



*100 Years of Service*

# Menlo Park Fire Protection District

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August 1, 2016

Deanna Chow  
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**Re: Comments on ConnectMenlo General Plan Update and M-2 Rezoning EIR**

Dear Ms. Chow:

We appreciate the opportunity to provide comments on the Environmental Impact Report (EIR) for the ConnectMenlo General Plan Update and M-2 Rezoning Project ("General Plan"). As the fire and emergency services provider in the City of Menlo Park ("City"), it is critical that the impacts of the General Plan and M-2 Rezoning on the Menlo Park Fire Protection District ("Fire District") be properly analyzed and mitigated.

The General Plan and M-2 Rezoning includes a significant increase in the amount and density of development in the City. The proposed Plan will lead to a substantial increase in the number of structures, building height and service population that the Fire District serves. The increased development and service population will be concentrated in the East of 101 area.

*"The proposed project includes a net increase in new development east of Highway 101 within the Bayfront Area of approximately:*

- 1. This maximum potential development would consist of approximately 2.1 million additional square feet of nonresidential building space and 4,500 additional multifamily dwelling units beyond what is already realistically achievable under the current Menlo Park General Plan Land Use Element. About 1.4 million square feet of the added nonresidential development would be concentrated in the area between Willow Road and University Avenue (primarily for new and expanded life sciences uses). About 2,000 of the additional dwelling units would be located in that same area, with another 1,000 units in the Jefferson Drive area, and 1,500 units on the Facebook East campus.*

*The nonresidential development would also include ground floor retail in a number of locations and roughly 500,000 square feet for three hotels with 200 rooms each, one in the Haven area, one in the Jefferson Drive area, and one on the Facebook West campus. In addition to the potential buildout of the Project, development capacity currently exists in the M-2 Area based on the current 1994 General Plan Land Use Element and existing zoning. This current buildout potential, estimated at 1.8 million square feet of nonresidential uses, will be included in the No Project Alternative required to be characterized in conjunction with analysis of the Project. Therefore, the theoretical potential maximum buildout in the M-2 Area, combining development capacities under the No Project condition plus the Project, would be about 3.9 million square feet of nonresidential development beyond what currently exists on the ground.*

As discussed in the Fire District Standards of Coverage Assessment completed last year, the Fire District faces significant challenges for providing services East of 101 due to congestion and limited access on three critical primary emergency access routes that cross Highway 101 to this area, (Marsh Road, Willow Road and University Avenue in East Palo Alto) as well as other primary response routes within Belle Haven, M2 and adjacent East Palo Alto.

The additional development in the M-2 area authorized under the General Plan will cause significant impacts on the Fire District that will require additional apparatus and personnel be added to Fire Station 77 located in Belle Haven on the edge of M-2 on Chilco Street. The Fire Station is 20 years old and in excellent condition but it cannot accommodate additional personnel or equipment. The District recently determined the location was strategic but the Station will need to be completely replaced to serve new development.

Many of these concerns were described in the Fire District's letter to the City on the Notice of Preparation dated July 20, 2015 ("District NOP letter"). For the most part, the EIR does not address the issues and concerns raised in the District NOP letter.

Under section 2.5 - Areas of Concern:

*The City issued an NOP on June 18, 2015. The scoping period for this EIR was between June 18 and July 20, 2015, during which interested agencies and the public could submit comments about the proposed project. The City also held a public scoping meeting on September 21, 2015. During this time the City received 22 comment letters from ten agencies and service providers, and eight organizations and members of the public, which are included as Appendix A of this Draft EIR.*

*The following is a discussion of issues that are likely to be of particular concern to agencies and interested members of the public during the environmental review process. While every concern applicable to the CEQA process is addressed in this Draft EIR, this list is not necessarily exhaustive, but rather attempts to capture those concerns that are likely to generate the greatest interest based on the input received during the scoping process.*

- *Aesthetic: impacts from increased height, sources of light and glare*
- *Affordable Housing: availability of affordable housing stock*
- *Air Quality: operational and construction, health risk due to close proximity to major roadways*
- *Approved Projects: cumulative impacts from Facebook Campus Expansion Project*
- *Biological Resources: wetlands, human-wildlife interface*
- *Climate Adaptation: flood risk along Bayfront due to projected future sea level rise*
- **Public Services: impacts from population growth on schools and fire services**
- *Utilities and Service Systems: Water quality, hydrology, storm water runoff*
- *Vehicular Circulation: traffic impact, parking demand, safe pedestrian access, bicycle safety connections*

The EIR does properly and adequately perform the analysis for impacts to the Fire District and require mitigation measures as mandated under CEQA. But the EIR analysis also misstates critical facts about the Fire District's existing conditions and future plans. As a result, the EIR improperly finds the impacts on the Fire District are less than significant and no mitigation is required.

