

Compliance Checklist

189 North Bernardo Avenue Office Project



Prepared by
**City of
Mountain View**



February 2023

INITIAL STUDY OF ENVIRONMENTAL SIGNIFICANCE

PROJECT NAME:	189 North Bernardo Avenue Office Project	FILE NUMBER: PL-2020-078
SITE ADDRESS:	189 North Bernardo Avenue	APN: 165-36-004
APPLICANT:	Sand Hill Property Company	
PROPERTY OWNER:	Sand Hill Property Company 965 Page Mill Road Palo Alto, CA 94304	
Previously Certified EIRs:		
<ul style="list-style-type: none"> • East Whisman Precise Plan Final Environmental Impact Report (Precise Plan FEIR) (2019), SCH #: 2017082051 • Mountain View 2030 General Plan and Greenhouse Gas Reduction Program Final Environmental Impact Report (General Plan FEIR) (2012), SCH #: 2011012069 		
PROJECT DESCRIPTION SUMMARY:		
<p>The project proposes to construct a new office building and parking garage to the east of the existing office building, which is proposed to be remain as part of the project. Only minor alterations to the exterior and landscaping of the existing building are proposed. The proposed office building would be four-stories (up to 75 feet tall) and approximately 82,865 square feet with an approximately 12,000 square-foot rooftop deck. The rooftop deck would include amenities such as common lounge seating, dining tables, and barbeques. The proposed parking garage would have six levels of parking (four levels above ground and two levels below ground) and provide a total of 371 vehicle parking stalls. An additional 30 surface parking spaces would also be provided, as well as new landscaping and outdoor ground floor common amenities (e.g., dining tables, lounge seating, game areas, and barbeques).</p>		
ENVIRONMENTAL SETTING:		
<p>The project site is located in in the south portion of the East Whisman Precise Plan (Precise Plan) area of Mountain View. The approximately 3.8-acre project site is located at the northeast corner of North Bernardo Avenue and Central Expressway. The project site is currently developed with a two-story, approximately 59,000 square-foot office building, as well as landscaping and surface parking. The project site is bounded by Central Expressway to the south and east, office buildings to the north, and North Bernardo Avenue to the west. The project site is designated High Intensity Office in the City’s General Plan and within the Low Intensity Employment Character Area of the Precise Plan.</p>		
DETERMINATION:		
<p>This checklist determined that the proposed project would result in either the same or lesser impact than addressed in the certified 2019 Precise Plan FEIR. The project complies with the California Environmental Quality Act (CEQA), since commercial uses at the proposed intensity on the site were analyzed in the Precise Plan FEIR and General Plan FEIR.</p>		

NO ADDITIONAL IMPACT FINDING: The proposed project is in compliance with the CEQA because the Checklist was prepared pursuant to CEQA Guidelines Sections 15162 and 15183 and found that with implementation of standard City policies and conditions of approval and certain mitigation measures identified in the Precise Plan FEIR and General Plan FEIR, the proposed project would not result in any new or substantially more significant environmental impacts beyond those previously evaluated and disclosed in these EIRs.

Prepared by: Brittany Whitehill, Associate Planner
Community Development Department

Date: February 14, 2023

All referenced documentation is available for public review at the City of Mountain View, located at 500 Castro Street, Mountain View, CA 94039 during normal business hours.

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To view appendices, please contact Brittany Whitehill at brittany.whitehill@mountainview.gov.

SECTION 1.0 INTRODUCTION AND PURPOSE

1.1 INTRODUCTION

Per Section 15183(a) of the California Environmental Quality Act (CEQA) Guidelines, projects that are consistent with the development density established by existing zoning, community plan, or general plan policies for which an Environmental Impact Report (EIR) was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies.

The following environmental checklist provides information for the decision-makers and the public regarding the City's evidence and reasoning for determining the proposed project's consistency with the assumptions and mitigation measures in the certified 2012 Mountain View 2030 General Plan Final Environmental Impact Report (General Plan FEIR), Greenhouse Gas Reduction Program (GGRP), and 2019 East Whisman Precise Plan Final Environmental Impact Report (Precise Plan FEIR).

1.2 HISTORY OF ENVIRONMENTAL REVIEW AND PROJECT APPROVAL

The project site is located within the East Whisman Change Area in the General Plan. The General Plan FEIR evaluated the buildout of the General Plan and the GGRP evaluated the greenhouse gas emissions due to buildout of the General Plan compared to state emissions targets for 2020 and 2030. The Precise Plan FEIR evaluated the environmental impacts of implementing the East Whisman Precise Plan (Precise Plan), which consisted of City-initiated revisions to the General Plan and zoning ordinance to allow an increase in the intensity of office, commercial, hotel, and residential uses in the Precise Plan area. The Precise Plan provides a vision and guiding principles, development standards, and design guidelines for the properties in this area, in conformance with the Mountain View 2030 General Plan (General Plan) vision for the East Whisman Change Area.

Specifically, the adopted Precise Plan includes up to 2.3 million square feet of net new office uses, 100,000 net new square feet retail uses, 200 hotel rooms, and 5,000 multi-family residential units (with goal of 20 percent of the residential units being affordable). The Precise Plan also includes new and enhanced parks, trail corridors, and public streets. The Precise Plan establishes an overall goal of 30 acres of publicly accessible open space to serve the projected 10,000 residents of the Precise Plan area (meeting the City's standard of three acres of dedicated public park land per 1,000 residents).

SECTION 2.0 PROJECT INFORMATION

2.1 EXISTING SITE CONDITIONS

The approximately 3.8-acre project site is located in the Employment Character Area (South) of the Precise Plan area at 189 North Bernardo Avenue (APN 165-36-004), at the northeast corner of North Bernardo Avenue and Central Expressway. The project site is currently developed with a two-story, approximately 58,400 square-foot office building, as well as landscaping and surface parking. The project site is bounded by Central Expressway to the south and east, office buildings to the north, and North Bernardo Avenue to the west. The nearest sensitive receptors are residential uses located approximately 450 feet south of the project site across Evelyn Avenue (Evelyn Family Apartments) and 250 southeast of the project site across Central Expressway (Mary Manor Estates).

Regional and vicinity maps of the site are shown in Figure 2.2-1 and Figure 2.2-2, respectively. An aerial photograph of the project site and surrounding area is shown on Figure 2.2-3.

2.2 PROPOSED PROJECT

The project proposes to construct a new office building and parking garage to the east of the existing office building, which is proposed to remain as part of the project. Only minor alterations to the exterior and landscaping of the existing building are proposed. The proposed office building would be four-stories and approximately 82,865 square feet, with an approximately 12,000 square-foot rooftop deck. The rooftop deck would include amenities such as lounge seating, dining tables, and barbecues. The proposed parking garage would have six levels of parking (four levels above ground and two levels below ground) and provide a total of 371 vehicle parking stalls. An additional 30 surface parking spaces would also be provided, as well as new landscaping and outdoor ground floor common amenities (e.g., dining tables, lounge seating, game areas, and barbecues). An emergency diesel generator would be located on the southern edge of the proposed parking garage.

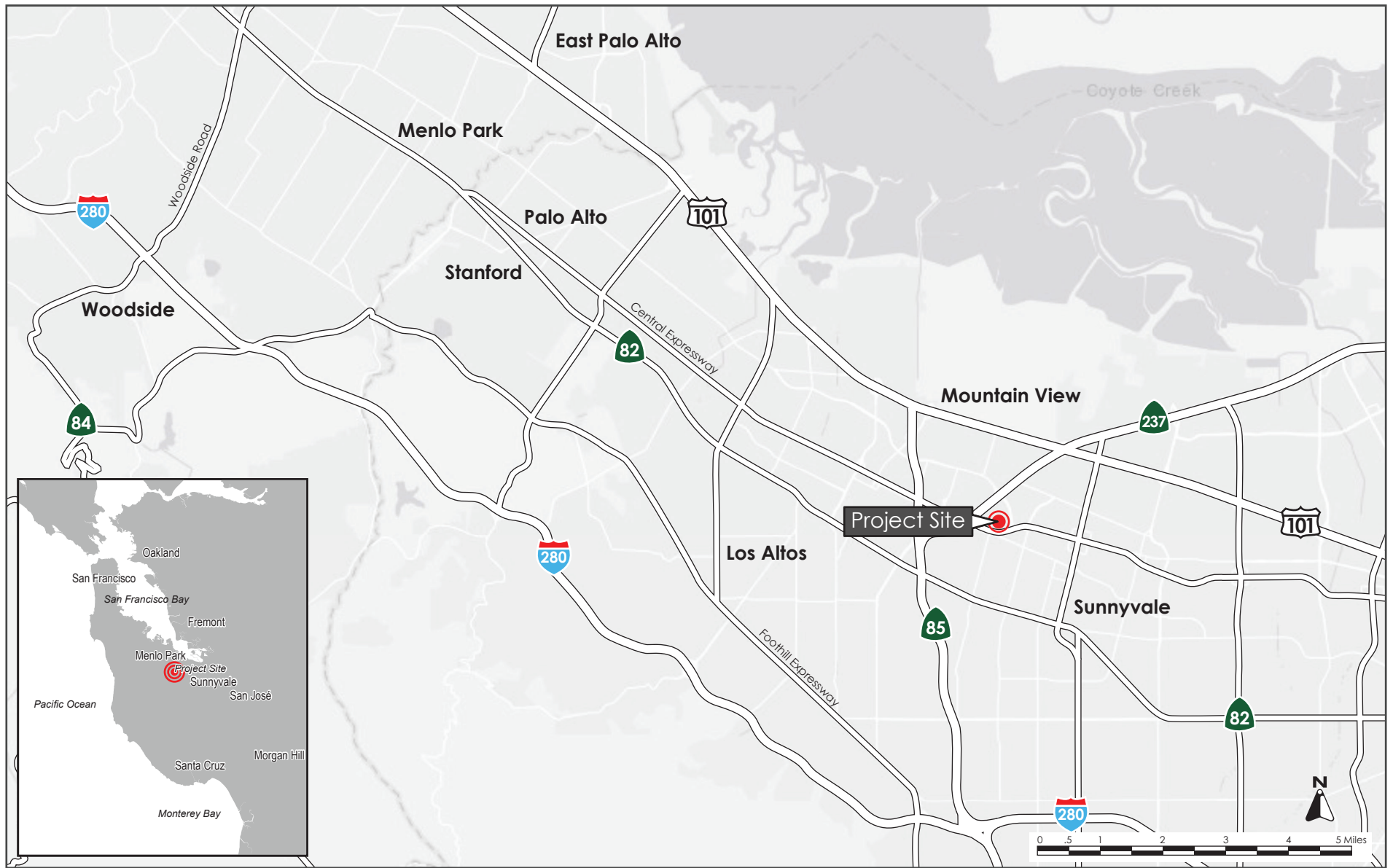
The proposed office building would be up to 75 feet tall (including the mechanical equipment and screening). The proposed parking garage would be up to 45 feet tall and extend approximately 20 feet below ground surface. The project would result in a Floor-Area-Ratio (FAR) of 0.85. The proposed site plan is shown in Figure 2.2-4, elevations of the proposed building and parking garage are shown in Figure 2.2-5 through Figure 2.2-8 below.

A maximum height of 60 feet and a “Base” FAR of 0.40 is allowed by the Precise Plan. The Precise Plan allows projects that meet certain requirements and are part of the Citywide Transfer of Development Rights (TDR) program to request a “Bonus FAR” of 0.25, up to a maximum FAR of 0.75, and a maximum height of 75 feet.¹

The project proposes a maximum building height of 75 feet and an FAR of 0.85.² The project is authorized to purchase 28,000 square feet of TDRs through the Citywide program and is requesting “Bonus FAR,” as described in Chapter 6 of the Precise Plan.

