amendment to the SFPUC Real Estate Guidelines

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

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

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

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

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

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

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

¹ SFPUC Guidelines for the Real Estate Services Division, Section 2.0.

² SFPUC Guidelines for the Real Estate Services Division, Section 3.3.

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

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

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

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

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

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

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

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

III. ***Utilities***

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

³ SFPUC Right of Way Requirements.

⁴ SFPUC Guidelines for the Real Estate Services Division, Section 2.0.

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

IV. Vegetation

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

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

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

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

V. Measures to Promote Water Efficiency⁶

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

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

⁵ SFPUC Land Engineering Requirements.

⁶ SFPUC Rules and Regulations Governing Water Service to Customers, Section F.

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

VI. **Other Requirements**

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

⁷ SFPUC Framework for Land Management and Use.

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

VII. Community Gardens

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

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



Hetch Hetchy Regional Water System

Services of the San Francisco Public Utilities Commission

AMENDMENT TO THE RIGHT OF WAY INTEGRATED VEGETATION MANAGEMENT POLICY

Approved January 13, 2015

by

SFPUC Resolution No. 15-0014

12.000 RIGHT OF WAY INTEGRATED VEGETATION MANAGEMENT POLICY

12.001 General

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

The existence of large woody vegetation¹, hereinafter referred to as vegetation, and water transmission lines within the ROW are not compatible and, in fact, are mutually exclusive uses of the same space. Roots can impact transmission pipelines by causing corrosion. The existence of trees and other vegetation directly adjacent to pipelines makes emergency and annual maintenance very difficult, hazardous, and expensive, and increases concerns for public safety. The risk of fire within the ROW is always a concern and the reduction of fire ladder fuels within these corridors is another reason to modify the vegetation mosaic. In addition to managing vegetation in a timely manner to prevent any disruption in utility service, the SFPUC also manages vegetation on its ROW to comply with local fire ordinances enacted to protect public safety.

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

12.002 Woody Vegetation Management

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

1.1 Emergency Removal

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

1.2 Priority Removal

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

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

If vegetation along the ROW is grouped in contiguous stands², or populations, a systematic and staggered removal of that vegetation will be undertaken to replicate a natural appearance. Initial removal³ will be vegetation immediately above or within 15 feet of the pipeline edges; secondary vegetation⁴ within 15 to 25 feet from pipelines will then be removed.

1.3 Standard Removal

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

1.4 Removal Standards

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

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

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

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

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

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

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

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

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

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

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

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

12.003 Annual Grass and Weed Management

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

12.004 Segments of ROW that are covered by Agricultural deed rights

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

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

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

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

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

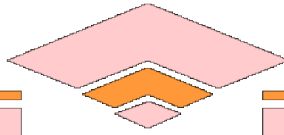
- Plants that may be permitted to be planted directly above existing and future pipelines: shallow rooted plants such as ground cover, grasses, flowers, and very low growing plants that grow to a maximum of one foot in height at maturity.
- Plants that may be permitted to be planted 15–25 feet from the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

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

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

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

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



MUWEKMA OHLONE INDIAN TRIBE

OF THE SAN FRANCISCO BAY AREA REGION

'Innu Huššištak Makiš Mak-Muwekma "The Road To The Future For Our People"

August 5, 2024

TRIBAL CHAIRPERSON

CHARLENE NIJMEH

EXECUTIVE DIRECTOR OF
CULTURAL RESOURCES/MLD

RICHARD MASSIATT

TRIBAL COUNCIL

JOANN BROSE
FRANK RUANO
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TRIBAL ARCHAEOLOGIST
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Dear Mr. Jen and Ms. Phillips,

Thank you for contacting the Muwekma Ohlone Tribal administration with regards to the preparation of "a Subsequent Environmental Impact Report (SEIR) in accordance with the California Environmental Act (CEQA) for the Ravenswood Business District/4 Corners Specific Plan Update."

In the letter dated July 26, 2024, it states that: "The current Ravenswood Business District /4 Corners Specific Plan, adopted in 2013, serves as a guide for development and redevelopment, including a policy and regulatory framework. The Adopted Plan allows for development of up to 1.268 million square feet of office uses, 351,820 square feet of industrial or research and development uses, 112,400 square feet of retail uses, 61,000 square feet of civic/community uses, and 835 housing units (816 multifamily, 19 single-family)."

This letter further states that: "this SEIR is seeking to analyze the potential environmental impacts of a cumulative amount of development that is greater than the existing Specific Plan. The future exact allocation of that development will be determined by project-specific applications and approvals but will not exceed the total analyzed in this SEIR. The Specific Plan update (under both Project scenarios) also includes comprehensive utility, infrastructure, transportation, and sea level rise improvements."

Based up this information, we gather that it is too premature for either the City or Cultural Resource Management subcontractors to have conducted a archival literature search at the California Historical Resources Information System (CHRIS)/Northwest Information Center at Sonoma State University. Obviously, this should be conducted and included in the EIR in order to see if any of our ancestral heritage sites were previously recorded within the subject property or located within a .25 miles radius of the project area. If one has previously been conducted, then please share those results of that search with our administration.

The subject study area falls within the ethnohistory territories/boundary between the Lamchin and the Puichon Ohlone-speaking tribal groups, which is included in our Tribe's aboriginal territory of the greater San Francisco Bay Area.

Our principal response is that the Muwekma Ohlone Tribal leadership respectfully requests to continually be included in this process by establishing tribal consultation meetings with the administration of the City of East Palo Alto as proscribed under the provisions of the Section 106 of the National Historic Preservation Act (NHPA), National Environmental Policy Act (NEPA), California Environmental Quality Act (CEQA), California Public Resources Code 21080.3.1 and Chapter 532 Statutes of 2014, SB 18, and AB 52 relative to the mitigation of potential adverse impacts to any of our recorded and unrecorded tribal ancestral heritage sites that may exist within any current and/or proposed construction projects located within the greater city limits of the City of East Palo Alto.

As you may already know, our Tribe has been engaged in CRM work since the mid-1980s, and since the 1990s have worked on our ancestral heritage sites including site **CA-SMA-267** located adjacent to **1416 Bay Road** in East Palo Alto where in June 1986 we recovered the remains of an adult male ancestor. Site CA-SMA-267 was named by our Muwekma Ohlone Language Committee *Loškowiš 'Awweš Tjáareštak* [**White Salt Man Site**] due to the fact that our ancestral remains were covered with a caliche (calcium carbonate) deposit. Furthermore, we named our ancestor *Loškowiš 'Awweš Tjáareš* which literally translates as "**White Salt Man**" aka "**Caliche Man.**" Please note that the City of East Palo Alto would **not** provide either funding for analysis of our ancestral remains or a place to rebury him (see attached report).

Our Tribe has also worked on several Stanford University-related projects such as at **CA-SCL-287/CA-SMA-623** site complex which was named by our Tribe *Yuki Kutsuimi Šaatoš Inūx* [**Sand Hill Road**] Sites, and the **Ronald McDonald House** site **CA-SCL-609** which was named *Horše 'Iššète Ruwwatka* meaning **Place of the Good Health House Site**, as well as several other sites. More recently, we have been involved in the recovery of ancestral remains in the **City of San Mateo** at site **CA-SMA-309** (*Wirak Tayyi Trépam Tjáareš-tak* which translates as **Man with the Bird Bone Tubes Site**).

Over these past decades we have co-authored in many published archaeological reports pertaining to our ancestral heritage sites and human remains, including recent burial recovery field work at several sites in the Sunol region under the jurisdiction of the **San Francisco Public Utilities Commission: CA-ALA-565** which our Tribe named *Sii Túupentak* meaning **Place of the Water Roundhouse Site** and at **CA-ALA-704 Rummey Ta Kuččuwiš Tiprectak** (**Place of the Stream of the Lagoon Site**), and with Caltrans at **CA-ALA-677 'Ayttakiš 'Éete Hiramwiš Trépam-tak** (**Place of Woman Sleeping Under the Pipe**). Furthermore, we have also co-authored many journal articles about our ancestral remains, ceremonial grave regalia, AMS dating, Stable Isotope, and modern and aDNA studies (see attached).

Based upon the review of our site sensitivity maps we have not identified any specific ancestral heritage sites within or immediately adjacent to the subject property. However, we are concerned that this very large project area is located near the historic Bayshore where our ancestors established settlements and large cemeteries in the form of what archaeologists have called "Shellmounds." These so-called Shellmounds are in fact territorial markers that also served as large ancestral cemeteries. As a result, we are concerned that previous construction projects within the Ravenswood Business District /4 Corners Specific Plan area was developed prior to CEQA or, if any of our ancestral remains were encountered were never recorded or reported upon, therefore any subsurface excavations should be considered as potentially sensitive and monitored by qualified archaeologists and Muwekma Ohlone monitors.

Brief Background Information:**Muwekma Tribe's Formal Determination of Previous Unambiguous Federal Recognition**

Our enrolled Muwekma members are **directly descended** from the aboriginal tribal groups who were missionized into Missions San Francisco, Santa Clara, and San Jose, and our tribal member's genealogy and descendance was independently verified by the Bureau of Indian Affairs' Office of Federal Acknowledgement in 2002 as part of our petitioning efforts to regain our Tribe's previous federally acknowledged status (under 25 C.F.R. Part 83.8). Furthermore, as the only BIA documented previously Federally Recognized Ohlone Tribe, we, along with our over 600+ BIA documented tribal members claim the greater San Francisco Bay region and surrounding counties, as part of our ancestral and historic homeland. Although, through various marginalizing mechanisms enacted by the Spanish, Mexican and American dominant societies, our ancestors nonetheless, found safe havens on several of our rancherias that were established in the East Bay, where it was one of the few regions where our people were able to work and live mostly unharmed by the newly arrived American colonists.

In 1989 our Tribe sent a letter to the Branch of Acknowledgement and Research in order to have our Acknowledged status restored. After eight years in the petitioning process, and after the submittal of several hundred pages of historic and legal documentation, on May 24, 1996 the Bureau of Indian Affairs' Branch of Acknowledgment and Research (BAR) made a positive determination that:

Based upon the documentation provided, and the BIA's background study on Federal acknowledgment in California between 1887 and 1933, we have concluded on a preliminary basis that the **Pleasanton or Verona Band of Alameda County** was previous acknowledged between 1914 and 1927. The band was among the groups, identified as bands, under the jurisdiction of the Indian agency at Sacramento, California. The agency dealt with the Verona Band as a group and identified it as a distinct social and political entity.

On December 8, 1999, the Muwekma Tribal Council and its legal consultants filed a law suit against the Interior Department/BIA – naming DOI Secretary Bruce Babbitt and AS-IA Kevin Gover over the fact the Muwekma as a previously Federally recognized tribe should not have to wait 24 or more years to complete our reaffirmation process.

In 2000 – D.C. District Court Justice Ricardo Urbina wrote in his **Introduction of his Memorandum Opinion Granting the Plaintiff's Motion to Amend the Court's Order** (July 28, 2000) and **Memorandum Order Denying the Defendants' to Alter or Amend the Court's Orders** (June 11, 2002) that:

The Muwekma Tribe is a tribe of Ohlone Indians indigenous to the present-day San Francisco Bay area. In the early part of the Twentieth Century, the Department of the Interior ("DOI") recognized the Muwekma tribe as an Indian tribe under the jurisdiction of the United States." (Civil Case No. 99-3261 RMU D.D.C.)

Our families were identified and listed on the two 1900 Federal Indian Censuses for Pleasanton and Niles; Special Indian Agent Charles E. Kelsey's Census of 1905-1906; 1910 Federal Indian Census of Indian Town; the 1910 and 1913 Indian Rancheria maps prepared by Kelsey for the Department of Interior and Congress; 1914, 1923 and 1927 Superintendent reports; 1928-1932 BIA enrollment under the 1928 California Indian Jurisdictional Act; attendance at Indian Boarding Schools in the 1930s and 1940s; enrollment with the 2nd BIA enrollment period (1950-1957); enrollment with the 3rd BIA enrollment period (1968-1971); as Ohlone members and contacts for protecting our Ohlone Indian Cemetery associated with Mission San Jose (1962-1971); and other historic documents and newspapers.

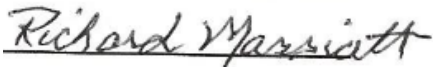
In conclusion, we are formally requesting tribal consultation under Senate Bill 18 (Government Codes §65352.3 and §65352.4) and Assembly Bill 52 (Public Resources Codes §21080.3.1 & §21080.3.2). Muwekma Tribal Councilman and Executive Director for Tribal Cultural Resources will be you main contact person for Tribal Consultation along with Tribal Chairwoman Charlene Nijmeh and Alan Leventhal, Tribal Archaeologist. Furthermore, should the City and/or your Cultural Resource Management contractors choose to work with our Tribe for monitoring and, if necessary, burial recovery services we will make ourselves available for this project.

We are attaching related historic and legal documents and examples of our previous ancestral heritage recovery work for your review and consideration. and look forward in working closely with you and your team on this (if necessary) and any future related projects within our ethnohistoric homeland within the City of East Palo Alto.


Sincerely,



Charlene Nijmeh, Chairwoman, Muwekma Ohlone Tribe



Richard Massiatt, Executive Director CRM and MLD Muwekma Ohlone Tribe



Alan Leventhal, Muwekma Ohlone Tribal Archaeologist

Cc: Muwekma Tribal Council
Cultural Resources File:
City of East Palo Alto Ravenswood Business Specific Plan Project
Attachments



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

Meredith Williams, Ph.D.
Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

August 29, 2024

Alvin Jen
Associate Planner
City of East Palo Alto
1960 Tate Street
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ajen@cityofepa.org

RE: SUBSEQUENT ENVIRONMENTAL IMPACT REPORT FOR THE RAVENSWOOD BUSINESS DISTRICT/FOUR CORNERS SPECIFIC PLAN UPDATE DATED JULY 26, 2024, STATE CLEARINGHOUSE NUMBER [2022040352](#)

Dear Alvin,

The Department of Toxic Substances Control (DTSC) received a Subsequent Environmental Impact Report (SEIR) for the Ravenswood Business District/Four Corners Specific Plan Update (project). The City adopted the existing Ravenswood Specific Plan in 2013. An update to the Specific Plan (Specific Plan Update) is proposed and would increase the total amount of development allowed within the Specific Plan area. The proposed Specific Plan Update would be implemented as one of two development scenarios, both of which are evaluated in the SEIR: Scenario 1 would consist of an additional 2.8 million square feet of office and research and development (R&D) space, 250,000 square feet of industrial space, 129,700 square feet of civic space, 112,400 square feet of retail space, 43,870 square feet of tenant amenity space, and 1,350 residential units.

Scenario 2 would consist of an additional 3.3 million square feet of office and R&D space, 300,000 square feet of industrial space, 129,700 square feet of civic space, 112,400 square feet of retail space, 53,500 square feet of tenant amenity space, and 1,600 residential units. After reviewing the project, DTSC recommends and requests consideration of the following comments:

1. As listed in Table 3.9-1 Summary of Reported On-Site Spill Incidents of the SEIR, [Romic Environmental Technologies Corp](#) (Site) remains an open case. The United States Environmental Protection Agency (USEPA) is the lead agency regulatory agency overseeing the Site's corrective action implementation, while the DTSC is the lead regulatory agency responsible for overseeing the final closure and redevelopment. The San Francisco Regional Water Quality Control Board is providing further regulatory oversight as they are responsible for maintaining groundwater quality in the San Francisco Bay region. Per Table 3.9-1 of the SEIR, the Romic facility was historically used as a hazardous waste management facility. During facility operations, soil, soil vapor, and groundwater were contaminated with chlorinated and aromatic volatile organic compounds. Based on Figures 3.16-4 and 3.16-5, it appears that bike paths and pedestrian improvements will intersect the Site. The Site has a [Land Use Covenant and Agreement](#) (Covenant) that restricts uses of the Site to protect human health, safety and the environment. Additionally, remedial activities at the Site are ongoing for an indefinite period. In order to protect the health of project workers and future workers at the Site, the USEPA and DTSC should be consulted before moving forward with any project activities on or adjacent to the Site boundary.
2. In addition to the Site mentioned in Number 1, the proposed Project encompasses multiple active and nonactive mitigation and clean-up sites where DTSC has conducted oversight that may be impacted as a result of this project. This may restrict what construction activities are permissible in the proposed project areas in order to avoid any impacts to human health and the environment.

3. Due to the broad scope of the project, DTSC is unable to determine the locations of the proposed sites, whether they are listed as having documented contamination, land use restrictions, or whether there is the potential for the sites to be included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, DTSC recommends providing further information on the proposed project and areas that may fall under DTSC's oversight within future environmental documents. Once received, DTSC may provide additional comments on future environmental documents as further information becomes available. Please review the project area in [EnviroStor](#), DTSC's public-facing database.
4. DTSC recommends that all imported soil and fill material should be tested to assess any contaminants of concern meet screening levels as outlined in [DTSC's Preliminary Endangerment Assessment \(PEA\) Guidance Manual](#). Additionally, DTSC advises referencing the [DTSC Information Advisory Clean Imported Fill Material Fact Sheet](#) if importing fill is necessary. To minimize the possibility of introducing contaminated soil and fill material there should be documentation of the origins of the soil or fill material and, if applicable, sampling be conducted to ensure that the imported soil and fill material are suitable for the intended land use. The soil sampling should include analysis based on the source of the fill and knowledge of the prior land use. Additional information can be found by visiting [DTSC's Human and Ecological Risk Office \(HERO\) webpage](#).
5. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition, and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with [DTSC's PEA Guidance Manual](#).

6. When agricultural crops and/or land uses are proposed or rezoned for residential use, a number of contaminants of concern (COCs) can be present. The Lead Agency shall identify the amounts of Pesticides and Organochlorine Pesticides (OCPs) historically used on the property. If present, OCPs requiring further analysis are dichloro-diphenyl-trichloroethane, toxaphene, and dieldrin. Additionally, any level of arsenic present would require further analysis and sampling and must meet [HHRA NOTE NUMBER 3, DTSC-SLs](#) approved thresholds. If they are not, remedial action must take place to mitigate them below those thresholds.
7. Additional COCs may be found in mixing/loading/storage areas, drainage ditches, farmhouses, or any other outbuildings and should be sampled and analyzed. If smudge pots had been routinely utilized, additional sampling for Polycyclic Aromatic Hydrocarbons and/or Total Petroleum Hydrocarbons may be required.

DTSC believes the City of East Palo Alto must address these comments to determine if any significant impacts under the California Environmental Quality Act (CEQA) will occur and, if necessary, avoid significant impacts under CEQA. DTSC recommends the department connect with our unit if any hazardous waste projects managed or overseen by DTSC are discovered. Please refer to the [City of East Palo Alto EnviroStor Map](#) for additional information about the areas of potential contamination. If further concerns or impacts surface in light of the any forthcoming environmental documents, DTSC reserves the right to provide applicable comments at that time.

DTSC appreciates the opportunity to comment on the SIER for the Ravenswood Business District/Four Corners Specific Plan Update. Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like clarification on DTSC's comments, please respond to this letter or via [email](#) for additional guidance.

Alvin Jen
August 29, 2024
Page 5

Sincerely,

Tamara Purvis

Tamara Purvis
Associate Environmental Planner
HWMP - Permitting Division – CEQA Unit
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cc: (via email)

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Scott.Wiley@dtsc.ca.gov

From: [Olson, Brian@DOC](mailto:Olson_Brian@DOC)
To: [RBD](#)
Cc: OLRA@DOC; [OPR State Clearinghouse](#); [Gomez, DarylAnne@DOC](mailto:Gomez_DarylAnne@DOC)
Subject: Ravenswood Business District/4 Corners Specific Plan Update SEIR
Date: Friday, August 30, 2024 11:37:46 AM
Attachments: [image001.png](#)

SCH Number

2022040352

Lead Agency

City of East Palo Alto

Document Title

Ravenswood Business District/Four Corners Specific Plan Update

Document Type

SBE - Subsequent EIR

Received

7/26/2024

Hello, Alvin—

Thank you for providing the City's Notice of Availability (NOA) of a draft Subsequent Environmental Impact Report (SEIR) for our review. This email conveys the following comments/recommendations from CGS concerning geologic and seismic hazard issues within the proposed project:

1. Tsunami Hazards

- The SEIR provides a discussion of tsunami inundation hazards and a map depicting Tsunami Hazard Areas within the Specific Plan boundary. The SEIR should also discuss CGS Tsunami Hazard Areas (THAs), which are mapped along the entire California coast. The purpose of a THA is to assist public agencies in identifying their exposure to tsunami hazards. It is intended for local jurisdictional, coastal evacuation planning uses only. Additional information and map files can be found at the links below:
<https://www.conservation.ca.gov/cgs/tsunami>
<https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps>
https://www.conservation.ca.gov/cgs/Documents/Publications/Tsunami-Maps/Tsunami_Hazard_Area_Map_San_Mateo_County_a11y.pdf
- The City should also check to see if the Specific Plan boundary includes any Tsunami Design Zone established by the California Building Code (CBC). The CBC requires certain design standards for essential/critical or larger structures within these zones. The following website provides additional information regarding Tsunami Design Zones: <https://asce7tsunami.online/>.

Brian Olson, CEG
Senior Engineering Geologist



@CAgeosurvey
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Seismic Hazards Program

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California Geological Survey

320 W. 4th Street, Suite 850, Los Angeles, CA 90013

M: (213) 507-1080

"A team is not a group of people who work together.

A team is a group of people who trust each other." – Simon Sinek

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August 30, 2024

Ruby Phillips
City of East Palo Alto
1960 Tate St.
East Palo Alto, CA 94303

Re: Ravenswood Business District

Dear Ruby Phillips,

Thank you for giving us the opportunity to review the subject plans. The proposed Ravenswood Business District project is within the same vicinity of PG&E's existing facilities that impact this property.

PG&E has easements for its facilities within proximity to this project. The easements have expressed building restrictions which do not allow for construction, drilling, structures or any other obstruction from being within the easement area. Portions of this project appear to be within PG&E's facility easement areas which is the reason for this letter.

Please contact the Building and Renovation Center (BRSC) for facility map requests by calling 1-877-743-7782 and PG&E's Service Planning department at www.pge.com/cco for any modification or relocation requests, or for any additional services you may require.

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

If you have any questions regarding our response, please contact me at M71A@pge.com

Sincerely,

Matthieu McNair
Land Management
925-804-5736

RAVENSWOOD SHORES BUSINESS DISTRICT, LLC (RSBD)

PO Box 51862, Palo Alto CA 94303

Jeff Poetsch, President -

650-207-4994 - jeffcp@earthlink.net

To: Alvin Jen / City of East Palo Alto
Troy Reinhalter / Rami & Associates

From : Jeff Poetsch, President, Ravenswood Shores Business District

Date: August 9, 2024

CC: Members of the Ravenswood Shores Business District

RE: SEIR for the Ravenswood / 4 Corners Specific Plan Update - Revised

Hi Alvin and Troy - Attached are some comments to the draft SEIR for the Ravenswood / 4 Corners Specific Plan update. Thanks for your consideration.

General Comments

1. Reference to the 2013 Specific Plan / EIR - throughout the SEIR document, when referencing the square footages of office, industrial etc. studied in the 2013 EIR, the SEIR states these are the “allowable” square footages of new development. I believe the 2013 Specific Plan and EIR do not state these are the maximum allowable development square footages, rather these are the studied new development square footages. I would think it is appropriate to correct this reference.
2. TDM - Shuttle Services - In several sections of the SEIR, (i.e. AIR 8.4-3) the report identifies a “shuttle program” as a requirement of the TDM. My recollection from our recent discussion on this topic in our Ravenswood Developer Meeting, we noted that a “shuttle program” was exceptionally expensive and the objective of a TDM program would be to achieve the 40% reduction in ADT and avoid a “shuttle program” if possible. The reference if included should be conditioned on something like, “If needed to achieve a 40% reduction in ADT, ...”. I would suggest that there be a maximum of flexibility in the tools necessary to achieve the 40% ADT reduction.
3. Mitigation Measures for Biological Resources - The Mitigation Measures for Biological Resources have a significant impact and influence on the several of the proposed new development projects because of these projects’ proximity to the wetlands and critical habitat in the Ravenswood Open Space Preserve and the Bayland Nature Preserve. While these mitigation measures may be “standard practice” some of the requirements such as specified study area boundaries and limited construction window seem onerous. I’ve addressed a couple specific areas of concern below.
4. Loop Road - There are numerous references to the “Loop Road” which I believe can be removed from the SEIR as the City Council has given direction to eliminate the Loop Road from consideration and implementation at this time. Ideally, all references to the Loop Road could be removed but short of that would suggest that you add a clarify statement in the Summary of the Project that states the Loop Road is no longer part of the Specific Plan.

Specific Comments

1. Table - ES-1 Mitigation Measures – Air Quality - TDM Requirements - As noted above a requirement that a TMA fund and operate a shuttle program should be condition on the need for such a program to be undertaken to meet the 40% reduction in Average Daily Trips. As noted in our August RBD Developer meeting, implementing a “shuttle program” will be horrendously expensive and will put East Palo Alto at a competitive disadvantage in attracting tenants.

2. Table - ES-1 Mitigation Measures – Air Quality MM AIR 3.1 / MM AIR 3.2. - It sure seems that some of these mitigation measures are redundant and at times contradictory. (exposed surfaces watered 2 a day (even if it is raining?) - exposed surfaces to maintain a 12 % soil moisture). Is it possible to make this consistent?
3. Table – ES-1. Mitigation Measures - Biological Resources MM BIO-2.1. Salt Marsh Harvest Mouse & Salt Marsh Wandering Shrew Mitigation Measures – Mitigation Measures in this section reference the requirement to erect “exclusion fencing” and then the follow mitigation measure specifies the need to engage a qualified biologist to check under vehicles & equipment for mouse or shrew presence unless the equipment is surrounded by exclusion fencing. These mitigation measures seem redundant. Can the second measure be clarified to say something like “to the degree that exclusion fencing is not erected between the construction areas and harvest mouse / shrew habitat a qualified biologist ...”.
4. Table - ES-1 Mitigation Measures – BIO-2 - MM BIO-2.5. I would suggest that Raptor Perch Deterrents need to be conditioned on a caveat such as “to the extent feasible” or “to the degree that Raptor Perch Deterrent locations are in the control of the project. Lots of these “Raptor Perch Deterrents” would be required to be placed on power poles owned by PG&E where I’m guessing PG&E will determine what deterrent (if any) is permitted.
5. Figure 2.3-1 Specific Plan Update Land Use Map - (page 11) - This diagram identifies the site at the end of Tara as part of the Ravenswood Employment Zone when this wants to be Waterfront Office. Not sure what the rational is to now include the east side of Demeter Street as Industrial Transition. West side of Demeter makes sense, but the east side doesn’t.
6. Figure 2.3-6 Multi Use Path Cross Sections - (page 22) - The PUE easement as proposed by the SFCJPA as diagramed in the lower drawing is 22 feet - not 10 feet.
7. Figure 3.10-2 (page 238). Tsunami Hazard Zone - I’m not clear how this map was established but it seems arbitrary and maybe not inaccurate.

RAVENSWOOD SHORES BUSINESS DISTRICT, LLC (RSBD)

PO Box 51862, Palo Alto CA 94303

Jeff Poetsch, President -

650-207-4994 - jeffcp@earthlink.net

To: Alvin Jen / City of East Palo Alto
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From : Jeff Poetsch, President, Ravenswood Shores Business District

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California Department of Transportation

DISTRICT 4
OFFICE OF REGIONAL AND COMMUNITY PLANNING
P.O. BOX 23660, MS-10D | OAKLAND, CA 94623-0660
www.dot.ca.gov



September 10, 2024

SCH #: 2022040352
GTS #: 04-SM-2022-00603
GTS ID: 26271
Co/Rt/Pm: SM/109/1.121

Alvin Jen, Associate Planner
City of East Palo Alto
1960 Tate Street
East Palo Alto, CA 94303

Re: Ravenswood Business District/4 Corners Specific Plan Update – Draft Subsequent Environmental Impact Report (SEIR)

Dear Alvin Jen:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Ravenswood Business District/4 Corners Specific Plan Update. The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities. The following comments are based on our review of the July 2024 Draft SEIR.

Please note this correspondence does not indicate an official position by Caltrans on this project and is for informational purposes only.

Project Understanding

The proposed project is to update the Ravenswood Business District/4 Corners Specific Plan, which serves as a guide for development and redevelopment within the approximately 350-acre Specific Plan area. The proposed update to the Specific Plan would increase the total amount of development allowed within the plan area by increasing the maximum square footages for office, research and development/life science, light industrial, civic/community, tenant amenity, and the total number of residential units allowed to be developed. The plan area is within a mile of three freeways: U.S. Route 101 (U.S. 101), State Route 84 (SR 84), and State Route 109 (SR 109). A small portion of the plan area is directly adjacent to a segment of SR 109 that is within Caltrans right-of-way (ROW).