However, the impacts of the General Plan itself and its cumulative impact will be significant and require mitigation, including the payment of impact fees. The cumulative impact is due to the combination of the General Plan and other proposed increased development under the East Palo Alto General Plan Update, the Facebook Campus Expansion and Downtown Specific Plan in Menlo Park, and the North Fair Oaks Community Plan in the County of San Mateo. The main comments of the Fire District are: (1) the EIR concludes that the impacts on the Fire District will be less than significant due to the adoption of a fire and emergency services impact fee.

The adoption of the impact fee must be required as an adopted program or a mitigation measure in order to support the conclusion that the impact on District capital improvement projects is less than significant. If not, the impact to the Fire District will have to be identified as significant and unavoidable in the EIR; (2) the significant and unavoidable traffic impacts identified in the EIR will have a significant adverse impact on emergency access routes which need to be properly analyzed and mitigated; and (3) the General Plan should require that water storage, not wells, be a high priority in order to ensure adequate emergency fire flow..

#### 1. Impact on Emergency and Fire Services Requires Adoption of Impact Fee

The EIR concludes that the General Plan's project and cumulative impact to emergency and fire services will be less than significant based on the imposition of an emergency and fire services impact fee. However, there is no General Plan policy or mitigation measure that requires the City to adopt a fire services impact fee to be imposed on new development. The only policy cited by the EIR is Program LU-1.E which only requires that the City "pursue" adoption of development impact fees.

This program does not require the City to adopt an emergency and fire services impact fee. Therefore, the General Plan policies and programs as currently written should be revised to require the City to adopt the emergency and fire services impact fee approved by the Fire District Board. Alternatively, the adoption of the impact fee should be required as a mitigation measure in the EIR. This is critically important due to recent developments regarding the Fire District's fee.

The impact fee has been adopted by the Fire District Board and submitted to all cities and the County of San Mateo for adoption. Communications from Menlo Park to the Fire District have indicated that the impact fee may not be adopted. Therefore, the conclusion in the EIR that the impact on Fire District capital improvement projects is less than significant cannot be assured. So, either the adoption of the impact fee must be mandated, or the EIR should be revised and recirculated to identify the impact on fire services as significant and unavoidable.

#### 2. Impacts on Emergency Access Routes are Significant and Require Mitigation

The EIR does not properly analyze and mitigate the significant impacts on emergency access routes from the severe traffic impacts that will result from the General Plan. The EIR identifies numerous significant and unavoidable impacts on roadways that are critical emergency service routes for the Fire District. The EIR concludes that these impacts cannot be mitigated.

Yet, despite these significant and unavoidable roadway impacts, the EIR concludes that the effect of the General Plan on emergency access routes is less than significant. These conclusions are contradictory and dangerous.. Therefore, the less than significant conclusion regarding emergency access routes is incorrect and is not supported by substantial evidence.

The EIR cites some proposed policies which may address impacts on emergency access routes. These include equipping signals with preemptive devices and providing "additional funding to support adequate emergency services" through impact fees (pp. 4.13-80 – 4.13-81). However, preemptive devices, while helpful, do not address gridlock situations where emergency vehicles have no passable route and the District already updated its pre-emption system and all traffic signals in this area. As stated above, additional funding to address this problem is not available due to the uncertainty of the City's adoption of the fire services impact fee.

Overall, increased congestion on critical primary emergency access routes will adversely affect response times for emergency vehicles placing life and property in danger. The EIR must identify this impact as significant and it should acknowledge that only two fire Stations are located on the east side of Highway 101, one in East Palo Alto and one in east Menlo Park (Belle Haven and M2). Each Fire Station contains a fire engine and is staffed by three fire personnel.

