Exhibit 1

CITY OF MOUNTAIN VIEW
ENVIRONMENTAL PLANNING COMMISSION
RESOLUTION NO.
SERIES 2020

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL CERTIFY THE RESIDENCES @ SHORELINE GATEWAY PROJECT ENVIRONMENTAL IMPACT REPORT (EIR) AND ADOPTING CEQA FINDINGS, INCLUDING MITIGATION MEASURES, AND A MITIGATION MONITORING OR REPORTING PROGRAM

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000, *et seq.*, the City has prepared an EIR for the Residences @ Shoreline Gateway Project located at 1001 North Shoreline Boulevard (hereinafter "Project"); and

WHEREAS, the City of Mountain View prepared and circulated a Draft EIR for the requisite 45-day public comment period, which ended on November 11, 2019, and gave all public notices in the manner and at the times required by law; and

WHEREAS, the response to comments and EIR text revisions, together with the Draft EIR, comprise the Final EIR and were made available to the public on January 13, 2020; and

WHEREAS, the Environmental Planning Commission held a public hearing on May 6, 2020 on said Project, and recommended approval to the City Council subject to the required findings; and

WHEREAS, the Final EIR identifies certain significant effects on the environment that would result from the implementation of the proposed Project; and

WHEREAS, the Final EIR identifies mitigation measures which, when implemented, will substantially lessen or avoid the significant effects on the environment caused by the proposed Project; and

WHEREAS, the Final EIR identifies and analyzes a reasonable range of alternatives to the proposed Project; and

WHEREAS, the Final EIR, and the Mitigation Monitoring or Reporting Program has been prepared pursuant to CEQA to monitor the Project and in order to mitigate or avoid significant effects on the environment;

NOW, THEREFORE, BE IT RESOLVED that the Environmental Planning Commission of the City of Mountain View hereby recommends that the City Council:

1. Certify that the Final EIR, attached hereto as Attachment A, has been completed in compliance with CEQA and reflects the independent judgment and analysis of the City; and

2. Adopt all of the feasible mitigation measures identified and described in the Final EIR, and determine that the Project, as mitigated, will avoid or reduce all of the significant adverse impacts to a less-than-significant level; and

3. Adopt a Mitigation Monitoring or Reporting Program for the Project, attached hereto as Attachment B; and

4. Finds that the alternatives identified and analyzed in the Final EIR cannot achieve the Project objectives to the same degree as the proposed Project, and that the off-site location alternatives were infeasible and are, therefore, rejected for further analysis, within the meaning of CEQA, in favor of the proposed Project; and

5. Adopt the CEQA findings for the Project, attached hereto as Attachment C.

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DP/2/CDD
807-03-18-20epcr-1

Attachments: A. Final EIR
B. Mitigation Monitoring or Reporting Program
C. CEQA Findings

CHAPTER 1
Introduction

1.1 Purpose of this Document

This Final Environmental Impact Report (Final EIR) document includes all agency and public comments received on the Draft Environmental Impact Report (Draft EIR, SCH #2018092028) for the Residences @ Shoreline Gateway Project (Project) pursuant to the requirements of the California Environmental Quality Act (CEQA). Persons and agencies who reviewed the Draft EIR were invited to submit written comments to the City of Mountain View during the publicly noticed 45-day public noticed comment period from September 26, 2019 through November 12, 2019.

Section 15088(a) of the CEQA Guidelines states that:

> "The lead agency shall evaluate comments on environmental issues received from persons who reviewed the Draft EIR and shall prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments."

The City of Mountain View received no comments on the Draft EIR for the Project. Therefore, this Final EIR is comprised of the Draft EIR and Appendices, acknowledgement letters from the Santa Clara County Clerk-Recorder and the State Clearinghouse and Planning Unit, and the Mitigation and Monitoring and Report Program in Chapter 2. This Final EIR document has been prepared in accordance with CEQA, and will be used by the decision-makers during project hearings.

1.2 Summary of Project

The Project is in the north central portion of the City of Mountain View in the Moffett/Whisman Planning Area. The Project site is a total of 7.81 acres in size and is bounded by North Shoreline Boulevard on the west, Terra Bella Avenue on the south, Linda Vista Avenue on the east, and U.S. Highway 101 (U.S. 101) on the north. The Project site consists of two parcels (Assessor's Parcel Numbers [APNs] 153-15-032 and 153-15-033, referred to as 1001 North Shoreline Boulevard) at the corner of North Shoreline Boulevard and Terra Bella Avenue. The site is relatively level and slopes gently from south to north, with a ground surface elevation that varies from approximately 36 feet above sea level (asl) along the southern side of the Project site to 30 feet asl near the site's northwestern corner. The overall Project site includes one, 111,443-

square-foot and four-story office building, surface parking lots, landscaping, and private amenity space. The proposed new buildings and associated improvements would be constructed on an approximately 5.84-acre portion of the Project site to the north and east of the existing office building.

The Project would construct a new, seven-story residential structure with approximately 3,000 square feet of ground floor retail, two levels of podium parking and 203 residential units; and a new, seven-story residential structure with two levels of podium parking and 100 residential units. The existing office building would remain at the site; however, associated surface parking, amenity space, and landscaping would be removed. The Project would also include a six-story parking structure to accommodate parking for the existing office building.

The two residential developments would be divided into two separate "blocks" (Block A and Block B). The Block A building would consist of five stories of wood structure above two stories of concrete parking podium, with approximately 244 parking spaces. Residential units in this building would be located on all stories and include up to 203 one-, two-, and three-bedroom units. Approximately 3,000 square feet of retail space would be included on the ground floor of Block A. Parking for the retail space would be provided in 12 dedicated surface parking spaces. The Block B building would consist of five stories of wood structure above two stories of concrete parking podium, with approximately 128 parking spaces. Residential units in this building would include up to 100 units including one-, two-, and three-bedroom units, as well as a limited number of two-level townhome-style units located on the ground level.

Block B would also include a six-level parking garage adjacent to the residential building. This building would provide approximately 359 garage parking spaces to serve the existing office building. The Project would also make available up to 100 spaces within the office garage for residential uses during evenings and weekends, when the office demand would be less and the office garage may be underutilized.

The Project includes an additional 40 surface parking spaces to be shared among office, retail, and residential uses for a total of 783 parking spaces provided on the Project site. The Project would also include building amenities, public and private open space, and landscaping. The Project would install public water and sewer mains on the Project site in joint trenches beneath internal roads as a part of a Capital Improvement Project (CIP) crossing State Highway 101 near North Shoreline Boulevard (Shoreline/101 CIP). Additional on-site utilities would be constructed as needed to connect to existing and/or proposed infrastructure.

The Project includes the removal of approximately 23 trees that meet the City's criteria for Heritage trees, which would be replaced with mitigation trees above the required mitigation ratio of 2:1 (approximately 50 mitigation trees). Approximately 276 total trees are estimated to be on the Project site at the time of Project completion.