Travel Demand Analysis

The project Vehicle Miles Traveled (VMT) analysis and significance determination are undertaken in a manner consistent with the City's adopted VMT policy. Per the SEIR, this project is found to have a less than significant VMT impact and proposes a number of Transportation Demand Management measures to encourage multimodal options, which is in support of meeting state policy goals on VMT reductions.

Future projects under this Specific Plan Update would make fair share contributions towards the identified improvements listed in the SEIR. Please note that some proposed improvements may require coordination with and approval by Caltrans.

Multimodal Transportation Planning

Please review and include the reference to the *Caltrans District 4 Pedestrian Plan* (2021) and the *Caltrans District 4 Bike Plan* (2018) in the SEIR. These two plans studied existing conditions for walking and biking along and across the State Transportation Network (STN) in the nine-county Bay Area and developed a list of location-based and prioritized needs.

The *Caltrans District 4 Bike Plan* considers SR 109 from SR 84 to Donohoe Street/East Bayshore Road as a top priority for Corridor Improvement. The *Caltrans District 4 Pedestrian Plan* identifies the segment of SR 109 from SR 84 to Notre Dame Avenue a top priority for Highway Segment Improvements for pedestrians. Within the project limits, please consider incorporating higher visibility striping for any planned pedestrian crosswalks, installing "YIELD TO PEDS" signs as needed, and incorporating curb ramps on the crosswalks that are compliant with American Disability Act (ADA) standards.

Please note that any Complete Streets reference should be updated to reflect Caltrans Director's Policy 37 ([link](#)) that highlights the importance of addressing the needs of non-motorists and prioritizing space-efficient forms of mobility, while also facilitating goods movement in a manner with the least environmental and social impacts. This supersedes Deputy Directive 64-R1, and further builds upon its goals of focusing on the movement of people and goods.

Hydrology

Please ensure that any increase in storm water runoff to State Drainage Systems or Facilities be treated, contained on project site, and metered to preconstruction levels. Any floodplain impacts must be documented and mitigated.

It is recommended to mention in Section 3.18.2.1, Project Impacts, Stormwater Drainage, 2013 Specific Plan Policy UTIL-3.1 that the latest storm water model analysis included in Appendix G - Utility Impact Study has been prepared with consideration of Sea Level Rise (SLR) and other current and proposed flood resiliency projects (primarily

levees) being constructed or proposed along the San Francisco Bay, in the direct vicinity of the proposed storm drain outfall locations.

Please note that Section 3.10.1.2, Flood Hazards references discussion of SLR effects in "Section 3.10.3 Non-CEQA Effects"; however, the SEIR does not have a section 3.10.3 and it appears that the intention was to reference "Section 3.11.3 Non-CEQA Effects".

Construction-Related Impacts

Project work that requires movement of oversized or excessive load vehicles on State roadways requires a transportation permit that is issued by Caltrans. To apply, please visit Caltrans Transportation Permits ([link](#)).

Prior to construction, coordination may be required with Caltrans to develop a Transportation Management Plan (TMP) to reduce construction traffic impacts to the STN.

Lead Agency

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

Equitable Access

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

We will achieve equity when everyone has access to what they need to thrive no matter their race, socioeconomic status, identity, where they live, or how they travel. Caltrans is committed to advancing equity and livability in all communities. We look forward to collaborating with the City to prioritize projects that are equitable and provide meaningful benefits to historically underserved communities.

Caltrans encourages the City to foster meaningful, equitable and ongoing public engagement in the Specific Plan development process to ensure future transportation decisions and investments reflect community interests and values. The public engagement process should include community-sensitive and equity-focused approaches seeking out the needs of individuals from underserved, Tribal, and low-income communities, the elderly, and individuals with disabilities.

Encroachment Permit

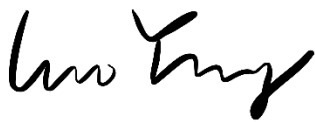
Please be advised that any permanent work or temporary traffic control that encroaches onto Caltrans' ROW requires a Caltrans-issued encroachment permit. As part of the encroachment permit submittal process, you may be asked by the Office of Encroachment Permits to submit a completed encroachment permit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

The Office of Encroachment Permit requires 100% complete design plans and supporting documents to review and circulate the permit application package. To obtain more information and download the permit application, please visit Caltrans Encroachment Permits ([link](#)). Please note that the checklist TR-0416 is used to determine the appropriate Caltrans review process for encroachment projects. Your application package may be emailed to D4Permits@dot.ca.gov.

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Luana Chen, Transportation Planner, via LDR-D4@dot.ca.gov.

For future early coordination opportunities or project referrals, please visit Caltrans LDR website ([link](#)) or contact LDR-D4@dot.ca.gov.

Sincerely,



YUNSHENG LUO
Branch Chief, Local Development Review
Office of Regional and Community Planning

c: State Clearinghouse

Miles Imwalle
D (415) 772-5786
mimwalle@coblentzlaw.com

September 10, 2024

VIA E-MAIL

Mr. Alvin Jen
Associate Planner
City of East Palo Alto
1960 Tate Street
East Palo Alto, CA 94303

Re: Comments on Ravenswood Business District/4 Corners Specific Plan Update Draft
Subsequent Environmental Impact Report

Dear Mr. Jen:

Coblentz, Patch Duffy & Bass, LLP is legal counsel for Sycamore Real Estate Investment LLC, which owns property located within the Ravenswood Business District/4 Corners Specific Plan area. On behalf of Sycamore Real Estate Investment, we thank you for the opportunity to provide the following comments on the Ravenswood Business District/4 Corners Specific Plan Public Review Draft Subsequent Environmental Impact Report (SEIR), dated July 2024. Sycamore Real Estate Investment is committed to working with the City of East Palo Alto and the City's consultant team to propose an EPA Waterfront Project that will truly benefit the City and community. As such, we provide the following comments on the SEIR intended to ensure clear, efficient tiering from the SEIR and maximum utility for projects proposed within the Specific Plan Update area.

Global Comments

- Throughout the SEIR, each impact statement could be more clearly delineated and consistently labeled, which will allow subsequent projects tiering from the SEIR to more clearly restate the SEIR's conclusions to better support analysis of whether a future project is within the envelope of impacts studied in the SEIR.
- Throughout the SEIR, it is not clear if the 2013 EIR Mitigations still apply or if they are being replaced by the 2024 SEIR. For example, the Biological Resources chapter clearly replaces 2013 measures, the Geology chapter often states the 2013 measures still apply, but the Air Quality chapter (see pages 79–81) includes mitigation measures from the 2013 EIR and new mitigation measures, but does not state whether the 2013 measures still apply or are replaced.
- Further, not every impact chapter lists the applicable policies. For example, Cultural Resource-related Specific Plan policies are listed, even though the impacts are "not significant" (as Table ES-1 requires), but other sections of the SEIR do not list the

Mr. Alvin Jen
September 10, 2024
Page 2

applicable policies. Consistently including the applicable policies would make it considerably easier for future applicants to understand their mitigation obligations.

Executive Summary

- For clarity and ease of tiering, the Executive Summary could be revised to clearly identify the level of significance of each impact. For example, the Executive Summary table currently does not include all less than significant with mitigation (LTSM) impacts, and the table does not provide impact numbers for less than significant (LTS) or No impact (NI) topics. Specifically, Transportation Impact (a) requires implementation of mitigation measures and polices (see page 388–389) but is shown as less than significant and not included in the table as LTSM. Thorough and consistent numbering and identification of impacts would assist with later tiering.
- Similarly, it would be helpful for the table to also include the level of significance for each impact following implementation of any mitigation measures.
- Overall, the summary table would be more informative if it includes all impacts (consistently labeled/numbered), applicable mitigation measures (either from the old Specific Plan or the Specific Plan Update), the level of impact before mitigation, and the level of impact after mitigation.

Air Quality

- MM AIR 1.1 states that idling should be limited to 2 minutes but should be revised to 5 minutes, as indicated in our comments to Appendix B below.
- MM AIR 1.1 is inconsistent with MM AIR 4.1 and with the discussion on page 81–82 of the SEIR and Appendix B page 7. MM AIR 1.1 requires Tier 4 for all construction equipment larger than 25 horsepower and should be revised to 50 horsepower to be consistent with MM AIR 4.1 and Appendix B.
- For clarity to future developers within the Specific Plan Update area and to maintain consistency with the methodology used for the SEIR, it would be helpful to clarify MM AIR 4.1 to specifically indicate that any project specific health risk analysis should be prepared pursuant to the 2017 BAAQMD Guidelines.
- There are two references to MM AIR 3.3, but that mitigation measure does not exist (see pages 82 and 83). Should that reference MM AIR-4.1?

Biological Resources

- The compensatory mitigation requirement of MM BIO-2.2 is above and beyond what is typically required for the Salt Marsh Harvest Mouse and Salt Marsh Wandering Shrew. We recommend that the mitigation measure be clarified to require compensatory mitigation for tidal marsh habitat suitable for these species instead of the broader language currently in the measure, which states: “Compensatory mitigation shall be provided for any potentially suitable habitat for these species that is permanently lost to development or that is present within 50 feet of any new or higher-intensity lighting installed by Specific Plan activities.”

Mr. Alvin Jen
September 10, 2024
Page 3

We recommend the measure be revised to: “Compensatory mitigation shall be provided for any potentially suitable tidal marsh habitat for these species that is permanently lost to development or that is present within 50 feet of any new or higher-intensity lighting installed by Specific Plan activities.”

- We recommend that the following items be corrected or clarified to ensure clarity of the analysis and efficient tiering:
 - For impact (a), operation of buffer zones should be clarified for species not located within a specific project’s area to clarify that the buffer zone extends only to the extent of each individual developer’s property.
 - On page 142, the analysis states that “implementation of mitigation measure MM BIO-1.4 and MM BIO-1.20 would mitigate the impacts of the loop road wildlife movement to less than significant levels.” Therefore we believe this impact conclusion should be revised to less than significant with mitigation, and the impact should be added to Table ES-1.

- For additional clarity, the following revisions should be made to the mitigation measure references and discussions in the Biological Resources chapter:
 - Also on page 136, the discussion states that MM BIO-1.22 would apply, but that mitigation measure does not appear to exist. Should this discussion reference MM BIO-9.1?
 - On page 138, the discussion for impact BIO-10 references MM BIO-1.14 and MM BIO-15. These mitigation measures do not appear to exist and so the correct measures should instead be identified.
 - Page 140 reads “With implementation of mitigation measures MM BIO-1.22 through MM BIO-1.24, buildout of the proposed Specific Plan update would result in a less than significant impact to jurisdictional wetlands.” As noted, above, MM BIO-1.22 does not appear in the SEIR and so this reference should be corrected.
 - On page 141, the last sentence references MM BIO-1.22 through 1.24, but these mitigation measures do not appear in the SEIR and so the references should be corrected.
 - On page 142, please correct the references to MM BIO-1.4 and MM BIO-1.20. These measures are not listed in the SEIR.

- To ensure clear implementation of mitigation measures, we also request that the following revisions:
 - Revise MM BIO-2.1 to clarify that a qualified biologist will be on-call during construction to inspect vehicles and equipment:
“During construction, a qualified biologist will be on-call to check underneath vehicles and equipment for salt marsh harvest mice and salt marsh wandering shrews before such equipment is moved, unless the equipment is surrounded by harvest mouse exclusion fencing.”

Mr. Alvin Jen
September 10, 2024
Page 4

Hazards and Hazardous Materials

- The Regulatory Authority section should reference the San Francisco Regional Water Quality Control Board's authority to issue investigation and cleanup orders, and to conduct environmental oversight of redevelopment activities to ensure protection of human health and the environment. We recommend adding the following:
"San Francisco Regional Water Quality Control Board (Water Board) has authority under Division 7 of the California Water Code (and other authority) to regulate the investigation, cleanup, and redevelopment of environmentally impacted sites. In addition to the authority to issue orders, the Water Board reviews and approves environmental risk management plans for redevelopment activities of properties known to be environmentally impacted. The Water Board will oversee the implementation of the environmental and construction measures and protocols required under the risk management plan to ensure the protection of future site users, the public and the environment."
- Table 3.9-1 regarding Historical Uses and Reported Spills sites should be clarified to identify that several of the listed sites have been fully assessed and remain "open" only due to land use covenants directing the measures required to the development of the property. We recommend that Figure 3.9-1 be revised to depict properties that have been fully assessed, have recorded a land use covenant, and an approved risk management plan. Further, Section 3.9.1.2, Ravenswood Industrial Area, p. 215, should be updated to include the following information, which we recommend adding to paragraph 2, following sentence 2:

To address these conditions and facilitate community revitalization in 1992 the San Francisco Bay Regional Water Quality Control Board (Water Board) required, under two orders, the owner of each property within the Ravenswood Industrial Area to submit site use histories, develop workplans to identify the extent of soil and groundwater impacts, report results of these investigations, and propose further characterization as needed.

The Water Board concluded that property owners had met the requirements for all the properties. Therefore, on Mach 19, 2024, the Water Board rescinded the orders, finding:

Environmental Assessments (Phase I and Phase 2) had been conducted, identifying the nature and extent of environmental impacts; Site Remediation was conducted at several of the properties; and Risk Management of Residual Contamination at some of the properties has either been addressed by land use covenants, risk management plans, other orders, or continued oversight by the Water Board.

Mr. Alvin Jen
September 10, 2024
Page 5

While many of the sites remain “open/long-term monitoring”, this designation is based on the presence of land use covenants (agreements between the property owner and the Water Board that specify the uses of the property and the environmental measures and protocols to be followed during site revitalization). These sites have undergone extensive environmental review and will be redeveloped under the jurisdiction of the Regional Water Quality Control Board to ensure protection of future site users, the public, and the environment. These sites are designated with an “*” in the below Table 3.1-1, including Sites 1-7.

- On page 219, it seems that this needs its own impact number and summary of the policy referenced, consistent with criteria (b), Impact HAZ-1. In addition, we recommend the following text changes to clarify that properties that have an LUC, and risk management plan would manage the issues addressed by Specific Plan Policy LU-7.1 through their prior and ongoing Water Board compliance:

Sentence 2 of the first paragraph on page 219:

“However, implementation of Specific Plan Policy LU-7.1, or ongoing compliance with Water Board land use covenants and risk management plans under the Water Board’s jurisdiction, would ensure that future projects would prepare Phase I Environmental Assessment (ESA), as necessary.”

Sentences one and two of the second paragraph:

“As discussed in the proposed Specific Plan Update Policies LU-5.1 through LU-5.6, future projects would be required to prepare a site-specific Phase I Environmental Site Assessment (Phase I ESA) prior to development/redevelopment, to the extent such properties are not already subject to ongoing compliance with Water Board land use covenants and risk management plans under the Water Board’s jurisdiction. If the above-mentioned chemicals/substances are identified as contaminants of concern, these contaminants would be subject to screening levels published by the California Department of Toxic Substances Control (DTSC), San Francisco Bay Regional Water Quality Control Board (RWQCB) and/or U.S. Environmental Protection Agency (U.S. EPA), or as directed by the Water Board pursuant to recorded site-specific land use covenants and risk management plans. Future development projects would comply with the following proposed Specific Plan Update Policies to reduce impacts related to groundwater, soil, and soil vapor, unless otherwise directed by the Water Board pursuant to existing site-specific land use covenants and risk management plans.”

- Related to the above comment, the discussion of the Specific Plan Policies applicable to Impact HAZ-1 could be revised to account for Phase 1 and Phase 2 environmental site assessments performed under Water Board oversight, development and recordation of

Mr. Alvin Jen
September 10, 2024
Page 6

protective land use covenants and risk management plans, and ongoing Water Board oversight during site development. We recommend the following revisions on page 220 and as indicated:

“Specific Plan Policies LU-5.1 through LU-5.6, have been included to reduce the groundwater contamination related impacts of future developments to less than significant levels. For properties with Phase 1 and Phase 2 environmental site assessments performed under Water Board oversight, recorded, protective land use covenants and risk management plans, and ongoing Water Board oversight during site development, compliance with Water Board direction and existing obligations will ensure that impacts will be less than significant.”

We also recommend the following new sentence following the introductory sentence:

“Properties covered by recorded land use covenants and approved risk management plans, and ongoing Water Board oversight during site development would reduce this impact to a less than significant level through compliance with Water Board direction and existing obligations.”

Additionally, we recommend that the final paragraph on page 223 be modified as follows:

“In the Specific Plan area, one facility (see Table 3.9-1, #10) is listed as an open LUST case, two facilities (Table 3.9-1, #15 and #20) are listed as closed LUST cases, and four facilities (Table 3.9-1, #14, #16, #24, and #25) are listed as closed LUST cases (with residual contamination), and seven facilities (Table 3.9-1, #s 1-7) have Water Board approved recorded land use covenants and risk management plans on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.”

Transportation

- On page 376, Table 3.16-6, regarding Intersection #42, the Draft SEIR proposes that a single-lane roundabout be constructed to improve the affected intersection, which “would require adjacent properties to dedicate right-of-way.” Our traffic consultant conducted a traffic analysis for the cumulative plus projects conditions and found that an all-way stop would result in the intersection operating at LOS C or better and may not require an additional dedicated right-of-way. Analysis results are attached (“Transportation comment page 3.16_analysis regarding intersection 42”). Given this conclusion, a roundabout that requires greater dedication should not be required.

Alternatives

- Also in Table 7.3.1, as indicated in Footnote f to the Table, “25,000 square foot EPA Center (civic use) was constructed and in operation in 2022 under the 2013 Specific Plan.” As such, please confirm whether this existing development (and other existing

Mr. Alvin Jen
September 10, 2024
Page 7

development) should be included in the No Project/No New Development Alternative. Clarify whether the No Project/No Development Alternative means no existing development and, assuming not, consider revising to include existing development in the assumptions or otherwise clarify why the table reflects 0, consistent with narrative on following page.

- Similarly, please clarify whether the No Project/2013 Specific Plan Alternative is the total development analyzed in the 2013 EIR and included in the 2013 Specific Plan, or that proposed total development minus projects constructed pursuant to the Specific Plan (total buildout net actual development).

Appendix C. Biological Resources Analysis

- The report should be updated to correct the municipal code citations and descriptions to conform to City's code. See H. T. Harvey Report, pp. 20-21 and SEIR, pp. 90-91, 144. Tree protection references and requirements in the SEIR are not consistent with the description in the H. T. Harvey report. For example, the H. T. Harvey report references Section 6420 of the City's Municipal Code and states that permit is required for removal of trees with a "main stem or trunk that measures 40 inches in circumference." (H. T. Harvey report, p. 20). The SEIR cites to Municipal Code Chapter 18, Section 18.28.040 and requires a permit for trees with a main stem 24 inches or greater. (pp. 90-91).
- The report's General Plan discussion should be updated to conform with the Vista 2035 East Palo Alto General Plan's Parks, Open Space, and Conservation Element. See H. T. Harvey Report, pp. 22-23. For example, the H. T. Harvey report describes Policy 2.1 of the General Plan's Conservation and Open Space Element. (H. T. Harvey report, p. 22). The SEIR describes the Vista 2035 East Palo Alto General Plan Parks, Open Space, and Conservation Element's policies 4.2, 4.7, 4.8, 4.9 and 6.2.
- Page 97, Table 3.4-1 of the SEIR lists the American peregrine falcon, but the report does not include a listing for the American peregrine falcon. Please resolve this inconsistency.
- The maximum height should be corrected from 120 feet above ground surface to 122 feet, consistent with the SEIR. Please also ensure that jobs and population figures in the report are updated to reflect the SEIR figures.

Appendix D. Screening Level Environmental Site Assessment

- Table 1, page 2 regarding Sycamore Real Estate Investment (multiple properties) requires updating as follows:

Sycamore Real Estate Investment is listed as a multi-property CPS case (~~open~~ Open Case – Long Term Management (due to land use covenant) ID T10000019768) consisting of the following seven separate CPS cases.

An "Area-Wide Risk Management Plan" (Ninyo & Moore, 2021), including Phase 1 and Phase 2 environmental site assessments prepared for each property, that

Mr. Alvin Jen
September 10, 2024
Page 8

is applicable to each of these properties has been prepared and approved by the Water Board. Additionally, a Land Use Covenant was recorded in 2022 that, among other provisions, restricts certain uses and activities at the properties unless approved by the Water Board, and the environmental protocols and measures to be taken during redevelopment under the Water Board's oversight. Separate Land Use Covenants also were previously recorded for some of the individual properties (151 Tara Road, 264 Tara Road, and 2555/2565 Pulgas Avenue) and are concurrently applicable. On December, 7, 2023, the Water Board terminated the previously recorded land use covenants on these properties, including those covering 151 Tara Road, 264 Tara Road, and 2555/2565 Pulgas Avenue.

- Pages 4–5, section 2.1: We recommend deleting this section because (1) the subject orders have been rescinded; (2) the orders were issued to promote redevelopment by placing the properties within the Ravenswood Industrial Area to establish one environmental oversight agency (the Water Board) and disclose environmental conditions; and (3) the rescission was based on the completion of property specific evaluation by the property owners and implementation of appropriate controls.
- Page 6, section 3.1 should be revised to account for rescission of Water Board Orders 92-037 and 92-086. We recommend that paragraph 2 be revised as follows:

~~“At parcels with open LUST or CPS cases, and those within the RIA that are subject to Water Board Orders 92-037 and 92-086, any planned redevelopment activities should be coordinated with the overseeing regulatory agencies.”~~

- Related to the above, because these Orders have been rescinded, they could be removed as an appendix, or the rescission could also be included.
- Page 7, section 3.2 at the conclusion to the recommended “Property-Specific Studies and Plans” could be modified to include an exception for sites subject to (1) existing land use covenants, (2) risk management plans, and (3) ongoing Water Board jurisdiction, as follows:

“Sites with site assessments approved by the Regional Water Quality Control Board, recorded land use covenants, approved risk management or similar plans, and which remain under the jurisdiction of the Regional Water Quality Control Board, should be redeveloped under agency oversight and consistent with applicable agency directives.”

Appendix F, Transportation Analysis

- Page 334 of the Update SEIR states that there is 1,267,500 square feet of R&D for Scenario #2, while Table 11 of Appendix F assume 1,167,250 square feet of R&D. These figures should be revised to be consistent.

Coblentz
Patch Duffy
& Bass LLP

Mr. Alvin Jen
September 10, 2024
Page 9

Once again, Sycamore Real Estate Investment LLC appreciates the opportunity to provide the above comments to the SEIR, and looks forward to continuing to work with the City on its EPA Waterfront Project.

Regards,



Miles Imwalle

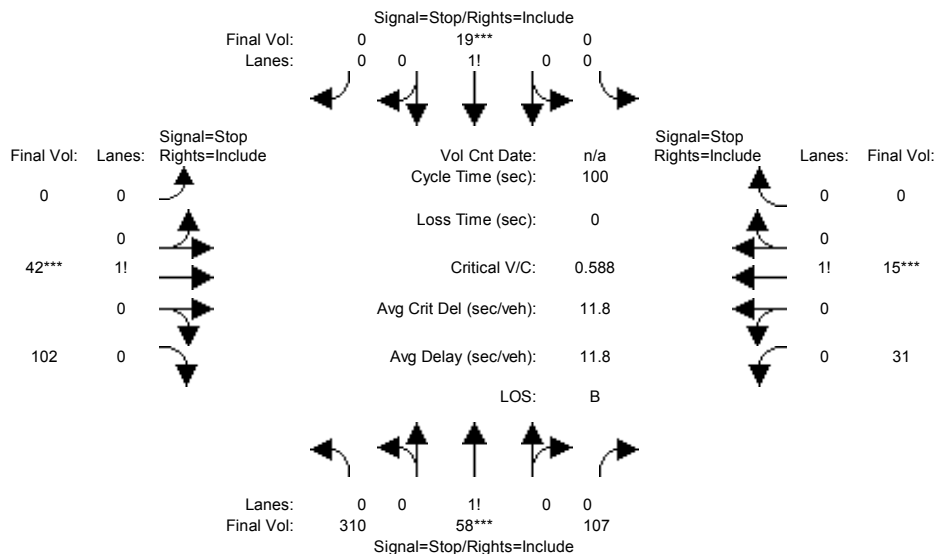
Attachments

ATTACHMENT

Transportation comment page 3.16_analysis regarding intersection 42

Level Of Service Computation Report
 2000 HCM 4-Way Stop (Future Volume Alternative)
 AWSC (Cumulative)

Intersection #1: Pulgas Street / Emerson Street [2.8M No Loop AM]



Street Name:	Pulgas Street						Emerson Street					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R

Min. Green:	0	0	0	0	0	0	0	0	0	0	0	0
-------------	---	---	---	---	---	---	---	---	---	---	---	---

Volume Module:												
Base Vol:	310	58	107	0	19	0	0	42	102	31	15	0
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	310	58	107	0	19	0	0	42	102	31	15	0
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	310	58	107	0	19	0	0	42	102	31	15	0
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	310	58	107	0	19	0	0	42	102	31	15	0
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	310	58	107	0	19	0	0	42	102	31	15	0
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	310	58	107	0	19	0	0	42	102	31	15	0

Saturation Flow Module:												
Adjustment:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Lanes:	0.65	0.12	0.23	0.00	1.00	0.00	0.00	0.29	0.71	0.67	0.33	0.00
Final Sat.:	527	99	182	0	696	0	0	208	505	417	202	0

Capacity Analysis Module:												
Vol/Sat:	0.59	0.59	0.59	xxxx	0.03	xxxx	xxxx	0.20	0.20	0.07	0.07	xxxx
Crit Moves:	****			****			****			****		
Delay/Veh:	13.2	13.2	13.2	0.0	8.0	0.0	0.0	8.7	8.7	8.7	8.7	0.0
Delay Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	13.2	13.2	13.2	0.0	8.0	0.0	0.0	8.7	8.7	8.7	8.7	0.0
LOS by Move:	B	B	B	*	A	*	*	A	A	A	A	*
ApproachDel:	13.2			8.0			8.7			8.7		
Delay Adj:	1.00			1.00			1.00			1.00		
ApprAdjDel:	13.2			8.0			8.7			8.7		
LOS by Appr:	B			A			A			A		
AllWayAvgQ:	1.3	1.3	1.3	0.0	0.0	0.0	0.2	0.2	0.2	0.1	0.1	0.1

Note: Queue reported is the number of cars per lane.

Peak Hour Volume Signal Warrant Report [Urban]

 Intersection #1 Pulgas Street / Emerson Street

Future Volume Alternative: Peak Hour Warrant NOT Met

Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Stop Sign			Stop Sign			Stop Sign			Stop Sign		
Lanes:	0	0	1	0	0	0	0	0	0	1	0	0
Initial Vol:	310	58	107	0	19	0	0	42	102	31	15	0
Major Street Volume:				494								
Minor Approach Volume:				144								
Minor Approach Volume Threshold:				407								

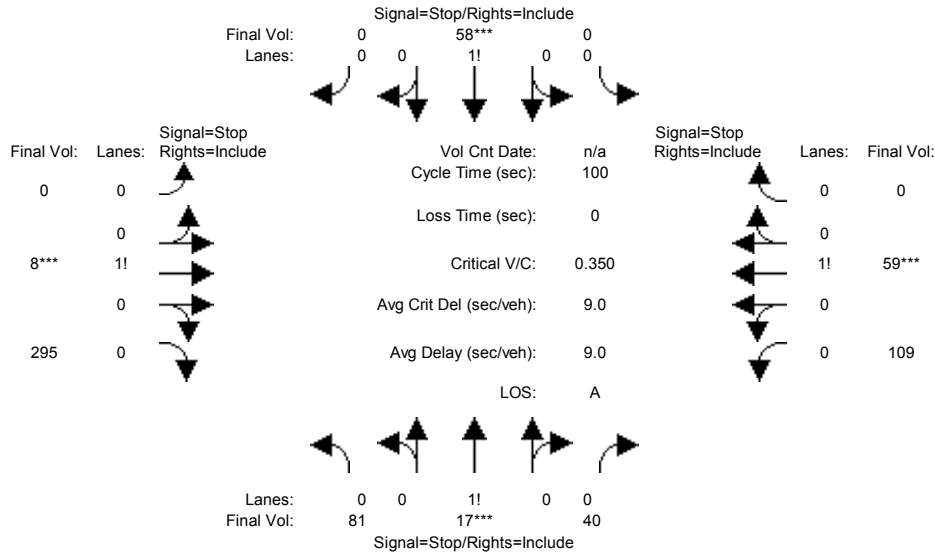
SIGNAL WARRANT DISCLAIMER

This peak hour signal warrant analysis should be considered solely as an "indicator" of the likelihood of an unsignalized intersection warranting a traffic signal in the future. Intersections that exceed this warrant are probably more likely to meet one or more of the other volume based signal warrant (such as the 4-hour or 8-hour warrants).