The City should consider and consult with the Fire District on feasible mitigation measures to address the impacts of development under the General Plan on primary emergency access routes. For example, changes in street design and potential new alternative emergency response routes are mitigation measures that the City should consider.

3. Significant Impacts of Water Supply on Fire Services

The EIR does not properly disclose or analyze the impacts of inadequate water storage on emergency fire flow needs. The municipal water supply augments fire hydrants used by the Fire District during emergencies. The greatest weakness of the water system is adequate storage and a modern infrastructure needed to support the planned growth.

The General Plan says “A Water Supply Assessment will be developed as part of the EIR to determine which, if any, strategies may be needed to ensure adequate water supply for anticipated development.” The Fire District would be happy to assist in this process.

4. Hazardous Materials.

Page 4.7-3

California ~~Uniform~~ Fire Code: Hazardous Material Management Plans and Inventory Statements.

Page 4.7-5

California Fire Code

Part 9 of the ~~CBC~~ CCR Title 24 contains the California Fire Code (CFC). The CFC adopts by reference the 2012 International Fire Code (ICF) with necessary State amendments. Updated every three years, the CFC includes provisions and standards for emergency planning and preparedness, fire service features, fire protection systems, hazardous materials, fire flow requirements, and fire hydrant locations and distribution. Similar to the CBC, the CFC is generally adopted on a jurisdiction-by-jurisdiction basis, subject to further modification based on local conditions.

Typical fire safety requirements include: installation of sprinklers in all high-rise buildings; the establishment of fire resistance standards and general safety practices, building materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildlife hazard areas. Operational permits are issued for the storage, use and handling of hazardous materials within the Menlo Park Fire Protection District.

Part 9 of the ~~CBC~~ CCR Title 24 contains the California Fire Code (CFC). The CFC adopts by reference the 2012 International Fire Code (ICF) with necessary State amendments. Updated every three years, the CFC includes provisions and standards for emergency planning and preparedness, fire service features, fire protection systems, hazardous materials, fire flow requirements, and fire hydrant locations and distribution. Similar to the CBC, the CFC is generally adopted on a jurisdiction-by-jurisdiction basis, subject to further modification based on local conditions. Typical fire safety requirements include: installation of sprinklers in all high-rise buildings; the establishment of fire resistance standards and general safety practices, building materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildlife hazard areas. Operational permits are issued for the storage, use and handling of hazardous materials within the Menlo Park Fire Protection District.

## Menlo Park Fire Protection District Operations

In 2015, the Fire District responded to 8547 emergency incidents, up 4%, or 324 calls for service from 2014 and up 15%, or 1272 calls for service from 2010. Of those 8547 calls for service, 5532, or 64% were for emergency medical incidents and 2%, or 187 were for fire responses.

In 2015, a total of 3334 calls for service or 39% of the Fire District's emergency activity occurred (See attachment) on the eastern side of Highway 101. Collectively, both Fire Stations 77 and 2, which daily cover and back each other up, responded to 77 fires and 2430 emergency medical incidents, essentially 41 – 44% of these types of emergency incidents occurred in the much smaller and denser eastern side of the Fire District that is now proposed for additional and substantial growth.

As stated in the Fire Districts Standards of Cover Report (SOC), but unfortunately not reported in the General Plan EIR, the Fire District's ability to provide essential emergency services to the eastern side of Highway 101 will be "strained" by the proposed additional development which will create a "tipping point" for our agency to adequately protect what essentially is a service island, or more clearly put, an already hard to serve area that is currently the busiest in the Fire District.

The Fire District uses a move and cover deployment model which simply means that if both Station 77 and 2 are on an emergency incident, or out of their response area for training or other reasons, another fire unit is dispatched to move and cover the eastern side of Highway 101 from the western side of the Highway. Depending upon the time of day, other activity and day of the week, coverage and response can be both extended and significantly delayed. Additional impacts from more development will only further exacerbate this unacceptable condition.

While emergency medical incidents typically only require one unit (fire engine), expanded incidents like vehicle accidents and fires can require from 4 to 7 emergency apparatus. Automatic aid from neighboring agencies can be helpful for expanded incidents, or move and cover, but those agencies have their own residents to serve and emergencies. They will provide resources as able, but with even longer response times from further away depending upon location, available units, activity and other events. Automatic aid cannot be relied upon to provide needed fire services for new increased development within the Fire District's jurisdiction.