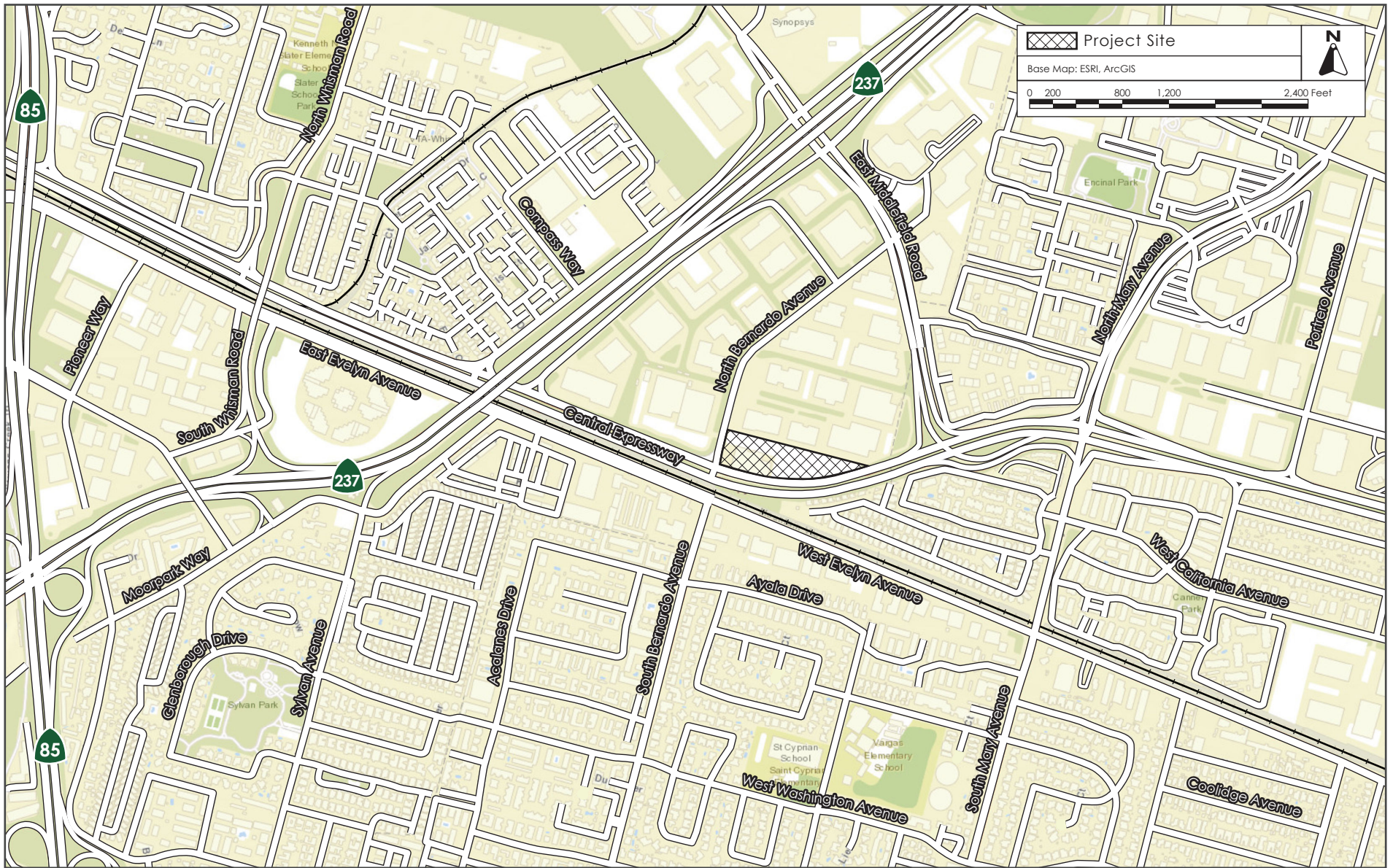
¹ City of Mountain View. *East Whisman Precise Plan*. Page 33. November 5, 2019.

² Height exceedance allowed for architectural features and elevator shafts.



REGIONAL MAP

FIGURE 2.2-1



VICINITY MAP

FIGURE 2.2-2



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

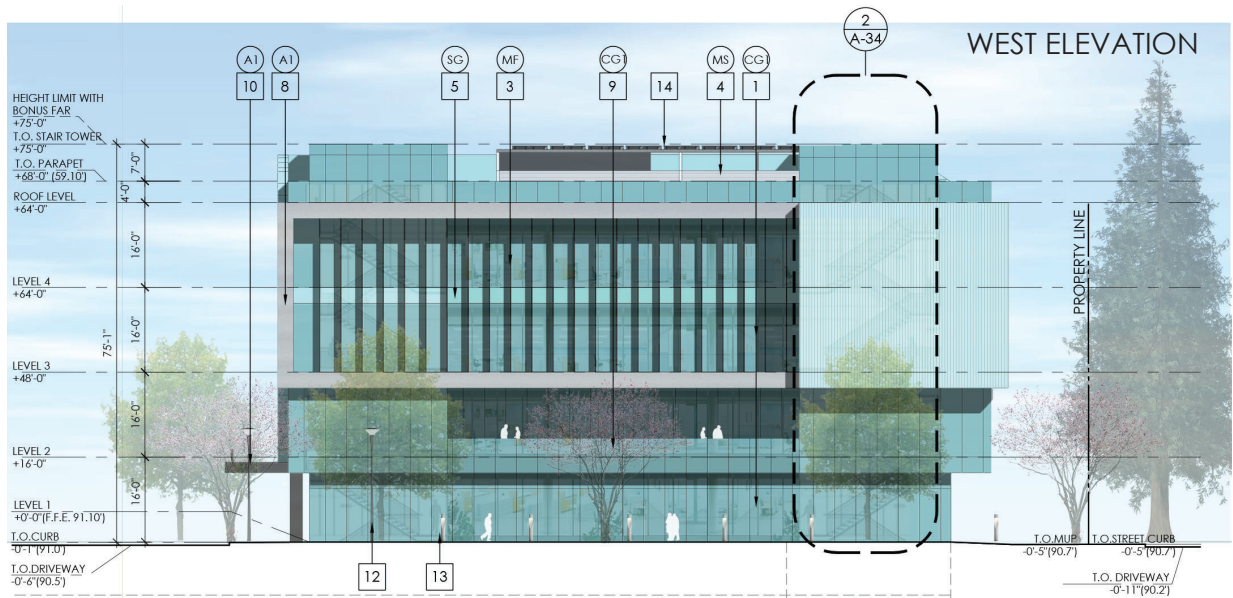
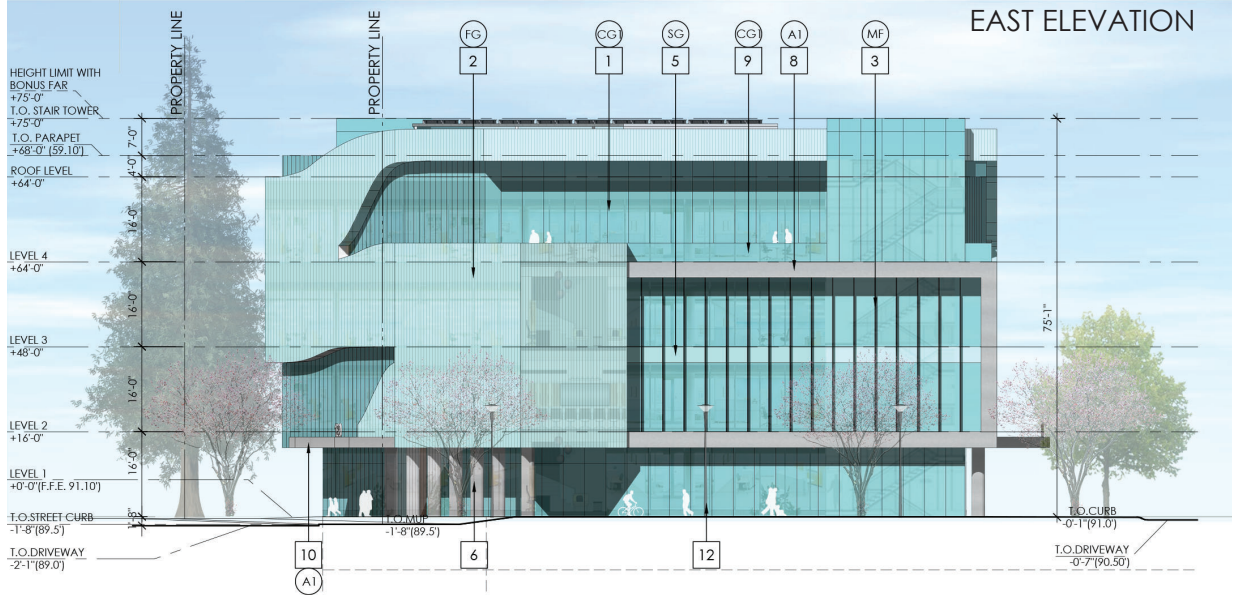
FIGURE 2.2-3



Source: Kenneth Rodrigues & Partners, Inc., August 15, 2022.

SITE PLAN

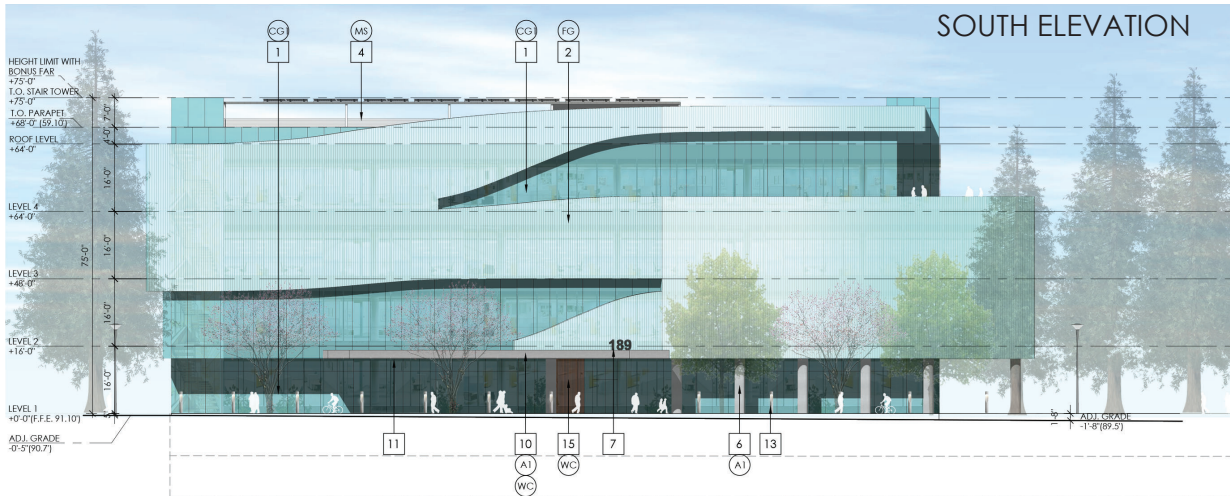
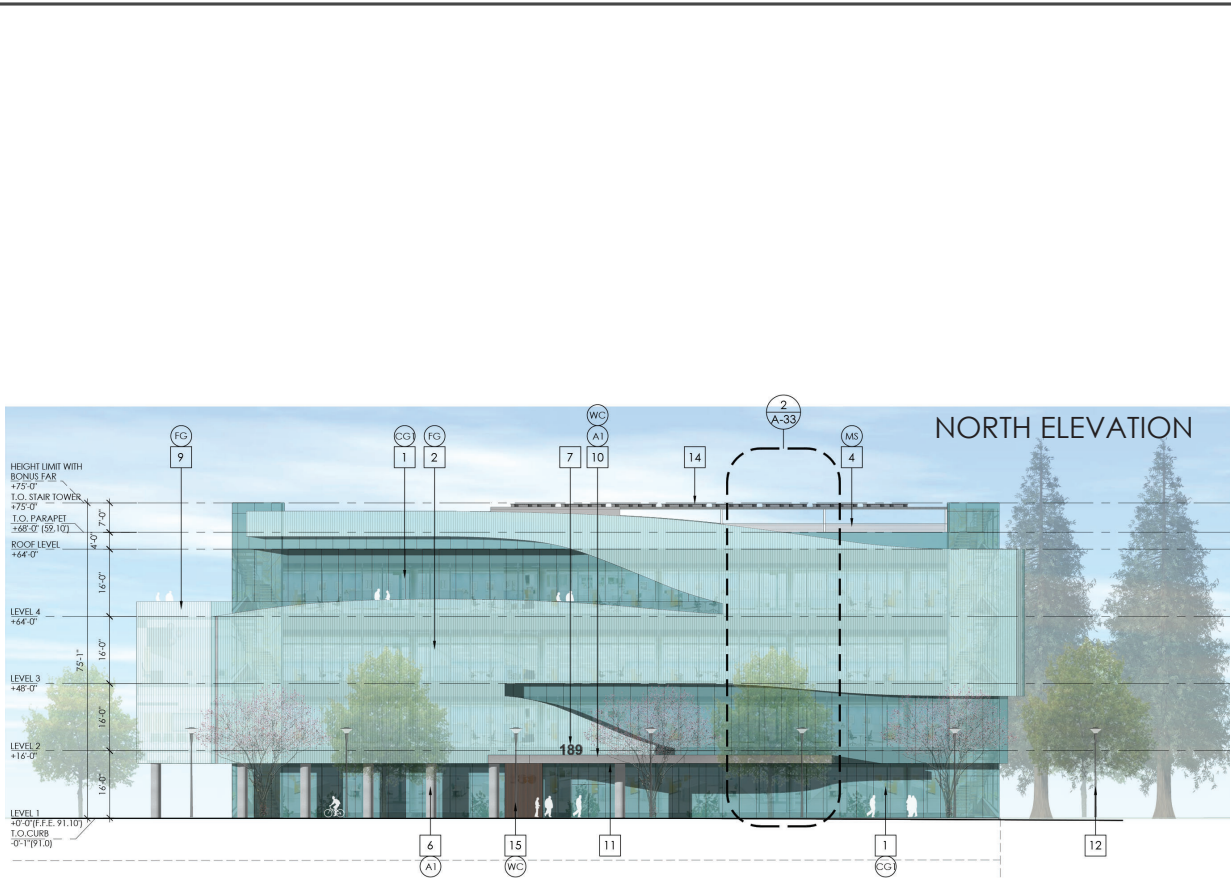
FIGURE 2.2-4



Source: Kenneth Rodrigues & Partners, Inc., May 27, 2022.