The peak hour warrant analysis in this report is not intended to replace a rigorous and complete traffic signal warrant analysis by the responsible jurisdiction. Consideration of the other signal warrants, which is beyond the scope of this software, may yield different results.

Level Of Service Computation Report
 2000 HCM 4-Way Stop (Future Volume Alternative)
 AWSC (Cumulative)

Intersection #2: Pulgas Street / Emerson Street [2.8M No Loop PM]



Street Name:	Pulgas Street						Emerson Street								
Approach:	North Bound			South Bound			East Bound			West Bound					
Movement:	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R
Min. Green:	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Volume Module:	81	17	40	0	58	0	0	8	295	109	59	0
Base Vol:	81	17	40	0	58	0	0	8	295	109	59	0
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	81	17	40	0	58	0	0	8	295	109	59	0
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	81	17	40	0	58	0	0	8	295	109	59	0
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	81	17	40	0	58	0	0	8	295	109	59	0
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	81	17	40	0	58	0	0	8	295	109	59	0
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	81	17	40	0	58	0	0	8	295	109	59	0

Saturation Flow Module:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adjustment:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Lanes:	0.59	0.12	0.29	0.00	1.00	0.00	0.00	0.03	0.97	0.65	0.35	0.00
Final Sat.:	398	84	197	0	646	0	0	23	843	464	251	0

Capacity Analysis Module:	0.20	0.20	0.20	xxxx	0.09	xxxx	xxxx	0.35	0.35	0.23	0.23	xxxx
Vol/Sat:	0.20	0.20	0.20	xxxx	0.09	xxxx	xxxx	0.35	0.35	0.23	0.23	xxxx
Crit Moves:	****			****			****			****		
Delay/Veh:	9.0	9.0	9.0	0.0	8.5	0.0	0.0	9.0	9.0	9.2	9.2	0.0
Delay Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	9.0	9.0	9.0	0.0	8.5	0.0	0.0	9.0	9.0	9.2	9.2	0.0
LOS by Move:	A	A	A	*	A	*	*	A	A	A	A	*
ApproachDel:	9.0			8.5			9.0			9.2		
Delay Adj:	1.00			1.00			1.00			1.00		
ApprAdjDel:	9.0			8.5			9.0			9.2		
LOS by Appr:	A			A			A			A		
AllWayAvgQ:	0.2	0.2	0.2	0.1	0.1	0.1	0.5	0.5	0.5	0.3	0.3	0.3

Note: Queue reported is the number of cars per lane.

Peak Hour Volume Signal Warrant Report [Urban]

Intersection #2 Pulgas Street / Emerson Street

Future Volume Alternative: Peak Hour Warrant NOT Met

Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Stop Sign			Stop Sign			Stop Sign			Stop Sign		
Lanes:	0	0	1	0	0	0	0	0	1	0	0	0
Initial Vol:	81	17	40	0	58	0	0	8	295	109	59	0
Major Street Volume:	471											
Minor Approach Volume:	138											
Minor Approach Volume Threshold:	420											

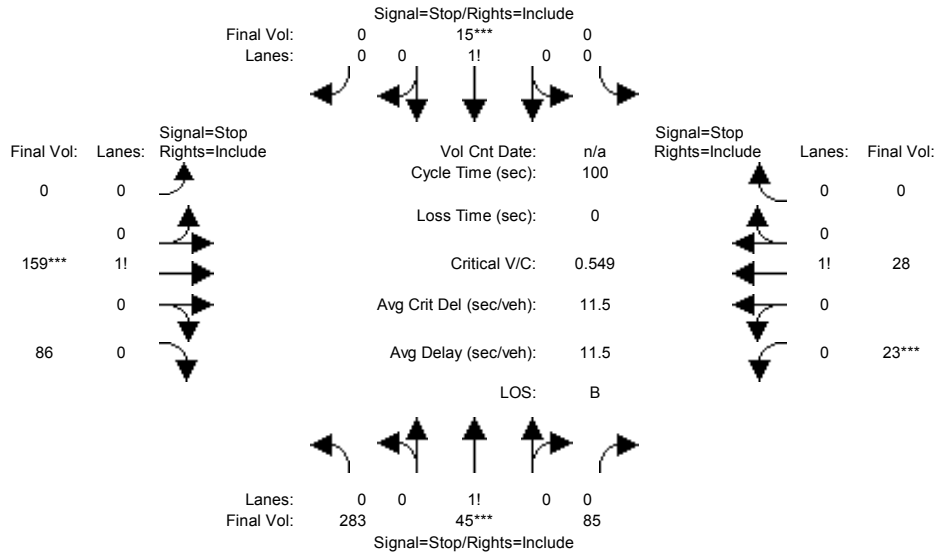
SIGNAL WARRANT DISCLAIMER

This peak hour signal warrant analysis should be considered solely as an "indicator" of the likelihood of an unsignalized intersection warranting a traffic signal in the future. Intersections that exceed this warrant are probably more likely to meet one or more of the other volume based signal warrant (such as the 4-hour or 8-hour warrants).

The peak hour warrant analysis in this report is not intended to replace a rigorous and complete traffic signal warrant analysis by the responsible jurisdiction. Consideration of the other signal warrants, which is beyond the scope of this software, may yield different results.

Level Of Service Computation Report
 2000 HCM 4-Way Stop (Future Volume Alternative)
 AWSC (Cumulative)

Intersection #3: Pulgas Street / Emerson Street [2.8M with Loop AM]



Street Name:	Pulgas Street						Emerson Street													
Approach:	North Bound			South Bound			East Bound			West Bound										
Movement:	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R

Min. Green:	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
-------------	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

Volume Module:	Base Vol:	283	45	85	0	15	0	0	159	86	23	28	0
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	
Initial Bse:	283	45	85	0	15	0	0	159	86	23	28	0	
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0	
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0	
Initial Fut:	283	45	85	0	15	0	0	159	86	23	28	0	
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	
PHF Volume:	283	45	85	0	15	0	0	159	86	23	28	0	
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0	
Reduced Vol:	283	45	85	0	15	0	0	159	86	23	28	0	
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	
FinalVolume:	283	45	85	0	15	0	0	159	86	23	28	0	

Saturation Flow Module:	Adjustment:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Lanes:	0.68	0.11	0.21	0.00	1.00	0.00	0.00	0.65	0.35	0.45	0.55	0.00	
Final Sat.:	515	82	155	0	649	0	0	461	249	280	341	0	

Capacity Analysis Module:	Vol/Sat:	0.55	0.55	0.55	xxxx	0.02	xxxx	xxxx	0.34	0.34	0.08	0.08	xxxx
Crit Moves:	****	****	****	****	****	****	****	****	****	****	****	****	
Delay/Veh:	12.9	12.9	12.9	0.0	8.2	0.0	0.0	10.1	10.1	8.8	8.8	0.0	
Delay Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	
AdjDel/Veh:	12.9	12.9	12.9	0.0	8.2	0.0	0.0	10.1	10.1	8.8	8.8	0.0	
LOS by Move:	B	B	B	*	A	*	*	B	B	A	A	*	
ApproachDel:	12.9			8.2			10.1			8.8			
Delay Adj:	1.00			1.00			1.00			1.00			
ApprAdjDel:	12.9			8.2			10.1			8.8			
LOS by Appr:	B			A			B			A			
AllWayAvgQ:	1.1	1.1	1.1	0.0	0.0	0.0	0.5	0.5	0.5	0.1	0.1	0.1	

Note: Queue reported is the number of cars per lane.
 Peak Hour Volume Signal Warrant Report [Urban]

 Intersection #3 Pulgas Street / Emerson Street

Future Volume Alternative: Peak Hour Warrant NOT Met

Approach:	North Bound			South Bound			East Bound			West Bound										
Movement:	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R
Control:	Stop Sign			Stop Sign			Stop Sign			Stop Sign										
Lanes:	0	0	1	0	0	0	0	1	0	0	0	0	0	1	0	0	1	0	0	0
Initial Vol:	283		45		85	0		15		0	0		159		86	23		28		0
Major Street Volume:				428																
Minor Approach Volume:				245																
Minor Approach Volume Threshold:				446																

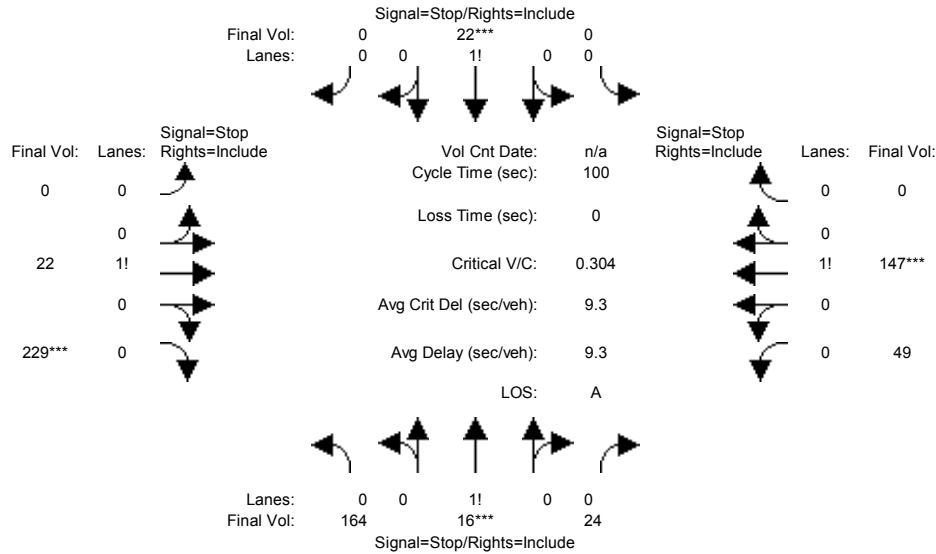
SIGNAL WARRANT DISCLAIMER

This peak hour signal warrant analysis should be considered solely as an "indicator" of the likelihood of an unsignalized intersection warranting a traffic signal in the future. Intersections that exceed this warrant are probably more likely to meet one or more of the other volume based signal warrant (such as the 4-hour or 8-hour warrants).

The peak hour warrant analysis in this report is not intended to replace a rigorous and complete traffic signal warrant analysis by the responsible jurisdiction. Consideration of the other signal warrants, which is beyond the scope of this software, may yield different results.

Level Of Service Computation Report
 2000 HCM 4-Way Stop (Future Volume Alternative)
 AWSC (Cumulative)

Intersection #4: Pulgas Street / Emerson Street [2.8M with Loop PM]



Street Name:	Pulgas Street						Emerson Street													
Approach:	North Bound			South Bound			East Bound			West Bound										
Movement:	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R

Min. Green:	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
-------------	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

Volume Module:	Base Vol:	164	16	24	0	22	0	0	22	229	49	147	0
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	
Initial Bse:	164	16	24	0	22	0	0	22	229	49	147	0	
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0	
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0	
Initial Fut:	164	16	24	0	22	0	0	22	229	49	147	0	
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	
PHF Volume:	164	16	24	0	22	0	0	22	229	49	147	0	
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0	
Reduced Vol:	164	16	24	0	22	0	0	22	229	49	147	0	
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	
FinalVolume:	164	16	24	0	22	0	0	22	229	49	147	0	

Saturation Flow Module:	Adjustment:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Lanes:	0.80	0.08	0.12	0.00	1.00	0.00	0.00	0.09	0.91	0.25	0.75	0.00	
Final Sat.:	546	53	80	0	631	0	0	72	755	180	540	0	

Capacity Analysis Module:	Vol/Sat:	0.30	0.30	0.30	xxxx	0.03	xxxx	xxxx	0.30	0.30	0.27	0.27	xxxx
Crit Moves:	****	****	****	****	****	****	****	****	****	****	****	****	
Delay/Veh:	9.9	9.9	9.9	0.0	8.3	0.0	0.0	8.9	8.9	9.5	9.5	0.0	
Delay Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	
AdjDel/Veh:	9.9	9.9	9.9	0.0	8.3	0.0	0.0	8.9	8.9	9.5	9.5	0.0	
LOS by Move:	A	A	A	*	A	*	*	A	A	A	A	*	
ApproachDel:	9.9			8.3			8.9			9.5			
Delay Adj:	1.00			1.00			1.00			1.00			
ApprAdjDel:	9.9			8.3			8.9			9.5			
LOS by Appr:	A			A			A			A			
AllWayAvgQ:	0.4	0.4	0.4	0.0	0.0	0.0	0.4	0.4	0.4	0.3	0.3	0.3	

Note: Queue reported is the number of cars per lane.

Peak Hour Volume Signal Warrant Report [Urban]

Intersection #4 Pulgas Street / Emerson Street

Future Volume Alternative: Peak Hour Warrant NOT Met

Approach:	North Bound			South Bound			East Bound			West Bound										
Movement:	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R
Control:	Stop Sign			Stop Sign			Stop Sign			Stop Sign										
Lanes:	0	0	1	0	0	0	0	1	0	0	0	0	0	1	0	0	1	0	0	0
Initial Vol:	164		16		24	0		22		0	0		22		229	49		147		0
Major Street Volume:						447														
Minor Approach Volume:						204														
Minor Approach Volume Threshold:						434														

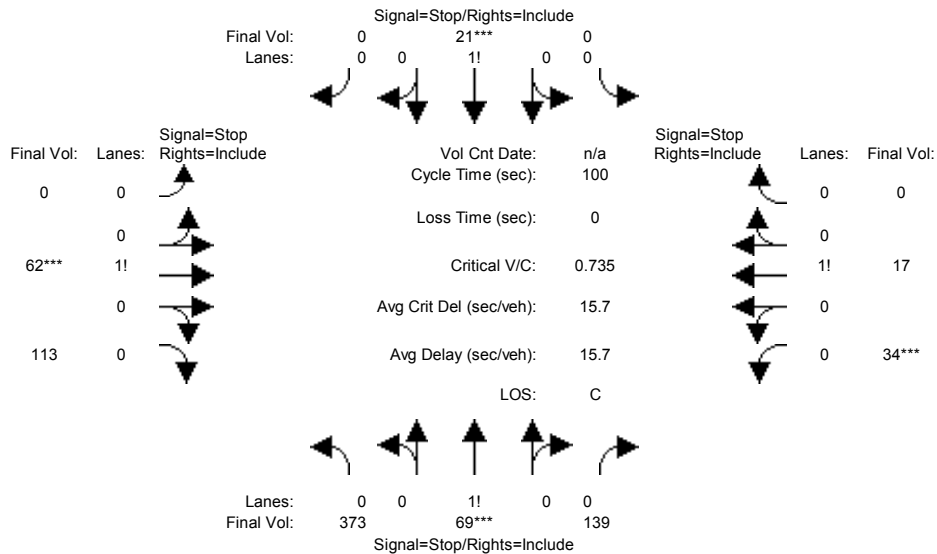
SIGNAL WARRANT DISCLAIMER

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The peak hour warrant analysis in this report is not intended to replace a rigorous and complete traffic signal warrant analysis by the responsible jurisdiction. Consideration of the other signal warrants, which is beyond the scope of this software, may yield different results.

Level Of Service Computation Report
 2000 HCM 4-Way Stop (Future Volume Alternative)
 AWSC (Cumulative)

Intersection #5: Pulgas Street / Emerson Street [3.35M No Loop AM]



Street Name:	Pulgas Street						Emerson Street								
Approach:	North Bound			South Bound			East Bound			West Bound					
Movement:	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R
Min. Green:	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Volume Module:	North Bound			South Bound			East Bound			West Bound		
Base Vol:	373	69	139	0	21	0	0	62	113	34	17	0
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	373	69	139	0	21	0	0	62	113	34	17	0
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	373	69	139	0	21	0	0	62	113	34	17	0
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	373	69	139	0	21	0	0	62	113	34	17	0
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	373	69	139	0	21	0	0	62	113	34	17	0
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	373	69	139	0	21	0	0	62	113	34	17	0

Saturation Flow Module:	North Bound			South Bound			East Bound			West Bound		
Adjustment:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Lanes:	0.64	0.12	0.24	0.00	1.00	0.00	0.00	0.35	0.65	0.67	0.33	0.00
Final Sat.:	508	94	189	0	651	0	0	235	428	382	191	0

Capacity Analysis Module:	North Bound			South Bound			East Bound			West Bound		
Vol/Sat:	0.73	0.73	0.73	xxxx	0.03	xxxx	xxxx	0.26	0.26	0.09	0.09	xxxx
Crit Moves:	****			****			****			****		
Delay/Veh:	18.4	18.4	18.4	0.0	8.3	0.0	0.0	9.6	9.6	9.2	9.2	0.0
Delay Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	18.4	18.4	18.4	0.0	8.3	0.0	0.0	9.6	9.6	9.2	9.2	0.0
LOS by Move:	C	C	C	*	A	*	*	A	A	A	A	*
ApproachDel:	18.4			8.3			9.6			9.2		
Delay Adj:	1.00			1.00			1.00			1.00		
ApprAdjDel:	18.4			8.3			9.6			9.2		
LOS by Appr:	C			A			A			A		
AllWayAvgQ:	2.4	2.4	2.4	0.0	0.0	0.0	0.3	0.3	0.3	0.1	0.1	0.1

Note: Queue reported is the number of cars per lane.
 Peak Hour Volume Signal Warrant Report [Urban]

 Intersection #5 Pulgas Street / Emerson Street

Future Volume Alternative: Peak Hour Warrant NOT Met

Approach:	North Bound			South Bound			East Bound			West Bound										
Movement:	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R
Control:	Stop Sign			Stop Sign			Stop Sign			Stop Sign										
Lanes:	0	0	1	0	0	0	0	1	0	0	0	0	0	1	0	0	1	0	0	0
Initial Vol:	373		69		139	0		21		0	0		62		113	34		17		0
Major Street Volume:				602																
Minor Approach Volume:				175																
Minor Approach Volume Threshold:				355																

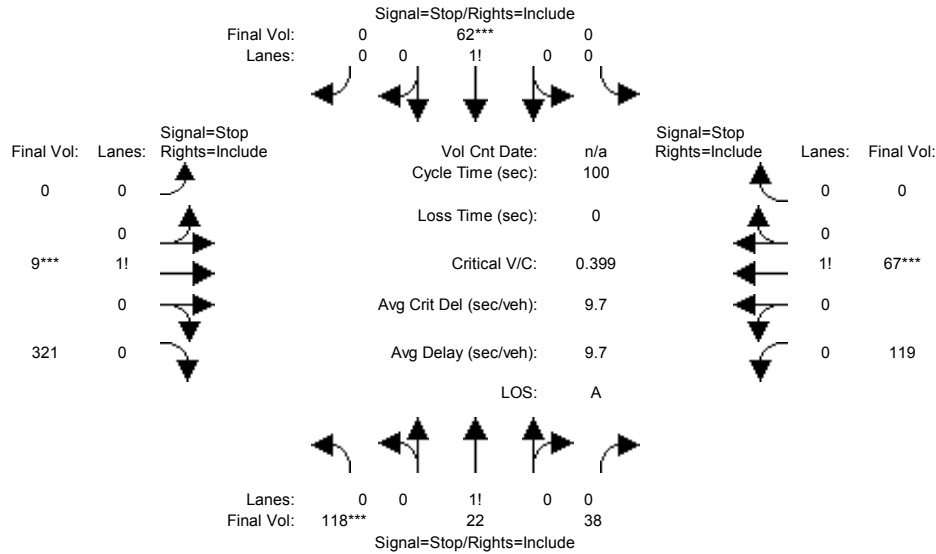
SIGNAL WARRANT DISCLAIMER

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Level of Service Computation Report
 2000 HCM 4-Way Stop (Future Volume Alternative)
 AWS (Cumulative)

Intersection #6: Pulgas Street / Emerson Street [3.35M No Loop PM]



Street Name:	Pulgas Street						Emerson Street													
Approach:	North Bound			South Bound			East Bound			West Bound										
Movement:	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R

Min. Green:	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
-------------	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

Volume Module:	Pulgas NB			Pulgas SB			Emerson EB			Emerson WB		
Base Vol:	118	22	38	0	62	0	0	9	321	119	67	0
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	118	22	38	0	62	0	0	9	321	119	67	0
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	118	22	38	0	62	0	0	9	321	119	67	0
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	118	22	38	0	62	0	0	9	321	119	67	0
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	118	22	38	0	62	0	0	9	321	119	67	0
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Final Volume:	118	22	38	0	62	0	0	9	321	119	67	0

Saturation Flow Module:	Pulgas NB			Pulgas SB			Emerson EB			Emerson WB		
Adjustment:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Lanes:	0.67	0.12	0.21	0.00	1.00	0.00	0.00	0.03	0.97	0.64	0.36	0.00
Final Sat.:	433	81	139	0	614	0	0	23	805	439	247	0

Capacity Analysis Module:	Pulgas NB			Pulgas SB			Emerson EB			Emerson WB		
Vol/Sat:	0.27	0.27	0.27	xxxx	0.10	xxxx	xxxx	0.40	0.40	0.27	0.27	xxxx
Crit Moves:	****			****			****			****		
Delay/Veh:	9.8	9.8	9.8	0.0	8.8	0.0	0.0	9.7	9.7	9.7	9.7	0.0
Delay Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	9.8	9.8	9.8	0.0	8.8	0.0	0.0	9.7	9.7	9.7	9.7	0.0
LOS by Move:	A	A	A	*	A	*	*	A	A	A	A	*
ApproachDel:		9.8			8.8			9.7			9.7	
Delay Adj:		1.00			1.00			1.00			1.00	
ApprAdjDel:		9.8			8.8			9.7			9.7	
LOS by Appr:		A			A			A			A	
AllWayAvgQ:	0.3	0.3	0.3	0.1	0.1	0.1	0.6	0.6	0.6	0.3	0.3	0.3

Note: Queue reported is the number of cars per lane.

Peak Hour Volume Signal Warrant Report [Urban]

Intersection #6 Pulgas Street / Emerson Street

Future Volume Alternative: Peak Hour Warrant NOT Met

Approach:	North Bound			South Bound			East Bound			West Bound										
Movement:	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R
Control:	Stop Sign			Stop Sign			Stop Sign			Stop Sign										
Lanes:	0	0	1	0	0	0	0	1	0	0	0	0	0	1	0	0	1	0	0	0
Initial Vol:	118		22		38	0		62		0	0		9		321	119		67		0
Major Street Volume:				516																
Minor Approach Volume:				178																
Minor Approach Volume Threshold:				396																

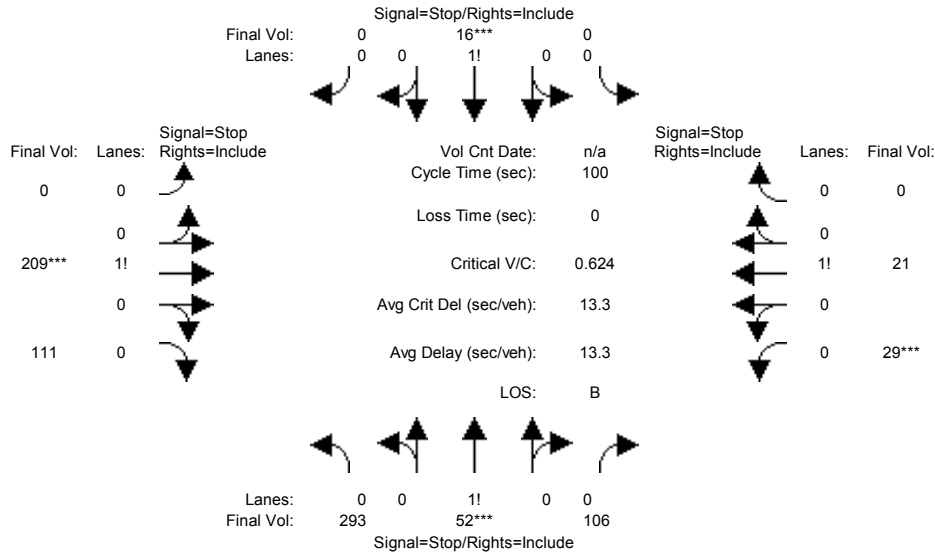
SIGNAL WARRANT DISCLAIMER

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Level Of Service Computation Report
 2000 HCM 4-Way Stop (Future Volume Alternative)
 AWS (Cumulative)

Intersection #7: Pulgas Street / Emerson Street [3.35M with Loop AM]



Street Name:	Pulgas Street						Emerson Street								
Approach:	North Bound			South Bound			East Bound			West Bound					
Movement:	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R
Min. Green:	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Volume Module:															
Base Vol:	293	52	106	0	16	0	0	209	111	29	21	0			
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00			
Initial Bse:	293	52	106	0	16	0	0	209	111	29	21	0			
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0			
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0			
Initial Fut:	293	52	106	0	16	0	0	209	111	29	21	0			
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00			
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00			
PHF Volume:	293	52	106	0	16	0	0	209	111	29	21	0			
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0			
Reduced Vol:	293	52	106	0	16	0	0	209	111	29	21	0			
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00			
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00			
FinalVolume:	293	52	106	0	16	0	0	209	111	29	21	0			
Saturation Flow Module:															
Adjustment:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00			
Lanes:	0.65	0.12	0.23	0.00	1.00	0.00	0.00	0.65	0.35	0.58	0.42	0.00			
Final Sat.:	470	83	170	0	603	0	0	453	241	339	246	0			
Capacity Analysis Module:															
Vol/Sat:	0.62	0.62	0.62	xxxx	0.03	xxxx	xxxx	0.46	0.46	0.09	0.09	xxxx			
Crit Moves:	****			****			****			****					
Delay/Veh:	15.0	15.0	15.0	0.0	8.6	0.0	0.0	11.7	11.7	9.1	9.1	0.0			
Delay Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00			
AdjDel/Veh:	15.0	15.0	15.0	0.0	8.6	0.0	0.0	11.7	11.7	9.1	9.1	0.0			
LOS by Move:	C	C	C	*	A	*	*	B	B	A	A	*			
ApproachDel:	15.0			8.6			11.7			9.1					
Delay Adj:	1.00			1.00			1.00			1.00					
ApprAdjDel:	15.0			8.6			11.7			9.1					
LOS by Appr:	C			A			B			A					
AllWayAvgQ:	1.4	1.4	1.4	0.0	0.0	0.0	0.7	0.7	0.7	0.1	0.1	0.1			

Note: Queue reported is the number of cars per lane.
 Peak Hour Volume Signal Warrant Report [Urban]

 Intersection #7 Pulgas Street / Emerson Street

Future Volume Alternative: Peak Hour Warrant NOT Met

Approach:	North Bound			South Bound			East Bound			West Bound										
Movement:	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R
Control:	Stop Sign			Stop Sign			Stop Sign			Stop Sign										
Lanes:	0	0	1	0	0	0	0	1	0	0	0	0	0	1	0	0	1	0	0	0
Initial Vol:	293		52		106	0		16		0	0		209		111	29		21		0
Major Street Volume:				467																
Minor Approach Volume:				320																
Minor Approach Volume Threshold:				422																

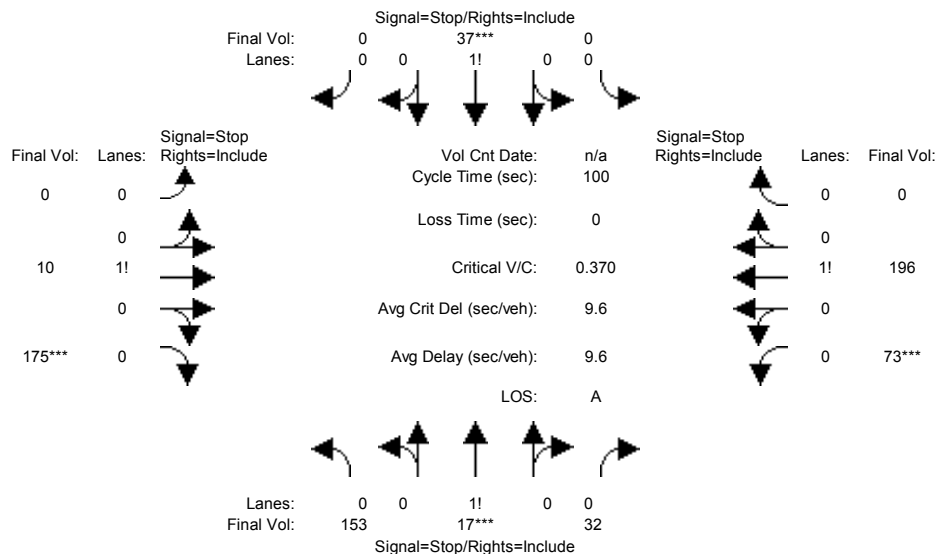
SIGNAL WARRANT DISCLAIMER

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Level Of Service Computation Report
 2000 HCM 4-Way Stop (Future Volume Alternative)
 AWSC (Cumulative)

Intersection #8: Pulgas Street / Emerson Street [3.35M with Loop PM]



Street Name:	Pulgas Street						Emerson Street														
Approach:	North Bound			South Bound			East Bound			West Bound											
Movement:	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R	L	-	T	-	R	
Min. Green:	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Volume Module:	North Bound			South Bound			East Bound			West Bound		
Base Vol:	153	17	32	0	37	0	0	10	175	73	196	0
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	153	17	32	0	37	0	0	10	175	73	196	0
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	153	17	32	0	37	0	0	10	175	73	196	0
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	153	17	32	0	37	0	0	10	175	73	196	0
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	153	17	32	0	37	0	0	10	175	73	196	0
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	153	17	32	0	37	0	0	10	175	73	196	0

Saturation Flow Module:	North Bound			South Bound			East Bound			West Bound		
Adjustment:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Lanes:	0.76	0.08	0.16	0.00	1.00	0.00	0.00	0.05	0.95	0.27	0.73	0.00
Final Sat.:	511	57	107	0	627	0	0	43	756	197	530	0

Capacity Analysis Module:	North Bound			South Bound			East Bound			West Bound		
Vol/Sat:	0.30	0.30	0.30	xxxx	0.06	xxxx	xxxx	0.23	0.23	0.37	0.37	xxxx
Crit Moves:	****			****			****			****		
Delay/Veh:	10.0	10.0	10.0	0.0	8.5	0.0	0.0	8.5	8.5	10.4	10.4	0.0
Delay Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	10.0	10.0	10.0	0.0	8.5	0.0	0.0	8.5	8.5	10.4	10.4	0.0
LOS by Move:	A	A	A	*	A	*	*	A	A	B	B	*
ApproachDel:	10.0			8.5			8.5			10.4		
Delay Adj:	1.00			1.00			1.00			1.00		
ApprAdjDel:	10.0			8.5			8.5			10.4		
LOS by Appr:	A			A			A			B		
AllWayAvgQ:	0.4	0.4	0.4	0.1	0.1	0.1	0.3	0.3	0.3	0.5	0.5	0.5

Note: Queue reported is the number of cars per lane.