That also includes different types of equipment like an aerial ladder truck, a rescue squad and a heavy rescue based upon an increased floor area ratio (FAR) and building height of over three stories. Additional personnel and apparatus are needed to create an "effective fire force" to meet the future demands for service based upon the proposed growth in the updated Menlo Park General Plan update, Facebook proposals and East Palo Alto's recently drafted General Plan.

### 4.12.1.1 – Environmental Setting – Existing Conditions

The EIR tries to distort that the "proposed project" has limited, or no financial responsibility for a fire facility because it attempts to use the Fire District's own visionary methodology and budget practices against it. *"As stated in the FY 2015/16 MPFPD Budget, the MPFPD has capital improvement plans in place to expand its facilities to accommodate future demand, including Fire Station 77, which pre-dates the proposed project. Therefore, the proposed project does not in and of itself require this expansion".*

**This statement is incorrect.** The budget does not address the specific improvements and expansion needed to address the impacts of the General Plan and other proposed new development in the Fire District's jurisdiction. The growth projections in the District-adopted Impact Fee Nexus Study ("Nexus Study") include the projections under the General Plan. The Nexus Study allocated 50% of the Fire Station 77 expansion costs and 100% of the

new ladder truck and apparatus and equipment needed for a new squad to the improvements needed to service new development (See Tables 1 and 3 of Nexus Study). The EIR needs to be revised to reflect the correct information contained in the Nexus Study.

Not mentioned in the EIR is the important fact that the Fire District has a land lease with the City for Station 77 for 55 years, of which 20 has already gone by. The District has offered to purchase the property at market value every year for the last three years. The District has offered to include a right of first refusal clause in the agreement. Despite the City agreement to sell the adjacent property to a school, the District has not been successful in getting the City to agree to sell the Station property to the District.

The District has simultaneously attempted to extend the land lease for over two years. With 35 years remaining on the land lease the District is requesting an extension in line with the life span of a new facility, or for 70 years.

These issues are relevant to our response based upon how the General Plan attempts to frame the Fire District's intentions and plans. The Fire District has made its primary commitment to serving the residents of Belle Haven and we believe we can adequately serve the proposed project (Belle Haven and M2) from this strategic location.

That said, the Fire District has Fire Stations that are over 60 years old and in need of replacement. We would not propose enlarging, or a new facility, in a 20 year old building if it wasn't for the significant impacts being proposed under the General Plan update and other proposed development, including the Facebook West Campus expansion plans. Nor would we look at other locations if we had received a different reception from the City.

#### 4.12.1.2 – Impact Discussion

*PS-1 "Implementation of the proposed project would not result in the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives".*

**This statement is incorrect.** The City of Menlo Park increased the FAR and lifted the building height cap from three stories starting with the Gateway project. The General Plan update only further increases that growth, density and height. This area is already currently in the middle of a building boom with project after project involving roadwork, underground work, demolition and significant amounts of re-construction and new more dense development.

The Fire District's need to enlarge, rebuild or even build a new facility should not be dictated by an EIR which has erroneous and incomplete information and appears to be attempting to put narrow environmental issues ahead of our ability to provide adequate public safety services for this project and the community..

The conclusion that the impact of the General Plan on fire services is less than significant is wrong because it is based on incomplete and inaccurate information and analysis. As stated above in Section 1, the conclusion is based on the payment of the fire services impact fee - "payment of impact fees would ensure that the adoption of the proposed project would result in *less-than-significant* impacts" (p. 4.12-12).

The assumed payment of the fee cannot be supported without a General Plan policy or mitigation measure requiring the fee payment. The analysis is incomplete because it fails to address impacts due to increased service population and building heights resulting from development allowed under the General Plan. The General Plan will result in an increase in service population of at least 11,570 residents and 5,500 employees due to changes in the M-2 zoning (EIR, Project Description, Section 3.7.2.2). The EIR fails to analyze the impacts on fire services of this large increase in service population.