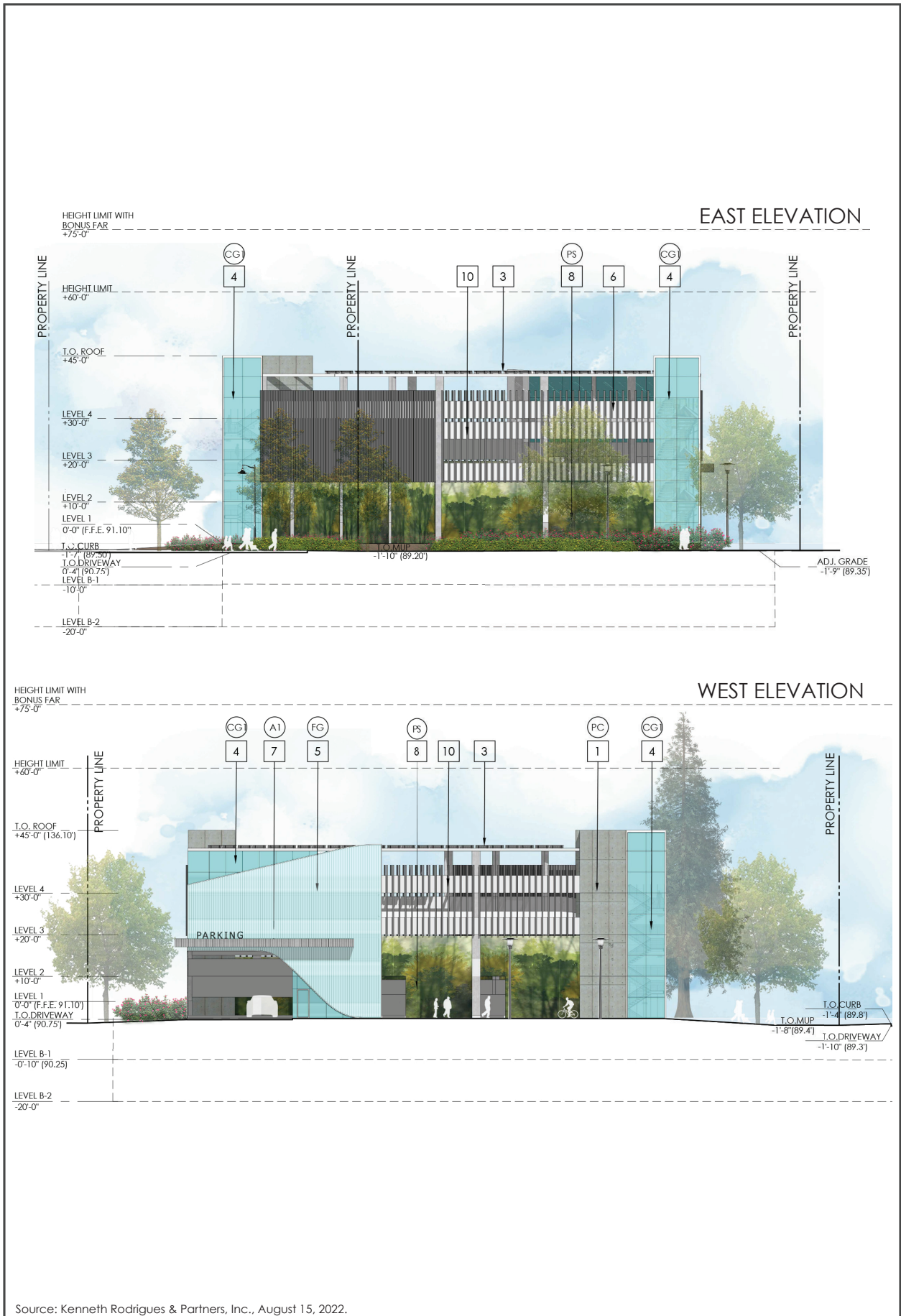
PROPOSED OFFICE BUILDING EAST/WEST ELEVATIONS

FIGURE 2.2-5



Source: Kenneth Rodrigues & Partners, Inc., May 27, 2022.

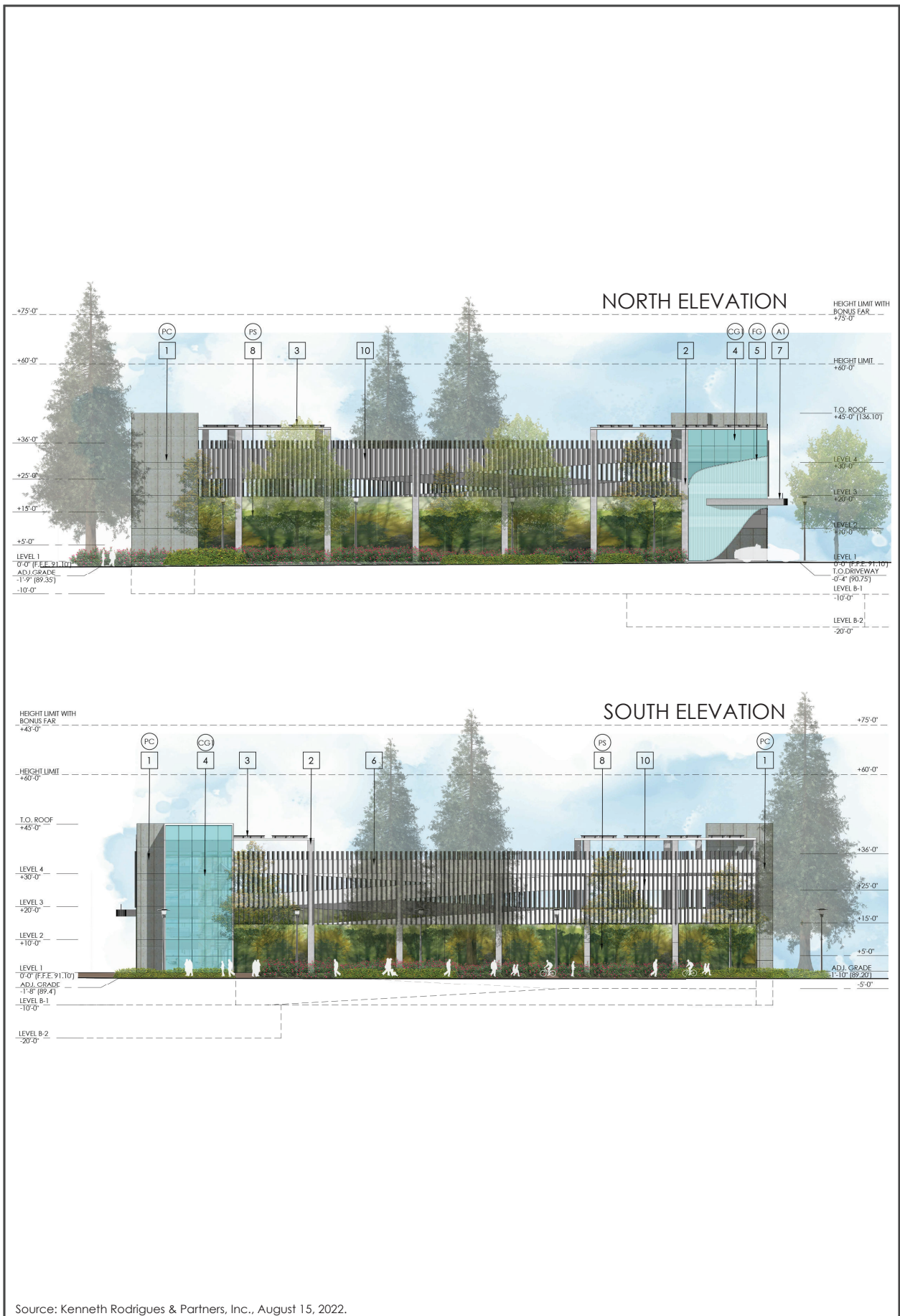
PROPOSED OFFICE BUILDING NORTH/SOUTH ELEVATIONS FIGURE 2.2-6



Source: Kenneth Rodrigues & Partners, Inc., August 15, 2022.

PROPOSED PARKING GARAGE EAST/WEST ELEVATIONS

FIGURE 2.2-7



PROPOSED PARKING GARAGE NORTH/SOUTH ELEVATIONS | FIGURE 2.2-8

2.2.1 Green Building and Greenhouse Gas Emissions Reduction Features

Consistent with the Development Standards for non-residential development projects within the Precise Plan, the project would meet the intent of Leadership in Energy and Environmental Design (LEED) Platinum or equivalent and implement all mandatory CALGreen requirements in order to satisfy the Precise Plan Bonus FAR program. The project would incorporate green building features including, but not limited to, the following:

- EV parking and charging stations
- Dedicated Carpool
- Long- and short-term bike parking
- Community connectivity
- Energy performance outdoor lights
- Steel framing

2.2.2 Site Access and Parking

Vehicle access would be provided by one existing driveway on North Bernardo Avenue. The driveway would provide direct access to 30 surface parking spaces located north of the buildings and the proposed six-level parking garage that would have a total of 371 vehicle parking spaces. The two-levels of below grade parking would provide 220 parking spaces, with the remaining 151 spaces spread among the four remaining above grade levels. The project also includes eight short-term bicycle parking spaces and 72 long-term bicycle parking spaces. A City funded Class II bike path is also proposed along North Bernardo Avenue that would provide future bicycle access to the project site.

Pedestrian access to the existing and proposed buildings would be provided via the existing sidewalk on North Bernardo Avenue. Internal pedestrian circulation would be provided by a main pathway that extends from North Bernardo Avenue, in an east-west alignment, in front of the existing and proposed office buildings, to the proposed parking garage. A publicly accessible multi-use path would also be provided along the southern property line along Central Expressway.

2.2.3 Heritage Trees

The project site contains 160 trees, including 94 Heritage trees as defined in the City's Municipal Code.³ The project proposes the removal of 112 on-site trees (including 64 Heritage trees) and three off-site trees, and would plant 224 new trees within the project site and along the project site frontages.

2.2.4 Construction Activities

Project construction activities include site preparation, grading and excavation, building construction, architectural coatings, and paving. It is estimated that project construction would take a total of 18 months. Excavation and removal of approximately 40,000 cubic yards of soil would be necessary to accommodate the proposed building foundations, footings, and below ground parking. It is assumed that construction of the proposed project would be completed in 2024.

³A Heritage tree is any tree over 48-inches in circumference or any oak, redwood, or cedar tree over 12-inches in circumference (measured at 54-inch above grade). Source: City of Mountain View Municipal Code Chapter 32.

2.2.5 Transportation Demand Management

The Precise Plan specifies that office and R&D projects with new construction or additions greater than 10,000 square feet are required to provide a Transportation Demand Management (TDM) plan with programs and measures to reduce vehicle trips. Pursuant to the Precise Plan, the proposed project is required to incorporate the following TDM measures:

- **TDM Plan Site Requirements:** The following site design features shall be incorporated into the project to reach the required trip cap:
 - Priority parking for carpools and vanpools
 - Bicycle parking and shower and changing facilities as defined by Chapter 3 of the Precise Plan
 - Maximum parking and carshare parking as defined by Chapter 3 of the Precise Plan
 - Site design that supports alternative modes, such as orienting building entrances toward sidewalks, transit stops, and bicycle facilities
- **TDM Plan Operational Requirements:** The TDM plan shall include the following minimum operational measures though other measures may be needed to reach the required trip caps:
 - The property owner shall join the Mountain View Transportation Management Association. Tenants may join in lieu of property owners, but if a tenant is unable to maintain membership, the property owner shall be responsible.
 - Monetary incentives for alternative modes, such as subsidized transit passes, bike-share, or carpools
- **TDM Plan Alternative Requirements:** The TDM plan may include other measures to reach required trip targets, including but not limited to:
 - Shared bicycles if a bikeshare service is not available nearby
 - Parking cash-out, paid parking, or other parking monetization
 - Guaranteed ride home program
 - Telecommute support
 - Alternative work schedules
- **Trip Cap:** The Precise Plan established a long-term vehicle trip cap across the entire East Whisman area of 0.95 a.m. and 0.88 p.m. peak-hour trips per 1,000 square feet across all office, R&D, and industrial sites. This area wide trip cap shall be implemented through a site-specific trip cap, as established through the Office Trip Cap Phasing Program and Administrative Guidelines. The proposed project would be required to meet an a.m. peak-hour trip cap of 138trips and a p.m. peak-hour trip cap of 127 trips.
- **Monitoring and Enforcement:** Annual monitoring of the TDM plan shall be conducted through a third party and paid for by the property owner or their representative. It shall include driveway counts and a survey of employee travel modes.

2.3 GENERAL PLAN DESIGNATION

The project site is designated High Intensity Office in the City’s General Plan. The General Plan High-Intensity Office designation supports major commercial operations, such as corporations, financial and administrative offices, high-technology industries, and other scientific facilities, as well as supporting retail and other service use. Similarly, the Precise Plan defines the Employment Character Area as an area with a mix of moderate- to high-intensity office uses, with hotels and neighborhood commercial.

2.4 ZONING DISTRICT

The project site is zoned East Whisman Precise Plan (P-41) and identified as being within the Low Intensity Employment Character Area (South) of the Precise Plan. The Precise Plan defines the Low Intensity Employment Character Area (South) as an area with a mix of moderate- to high-intensity office uses, with hotels and neighborhood commercial.