Peak Hour Volume Signal Warrant Report [Urban]

Intersection #8 Pulgas Street / Emerson Street

Future Volume Alternative: Peak Hour Warrant NOT Met

Approach:	North Bound			South Bound			East Bound			West Bound												
Movement:	L	T	R	L	T	R	L	T	R	L	T	R										
Control:	Stop Sign			Stop Sign			Stop Sign			Stop Sign												
Lanes:	0	0	1	0	0	0	0	0	1	0	0	0	0	0	0	1	0	0	1	0	0	0
Initial Vol:	153	17	32	0	37	0	0	10	175	73	196	0										
Major Street Volume:							454															
Minor Approach Volume:							202															
Minor Approach Volume Threshold:	430																					

SIGNAL WARRANT DISCLAIMER

This peak hour signal warrant analysis should be considered solely as an "indicator" of the likelihood of an unsignalized intersection warranting a traffic signal in the future. Intersections that exceed this warrant are probably more likely to meet one or more of the other volume based signal warrant (such as the 4-hour or 8-hour warrants).

The peak hour warrant analysis in this report is not intended to replace a rigorous and complete traffic signal warrant analysis by the responsible jurisdiction. Consideration of the other signal warrants, which is beyond the scope of this software, may yield different results.

From: [RBD](#)
To: [Amber Sharpe](#)
Subject: FW: RBD
Date: Tuesday, September 10, 2024 3:29:00 PM

From: Mark Dinan <mark.dinan@gmail.com>
Sent: Tuesday, September 10, 2024 3:07 PM
To: RBD <rbd@cityofepa.org>
Subject: RBD

Hi,

I recommend that the Bay and University land, currently owned by Sand Hill, be removed entirely from the RBD. It has none of the environmental or ingress/egress issues, and is located on two major streets with public transportation available. This development should be considered on its own, and not be lumped in with sites that are directly on the Bay.

--

Mark Dinan
650-796-5035

CAUTION: This e-mail originated from outside of the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.



U.S. Department
of Transportation
**Federal Aviation
Administration**

Western-Pacific Region
San Francisco Airports District Office

2999 Oak Road, Suite 200
Walnut Creek, CA 94597

September 10, 2024

Alvin Jen, Associate Planner
City of East Palo Alto
1960 Tate Street
Palo Alto, CA 94303

VIA EMAIL: rbd@cityofepa.org

Subject: City of East Palo Alto, Ravenswood Business District/4 Corners Specific Plan Update - Subsequent Environmental Impact Report

Dear Mr. Jen:

On July 26, 2024, the Federal Aviation Administration (FAA) received the City of East Palo Alto's Notice of Availability of the Subsequent Environmental Impact Report (SEIR) for the Ravenswood Business District/4 Corners Specific Plan (Plan) update. The notice indicated that the SEIR is for an update to the Specific Plan adopted in 2013 that guides development of up to 1,444,410 square feet of office and research and development (R&D) uses, 175,910 square feet of industrial uses, 112,400 square feet of retail uses, 61,000 square feet of civic and community uses, and 835 housing units located in the northeast area of East Palo Alto (City). The Plan update would increase the developable area under two scenarios. The first scenario would increase office and R&D uses to 2,824,000 square feet and increase residential to 1,350 units. The second scenario would increase office and R&D uses to 3,335,000 square feet and increase residential to 1,600 units. The Plan also includes utility, infrastructure, transportation, and sea level rise improvements.

The Plan Area is located approximately 0.6 miles southeast of the end of Runway 13 at Palo Alto Airport (PAO), Palo Alto, CA. PAO is an active General Aviation airport within the National Plan of Integrated Airport System that is owned and operated by the City of Palo Alto.

The FAA offers the following comments on the SEIR:

Noise: Due to the proximity of the Plan area to PAO, the City should anticipate that airport and aircraft noise will continue to be experienced in the Plan Area. It is advisable to incorporate an early notification process to inform future occupants and users of the Plan Area about the presence of the airport and the potential to hear noise from airport and aircraft operations. If any of the proposed developments would have noise sensitive uses, there should be coordination with the Airport Director at PAO. In accordance with *FAA Final Policy on Part 150 Approval of Noise Mitigation Measures: Effect on the Use of Federal Grants for Noise Mitigation Projects* (63 FR 16409), structures and new non-compatible development built after October 1, 1998, are not eligible for approval of remedial noise mitigation measures under Part 150 or Airport Improvement Plan (AIP) funding. The FAA recommends that the City consider the Yearly Day-Night Average Sound Levels (DNL) guidance provided in Advisory Circular (AC) 150/5020-1, *Noise Control and Compatibility Planning for Airports*, to ensure land use compatibility with aircraft noise levels.

Navigable Airspace: The FAA notes that the Plan includes development of numerous multi-storied buildings. Projects that have the potential to affect navigable airspace as defined in 14 Code of Federal Regulations Part 77.9 must file a Notice of Proposed Construction or Alteration, Form 7460-1 with the FAA. The 7460-1 should be filed at least 45 days prior to the start of construction. Information about the Obstruction Evaluation/ Airport Airspace Analysis and Form 7460-1 are available at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>.

Wildlife Attractants: The FAA also recommends that the City utilize the guidance provided in AC 150/5200-33C, *Hazardous Wildlife Attractants On or Near Airports*, to ensure that the Plan elements do not introduce wildlife hazards to the aviation operations in the area. As explained in the AC, certain land use practices have the potential to attract wildlife that can be a threat to aviation safety. The land uses that individually, or in combination with each other, have the potential to attract hazardous wildlife include waste disposal operations, water management facilities, wetlands, and certain landscape features.

Funding: Should Federal funding be sought, all proposed projects must comply with the National Environmental Policy Act (NEPA), 42 U.S.C. §4321 et seq.

The FAA advises that the City coordinate its Plan with the PAO Airport Manager, Mr. Andrew Swanson, to ensure the protection of aviation operations. Mr. Swanson can be reached at (650) 329-2688 and andrew.swanson@cityofpaloalto.org.

Your attention to these comments is appreciated. If you have any questions, I am available via cell phone at (925) 546-6434.

Sincerely,

Nani Jacobson
Environmental Protection Specialist

Enclosures:
Advisory Circular 150/5020-1
Advisory Circular 150/5200-33C

cc:
Amy Choi, SFO ADO Manager, FAA
Andrew Swanson, Airport Manager, City of Palo Alto

San Francisco Bay Conservation and Development Commission

375 Beale Street, Suite 510, San Francisco, California 94105 tel 415 352 3600

State of California | Gavin Newsom – Governor | info@bcdc.ca.gov | www.bcdc.ca.gov

September 10, 2024

Ravenswood Business District/4 Corners Specific Plan Update SEIR
City of East Palo Alto
1960 Tate Street
East Palo Alto, CA 94303
Via Email: <RBD@cityofepa.org>

SUBJECT: BCDC Comments for the Ravenswood Business District/4 Corners Specific Plan Update SEIR

To Whom it May Concern:

Thank you for the opportunity to comment on the Ravenswood Business District/4 Corners Specific Plan Update SEIR (SEIR), released for comment on July 24, 2024.

Although the San Francisco Bay Conservation and Development Commission (BCDC) itself has not reviewed the SEIR, BCDC staff comments discussed below are based on BCDC's law, the *McAteer-Petris Act*, BCDC's *San Francisco Bay Plan* (Bay Plan), BCDC's federally-approved management plan for the San Francisco Bay, and the federal Coastal Zone Management Act (CZMA).

The San Francisco Bay Conservation and Development Commission is a State of California government agency located in the City of San Francisco with regulatory and planning responsibilities over San Francisco Bay, the Suisun Marsh, and along the Bay Area's nine-county shoreline. BCDC is guided in its actions by two particular state laws under its charge, the McAteer-Petris Act and the Suisun Marsh Preservation Act, as well as the policies which further implement these laws, respectively, the San Francisco Bay Plan (including certain special plans which are part of the Bay Plan such as the Richardson Bay Special Area Plan) and the Suisun Marsh Protection Plan (and the locally-adopted Suisun Marsh Local Protection Program).

Jurisdiction and Authority

As a state permitting authority along the San Francisco Bay shoreline, BCDC is responsible for granting or denying permits for any proposed fill (earth or any other substance or material, including pilings or structures placed on pilings, and floating structures moored for extended periods), extraction of materials or change in use of any water, land, or structure within the Commission's jurisdiction. Generally, BCDC's jurisdiction over San Francisco Bay extends over Bay tidal areas up to the mean high tide level, including all sloughs, and in marshlands up to five feet above mean sea level; a shoreline band consisting of territory located between the shoreline of the Bay and 100 feet landward and parallel to the shoreline; salt ponds; managed wetlands (areas diked from the Bay and managed as duck clubs); and certain waterways tributary to the Bay, specifically as mentioned in the San Francisco Bay Plan. Any fill, extraction



of material, or substantial change in use of land or water within BCDC's jurisdiction requires a permit, and BCDC applies all relevant laws, policies, and documents mentioned above to evaluate the project. The McAteer-Petris Act provides for fill in the Bay for water-oriented uses where there is no alternative upland location and requires that any fill that is placed in the Bay is the minimum that is necessary for the project. The McAteer-Petris Act also requires that proposed projects include the maximum feasible public access consistent with the project to the Bay and its shoreline.

BCDC staff determined Commission jurisdiction is relevant along the entire eastern span of the project location, and along the northern span from the Ravenswood Preserve to University Avenue. The northern sections of the project, and particularly where the proposed loop road would be located within the Commission's Bay jurisdiction, because portions of the project may be within tidal marsh up to five feet above mean sea level.

The description of BCDC jurisdiction in the SEIR and the Ravenswood Business District Specific Plan Update does not seem accurate. For example, the Specific Plan Update states: *"The shoreline infrastructure will be primarily constructed approximately along the alignment indicated in Figure 9.5, most of which is within the BCDC shoreline jurisdictional area which stretches 100 feet landward of the Mean High Water Line (MHWL); in marshlands this jurisdiction extends five feet inland,(sic)"* and refers to a "100' BCDC building setback". Both of these are incorrect descriptions of BCDC's jurisdiction. BCDC Bay jurisdiction in marshlands is not measured "inland", but rather anywhere tidal marsh is present up to five-feet above mean sea level. BCDC will not have Bay jurisdiction above that elevation where marsh is present. Where there is no marsh present BCDC's Bay jurisdiction is located bayward of the mean high tide. BCDC's 100-foot shoreline band is a jurisdiction, and not a setback. Pursuant to the requirements of the McAteer-Petris Act, any fill, extraction of material, or change in use of land or water within BCDC's jurisdiction (such as the 100-foot shoreline band) triggers the requirement to obtain a permit from BCDC for that activity. However, there is no general prohibition or requirement to avoid development within the 100-foot shoreline band, as would be the case for more setbacks. If project proponents choose to move buildings beyond the 100-foot shoreline band, they may, but they are not prohibited from doing so. BCDC requests that these inaccuracies are corrected in the documents.

As a result, a BCDC permit would be required for any work within BCDC's jurisdiction. BCDC notes that the SAFER Bay project, located along the northern section of the project area, is a separate project which is also in the process of obtaining a permit by BCDC and other agencies as part of the BRITT program. BCDC asks that you make sure to coordinate closely with the SAFER Bay project. To minimize disturbance to habitat, it would likely be beneficial to build the loop road/multi-use path concurrently with the levee, though it may be difficult due to project timelines.

Public Access

Section 66602 of the McAteer-Petris Act states, in part, that "existing public access to the shoreline and waters of the San Francisco Bay is inadequate and that maximum feasible public access, consistent with a proposed project, should be provided." And " ... maximum feasible

public access to and along the waterfront and on any permitted fills should be provided in and through every new development on the Bay or on the shoreline, whether it be for housing, industry, port, airport, public facility, wildlife area or other use, " Furthermore, the McAteer-Petris Act authorizes the placement of fill in the Bay only for water-oriented uses or minor fill for improving shoreline appearance or public access.

The SEIR reflects BCDC's policies on Public Access, as seen by the opening project objectives, such as:

Project Objective 5: Improve circulation and mobility in the Plan area by increasing the interconnectedness of the network and increasing opportunities to access the Bay/waterfront. Promote walkability through wide sidewalks covered with tree canopy, buffered bicycle facilities on key public streets, and a welcoming network of open space.

The Specific Plan Update would add over 30 acres of public access in open spaces, parks, and trails, much of this found along the shoreline, and within BCDC jurisdiction.

Sea Level Rise

BCDC's San Francisco Bay Plan includes policies related to sea level rise and flooding. In addition, BCDC has developed tools and guidance documents to support development plans in the Bay and along the shoreline. Among other things, these policies require applicants of larger shoreline projects to prepare risk assessments for rising sea level based on the 100-year flood elevation, and projects in BCDC's jurisdiction are required be designed to be resilient to a mid-century sea level rise projection, with adaptive management plans in place for projects anticipated to remain longer than mid-century. For a more detailed resource that describes how BCDC applies these Climate Change policies, we recommend reviewing BCDC's Climate Change Policy Guidance. Wherever feasible and appropriate, effective, innovative sea level rise adaptation approaches should be encouraged.

BCDC considers the best estimates of future sea level rise to be those provided in the Ocean Protection Council's State of California Sea Level Rise Guidance. OPC recently adopted the 2024 Sea Level Rise Guidance

Thank you again for the opportunity to review and comment on the Ravenswood Business District/4 Corners Specific Plan Update SEIR. If you have any questions, please contact me directly at (415) 279-5338.

Sincerely,



CODY AICHELE-ROTHMAN
Coastal Planner



September 10, 2024

Mr. Alvin Jen
Associate Planner
City of East Palo Alto
1960 Tate Street
East Palo Alto, CA 94303

RE: City of East Palo Alto
Ravenswood Business District/4 Corners Specific Plan Update SEIR

Dear Mr. Jen,

We appreciate the opportunity to provide our comments on the Ravenswood Business District/4 Corners Specific Plan ("2024 Draft Specific Plan") Subsequent Environmental Impact Report ("2024 Draft SEIR") for the City of East Palo Alto. We look forward to continued collaboration with the community and City of East Palo Alto as this process continues to move forward.

Below please find our comments on the 2024 Draft SEIR:

- *Executive Summary Table (ES-1) and the Mitigation Monitoring and Reporting Program (MMRP):* Please note that the Executive Summary Table and the Mitigation Monitoring and Reporting Program would benefit from the following recommended changes:
 - Clearer description of all impacts, in terms of being consistently labeled and numbered;
 - Consistency in the identification of impact determinations (i.e., including all less-than-significant-with-mitigation (LTSM) impacts);
 - Clearer identification of all applicable mitigation measures, and whether the mitigation measures from the previous 2013 Specific Plan EIR still apply or if they are universally replaced by the 2024 Draft SEIR. This concern is also applicable to the Ravenswood Business District Specific Plan (2013 Specific Plan or 2024 Draft Specific Plan) references to policies. Furthermore, policies are inconsistently listed. Please ensure that these issues are resolved in the Final SEIR.
 - Identification of the level of impact before mitigation, and the level of impact after mitigation.
- *Transportation:*
 - *Trip Generation:* Please note that on page 334 of the 2024 Draft SEIR, it states that there is 1,267,500 square feet of R&D for Scenario #2, while Table 11 of the TA report assumes 1,167,250 square feet of R&D. If the TA analysis was performed with a lower square footage value for R&D, this may result in an underrepresentation of the number of trips generated for Scenario #2. Please clarify this discrepancy.

- *Freeway Segment Improvements*: Please note that on page 388 of 2024 Draft SEIR, it states that projects shall make a fair share contribution towards VTA and C/CAG freeway projects related to HOV/express lanes and other freeway related improvements. As we have previously stated in our comments related to the 2024 Draft Specific Plan as well as the City's draft Nexus Study, any infrastructure and traffic-related improvements and their associated costs should be reviewed and considered holistically when considering the financial impact and burden on future development projects. This should be included in the Impact Fees.
 - *Intersection and Corridor Improvements*: Please note that the Executive Summary of the TA describes the funding responsibilities for the recommended improvements with the City of East Palo Alto, with developers' responsibilities ranging from full responsibility to a fair share contribution. Similar to the Freeway Segment improvements comment above, any infrastructure and traffic-related improvements and their associated costs should be reviewed and considered holistically when considering the financial impact and burden on future development projects, particularly as they relate to the Nexus Study that the City is in the process of preparing. Developers should only be responsible for their fair share and this contribution should be included in the Impact Fees.
 - *Intersection at Tara Road and Bay Road*: Please note that on page 376, Table 3.16-6 Intersection #45 (Tara Road and Bay Road), the 2024 Draft SEIR proposes that a single-lane roundabout be constructed to improve the affected intersection, which “would require the adjacent industrial properties to dedicate right-of-way a part of redevelopment.” Configuring a roundabout at this intersection may be difficult due to existing buildings and impacting the parking lot for the EPACENTER. In our previous comments on the 2024 Draft Specific Plan, we have pointed out that there is an inconsistency in the 2024 Draft Specific Plan document regarding the need for this Roundabout. Please clarify whether this Roundabout, as described in the 2024 Draft Specific Plan, is needed.
- *Air Quality:*
 - *Shuttle Program*
 - The Air Quality section (page 72) of the 2024 Draft SEIR references the Shuttle Program specifically, using the following language:
 - *“Shuttle Program: The TMA shall fund and operate a shuttle program that connects employees and residents with nearby commercial, transit, and employment centers and provides long haul service to housing and employment centers in other communities.”*
 - In the 2024 Draft Specific Plan, Transportation Demand Management (TDM), Section 8.5.4: Shuttle Program Standards (page 268), the Shuttle system is not described as mandatory: *“If the TMA is required (or otherwise decides on its own) to fund and operate a shuttle program for the purposes of reducing trips in the Plan Area, the following standards shall apply..”*
 - Given that the Shuttle is not a mandatory requirement, but rather one of several TDM options described in the 2024 Draft Specific Plan, please revise Section 2.3.6 (Transit Improvements) of the Project Description (2024 Draft SEIR) and Section 8.3.4 (Transit Network) of the 2024 Draft Specific Plan (page 228) to clarify and ensure that there is consistency between the 2024 Draft SEIR and the 2024 Draft Specific Plan, in describing the Shuttle as not a mandatory requirement, but one of several TDM options available in the future to the TMA.
- *Construction Criteria Pollutant Emissions*
 - MM AIR-1.1 (page 68) describes a measure related to requiring the provision of line power to a development project site, which may not be commercially available and practicable to proceed and complete construction. A similar mitigation measure was described in MM AIR-4.1 that we would recommend be utilized in lieu of the language from MM AIR-1.1.

- The language of MM AIR-1.1 reads:
 - “Construction criteria pollutant and TAC quantification shall be required for individual projects developed under the Specific Plan Update once construction equipment and phasing details are available through modeling to identify impacts and, if necessary, include measures to reduce emissions below the applicable BAAQMD construction thresholds. Reductions in emissions can be accomplished through, not limited to, the following:
 - (3rd bullet) Provide line power to the site during the early phases of construction to minimize the use of diesel-powered stationary equipment.”
 - We recommend replacing the above language, with the language from MM AIR-4.1 (page 81), which is more reflective of construction conditions in the field.
 - “Measures to avoid significant construction health risks impacts that could be included in projects, depending on the results of the project-specific HRAs could include:
 - (6th bullet) Use portable electrical equipment where commercially available and practicable to complete construction. Construction contractors shall utilize electrical grid power instead of diesel generators when (1) grid power is available at the construction site; (2) when construction of temporary power lines are not necessary in order to provide power to portions of the site distant from existing utility lines; (3) when use of portable extension lines is practicable given construction safety and operational limitations; and (4) when use of electrical grid power does not compromise construction schedules.
- *Noise: Traffic Noise*
 - Traffic Noise (page 280, 2024 Draft SEIR): To reduce noise levels on two Bay Road segments, which have sensitive residential receptors along the roadway, certain measures are required which involve installing quieter pavement and reducing average traffic speeds. MMNOI-2.1 states that “Future development projects under the Specific Plan Update shall pay a fair share contribution toward the City’s installation of quieter pavement types..”, and “Future development projects shall install or pay a fair share contribution toward the City’s installation of traffic calming measures along Bay Road (between University Avenue and Pulgas Avenue)..”
 - Similar to the comment made above regarding traffic improvements, any infrastructure and traffic-related improvements and their associated costs should be reviewed and considered holistically when considering the financial impact and burden on future development projects, particularly as they relate to the Nexus Study that the City is in the process of preparing. Developers should only be responsible for their fair share and this contribution should be included in the Impact Fees.

We appreciate the opportunity to share our comments on the Draft 2024 SEIR. If you should have any questions regarding the above comments, please do not hesitate to let us know.

Sincerely,



Kim Diamond
Harvest Properties



GENERAL MANAGER
Ana M. Ruiz

BOARD OF DIRECTORS
Craig Gleason
Yoriko Kishimoto
Jed Cyr
Curt Riffle
Karen Holman
Margaret MacNiven
Zoe Kersteen-Tucker

September 10, 2024

City of East Palo Alto, Planning Division
Attn: Alvin Jen, Planner
1960 Tate Street
East Palo Alto, CA 94303

Submitted via email: rbd@cityofepa.org

**Re: Draft Subsequent Environmental Impact Report (SEIR) for Ravenswood/4 Corners
Transit-Oriented Development Specific Plan Update (Ravenswood Specific Plan Update)**

SCH#: 2022040352

Dear Alvin Jen,

On behalf of the Midpeninsula Regional Open Space District (Midpen), we respectfully submit the following comments regarding the Draft SEIR for the Ravenswood Specific Plan Update. Midpen appreciates attending the May 9, 2022 public scoping meeting and the City's review and consideration of the May 13, 2022 comments we submitted for the Notice of Preparation (NOP) for this SEIR.

Midpen commends the City of East Palo Alto in this significant planning and environmental review effort to deliver a comprehensive policy and regulatory framework for addressing development projects and public improvements in the Ravenswood Specific Plan area. The City has implemented robust and inclusive public and stakeholder engagement where Midpen's comments were received in focused meetings with environmental organizations and community meetings/open houses.

As an adjacent public land management agency on the eastern boundary of the 207-acre Ravenswood Specific Plan area, Midpen is responsible for protecting open space, natural ecosystems, sensitive habitat and wetland areas and providing public recreational trails and community benefits to city residents, employers and workers at Ravenswood Open Space Preserve and a portion of San Francisco Bay Trail within the preserve. Our comments are focused on the following environmental resource areas: Aesthetics, Biological Resources, Hydrology and Water Quality, and Recreation.

3.2 AESTHETICS

Midpen recognizes the City’s Vista 2035 East Palo Alto General Plan policies for Land Use and Urban Design provide guidance on scenic views and viewsheds toward adjacent natural resources which would include the San Francisco Bay, adjacent shoreline areas and Ravenswood Open Space Preserve, viewshed analysis requirement and protection of the east-west view corridor through Ravenswood north of Bay Road.

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

However, the SEIR does not provide any viewshed analysis of the proposed buildings’ heights and bulk along the waterfront-levee edge transition zone, which will be closest to Ravenswood Preserve. Photos 1 through 16 from pages 38-45 show existing conditions but not the development scenarios. For example, viewshed analyses should be conducted and provided for public review for these two transition zones to evaluate the visual impacts along the Ravenswood Bay Trail corridor north of Bay Road:

- 100’ to 150’ from BCDC Shoreline Band: maximum 64’ (four stories)
- 150’ to 200’ from BCDC Shoreline Band: maximum of 96’ (six stories)

3.4 BIOLOGICAL RESOURCES

Shadow Impacts on Sensitive Habitat Areas

As shown in Figure 2.3-2 Maximum Building Heights, the Specific Plan Update allows for maximum building heights ranging from approximately 30 feet to 122 feet above the ground surface and the tallest buildings (seven to eight stories, between 104 to 122 feet above the ground surface) proposed to occur along the eastern end of the Specific Plan area, which will greatly impact the sensitive marsh habitat areas north and south of Bay Road by the shadows cast by these tall buildings, even with setback and stepback standards applied.

***3.4.2 Impact Discussion – 2)** Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?*

Shading from future developments along the eastern portions of the Specific Plan area could affect vegetation in salt marshes. Future developments along the eastern portion of the Plan area have some potential to cast shadows over tidal marsh habitats to the east during the late afternoon and evening, when the sun is in the west. However, as depicted on Figure 2.3-2 (Maximum Building Heights), future buildings along the eastern portions of the Plan area, adjacent to the sensitive salt marshes, are limited to lower heights (35 to 60 feet above grade), compared to building heights (up to 120 feet above grade) in other portions of the Plan area. All new buildings would be constructed outside the 100-foot BCDC setback, therefore, limiting the amount of shade that would reach the tidal salt marsh habitat throughout the day. These marshes are also expected to remain open to the sky to the north, south, and east, and are expected to receive enough light that shading from the buildings would not result in substantial adverse effects on marsh vegetation.”

Midpen conducted a preliminary analysis to understand the potential for shading on the adjacent marshland. The analysis casts shadows based on 30-minute increments from sunrise to sunset at three different times of the year based on the Specific Plan Update’s allowed building heights (summer, fall and winter). The preliminary analysis projects the shade that would result from the building heights for an entire building zone based on maximum building height including setbacks, but does not account for setbacks, and is therefore a conservative estimate. The videos provide a number of scenarios (e.g. baseline conditions without proposed project, anticipated development with full building heights, varying shade coverage for the different seasons) to illustrate the amount of shading that may occur in the marshlands. The videos indicate that new, significant shading of the Ravenswood and Faber-Laumeister marshlands is possible due the proposed development associated with the Specific Plan Update, particularly in the winter months.

Based on Midpen’s preliminary analysis and the finding that there is a potential for new significant shading of sensitive marshland, Midpen requests that the City conduct a formal shade study and impacts analysis. Currently the SEIR does not adequately analyze and address the potential for shade impacts associated with the proposed development to the adjacent marshland which support critical habitats for the aquatic species.

Biological Resources Mitigation Measures

Midpen understands that MM BIO-1.1 in the 2013 Specific Plan EIR will be replaced by MM Bio 1.1 – 1.3 in the Specific Plan Update SEIR.

MM BIO- 1.2: Special-Status Plant Avoidance Buffers

If complete avoidance is not feasible and more than 10 percent of a population (by occupied area or individuals) would be impacted as determined by a qualified plant ecologist, MM BIO1.3 shall be implemented.

Midpen appreciated the intent of MM Bio-1.2 to avoid all impacts to special status species to the extent feasible. When complete avoidance is not feasible, all impacts to special status plants should be mitigated for, not only when more than 10 percent of a population is impacted. The replaced MMBIO-1.1 in the 2013 Specific Plan EIR was more protective calling for development of a compensatory mitigation plan and coordination with regulatory agencies. Midpen supports mitigation for impacts to all species status species in coordination with appropriate resource agencies.