*PS-2” Implementation of the proposed project, in combination with past, present and reasonably foreseeable projects, **would result** in less-than- significant cumulative impacts with respect to **fire protection services”.***

*PS-4” Implementation of the proposed project, in combination with past, present and reasonably foreseeable projects, **would not result** in less- than-significant cumulative impacts with respect to **police services”.***

There seems to be some disparity between the Cities Police Department and the Fire District according to the report. The Fire District, like the Cities Police Department, has identified that it would need more personnel and apparatus to adequately serve the eastern side, or hard to serve portion of the District based upon the growth proposed in the General Plan update. We completely agree with the City and Police Department on this point and would expect to not be treated differently.

The EIR should identify the number of additional fire safety personnel needed to serve this new population and maintain the current Fire District standard of .87 fire safety personnel per 1,000 service. The increase in number of fire safety personnel due to the Project is at least 12. The impacts of this increase in fire safety personnel will include expansion of Fire Stations to house new crews, which would likely occur at Station 77. The increase in permitted building height will require the addition of an aerial ladder truck east of 101 which cannot be accommodated in Station 77 as currently configured. So, the Project causes all of these impacts, including the need to rebuild and expand Fire Station 77, which must be mitigated. The EIR fails to analyze these impacts and require mitigation.

#### 4.12-7 – Capital Improvements:

The EIR states that the Fire District has an unfunded amount for capital improvement projects of \$29 Million which will be met, in part, by the imposition of a fire services impact fee on new development. The EIR states the City adoption of the impact fee under the Fire District Board approved Fee Study “is anticipated prior to the approval of the proposed project [and] all new development applicants in the MPFPD service area will be required to pay applicable impact fees.” However, per the Fire District Board approved 2016 Fee Study the Fire District has \$82,089,500 of capital purchases over the next 20 years\*, not \$29 million. As of June 30, 2016 the Fire District’s reserve balance available to fund these capital expenditures is only \$26,085,000.

The assumption that the impact fee will be adopted and paid is unfounded given the lack of a mandatory General Plan policy or mitigation measure (see discussion above in Section 1).

\*Per table 2 and 3 of the 2016 Fee Study. Costs are based on 2016 dollars and exclude annual inflation, escalation costs and amounts paid after February 2016.

**Table 3**  
**Capital Improvements Needed to Service New Development and Cost Allocations**  
**2016 Fire Protection Fee Nexus Study - MPFPD**

Facilities	Net Cost to District	Percent of Cost Allocated to New Development	Cost Allocated to New Development	Remaining Portion to be Offset by Other Funding Sources
Admin. & Fire Prevention	\$0	0%	\$0	\$0
Station 1 & Training Facility	\$13,003,500	0%	\$0	\$13,003,500
Station 2	\$4,363,400	0%	\$0	\$4,363,400
Station 3	\$6,292,800	0%	\$0	\$6,292,800
Station 4	\$10,068,500	50%	\$5,034,250	\$5,034,250
Station 5	\$6,292,800	0%	\$0	\$6,292,800
Station 6	\$9,600,000	0%	\$0	\$9,600,000
Station 77	\$10,068,500	50%	\$5,034,250	\$5,034,250
Station 77 Ancillary Bldgs	\$1,000,000	0%	\$0	\$1,000,000
<b>Subtotal</b>	<b>\$60,689,500</b>	<b>17%</b>	<b>\$10,068,500</b>	<b>\$50,621,000</b>

**Apparatus & Equipment (# of items)**

Fire Engine (14)	\$8,330,000	0%	\$0	\$8,330,000
Ladder Truck (3)	\$5,100,000	0%	\$0	\$5,100,000
Ladder Truck (1)	\$1,700,000	100%	\$1,700,000	\$0
Squad (1)	\$300,000	100%	\$300,000	\$0
Patrol Pumper (4)	\$780,000	0%	\$0	\$780,000
BC Command Vehicle (3)	\$330,000	0%	\$0	\$330,000
Airboat (2)	\$160,000	0%	\$0	\$160,000
Other Vehicles and Equipment	\$4,700,000	0%	\$0	\$4,700,000
<b>Subtotal</b>	<b>\$21,400,000</b>	<b>9%</b>	<b>\$2,000,000</b>	<b>\$19,400,000</b>

**Grand Total** **\$82,089,500** **15%** **\$12,068,500** **\$70,021,000**

(#) Indicates the quantity to be purchased over the next 20 years which includes replacement per the District's replacement schedule.