2.5 COMPARISON WITH PRECISE PLAN

The project proposes to construct 82,865 square feet of new office space and associated parking garage within the Precise Plan area. The site is located within the Employment Character Area (South) of the Precise Plan. The project proposes the type, scale, and density of development envisioned in the Precise Plan for the site and would be required to comply with the applicable standards and guidelines in the plan.

2.6 APPROVALS REQUIRED

The proposed project would require approval from the Mountain View City Council. The project is subject to the City’s site-specific design review process, and would require the following discretionary actions:

- Planned Community Permit
- Development Review Permit
- Heritage Tree Removal Permit

SECTION 3.0 ENVIRONMENTAL CHECKLIST

The purpose of the checklist is to evaluate the categories in terms of any “changes” or “new information” that may result in a changed environmental impact evaluation. A “no” answer does not necessarily mean that there are no potential impacts relative to the environmental category, but that there is no relevant change in the condition or status of the impact due to its insignificance or its treatment in a previous environmental document.

Overriding considerations were adopted with the certification of an EIR that accepted the possibility of certain impacts regardless of whether mitigations could reduce them to a less-than-significant level. Thus, certain environmental categories might be answered with a “no” in the checklist because the proposed project does not introduce changes that would result in a modification to the conclusion of the EIR Findings Document.

EXPLANATION OF CHECKLIST EVALUATION CATEGORIES:

A. Where an Impact Was Analyzed in Prior Environmental Documents

This column provides a reference to the pages of the other environmental documents where information and analysis may be found relative to the environmental issue listed under each topic.

B. Do Proposed Changes Involve New or More Severe Impacts?

Pursuant to Section 15162(a)(1) of the CEQA Guidelines, this column indicates whether the changes represented by the proposed project will result in new significant impacts not disclosed in the prior EIR or substantial increases in the severity of a previously identified significant impact. A yes answer is required if there are new or worsened significant impacts that require “major revisions of the previous EIR or negative declaration.” If a “yes” answer is given, additional mitigation measures or alternatives may be needed.

C. Any New Circumstances Involving New or More Severe Impacts?

Pursuant to Section 15162(a)(2) of the CEQA Guidelines, this column indicates whether changed circumstances affecting the proposed project will result in new significant impacts not disclosed in the prior EIR or substantial increases of the severity of a previously identified significant impact. A yes answer is required if there are new or worsened significant impacts that require “major revisions of the previous EIR or negative declaration.” If a “yes” answer is given, additional mitigation measures or alternatives may be needed.

D. Any New Information of Substantial Importance Requiring New Analysis or Verification?

Pursuant to Section 15162(a)(3) of the CEQA Guidelines, this column indicates whether new information “of substantial importance” is available requiring an update to the analysis of a previous EIR to verify that the environmental conclusions and mitigations remain valid. Any such information is only relevant if it “was not known and could not have been known with reasonable diligence at the time of the previous EIR.” To be relevant in this context, such new information must show one or more of the following:

- (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

If the new information shows the existence of new significant effects or significant effects that are substantially more severe than were previously disclosed, then new mitigation measures should be considered.

If the new information shows that previously rejected mitigation measures or alternatives are now feasible, such measures or alternatives should be considered again.

If the new information shows the existence of mitigation measures or alternatives that are (i) considerably different from those included in the prior EIR and (ii) able to substantially reduce one or more significant effects, then such mitigation measures or alternatives also should be considered.

E. Prior Environmental Document Mitigations Implemented or Mitigations Address Impacts. Pursuant to Section 15162(a)(3) of the CEQA Guidelines, this column indicates whether the Prior EIR provides mitigations to address effects in the related impact category. If N/A is indicated, the Prior EIR and this checklist conclude that the impact does not occur with this project and, therefore, no mitigation is needed.

DISCUSSION AND MITIGATION SECTIONS

Discussion

A discussion of the elements of the checklist is provided under each environmental category in order to clarify the answers. The discussion provides information about the particular environmental issue, how the project relates to the issue and the status of any mitigation that may be required or that has already been implemented.

Standard Conditions of Approval

Applicable Standard Conditions of Approval are listed under each environmental category.

EIR Mitigation Measures

Applicable mitigation measures from previous EIRs that apply to the changes or new information are referenced under each environmental category.

Special Mitigation Measures

If changes or new information involve new impacts, special mitigations will be listed which will be included as project conditions to address those impacts.

3.1

AESTHETICS

	A. Where Impact Was Analyzed in Prior Environmental Documents.	B. Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	C. Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	D. Any New Information of Substantial Importance Requiring New Analysis or Verification?	E. Prior Environmental Documents Mitigations Implemented or Mitigations Address Impacts.
Would the project:					
a. Have a substantial adverse effect on a scenic vista?	Precise Plan Draft EIR (2019) Pages 49-50	No	No	No	No
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	Precise Plan Draft EIR (2019) Page 49	No	No	No	No
c. Substantially degrade the existing visual character or quality of public views of the site and its surroundings? Would the project conflict with applicable zoning and other regulations governing scenic quality?	Precise Plan Draft EIR (2019) Page 50	No	No	No	No
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Precise Plan Draft EIR (2019) Page 50-51	No	No	No	No

3.1.1 Existing Setting

The existing aesthetics setting, including regulatory framework, has not substantially changed since the certification of the 2019 Precise Plan FEIR. The project site is located in the Employment Character Area South of the East Whisman Precise Plan where the maximum allowed height for non-residential buildings is 60 feet (with an additional 10 feet above the maximum height allowed for rooftop amenities and additional height overruns for mechanical equipment and screening). The project site is currently developed with a two-story office building, surface parking, landscaping around the existing building throughout the parking lot (see Figure 2.2-3).

The project site is not located within a Transit Priority Area, as defined by Senate Bill (SB) 743.

3.1.2 Discussion

a. The Precise Plan FEIR acknowledges distant views of the Santa Cruz Mountains to the west and the Diablo Range to the east are available from the Precise Plan area. The Precise Plan FEIR concluded that implementation of the Precise Plan (which includes development of the proposed project) would not result in significant impacts to scenic vistas through compliance with General Plan Policy LUD 9.1⁴ and the development standards and design guidelines in Chapters 3 and 4 of the Precise Plan. The proposed project is in compliance with the height and setback requirements discussed in Chapter 3 of the Precise Plan, and would be subject to the City’s development review process, which would ensure the proposed building design is consistent with General Plan Policy LUD 9.1 and Chapter 4 of the Precise Plan. For these reasons, the project would result in the same less than significant impact as disclosed the Precise Plan FEIR.

b. As discussed in the Precise Plan FEIR, there are no state scenic highways within the City of Mountain View and the nearest eligible highway is Interstate (I-) 280, approximately 3.9 miles southwest of the project site.⁵ The project site is not visible from I-280; therefore, the project would not impact any scenic resources including trees, rock outcropping, or historic buildings within a scenic highway. This is the same impact as disclosed in the Precise Plan FEIR.

c-d. The proposed project would construct a four-story office building and a six-level parking garage that would change the existing visual character of the project site. The Precise Plan FEIR concluded that compliance with General Plan policies (including LUD 6.3, LUD 9.1, and LUD 9.3⁶) would ensure that new development would not adversely affect the visual character of adjacent areas and that future development consistent with the Precise Plan development standards and design guidelines in Chapters 3 and 4 of the Precise Plan would not substantially degrade the existing visual character or quality of the site and its surroundings. As explained above under discussion a), the project is consistent with Chapters 3 and 4 of the Precise Plan.

In addition, as explained in the Precise Plan FEIR, future development (including the proposed project) would be subject to the City’s development review process which would ensure the project architecture and urban design would protect the City’s visual environment, would not adversely affect the Precise Plan area’s visual quality, and would not create new substantial sources of light and glare. The proposed building heights (75 feet) would not exceed the maximum allowed (75 feet) in the Employment Character Area South of the Precise Plan area. Furthermore, the proposed lighting would be required to comply with the California Building Standards Code (CBC), which minimizes light pollution that is disruptive to the environment by reducing the amount of backlight, uplight, and glare produced by luminaries. Based on the above discussion, the project would result in the same less than significant impact as disclosed in the Precise Plan FEIR.

⁴ General Plan Policy LUD 9.1 states Ensure that new development includes sensitive height and setback transitions to adjacent structures and surrounding neighborhoods.

⁵ California Department of Transportation. “Scenic Highways.” Accessed March 24, 2021.

<https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>

⁶ General Plan Policy LUD 6.3 encourages building facades and frontages that create a presence at the street and along pathways, Policy LUD 9.1 ensures that new development includes sensitive height and setback transitions, and Policy LUD 9.3 encourages enhanced public spaces, Policy LUD 9.6 seeks to preserve views and viewsheds and minimize light and glare from new development.

3.1.3 Conclusion

The proposed project would not result in a new or substantially more severe significant aesthetic impact than disclosed in the Precise Plan FEIR.

3.2

AIR QUALITY

Environmental Issue Area	A. Where Impact Was Analyzed in Prior Environmental Documents.	B. Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	C. Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	D. Any New Information of Substantial Importance Requiring New Analysis or Verification?	E. Prior Environmental Documents Mitigations Implemented or Mitigations Address Impacts.
Would the project:					
a. Conflict with or obstruct implementation of the applicable air quality plan?	Precise Plan Draft EIR (2019) Page 59-62	No	No	No	N/A
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	Precise Plan Draft EIR (2019) Page 62-65	No	No	No	N/A
c. Expose sensitive receptors to substantial pollutant concentrations?	Precise Plan Draft EIR (2019) Page 65	No	No	No	N/A
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	Precise Plan Draft EIR (2019) Page 65-66	No	No	No	N/A

The discussion in this section is based in part on a project-specific Air Quality Assessment prepared by Illingworth & Rodkin, Inc. in May 2021. This report is attached to this checklist as Appendix A.

3.2.1 Existing Setting

The existing air quality setting, including regulatory framework, has not substantially changed since the certification of the 2019 Precise Plan FEIR. The project site generates air quality emissions from operations of the on-site building and vehicle trips by employees and visitors. The closest sensitive receptors to the project site are mobile home residences to the east of the project site opposite Central Expressway, approximately 400 feet southeast.

3.2.2 Discussion

a. As described in the Precise Plan FEIR, implementation of the Precise Plan would support the primary goals of the 2017 Clean Air Plan (CAP), includes control measures, and does not disrupt or hinder implementation of any CAP control measures because the Precise Plan includes policies and measures that are consistent with the 2017 CAP and would not increase VMT at a rate faster than population

growth. As such, it was concluded that the Precise Plan was consistent with the 2017 CAP. The project proposes development consistent with the Precise Plan and, therefore, would also be consistent with the 2017 CAP for the same reasons. Specifically, the project would meet the goals of the 2017 CAP by not exceeding significant construction or operational emissions thresholds and not resulting in significant health risk (with the implementation of standard conditions of approval and mitigation measure MM AQ-3.1 from the Precise Plan FEIR – see discussion under b) and c) below), and by protecting the climate by complying with the Precise Plan’s requirements to reduce vehicle trips, promote multi-modal travel, and reduce energy and water use.

b. The project would generate emissions of criteria air pollutants during construction and operation. The project’s emissions during these periods are discussed below.

Construction Period Emissions

The Precise Plan FEIR concluded that implementation of the Precise Plan would result in short-term emissions from construction activities and the implementation of Best Management Practices (BMPs) and construction equipment emission reduction measures (identified as standard conditions of approval and MM AQ-3.1 in the Precise Plan FEIR) would reduce impacts to a less than significant level.

Precise Plan FEIR Mitigation Measure:

MM AQ-3.1: Construction criteria pollutant and Toxic Air Contaminants (TAC) quantification shall be required on individual projects developed under the Precise Plan once construction equipment and phasing details are available through modeling to identify impacts and, if necessary, include measures to reduce emissions below the applicable BAAQMD construction thresholds. Reductions in emissions can be accomplished through, not limited to, the following measures:

- Construction equipment selection for low emissions;
- Use of alternative fuels, engine retrofits, and added exhaust devices;
- Low-VOC paints;
- Modify construction schedule; and
- Implementation of BAAQMD Basic and/or Additional Construction Mitigation Measures for control of fugitive dust.

Pursuant to Precise Plan FEIR mitigation measure MM AQ-3.1, a project-specific construction criteria pollutant and TAC quantification was completed for the project.

Modeling was completed to estimate emissions for both on- and off-site construction activities. On-site activities are primarily made up of construction equipment emissions, while off-site activities include worker and truck traffic. The modeling of project-generated construction emissions was based on the applicant-provided schedule and equipment usage assumptions. The construction period would run continuously for approximately 15 months.⁷

⁷ Although the applicant indicated the construction of the project would take 18 months, no schedule was provided. Therefore, the CalEEMod default schedule of 15 months was used. Using this shorter schedule would compress the

Table 3.2-1 below shows the project’s estimated average daily construction emissions of reactive organic gases (ROG), nitrogen oxides (NOx), coarse particulate matter (PM₁₀) exhaust, and fine particulate matter (PM_{2.5}) exhaust.