MM BIO-1.3: Preserve and Manage Mitigation Populations of Special-Status Plants

If avoidance of special-status plants is not feasible and more than 10 percent of the population would be impacted, compensatory mitigation shall be provided via the preservation, enhancement, and management of occupied habitat for the species, or the creation and management of a new population.

When complete avoidance is not feasible, all impacts to special status plants should be mitigated for, not only when more than 10 percent of a population is impacted. The replaced MMBIO-1.1 in the 2013 Specific Plan EIR was more protective calling for development of a

compensatory mitigation plan and coordination with regulatory agencies. Midpen supports mitigation for impacts to all species status plants in coordination with appropriate resource agencies, not only when more than 10 percent of a population is impacted.

MM BIO-1.3: Continued.

A habitat mitigation and monitoring plan (HMMP) shall be developed by a qualified biologist or restoration ecologist and implemented for the mitigation lands on a project-by-project basis.

Approval of the HMMP by the City shall be required before project impacts occur to the species.

Additionally, MM BIO-1.3 should document that for any HMMP, approval of not just the City, but by appropriate resource agencies, is required before a project is approved and initiated.

MM BIO-1.3: Continued.

A description of measures to transplant individual plants or seeds from the impact area to the mitigation site, if appropriate (which will be determined by a qualified plant or restoration ecologist).

To avoid the potential to introduce or spread weeds and pathogens when salvaging or transplanting plants, Midpen recommends including the following best management practices as part of the City's measures for transplanting plants.

BMPs for minimizing the spread of *Phytophthora* pathogens:

<https://www.suddenoakdeath.org/welcome-to-calphytos-org-phytophthoras-in-native-habitats/resources/>

MM BIO-2.3: Prohibit Rodenticides

The use of rodenticides shall not be allowed within 100 feet of any salt marsh habitat.

The use of rodenticides in the community poses a significant threat to the wildlife in the neighboring areas, especially predators and scavengers. To avoid impacts, Midpen recommends that the City promote alternative pest control methods, and prohibit or limit rodenticides to areas adjacent to wetlands. When rodenticides are necessary, Midpen recommends that the City only allow rodenticides with the least impacts, and conduct outreach and education efforts about the effects of commonly available pesticides on wildlife.

[Rodenticides | Midpeninsula Regional Open Space District](#)

MM BIO-2.4: Restrict Pesticide Use in and near Salt Marsh Habitats

All pesticides used within 100 feet of salt marsh habitats must be utilized in accordance with the manufacturer's directions. No pesticides shall be applied within tidal marsh habitats as part of Specific Plan Update activities. Any pesticides used in areas where they could be washed, or could drift via wind, into tidal marsh habitat must be approved by the City of East Palo Alto for use in aquatic habitats.

To avoid impacts to salt marsh habitats, alternative Integrated Pest Management strategies should be encouraged prior to use of pesticides to minimize risks to people and the environment. Additionally, the pesticide application buffer of salt marsh habitats should be increased beyond 100 feet, especially for pesticides not approved for aquatic application. All storage, loading and mixing of pesticides should be set back at least 300 feet from any aquatic feature or special-status species or their habitat or sensitive natural communities. Pesticides should not be applied in areas or manners where they could be washed or drift via wind into tidal marsh habitats

MM BIO-2.5: Raptor Perch Deterrents

Within 300 feet of any salt marsh habitats within or adjacent to the Specific Plan area, raptor perch deterrents will be placed on any edges of building roofs, terraces, or other structures (e.g., light poles or electrical towers) that are high enough to overlook the marsh and that have an unobstructed view to the marsh. The specific type of perch deterrent(s) used shall be approved by a qualified biologist and the City.

To avoid unanticipated impacts to other native wildlife, Midpen recommends that MM Bio-2.5 includes specific language to prohibit features like flagging, and flashing or lighting that result in negative impacts to other wildlife.

MM BIO-2.7: Restrictions on Outdoor Cat Feeding Stations and Off-Leash Dogs

Future developments shall prohibit outdoor cat feeding stations within 300 feet of salt marsh habitats. Future developments shall also prohibit off-leash dogs within 100 feet of salt marsh habitats unless within fenced areas.

East Palo Alto’s Parks, Recreation, and Open Space Master Plan includes guidelines to protect the salt marsh harvest mouse, a species protected under the Endangered Species Act. The plan states “Discourage feral cats, feeding stations, and improper trash storage. Prohibit or limit dog access near sensitive habitats and wetland areas.” These design guidelines were intended to apply to the RBD Shoreline Parks Area, and not only 100-300 feet of salt marsh habitat. To align with the City’s Park Master Plan and to avoid impacts to wildlife, Midpen supports the prohibition of all outdoor cat feeding stations, not just those within 300 feet of salt marsh habitats. Midpen also supports an overall increase in the off-leash dog buffer to greater than within 100 feet of salt marsh habitat, with specific buffer distance determined by the ease of access to the salt marsh habitat. Midpen also strongly supports a prohibition of dogs on bayfront perimeter trail, consistent with Midpen’s Ravenswood Preserve management practices. Midpen recommends that MM BIO-2.7 be updated as follows:

MM BIO-2.7: Future developments shall prohibit outdoor cat feeding ~~stations within 300 feet of salt marsh habitats~~. Future developments shall also prohibit off-leash dogs within areas that would provide direct access to sensitive salt marsh habitat and at a minimum of 100 feet of salt marsh habitats unless within fenced off-leash dog areas and that these areas do not drain into salt marsh habitat without treatment.

MM BIO-2.8: Food Waste Management

The following measures shall be implemented by future developments within 100 feet of salt marsh habitats to reduce impacts on salt marsh harvest mice and salt marsh wandering shrews due to the attraction of nuisance predators.

Midpen supports the specific measures association with MM BIO-2.8 to prevent impacts to salt marsh harvest mice and salt marsh wandering shrews.

In accordance with EPA's Parks Master Plan, and to prevent impacts to salt marsh harvest mice, the following additional measure should be added:

- *Any observations of over flowing or non-functioning (not tightly sealed) trash bin or community/illegal feeding stations should result in action to dismantled the feeding station and the installation of educational signage about the negative impacts of outdoor cat feeding station on native and special-status species.*

MM BIO-3.1 Seasonal Avoidance or Protocol-level Surveys and Buffers around Calling Centers

To avoid causing the abandonment of an active California Ridgway's rail or California black rail nest, independent project activities within 700 feet of salt marsh habitats within or adjacent to the Specific Plan area will be avoided during the rail breeding season (from February 1 through August 31) unless 1) a qualified biologist determines that a reduced buffer (but no less than 200 feet) is appropriate due to intervening development or obstructions, the level of disturbance by the activity (in terms of noise and equipment), or other factors that would reduce the potential for the activity to disturb nesting rails, or 2) protocol-level surveys are conducted by a qualified biologist to determine rail locations and territories during the year in which construction is initiated. Protocol-level surveys are typically initiated in late January, so proactive planning is necessary to ensure that such surveys are conducted according to the protocol during the year in which construction occurs. If breeding rails are determined to be present, construction activities shall not occur within 700 feet of an identified California Ridgway's rail calling center or within 300 feet of a California black rail calling center during the breeding season.

To avoid impacts to California Ridgway's rail and California black rail or abandonment of their nests, MMBIO-3.1 should be updated to include coordination with USFWS and CDFW. Midpen requests the following:

To avoid causing the abandonment of an active California Ridgway's rail or California black rail nest, independent project activities within 700 feet of salt marsh habitats within or adjacent to the Specific Plan area will be avoided during the rail breeding season (from February 1 through August 31) unless 1) a qualified biologist in coordination with USFWS and CDFW determines that a reduced buffer (but no less than 200 feet) is appropriate due to intervening development or obstructions, the level of disturbance by the activity (in terms of noise and equipment), or other factors that would reduce the potential for the activity to disturb nesting rails, or 2) protocol-level surveys are conducted by a qualified biologist to determine rail locations and territories during the year in which construction is initiated. Protocol-level surveys are typically initiated in late

January, so proactive planning is necessary to ensure that such surveys are conducted according to the protocol during the year in which construction occurs. If breeding rails are determined to be present, a qualified biologist should consult with USFWS and CDFW regarding appropriate buffers and protective measures. Encroachment of construction activities within a designated buffer zone around occupied nests may occur only after consultation with and concurrence by USFWS and CDFW and with nest monitoring and restrictions on the type of operations. construction activities shall not occur within 700 feet of an identified California Ridgway's rail calling center or within 300 feet of a California black rail calling center during the breeding season.

MM BIO-7.1 Nesting Birds - Buffers. *If an active nest is found within areas that would be disturbed by project activities, the qualified biologist shall determine the extent of a construction-free buffer zone to be established around the nest (typically 300 feet for raptors and 100 feet for other species, though buffers may be reduced by the biologist based on intervening structures or vegetation, the magnitude of disturbance produced by the activity, and the level of human activity to which the birds are already habituated), to ensure that no active nests of species protected by the MBTA and California Fish and Game Code will be disturbed during project implementation.*

To avoid impacts to nesting birds, required buffers of 250 feet for passerines, 500 feet for small raptors (accipiters), and 1,000 feet for larger raptors (buteos and eagles) should be applied. If special-status birds or their nests, are present, the project proponent shall consult with the USFWS and CDFW regarding the implementation of appropriate protective measures. Measures shall generally include establishing a “no-work” buffer zone in the vicinity of active occupied nests, with the size of the buffer to be determined by the ornithologist in consultation with USFWS and CDFW. All buffer zones shall be designated on construction drawings and delineated in the field by orange construction fencing or a similar visual barrier to equipment operators and personnel. The buffer zone barrier shall be monitored and maintained until the end of the breeding season and as approved by a qualified biologist. Additional protections may be required for Bald and Golden Eagles due to Bald and Golden Eagle Protection Act.

Additionally, when corvid nests (e.g. common ravens) are identified, removal should be encouraged whenever acceptable to wildlife agencies.

MM BIO-9.1: Implement Invasive Weed Best Management Practices (BMPs). *The invasion and/or spread of noxious weeds will be avoided by the use of the following invasive weed BMPs:*

- *Prohibit the use of moderate or highly invasive and/or noxious weed (as defined by California Department of Food and Agriculture) for landscaping.*
- *During project construction, all seeds and straw materials used in the Specific Plan area shall be weed-free rice (or similar material acceptable to the City) straw, and all gravel and fill material will be certified weed-free to the satisfaction of the City. Any deviation from this will be approved by the City.*
- *During project construction within, or within 100 feet of, tidal salt marsh, open water, or tidal slough habitats, vehicles and all equipment shall be washed (including wheels,*

undercarriages, and bumpers) before and after entering the proposed project footprint. Vehicles will be cleaned at existing construction yards or car washes.

- *Following construction of project, a standard erosion control seed mix (acceptable to the City) from a local source, and free of invasive species, will be planted within the temporary impact zones on any disturbed ground that will not be under hardscape, landscaped, or maintained. This will minimize the potential for the germination of the majority of seeds from nonnative, invasive plant species.*

To prevent the invasion and/or spread of noxious weeds, also prohibit use of California Invasive Plant Council's rated weeds (<https://www.cal-ipc.org/>). If seed is installed adjacent to sensitive salt marsh and tidal slough habitat, seed mix should be a specialized mix with locally collected seed from coastal salt marsh plant species that occur in the habitat. Ornamental species not native to the area, but that are drought tolerant may pose threats to neighboring sensitive habitats.

Also, straw should be certified weed free and wattles should be 100% biodegradable to prevent wildlife entrapment and washing into storm drains.

In addition to requiring vehicle washing before and after entering the project footprint, all equipment should be inspected upon arrival to the construction site and any equipment with soil, vegetative material and weeds should be turned away. Only clean and sanitized equipment, especially when working adjacent to sensitive habitat, should be allowed entry.

Additional information and BMPs for minimizing the spread of pathogens and weeds can be found here:

http://phytosphere.com/publications/Phytosphere_GGNPC_Soil_Phytophthora_BMPs_Jan2018.pdf

MM BIO10-1: Jurisdictional Waters Avoidance and Minimization Measures. *The following measures will be implemented to avoid and minimize impacts to jurisdictional waters to less than significant levels.*

- *During or prior to project design, a wetland delineation of the project area shall be conducted to determine precise boundaries of jurisdictional wetlands and other waters. Impacts to any jurisdictional habitats shall be avoided to the extent practicable. If wetlands or other waters under state or federal jurisdiction occur in the construction areas and involve the placement of fill or dredged materials or other alteration, the necessary and appropriate permits and approvals from responsible resource agencies shall be secured. As appropriate for the type of permit to be considered, options that avoid, minimize, or mitigate potential impacts on jurisdictional wetlands shall be evaluated. Conditions of approval attached to the permits shall be followed.*
- *Sensitive habitat areas including wetlands adjacent to, but outside of, the construction area shall be demarcated with orange construction fencing to exclude workers, vehicles, and equipment.*
- *The locations of habitats to be avoided shall be identified in the contract documents (plans and specifications) as "Sensitive Biological Resources – Do Not Disturb."*

- *Jack-and-bore or other trenchless methods shall be used as feasible to reduce the need for surface construction within identified sensitive habitats and exclusion zones, and construction activities and vehicles shall be restricted to a specified right-of-way.*
- *Temporarily impacted wetlands and other waters shall be restored in place based on a restoration plan prepared by a qualified biologist and approved by the City.*
- *Where possible, trenches shall be worked from only one side to minimize impacts on adjacent habitat.*
- *Watering of exposed earth shall be conducted consistent with construction BMPs to minimize dust production.*
- *Trench lines shall be reseeded with native vegetation appropriate for the affected habitat type, and/or a doubletrenching technique shall be used through sensitive habitats to help preserve the existing seedbank*

To avoid impacts to jurisdictional waters and salt marsh habitat, and prevent the spread of pathogens and weeds, any imported fill should be clean with no pathogens or weed seeds. When seed mixes are applied, only specialized mixes with locally collected seed from coastal salt marsh plant species that occur in the habitat should be utilized.

Proposed Specific Plan Update Bird Safe Standard 6.8.4: *The Specific Plan Update includes bird-safe design standards that would reduce avian collisions (refer to Appendix C). The following Specific Plan Update standards would be implemented to enhance and modify the standards to ensure buildout of the Specific Plan Update results in less than significant impacts to migratory birds.*

- *6. Bird-safe glazing treatments may include any of the following: o Fritting o Netting o Permanent stencils o Frosted glass o Exterior screens o Physical grids placed on the exterior of glazing o Ultraviolet (UV) patterns visible to birds*

To avoid impacts to migratory birds due to entrapment hazards, remove “netting” from list of bird-safe glazing treatments, or clarify that “netting” refers to a net-like design applied to windows, rather than netting material applied to windows and facades.

3.10 HYDROLOGY AND WATER QUALITY

The SEIR states that, “In addition, future development projects and the multi-use path and loop road would comply with the following Specific Plan Update standards to reduce impacts to the City’s drainage system.” The Proposed Specific Plan Update Storm Drainage Standards (pages 243-44) states:

- **Avoid adjacent flooding.** New developments shall ensure that proposed site topography and connection to the City’s storm drain system does not cause new or additional flooding to City streets and other properties. The City Engineer shall have final determination over the direction/flow of drainage. See Figure 9-5 for Mass Grading Plan.

- Design storm condition. The City Engineer shall have final determination of the design storm condition required to be used by applicants. At time of adoption, the standard is a 10-year storm condition.

Furthermore, Midpen recognizes the City's Vista 2035 East Palo Alto General Plan policies for hydrology and water quality and the Specific Plan Updates standards and guidelines for stormwater and low impact development.

Vista 2035 East Palo Alto General Plan

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

1.2 On-site stormwater management. Encourage development projects to manage stormwater on-site to reduce burdens on the City's stormwater system. Whenever possible, stormwater should be infiltrated, evaporated, reused or treated on-site in other ways to improve stormwater quality and reduce flows into the storm drain system.

RBD Specific Plan Update

6.8.2 Stormwater & Low Impact Development

STANDARDS

- 1. Permit Requirements. Projects shall meet the Municipal Regional Permit Requirements per NPDES Permit Number C A5612008.*
- 2. C-3 Standards. The most restrictive C-3 requirements shall be used for the design of stormwater management systems for projects. This also includes employing Best Management Practices (BMPs) pre-, during, and postconstruction.*

GUIDELINES

- 1. Stormwater Reuse. Cisterns and other design features should be used to capture, store, and reuse stormwater.*
- 2. Paved Parking. The amount of paved parking area should be minimized, and pervious parking materials should be considered where feasible.*
- 3. Detention Features. Stormwater detention features should be used to minimize runoff into streets and parking lots. Stormwater detention features include drainage swales and detention basins.*
- 4. Roof Runoff Diversion. Stormwater runoff from roofs should be diverted to vegetated swales or detention areas rather than storm drains.*

To avoid impacts to water quality of sensitive salt marsh habitats, Midpen requests that specific measures be prescribed through a mitigation measure containing the following requirements:

- New development shall incorporate water/stormwater detention features to manage stormwater on-site.

- Detention basins should be planted with native plants when feasible.
- All untreated runoff should be directed away from salt marsh habitat.

3.15 RECREATION

Under Section 3.15.1.2, the SEIR should mention the anticipated use of the nearby Ravenswood Bay Trail and Ravenswood Open Space Preserve due to their proximity to the proposed development. While the project increase may not result in a significant impact, there would still be a future increase in the use of the existing regional open space and Bay Trail.

While the SEIR's Recreation section references the State Government Code Section 66477 (Quimby Act) and the City's Vista 2035 East Palo Alto General Plan under the Regulatory Framework, Midpen recommends that SEIR also reference the City's Parks, Recreation, and Open Space Master Plan.

The City's Parks Master Plan contains important design guidelines about recreation near sensitive habitat that should apply to development of recreational facilities adjacent to marsh areas that could impact sensitive habitats, special status plant and animal species. Specific reference to design guidelines for development of recreation facilities near sensitive habitats include:

- appropriate low-impact recreational uses,
- use of native plants in landscaping,
- reduced night lighting and alignment with International Dark-Sky Association guidelines, and
- prohibitions and limitations to dog access near sensitive habitat areas.

Midpen appreciates the opportunity to review and submit comments on the SEIR. We recognize the significance of the City's Specific Plan Update and adoption of this planning framework to implement the vision and strategies that would promote greater community benefits and environmental sustainability of the area.

Please follow-up with Jane Mark, Planning Manager, with any questions related to Midpen's comments. Jane can be reached at jmark@openspace.org or at (650) 625-6563. Thank you for the opportunity to submit comments on the SEIR for the Ravenswood Specific Plan Update.

Sincerely,

Signed by:

384E691D79DA431...

Brian Malone

Assistant General Manager

cc: Midpeninsula Regional Open Space District Board of Directors
Melvin Gaines, City Manager, City of East Palo Alto
Amy Chen, Community & Economic Development Director, City of East Palo Alto
Elena Lee, Planning Manager, City of East Palo Alto
Margaret Bruce, Executive Director, San Francisquito Creek Joint Powers Authority
Lee Huo, MTC/ABAG San Francisco Bay Trail Project
Deanna Chow, Community Development Director, City of Menlo Park
Jonathan Lait, Planning Director, City of Palo Al

From: [Claudia Nava](#)
To: [Alvin Jen](#)
Subject: Nuestra Casa - Questions in Regards to RBD SEIR Feedback
Date: Tuesday, August 13, 2024 4:28:58 PM

Hello Alvin,

My name is Claudia and I am the Housing Program Coordinator at Nuestra Casa. We have been following the Ravenswood Business District Draft Specific Plan and disseminating information to community members at a more accessible level.

We have been sharing information about the SEIR to community members and directing them to where they can find more info and provide feedback. We wanted to know if there will be any specific form community members can fill out to give that feedback? Many may not have access to an email to provide feedback in that manner, so we wanted to know if there's any additional ways for them to provide feedback.

If not, is there any plan to have forms to gather additional community feedback later in the process?

Thanks in advance! Hope you can provide some insight.

Best,

--



Claudia Nava (she/her), Housing Program Coordinator
[Nuestra Casa de East Palo Alto](#) | cnav@nuestracasa.org
2396 University Avenue, East Palo Alto, CA 94303 |

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September 10, 2024

Alvin Jen
Associate Planner
City of East Palo Alto
2415 University Ave.
East Palo Alto, CA 94303

Via Electronic Mail

RE: Ravenswood Business District/4 Corners Specific Plan Update DSEIR

Dear Alvin:

We write today with comments on the Ravenswood Business District/4 Corners Specific Plan Update DSEIR. Thank you for circulating the environmental document. We have been anxiously waiting for this milestone as the processing of our project-level DEIR for our Four Corners mixed-use project is behind the City's Specific Plan. The City's delayed Specific Plan and associated DSEIR for several years have long delayed our project application review.

We have actively participated in the Specific Plan Update process since it began in 2020. We have respectfully asked the City to maintain a narrow scope, consistent with City Council's original direction. We have also advocated for the update to facilitate our proposed development at the Four Corners site. To date, the City has pursued a broad scope for the Specific Plan Update, significantly changing the development standards and criteria and proposing policies that make development and community desired benefits infeasible.

We continue to request that you revise the Specific Plan—and its associated documents, including the DSEIR, Nexus Study and Financial Feasibility Analysis—to promote much-needed development within the RBD. I have attached a memorandum from our attorney with comments on the DSEIR. Please take these into account as you take the next incremental steps toward adoption of a Specific Plan update.

We look forward to the revised draft Specific Plan and the associated changes being made to the DSEIR.

Sincerely,

Michael Kramer



Corinne I. Calfee
P.O. Box 2369
Davis, CA 95616

ccalfee@opterrallaw.com
510-809-8001

MEMORANDUM

TO: Mike Kramer, Sand Hill Property Co.
FROM: Corie Calfee
DATE: September 10, 2024
RE: Comments on the Ravenswood Business District Draft Supplemental Environmental Impact Report ("DSEIR")

You have requested an analysis of the DSEIR for the Ravenswood Business District Specific Plan Update. We have reviewed the DSEIR and have the following comments.

Public Hearing

The City scheduled a public hearing on the SDEIR for September 9, 2024. We repeatedly attempted to join the meeting. The electronic screen indicated to re-join at 7:45. Later, the screen indicated to arrive at 8:00. After 8:00, there was simply no meeting to join. It does not appear that the public hearing occurred. The City prioritizes public hearing and community engagement. It is important that a public hearing be held on the DSEIR, in accordance with the notices that have been sent and the principles of good governance that the City upholds.

Project Description

CEQA Guideline 15124 requires an accurate project description, but there are a number of problems with the draft project description in the DSEIR, as explained below.

Table 2.2-1 "Existing and Remaining Development Capacity within 2013 Specific Plan Area" is inaccurate, creating an uncertain baseline for CEQA analysis. The baseline should be, under CEQA Guideline 15125(a)(1), "the physical conditions that exist in the area affected by the project at the time the EIR process begins." Under "Existing Conditions 2022," the table lists zero housing units, but there are hundreds of existing housing units in the 2013 Specific Plan Area, including all of University Village, and apartments along Bay Road. *See* p. 8. Similarly, there are existing light industrial uses within the Specific Plan Area, but the table indicates zero square feet associated with this use. This table should be updated with accurate information about the Existing Conditions in 2022.

Section 2.3.1 Land Use Zones is also inaccurate:

- It indicates at page 9 that in the Four Corners zone, the maximum residential density is 60 dwelling units per acre. In fact, the 2016 General Plan updated this land use designation to Mixed Use High, which allows up to 86 dwelling units per acre. See 2016 General Plan p. 4-8. The 2016 designation upwardly revised the permissible number of overall dwelling units in the Specific Plan area, thereby increasing any residential development cap within the Specific Plan area above the 835 units described in the DSEIR.
- There is an internal inconsistency between “Urban Residential” as described in the text versus how it is described on Figure 2.3-1. The text lists a maximum density of “40 dwelling units per acre” whereas the figure indicates “43 du/a.”

Table 2.3-1: Development under Scenarios #1 and #2 on page 12 is inconsistent with Table 2.2-1. The “Existing Conditions 2022” is different from the same line in Table 2.2-1. For example, Table 2.2-1 shows zero existing housing units whereas Table 2.3-1 shows 350 existing housing units. It is not clear why they are different. This inconsistency creates a problem with the environmental baseline for the DSEIR. CEQA Guideline 15125(a) provides that “the lead agency should describe the physical environmental conditions as they exist at the time environmental analysis is commenced...” Without accurate or complete information about the physical environmental conditions, there is no clear baseline against which to analyze environmental effects.

A second problem with Table 2.3-1 is that there is no reference or explanation as to what “Existing Developments to be Redeveloped” means or includes. What 100 housing units will be redeveloped? Would those count as existing units or new units? Which office, light industrial/flex, and retail space is slated for redevelopment? How will that re-development be considered under the new Specific Plan? What does “Reallocation” mean? There is no explanation. There is a reference to footnote “bb,” but no such footnote exists.

Figure 2.3-3 (p. 17) indicates an exact location for a publicly accessible plaza on the Four Corners site, but the property owner has not agreed to that location. Sand Hill’s comments on the Specific Plan requested that this issue be resolved. There should not be small, precise rectangles indicating open space at Four Corners.

Section 2.3.5.1 describes the public roadway network and loop road. It references “an internal street at Four Corners (see Figure 2.3-4), between University Ave and Bay Rd.” See p. 18. Similarly, Figure 2.3-4 Roadway Network and Improvements shows “Access Street with Ped/Bike Facility (Privately owned with public access easement).” Sand Hill’s comments on the Specific Plan requested that any requirement to dedicate a public access easement across private property at Four Corners be removed. Converting privately owned land to public use without just compensation would create a taking. (Similar changes are required to the Transportation Analysis.)

Together, these flaws with the Project Description fall short of what is required by CEQA. The Project Description must be updated in accordance with these comments, and the resulting environmental analysis should consider the updated Project Description.

Project Objectives

CEQA requires a “clearly written” list of project objectives so that decision-makers can evaluate whether any alternatives may be environmentally superior ways of achieving the objectives. CEQA Guidelines 15124(b). The objectives must not be so narrow as to foreclose other alternatives from being considered.

Here, the DSEIR lists seventeen vague objectives that create an internally inconsistent set of goals that cannot all be met. The list includes subjective standards like “blend,” “evolve,” “improve,” “enhance,” “respect,” “seek to address,” “facilitate,” and “enable.” These are vague, subjective goals that reasonably have different interpretations. It is impossible to objectively compare the manner in which various forms of Specific Plan would achieve these amorphous and subjective goals.

In addition, Objective 7, “achieve a 40 percent or greater reduction in single-occupancy vehicle trips to and from the plan area” suffers several flaws. First, it is not clear what baseline is being considered. Assuming it is the existing physical conditions, it would be impossible and unreasonable to expect that future development within the area would yield a 40 percent reduction in existing vehicle trips. That is, bringing new homes and workplaces to the area would inherently increase the number of trips, not reduce it by more than 40 percent. Second, this objective is alternatively treated as an objective, a project feature, and a mitigation measure. The lead agency should be clear as to what this is—it cannot be all three at once. Third, this standard is simply not achievable. The City Council agreed it was a “reach” goal when the TDM Ordinance was adopted, and that existing technologies and tools would not achieve the goal. Developers have repeatedly confirmed that a 40% reduction is not feasible. For these reasons, the 40% reduction should not be listed as an objective, project feature, or mitigation measure.

Cumulative Projects List

CEQA requires an EIR to analyze the cumulative impacts of the proposed project, together with the impacts of other reasonably foreseeable projects. The lead agency can choose the “list of projects” approach or the “summary of projections” method. It appears that the City has chosen the list of projects approach, but the list of projects is incomplete. For example, it omits projects within 1 mile that have been entitled, including the 851 Weeks Street affordable housing project and the 1201 Runnymede residential development. There may be other projects that have been omitted; the list should be complete to ensure that the cumulative impacts are properly studied. Updating the list may require updates to the impact analyses.

Aesthetics Analysis

The analysis at page 49 discusses a maximum building height of 120 feet whereas elsewhere (Figure 2.3-2) the DSEIR discusses a maximum building height of 122 feet. The document should be internally consistent, and the impact analyses should be based on a consistent maximum building height.

Air Quality Analysis

Figure 3.3-1 indicates the locations of “Residential Sensitive Receptors.” It places dots on particular locations. It is not clear why those locations include sensitive receptors but other residences do not. The methodology for making this determination should be outlined in the DSEIR.