The Project would require text and map amendments to the City of Mountain View 2030 General Plan to change the Project site land use designation from *General Industrial* to *Mixed-Use Center*. This would allow the addition of the Project's residential uses in the Moffett/Whisman

Planning Area. The Project also would require associated re-zoning amendments to the City's Zoning Ordinance and Map from *General Industrial* (MM) on the eastern portion of the Project site and *Limited Industrial* (ML) on the western portion of the Project site, to *Planned Community* (P) for the entire site.

1.3 Required Jurisdictional Approvals

City of Mountain View

Project implementation would require a series of interrelated planning and regulatory approvals by the City of Mountain View, as Lead Agency. Specifically, the City is considering taking the following approval actions:

1. **Certification of the Project EIR** pursuant to CEQA;
2. **Approval of associated amendments to the City's 2030 General Plan** to reflect and implement land uses specified for the Project. The applicant has applied for a General Plan amendment to change the land use designation of the site from *General Industrial* to *Mixed-Use Center*;
3. **Approval of associated amendments to the City's Zoning Ordinance map** to reflect and implement zoning districts, development standards, and design criteria specified for the Project. The applicant has applied for a re-zoning of the Project site from *General Industrial* (MM) and *Limited Industrial* (ML) to *Planned Community* (P);
4. **Approval of a Vesting Tentative Subdivision Map.** The applicant has applied for a Vesting Tentative Subdivision Map to create legal parcels for the purpose of subdividing the property and to create lots for common areas, the parking garage, office building, the Block A mixed-use residential and retail building, and for the Block B for sale units.
5. **City of Mountain View Public Works Department** approvals will be required for water and sewer hookups and any upgrades to the backbone water and sewer system; and
6. **Development Agreement.** Although not required, the City and the applicant may elect to enter into a Development Agreement.
7. **Other City approvals that may be required**, such as:
   - Planned Community Permit
   - Development Review Permit;
   - Heritage Tree Removal Permit;
   - Grading permits,
   - Demolition permits,
   - Encroachment permits,
   - Building permits, and
   - Other City approvals as necessary to develop the Project.

The Project and associated General Plan amendment and rezoning would require review and recommendation by the Development Review Committee and Environmental Planning Commission to the City Council, followed by consideration and action by the City Council. This EIR is intended to provide the CEQA-required environmental documentation for use in considering these and any other City approvals required to approve the Project.

Other Governmental Agency Approvals

As the Lead Agency and as appropriate under CEQA, the City also intends this EIR to serve as the CEQA-required environmental documentation for consideration of this Project by other Responsible Agencies and Trustee Agencies which may have limited discretionary authority over the Project. Under the CEQA *Guidelines*, the term "Responsible Agency" includes all public agencies, other than the Lead Agency, which have discretionary approval power over aspects of the project for which the Lead Agency has prepared an EIR (Section 15381); and the term "Trustee Agency" means a state agency having jurisdiction by law over natural resources affected by the project which are held in trust by the people of California (Section 15386).

Responsible Agencies and Trustee Agency approvals for the Project may include, but are not limited to, the following:

Local Agencies

Santa Clara County Department of Environmental Health (DEH) review and permits may be required if wells or soil borings are required (for environmental cleanup, for example), or if abandoned wells or septic tanks are proposed to be destroyed during construction.

The Project site is within the Moffett Federal Airfield Airport Influence Area and Santa Clara County Airport Land Use Commission (SCC ALUC) review and permits may be required.

Regional and State Agencies

1. San Francisco Bay Regional Water Quality Control Board (RWQCB). Required approvals would include:
   - National Pollution Discharge Elimination System (NPDES) General Permit for storm water discharges associated with construction activity,
   - Notice of Intent for construction activities, and
   - Storm Water Pollution Prevention Plan (SWPPP) for on-site storm water management and pollution prevention.
2. Santa Clara Valley Transportation Authority
3. Department of Transportation (Caltrans)
   - Encroachment Permit

4. Santa Clara Valley Water District
5. California Department of Toxic Substances Control (DTSC)

1.4 Public Participation and Review

The City of Mountain View has complied with all noticing and public review requirements of CEQA. This compliance included notification of all responsible and trustee agencies and interested groups, organizations, and individuals that the Draft EIR was available for review (see Appendices A and B). The following list of actions took place during the preparation, distribution, and review of the Draft EIR:

- On September 13, 2018, the City sent a Notice of Preparation (NOP) to the State Clearinghouse (SCH No. 2018092028), responsible and trustee government agencies, organizations, and individuals potentially interested in the Project. The NOP initiated a 30-day period during which residents, stakeholders, and public agencies were invited to submit comments on the scope of topics that should be studied in the EIR. A scoping meeting was held on September 26, 2018, to take comments regarding the scope and content of the Draft EIR. The 30-day scoping period for the Project remained open through October 15, 2018.
- On September 26, 2019, a Notice of Completion (NOC) was filed with the State Clearinghouse to announce the availability of the Draft EIR. Copies of the Draft EIR were distributed to the State Clearinghouse and interested agencies following the requirements of CEQA Guidelines Sections 15085 and 15206. Notices of the Draft EIR's availability were also distributed to interested agencies, organizations, and individuals using the same distribution process as outlined above. The Draft EIR was also published on the City's website and filed at the County Clerk's office. The 45-day public comment period began on September 26, 2019, and ended on November 12, 2019.

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Mitigation Monitoring and Reporting Program

2.1 Introduction

Where a California Environmental Quality Act (CEQA) document has identified significant environmental effects, Public Resources Code Section 21081.6 requires adoption of a "reporting or monitoring program for the changes to the project which it has adopted or made a condition of a project approval to mitigate or avoid significant effects on the environment." A public agency is required to ensure that the measures are fully enforceable, through permit conditions, agreements, or other means (Public Resources Code Section 21081.6(b)). The Mitigation Monitoring and Reporting Program (MMRP) must be designed to ensure project compliance with mitigation measures during project implementation. The City of Mountain View is the lead agency that must adopt the MMRP for development of the Project.

This MMRP has been prepared to provide for the monitoring of mitigation measures required of the Project, as set forth in the Final EIR.

2.2 Format

Table 2-1 below lists all mitigation measures for the Project identified in the EIR. The components of the MMRP include:

Mitigation Measure: This column presents the mitigation measure identified in the EIR.

Implementation Responsibility: This column identifies the person/group responsible for implementation of the migration measure.

Monitoring Responsibility: This column contains an assignment of responsibility for the monitoring and reporting tasks.

Monitoring and Reporting Action: This column refers to the outcome from implementing the mitigation measure.

Mitigation Schedule: The general schedule for conducting each mitigation task, identifying where appropriate both the timing and the frequency of the action.

Verification of Compliance: This column may be used by the lead agency to document the person who verified the implementation of the mitigation measure and the date on which this verification occurred.

2.3 Roles and Responsibilities

The City of Mountain View will oversee monitoring and documenting the implementation of mitigation measures. The Project applicant or its construction contractors is responsible for fully

understanding and effectively implementing all of the mitigation measures contained within this MMRP.