Table 3.2-1: Average Construction Period Emissions (pounds per day)				
Scenario	ROG	NOx	PM₁₀	PM_{2.5}
2022 (260 construction workdays)	1.94	19.62	1.02	0.87
2023 (49 construction workdays)	19.38	10.07	0.53	0.42
<i>BAAQMD Thresholds</i>	54	54	82	54
Exceed Threshold?	No	No	No	No
Source: Illingworth & Rodkin, Inc. <i>189 Bernardo Avenue Air Quality Assessment</i> . May 24, 2021.				

As shown in Table 3.2-1, predicted construction emissions would not exceed the Bay Area Air Quality Management District (BAAQMD) significance thresholds. The BAAQMD CEQA Air Quality Guidelines considers construction criteria air pollutant emissions impacts that are below BAAQMD thresholds to be less than significant with the incorporation of BAAQMD BMPs (identified in the Precise Plan FEIR and below as standard conditions of approval). The project would implement the BAAQMD BMPs as standard conditions of approval, to reduce fugitive dust emissions. The project, therefore, would result in the same less than significant construction period emissions as disclosed in the Precise Plan FEIR.

Standard Conditions of Approval:

- **AIR QUALITY CONSTRUCTION MEASURES:** The applicant shall require all construction contractors to implement the basic construction mitigation measures recommended by BAAQMD to reduce fugitive dust emissions. There shall be a designated on-site coordinator and monitor to ensure implementation of the below dust control measures. Emission reduction measures shall include, at a minimum, the following measures which also include additional measures identified by BAAQMD:
 - When the air quality index forecast exceeds 100 for particulates for the project area and the reading exceeds 100 for particulates by 10:00 a.m. for the project area, prohibiting grading activities for that day.
 - All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.
 - Minimize the amount of excavated material or waste materials storied at the site or cover them with tarpaulin.
 - All haul trucks transporting soil, sand, or other loose material off-site shall be covered and loaded material shall not extend above the walls or back of the truck bed.

same construction emissions in a shorter time frame, yielding higher concentrations and assessing the more conservative construction scenario

- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Prohibit off-road diesel-powered equipment from being in the “on” position for more than 10 hours per day.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measures Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- Post a publicly visible sign with the telephone number and person to contact at the City of Mountain View and the on-site coordinator/monitor regarding dust complaints. This person shall respond and take corrective action within 48 hours. BAAQMD’s phone number shall also be visible to ensure compliance with applicable regulations.
- All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph and visible dust extends beyond site boundaries.
- Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction adjacent to sensitive receptors. Wind breaks should have at maximum 50 percent porosity.
- Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
- The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.
- Avoid tracking of visible soil material on the public roadways by employing the following measures if necessary: (1) Site accesses to a distance of 100 feet from public paved roads shall be treated with 6 to 12-inch compacted layer of wood chips, mulch, or gravel and (2) washing truck tires and construction equipment of soil prior to leaving the site.
- Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent.

Operational Period Emissions

Operational air pollutant emissions from the project would be generated primarily from vehicles driven by future office employees. Table 3.2-2 below shows the operational emissions of the project at occupancy in 2024.

Table 3.2-2: Operational Period Emissions				
Scenario	ROG	NO_x	PM₁₀	PM_{2.5}
2024 Annual Project Operational Emissions (tons per year)	0.58	0.26	0.28	0.08
<i>BAAQMD Thresholds (tons per year)</i>	<i>10</i>	<i>10</i>	<i>15</i>	<i>10</i>
Exceed Threshold?	No	No	No	No
2024 Daily Project Operational Emissions (pounds per day) ¹	3.18	1.45	1.54	0.42
<i>BAAQMD Thresholds (pounds per day)</i>	<i>54</i>	<i>54</i>	<i>82</i>	<i>54</i>
Exceed Threshold?	No	No	No	No

¹ Assumes 365-day operation
Source: Illingworth & Rodkin, Inc. *189 Bernardo Avenue Air Quality Assessment*. May 24, 2021.

As shown in Table 3.2-2, the project would not exceed the BAAQMD significance thresholds for operational emissions and, therefore, the project’s operational emissions are less than significant.

c. The Precise Plan FEIR identified a potentially significant air quality community risk impact (Impact AQ-4 in the Precise Plan FEIR) from project construction and operations near sensitive uses, specifically from short-term construction sources of Toxic Air Contaminants (TACs). The Precise Plan FEIR concluded that, with the implementation of Precise Plan FEIR mitigation measure MM AQ-3.1 (which is outlined under b) above and requires quantification of TAC impacts) and standard construction BMPs, community health risk impacts would be less than significant.

Project operation is not expected to result in localized air pollutant emissions or TACs, due to the low daily truck traffic estimated for the project and the BAAQMD permit requirements for diesel generators.⁸ Pursuant to Precise Plan FEIR mitigation measure MM AQ-3.1, TAC quantification was completed in order to evaluate the community health risk to nearby sensitive receptors from project construction emissions.

Project-Specific Construction Health Risk

Construction equipment and associated heavy-duty truck traffic generates diesel exhaust, which is a known TAC. The primary community risk impact issue associated with construction emissions are cancer risk and exposure to PM_{2.5}. Community risk impacts are addressed by predicting increased lifetime cancer risk, the increase in annual PM_{2.5} concentrations, and computing the Hazard Index (HI) for non-cancer health risks. The maximum modeled annual DPM and PM_{2.5} concentrations, which includes both the DPM and fugitive PM_{2.5} concentrations, were identified at nearby sensitive receptors,

⁸ As part of the BAAQMD permit requirements for toxics screening analysis, the engine emissions will have to meet Best Available Control Technology for Toxics (TBACT) and pass the toxic risk screening level of less than ten in a million. The risk assessment would be prepared by BAAQMD. Depending on results, BAAQMD would set limits for DPM emissions (e.g., more restricted engine operation periods). Sources of air pollutant emissions complying with all applicable BAAQMD regulations generally will not be considered to have a significant air quality community risk impact.

including the maximally exposed individual (MEI). The construction off-site MEI is located south of the project, on the south side of Central Expressway (see Figure 3.2-1).

Table 3.2-3 summarizes the maximum cancer risks, PM_{2.5} concentrations, and HI for project-related construction activities affecting the off-site MEI. The unmitigated maximum increased cancer risk and maximum PM_{2.5} concentration from construction exceeds the BAAQMD single-source thresholds of greater than 10.0 per million and 0.3 microgram per cubic meter (µg/m³), respectively. The maximum computed HI does not exceed the threshold of greater than 1.0.

Table 3.2-3: Construction and Operation Health Risk Impacts at the Off-Site Residential MEI				
Source		Cancer Risk (per million)	Annual PM_{2.5} (µg/m³)	Hazard Index
Project Construction (Years 0-2)	Unmitigated	34.36	0.33	0.04
	Mitigated*	3.51	0.09	<0.01
Project Generator Operation, One 100-kW, 150-HP (Years 2-30)		0.04	<0.01	<0.01
Total/Maximum Project Impact (Years 0-30)	Unmitigated	34.40	0.33	0.04
	Mitigated*	3.55	0.09	<0.01
<i>BAAQMD Single-Source Threshold</i>		<i>>10.0</i>	<i>>0.3</i>	<i>>1.0</i>
Exceed Threshold?	Unmitigated	Yes	Yes	No
	Mitigated*	No	No	No
* Construction equipment with Tier 4 Interim engines as Mitigation Measures Source: Illingworth & Rodkin, Inc. <i>189 Bernardo Avenue Air Quality Assessment</i> . May 24, 2021.				

Consistent with Precise Plan FEIR mitigation measure MM AQ-3.1, the project shall reduce health risk impacts to a less than significant level by selecting construction equipment with low emissions and/or using alternative fuels (in addition to the BMPs identified as standard conditions of approval under b) above) as outlined below.

- All construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 emission standards for particulate matter (PM₁₀ and PM_{2.5}), if feasible, otherwise;
 - If use of Tier 4 equipment is not available, alternatively use equipment that meets U.S. EPA emission standards for Tier 2 or 3 engines and include particulate matter emissions control equivalent to CARB Level 3 verifiable diesel emission control devices that altogether achieve a 72 percent reduction in particulate matter exhaust in comparison to uncontrolled equipment.
 - Use of alternatively fueled or electric equipment.

- Alternatively, the applicant shall develop a separate feasible plan that reduces on- and near-site construction diesel particulate matter emissions by 72 percent or greater. Such a plan shall be reviewed and approved by the City prior to beginning construction activities.

In addition, the City requires the following standard condition of approval to address community health risks from interior finishes containing formaldehyde.

Standard Condition of Approval:

- **INDOOR FORMALDEHYDE REDUCTIONS:** If the project utilizes composite wood materials (e.g., hardwood plywood, medium density fiberboard, particleboard) for interior finishes, then only composite wood materials that are made with CARB approved, no-added formaldehyde (NAF) resins, or ultra-low emitting formaldehyde (ULEF) resins shall be utilized (CARB, Airborne Toxic Control Measure to Reduce Formaldehyde Emissions from Composite Wood Products, 17 CCR Section 93120, et seq., 2009-2013).

With the implementation of the above measures (pursuant to Precise Plan FEIR mitigation measure MM AQ-3.1) and the City's standard conditions of approval identified in the discussion under b), the maximum cancer risk and PM_{2.5} concentration from construction at the off-site MEI (as well as other, sensitive receptors located farther from the site than the MEI) would be below the thresholds of significance. The project, therefore, would result in less than significant health risk impacts. This is the same impact as disclosed in the Precise Plan FEIR.



Source: Illingworth & Rodkin, Inc., May 24, 2021.

LOCATION OF OFF-SITE MEI

FIGURE 3.2-1

Cumulative Community Health Risk

The geographic area for cumulative health risk impacts to sensitive receptors is within 1,000 feet of the project site. This distance is recommended by BAAQMD because adverse effects are the greatest within this distance. At further distances, health risk diminishes. A review of the project area indicated existing sources of TACs within 1,000 feet of the project site with the potential to affect the MEI include Central Expressway and Middlefield Road (a high-volume roadways), and seven stationary sources. No other sources of TACs are within 1,000 feet of the site.

Table 3.2-4, below, summarizes the cumulative community risk at the off-site MEI from project construction/operation, vehicles traveling on Central Expressway and Middlefield Road, and the seven stationary sources. The cumulative community risk at the off-site MEI would exceed the cumulative-source threshold for PM_{2.5} only. The project, in compliance with Precise Plan FEIR mitigation measure MM AQ-3.1 and the implementation of standard construction BMPs identified as standard conditions of approval under b), the cumulative health risk from annual PM_{2.5} concentrations would be below the BAAQMD significance threshold. The project, therefore, would not result in a significant cumulative health risk impact. This is the same impact as disclosed in the Precise Plan FEIR.

Table 3.2-4: Health Risk Impacts from Combined Sources at Off-Site Construction MEI				
Source		Cancer Risk (per million)	Annual PM _{2.5} (µg/m ³)	Hazard Index
Total/Maximum Project Impact	Unmitigated	34.40 (infant)	0.33	0.04
	Mitigated	3.55 (infant)	0.09	<0.01
Central Expressway, ADT 32,640		8.97	0.56	<0.01
Middlefield Road, ADT 14,590		0.07	<0.01	<0.01
Ditech Communications (Facility ID #14252, Solvent Cleaning), MEI at 1000+ feet		-	-	<0.01
MedImmune (Facility ID #15088, Generator & Boiler [2]), MEI at 790 feet		0.29	0.06	<0.01
PCT LLC (Facility ID #18192, Generators), MEI at 650 feet		0.04	-	-
BP MV Research Park LLC (Facility ID #18838, Generators), MEI at 1000+ feet		0.04	-	-
Intermedia (Facility ID #21302, Generator), MEI at 1000+ feet		-	<0.01	-
76 Master Auto Care Inc. (Facility ID #112581, Gas Dispensing Facility), MEI at 820 feet		0.15	-	<0.01
NeuroPace (Facility ID #21008, Generators), MEI at 1000+ feet		0.14	-	-

Table 3.2-4: Health Risk Impacts from Combined Sources at Off-Site Construction MEI				
Source		Cancer Risk (per million)	Annual PM_{2.5} (µg/m³)	Hazard Index
Combined Sources				
	Unmitigated	<44.10	<0.97	<0.09
	Mitigated	<13.25	<0.73	<0.06
<i>BAAQMD Cumulative-Source Threshold</i>		>100	>0.8	>10.0
Exceed Threshold?	Unmitigated	No	Yes	No
	Mitigated	No	No	No
Source: Illingworth & Rodkin, Inc. 189 Bernardo Avenue Air Quality Assessment. May 24, 2021.				

d. The Precise Plan FEIR disclosed that construction activities could generate odorous emissions from diesel exhaust associated with construction equipment. Given the temporary nature of these emissions and the diffusive properties of diesel exhaust, exposure to sensitive receptors to these emissions would be limited. No uses that cause significant odors (e.g., landfills) are proposed as part of the Precise Plan (nor are they proposed as part of the project). For these reasons, the Precise Plan and project would not result in emissions of odors. This is the same impact as identified in the Precise Plan FEIR.

3.2.3 Conclusion

The proposed project would not result in a new or substantially more severe significant air quality impact than disclosed in the Precise Plan FEIR.