Table 3.3-2 discusses the consistency of the draft Specific Plan with the Bay Area Air Quality Management District (“BAAQMD”) control strategy measures. The table concludes (at p. 63) that the Specific Plan is consistent with TR1: Clean Air Teleworking Initiative. There is no evidence to support this conclusion. To the extent that the Specific Plan would enable the construction of workplaces like offices, light industrial, or life science buildings, such buildings would be designed and built to be used by workers. There is no market for buildings to be “occupied” by teleworkers, who do not need a workplace. There is no evidence in the record to suggest that employment uses in the Specific Plan area will support telework.

The table also determines (p. 63) that the proposed project is consistent with BAAQMD strategy TR2 on the basis that future projects will be required to reduce daily trips by 40 percent. This TDM standard is impossible to meet. As above, the City Council has confirmed that this is a stretch goal and developers have repeatedly confirmed that there is no feasible way to achieve this goal. There is no evidence to support the conclusion that future developments can achieve this goal, so it should not be relied upon in any consistency analysis.

At p. 65, the table determines that because future projects will be subject to reduced parking standards, the draft Specific Plan will be consistent with BAAQMD BL4: Urban Heat Island Mitigation. Developers have repeatedly commented that the parking standards in the Specific Plan need to increase in order to reflect commercial realities so that there are potential occupants of any future workplaces in the Specific Plan area. Without changes to the parking standards, new development will not occur. This consistency analysis must be updated after the Specific Plan is updated on this point.

The air quality impact analysis and determinations are internally inconsistent within the DSEIR. Table ES-1 at p. xi indicates that Impact Air-1 is less than significant with mitigation measures incorporated. In contrast, the air quality analysis concludes at pages 66 and 67 that there would be a significant and unavoidable impact because implementation of the Specific Plan would conflict with the 2017 Clean Air Plan. This is also problematic because there is no mitigation measure proposed to mitigate this significant impact. Public Resources Code (“PRC”) § 21100(b)(3) requires an EIR to identify and describe feasible mitigation measures for each of the project’s significant environmental effects. There is no mitigation measure for this significant and unavoidable impact.

The impact analysis for Impact AIR-2 is similarly improper for failure to consider any mitigation measures for the significant and unavailable impact (see p. 72-73). Moreover, the analysis relies on alleged project features that both the City Council and developers have acknowledged to be impossible. For example, the analysis at pages 72 and 73 discusses the 40% trip reduction “requirement.” Record evidence demonstrates that this requirement is impossible. It cannot be relied upon as a project standard or a mitigation measure if it is impossible. Similarly, the analysis requires a shuttle program that includes “long-haul service to housing and employment centers in other communities.” This is similarly impossible as there are simply not funds to create such an expensive program. The City’s own financial feasibility analysis indicates that development within the Specific Plan area is not feasible, and that analysis excluded any costs of the TDM program implementation, including the costs of a shuttle. Adding the additional significant expense of long- and short-haul shuttles would add to the overall infeasibility of development.

The analysis of health impacts associated with significant operational ROG, NOx, and PM10 emissions similarly lacks any mitigation measures (see p. 75).

The analysis of Impact AIR-3 discusses two mitigation measures, which are internally inconsistent. MM AIR-3.1 requires implementation of BAAQMD best construction measures while MM AIR-3.2 requires implementation of BAAQMD “Enhanced Construction Best Management Practices.” These are different standards, and it is not clear which would be required in what circumstance, or why there are duplicative and inconsistent requirements on the same topics.

Biological Resources Analysis

CEQA requires that mitigation measures be feasible. There are feasibility concerns with MM Bio-1.1 (see p. 108). First, it requires a survey of a 50-foot buffer around any project area. In developed urban areas, it may be infeasible to access that 50-foot buffer area because it belongs to other property owners who may not permit survey access. Second, the requirement that surveys be conducted in a year with near- or above-average precipitation would preclude development during a multi-year drought, which is a possibility at any given time.

Cultural Resources Analysis

The analysis of Impact CUL-2 regarding unknown archeological resource creates uncertainty. There is no express provision for how to proceed with a project if unknown archeological resources are discovered. Policy LU-7.9 defers the development of mitigation measures until such time as a Professional Archaeologist determines that cultural resources exposed during construction constitute a historical resource. See p. 158. This creates significant uncertainty as to whether and how impacts would be mitigated and whether a project could proceed. There should be a policy or mitigation measure affirmatively allowing recordation of resources and data recovery, followed by project implementation.

Energy Analysis

The energy analysis references the City’s 2024 updated REACH codes. See p. 164. These codes extend beyond existing state law and impose infeasible standards. For example, they require significant expenditure in electric vehicle charging infrastructure even where there is not demand for such infrastructure. These standards are infeasible because they add significantly to the overall cost of the already infeasible Specific Plan development.

Geology Analysis

Impact Geo-3 relates to future development adjacent to the San Francisco Bay. It concerns the possibility of lateral spreading and requires projects to implement MM GEO-3 to mitigate the impact. However, MM GEO-3 is not appropriately tailored to project adjacent to San Francisco Bay. It should be revised to apply only to projects adjacent to San Francisco Bay.

Greenhouse Gas Analysis

The Greenhouse Gas (“GHG”) analysis suffers many of the same flaws as the Air Quality analysis. The DSEIR concludes that there will be a significant and unavoidable impact due to GHG emissions, but there are no mitigation measures proposed (see pp. xxxviii, 198). PRC §21100(b)(3) requires an EIR to identify and describe feasible mitigation measures for each of the project’s significant environmental effects.

To the extent that the analysis relies on the 40% vehicle trip reduction, that standard is infeasible as described elsewhere in this letter and there is no record evidence to support its feasibility. It is inaccurate to state (p. 199-200) that “future development project would be required to implement the City’s TDM requirements which would reduce average daily trips to 40 percent.” Similarly, the measures listed on p. 201 including a TMA-funded shuttle program and EV parking requirements are infeasible and therefore would not mitigate this impact.

Noise Analysis

The Noise analysis includes two contradictory mitigation measures. MM NOI-1.1 (p. 272) limits construction activity to weekdays between 7:00 am and 7:00 pm and Saturdays and holidays between 9:00 am and 7:00 pm, with no construction on Sundays. MM NOI-4.1 (p.286) has different hours. We request that MM NOI-4.1 be revised to align with MM NOI-1.1.

Transportation Analysis

The summary of existing transit facilities on page 331 and the text description on page 338 is incomplete. It should include the on-demand SamTrans service that is available within the City of East Palo Alto.

There are a number of figures that propose to use private property for public transportation uses. These need to be revised unless/until there is an agreement reached with the property owner as to whether and how its land may be used by the public. Figure 3.16-4 (p. 337) includes a “Flexible Connection, Bicycle Access Required” through the middle of the Four Corners site and a Class 1 multi-use path through other portions of the site. This should be revised to indicate that it is not a definitive location for any required paths through the middle of private property. Similarly, a “conceptual RBDSP shuttle loop” is shown through the Four Corners site that intersects the other paths. The property owner has not agreed to this. Any potential future connection would need to work within the approved project at that site.

Table 3.16-6: Summary of Affected Intersections (pp. 364-5) indicates in Number 11 that improvements would be required at University Ave. & Bay Road. The second bullet point should be deleted because years of work with traffic consultants and collaboration with the City (including its traffic consultants) has confirmed that additional right-of-way would NOT be required. Intersection improvements can be made without any additional right-of-way. Alternatively, right-of-way could be acquired on the west side of University or the south side of Bay.

Table 3.16-9: VMT Results (p. 390) confirms that the impacts of the project will be less than significant for both residential VMT and employment VMT, even without the imposition of the (infeasible) 40% trip reduction TDM measure. The residential and employment VMT calculations are below the thresholds of significance for all scenarios, even before the 40% trip reduction is taken into account. This infeasible requirement for 40% trip reductions should be removed.

The analysis of emergency access is inadequate. Community members have reported significant traffic impacts throughout the plan area and the non-CEQA LOS analysis shows significant delays on freeways and surface streets near the project area. There is no analysis as to how emergency access vehicles can access the project area or exit the project area given these delays. There is no record evidence as to how ambulances, fire trucks, or police vehicles can access the project area during a peak hour emergency.

From: [RBD](#)
To: [Amber Sharpe](#)
Subject: FW: Ravenswood Business District/4 Corners Specific Plan Update SEIR
Date: Wednesday, September 11, 2024 8:59:00 AM

From: Osvaldo Macias <omacias@nuestracasa.org>
Sent: Tuesday, September 10, 2024 5:00 PM
To: RBD <rbd@cityofepa.org>
Subject: Ravenswood Business District/4 Corners Specific Plan Update SEIR

Hello,

On the last day of public comments, this is what I noticed. The 45 days is too short because of the technical breakdown that needs to happen. The SEIR was only in English although 60% of residents are Latinx. This is a major oversight and effectively already removes more than half of the people in providing feedback. The comment submission format is also a barrier, it would be better to have a form like in the specific plan. More work and collaboration needs to happen with community-based organizations to get the community's input. Pertaining to the EIR, how will new development plans ensure that building on contaminated sites does not affect the mobilization of contaminations due to groundwater rise? What are the health impacts to the contamination present in the RBD area?

--



Osvaldo Macias, Environmental Justice Fellow (He/Him/El)
[Nuestra Casa de East Palo Alto](#) | omacias@nuestracasa.org
2396 University Avenue, East Palo Alto, CA 94303

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SIERRA CLUB
LOMA PRIETA CHAPTER

SAN MATEO, SANTA CLARA & SAN BENITO COUNTIES



**green
foothills**



SIERRA CLUB
BAY ALIVE



September 10, 2024

City of East Palo Alto
1960 Tate Street
East Palo Alto, CA 94303

Email: RBD@cityofepa.org

RE: Ravenswood Business District/4 Corners Specific Plan Update SEIR

The Sierra Club Loma Prieta Chapter's Bay Alive Campaign, Citizens Committee to Complete the Refuge, Green Foothills, and Sequoia Audubon Society are pleased to submit these comments regarding the Draft Subsequent Environmental Impact Report (DSEIR) for the Draft Ravenswood Business District/Four Corners Specific Plan Update (DSPU). Our organizations work to enhance sea level rise resilience and to protect wetlands, open space, wildlife habitat, and other ecological and natural resources in the Bay Area. We collectively represent thousands of members in and around East Palo Alto who care deeply about open space, nature, and community resilience. We recognize the critical role that the Ravenswood Business District/4 Corners Specific Plan Update will play in shaping the future of East Palo Alto and its natural resources along the San Francisco Bay. We have participated in community meetings, engaged with local residents, community groups and City staff/consultants, and commented to the Planning Commission and City Council throughout the planning process.

In this letter, we will first address a few overarching points that apply to the overall DSEIR, followed by noting a few errors/omissions in the document that should be corrected in the final report. Then we will address our concerns regarding individual CEQA-related environmental factors.

COMMENTS RELATED TO OVERALL DSEIR

Shallow Groundwater Mitigation

We are pleased that the DSEIR acknowledges the threat of future project impacts related to shallow groundwater rise. By identifying the DSPU Standard 9.7.6, (which requires assessment of a project's vulnerability to shallow groundwater rise), as a required mitigation measure (GEO-2) in Section 3.7, Geology and Soils, the DSEIR lays important groundwork for ensuring public safety in anticipation of known future threats associated with climate change. As we stated in comments regarding the DSPU, limiting the applicability of Standard 9.7.6 to shoreline parcels is inadequate.¹ At this time, we do not know if the DSPU has or hasn't been amended per our comment.

We believe that a similar standard applied across the entire Specific Plan (SP) Area could mitigate groundwater rise impacts discussed in Sections 3.8 (Geology and Soils), 3.9 (Hazards and Hazardous Materials) and 3.10 (Hydrology and Water Quality). For example, the Hydrology section of Sunnyvale's Final EIR for its Moffett Park Specific Plan identifies a suite of potential shallow groundwater impacts to be addressed through a Site Management Plan².

- *Please consider comments below for Sections mentioned here and provide mitigation that addresses the full breadth of potential impact issues, geologic, toxic contamination and hydrologic, across the entire SP footprint.*

Wetland Delineation, Setbacks and the BCDC Band

We are pleased to see that Biological Resources analysis and mitigation includes MM BIO-10.1, Jurisdictional Waters Avoidance and Mitigation Measures. In our comments responding to the DSPU, we strongly recommended that wetland delineation (the basis for Jurisdictional Waters Decisions) replace the use of the BCDC band wherever it was proposed to be the basis for setback measurements.³ The purpose of shoreline setbacks is to protect wetlands, and because the BCDC band varies substantially by location and its definition does not consider wetland habitat location, the wetland delineation is a more appropriate tool.

MM BIO-10.1 is very thorough in its requirements protecting sensitive wetland habitats. It requires all properties on the shoreline and those that include or sit adjacent to wetlands to have wetland delineations performed during or prior to project design. However, this measure does not address heights, stepbacks, and setbacks defined in the DSPU and analyzed under Land Use in this DSEIR.

¹ July 22, 2024 Joint Comment Letter responding to the Draft Ravenswood Business District Specific Plan Update from Sierra Club, Citizens Committee to Complete the Refuge, Green Foothills and Sequoia Audubon Society, p. 12. <https://drive.google.com/file/d/1TzRUC1NEebCImqhwGseey1bfHNUf-Lle/view?usp=sharing>

² Sunnyvale MPSP Mitigation Monitoring and Reporting Plan, July 2023, p. 23, 10.3.1-2, Attachment 5 at: <https://sunnyvaleca.legistar.com/LegislationDetail.aspx?ID=6279900&GUID=3D3D73F4-F04E-4923-B1EB-857C1239B1FD>

³ Ibid, 2, 3, 5, 8, 10.

- *Because all shoreline properties will be required to obtain wetland delineations under MM BIO-10.1, we recommend that the inner edge of delineated wetland be used as the basis for all shoreline setbacks, stepbacks or height decisions, documented through a new Land Use impact analysis and mitigation.*

DOCUMENT CORRECTIONS

❖ 2.1 Project Location

The project location has multiple errors.

1. “Palo Alto Baylands Nature Preserve” is not the correct name for the lands described. The marshes lining the shoreline from Bay Road to Runnymede Street are the Faber-Laumeister Unit of the Don Edwards San Francisco Bay National Wildlife Refuge (Refuge).
2. Lands referred to as “16 acres of restored wetland/marsh areas at the northern and eastern areas of the Specific Plan area” are inaccurately described. These are legacy tidal marshlands and have not been restored.

❖ 2.3.2 Maximum Building Height

The description states: “The maximum building heights range from approximately 30’ to 122’ above the ground surface. The DSPU’s height standards would allow the tallest buildings (seven to eight stories, between 104 and 122 feet above the ground surface) to occur at the eastern end of the Specific Plan area.⁴ While this lists the allowable height of buildings up to the roof, it misrepresents by omitting mention that roof-based equipment may add up to 30 feet in height depending on the use proposed for the building.

- *Please add a statement that rooftop equipment may increase height above the rooftop by up to 30 feet.*

❖ Figure 2.3-4

The legend of this map does not explain the meaning of the letters A to F seen on the map.

❖ Section 3.10

In the last line of the discussion of Flood Hazard Existing Conditions, the text on page 235 refers the reader to a Non-CEQA discussion in “Section 3.10.3”. There is no such section. We believe the intended reference is 3.11.3.

ENVIRONMENTAL IMPACT ANALYSIS AND MITIGATION CATEGORIES

SECTION 3.2 - AESTHETICS

We appreciate that the DSEIR includes an evaluation of aesthetic impacts, despite these being omitted from the scope of analysis in the Notice of Preparation for this project. The inclusion of Policy LU-3.7 and Policy POS-1.10 in the DSPU, which establish building height limits and setback requirements to preserve view corridors, is a welcome response to community

⁴ DSEIR, p. 14.

concerns. These policies, along with the 2013 Specific Plan Policy 13.8, which encourages projects to enhance views of natural resources and mandates viewshed analysis for potential developments, show a commendable effort to address the community's high interest in reducing building heights and preserving view corridors.

However, we are concerned about the substantial exceptions to the height limits for the Waterfront Office (WO) and Ravenswood Employment Center (REC) zones. While the height limits for these zones are set at 120 feet and 60 feet, respectively, both zones allow exceptions that could significantly impact the area's aesthetics.

In the WO zone, exceptions permit rooftop equipment to extend an additional 30 feet above the height limit, resulting in a potential maximum height of 150 feet, rather than the stipulated 120 feet. Similarly, in the REC zone, a building with a height of 60 feet could have rooftop equipment that raises the total height to 90 feet—a 50% increase. These exceptions are particularly concerning because they apply to zones adjoining major view corridors identified in the DSPU. However, the impact analysis fails to address these exceptions and refers only to the plan area's maximum height of 120 feet.

Recommended Mitigation Measures

1. *General: Rooftop equipment exceptions should be limited to approximately one story in height. If the equipment exceeds this height, it should be counted as a floor within the basic height limit—120 feet in the WO zone, and 60 feet in the REC zone.*
2. *Setbacks for facades facing wetlands: The DSPU requires a 10-foot setback for rooftop equipment. However for facades facing the Bay or marsh areas, this equipment and its screening will be visible from the Bay Trail and make the buildings appear taller than their allowable height. Additionally, the equipment enclosures could cause unwanted shading of the wetlands, which is to be avoided. Therefore, at facades facing wetlands, rooftop equipment and screening should be set back from the roof's edge using a 45-degree view line from the wetlands delineation line to the edge of the roof.*

SECTION 3.3 - AIR QUALITY AND GREENHOUSE GAS EMISSIONS

The DSEIR predicts that implementation of the DSPU would result in a considerable net increase of criteria pollutants (Impact AIR-2) and greenhouse gas emissions (Impact GRG-1) that would be significant and unavoidable. Nevertheless, it is crucial that every possible effort be made to mitigate them. The health and well-being of East Palo Alto residents—who already experience disproportionate levels of pollution and related health issues—should be prioritized. Even if full mitigation is not achievable, reducing these impacts as much as possible is imperative.

Address Significant and Unavoidable Air Quality Impacts in East Palo Alto

The DSEIR presents alarming findings regarding the anticipated increase in air pollution, including ozone (O₃), nitrogen oxides (NO_x), and particulate matter (PM₁₀ and PM_{2.5}) emissions. These pollutants are already disproportionately high in industrial areas and along

transportation corridors, such as those in East Palo Alto, which lies along the heavily congested Highway 101 corridor and hosts numerous small industrial businesses.^{5,6}

The DSEIR acknowledges that East Palo Alto residents currently face significantly higher rates of asthma-related emergency room visits and hospitalizations compared to the San Mateo County average. Specifically, asthma hospitalization rates for children in East Palo Alto are nearly triple those of the County (15.0 versus 6.6 per 1,000 children), with rates for all ages being 40% higher than the County and above the statewide average.⁷

The DSEIR further indicates that the implementation of the 2013 Specific Plan and Options 1 and 2 of the 2024 Specific Plan Update would result in substantial increases in traffic on Bay Road, with projected increases of 25%, 41%, and 46%, respectively, even after assuming a 30% trip reduction due to the City's Traffic Demand Management (TDM) requirements. The resulting rise in criteria pollutants, including ROG, NOx, and PM10, is noted, yet the DSEIR asserts that the associated health effects would be "not measurable" due to limitations in current modeling tools.⁸

We challenge this conclusion. It is both feasible and essential to monitor pollutant concentrations at the most congested locations prior to implementing any alternative of the DSPU to establish a reliable baseline. Ongoing monitoring post-implementation can then quantify any changes in pollutant emissions attributable to the project. If local pollutant concentrations increase, it is imperative that additional mitigation measures be implemented to protect the health of nearby residents. The potential for increased local pollutant concentrations leading to adverse health outcomes is unacceptable and must be proactively addressed.

Recommended Additional Mitigation Measure: *Local Monitoring and Mitigation:*

Establish baseline pollutant monitoring at key congestion points and implement ongoing monitoring to ensure development does not exacerbate air quality issues. If pollutant levels increase, further mitigation measures must be mandated.

Address Greenhouse Gas Emissions

The DSEIR also predicts significant and unavoidable increases in greenhouse gas (GHG) emissions due to the implementation of the 2013 Specific Plan and both scenarios of the 2024 Specific Plan Update. These increases directly conflict with East Palo Alto's Climate Action Plan 2030, which aims to reduce GHG emissions to 2005 levels by 2030 and achieve carbon neutrality by 2045. Yet, the only mitigation measure identified in the DSEIR is to implement TDM

⁵ Krieger, L. (2024) 'Some Bay Area neighborhoods breathe more hazardous air. Here's where they are.' The Mercury News 7 September. Available at: <https://www.mercurynews.com/2024/08/07/some-bay-area-neighborhoods-breathe-more-hazardous-air-heres-where-they-are/?share=meitro0sww4armenie8o> (Accessed 6 September 2024).

⁶ Strawa, A., Clark, A., Naegel, B., Thompson, J., Bello, O., Angel, B., Zaragoza, F., Becerra, C., Lima, R., Ruiz, I. (2021). Air Quality and Traffic Congestion in East Palo Alto. AGU Fall Meeting 2021, held in New Orleans, LA, 13-17 December 2021, id. A15P-06. Available at: <https://ui.adsabs.harvard.edu/abs/2021AGUFM.A15P..06S/abstract> (Accessed 6 September 2024).

⁷ Vista 2035 East Palo Alto General Plan, page 7-2

⁸ Ravenswood Business District Specific Plan Update Draft Sequential Environmental Impact Report, page 123.

standards. Even if GHG emissions cannot be reduced to less than significant levels, every effort should be made to reduce them as much as feasible.

Recommendation: *Implement a Connected Safe Green Slow Network of streets within the plan area to promote walking and biking, reduce vehicle miles traveled, and create pollution-free, quiet, and safe routes for residents of all ages.*

In addition, we urge the City to pursue the following city-wide strategies to reduce the significant and unavoidable cumulative air quality impacts identified in the DSEIR.

1. **Electric Transportation Initiatives:** *Require all transportation shuttles serving the plan area to be electric and advocate for zero-emission SamTrans buses in the area.*
2. **Incentives for Electric Vehicle Adoption:** *The City of East Palo Alto should offer significant incentives for residents to purchase electric vehicles, using Development Impact Fees to fund this program and mitigate air quality impacts.*
3. **City-Wide Electrification:** *Promote the electrification of existing residential, commercial, and industrial buildings throughout East Palo Alto, reducing reliance on fossil fuels and helping to offset project-related GHG emissions.*
4. **Solar Energy Expansion:** *Encourage the installation of rooftop solar systems with battery backup on existing buildings city-wide, further contributing to the reduction of GHG emissions.*

Development Impact Fees should be utilized to fund these initiatives, ensuring that new development aligns with both air quality and climate goals. These measures are crucial to protect the health and well-being of East Palo Alto residents and ensure that future development is sustainable and equitable.

SECTION 3.4 - BIOLOGICAL RESOURCES

We were pleased to find discussion, analysis and mitigation that often was very detailed and covered issues that we had identified in our earlier scoping comments. Clearly there is a strong intention to protect sensitive species and habitat. While we provide additional comments here, we do so with an eye on strengthening this analysis along with habitat and species protections.

3.4.1.1 Regulatory Framework, Sensitive Habitat Regulations

The National Marine Fisheries Service (NMFS) is omitted. As the RBD adjoins the Bay, it is possible that NMFS may need to be involved if shoreline development impacts fish habitats.

Recommendation: *Please add NMFS to this section.*

3.4.1.2 Existing Conditions

- The Bay Conservation and Development Commission (BCDC) “band” is inaccurately described as “BCDC’s shoreline jurisdiction extends 100 feet inland from those areas of Bay jurisdiction.” Actually, the BCDC band extends 100 feet inland from the mean high tide line. A portion or even all of the band may lie offshore as happens in/adjoining the RBD.

Recommendation: *Please reword the text to more accurately describe the BCDC band location.*

- This section accurately describes the RBD footprint. However, given its extensive adjacency and potential impacts to shoreline marshlands, it should mention the lands held by the MidPeninsula Regional Open Space District (MROSD) and the US Fish and Wildlife Service.

Recommendation: *Please add such a statement to the text.*

- Movement Corridors: The discussion of corridors does not mention the movement corridor that exists all along the marsh edges bordering and within the RBD footprint. This corridor, roughly the upland edges of the marsh, serves as high tide refugia and as a movement corridor for both migrating marsh and upland species such as the grey fox. This corridor is integral to the health and connectivity of wildlife.

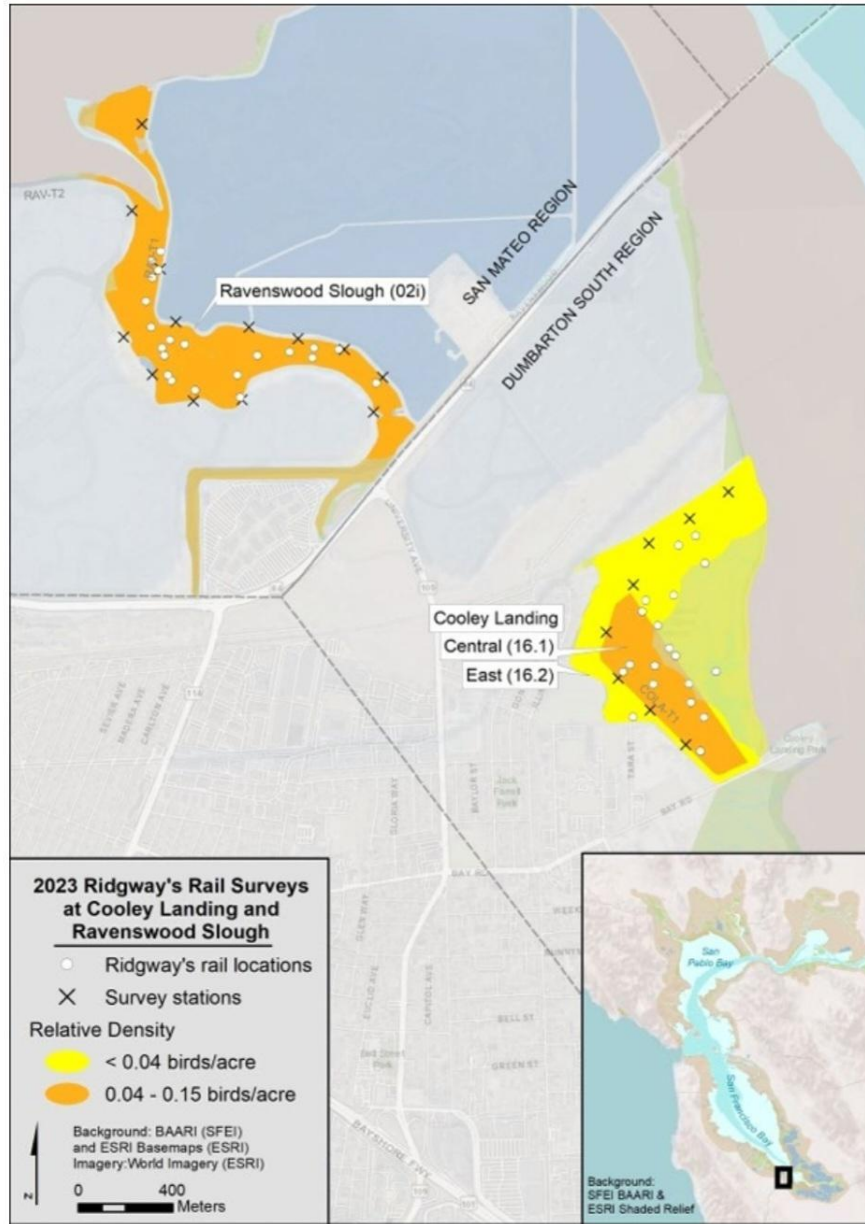
Recommendation: *Please add a description of marsh edge corridors to the Movement Corridor discussion.*

Table 3.4-1 Special Status Species re: Ridgway's rail

"Occurrence in Ravenswood/4 Corners": This table identifies lands within the RBD Area and adjoining the northeast part of the project that are known habitat for California Ridgway's rails (RIRA).

Recommendation: *Please also describe marshes between Cooley Landing and Runnymede Street, the Laumeister Marsh, a unit of the Don Edwards National Wildlife Refuge. 2023 survey report data maps a substantial number of these rails in the Ravenswood Open Space Preserve.⁹ Like surveys were not performed in the Refuge's Laumeister Marsh for that report but, by proximity and historical surveys, it is highly likely that Ridgway's rails use that marsh as well.*

⁹ Olafson Consulting, 2023 California Ridgway's Rail Surveys for the San Francisco Estuary Invasive Spartina Project. See Figure 8, p. 23.