TABLE 2-1
THE RESIDENCES @ SHORELINE GATEWAY MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Monitoring and Reporting Action	Mitigation Schedule	Verification of Compliance
Mitigation Measures Required by the EIR					
Air Quality					
Mitigation Measure AIR-1: Exhaust Emissions Reduction Measures. The Project applicant shall develop a plan demonstrating that the off-road equipment used on-site to construct the Project would achieve a fleet-wide average 77- to 81-percent reduction of DPM, considered as PM_{10} exhaust. One feasible plan to achieve this reduction would include the following: 1. All diesel-powered off-road equipment, larger than 25 horsepower, operating on the site for more than two days continuously shall, at a minimum, meet U.S. EPA particulate matter emissions standards for Tier 3 engines and this equipment shall include CARB-certified Level 3 Diesel Particulate Filters or equivalent. Equipment that meets U.S. EPA Tier 4 standards for particulate matter emissions or use of equipment that is electrically powered or uses non-diesel fuels would also meet this requirement; 2. Use electric-powered building cranes; 3. Use electric-powered portable equipment, which shall include air compressors and welders; and 4. Minimize diesel generator use by providing line power to the construction sites prior to building construction. Note that the construction contractor could use other measures to minimize construction period DPM emission to reduce the estimated cancer risk below the thresholds. The use of equipment that includes Tier 2 engines and CARB-certified Level 3 Diesel Particulate Filters or alternatively-fueled equipment (i.e., non-diesel) could meet this requirement. Alternatively, a combination of measures may be implemented, provided that these measures are approved by the City and demonstrated to reduce community risk impacts to below performance standards of an increased cancer risk of 10 in one million and a localized $PM_{2.5}$ concentration of 0.3 $\mu g/m^3$.	Project Applicant and its contractor(s)	City of Mountain View	**Pre-construction:** Provide each unit's certified tier specification to the City. Verify inclusion of measure in construction plans and contract specifications. **During construction:** Conduct field inspections	**Pre-construction:** Prior to grading permit approvals; **During Construction:** during grading, demolition, and construction activities.	

TABLE 2-1 (CONTINUED)
THE RESIDENCES @ SHORELINE GATEWAY MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Monitoring and Reporting Action	Mitigation Schedule	Verification of Compliance
Mitigation Measures Required by the EIR					
Biological Resources					
Mitigation Measure BIO-1: Special-Status Bat Protection Measures. In coordination with the City, a preconstruction survey for special-status bats shall be conducted by a qualified biologist in advance of tree and structure removal within the Project site to characterize potential bat habitat and identify active roost sites. Should potential roosting habitat or active bat roosts be found in trees and/or structures to be removed under the Project, the following measures shall be implemented: • Removal of trees shall occur when bats are active, approximately between the periods of March 1 to April 15 and August 15 to October 15; outside of bat maternity roosting season (approximately April 16 – August 14) and outside of months of winter torpor (approximately October 16 – February 28), to the extent feasible. • If removal of trees during the periods when bats are active is not feasible and active bat roosts being used for maternity or hibernation purposes are found on or in the immediate vicinity of the Project site where tree and building removal is planned, a no-disturbance buffer of 100 feet shall be established around these roost sites until they are determined to be no longer active by a qualified biologist. A 100-foot no disturbance buffer is a typical protective buffer distance however may be modified by the qualified biologist depending on existing screening around the roost site (such as dense vegetation) as well as the type of construction activity which would occur around the roost site. • The qualified biologist shall be present during tree removal if potential bat roosting habitat or active bat roosts are present. Trees with active roosts shall only be removed when no rain is occurring or is forecast to occur for 3 days and when daytime temperatures are at least 50°F. • Removal of trees with potential bat roosting habitat or active bat roost sites shall follow a two-step removal process: – On the first day of tree removal and under supervision of the qualified biologist, branches and limbs not containing cavities or fissures in which bats could roost, shall be cut only using chainsaws. – On the following day and under the supervision of the qualified biologist, the remainder of the tree may be removed, either using chainsaws or other equipment (e.g., excavator or backhoe).	Project Applicant and its contractor(s), qualified biologist	City of Mountain View	**Pre-construction:** Verify inclusion of measure in construction plans and contract specifications. **During construction:** Conduct field inspections	**Pre-construction:** Prior to grading permit approvals; **During Construction:** Ongoing during grading, demolition, and construction activities.	

TABLE 2-1 (CONTINUED)
THE RESIDENCES @ SHORELINE GATEWAY MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Monitoring and Reporting Action	Mitigation Schedule	Verification of Compliance
Mitigation Measures Required by the EIR					
Cultural and Tribal Cultural Resources					
Mitigation Measure CUL-1: Protocol for Inadvertent Discovery of Archaeological Resources. If indigenous or historic-era archaeological resources are encountered during Project construction activities, all activity within 100 feet of the find shall cease and the find shall be flagged for avoidance. The City and a qualified archaeologist, defined as one meeting the U.S. Secretary of the Interior's Professional Qualifications Standards for Archeology, shall be immediately informed of the discovery. The qualified archaeologist shall inspect the find within 24 hours of discovery and notify the City of their initial assessment. Indigenous archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil (midden) containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. Historic-era materials might include building or structure footings and walls, and deposits of metal, glass, and/or ceramic refuse. If the City determines, based on recommendations from the qualified archaeologist, that the resource may qualify as a historical resource or unique archaeological resource (as defined in CEQA Guidelines Section 15064.5), or a tribal cultural resource (as defined in PRC Section 21074), the resource shall be avoided if feasible. Avoidance means that no activities associated with the Project that may affect cultural resources shall occur within the boundaries of the resource or any defined buffer zones. If avoidance is not feasible, the City of Mountain View shall consult with appropriate Native American tribes (if the resource is indigenous), and other appropriate interested parties to determine treatment measures to avoid, minimize, or mitigate any potential impacts to the resource pursuant to PRC Section 21083.2 and CEQA Guidelines Section 15126.4. This shall include documentation of the resource and may include data recovery or other measures. Treatment for most resources would consist of (but would not be not limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource. The resource and treatment method shall be documented in a professional-level technical report to be filed with the California Historical Resources Information System. Work in the area may commence upon completion of approved treatment and under the direction of the qualified archaeologist.	Project Applicant and its contractor(s), qualified archaeologist, City of Mountain View	City of Mountain View	**During construction:** Conduct field inspections, inspect finds as needed, avoid, minimize, or mitigate as needed.	**During Construction:** during grading, demolition, and construction activities.	