3.3

BIOLOGICAL RESOURCES

Environmental Issue Area	A. Where Impact Was Analyzed in Prior Environmental Documents.	B. Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	C. Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	D. Any New Information of Substantial Importance Requiring New Analysis or Verification?	E. Prior Environmental Documents Mitigations Implemented or Mitigations Address Impacts.
Would the project:					
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS)?	Precise Plan Draft EIR (2019) Page 78-79	No	No	No	N/A
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?	Precise Plan Draft EIR (2019) Page 78-80	No	No	No	N/A
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Precise Plan Draft EIR (2019) Page 80	No	No	No	N/A
d. Interfere substantially with the movement of any native resident or migratory fish and wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Precise Plan Draft EIR (2019) Page 78-80	No	No	No	N/A
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Precise Plan Draft EIR (2019) Page 81	No	No	No	N/A

Environmental Issue Area	A. Where Impact Was Analyzed in Prior Environmental Documents.	B. Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	C. Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	D. Any New Information of Substantial Importance Requiring New Analysis or Verification?	E. Prior Environmental Documents Mitigations Implemented or Mitigations Address Impacts.
Would the project:					
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	Precise Plan Draft EIR (2019) Page 36	No	No	No	N/A

The discussion in this section is based in part on a project-specific Arborist Report prepared by Walter Levison Consulting Arborist in May 2022. This report is attached to this checklist as Appendix B.

3.3.1 Existing Setting

The existing biological resources setting, including regulatory framework, has not substantially changed since the certification of the 2019 Precise Plan FEIR. The project site is within an urban area and provides habitat and foraging opportunities for urban-adapted birds. No rare, threatened, endangered, or special-status species are known to inhabit the project site, as described in the Precise Plan FEIR. The primary biological resource on-site are trees. The project site contains 160 trees, including 94 Heritage trees as defined in the City’s Municipal Code.⁹

3.3.2 Discussion

a. As concluded in the Precise Plan FEIR, the Precise Plan (including the proposed project) would have no impact on special-status species because no natural communities or habitats for special-status plant and animal species are present in the Precise Plan area. This is the same impact as disclosed in the Precise Plan FEIR. The project’s potential to impact nesting birds and result in bird strike hazards is discussed below.

Nesting Birds

The Precise Plan FEIR acknowledges that the Precise Plan area (including the project site) features buildings, mature trees, and vegetation that provide foraging and nesting opportunities for a variety of bird species. The proposed project would remove 112 existing on-site trees (including 64 Heritage Trees) and three off-site trees. The project would also transplant three non-Heritage within the project site. Raptors (birds of prey) and nesting birds are protected by the Migratory Bird Treaty Act (MBTA)

⁹ Mountain View Municipal Code Chapter 32, Article II defines a “Heritage Tree” as a tree with any of the following characteristics: a tree trunk with a circumference of forty-eight inches or more, measured at fifty-four inches above natural grade. Multi-trunk trees are measured just below the first major trunk fork. Any of the following three species of trees with a circumference of twelve inches or more, measured at fifty-four inches above natural grade: Quercus (oak), Sequoia (redwood), Cedrus (cedar), and groves of trees designated as “heritage” by the City Council.

and the California Department of Fish and Wildlife (CDFW) code requirements. Urban-adapted raptors or other avian nests present on or adjacent to the site could be disturbed by project construction activities and result in the loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes abandonment and/or loss of reproductive effort is considered a taking by the CDFW and would constitute a significant impact.

In compliance with the MBTA and CDFW code, the project shall implement the following City standard condition of approval, consistent with the Precise Plan FEIR, to reduce or avoid construction-related impacts to nesting birds (including raptors) and their nests.

Standard Condition of Approval

- **PRECONSTRUCTION NESTING BIRD SURVEY:** To the extent practicable, vegetation removal and construction activities shall be performed from September 1 through January 31 to avoid the general nesting period for birds. If construction or vegetation removal cannot be performed during this period, preconstruction surveys shall be performed no more than two days prior to construction activities to locate any active nests as follows:

The applicant shall be responsible for the retention of a qualified biologist to conduct a survey of the project site and surrounding 500 feet for active nests—with particular emphasis on nests of migratory birds if construction (including site preparation) begins during the bird nesting season, from February 1 through August 31. If active nests are observed on either the project site or surrounding area, the qualified biologist, in coordination with the appropriate City staff, shall establish no-disturbance buffer zones around the nests, with the size to be determined in consultation with the CDFW (usually 100 feet for perching birds and 300 feet for raptors). The no-disturbance buffer shall remain in place until the biologist determines the nest is no longer active or the nesting season ends. If construction ceases for two days or more and then resumes during the nesting season, an additional survey shall be necessary to avoid impacts on active bird nests that may be present.

Bird Strike Hazards

Bird Safe Design measures included in the Precise Plan are intended to help diminish the likelihood of building collision fatalities through façade treatments and light pollution reduction. The proposed project would be required to incorporate the following standard conditions to reduce bird collision risk. Additional details regarding these standards can be found in Chapter 4 of the Precise Plan.

Standard Conditions of Approval

- **FAÇADE TREATMENTS:** No more than 10 percent of the surface area of a building's total exterior façade shall have untreated glazing between the ground and 60 feet above ground. Examples of bird-friendly glazing treatments include opaque glass, covering of clear glass surface with patterns, use of paned glass with fenestration patterns, and use of external screens over non-reflective glass.

- **OCCUPANCY SENSORS:** For non-residential development, occupancy sensors or other switch control devices shall be installed on non-emergency lights. These lights should be programmed to shut off during non-work hours and between 10:00 p.m. and sunrise.
- **FUNNELING OF FLIGHT PATHS:** New construction shall avoid funneling of flight paths along buildings or trees towards a building façade.
- **SKYWAYS, WALKWAYS, OR GLASS WALLS:** New construction and building additions shall avoid building glass skyways or walkways, freestanding glass walls, transparent building corners, or landscaping behind glass (such as in atriums). New construction and building additions should minimize the use of glass at tops of buildings, especially when incorporating a green roof into the design.

With the implementation of the Precise Plan FEIR condition of approval requiring preconstruction nesting bird surveys and no-disturbance buffer zones (if needed) and incorporation of the Precise Plan bird safe design standards identified above, the proposed project would have a less than significant impact pertaining to nesting birds and bird strikes. The bird safe design features would be incorporated into the final development plans for the project, which would be reviewed by the Planning Division at the time of building permit to ensure proper implementation (consistent with the Precise Plan). This is the same impact as disclosed in the Precise Plan FEIR.

b, c. The Precise Plan FEIR concluded that the implementation of the Precise Plan would not impact riparian habitat, wetlands, or other sensitive habitat because those habitats are not present in the Precise Plan area. There is no riparian habitat, wetland, or other sensitive habitat on or adjacent to the site. The nearest wetlands to the project site are freshwater ponds in Sunnyvale Municipal Golf Course, approximately 0.6-mile northeast and Stevens Creek riverine habitat approximately one-mile west of the project site.¹⁰ Therefore, the project would not have an impact on state or federally protected riparian habitat, sensitive natural community, or wetlands. This is the same impact as disclosed in the Precise Plan FEIR.

d. There are no waterways on-site, therefore, the project site does not support the movement of fish. The project site is currently developed and surrounded by existing urban development. For that reason, the project site is not an important area for movement for non-flying wildlife, and it does not contain any high-quality corridors allowing dispersal of such animals through the Precise Plan area. As discussed above, the proposed project would incorporate Bird Safe Design standards into the project design to minimize bird strike hazards. With incorporation of these conditions and standards, the proposed project would have a less than significant impact on migratory bird movement. This is the same impact as disclosed in the Precise Plan FEIR.

e. The proposed project would remove 112 on-site trees (including 64 Heritage trees) and three off-site trees. The project would plant 224 new trees. The City of Mountain View regulations require a

¹⁰ United States Fish and Wildlife Service. *National Wetlands Inventory, Surface Waters and Wetlands*. Map. November 2019.

permit to remove or move any tree over 48-inches in circumference or any oak, redwood, or cedar tree over 12-inches in circumference (measured at 54-inch above grade). A City of Mountain View Heritage tree removal permit is required before any Heritage trees are removed. Pursuant to the Precise Plan FEIR, the proposed project would implement the following standard City conditions of approvals to reduce impacts due to the loss of Heritage trees. The project, therefore, would result in the same impact as disclosed in the Precise Plan FEIR.

Standard Conditions of Approval

- **REPLACEMENT:** The applicant shall offset the loss of each Heritage tree with a minimum of two new trees. Each replacement tree shall be no smaller than a 24-inch box and shall be noted on the landscape plans submitted for building permit review as Heritage replacement trees.
- **TREE PROTECTION MEASURES:** The tree protection measures listed in the arborist's report prepared by Walter Levison Consulting Arborist and dated February 5, 2023 shall be included as notes on the title sheet of all grading and landscape plans. These measures shall include, but may not be limited to, six-foot chain link fencing at the drip line, a continuous maintenance and care program, and protective grading techniques. Also, no materials may be stored within the drip line of any tree on the project site.
- **TREE MITIGATION AND PRESERVATION PLAN:** The applicant shall develop a tree mitigation and preservation plan to avoid impacts on regulated trees and mitigate for the loss of trees that cannot be avoided. The plan shall also outline measures to be taken to preserve off-site trees. Routine monitoring for the first five years and corrective actions for trees that consistently fail the performance standards shall be included in the tree mitigation and preservation plan. The tree mitigation and preservation plan shall be developed in accordance with Chapter 32, Articles I and II, of the City Code, and subject to approval of the Zoning Administrator prior to removal or disturbance of any Heritage trees resulting from project activities, including site preparation activities.

f. As discussed in the Precise Plan FEIR, the Precise Plan area (which includes the project site) is not part of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan.

The Santa Clara Valley Habitat Plan/Natural Community Conservation Plan (Habitat Plan) is a conservation program that promote the recovery of endangered species in portions of Santa Clara County while accommodating planned development, infrastructure and maintenance activities. The Precise Plan area, including the project site, is located outside the Habitat Plan area. Nitrogen deposition contribution estimates of impacts on serpentine habitat in Santa Clara County were made as a part of the development of the Habitat Plan. The Precise Plan FEIR concluded that the nitrogen emissions (based on existing and future vehicle emissions) that would result from build-out of the Precise Plan (which includes the proposed development) were found less than cumulatively considerable (given that buildout of the Precise Plan is a small portion of Santa Clara County's overall emissions). The Habitat Plan accounts for the indirect impacts of nitrogen deposition (existing and future) and identifies measures to conserve and manage serpentine areas over the term of the Habitat

Plan, such that cumulative impacts to this habitat and associated special-status species would not be significant and adverse.

For the above reasons, the project would not conflict with an adopted habitat conservation plan. This is the same impact as disclosed in the Precise Plan FEIR.

3.3.3 Conclusion

The proposed project would not result in a new or substantially more severe significant biological resources impact than disclosed in the Precise Plan FEIR.

3.4

CULTURAL RESOURCES

Environmental Issue Area	A. Where Impact Was Analyzed in Prior Environmental Documents.	B. Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	C. Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	D. Any New Information of Substantial Importance Requiring New Analysis or Verification?	E. Prior Environmental Documents Mitigations Implemented or Mitigations Address Impacts.
Would the project:					
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	Precise Plan Draft EIR (2019) Page 86-87	No	No	No	N/A
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	Precise Plan Draft EIR (2019) Page 87-88	No	No	No	N/A
c. Disturb any human remains, including those interred outside the formal cemeteries?	Precise Plan Draft EIR (2019) Page 87-88	No	No	No	N/A

3.4.1 Existing Setting

The existing cultural resources setting, including regulatory framework, has not substantially changed since the certification of the 2019 Precise Plan FEIR. As disclosed in the Precise Plan FEIR, there are no known cultural resources within the Precise Plan area, including the project site.¹¹

The on-site structure was constructed 1985.¹² The City does not consider the on-site building or any of the adjacent buildings historic resources and these buildings are not listed on the National Register of Historic Places, California Register of Historical Resources or City of Mountain View register of historic resources.¹³

Areas that are near natural water sources (e.g., riparian corridors and tidal marshland) would be considered highly sensitive for prehistoric archaeological deposits and human remains. The project site is approximately three miles from the San Francisco Bay and approximately one mile east of Stevens Creek. The Precise Plan FEIR disclosed that the Precise Plan area (which includes the project site) is a moderately archaeologically sensitive area.¹⁴

¹¹ City of Mountain View. *East Whisman Precise Plan Draft Environmental Impact Report*. June 2019. Page 85.

¹² WSP. *Phase I Environmental Site Assessment 189 N. Bernardo Avenue, Mountain View, California. October 2020*.

¹³ U.S. Department of Interior. “National Register of Historic Places”. Accessed January 3, 2022. <https://www.nps.gov/subjects/nationalregister/database-research.htm>. California State Parks Office of Historic Preservation. “Built Environment Resource Directory (BERD)”. Accessed January 3, 2022. https://ohp.parks.ca.gov/?page_id=30338.

¹⁴ City of Mountain View. *East Whisman Precise Plan Draft Environmental Impact Report*. June 2019. Page 85.