Special Status Species: General Comment, Mitigation Requirements

1. By definition, Special Status Species, plant or animal, are listed-species that fall under one or more categories of jurisdiction by Resource Agencies (USFWS, CDFW, NMFS) or CNPS/CDFW rare plant protocols.
2. Over the duration of the SPU, perhaps decades, the protective requirements and protocols of Resource Agencies may change for any Special Status species discussed in the DSEIR. An example: the CDFW has initiated the State process to move the Western Burrowing Owl to a category requiring increased regulatory overview, a decision due possibly in 2025. Through such agency actions, mitigation actions as written in this DSEIR are likely to become outdated. In fact, we do not know if these

agencies would agree fully with the mitigations proposed. For that reason, draft species and habitat mitigation plans must be reviewed in consultation with the appropriate resource agency before they are finalized, essentially certified as appropriate, prior to submission to the City.

3. MM BIO-1.3 mandates that “A habitat mitigation and monitoring plan (HMMP) shall be developed by a qualified biologist or restoration ecologist and implemented for the mitigation lands on a project-by-project basis.” Please add the following to the list of information that must be included in a HMMP: a lighting plan/analysis for parcels adjacent to habitat areas to ensure that no light trespass encroaches into habitat areas.
4. We note that the BIO mitigation measures are, overall, quite detailed. It is unfortunate then that most of these mitigation measures for Special Status Species and their habitats, including: MM BIO-1.1, 1.2, 1.3, 2.1, 2.2, 2.3, 2.4, 2.5, 3.1, 4.1, 4.2, 5.1, 6.1, 7.1, 9.1, and 10.2, omit consultation with the appropriate Resource Agencies before or during project design. Each of those mitigations needs to be corrected to require such consultation. That omission can be corrected in the text of each mitigation measure or by creating a new mitigation measure that applies to all actions with special status species.
5. The DSEIR correctly cites the use of “qualified” biologist but does not further define the qualifications. In the SEIR or perhaps in an associated glossary, the term should be clarified with substantial, species-specific qualifications, including related experience, advanced studies and/or career specialization involving the species and habitats of concern.
6. MM BIO-10.1 will require that wetland delineations must be performed to identify areas of jurisdictional wetlands. As those sensitive tidal habitats lie within and directly adjoining the SPU Area, we are concerned that the DSEIR does not require consultation with Resource Agencies or with landowners (MROSD, USFWS / Refuge) prior to any physical entry into these lands, to determine if permits are needed prior to entry, and to avoid actions that can potentially cause a “take” of a special status species. We ask that such a mitigation requirement be added to the SEIR.

MM BIO-2.2: Salt Marsh Harvest Mouse and Salt Marsh Wandering Shrew Compensatory Mitigation

The mitigation recommended: “...will be provided via the purchase of credits from a conservation bank or mitigation bank that has restored suitable salt marsh habitat for these species; project-specific mitigation via the preservation and management of suitable habitat for this species; or some combination of the two approaches.”

This mitigation does not consider actions that could sustain and enhance the long-term environmental health of the marshes that line the RBD shoreline. The more robust the marsh, the better it can serve the special status species it supports and the longer it can serve as protective natural infrastructure for sea level rise. Certain actions appear to be available such as:

1. Hydrology serving the inner marsh (between the Bay Trail and the fixed shoreline) might be improved by enhanced tidal flow in the unnamed slough in its northerly reach between the Bay and the inner marsh. In its northwesterly area, the inner marsh is of lower quality than elsewhere. It appears that berms placed in the area between the

railroad right-of-way and the boundary of the Ravenswood Open Space Preserve (OSP) obstruct and reduce flow from the Bay.

2. Hydrology could also be improved by breaching or removing the existing Bay Trail berm that is a boundary for the Ravenswood OSP. As the trail may need to be maintained until an alternate route is available, breaching combined with a bridge structure could be used.
3. Increased sediment deposition is needed to sustain the marshes longer as the sea level rises. Similar to the hydrology water supply issue described above, existing non-natural berms along the Bay-facing edges of both the Ravenswood OSP and the adjoining northerly wetlands obstruct tidal delivery of sediment that could otherwise help build up the marsh beds. Such changes benefit both the special status species and shoreline integrity.

Recommendation: *This mitigation measure should be changed to include a preferred compensatory action that assesses and, where possible, takes advantage of opportunities to improve the health and sustainability of tidal marshes in and adjacent to the RBD.*

Special Status Species: Omitted Recovery Plan References

Please add the following US Fish & Wildlife Service documents to the references for the species named:

1. California Ridgway's rail and the Salt Marsh Harvest Mouse: Recovery Plan for Tidal Marsh Ecosystems of Northern and Central California¹⁰
2. Western Snowy Plover: Western Snowy Plover Recovery Plan¹¹

MM BIO-2.3 Prohibit Rodenticides

The measure states: "The use of rodenticides shall not be allowed within 100 feet of any salt marsh habitat." With a shoreline that attracts avian predators that can cover substantial distances in search of prey, there is a high likelihood some of these birds will consume a poisoned rodent and die as a result.

Recommendation: *Please change the text of the measure to prohibit any use of rodenticides in the RBD.*

MM BIO-2.4 Pesticide Use

We are concerned that this mitigation may be inadequate to protect surface, groundwater and Bay water quality, fish, and other wetland species that may be harmed by inappropriate choice and use of pesticides. Choice of pesticide products needs to follow NPDES¹² requirements. Per

¹⁰ US Fish and Wildlife Service, 2013: Recovery Plan for Tidal Marsh Ecosystems of Northern and Central California: <https://www.fws.gov/project/california-tidal-marsh-ecosystem-recovery>

¹¹ US Fish and Wildlife Service, 2007: Western Snowy Plover Recovery Plan: https://ecos.fws.gov/docs/recovery_plan/070924_2.pdf

¹² State Water Resources Control Board, National Pollutant Discharge Elimination System (NPDES) Pesticides - Weed Control: https://www.waterboards.ca.gov/water_issues/programs/npdes/pesticides/weed_control.html#:~:text=Excerpt%20for%20discharges%20on%20tribal,represented%20by%20the%20surrogate%20nonylphenol.

the State Water Board: “Except for discharges on tribal lands that are regulated by a federal permit, this General Permit covers the point source discharge to waters of the United States of residues resulting from pesticide applications using products containing 2,4-D, acrolein, copper, diquat, endothall, flumioxazin, fluridone, glyphosate, hydrogen peroxide, imazamox, imazapyr, penoxsulam, peroxyacetic acid, sodium carbonate peroxyhydrate, and triclopyr-based algaecides and aquatic herbicides, and adjuvants containing ingredients represented by the surrogate nonylphenol.”

On a shoreline with groundwater levels no deeper than six feet and in some places emergent, there is substantial concern for groundwater contamination in addition to runoff into the Bay and surrounding marshes. Even at 100 feet from the shoreline, strong winter rains can carry pesticides to the Bay, especially if repeated applications increase presence of pesticide residue.

Recommendation: *Please strengthen the requirement by applying the NPDES limitations on product choice and also consider moving pesticide use to 150 feet from runoff points.*

Impact BIO-8 and Impact BIO-1

Dark Skies and Light Impacts

We appreciate the quality of the mitigation measures included under Impact BIO-8 and the inclusion of light mitigation in Special Status discussion in Section 3.4. We add a few comments here that we feel will make the mitigations more effective.

MM BIO-8.1

This measure states: “Exterior lighting within the Specific Plan area shall be shielded to block illumination from shining upward or outward into the sensitive habitats (i.e., salt marshes) within and adjacent to the Specific Plan area. Uplighting shall be avoided.”

Fully shielded fixtures are recommended by lighting experts from the International Dark Sky Association due to their ability to control and prevent light trespass. Similarly, illumination best practices would *prohibit* uplighting as it serves no functional purpose.

Recommendation: *We recommend that exterior lighting “... be fully shielded” and that uplighting “...be prohibited.”*

MM BIO-8.2

Spillage of lighting from building interiors shall be minimized using occupancy sensors, dimmers, blinds, or other mechanisms from midnight until dawn, at a minimum, during migration seasons (February through May and August through November).

During migration, birds are aloft after dusk and until dawn. Dusk occurs early in most of the months mentioned and light in those pre-midnight hours can significantly confuse birds, altering flight patterns and increasing bird collisions in taller buildings. Especially as the SPU would allow buildings higher than the 60’ height from ground where glazing is required, a midnight light-minimizing requirement can be particularly harmful. A time frame of 10pm to dawn would reduce that impact.

Recommendation: *We recommend changing the go-dark time from “midnight” to “10pm.”*

MM BIO-1.3

This measure mandates that “A habitat mitigation and monitoring plan (HMMP) shall be developed by a qualified biologist or restoration ecologist and implemented for the mitigation lands on a project-by-project basis.”

This issue discusses the fact that protection of habitat lands also serves species migration. In those considerations, and along marsh shorelines, habitat mitigation requires planning to prevent light intrusions. Many species prefer to migrate in the darkness of night which reduces exposure to predators. These species include the federally-endangered salt marsh harvest mouse. Light, both during construction and after build-out, must be used minimally and directed away from the habitat edge at all times.

Recommendation: *We recommend that a lighting requirement be added that restricts any lighting use at any time, whether under construction or in the built environment, and requires any necessary lighting to be fully shielded and fully directed away from habitat lands. The requirement should be included under Impact BIO-8 due to subject matter and added to requirements listed for the HMMP described in MM BIO-1.3.*

Bird Safe Design

We are pleased to see updates to the Bird Safe Design standards of the 2013 Specific Plan. Overall, we agree with the updates suggested. We do recommend one change to the Proposed Specific Plan Update Bird Standard 6.8.4 (p. 143):

6. Bird-safe glazing treatments may include any of the following:
 - o Fritting
 - o Netting
 - o Permanent stencils
 - o Frosted glass
 - o Exterior screens
 - o Physical grids placed on the exterior of glazing
 - o **Ultraviolet (UV) patterns visible to birds**

Recommendation: *We ask that Ultraviolet (UV) patterns be removed from the list. UV patterns are visible to some, but not all bird species, therefore rendering them less effective than other bird-safe glazing treatments already listed.*

MM BIO-9.1 Implement Invasive Weed Best Management Practices (BMPs)

The mitigation measure provides good standards for control of invasive weeds both during and after construction. For post-construction we recommend prohibiting use of landscaping blowers within at least 100 feet of the marsh edge. Non-native and invasive seeds become airborne and can spread even further by breezes more prevalent along the shore. On a continuous basis, prohibiting use of blowers will reduce spread of seeds, dust and debris into the marshes. Please add a bullet to enact this prohibition.

Policies protecting Biological Resources

On p.143 of the DSEIR, impact analysis discussion responds to this question:

“e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?”

The discussion does not mention local policies pertinent to adjoining and potentially impacted wetlands:

1. US Fish and Wildlife Service: Comprehensive Conservation Plan of the Don Edwards San Francisco Bay National Wildlife Refuge¹³
2. MidPeninsula Regional Open Space District: As the District manages the Ravenswood Open Space Preserve in part under permits issued by various agencies, the District should be consulted regarding its policies that are protective of the Preserve.

Recommendation: *Please mention these agency policy documents to be consulted and provide them as references.*

SECTION 3.6 - ENERGY

The DSEIR appropriately emphasizes the importance of green building certification by requiring that new residential, commercial, or mixed-use buildings over 20,000 square feet achieve LEED Silver certification (or equivalent), in addition to meeting the minimum CALGreen code requirements. This aligns with the City's broader sustainability goals and reflects a commitment to reducing environmental impacts through responsible building practices.

Furthermore, in September 2023, the City adopted the 2030 Climate Action Plan (CAP) and Adaptation Strategies. The 2030 CAP outlines the City's ambitious target of reducing per capita carbon emissions by 55 percent below 2005 levels by 2030, with the ultimate goal of achieving carbon neutrality by 2045. These targets are essential for addressing the climate crisis and ensuring a sustainable future for our community.

However, we are concerned that the DSEIR may not adequately address the significant energy impacts associated with the inclusion of Life Sciences/Biotech labs in the Research & Development (R&D) land use category. This inclusion represents a departure from the 2013 Specific Plan, yet the associated increase in energy consumption has not been properly recognized or mitigated in the DSEIR.

Life Sciences and Biotech labs typically consume five to ten times more energy than traditional office spaces due to their need to operate complex equipment, powerful HVAC systems, and specialized exhaust and containment systems. These labs require far greater ventilation and are often home to high-energy equipment that operates 24 hours a day. Additionally, the unique air-handling arrangements and increased cooling loads required by lab equipment further contribute to their substantial energy demands. Given these factors, the introduction of Life Sciences labs into the R&D category represents a significant change that warrants thorough analysis and appropriate mitigation in the DSEIR.

Recommended Mitigation: *To ensure that Life Sciences labs contribute to the City's carbon reduction goals, it is essential that these facilities be required to provide annual documentation*

¹³ US Fish and Wildlife Service, 2012, Comprehensive Conservation Plan of the Don Edwards San Francisco Bay National Wildlife Refuge: <https://ecos.fws.gov/ServCat/Reference/Profile/43999>

to the City demonstrating their net energy consumption. This documentation should verify that labs are meeting the carbon reduction targets established in the General Plan and the 2030 CAP. By holding labs accountable for their energy use, the City can ensure that the inclusion of these energy-intensive facilities does not undermine its broader sustainability objectives.

SECTION 3.7 - GEOLOGY AND SOILS

Mitigation of Groundwater Rise Impacts

We appreciate that the DSEIR incorporates DSPU Standard 9.7.6 as a mitigation measure for addressing liquefaction concerns as reflected in GEO MM-2. The requirement for groundwater studies under this standard is crucial for ensuring that potential risks associated with liquefaction are properly mitigated. However, upon reviewing the entirety of Section 3.7, it is evident that Standard 9.7.6 is similarly relevant to other mitigation measures, including GEO MM-1, GEO MM-3, GEO MM-4, and GEO MM-5, as well as to Impact Question e) on page 184 and the discussion of cumulative impacts in Section 3.7.2.2 (p. 187).

That said, it is a major concern that Standard 9.7.6 is limited to shoreline properties given that a much broader portion of the DSPU area may be exposed to higher risks associated with the various geological impacts discussed in Section 3.7 when groundwater rise is taken into account. Moreover, there is potential for these impacts to affect, or to be exacerbated by, conditions on adjoining lands with similar groundwater characteristics.

Shallow groundwater rise is a pervasive issue that affects nearly all geology impacts discussed in Section 3.7. This includes repeated references to liquefaction throughout the Section. Groundwater rise is relevant to discussion regarding the exacerbation of expansive soils, vertical movement, settlement, and lateral spreading—all of which could produce more severe outcomes as groundwater levels rise. Standard 9.7.6 explicitly identifies threats from shallow groundwater, such as buoyancy, seepage, infiltration, liquefaction, corrosion, and contaminant mobilization, as significant threats to both developed and undeveloped environments. Below-ground disruptions associated with utilities, basements, below-ground garages, and septic tanks raise a concerning risk that shallow groundwater may be redirected to adjoining properties, including the Baylands, potentially redistributing buried contaminants to nearby locations.

When these factors are considered together, the cumulative impacts that may affect the SPU Area could become significant. It is important to note that the 2013 SP did not include any policy regarding shallow groundwater rise. That is understandable given that relevant science and reports detailing the impacts of sea level rise on shallow groundwater have only emerged in recent years. Given direct DSEIR relevance, we provide links to some of these recent studies.^{14,15,16}

¹⁴ SPUR, Map, Current Groundwater Levels, Look Out Below, Case Study of East Palo Alto, p.18, May 2024. https://www.spur.org/sites/default/files/2024-06/SPUR_Look_Out_Below.pdf

¹⁵ Pathways and the San Francisco Estuary Institute, Shallow Water Response to Sea Level Rise: Alameda, Marin, San Francisco, and San Mateo Counties. 2022. <https://www.sfei.org/documents/shallow-groundwater-response-sea-level-rise-alameda-marin-san-francisco-and-san-mateo>

¹⁶ SFEI, Sea-Level Rise Impacts on Shallow Water in Moffett Park, Report prepared for the City of Sunnyvale, November 2021.

Our comments on the DSPU document strongly recommended that a policy like Standard 9.7.6 be applied across the entire SPU Area. “The Specific Plan area is entirely located within a State designated liquefaction hazard zone.” That MM GEO-2 finding alone seems sufficient to support SPU Area-wide application of Standard 9.7.6 requirements.

Recommendation: *We recommend that mitigations GEO MM-1, -3, -4 and -5 all include Standard 9.7.6. While the DSEIR has already done so in GEO MM-2, structural integrity issues could be even greater due to shallow groundwater, particularly in relation to lateral spreading, vertical movement, differential settlement, and expansive soils. If the final SPU expands Standard 9-7-6 we ask that the change be incorporated in Section 7 mitigations.*

SECTION 3.9 - HAZARDS AND HAZARDOUS MATERIALS

The DSEIR does not provide sufficient basis to conclude that proffered mitigations will result in Less than Significant Impact and Less than Significant Cumulative Impact for IMPACT HAZ-1,

Future development projects could 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.

or as answer to items b and c of the CEQA checklist:

b) Would the project 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?

c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

The additional information needed to answer these questions relates to existing soil and groundwater contamination and hydrology within the RBD, and includes the following:

- Identification of health-protective cleanup standards for the RBD
- Detailed assessment of existing soil and groundwater contamination
- Impacts of groundwater rise on contaminant mobilization
- Descriptions of mitigation measures that may be required
- Potential impacts to the environment

The DSEIR cites policies LU-5.1 through LU-5.6 from the draft SPU that are intended to provide protection from chemical exposures, whether from legacy contamination or from future industrial chemical usage within the RBD. Evaluation of chemical impacts is also related to Standard 9.7.6: “Shallow Groundwater Vulnerability Assessment and Mitigation,” which requires a geotechnical assessment of potential contaminant mobilization.

<https://static1.squarespace.com/static/5e38a3dd6f9db304821e8e5e/t/61a7b37743ec4b770e11ee73/1638380421678/Moffett+Park+Specific+Plan+Groundwater+Addendum.pdf>

None of the above policies provide protection to residents outside of the RBD, other than students at schools within one-quarter mile of a project. Policy LU-5.1 requires each project to evaluate whether “remedial measures are needed to protect the health and safety of site occupants and construction workers.” Policy LU-5.2 likewise sets requirements for protection of onsite workers and future site residents from chemical hazards released during construction. Offsite residents (including sensitive populations) are not protected. There are no policies in the DSEIR requiring evaluation of soil or groundwater contamination impacts on the environment. Thus, the DSEIR analysis of IMPACT HAZ-1 is incomplete and the mitigations are inadequate to conclude that there will be less than significant “hazard to the public and the environment.”.

Additionally, neither the DSPU nor the DSEIR address the major, and possibly cost-prohibitive, challenges posed by building in a heavily contaminated area that will be impacted by rising groundwater. The level of concern among some regulators is such that a spokesman for the U.S. Environmental Protection Agency stated that, at the ROMIC site on Bay Road, “development is unlikely.”¹⁷ When the DSEIR states that mitigations will be performed, identification of specific mitigations are deferred to the individual projects. There is no assurance that mitigation measures that would achieve sufficient cleanup within a reasonable timeframe, or under conditions of emergent groundwater are feasible. Under CEQA, an EIR is inadequate if it fails to suggest mitigation measures, or if its suggested mitigation measures are so undefined that it is impossible to evaluate their effectiveness.¹⁸

Recommendation: *The following changes to the DSEIR and Appendices are requested, to more accurately evaluate chemical hazards.*

Establish program-wide, default cleanup standards for the Plan Area. Policy LU-5.1 uses the results of a Phase I ESA to determine the need for additional sampling, but does not identify the contaminant levels that will trigger additional investigation or remediation. Multiple regulatory agencies (RWQCB, USEPA, and DTSC) have oversight over properties within the Plan Area with known or suspected contamination. Cleanup requirements across these properties are not uniform and do not provide equal levels of health protection for a given land use. The DSEIR should list default health-protective, maximum allowable contaminant soil concentrations for residential and industrial uses, and for construction workers. For properties with contaminants above those levels, developers should be required to perform a multi-pathway human health risk assessment to determine site-specific cleanup levels. The DSEIR should define the circumstances that would mandate an ecological risk assessment and require the developer to work with the RWQCB to define site-specific conditions triggering remedial action.

¹⁷ USEPA, 2024. *Former Romic, Bay Road Holdings, 2081 Bay Road, East Palo Alto, California*. Presentation to Youth United for Community Action (YUCA) by Steve Armann, Manager, Corrective Action Office, EPA Region 9. January 24, 2024.

¹⁸ *San Franciscans for Reasonable Growth v. City and County of San Francisco* (1984) 151 Cal.App.3d 61, 79-80. The formulation of mitigation measures may not properly be deferred until after Project approval; rather, “[m]itigation measures must be fully enforceable through permit conditions, agreements, or legally binding instruments.” CEQA Guidelines § 15126.4(a).

Without area-wide standards protective of human health and the environment, individual property owners may develop separate plans that are not protective of human health. For example, in March 2024, RWQCB approved a Risk Management Plan (RMP) for seven properties north of Bay Road within the Ravenswood Industrial Area (RIA) owned by Sycamore Real Estate LLC.¹⁹ The RMP is described as an attachment to the Land Use Covenant (LUC) for those properties, intended to ensure that future development is protective of onsite and offsite human exposures to volatile organic compounds (VOCs) in reused soil or fill placed above a durable cap. However, the allowable concentrations in surface soil are Environmental Screening Levels (ESLs) that are intended as indicators of a need for further evaluation, not final cleanup levels. RWQCB guidance (page 1-5) states:

“The ESLs should not be used as the sole basis for determining whether fill soil is clean because the ESLs do not address all exposure pathways (e.g., transport of pollutants in dissolved or particulate phases via surface water).”²⁰

“Cleanup levels are approved on a case-by-case basis by the Regional Water Board. Proposed final cleanup levels are based on a discharger-developed feasibility study of cleanup alternatives that compares effectiveness, cost, time to achieve cleanup standards, and a risk assessment to determine impacts on beneficial uses, human health, and the environment. Cleanup levels must also take into account the mobility and volume of pollutants.”²¹

Upon approving the RMP, which applies only to the properties listed and only to VOCs in soil, RWQCB issued Order R2-2024-0003 rescinding the previous cleanup orders for all 29 properties in the Ravenswood Industrial Area (RIA), including those that, as the DSEIR (p. 215) states, “have not yet been investigated or remediated.”²² The Order notes that pollutants at these properties other than VOCs include “petroleum hydrocarbons, pesticides, and metals”. Other than the light fraction of petroleum (e.g., benzene), none of these contaminants would be addressed by the VOC mitigation measures described in the RMP and would continue to pose risk to human health.

Revise and Expand the Screening Level Environmental Site Assessment (ESA). Policy LU-5.1 requires property-specific Phase I ESAs for all development projects, an appropriate first step. However, the scope of the DSEIR ESA (Appendix D), which is used to support the “No

¹⁹ Ninyo and Moore, 2021. *Area-Wide Risk Management Plan, Identified Properties Within the Ravenswood Industrial Area, East Palo Alto, California*, C/O Sycamore Real Estate Investments LLC

²⁰ SF Bay RWQCB, 2019a. User’s Guide: Derivation and Application of Environmental Screening Levels (ESLs). INTERIM FINAL 2019 (Revision 1), Prepared by: San Francisco Bay Regional Water Quality Control Board.

²¹ SF Bay RWQCB, 2019b. Frequently Asked Questions(FAQs). Environmental Screening Levels (ESLs): 2019 Update. Revision 1. Page 8.

²² SF Bay RWQCB, 2024. *CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN FRANCISCO BAY REGION, ORDER NO. R2-2024-0003, RESCISSION OF SITE CLEANUP REQUIREMENTS (ORDER NOs. 92-037 and 92-086) for: The Former East Palo Alto Industrial Area, which is composed of 29 properties located within the boundaries of what was formerly known as the East Palo Alto Industrial Area (EPAIA) and/or the Ravenswood Industrial Area (RIA) in East Palo Alto, San Mateo County.*

Significant Impact” conclusion, was limited to a review of “selected, readily available public information” [page D-8]. Primary sources of contaminant monitoring data, such as the 1995 USEPA Brownfields Program Phase II report and groundwater analyses in the DTSC GAMA database, were not compiled or evaluated. There is no attempt to compare existing concentrations to screening levels. The SEIR should summarize current RWQCB and DTSC cleanup requirements for residential and industrial/commercial use and note any that have changed since the 1980s, as earlier cleanup levels may not be considered health-protective today. The SEIR ESA should identify data gaps for all properties, such as the lack of any data on emerging contaminants (e.g., PFAS), failure to analyze for all likely contaminants of concern, and measurements conducted by older analytical methods with detection limits above applicable cleanup levels.

As noted above, the RWQCB Orders in Appendix A of the ESA were rescinded and superseded by Order No. R2-2024-0003. The ESA and SEIR should summarize the current remediation status and any required cleanup levels for all 29 properties within the RIA, as it is unclear what requirements apply to the 22 parcels not called out in the Sycamore Real Estate Investments RMP.

Evaluate impacts of groundwater rise on contaminant mobilization and on current and future remediation efforts. Standard 9.7.6 (pp. xxxvi, 180) requires projects to evaluate vulnerability to contaminant mobilization due to groundwater rise, but only for “shoreline-adjacent” projects. This limitation is inappropriate. The SPUR study²³ concludes that most of the RBD south of Bay Road will experience flooding by emergent groundwater with two feet of seawater rise, projected to occur by the end of the century. With three feet of rise, nearly 60 percent of East Palo Alto is projected to be inundated.

The DSEIR fails to consider this impact, stating only that shoreline-adjacent properties shall “submit a list of project measures that will monitor and mitigate seasonal and permanent emergent groundwater impacts.” This statement is very vague and provides no indication of what mitigations might be possible. Raising new developments above the current ground elevation will not stop contaminated groundwater from migrating inland as the water table rises, where it could pose a risk to offsite residents. The SEIR should require all projects with soil contamination above default soil or groundwater cleanup levels to conduct a mobilization study.

Groundwater rise may damage, or render ineffective, existing or planned remediation infrastructure such as monitoring wells, extraction wells, slurry walls, and *in-situ* treatment. A durable cap, specified in RBD closure orders and Land Use Covenants (LUC), is not an appropriate long-term remedy for preventing contaminant migration, since groundwater rise may disrupt the cap. Neither the DSPU nor the DSEIR requires developments to evaluate and mitigate public health and environmental impacts associated with destruction of remediation systems.

²³ SPUR, 2024. *Look Out Below: Groundwater rise impacts on East Palo Alto — A case study for equitable Adaptation.*

Evaluate the adequacy of the soil cleanup levels and remediation plans for arsenic and other contaminants at the Rhone-Poulenc (Starlink Logistics) property and adjacent properties. The Final Cleanup Order for this site allows arsenic in surface soils up to 20 mg/kg for residential use (the South of Weeks operable unit (OU)), to 70 mg/kg for nonresidential use with deed restrictions and a durable cap (the Upland OU and Upland OU Annex), and to 500 mg/kg for “accessible” soils treated by chemical fixation.²⁴ These values are far higher than the current DTSC screening level of 0.11 mg/kg for residential use and 0.36 mg/kg for industrial use.²⁵ They are also far higher than the RWQCB ESLs for residential and industrial exposure to arsenic in shallow soils, 0.062 and 0.31 mg/kg respectively, and the 2.0 mg/kg ESL for construction workers (any land use, any depth).²⁶

Both DTSC and RWQCB recognize that even natural levels of arsenic can pose an excessive cancer risk; thus, they recommend a site-specific risk assessment. Such assessments often conclude that it is impractical to remediate below background levels. The Final Cleanup Order states that the 20 mg/kg residential limit is based on a soil background concentration. However, the RWQCB-accepted background concentration of arsenic in Bay Area urban soils is 11 mg/kg,²⁷ which is also the limit specified in a Harvest Properties RMP for imported fill at the Rhone-Poulenc site.²⁸ Also concerning is that the Order states that arsenic cleanup limits are adjusted to achieve an excess cancer risk of 1 in 10,000. Target risks in health risk assessments typically range from 1 in 10,000 (less protective) to 1 in one million (more protective). No explanation was provided as to why the least protective end of the risk range was selected for this site. The SEIR should provide more detail on how all the limits were developed and evaluate options to modify the Final Order for this site, based on newer arsenic toxicity information.