TABLE 2-1 (CONTINUED)
THE RESIDENCES @ SHORELINE GATEWAY MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Monitoring and Reporting Action	Mitigation Schedule	Verification of Compliance
Mitigation Measures Required by the EIR					
Hazards and Hazardous Materials					
Mitigation Measure HAZ-1a: Soil Management Plan and Air Monitoring Plan. Prior to commencement of construction, the Project Applicant shall prepare and obtain Santa Clara County Department of Environmental Health (SCCDEH) written approval of a Soil Management Plan (SMP) and Air Monitoring Plan (AMP) that shall include consideration of the specific protocols and procedures identified below, as guided by the recommendations of the May 8, 2019 Cornerstone Earth Group Peer Review Letter (Appendix I). The specific elements of the SMP and AMP shall be approved by SCCDEH, but shall consider (but not be limited to) the following elements: • Protocols and procedures for determining when soil and air sampling and analytical testing should be performed. • Monitoring of vapors during excavation and grading activities (as guided by the procedures outlined by Cornerstone Earthwork Group in Appendix I and in consultation with SCCDEH). • Segregation and stockpiling of excavated soil in contact with groundwater. This soil shall be placed at a designated, plastic-lined stockpile area, and sampled per Department of Toxic Substances Control's (DTSC's) protocols to determine if soil can be reused onsite or if soil is required to be disposed offsite at a permitted facility. • Protocols for management of ground water discharges during excavation dewatering. Protocols shall be prepared to evaluate water quality and discharge/disposal alternatives. The pumped water shall not be used for onsite dust control or any other on-site use. • Protocols for management of Project site risks during earthwork activities in areas where impacted soil, soil vapor and/or ground water are present or suspected. Worker training requirements, health and safety measures, and soil handling procedures shall be described. • During earthwork excavation activities (trenching approximately 5 feet or deeper) and/or any trench with ponded ground water, daily ambient air samples shall be collected at the Project site perimeter. Ambient air samples shall be collected and analyzed for TCE per the requirements outlined by SCCDEH. If the response action level is exceeded, DEH must be notified within two working days, and specific response actions are required to determine if additional	Project Applicant and its contractor(s)	City of Mountain View, Santa Clara County Department of Environmental Health	**Pre-construction:** Verify inclusion of measure in construction plans and contract specifications. **During construction:** Conduct field inspections	**Pre-construction:** Prior to grading permit approvals; **During Construction:** Ongoing during grading, demolition, and construction activities.	

TABLE 2-1 (CONTINUED)
THE RESIDENCES @ SHORELINE GATEWAY MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Monitoring and Reporting Action	Mitigation Schedule	Verification of Compliance
Mitigation Measures Required by the EIR					
Hazards and Hazardous Materials (cont.)					
mitigation and worker protection measures are necessary. If the above actions levels are not exceeded in the first three days of perimeter air monitoring, the monitoring shall be reduced to one event per work week. • Excavated soils from approximately 5 feet or deeper shall be field-screened for the presence of VOCs. Potentially contaminated soil shall be segregated and stockpiled at a designated, plastic-lined stockpile area for subsequent testing and laboratory analyses to determine if the soil can be reused onsite or if it is required to be disposed offsite at a permitted facility. • Evaluation and documentation of the quality of any soil imported to the Project site shall follow the Information Advisory Clean Imported Fill Material (DTSC, October 2001). Soil containing chemicals exceeding the current residential (unrestricted use) screening levels or typical background concentrations of metals shall not be accepted. • Evaluation of the residual contaminants to determine if they will adversely affect the integrity of below ground utility lines and/or structures (e.g., the potential for corrosion). • Measures to reduce soil vapor and ground water migration through trench backfill and utility conduits. Such measures shall be finalized in conjunction with SCCDEH and will include placement of low-permeability backfill "plugs" at specified intervals onsite and at all locations where the utility trenches extend offsite. In addition, utility conduits that are placed below ground water shall be installed with water-tight fittings to reduce the potential for ground water to migrate into the conduits. • Any removed utility line that is approximately 3 inches or greater in diameter shall be observed for sediment. If sediment is present, it shall be stockpiled as potentially contaminated material and sampled in accordance with the protocols outlined in the SMP. • Prior to the start of any construction activity that involves below ground work (e.g., mass grading, foundation construction, excavating or utility trenching), information regarding Project site risk management procedures (e.g., a copy of the SMP) shall be provided to the Contractors for their review, and each Contractor shall provide such information to its Subcontractors.					

TABLE 2-1 (CONTINUED)
THE RESIDENCES @ SHORELINE GATEWAY MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Monitoring and Reporting Action	Mitigation Schedule	Verification of Compliance
Mitigation Measures Required by the EIR					
Hazards and Hazardous Materials (cont.)					
• The Project Applicant's Environmental Professional shall assist in the implementation of the SMP and shall, at a minimum, perform part-time observation services during excavation, grading and trenching activities. Within 60 days of completion of soil disturbance activities, the Environmental Professional shall prepare a report documenting compliance with the SMP; this report shall be submitted to the City and the SCCDEH. Additionally, prior to the commencement of construction activities, each contractor performing earth work or subsurface work at the Project site shall prepare and submit a Health and Safety Plan (HSP) to the City that addresses the safety and health hazards of each phase of site operations that includes the requirements and procedures for employee protection. Workers conducting site investigation and earthwork activities in areas of contamination shall complete a 40-hour HAZWOPER training course (29 CFR 1910.120 (e)). The contractor shall be responsible for the health and safety of their employees as well as for compliance with all applicable federal, State, and local laws and guidelines. To ensure that the final SMP and AMP are able to consider the most current information regarding the Project site and apply the most up to date and appropriate mitigation methods, SCCDEH will retain final discretion regarding the specific protocols and procedures to be included in the SMP and AMP and implemented at the site.					
Mitigation Measure HAZ-1b: Additional Assessments, Investigations, and/or Remediation. SCCDEH shall be contacted to determine if additional investigation, mitigation and/or remediation is required for PCB contamination detected on-site at a concentration of 0.622 mg/kg at a former transformer pad, exceeding its residential screening level (0.24 mg/kg). SCCDEH shall be contacted regarding elevated PCE concentration in soil vapor detected at soil vapor probe SG-6 in EKI Environment & Water's Phase I/II Environmental Site Assessment dated June 14, 2019 (see Appendix I) to determine if further investigation, mitigation, and/or remediation will be required for this area. If a deep foundation system is proposed, the foundation of the building shall incorporate measures to help reduce the potential for the downward migration of contaminated ground water, if any. These measures shall be identified in the Geotechnical Investigation report and the SMP and implemented as a part of the development plans.	Project Applicant and its contractor(s)	City of Mountain View, Santa Clara County Department of Environmental Health, Regional Water Quality Control Board (as needed)	**Pre-construction:** Verify inclusion of measure in construction plans and contract specifications. **During construction:** Conduct field inspections	**Pre-construction:** Prior to grading permit approvals; **During Construction:** Ongoing during grading, demolition, and construction activities.	