3.4.2 Discussion

a. As discussed above in Section 3.4.1 Existing Setting, the City does not consider the existing building or buildings adjacent to the project site as historic resources and there are no historic resources in the Precise Plan area listed in the national, state or local registers of historic places. In addition, the existing building on-site is proposed to be retained with only minor exterior and landscape improvements proposed as part of the proposed project. Therefore, the proposed project would not result in a significant impact on historic resources. This is the same impact as disclosed in the Precise Plan FEIR.

b-c. As discussed in the Precise Plan FEIR, buried historic or prehistoric resources are unlikely to be present in most developed areas of the Precise Plan. Although it is unlikely that buried historic or prehistoric buried archaeological resources are present on the project site given its developed nature, these resources could be encountered during excavation, construction, or infrastructure improvements for the project, resulting in a significant impact.

The project would implement the City’s standard conditions of approval related to the discovery of archaeological resources and human remains identified in the Precise Plan FEIR and in compliance with General Plan Policies LU-11.5 and LU-11.6¹⁵, should they be encountered on the site. The standard conditions are identified below and include halting work if resources or human remains are discovered, notifying and consulting appropriate parties, and implementing measures to avoid significantly impacting the resource or human remains. The Precise Plan FEIR concluded that, with the implementation of the below standard conditions of approval, impacts to archaeological resources would be less than significant. The project would implement the below standard conditions of approval; therefore, resulting in the same impact as disclosed in the Precise Plan FEIR.

Standard Conditions of Approval

- **DISCOVERY OF ARCHAEOLOGICAL RESOURCES.** If prehistoric, or historic-period cultural materials are unearthed during ground-disturbing activities, all work within 100 feet of the find be halted until a qualified archaeologist and Native American representative can assess the significance of the find. Prehistoric 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 and artifacts; stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered-stone tools, such as hammerstones and pitted stones. Historic-period materials might include stone, concrete, or adobe footings and wall, filled wells or privies, and deposits of metal, glass, and/or ceramic refuse. If the find is determined to be potentially significant, the archaeologist, in consultation with the Native American representative, shall develop a treatment plan that could include site avoidance, capping, or data recovery.
- **DISCOVERY OF HUMAN REMAINS.** In the event of the discovery of human remains during construction or demolition, there shall be no further excavation or disturbance of the site within a 50-foot radius of the location of such discovery, or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that

¹⁵ General Plan Policy LUD 11.5 states Require all new development to meet state codes regarding the identification and protection of archaeological and paleontological deposits. General Plan Policy LUD 11.6 states Require all new development to meet state codes regarding the identification and protection of human remains.

the remains are not subject to his/her authority, he/she shall notify the NAHC, which shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this state law, then the landowner shall reinter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.

A final report shall be submitted to the City's Community Development Director prior to release of a Certificate of Occupancy. This report shall contain a description of the mitigation programs and its results, including a description of the monitoring and testing resources analysis methodology and conclusions, and a description of the disposition/curation of the resources. The report shall verify completion of the mitigation program to the satisfaction of the City's Community Development Director.

3.4.3 Conclusion

The proposed project would not result in a new or substantially more severe significant cultural resources impact than disclosed in the Precise Plan FEIR.

3.5

ENERGY

Environmental Issue Area	A. Where Impact Was Analyzed in Prior Environmental Documents.	B. Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	C. Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	D. Any New Information of Substantial Importance Requiring New Analysis or Verification?	E. Prior Environmental Documents Mitigations Implemented or Address Impacts.
Would the project:					
a. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?	Precise Plan Draft EIR (2019) Page 93-95	No	No	No	N/A
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	Precise Plan Draft EIR (2019) Page 95	No	No	No	N/A

The discussion in this section is based in part on a project-specific Air Quality Assessment prepared by Illingworth & Rodkin, Inc. in May 2021. This report is attached to this checklist as Appendix A.

3.5.1 Existing Setting

The existing energy setting, including regulatory framework, has not substantially changed since the certification of the 2019 Precise Plan FEIR. The site uses energy in the form of electricity and natural gas for building operations, lighting, heating, and cooling. Vehicle trips by employees and visitors use gasoline and diesel fuel.

3.5.2 Discussion

- a. The Precise Plan FEIR concluded that construction of future projects in the Precise Plan area would not result in wasteful, inefficient, or unnecessary consumption of energy because:
- Construction processes are generally designed to be efficient in order to avoid excess monetary costs;
 - The Precise Plan area is in an urbanized area with access to roadways, supplies, and workers; and
 - Future development would implement BAAQMD BMPs that restrict idling times.

As discussed in Section 3.2 Air Quality, the project would be required to implement BAAQMD BMPs, as standard conditions of approval. The BMPs include restricting equipment idling times and requiring the applicant to post signs on the project site reminding workers to shut off idle equipment, thus reducing energy waste. In addition, the project would comply with the City’s requirements to reuse a minimum of 65 percent of nonhazardous construction and demolition waste, minimizing energy

impacts from the creation of excessive waste. For these reasons, the project would result in the same construction-related energy impact as disclosed in the Precise Plan FEIR.

The Precise Plan FEIR concluded that the operation of future uses in the Precise Plan area would not result in wasteful, inefficient, or unnecessary consumption of energy because:

- New construction under the Precise Plan would meet green specified building standards identified in the Precise Plan, which meet or exceed state-required Title 24 energy efficiency standards;
- The Precise Plan area is an infill location served by existing infrastructure and served by transit;
- The Precise Plan includes a mix of uses (e.g., places housing near jobs);
- The Precise Plan promotes alternative modes of travel and requires projects to implement TDM plans.

The Precise Plan FEIR disclosed that the energy demand from the buildout of the Precise Plan (which includes the proposed project) would be a minor increase compared to the statewide energy supplies. Energy consumption for the proposed project was estimated using CalEEMod standard assumptions and project-specific data provided by the applicant. It is estimated that the project would result in a net increase in demand of approximately 1,849,893 kWh of electricity, 1,370,990 kBtu of natural gas, and 32,059 gallons of gasoline annually.

Pursuant to the Precise Plan, the project is required to achieve LEED Platinum or equivalent. Compliance with this Precise Plan standard would meet or exceed state-required Title 24 energy efficiency requirements and would further decrease the potential for energy waste and increase building efficiency. In addition, as discussed in Section 2.2 Project Description, the project would implement TDM measures. For these reasons, the project would result in the same operational energy impact as disclosed in the Precise Plan FEIR.

b. As required under the City of Mountain View Greenhouse Gas Reduction Program and Precise Plan, TDM plans are required to be prepared and implemented for office/R&D uses. As discussed in Section 2.2 Project Description, the project proposes TDM measures including a trip cap of 138 a.m. peak-hour trips and 127 p.m. peak-hour trips. The project would obtain electricity from Silicon Valley Clean Energy, which provides 100 percent GHG-emission free energy from renewable and hydroelectric sources, consistent with the state's Renewables Portfolio Standard program and SB 350. In addition, the Precise Plan requires new development (including the proposed project) to meet specified building standards that meet or exceed state mandated Title 24 energy efficiency standards, California Green Building Standards Code (CALGreen) standards, and Mountain View Green Building Code standards; especially with the inclusion of water efficiency and LEED (or equivalent) requirements. Thus, the Precise Plan and the proposed project would not obstruct a state or local plan for renewable energy or energy efficiency. This is the same impact as disclosed in the Precise Plan FEIR.

3.5.3 Conclusion

The proposed project would not result in a new or substantially more severe significant energy impact than disclosed in the Precise Plan FEIR.

3.6

GEOLOGY, SOILS, AND MINERALS

Environmental Issue Area	A. Where Impact Was Analyzed in Prior Environmental Documents.	B. Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	C. Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	D. Any New Information of Substantial Importance Requiring New Analysis or Verification?	E. Prior Environmental Documents Mitigations Implemented or Mitigations Address Impacts.
Would the project:					
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: <ul style="list-style-type: none"> i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. ii. Strong seismic ground shaking? iii. Seismic-related ground failure, including liquefaction? iv. Landslides? 	Precise Plan Draft EIR (2019) Page 101-102	No	No	No	N/A
b. Result in substantial soil erosion or the loss of topsoil?	Precise Plan Draft EIR (2019) Page 103	No	No	No	N/A
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	Precise Plan Draft EIR (2019) Page 102-103	No	No	No	N/A
d. Be located on expansive soil, as defined in the current CBC creating substantial risks to life or property?	Precise Plan Draft EIR (2019) Page 102-103	No	No	No	N/A

Environmental Issue Area	A. Where Impact Was Analyzed in Prior Environmental Documents.	B. Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	C. Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	D. Any New Information of Substantial Importance Requiring New Analysis or Verification?	E. Prior Environmental Documents Mitigations Implemented or Mitigations Address Impacts.
Would the project:					
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	Precise Plan Draft EIR (2019) Page 102-103	No	No	No	N/A
f. Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	Precise Plan Draft EIR (2019) Page 103	No	No	No	N/A
g. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	Precise Plan Draft EIR (2019) Page 103	No	No	No	N/A
h. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local General Plan, specific plan or other land use plan?	Precise Plan Draft EIR (2019) Page 103	No	No	No	N/A

3.6.1 Existing Setting

The existing geology and soils setting, including regulatory framework, has not substantially changed since the certification of the 2019 Precise Plan FEIR. The project site is not located within the Alquist-Priolo special study zone on the California Geological Survey fault zone map.¹⁶ The project site is within a seismically active region, as well as a liquefaction hazard zone.¹⁷ The project site is generally underlain by clay loam soil with an approximate ground surface elevation of 93 feet above mean sea level.¹⁸ The soils present at the project site exhibit moderate- to high-shrink-swell (i.e., expansive) behavior.¹⁹ The project site is not located within a Santa Clara County Compressible Soils Hazard

¹⁶ Department of Conservation, California Geological Survey. *Earthquake Zones of Required Investigation*. Map. 2019.

¹⁷ Santa Clara County. *Geologic Hazard Zones*. Map. October 26, 2012.

¹⁸ WSP USA Inc. *Phase I Environmental Site Assessment 189 N. Bernardo Avenue, Mountain View, California*. October 2020.

¹⁹ United States Department of Agriculture Natural Resources Conservation Service. "Web Soil Survey". Accessed June 23, 2021. <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>.

Zone.²⁰ Groundwater levels in the Precise Plan area ranged from 15 feet to 41 feet below grade, and groundwater levels at the project site have been measured at 25 feet below grade.²¹

Based on mapping by the California Division of Mines and Geology, as well as the California Department of Conservation, there have been no mineral or aggregate sources of statewide importance identified within the Mountain View city limits.²²

3.6.2 Discussion

a. (i-iv) As discussed in Section 3.6.1 Existing Setting, the project site is not located within the Alquist-Priolo special study zone. As disclosed in the Precise Plan FEIR, the Precise Plan area (which includes the project site) is located in a seismically active region, and as such, strong to very strong ground shaking would be expected during the lifetime of the proposed project. Although no active faults are known to cross the project site (therefore, fault rupture would not occur on-site), nearby active faults include the Monte Vista-Shannon Fault, approximately five-miles southwest of the project site, and the San Andreas Fault, located approximately eight-miles west of the project site.²³ As such, ground shaking on the site could damage structures and threaten future occupants of the proposed development. Additionally, the project site is located in a liquefaction hazard area.²⁴ Due to the relatively flat topography of the site and surrounding areas, the project would not be subject to substantial slope instability or landslide related hazards.

Consistent with the Precise Plan FEIR, the proposed project would be designed and constructed in accordance with CBC requirements, and General Plan Policies PSA 4.2, PSA 5.1, PSA 5.2, PSA 5.3, PSA 5.4, and INC 2.3.²⁵ Additionally, the project is required to implement the below standard condition of approval identified in the Precise Plan FEIR requiring the preparation of a design-level geotechnical investigation report and implementation of the standard engineering and design recommendations in the report to minimize seismic and seismic-related hazards (including liquefaction) to a less than significant level. The project, therefore, would result in the same impact as disclosed in the Precise Plan FEIR.

Standard Condition of Approval:

- **GEOTECHNICAL REPORT:** The applicant shall have a design-level geotechnical investigation prepared which includes recommendations to address and mitigate geologic hazards in accordance with the specifications of California Geological Survey special

²⁰ Santa Clara County. *Geologic Hazard Zones*. Map. October 26, 2012.

²¹ WSP USA Inc. *Phase I Environmental Site Assessment 189 N. Bernardo Avenue, Mountain View, California*. October 2020.

²² City of Mountain View. *East Whisman Precise Plan Draft Environmental Impact Report*. Page 101. June 2019. SCH #: 2017082051.

²³ Department of Conservation, California Geological Survey. *Earthquake Zones of Required Investigation*. Map. 2019.

²⁴ Ibid.

²⁵ General Plan Policy PSA 4.2 state to minimize impacts of natural disasters. General Plan Policies PSA 5.1 – 5.4 state to ensure new development addresses seismically induced geologic hazards, comply with Alquist-Priolo Earthquake Fault Zoning Act, ensure City uses effective technology to inform the community about potential hazards, and ensure new underground utilities are designed to meet current seismic standards. General Plan Policy INC 2.3 requires the use of available technology and earthquake resistant materials in the design and construction of all infrastructure projects.

