



February 11, 2020

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Mayor Cecilia Taylor and City Council Members
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025
Via Email

Re: Facebook Hotel Project, Water Supply Assessment for Facebook Campus Expansion Project, and Water Supply Evaluation for ConnectMenlo General Plan Update.

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Dear Mayor Taylor and Council Members:

In light of the State Water Resources Control Board's amendments to the Bay Delta Water Quality Control Plan, and the SFPUC's extremely conservative drought planning policy, the City of Menlo Park must revise the Water Supply Assessment (WSA) for the Facebook Campus Expansion Project and the Water Supply Evaluation (WSE) for the ConnectMenlo General Plan Update. The current WSA and WSE were prepared on February 3, 2016. The State Water Resources Control Board adopted new instream flow standards for the Tuolumne River (which fills the Hetch Hetchy Reservoir) and other rivers on December 12, 2018.

The Facebook Hotel Project at 301 Constitution Drive is part of the Facebook Campus Expansion Project. The staff report for the Project (20-029-CC)¹ states:

Environmental Review

In November 2016, the City Council certified an EIR (consisting of a draft EIR and response to comments document, referred to as the final EIR) for the Facebook campus expansion project. When revisions are proposed to a project after an EIR has been certified, an agency must determine whether an addendum or a supplemental EIR is the appropriate document to analyze the potential impacts of the revised project. Per CEQA Guidelines Section 15162(a), a supplemental EIR is required if:

2. Substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

¹ Staff report for the Facebook Hotel Project (20-029-CC), page 7 –

https://www.menlopark.org/DocumentCenter/View/24177/I1-20200211-CC-CitizenM-Hotel_AMENDED?bidId=

The Staff Report goes on to say:

Furthermore, since certification of the EIR, there have been no substantial changes with respect to background conditions that would suggest that the circumstances under which the proposed project would be undertaken would be substantially different from those assumed or described in the certified EIR.²

This is not the case. A robust WSA is a required component of the environmental review process for large development projects. In response to the Bay Delta Plan Amendment, the San Francisco Planning Department required the San Francisco Public Utilities Commission (SFPUC) to revise several previously-approved WSAs for large development projects in San Francisco's retail service area. Attached is an example of one such revised WSA for the 598 Brannan Street Project.³

The SFPUC describes the need for revised WSAs as follows:

Staff has prepared the attached Revised WSA to account for potential changes to water supply availability related to the December 12, 2018 Bay-Delta Plan Amendment.

Following the Commission's adoption of the original WSA for this project, the State Water Resources Control Board on December 12, 2018 adopted amendments to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan Amendment). If the Bay-Delta Plan Amendment were to be implemented, it would result in significant water supply shortages during single dry and multiple dry years, greater than those projected in the 2015 Urban Water Management Plan (UWMP).

The SFPUC describes the adequacy of water supply for future projects as follows:

For these and other reasons described more fully in the attached WSA, whether the Bay-Delta Plan Amendment or the March 1st Proposed Voluntary Agreement will be implemented in the future is currently uncertain. Thus, the Revised WSA analyzes three scenarios:

1. Scenario 1: No implementation of the Bay-Delta Plan Amendment or the March 1st Proposed Voluntary Agreement
2. Scenario 2: Implementation of the March 1st Proposed Voluntary Agreement
3. Scenario 3: Implementation of the Bay-Delta Plan Amendment

During single dry years and multiple dry years under Scenario 3, the SFPUC could not reliably meet the projected demands of its retail customers, including the proposed project, existing customers, and foreseeable future development, without rationing at a level greater than that required to achieve the LOS goal of a maximum of 20% system-wide rationing beyond 2020. The SFPUC estimates it would impose up to 50% rationing across the retail

² Ibid, p. 8.

³ *Revised Water Supply Assessment for the 598 Brannan Street Project*, SFPUC, May 28, 2019 – <https://sfpub.sharefile.com/share/view/s41b7a16b1264836a>

service area, up to 30% rationing for mixed-used office customers such as the proposed project, and potentially less rationing specifically for the proposed project.

For the record, the Tuolumne River Trust (TRT) does not support the SFPUC's drought planning policy, known as the "Design Drought." It combines the two worst droughts from the last century – the six-year drought of record (1987-92), followed immediately by the driest two-year period on record (1976/77). The SFPUC assumes every year is either the beginning or middle of this 8.5-year Design Drought, resulting in much higher projected rationing than under a realistic scenario. Furthermore, the Design Drought assumes water demand in the SFPUC service area (including Menlo Park) will reach 265 million gallons per day (mgd) by 2040, despite the fact that the SFPUC's 10-Year Financial Plan projects a decrease in water sales over the next 10 years. In Fiscal Year 2018/19, regional demand was 192 mgd – 27% below the 265 mgd "projection."

The City of Menlo Park, on the other hand, has accepted the SFPUC's drought planning policy, as demonstrated by the attached letter commenting on the Draft Substitute Environmental Document (SED) for the Bay Delta Water Quality Control Plan.⁴ Among other things, the letter states:

- As a wholesale customer of SFPUC that purchases 100% of its potable water supply from the San Francisco Regional Water System, water supply available to the MPMWD under the SED proposal could be reduced more than 50% under drought conditions for multiple consecutive years.
- Based on our 2015 Urban Water Management Plan, a 50% cut to water supply would force MPMWD to take a number of significant actions including developing water budgets for all water accounts and notifying account holders, and not approving new potable water connections, new temporary meters or permanent meters, except under special circumstances.

The City of Menlo Park must revise the Water Supply Assessment for the Facebook Campus Expansion Project and the Water Supply Evaluation for the ConnectMenlo General Plan Update to address the potential environmental impacts outlined in its Draft SED comment letter.

Thank you for the opportunity to comment. If you have any questions, please feel free to contact me at peter@tuolumne.org or 415-882-7252 x13.

Sincerely,



Peter Drekmeier
Policy Director

⁴ City of Menlo Park comment letter – 2016 Bay-Delta Plan Amendment & SED, March 3, 2017.