TABLE 2-1 (CONTINUED)
THE RESIDENCES @ SHORELINE GATEWAY MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Monitoring and Reporting Action	Mitigation Schedule	Verification of Compliance
Mitigation Measures Required by the EIR					
Hazards and Hazardous Materials (cont.)					
The Project Applicant shall cooperate with SCCDEH, the San Francisco Regional Water Quality Control Board, and/or any other State or local oversight agency for the on-going investigation and subsequent remediation, if necessary, and implement any further requirements these agencies may have regarding subsurface contamination prior to occupation of the proposed improvements.					
Mitigation Measure HAZ-1c: Vapor Mitigation System. A vapor mitigation system shall be installed for all residential and commercial structures, using the Vapor Intrusion Mitigation Advisory (DTSC, October 2011) as guidance for the design. Prior to obtaining construction-related permits, the Project Applicant shall submit Vapor Intrusion Mitigation System drawings and specifications to the City SCCDEH for their review and written approval. Upon SCCDEH's written approval, these drawings and specifications shall be incorporated into the building permit plans. Within 60 days of completion of construction activities, the Project Applicant shall provide a Vapor Mitigation Completion Report to the City and the SCCDEH. The report shall document installation of the vapor control measures identified in the Vapor Intrusion Mitigation Plan, including final as-built design drawings, and present an Operation, Maintenance and Monitoring Plan. The Project Applicant shall submit SCCDEH written approval of the Vapor Mitigation Completion Report to the City prior to the issuance of any occupancy permit. The Project Applicant shall also provide Institutional Controls and Financial Assurance, or proof that adequate funds are available for long-term maintenance and monitoring of the vapor intrusion mitigation system as required by SCCDEH, with a copy to the City, to ensure that future Project site occupants are not exposed to unacceptable levels of VOC vapors. To ensure that the final vapor mitigation measures are able to consider the most current information regarding the Project site and apply the most up to date and appropriate mitigation methods, SCCDEH will retain final discretion regarding the specific protocols and procedures to be included in the Vapor Intrusion Mitigation System and implemented at the site.	Project Applicant and its contractor(s)	City of Mountain View, Santa Clara County Department of Environmental Health	**Pre-construction:** Verify inclusion of measure in construction plans and contract specifications. **During construction:** Conduct field inspections **Prior to issuance of occupancy permit:** Verify measure is implemented at the site.	**Pre-construction:** Prior to grading permit approvals; **During Construction:** Ongoing during grading, demolition, and construction activities. **Prior to issuance of occupancy permit:** Within 60 days of completion of construction activities.	

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Attachment C

FINDINGS OF FACT

FOR THE

THE RESIDENCES @ SHORELINE GATEWAY PROJECT
ENVIRONMENTAL IMPACT REPORT

MARCH 2020

FINDINGS OF FACT

INTRODUCTION

To support a decision on a project for which an Environmental Impact Report (EIR) is prepared, a lead or responsible agency must prepare written findings of fact (Findings) for each significant effect on the environment identified in the EIR (Section 21081 of the Public Resources Code). The City of Mountain View, as the lead agency, has prepared these Findings for the Residences @ Shoreline Gateway located at 1001 North Shoreline Boulevard. The Findings must be adopted by the Mountain View City Council.

Public Resources Code Section 21081 states that no public agency shall approve or carry out a project for which an EIR that has been certified identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The State California Environmental Quality Act (CEQA) Guidelines (Title 14, California Code of Regulations, Section 15091) lists the possible Findings as follows:

- Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

- Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

- Specific economic, legal, social, technological or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Environmental Impact Report.

CEQA Guidelines Section 15093 further provides:

> (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including regionwide or Statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including regionwide or Statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

PROJECT BACKGROUND AND OVERVIEW

The proposed project would develop the existing surface parking lot with three new buildings for a 7-story, 203 apartment building with 2 levels of podium parking and 3000 square foot of retail space, a 7-story, 100 condominium-unit residential building with 2 levels of podium parking, and a 131,720 square foot 6-level office parking structure.

The project is requesting a General Plan Map Amendment from General Industrial to Mixed Use Center and related General Plan Text Amendment; a Zoning Map Amendment from ML (Limited Industrial) and MM (General Industrial) districts to the P (Planned Community) District; Planned Community Permit and Development Review Permit to construct a 7-story, 203 apartment building with 2 levels of podium parking, a 7-story, 100 condominium-unit residential building with 2 levels of podium parking, and a 131,720 square foot 6-level office parking structure, Heritage Tree Removal Permit to remove 23 Heritage trees, and Vesting Tentative Map for condominium purposes on a 7.81-acre project site

In accordance with CEQA Guidelines, a Notice of Preparation (NOP) was circulated to the public and responsible agencies for input regarding the analysis in the Draft EIR from September 11, 2018 to October 12, 2018, and a public EIR scoping session for the project was held on September 26, 2018. In addition to this meeting that was held to provide scoping information for the Draft EIR, the proposed project has been discussed at several Environmental Planning Commission and City Council Study Sessions when the public also had an opportunity to comment on the project. The Draft EIR was circulated for public review for a 45-day comment period, which commenced on September 26, 2019 and ended on November 11, 2019 (Citation 1).

A Public meeting was held at the EPC on March 18, 2020 to provide a public forum for comments on the Draft EIR and responses to comments. Members of the public, the and EPC provided comments at these meetings relating to environmental issues. No Formal comments were received during the comment period. Minor text revisions to the DEIR are included in the Final EIR.

Some changes t the Final EIR includes the revisions to the DEIR by reference (Citation 2). The Final EIR was made available to the public on January 13, 2020.

RECIRCULATION NOT REQUIRED

An EIR is adequate as long as it provides specific response to all specific questions about significant environmental issues and as long as the EIR, as a whole, reflects a good-faith effort at full disclosure. "Recirculation is not required where the new

information added to an EIR merely clarifies or amplifies or makes insignificant modification in an adequate EIR." (CEQA Guidelines Section 15088.5(a))

The EIR is not inadequate, no comments were received on the Draft EIR disclosing significantly new information that would require recirculation of the EIR. No new significant or substantially more severe environmental impacts have been identified that would result from the Project or from an alternative or a new mitigation measure proposed as part of the Project. Moreover, no new feasible mitigation measures or alternatives have been identified that are considerably different from others previously analyzed and would clearly lessen the significant environmental impacts of the Project that the City and the applicant have declined to implement. Only minor text revisions were done and included in the Final EIR.

INCORPORATION BY REFERENCE

The Final EIR is hereby incorporated into these Findings in its entirety. Without limitation, this incorporation is intended to elaborate on the comparative analysis of alternatives, the basis for determining the significance of impacts, the scope and nature of mitigation measures, and the reasons for approving the project.

RECORD OF PROCEEDINGS

Various documents and other materials constitute the record of proceedings upon which the City Council bases its findings and decisions contained herein, including, without limitation, the Draft EIR, and the Final EIR. The documents related to the project are located in the offices of the City of Mountain View, Community Development Department, 500 Castro Street, Mountain View, California, 94041.

FINDINGS

These Findings are based on substantial evidence contained in the Final EIR for the Residences @ Shoreline Gateway Project, relevant technical studies supporting the EIR's analysis, and other supporting documentation included in the administrative record. As previously stated, the DEIR addresses the potential effects on the environment that are associated with the project, and the Final EIR includes text revisions to the DEIR. These documents, as well as relevant technical studies, are available for review at the City of Mountain View Community Development Department. This section provides a summary of the significant environmental effects of the project that are discussed in the EIR and provides written findings for each of those significant effects accompanied by a brief explanation of the rationale for each finding.

SUMMARY OF IMPACTS

The Final EIR indicated that significant effects on the environment to the following environmental resources would occur if the project were implemented:

- Air Quality
- Biological Resources
- Cultural and Tribal Cultural Resources
- Hazards and Hazardous Materials

All of the environmental impacts listed above would be reduced to less-than-significant levels through the incorporation of mitigation measures into the project. The mitigation measures are listed under each of the impacts below and are included in a Mitigation Monitoring and Reporting Program (MMRP), which has been prepared separately from these findings (Citation 3).

