



100 Years of Service

Menlo Park Fire Protection District

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July 11, 2016

Kyle Perata
Senior Planner
Community Development Department
City of Menlo Park
701 Laurel Street
Menlo Park, CA
email - ktperata@menlopark.org

Re: Comments on Facebook Campus Expansion Project EIR

Dear Mr. Perata:

We appreciate the opportunity to provide comments on the Environmental Impact Report (EIR) for the Facebook Campus Expansion Project (Project). As the fire and emergency services provider in the City, it is critical that the impacts of the Project on the Menlo Park Fire Protection District (Fire District) be properly analyzed and mitigated. As we understand it, the proposed Project will result in an increase of 298,000 building square footage over existing conditions, a FAR of 52% and an increase of building heights to 75 feet for the Project site. It also will lead to a significant increase in service population that the Fire District serves – approximately 3000 additional persons for building 22, 3,550 additional persons for building 23 and a 200 room hotel with support staff and guests, which is an increase in daytime population – with a total of up to 6,550 persons, or more.

The Project is located adjacent to Station 77 and will have a significant traffic impact on Chilco Street which is the primary street for Station 77, which uses it for ingress and egress. In addition, the combination of the Project and the proposed increased development in the other jurisdictions served by the Fire District, will have a significant cumulative impact that must be analyzed and mitigated in the EIR. This cumulative impact is caused by the projects and plans being proposed in the other jurisdictions including the Menlo Park General Plan Update and M-2 Rezoning (ConnectMenlo), the East Palo Alto General Plan Update, the Menlo Park Downtown Specific Plan, and the North Fair Oaks Plan in San Mateo County.

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 payment of a fire and emergency services impact fee. The Project’s payment of the impact fee adopted by the Fire District Board (whether or not it is adopted by Menlo Park) must be required as a mitigation measure in order to support the conclusion that the impact is less than significant. If not, the impact to the Fire District must be identified as significant and unavoidable in the EIR; (2) the significant and unavoidable traffic impacts identified in the EIR will have a substantial adverse impact on emergency access routes, especially those routes used by Station 77, which needs to be analyzed and mitigated; and (3) the EIR should analyze whether there is adequate water

storage for meeting emergency demands and collaborate with the Cities of Menlo Park, East Palo Alto and the Fire District to improve public safety. These impacts need to be adequately addressed and mitigated in the EIR.

1. Impact on Emergency and Fire Services Requires Payment of Impact Fee

The EIR concludes that the project and cumulative impact to emergency and fire services will be *“less than significant”* based on the Project’s payment of an emergency and fire services impact fee. However, although the impact fee was adopted by the Fire District Board in February 2016, **the impact fee has not been adopted by the City of Menlo Park.** It also is unclear at this time whether and when Menlo Park will adopt the fee. Since the EIR assumed the impact fee would be paid by the Project to support its less than significant conclusion, then the payment of the fee adopted by the Fire Board must be required as a mitigation measure **or Facebook should enter into an agreement with the Fire District to pay the impact fee.** If the Project is not required to pay the impact fee, then the EIR should be revised and recirculated to identify the impact on fire services as significant and unavoidable.

2. Significant Traffic Impacts on Emergency Access Routes

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 Project and cumulative projects. The EIR identifies numerous significant impacts on roadways that are critical emergency service routes for the Fire District, including on Chilco Street at its intersection with Bayfront Expressway, Hamilton Avenue and Constitution Drive. Under certain scenarios in the EIR, impacts to emergency service routes (including Chilco Street) cannot be mitigated and are identified as significant and unavoidable.

The EIR does not properly analyze the effect of severe roadway congestion on emergency access routes on the provision of emergency and fire services. The EIR should properly disclose and analyze these impacts. Increased congestion on emergency access routes will adversely affect response times for emergency vehicles placing life and property in danger. In addition, the City should consider and consult with the Fire District on feasible mitigation measures to address the traffic impacts on emergency access routes. For example, changes in street design and potential new alternative emergency response routes are mitigation measures that the City and applicant should consider to address these significant impacts.

While Opticom Emergency Vehicle Traffic Pre-Emption has been installed, it is only effective and helpful when the traffic conditions do NOT reach a level of significant congestion. A traffic signal should be evaluated on Chilco Street at Fire Station 77, for emergency vehicles only, to allow proper traffic queuing so the emergency apparatus can exit the Station on Chilco. Traffic regularly backs up in front of the Fire Station on week day afternoons, from the Hamilton interchange, blocking the front access ramp and slowing emergency response.

- P. 2.10 – Bicycle/Pedestrian Circulation

Bicycle/pedestrian paths, used for public purposes, should be wide enough and strong enough to support emergency vehicles. Improvements to the current network along Bayfront Expressway would assist first responders, who already use these paths, when traffic conditions create gridlock, as a parallel alternatives to Bayfront Expressway. Reference the Bay Trail Plan 3.1-4.

The proposed bicycle bridge, crossing over Bayfront Expressway, should be designed with adequate width and intermittent stairways to the ground level for emergency access purposes. The bridge as shown, would present a challenge for first responders during an emergency, and could create a delayed emergency response, based upon the number and type of access points.

3. Impacts of Sea Level Rise, Flooding and Water Supply on Fire Services

The EIR properly analyzes the potential of Sea Level Rise and Flooding, but falls short on mitigation and threat, or risk analysis. The Fire District is responsible for water rescue operations in the District. The elevated platform construction works well to protect occupants from the direct impacts of flooding, but all supporting ground based systems such as emergency generators, pumps, electrical panels and other critical infrastructure items should be protected and elevated to prevent potential failure of primary and secondary building systems.