The EIR should require a geotechnical study at this site as specified in Standard 9.7.6, to evaluate the potential impact of future groundwater rise and increased aquifer salinity on the effectiveness of the remedial measures. Any future project on this property should be required to conduct a study to evaluate the potential for the following outcomes:

- Mobilization of arsenic and other inorganic elements in untreated and fixated soil. Studies have shown that saltwater intrusion in coastal aquifers can increase the solubility of inorganic arsenic.²⁹ The Final Cleanup Order omits cleanup requirements for other metals and metalloids present at elevated levels in soil (cadmium, lead, mercury, and selenium) on the basis that the concentrations of these contaminants are generally correlated with that of arsenic. That correlation may not apply under different redox

²⁴ SF Bay RWQCB, 2016. *Starlink Logistics, Inc. (Formerly Rhone-Poulenc, Inc.), for 1990 Bay Road Site, East Palo Alto, San Mateo County - Adoption of Final Site Cleanup Requirements.*

²⁵ [HERO HHRA Note 3 June 2020. DTSC Recommended Screening Levels](#)

²⁶ SF Bay RWQCB, 2019c. *Environmental Screening Levels. 2019 (Rev. 2).*

²⁷ Duverge, D. J., 2011. *Establishing Background Arsenic in Soil of the Urbanized San Francisco Bay Region.* Master's thesis submitted to the faculty of San Francisco State University, December 2011.

²⁸ S.S. PAPANOPULOS & ASSOCIATES, INC., 2020. Construction Risk Management Plan, Addendum to the Comprehensive Site Management Plan, 1990 Bay Road Site East Palo Alto, California.

²⁹ LeMonte, J.J. et al., 2017. *Sea level rise induced arsenic release from historically contaminated coastal soils.* *Envir. Sci. & Technol.*, V. 51, Issue 11.

conditions, as can occur with saltwater intrusion. A geochemical evaluation is needed to better understand the mobility of all contaminants in untreated and fixated soils under high salinity conditions.

- Migration of contaminated groundwater to the Bay and to inland areas. The Final Cleanup Order has no requirement to remediate arsenic or other contaminants in groundwater, on the basis that there is no evidence of migration to the lower aquifer. This ignores the potential for discharge of shallow groundwater to the Bay or migration of the contaminant plume inland as sea level rises. Shallow groundwater is not used for drinking water in East Palo Alto, but due to the shallow depth of the water table, migration of contaminants inland could pose a risk to residents through contact with emergent groundwater or ingestion of home-grown produce.

Evaluate the potential for contamination at the Infinity Salvage property. Future use of this property as an open space or park, as proposed in the DSPU, could expose the City to high remediation costs. In addition to likely contamination of soil and groundwater from decades of automobile fluid leaks, the July 2024 fire at the facility may have deposited heavy metals, combustion byproducts and other contaminants on nearby properties and Bay wetlands.

Evaluate contaminant impacts on estuarine ecosystems. The DSEIR does not address the potential for hazardous chemicals in soils and groundwater to impact the salt marsh/open water/tidal slough habitat adjacent to the RBD shoreline. Transport pathways by which contaminants could enter the Refuge include groundwater discharge, rainfall or flood water runoff, bank erosion, and dust deposition. The SEIR should evaluate whether development in the RBD could lead to contamination of habitat via these pathways, and identify regulations that would require mitigation if contamination occurs. Additionally, the SEIR should evaluate whether construction could disrupt the following existing remediation systems that protect the habitat in the channel and marsh bordering the RBD.

- Recent sampling and analysis of surface water in the channel adjacent to the ROMIC site suggests that an installed biobarrier is effective in preventing VOCs from entering the channel.³⁰ The SEIR should discuss whether development can occur at that site without disrupting that remediation system.
- The Final Cleanup Order for the Rhone-Poulenc (Starlink Logistics) site required placement of a barrier or slurry wall to prevent migration of contaminated groundwater to the marsh. The SEIR should discuss how development at that site can occur without disrupting that remediation system.

Impact AIR-2: Chemical Exposure Hazards to Site Workers and the Public During Construction. The DSEIR does not require projects to evaluate exposures to site workers and to nearby residents/sensitive populations from any air toxic other than diesel particulate matter.

³⁰ Ninyo and Moore, 2023. First Semiannual 2023 Groundwater Monitoring and Remediation Evaluation Report, Bay Road Holdings Site, 2081 Bay Road, East Palo Alto, California. October 20, 2023.

RMPs for each development should be required to evaluate risks from airborne transport and inhalation exposure for all chemicals of concern. We recommend requiring onsite and downwind VOC and particulate air sampling and analysis of the air samples for chemicals of concern at every project site where soil concentrations exceed cleanup levels.

SECTION 3.10 - HYDROLOGY AND WATER QUALITY

Key issue: Inadequacy of Flood Impacts Analysis due to Shallow Groundwater Rise.

Section 3.10, Hydrology and Water Quality, reviews all the topics included in the 2013 Specific Plan EIR, while omitting the significant new environmental concern regarding impacts produced by rising levels of shallow groundwater. On that topic, while the DSPU proposed Standard 9.7.6 re shallow groundwater rise, there was no corresponding discussion in the Groundwater discussion in this Section. There should be.

This Section cites the City's Vista 2035 General Plan which, under Safety and Noise, has: Policy 2.2 Flood related to sea level rise. Consider expanding boundaries of development control particularly where sea level rise could worsen flooding above predicted conditions. [emphasis added]

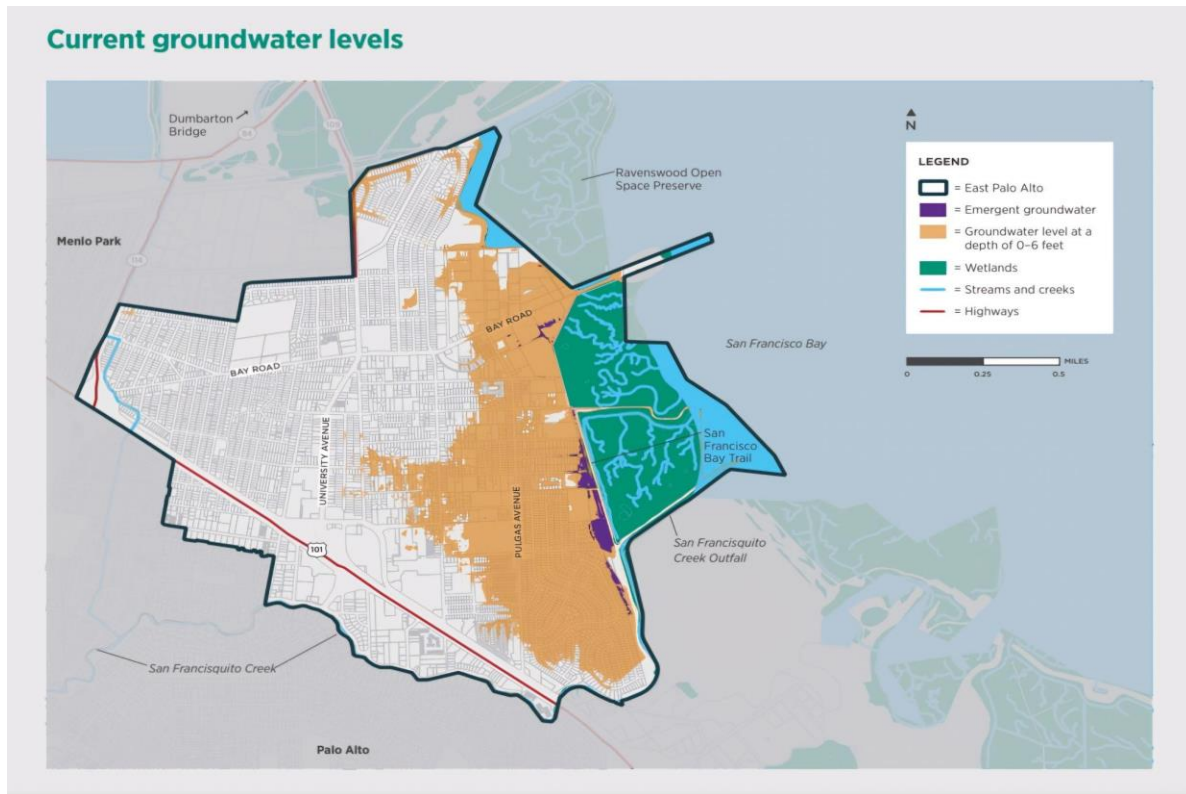
That General Plan policy and the inclusion of a Shallow Groundwater Standard in the DSPU are a sufficient basis for analysis in Section 3.10. We see that Standard 9.7.6 does not include flooding among its list of potential impacts. But its inference is clear: shallow groundwater will rise. In a report on groundwater prepared for Sunnyvale, the San Francisco Estuary Institute included the following in its list of potential impacts:

“Emergence flooding. Across much of Moffett Park, depth to water is 3-6 feet, and in many places groundwater is deeper than 6 feet below ground surface. Therefore, emergence flooding is unlikely to be a concern in the near future: subsurface impacts will be seen sooner. Flooding as a result of rising groundwater may first be seen during storm events in wet winters. As average water table elevations increase, groundwater may seep into channels, increasing base flow and decreasing channel capacity, so that when storms occur there may be reduced capacity to convey stormwater. When SLR exceeds three feet or more (likely toward the end of the century, but possible as early as 2070), emergence flooding may become a regular occurrence if adaptation strategies are not implemented.” [emphasis added]³¹

Section 3.10 Groundwater discussion focuses on recharge of groundwater and notes that historical groundwater levels vary from zero to 10 feet below existing grade, citing California Geological Survey data from 2006. The discussion omits more recent data such as was the

³¹ San Francisco Estuary Institute, Sea Level Rise Impacts on Shallow Groundwater in Moffett Park, A Technical to the Moffett Park Specific Plan November 2021, pp 21-22: <https://static1.squarespace.com/static/5e38a3dd6f9db304821e8e5e/t/61a7b37743ec4b770e11ee73/1638380421678/Moffett+Park+Specific+Plan+Groundwater+Addendum.pdf>

basis for the report, Look Out Below,³² a case study built on recent, substantial, and local scientific studies³³ that provided data specific to East Palo Alto. In it, maps displayed large areas of East Palo Alto and the SP Area with groundwater levels either at zero to six feet below grade or emergent. These areas lay along the shoreline, extend substantially inland and have underground flow adjacency with non-SPU areas. The Look Out Below map seen here includes an isolated zero to six feet site along University Avenue near 4 Corners.



While 9.7-6, as proposed, is limited to shoreline properties, recent data demonstrate that shallow groundwater impacts apply much more broadly in the SP Area. As shallow groundwater areas connect across project and Specific Plan boundaries, a development action in one location, such as a below-ground garage, can redirect subsurface water onto other parcels or the Bay, impacting conditions on those sites.

Recommendation: *We ask that the Groundwater findings, analysis and mitigation be changed using more recent data. We have strongly recommended in our prior DSPU comment letter that*

³² SPUR, Look Out Below, Groundwater Rise Impacts on East Palo Alto. A Case Study for Equitable Adaptation, May 2024, map excerpt from Exhibit 6, p. 17: https://www.spur.org/sites/default/files/2024-06/SPUR_Look_Out_Below.pdf

³³ Pathways Climate Institute and San Francisco Estuary Institute, Shallow Groundwater Response to Sea Level Rise, in Alameda, Marin, San Francisco and San Mateo Counties, 2022: <https://www.sfei.org/projects/shallow-groundwater-response-sea-level-rise>

9.7.6 be corrected to apply to the entire SP Area as its potential impacts are broadly relevant to public and environmental safety and structural integrity inclusive of flooding.

We ask that the Section 3.10 findings, impact analysis and mitigation discussions regarding Groundwater, Storm Drainage Systems and Flood Hazards incorporate rising shallow groundwater with reference to DSPU Standard 9.7.6 and recent, scientific references on the topic.

SECTION 3.11 - LAND USE AND PLANNING

Development Standards

- **DSPU Standard 9.7.6**

This new DSPU Standard requires shallow groundwater vulnerability assessment and mitigation of impacts such as buoyancy, seepage, infiltration, liquefaction, corrosion, and contaminant mobilization hazards for all shoreline-adjacent development projects. Standard 9.7.6 is included as GEO MM-2 in the DSEIR. As discussed above in our comments on Section 3.7 - Geology and Soils, shallow groundwater rise can contribute to several additional GEO Impacts identified in the DSEIR (beyond Impact GEO-2) and expose a much broader portion of the DSPU area to higher risks associated with the various geological impacts discussed in Section 3.7. Additionally, as noted in this letter's Hydrology section, recent mapping suggests that groundwater rise could also exacerbate flood risks well beyond shoreline-adjacent parcels.

Recommendation: *DSPU Standard 9.7.6 should be amended to apply area-wide and flooding should be added to the impacts articulated in the Standard. Additionally, like DSPU Policy LU-6.4, Standard 9.7.6 should be incorporated throughout the SEIR's Land Use and Planning Impact Discussion, Section 3.11.2, and Non-CEQA Effects discussion, Section 3.11.3.*

- **Setbacks and Stepbacks**

As discussed in the Biological Resources section of this letter, MM BIO-10.1 requires all properties on the shoreline and those that include or sit adjacent to wetlands to have wetland delineations performed during or prior to project design.

Recommendation: *Use the inner edge of delineated wetland as the basis for all shoreline setbacks, stepbacks or height decisions, and incorporate that standard in the Land Use impact analysis and mitigation.*

- **Height Limits**

As discussed in the Aesthetics section of this letter, we are concerned about substantial exceptions to DSPU's height limit standards that would allow rooftop equipment to extend up to 30 feet beyond a building's height limit. In some zones, this could effectively raise the total height by 50 percent. Such an effect would run counter to the DSPU's Key Community-Generated Land Use and Design Goal #7: Enhance public views of the Bay³⁴ and the DSPU's stated intention to "reduce the apparent size of buildings."³⁵

³⁴ DSPU, page 10

³⁵ Ibid, page 83

Recommendation: *Limit rooftop equipment exceptions to approximately one story in height. If the equipment exceeds this height, it should be counted as a floor within the basic height limit.*

Recommendation: *At facades facing wetlands, rooftop equipment and screening should be set back from the roof's edge using a 45-degree view line from the wetlands delineation line to the edge of the roof.*

- **Specific Plan Update Policy LU-6.4**

We appreciate the retention of this policy from the 2013 Specific Plan. However, in the years since that plan was adopted, the scientific and policy communities have become much more aware and concerned about the threat and impacts of shallow groundwater rise and groundwater displacement due to rising sea levels. As such, it is appropriate to update Policy LU-6.4 to reflect this more recent, but substantial concern.

Recommendation: *Add “shallow groundwater rise” to LU-6.4 as shown in green: “...Verify that environmental review of this report includes an assessment of flood and **shallow groundwater rise** risks to the building itself and....”*

SECTION 3.13 - POPULATION AND HOUSING

Failure to Analyze Indirect Displacement Impacts

The DSEIR concludes that direct displacement impacts will be less than significant due to a net gain in housing units and no net loss of affordable housing. Additionally, it notes that displaced residents would be protected by tenant safeguards. However, in East Palo Alto, the greater risk may come from indirect displacement, particularly gentrification resulting from the creation of thousands of jobs that may be inaccessible to current residents.

East Palo Alto faces significant socio-economic challenges, including a very low jobs-to-employed residents ratio (0.35 compared to 1.0 County-wide),³⁶ high levels of moderate to severe household overcrowding (26% versus 8% County-wide),³⁷ and a large segment of the population with limited educational attainment. According to the Vista 2035 General Plan, 35% of adults over 25 have not completed high school, and another 45% lack Associate or Bachelor's degrees.³⁸ In a March 23, 2021, City Council Study Session, City staff presented data showing the correlation between educational attainment and income, as well as employment sector trends in East Palo Alto.³⁹ Given this context, both residents and the City Council have consistently stressed the importance of job fit to counteract gentrification and displacement as the City grows.

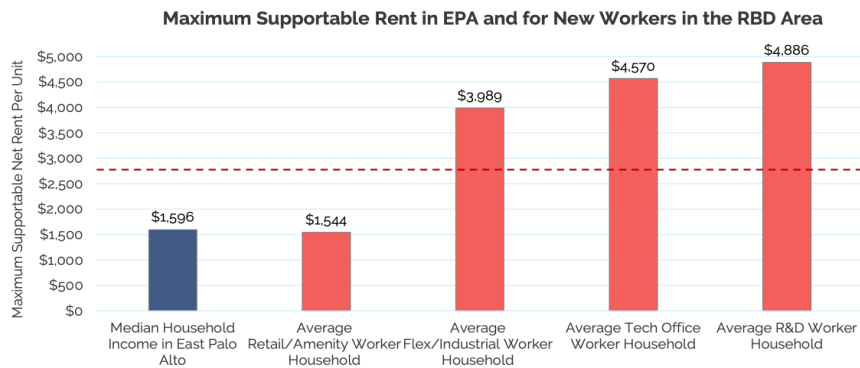
³⁶ Adopted City of East Palo Alto Housing Element 2023- 2031, page 2–40. Available at: https://www.cityofepa.org/sites/default/files/fileattachments/housing/page/23793/adopted_2023-2031_east

³⁷ Ibid, page 2-28.

³⁸ City of East Palo Alto Vista 2035 General Plan, page 5-2.

³⁹ Ravenswood Business District Specific Plan Update City Council Study Session, “Data Refresh” slide presentation: March 23, 2021. Available at: <https://eastpaloalto.igmp2.com/Citizens/FileOpen.aspx?Type=4&ID=2350&MeetingID=1360> (Accessed September 7, 2024)

Market Pressure from New Households and Affordability of Housing for Existing Residents



Source: CoStar, 2021; Santa Clara County Housing Authority, 2021; Strategic Economics, 2021.

39



Displacement concerns are already pronounced in East Palo Alto. Currently, 64.7% of households live in neighborhoods “susceptible to or experiencing displacement.”⁴⁰ An impact analysis presented by the City’s Specific Plan Update (SPU) consultant in September 2021 indicated that 25% of East Palo Alto households—approximately 2,045 households—could be vulnerable to displacement due to the DSPU growth scenarios.⁴¹ The analysis also revealed that the maximum affordable rent for households in industrial, tech office, or research and development sectors could be 2.5 to 3 times higher than what current East Palo Alto residents can afford. Thus, existing residents could struggle to compete with new employees for limited housing supply in the City. Compounding displacement impacts, the real estate market in neighboring cities is already cost-prohibitive for most East Palo Alto residents.

Although the DSEIR projects an improvement in the jobs-to-housing ratio by adding up to 11,340 new jobs under the DSPU, it does not assess whether these jobs will be accessible to local residents. If a significant portion of these jobs is unattainable by the local workforce, the potential benefits of an improved jobs-housing balance may bypass the very community it is meant to serve.

Furthermore, the DSEIR acknowledges that the DSPU “would not provide sufficient new housing to accommodate the net new jobs generated.” If there is a poor job fit, this could lead to

⁴⁰ Adopted City of East Palo Alto Housing Element 2023- 2031, page 2-24. Available at: https://www.cityofepa.org/sites/default/files/fileattachments/housing/page/23793/adopted_2023-2031_east_palo_alto_housing_element_.pdf (Accessed September 7, 2024).

⁴¹ Ravenswood Business District Specific Plan Update Public Workshop slide presentation: September 22, 2021, slide 40. Available at: https://www.cityofepa.org/sites/default/files/fileattachments/planning/page/22863/rbd_workshop2_presentation092221_final.pdf (Accessed September 7, 2024).

an influx of commuters competing for existing housing, worsening gentrification and displacement.

Recommendations

1. **Use Jobs per Employed Resident Ratio:** *Replace the jobs-per-housing unit metric with the jobs-per-employed resident ratio.*
2. **Utilize Local Data and Analyze Job Fit:** *The SEIR should include a detailed analysis of how the new jobs created under the DSPU will align with the qualifications and skill levels of existing residents. While Plan Bay Area 2050 may not offer city-specific data, the City's presentations on March 23, 2021, and September 22, 2021, suggest that relevant data and analysis are available.*
3. **Analyze and Mitigate City-Specific Indirect Displacement Vulnerability:** *The SEIR should incorporate a job fit analysis as well as local data on displacement vulnerability, such as income, education, employment and household overcrowding—outlined in the Adopted 2023-2035 Housing Element and the September 22, 2021 Public Workshop #2 presentation—into its analysis of indirect displacement impacts.*

Thank you for the opportunity to submit comments on the Ravenswood Business District/4 Corners Specific Plan Update DSEIR. We look forward to continued engagement in the Specific Plan Update process.

Sincerely,

Jennifer Chang Hetterly
Bay Alive Campaign Coordinator
Sierra Club Loma Prieta Chapter

Eileen McLaughlin
Board Member
Citizens Committee to Complete the Refuge

Alice Kaufman
Policy and Advocacy Director
Green Foothills

Chris MacIntosh
Conservation Chair
Sequoia Audubon Society



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September 10, 2024

Alvin Jen, Associate Planner
City of East Palo Alto
1960 Tate Street
East Palo Alto, CA 94303
E-mail: rbd@cityofepa.org

RE: Notice of Availability of an SEIR for the Ravenswood Business District/4 Corners Specific Plan Update

Thank you for including the City of Palo Alto in the environmental review process for the above-referenced project.

Project Understanding

The City of East Palo Alto adopted the existing Ravenswood Specific Plan in 2013 (2013 Specific Plan), which provided the policy and regulatory framework for reviewing development projects and public improvements in the Specific Plan area. The 2013 Specific Plan allows for development of up to 1.3 million square feet of office/R&D uses, 175,820 square feet of industrial uses, 112,400 square feet of retail uses, 36,000 square feet of civic/community uses, and 835 housing units (comprised of 816 multifamily and 19 single-family units). The 2013 Specific Plan assumed there would be a loop road with a multi-use path that would be located along the perimeter of the northern portion of University Village (immediately to the west of the Specific Plan area) and extend from the existing terminus of Demeter Street to connect with University Avenue. The loop road would provide a direct route between the Specific Plan area and University Avenue, avoiding the need to use Bay Road.

The proposed project is an update to the Specific Plan (Specific Plan Update) that would increase the total amount of development allowed within the Specific Plan area by increasing the maximum square footages for office, R&D/life science, light industrial, civic/community, and tenant amenity, and the total number of residential units allowed under the Specific Plan.

Hazards and Land Use

- In reviewing Figures 2.3.1 (proposed land uses) and 2.3.2 (existing land uses) of the Draft EIR, the project proposes to increase residential uses/density within the 60 and 65 CNEL contours of the Palo Alto Airport Influence Area. The Draft EIR does not properly disclose, and therefore does not identify appropriate mitigation, to address impacts related to the development of residential uses within the AIA and specifically within these contours, consistent with the policies set forth in the Palo Alto Airport Comprehensive Land Use Plan (CLUP). Please refer to the attached CLUP Figure 5 for the airports' Aircraft Noise Contours.
- Specifically, Criterion e in Section 3.9 of the Draft SEIR, asks "If located within an airport land use plan...would the project result in a safety hazard or excessive noise for people residing or working in the project area?" The analysis concludes that impacts would be less than significant without the need for mitigation because the project would comply with policies set forth in the land use plan. However, the listed policies do not disclose the full language of the policy; omitting some of the requirements for residential development to ensure compliance with the plan. The underlined portion of N-4 (below) was omitted from the SEIR.

- *N-4: No residential construction shall be permitted within the 65 dB CNEL contour boundary unless it can be demonstrated that the resulting interior sound levels will be less than 45 dB CNEL and there are no outdoor patios or outdoor activity areas associated with the residential project. All property owners within the 65 dB CNEL contour boundary who rent or lease their property for residential use shall include in their rental/lease agreement with the tenant, a statement advising that they (the tenants) are living within a high noise area and the exterior noise level is predicted to be greater than 65 dB CNEL.*

Further, no evidence has been provided to support the conclusion that the required interior noise levels could be met for future development, consistent with Policy N-5 (below) of the CLUP. Mitigation is warranted to ensure that future residential development within the identified noise contours complies with the CLUP.

- *N-5 Residential construction will not be permitted in the area between the 60 dB CNEL contour boundary and the 65 dB CNEL contour boundary unless it can be demonstrated that the resulting interior sound level will be no greater than 45 dB CNEL.*

Due to the proximity of the Plan area to the Palo Alto Airport, the SEIR should anticipate that future residents will experience aircraft noise in the area. To prevent this project from expanding the airport's noise impact area, each residential unit shall grant the airport an aviation easement, permitting aircraft noise over the property.

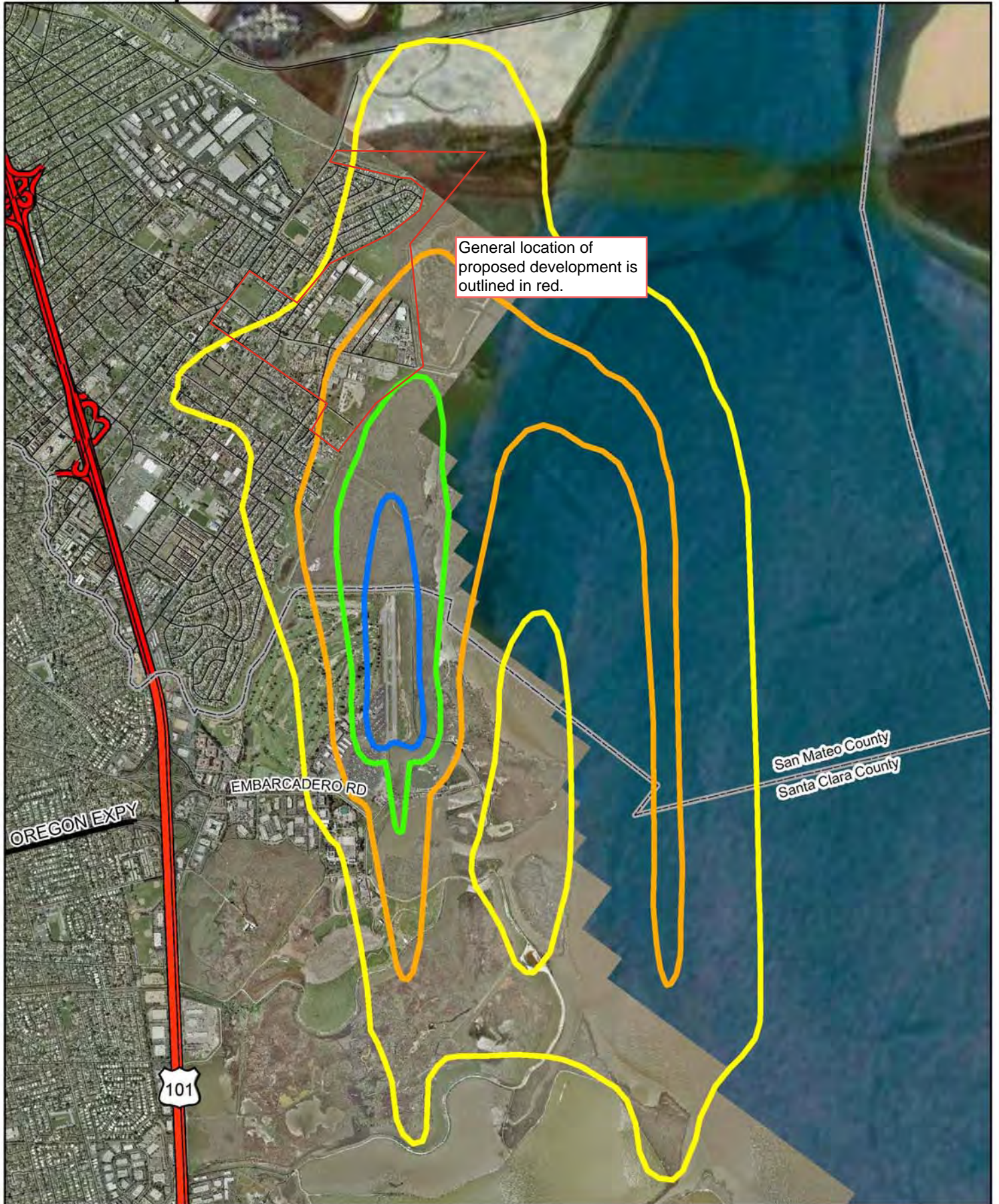
- As a modification to a specific plan within an Airport Influence Area, the County of Santa Clara Airport Land Use Commission may require a consistency analysis to determine whether the proposed modifications to land use are consistent with the Palo Alto Airport CLUP. Please reach out to Carl Hilbrants (Carl.Hilbrants@PLN.SCCGOV.ORG) to confirm whether a hearing before the commission is required to evaluate consistency.

Should you have any questions regarding this letter and the City's comment, please contact me at Claire.Raybould@cityofpaloalto.org or (650) 329-2116.

Sincerely,

Claire Raybould, AICP
Principal Planner, Planning and Development Services Division

Palo Alto Airport

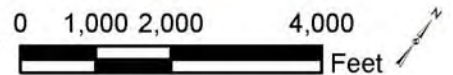


Noise Contours (CNEL)



2022 Aircraft Noise Contours

Figure 5



This map created by Santa Clara County Planning Office. The GIS data was compiled from various sources. While deemed reliable, the Planning Office assumes no liability 3/25/2008 - Y:\Mat\VALUC\projects\PAIPA_figure_5_v4.mxd