Significant Effects on the Environment that are Mitigated to Less-Than-Significant Levels

The Final EIR identifies significant adverse impacts that are reduced to a less-than-significant level by the mitigation measures identified in the Final EIR. It is hereby determined that the significant environmental impacts, which these mitigation measures address, will be avoided or mitigated to a less-than-significant level by incorporation of the described mitigation measures into the project.

AIR QUALITY IMPACTS

Impact AIR-1: The Project could conflict with or obstruct implementation of the applicable air quality plan.

The Project would conflict with the BAAQMD's 2017 Clean Air Plan because criteria pollutant mass emissions associated with the Project would exceed BAAQMD's significance thresholds. However, the following mitigation measures will reduce the project's emissions to below the significance thresholds by limiting emissions during construction.

Mitigation Measure AIR-1: Exhaust Emissions Reduction Measures.

The Project applicant shall develop a plan demonstrating that the off-road equipment used on-site to construct the Project would achieve a fleet-wide average 77- to 81-

percent reduction of DPM, considered as PM_{10} exhaust. One feasible plan to achieve this reduction would include the following:

1. All diesel-powered off-road equipment, larger than 25 horsepower, operating on the site for more than two days continuously shall, at a minimum, meet U.S. EPA particulate matter emissions standards for Tier 3 engines and this equipment shall include CARB-certified Level 3 Diesel Particulate Filters or equivalent. Equipment that meets U.S. EPA Tier 4 standards for particulate matter emissions or use of equipment that is electrically powered or uses non-diesel fuels would also meet this requirement;
2. Use electric-powered building cranes;
3. Use electric-powered portable equipment, which shall include air compressors and welders; and
4. Minimize diesel generator use by providing line power to the construction sites prior to building construction.

Note that the construction contractor could use other measures to minimize construction period DPM emission to reduce the estimated cancer risk below the thresholds. The use of equipment that includes Tier 2 engines and CARB-certified Level 3 Diesel Particulate Filters or alternatively-fueled equipment (i.e., non-diesel) could meet this requirement. Alternatively, a combination of measures may be implemented, provided that these measures are approved by the City and demonstrated to reduce community risk impacts to below performance standards of an increased cancer risk of 10 in one million and a localized $PM_{2.5}$ concentration of 0.3 $\mu g/m^3$.

Finding

Mitigation measures have been incorporated into the project that avoid or reduce this significant air quality impact to a less-than-significant level. The City of Mountain View hereby finds that implementation of the mitigation measure described above is feasible, and it is hereby adopted and incorporated into the project as a condition of approval for the Project. Accordingly, changes or alterations have been required or incorporated into the Project which avoid or substantially lessen the significant effects as identified in the Final EIR and adoption of the mitigation measure set forth above will reduce the significant effect to a less-than-significant level. Adoption of the conditions of approval will effectively make the mitigation measure part of the Project.

BIOLOGICAL RESPOURCES

Impact BIO-1: Development of the Project could have a substantial adverse effect, either directly or through habitat modifications, on species identified as candidate, sensitive, or special-status species in local or regional plans, policies, or

regulations, or by the California Department of Fish and Wildlife or the United States Fish and Wildlife Service.

Implementation of the Mitigation Measure BIO-1 will reduce this impact to a less-than-significant level by ensuring that any unexpected cultural deposits will be identified and treated in accordance with accepted standards.

Mitigation Measure BIO-1: Special-Status Bat Protection Measures.

In coordination with the City, a preconstruction survey for special-status bats shall be conducted by a qualified biologist in advance of tree and structure removal within the Project site to characterize potential bat habitat and identify active roost sites. Should potential roosting habitat or active bat roosts be found in trees and/or structures to be removed under the Project, the following measures shall be implemented:

- Removal of trees shall occur when bats are active, approximately between the periods of March 1 to April 15 and August 15 to October 15; outside of bat maternity roosting season (approximately April 16 – August 14) and outside of months of winter torpor (approximately October 16 – February 28), to the extent feasible.
- If removal of trees during the periods when bats are active is not feasible and active bat roosts being used for maternity or hibernation purposes are found on or in the immediate vicinity of the Project site where tree and building removal is planned, a no-disturbance buffer of 100 feet shall be established around these roost sites until they are determined to be no longer active by a qualified biologist. A 100-foot no disturbance buffer is a typical protective buffer distance however may be modified by the qualified biologist depending on existing screening around the roost site (such as dense vegetation) as well as the type of construction activity which would occur around the roost site.
- The qualified biologist shall be present during tree removal if potential bat roosting habitat or active bat roosts are present. Trees with active roosts shall only be removed when no rain is occurring or is forecast to occur for 3 days and when daytime temperatures are at least 50°F.
- Removal of trees with potential bat roosting habitat or active bat roost sites shall follow a two-step removal process:
  - On the first day of tree removal and under supervision of the qualified biologist, branches and limbs not containing cavities or fissures in which bats could roost, shall be cut only using chainsaws.
  - On the following day and under the supervision of the qualified biologist, the remainder of the tree may be removed, either using chainsaws or other equipment (e.g., excavator or backhoe).

Finding

Mitigation measures have been incorporated into the project that avoid or reduce this significant Biological Resources impact to a less-than-significant level. The City of Mountain View hereby finds that implementation of the mitigation measure described above is feasible and it is hereby adopted and incorporated into the project as a condition of approval for the Project. Accordingly, changes or alterations have been required or incorporated into the Project which avoid or substantially lessen the significant effects as identified in the Final EIR and adoption of the mitigation measure set forth above will reduce the significant effect to a less-than-significant level. Adoption of the conditions of approval will effectively make the mitigation measure part of the Project.

CULTURAL RESOURCES

Impact CUL-1: Project construction could cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5.

Impact C-CUL-1: Project construction, in combination with past, present, existing, approved, pending and reasonably foreseeable future projects within and in the vicinity of the Project site, could contribute to an adverse cumulative impact to cultural resources.

Implementation of the **Mitigation Measure CUL**-1 will reduce this impact to a less-than-significant level by ensuring that any unexpected cultural deposits will be identified and treated in accordance with accepted standards.

Mitigation Measure CUL-1: Protocol for Inadvertent Discovery of Archaeological Resources.

If indigenous or historic-era archaeological resources are encountered during Project construction activities, all activity within 100 feet of the find shall cease and the find shall be flagged for avoidance. The City and a qualified archaeologist, defined as one meeting the U.S. Secretary of the Interior's Professional Qualifications Standards for Archeology, shall be immediately informed of the discovery. The qualified archaeologist shall inspect the find within 24 hours of discovery and notify the City of their initial assessment. Indigenous archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil (midden) containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. Historic-era

materials might include building or structure footings and walls, and deposits of metal, glass, and/or ceramic refuse.