The EIR properly analyzes the improved water supply system, flows and pressures but fails to identify that the City and community have water storage challenges that the Fire District believes could be collaboratively addressed by Facebook, the City and the Fire District.

Water storage could also benefit the City of East Palo Alto and serve as the source of an emergency water supply for Facebook and the community. This would be a significant private/public partnership with the community.

4. Hazardous Materials.

Page 4.7.1.1- Under CA Environmental Protection Agency. California ~~Uniform~~ Fire Code: Hazardous Material Management Plans and Inventory Statements and Hazardous Materials Management Plan Businesses that store hazardous materials in excess of specified quantities of the CA Fire Code must report their chemical inventories to the Menlo Park Fire Protection District and obtain an annual operating permit for storage and use of hazardous materials.

California Health and Safety Code and Code of Regulations CA Building and Fire Code
California Fire Code (CFC) is Part 9 of CCR Title 24. The City Building Official ensures that new and existing structures adhere to pertinent portions of the Building and Fire Codes. The Menlo Park Fire Protection District ensures that new and existing structures adhere to pertinent portions of the CA Building and Fire Codes in construction, issuance of annual occupancy permits, hazardous materials management, and maintaining Title 19 State mandated inspections.

Underground Storage Tanks - Businesses that store hazardous materials in excess of specified quantities must report their chemical inventories to SMCEHD and MPFPD, which oversees removal activities to identify evidence of leakage, safety and proper disposal.

Above Ground Storage Tanks - Inspections and permits are required for facilities storing hazardous materials in ASTs by SMCEHD and MPFPD.

5. General Comments on EIR

The Fire District has the following general comments on the EIR which are organized by Chapter.

3.13 Public Services

- Overall, the EIR should address the issues raised and the information provided in the Fire District comment letter on the Notice of Preparation dated July 20, 2015 (“NOP Letter”).

- p. 3.13-4 – The discussion of response times should reference the time based performance standards adopted by the Fire District Board in Resolution 1818 dated September 15, 2015.

- p. 3.13-5 – Please provide any updated information from the City on whether and when it will adopt the emergency and fire services impact fee.

- p. 3.13-13 – 3.13-14 – The 4 new fire safety employees necessitated by the Project would not be housed in Fire Station 2 and Fire Station 6. Instead, they would need to be housed by increasing the staffing at Fire Station 77, which is the Fire Station adjacent to the Project.

Fire Station 77 is too small to accommodate additional staff, so it would need to be rebuilt. **Therefore, the EIR statement that the new fire safety employees would be accommodated in Fire Stations 2 and 6 and no station expansion would be required is wrong.** The EIR should be revised to state that Fire Station 77 would need to be expanded and rebuilt to accommodate the demand created by the Project. The rebuilding of Station 77 is an impact of the Project. Therefore, the Project should address the funding needed for rebuilding Fire Station 77.

As you know, the Fire District does not own the Station property, the City does. The District has asked the City to sell the property to the Fire District three times over three years with no success. The Fire District is now requesting that a new land lease agreement be created extending the term from the current 55 year agreement, of which 20 years has already elapsed, to a term well beyond the remaining 30 years of the existing land lease agreement. The Fire District is seeking this extension with the intent of enlarging the existing facility that was built to accommodate the M-2 when the 3 story height limitation and lower floor area ratio (FAR) was representative of the times, some twenty years ago.

- p. 3.13-13- 3.13-14 - The EIR is incorrect that the City would likely approve a fire station expansion under a CEQA categorical exemption. The City required a mitigated negative declaration for the expansion and rebuilding of Station 6 which identified some significant impacts and took several years to process.

- p. 3.13-18 – 3.13-20 - The analysis of cumulative fire services impacts is improper. In its NOP letter, the Fire District set forth projects that should be included in the cumulative analysis and how the cumulative analysis should be done. The EIR did not incorporate the NOP comments. The EIR does not identify the number of new fire safety personnel that are needed to accommodate the substantial growth in service population within the Fire District by 2040 – approximately 24,000 people which is a 22.6% increase from the current service population. The number of new safety personnel needed to accommodate a 24,000 increase in service population would be 20.4. This number cannot be accommodated in existing Fire Stations. Therefore, a number of Fire Stations will need to be expanded and rebuilt, including Station 77. So, the EIR is wrong when it states that the additional personnel can be accommodated in the new Fire Stations 2 or 6.

- p. 3.13-19 - The EIR is also incorrect to state that the additional demand on fire services will be mitigated by the payment of a fire services impact fee. As discussed above in Section 1, the EIR and City ordinances do not require the payment of a fire services impact fee. It is unclear whether or when the City or the other jurisdictions within the Fire District's service area will adopt the impact fee adopted by the Fire District Board. In the absence of an impact fee adopted by the City, the EIR should include a mitigation measure requiring the Project and future City projects to pay the fire services impact fee adopted by the Fire District Board.

3.14 Utilities and Service Systems

- p. 3.14-17 – Natural Gas and Electricity – The Fire District does not support the proposed undergrounding of the primary distribution PG&E power lines located along Bayfront Expressway. While

aesthetically and visually displeasing, undergrounding these lines could present a risk to Fire personnel during an emergency, specifically due to the low water table and seismic soils risk profile.

6. Conclusion

The continued provision of a high level of fire and emergency services for the Project is a goal of the Fire District, the City and Facebook should share. Therefore, the impacts of the Project and cumulative development on the Fire District must be completely addressed and mitigated.

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 and Facebook to ensure that the Project's impacts on the Fire District and the community's public safety are fully addressed and mitigated in the EIR.

Sincerely,

Harold Schapelhouman, Fire Chief

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