Source: Menlo Park Fire Protection District

**Table 2**  
**2015-2035 Capital Improvement Plan Summary - 2015 Dollars**  
**2016 Fire Protection Fee Nexus Study - MPFPD**

Capital Improvement Plan Summary- 2015 Forecasted Expenditures									
Facility	2015-16	2016-17	2017-18	2018-19	2019-20	2020-25	2025-30	2030-35	Total
<b>Buildings</b>									
Admin. & Fire Prevention	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Station 1 & Training Facility	\$0	\$75,000	\$250,000	\$3,000,000	\$5,000,000	\$4,678,472	\$0	\$0	\$13,003,500
Station 2	\$4,363,422	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$4,363,400
Station 3	\$0	\$0	\$0	\$0	\$0	\$0	\$1,000,000	\$5,292,842	\$6,292,800
Station 4	\$0	\$0	\$0	\$0	\$75,000	\$9,993,548	\$0	\$0	\$10,068,500
Station 5	\$0	\$0	\$0	\$0	\$0	\$0	\$6,292,842	\$0	\$6,292,800
Station 6	\$1,500,000	\$3,300,000	\$3,300,000	\$1,500,000	\$0	\$0	\$0	\$0	\$9,600,000
Station 77	\$0	\$0	\$0	\$0	\$0	\$0	\$10,068,548	\$0	\$10,068,500
Station 77 Ancillary Bldgs	\$0	\$0	\$0	\$0	\$0	\$0	\$1,000,000	\$0	\$1,000,000
<b>Subtotal</b>	<b>\$5,863,422</b>	<b>\$3,375,000</b>	<b>\$3,550,000</b>	<b>\$4,500,000</b>	<b>\$5,075,000</b>	<b>\$14,672,020</b>	<b>\$12,068,548</b>	<b>\$11,585,684</b>	<b>\$60,689,500</b>
<b>Apparatus</b>									
Fire Engine	\$595,000	\$0	\$1,190,000	\$1,190,000	\$0	\$1,190,000	\$2,975,000	\$1,190,000	\$8,330,000
Ladder Truck	\$0	\$0	\$0	\$1,700,000	\$0	\$0	\$0	\$3,400,000	\$5,100,000
Ladder Truck (New)	\$0	\$0	\$0	\$1,700,000	\$0	\$0	\$0	\$0	\$1,700,000
Squad (New)	\$0	\$0	\$0	\$0	\$0	\$0	\$300,000	\$0	\$300,000
Patrol Pumper	\$190,000	\$0	\$0	\$200,000	\$0	\$0	\$0	\$390,000	\$780,000
BC Command Vehicle	\$0	\$0	\$0	\$110,000	\$0	\$0	\$110,000	\$110,000	\$330,000
Airboat	\$0	\$0	\$0	\$0	\$80,000	\$0	\$0	\$80,000	\$160,000
Other Vehicles and Equip.	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$1,000,000	\$1,400,000	\$1,300,000	\$4,700,000
<b>Subtotal</b>	<b>\$985,000</b>	<b>\$200,000</b>	<b>\$1,390,000</b>	<b>\$5,100,000</b>	<b>\$280,000</b>	<b>\$2,190,000</b>	<b>\$4,785,000</b>	<b>\$6,470,000</b>	<b>\$21,400,000</b>
<b>Grand Total</b>	<b>\$6,848,422</b>	<b>\$3,575,000</b>	<b>\$4,940,000</b>	<b>\$9,600,000</b>	<b>\$5,355,000</b>	<b>\$16,862,020</b>	<b>\$16,853,548</b>	<b>\$18,055,684</b>	<b>\$82,089,500</b>

Source: Menlo Park Fire Protection District.

**4.12-8 - Impact Discussion.**

The impact also includes more operational permits, hazardous materials permits and management, annual inspections, construction permits and inspections. The fee schedule is primarily for the cost recovery of the construction services only, of which higher demand requires staff, equipment and facilities. Therefore impact fees are needed for the impact to general Fire District operations.