If the City determines, based on recommendations from the qualified archaeologist, that the resource may qualify as a historical resource or unique archaeological resource (as defined in CEQA Guidelines Section 15064.5), or a tribal cultural resource (as defined in PRC Section 21074), the resource shall be avoided if feasible. Avoidance means that no activities associated with the Project that may affect cultural resources shall occur within the boundaries of the resource or any defined buffer zones. If avoidance is not feasible, the City of Mountain View shall consult with appropriate Native American tribes (if the resource is indigenous), and other appropriate interested parties to determine treatment measures to avoid, minimize, or mitigate any potential impacts to the resource pursuant to PRC Section 21083.2 and CEQA Guidelines Section 15126.4. This shall include documentation of the resource and may include data recovery or other measures. Treatment for most resources would consist of (but would not be not limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource. The resource and treatment method shall be documented in a professional-level technical report to be filed with the California Historical Resources Information System. Work in the area may commence upon completion of approved treatment and under the direction of the qualified archaeologist.

Finding

Mitigation measures have been incorporated into the project that avoid or reduce this significant Cultural Resources impact to a less-than-significant level. The City of Mountain View hereby finds that implementation of the mitigation measure described above is feasible and it is hereby adopted and incorporated into the project as a condition of approval for the Project. Accordingly, changes or alterations have been required or incorporated into the Project which avoid or substantially lessen the significant effects as identified in the Final EIR and adoption of the mitigation measure set forth above will reduce the significant effect to a less-than-significant level. Adoption of the conditions of approval will effectively make the mitigation measure part of the Project.

HAZARDOUS MATERIALS IMPACTS

Impact HAZ-3: The Project could create a significant hazard to the public or environment as a result of being located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Impact C-HAZ-1: Development under the proposed Project, combined with cumulative development in the region, including past, present, existing, approved, pending, and reasonably foreseeable future development, could contribute considerably to cumulative impacts related to hazards and hazardous materials.

Implementation of the **Mitigation Measures HAZ-1a**, **HAZ-1b, and HAZ-1c** will reduce this impact to a less-than-significant level by ensuring that any unexpected cultural deposits will be identified and treated in accordance with accepted standards.

Mitigation Measure HAZ-1a: Soil Management Plan and Air Monitoring Plan.

Prior to commencement of construction, the Project Applicant shall prepare and obtain Santa Clara County Department of Environmental Health (SCCDEH) written approval of a Soil Management Plan (SMP) and Air Monitoring Plan (AMP) that shall include consideration of the specific protocols and procedures identified below, as guided by the recommendations of the May 8, 2019 Cornerstone Earth Group Peer Review Letter (Appendix I). The specific elements of the SMP and AMP shall be approved by SCCDEH, but shall consider (but not be limited to) the following elements:

- Protocols and procedures for determining when soil and air sampling and analytical testing should be performed.
- Monitoring of vapors during excavation and grading activities (as guided by the procedures outlined by Cornerstone Earthwork Group in Appendix I and in consultation with SCCDEH).
- Segregation and stockpiling of excavated soil in contact with groundwater. This soil shall be placed at a designated, plastic-lined stockpile area, and sampled per Department of Toxic Substances Control's (DTSC's) protocols to determine if soil can be reused onsite or if soil is required to be disposed offsite at a permitted facility.
- Protocols for management of ground water discharges during excavation dewatering. Protocols shall be prepared to evaluate water quality and discharge/disposal alternatives. The pumped water shall not be used for onsite dust control or any other on-site use.
- Protocols for management of Project site risks during earthwork activities in areas where impacted soil, soil vapor and/or ground water are present or suspected. Worker training requirements, health and safety measures, and soil handling procedures shall be described.
- During earthwork excavation activities (trenching approximately 5 feet or deeper) and/or any trench with ponded ground water, daily ambient air samples shall be collected at the Project site perimeter. Ambient air samples shall be collected and analyzed for TCE per the requirements outlined by SCCDEH. If the response action level is exceeded, DEH must be notified within two working days, and specific response actions are required to

determine if additional mitigation and worker protection measures are necessary. If the above actions levels are not exceeded in the first three days of perimeter air monitoring, the monitoring shall be reduced to one event per work week.

- Excavated soils from approximately 5 feet or deeper shall be field-screened for the presence of VOCs. Potentially contaminated soil shall be segregated and stockpiled at a designated, plastic-lined stockpile area for subsequent testing and laboratory analyses to determine if the soil can be reused onsite or if it is required to be disposed offsite at a permitted facility.
- Evaluation and documentation of the quality of any soil imported to the Project site shall follow the Information Advisory Clean Imported Fill Material (DTSC, October 2001). Soil containing chemicals exceeding the current residential (unrestricted use) screening levels or typical background concentrations of metals shall not be accepted.
- Evaluation of the residual contaminants to determine if they will adversely affect the integrity of below ground utility lines and/or structures (e.g., the potential for corrosion).
- Measures to reduce soil vapor and ground water migration through trench backfill and utility conduits. Such measures shall be finalized in conjunction with SCCDEH and will include placement of low-permeability backfill "plugs" at specified intervals onsite and at all locations where the utility trenches extend offsite. In addition, utility conduits that are placed below ground water shall be installed with water-tight fittings to reduce the potential for ground water to migrate into the conduits.
- Any removed utility line that is approximately 3 inches or greater in diameter shall be observed for sediment. If sediment is present, it shall be stockpiled as potentially contaminated material and sampled in accordance with the protocols outlined in the SMP.
- Prior to the start of any construction activity that involves below ground work (e.g., mass grading, foundation construction, excavating or utility trenching), information regarding Project site risk management procedures (e.g., a copy of the SMP) shall be provided to the Contractors for their review, and each Contractor shall provide such information to its Subcontractors.
- The Project Applicant's Environmental Professional shall assist in the implementation of the SMP and shall, at a minimum, perform part-time observation services during excavation, grading and trenching activities. Within 60 days of completion of soil disturbance activities, the Environmental Professional shall prepare a report documenting compliance with the SMP; this report shall be submitted to the City and the SCCDEH.

Additionally, prior to the commencement of construction activities, each contractor performing earth work or subsurface work at the Project site shall prepare and submit a Health and Safety Plan (HSP) to the City that addresses the safety and health hazards of each phase of site operations that includes the requirements and procedures for employee protection. Workers conducting site investigation and earthwork activities in areas of contamination shall complete a 40-hour HAZWOPER training course (29 CFR 1910.120 (e)). The contractor shall be responsible for the health and safety of their employees as well as for compliance with all applicable federal, State, and local laws and guidelines.

To ensure that the final SMP and AMP are able to consider the most current information regarding the Project site and apply the most up to date and appropriate mitigation methods, SCCDEH will retain final discretion regarding the specific protocols and procedures to be included in the SMP and AMP and implemented at the site.

Mitigation Measure HAZ-1b: Additional Assessments, Investigations, and/or Remediation.

SCCDEH shall be contacted to determine if additional investigation, mitigation and/or remediation is required for PCB contamination detected on-site at a concentration of 0.622 mg/kg at a former transformer pad, exceeding its residential screening level (0.24 mg/kg).