#### 4.12-12 – 4.12.-13

The EIR improperly analyzes the cumulative impact of the Project. The conclusion that the cumulative impact is less than significant is wrong because it is based on incomplete and inaccurate information and analysis. The cumulative analysis is incorrect because it does not include all the proposed future development within the Fire District's jurisdiction outside the City. In particular, the EIR does not consider the significant future development planned under the General Plan Update and Ravenswood and 4 Corners Project in the City of East Palo Alto, and the North Fair Oaks Community Plan in the County of San Mateo.

The EIR fails to consider the substantial increase in service population within the District's jurisdiction caused by the combination of development within the City and these other jurisdictions. In order to properly analyze the cumulative impacts, the EIR must calculate the increase in service population and identify the number of additional fire safety personnel needed to serve this new population and maintain the current Fire District standard of .87 fire safety personnel per 1,000 service population.

The substantial increase in service population will result in the need to hire new fire safety personnel, which, in turn, will create the need to expand Fire Stations to house new crews, and other impacts. The cumulative development is also defective because it contains the same flaw of relying on the payment of fire services impact fees to support the less than significant conclusion. As discussed in detail above, the payment of the fee cannot be supported without a General Plan policy or mitigation measure requiring the fee payment. Therefore, the EIR needs to be revised to properly analyze the significant cumulative impacts and include mitigation measures to address those impacts.

#### 5. General Comments on EIR

The Fire District has the following general comments on the EIR:

##### Policy CIRC-1.6: Emergency Response Routes:

These routes have already been adopted by the Fire Board. We would be happy to discuss them with our law enforcement partners but our deployment models, unit configurations and staffing models are dramatically different. There is a significant difference between a police vehicle and a ladder truck when it comes to size, weight, maneuverability, strategic positioning and purpose. The EIR should properly address this.

##### Policy CIRC-2.14: Impacts of New Development::

The Fire District should be consulted on any roadway modifications, specifically if it slows or impacts response times. Fire Engines are 9.5 ft. wide from mirror to mirror and the Ladder Truck is 10 ft. wide from mirror to mirror. Roadways should not be smaller than 10 ft. per lane and fire equipment can be damaged by certain control devices.

##### Policy CIRC-3.3: Emerging Transportation Technology:

The Fire District is already using traffic pre-emption technology. It is helpful unless traffic congestion is at grid-lock conditions. We support any new traffic signals being paid for by the project or General Plan update..

The Fire District recently received authorization from the Federal Aviation Administration (FAA) to fly Drones and is planning to use them operating out of a proposed Aerial Port from Fire Station 77. They will travel over the Dumbarton Rail Line and major roadways for primary and first response within three years to gain situational awareness over certain types of emergencies.

Policy S-1.38: Fire Resistant Design:

The Fire District supports fire resistant design including early detection and suppression using sprinkler systems.

6. Comments on General Plan Goals, Policies and Programs

The Fire District staff has worked with the City staff on goals, policies and programs in the General Plan to address impacts on emergency and fire services. However, some of these policies and programs still need to be revised to address Fire District concerns. The Fire District asks that the Council direct City staff to work with the Fire District to address these issues. Revisions to General Plan policies may address some of the EIR issues raised in this letter. Policies with enforceable mandates may be the basis for finding an impact less than significant in lieu of adopting a mitigation measure.

*HAZ-2 Implementation of the proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.*

*HYDRO-9 Implementation of the proposed project would not expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of a levee or dam break or flooding as a result of sea level rise*

The Fire District is not the development and planning arm of the City but it is responsible for emergency response and consequence management. The decision to re-zone areas to combine high density residential occupancies is of significant concern to the Fire District, especially in a flood inundation zone and on Haven Avenue where one side of the street is actually in Redwood City.

7. Conclusion

The continued provision of a high level of fire and emergency services for the new development proposed under the General Plan is a goal that the Fire District and the City should share. Therefore, the impacts of new development on the Fire District must be completely addressed. The Fire District appreciates the City's consideration of these EIR comments on this important project. The Fire District, as a fellow public agency and a responsible agency under CEQA, looks forward to working with the City to ensure that the impacts on the Fire District are fully addressed and mitigated in the EIR.

Sincerely,

Harold Schapelhouman, Fire Chief

cc: Mayor and Honorable Member of City Council, Fire Board, Staff and file