SCCDEH shall be contacted regarding elevated PCE concentration in soil vapor detected at soil vapor probe SG-6 in EKI Environment & Water's Phase I/II Environmental Site Assessment dated June 14, 2019 (see Appendix I) to determine if further investigation, mitigation, and/or remediation will be required for this area.

If a deep foundation system is proposed, the foundation of the building shall incorporate measures to help reduce the potential for the downward migration of contaminated ground water, if any. These measures shall be identified in the Geotechnical Investigation report and the SMP and implemented as a part of the development plans.

The Project Applicant shall cooperate with SCCDEH, the San Francisco Regional Water Quality Control Board, and/or any other State or local oversight agency for the on-going investigation and subsequent remediation, if necessary, and implement any further requirements these agencies may have regarding subsurface contamination prior to occupation of the proposed improvements.

Mitigation Measure HAZ-1c: Vapor Mitigation System.

A vapor mitigation system shall be installed for all residential and commercial structures, using the Vapor Intrusion Mitigation Advisory (DTSC, October 2011) as guidance for the design. Prior to obtaining construction-related permits, the Project Applicant shall submit Vapor Intrusion Mitigation System drawings and specifications to the City SCCDEH for their review and written approval. Upon SCCDEH's written approval, these drawings and specifications shall be incorporated into the building permit plans.

Within 60 days of completion of construction activities, the Project Applicant shall provide a Vapor Mitigation Completion Report to the City and the SCCDEH. The report shall document installation of the vapor control measures identified in the Vapor Intrusion Mitigation Plan, including final as-built design drawings, and present an Operation, Maintenance and Monitoring Plan. The Project Applicant shall submit SCCDEH written approval of the Vapor Mitigation Completion Report to the City prior to the issuance of any occupancy permit. The Project Applicant shall also provide Institutional Controls and Financial Assurance, or proof that adequate funds are available for long-term maintenance and monitoring of the vapor intrusion mitigation system as required by SCCDEH, with a copy to the City, to ensure that future Project site occupants are not exposed to unacceptable levels of VOC vapors.

To ensure that the final vapor mitigation measures are able to consider the most current information regarding the Project site and apply the most up to date and appropriate mitigation methods, SCCDEH will retain final discretion regarding the specific protocols and procedures to be included in the Vapor Intrusion Mitigation System and implemented at the site.

Finding

Mitigation measures have been incorporated into the project that avoid or reduce this significant Hazardous Materials impact to a less-than-significant level. The City of Mountain View hereby finds that implementation of the mitigation measure described above is feasible, and it is hereby adopted and incorporated into the project as a condition of approval for the Project. Accordingly, changes or alterations have been required or incorporated into the Project which avoid or substantially lessen the significant effects as identified in the Final EIR, and adoption of the mitigation measure set forth above will reduce the significant effect to a less-than-significant level. Adoption of the conditions of approval will effectively make the mitigation measure part of the Project.

FEASIBILITY OF PROJECT ALTERNATIVES

The Draft EIR included several project alternatives. The City hereby concludes that the Draft EIR sets forth a reasonable range of alternatives to the proposed project so as to foster informed public participation and informed decision making. The City finds that

the alternatives identified and described in the Draft EIR were considered and further finds one of them (a Location Alternative) to be infeasible for the specific economic, social, or other considerations set forth below pursuant to CEQA Section 21081.

In addition to the Project, the following alternatives were evaluated in the DEIR, and are more fully described in Chapter 5.0 of the DEIR.

No Project—No Development Alternative: The CEQA Guidelines stipulate that an EIR include a No Project—No Development Alternative to allow decision-makers to compare the impacts of approving the project with the impacts of not approving the project. Under the No Project—No Development Alternative, the existing mini-storage use would remain.

Finding

The No Project Alternative would not meet any of the basic objectives of the project, including redeveloping the Project site with a diversity of housing choices to better balance the City's jobs/housing ratio; it would not increase homeownership opportunities in the City and expand the supply of higher density attached, for-sale product; it would not locate higher density residential units in close proximity to both major job centers in the City and major thoroughfares; it would not redevelop an underutilized site to allow for higher density housing in proximity to jobs; it would not provide amenities, shared auto and parking strategies, and Transportation Demand Management (TDM) measures that promote the use of alternative transportation; it would not respect the surrounding neighborhood and community through quality design, materials, and landscaping; it would not implement sustainable building practices promoting energy and water efficiency; and it would not create a new common open space area.

Further, it would not assist the City in meeting its Regional Housing Needs Allocation (RHNA) for affordable housing. The RHNA has been adopted as part of the City's legally mandated General Plan Housing Element. According to the state Housing and Community Development Department's Housing Element Open Data Project (December 4, 2018 version), Mountain View is 332 units short of its RHNA goal for low-income housing production and 537 units short of its RHNA goal for moderate-income housing production. The No Project Alternative would make no contribution toward meeting those goals.

No Retail Alternative: Developing the site with the proposed project without locating the retail uses in the Block A building would not and the residential building amenity space and layout would be reconfigured.

Findings

The No Retail Alternative would meet all of the basic objectives of the project, including redeveloping the Project site with a diversity of housing choices to better balance the City's jobs/housing ratio; it would not increase homeownership opportunities in the City and expand the supply of higher density attached, for-sale product; it would not locate higher density residential units in close proximity to both major job centers in the City and major thoroughfares; it would not redevelop an underutilized site to allow for higher density housing in proximity to jobs; it would not provide amenities, shared auto and parking strategies, and Transportation Demand Management (TDM) measures that promote the use of alternative transportation; it would not respect the surrounding neighborhood and community through quality design, materials, and landscaping; it would not implement sustainable building practices promoting energy and water efficiency; and it would not create a new common open space area.

Environmentally Superior Alternative(s): The CEQA Guidelines state than an EIR shall identify an environmentally superior alternative. If the environmentally superior alternative is the No Project Alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives (Section 15126.6(e)(2)).

Based on Section 5.6.1, Environmentally Superior Alternative, in Chapter 5 of the Draft EIR, the No Retail Alternative is considered the environmentally superior project alternative because of its combined incremental reduction in construction activity and substantial trip reduction and reduced congestion, leading to a higher GHG efficiency and lower traffic-related noise over the long-term. Nonetheless

Apart from the No Retail Alternative, the Reduced Density Alternative would also result in more development than the No Development Alternative. Therefore, it would result in more operational traffic, air quality, and other impacts than the No Development Alternative and would not be the environmentally superior alternative.

SUMMARY

Based on the foregoing Findings and the information contained in the record, the Environmental Planning Commission has made the following findings with respect to each of the significant effects of the project:

- Specific project conditions have been required for the Project, which avoid or mitigate the significant effects on the environment to a less-than-significant level.

- Based on the foregoing Findings and the information contained in the record, it is determined that all significant effects on the environment due to the approval of

the project have been eliminated or substantially lessened to a less-than-significant level.

CITATIONS

1. City of Mountain View. 2019. Draft Environmental Impact Report for the Residences @ Shoreline Gateway Project.

2. City of Mountain View. 2020. Final Environmental Impact Report for the the Residences @ Shoreline Gateway.

3. City of Mountain View. 2020. Mitigation Monitoring Program for the the Residences @ Shoreline Gateway.