Publication 117, Guidelines for Evaluating and Mitigating Seismic Hazards, and the requirements of the Seismic Hazards Mapping Act. The report shall be submitted to the City prior to the issuance of building permits, and the recommendations made in the geotechnical report shall be implemented as part of the project. Recommendations may include considerations for design of permanent below-grade walls to resist static lateral earth pressures, lateral pressures caused by seismic activity, and traffic loads; method for back draining walls to prevent the buildup of hydrostatic pressure; considerations for design of excavation shoring system; excavation monitoring; and seismic design.

Specific recommendations contained in the geotechnical report prepared for the future development projects shall also be implemented to the satisfaction of the City of Mountain View Building Inspection Division.

b. As disclosed in the Precise Plan FEIR, given the site and site area's flat topography, the proposed project would not be subject to substantial erosion. Therefore, it was concluded in the Precise Plan FEIR that future development (including the project) would not expose people or structures to significant erosion-related hazards. In addition, the project would be required to implement the standard conditions of approval identified in the Precise Plan FEIR (which are discussed in Section 3.9 Hydrology and Water Quality) to ensure that erosion and loss of topsoil would not occur during construction and operation of the project. The project would result in the same impact as disclosed in the Precise Plan FEIR.

c-d. Soils with moderate- to high- expansion potential occur on-site, which can cause heaving and cracking of slabs-on-grade, pavements, and structures founded on shallow foundations. Given the proximity of seismically active faults, seismic ground shaking could result in liquefaction, liquefaction-induced lateral spreading, or differential settlement/subsidence. As discussed above, groundwater levels in the project area are around 25 feet below grade. The proposed project would excavate approximately 20 feet below grade for the proposed parking garage; therefore, it is not anticipated that dewatering would be required. Implementation of the above standard condition of approval would reduce the impacts of expansive soils and seismic-related hazards to a less than significant level. This is the same impact identified in the Precise Plan FEIR. Furthermore, consistent with the Precise Plan FEIR, the project site does not contain steep slopes subject to landslide potential.

e. The project would connect to existing City sewer lines and does not propose treatment of wastewater on-site. Therefore, the project would have no substantial impact on the project site soils' ability to support alternative wastewater systems. This is the same impact as disclosed in the Precise Plan FEIR.

f. No paleontological resources have been identified in the City of Mountain View; however, construction and excavation could result in the disturbance of unknown resources. The Precise Plan FEIR concluded that future development would implement the standard condition of approval regarding the discovery of paleontological resources listed below to reduce impacts to unknown paleontological resources to a less than significant level. The standard condition of approval includes halting work in the event of a fossil discovery, examination of the find by a qualified paleontologist, and implementation of avoidance measures or a data recovery plan to reduce the impact to a less than significant level. The project would implement the below standard condition of approval and, therefore, would result in the same impact as disclosed in the Precise Plan FEIR.

Standard Condition of Approval

- **DISCOVERY OF PALEONTOLOGICAL RESOURCES:** In the event a fossil is discovered during construction of the project, excavations within 50 feet of the find shall be temporarily halted or delayed until the discovery is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The City shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. If the find is determined to be significant and if avoidance is not feasible, the paleontologist shall design and carry out a data recovery plan consistent with the Society of Vertebrate Paleontology standards.

g-h. As disclosed in the Precise Plan FEIR, there are no minerals or aggregate resources of statewide importance located in the Precise Plan area (which includes the project site). Implementation of the project, therefore, would not result in an impact to mineral resources. This is the same impact as identified in the Precise Plan FEIR.

3.6.3 **Conclusion**

The proposed project would not result in a new or substantially more severe significant geology, soils, and minerals impact than disclosed in the Precise Plan FEIR.

3.7

GREENHOUSE GAS EMISSIONS

Environmental Issue Area	A. Where Impact Was Analyzed in Prior Environmental Documents.	B. Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	C. Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	D. Any New Information of Substantial Importance Requiring New Analysis or Verification?	E. Prior Environmental Documents Mitigations Implemented or Mitigations Address Impacts.
Would the project:					
a. Generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment?	Precise Plan Draft EIR (2019) Page 109-111	No	No	No	N/A
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing GHG emissions?	Precise Plan Draft EIR (2019) Page 111-113	No	No	No	N/A

The discussion in this section is based in part on air quality calculations completed for the project in the Air Quality Assessment prepared by Illingworth & Rodkin, Inc. in May 2021. This report is attached to this checklist as Appendix A.

3.7.1 Existing Setting

The existing GHG setting, including regulatory framework, has not substantially changed since the certification of the 2019 Precise Plan FEIR. The project site generates GHG emissions primarily from natural gas use as part of operation of the buildings (electricity supplied to the site is GHG-emission free from Silicon Valley Clean Energy) and fossil fuel combustion from vehicle trips by employees and visitors.

3.7.2 Discussion

a. Construction of the proposed project is estimated to result in approximately 310 metric tons of carbon dioxide equivalent (CO₂e). These emissions are from on-site operation of construction equipment, vendor and hauling truck trips, and worker trips. Neither BAAQMD nor CEQA has an adopted threshold of significance for construction-related GHG emissions, as stated in the Precise Plan FEIR. There is nothing atypical or unusual about the project’s construction. The project would implement standard BMPs identified in Section 3.2 Air Quality to restrict idling of construction equipment, which would in turn reduce GHG emissions. The project would also comply with the City’s requirements to recycle or salvage a minimum of 65 percent of nonhazardous construction and demolition debris generated. For these reasons, the project’s construction-related GHG emissions are less than significant.

Operation of the proposed project would generate GHG emissions primarily from natural gas use at the office building and fossil fuel combustion from vehicle trips to and from the project site. The Precise Plan FEIR modeled GHG emissions from buildout of the Precise Plan (which included the

proposed project) and determined that emissions would be below the City's Greenhouse Gas Reduction Program (GGRP) 2030 threshold of significance of 4.5 metric tons CO₂e per year per service population. The proposed project is consistent with the Precise Plan; therefore, the project would result in same less than significant GHG emission impact as disclosed in the Precise Plan FEIR.

Since certification of the Precise Plan FEIR, BAAQMD has adopted updated GHG thresholds which include screening criteria for land use projects. Under the new thresholds, projects consistent with a qualified GGRP are considered to have a less than significant GHG impact. As discussed in checklist question b) below, the proposed project would be consistent with the City's GGRP. Thus, the project would have a less than significant GHG impact under BAAQMD's new thresholds.

b. As discussed in Section 3.2 Air Quality, the proposed project would be consistent with the 2017 CAP. Further, the Precise Plan FEIR determined that development projects would be consistent with Plan Bay Area and the GGRP by locating development within a Priority Development Area (PDA), requiring TDM plans for projects within the Precise Plan area, and requiring projects to meet applicable green building codes (i.e., LEED Platinum, CALGreen, Mountain View Green Building Code, Title 24). The project is located within a PDA, proposes to implement a TDM plan, and would meet applicable green building codes. For these reasons, the project would result in the same impact as disclosed in the Precise Plan FEIR.

3.7.3 Conclusion

The proposed project would not result in a new or substantially more severe significant GHG impact than disclosed in the Precise Plan FEIR.

3.8

HAZARDS AND HAZARDOUS MATERIALS

Environmental Issue Area	A. Where Impact Was Analyzed in Prior Environmental Documents.	B. Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	C. Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	D. Any New Information of Substantial Importance Requiring New Analysis or Verification?	E. Prior Environmental Documents Mitigations Implemented or Mitigations Address Impacts.
Would the project:					
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Precise Plan Draft EIR (2019) Page 127-128	No	No	No	N/A
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Precise Plan Draft EIR (2019) Page 128-132	No	No	No	Yes, MM HAZ-3.1
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Precise Plan Draft EIR (2019) Page 132	No	No	No	N/A
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Precise Plan Draft EIR (2019) Page 128-132	No	No	No	Yes, MM HAZ-3.1
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	Precise Plan Draft EIR (2019) Page 132-137	No	No	No	N/A
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Precise Plan Draft EIR (2019) Page 137	No	No	No	N/A

Environmental Issue Area	A. Where Impact Was Analyzed in Prior Environmental Documents.	B. Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	C. Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	D. Any New Information of Substantial Importance Requiring New Analysis or Verification?	E. Prior Environmental Documents Mitigations Implemented or Mitigations Address Impacts.
Would the project:					
g. Expose people or structures to a significant risk of loss, injury or death involving wildland fires?	Precise Plan Draft EIR (2019) Page 137	No	No	No	N/A

The discussion in this section is based in part on a Phase I Environmental Site Assessment (ESA) completed in October 2020 and a soil and soil vapor intrusion investigation completed in April 2022 by WSP, as well as a Peer Review of the Phase I ESA completed in January 2021 by Farallon Consulting. These reports are attached as Appendix C and Appendix D, respectively.

3.8.1 Existing Setting

The existing hazards and hazardous materials setting, including regulatory framework, has not substantially changed since the certification of the 2019 Precise Plan FEIR.

3.8.1.1 *Site History and Potential On-Site Source of Contamination*

The project site is historically agricultural and was occupied by orchards as early as 1939. During the 1950s or 1960s, the orchards were replaced by agricultural buildings. The existing building at 189 North Bernardo Avenue was constructed in 1985. Soils on the project site may contain residual pesticide contamination from past agricultural activities, if the soils have not been previously excavated during construction of the existing building. The soil and soil vapor intrusion investigation (see Appendix C) tested three soil vapor wells and four soil samples on-site. No samples exceeded environmental screening levels (ESLs) for pesticides or other potential contaminants. Additional information about on-site conditions and history is provided in Appendix C.

3.8.1.2 *Potential Off-Site Source of Contamination at 1140 West Evelyn Avenue*

According to the Phase I ESA, only one source off-site contamination was identified to potentially affect the project site. The Lynch Circuits site is located at 1140 West Evelyn Avenue, approximately 600 feet south from and upgradient of the project site, and is developed with a single industrial building and small parking lot. The Lynch Circuits site was used in circuit board and transistor manufacturing starting in 1962 and contained a former above ground chemical treatment system, waste chemical storage area, and an acid trichloroethene (TCE) sump. Various manufacturing companies leased the site, with the last company and identified responsible party for the release listed as Alcatel-Lucent USA Inc. (currently Nokia America Corporation).

The contaminants of concern include 1,1,1-trichloroethane (TCA), chromium, copper, lead, chlorinated hydrocarbons, cis-1,2-dichloroethene (DCE), and TCE. Remedial measures were conducted at the Lynch Circuits site from July 1994 to September 2001. During that time,

approximately 10,000 gallons per day of impacted groundwater reportedly were extracted and treated. In 2019, groundwater at the site was retested and found that the levels of TCE, DCE and vinyl chloride exceeded their Regional Water Quality Control Board's (RWQCB) maximum contaminant levels. Groundwater monitoring is currently ongoing to measure the natural attenuation of groundwater contaminants. The Lynch Circuits site is considered a controlled recognized environmental condition (CREC) under active investigation with regulatory oversight by the RWQCB. Contaminated groundwater from the Lynch Circuits CREC has migrated beneath the project site.

3.8.2 Discussion

a. The Precise Plan FEIR concluded that projects that comply with federal, state, local requirements, City of Mountain View 2030 General Plan policies and actions, and standard City conditions of approval would reduce the potential for hazardous materials impacts to existing residents and businesses in and near the Precise Plan area to a less than significant level.

The existing building on-site (constructed in 1985) could contain asbestos-containing materials given its age. Lead-based paint was banned in 1978; therefore, the existing building is not expected to contain lead-based paint. The project would comply with local, state, and federal laws, which require a qualified professional to survey the building areas proposed for improvements to determine the presence of asbestos and properly dispose of the material. Thus, impacts would be reduced to a less than significant level (as described in the Precise Plan FEIR).

The Precise Plan FEIR concluded that the small quantities of the hazardous materials used on-site would make an accidental release unlikely to result in a substantial concentration that would release far from the source and future development would comply with existing regulations regarding the use, storage, and disposal of hazardous materials, thereby reducing the impact less than significant. The proposed office development would routinely use limited amounts of herbicides, pesticides, fuels, and oils for landscaping maintenance, and cleaning materials typical of office uses. No other routine transport, use, or disposal of hazardous materials would occur with the proposed project. The project would comply with existing regulations (including General Plan Policies PSA 3.2 and PSA 3.3). For these reasons, the project would result in the same impact as disclosed in the Precise Plan FEIR.

b., d. As discussed above, contaminated groundwater from the Lynch Circuits CREC has migrated beneath the project site. The contaminants, particularly TCE and other volatile organic compound (VOC) vapors, present a potential vapor intrusion risk for the proposed building. In addition, residual pesticides could be present in on-soils given the historic agricultural use at the site.

The Precise Plan FEIR concluded that with the implementation of Precise Plan FEIR mitigation measure MM HAZ-3.1, future construction activities would not expose construction workers, the environment, or area residents to unacceptable health risks from contaminated groundwater, soils, and soil gas.

Precise Plan FEIR Mitigation Measure:

MM HAZ-3.1: Prior to the start of any redevelopment activity, a property-specific Phase I ESA shall be completed in accordance with ASTM Standard Designation E 1527-13 to identify Recognized Environmental Conditions, evaluate the property history, and

establish if the property is likely to have been impacted by chemical releases. Soil, soil vapor, and/or groundwater quality studies shall subsequently be conducted, if warranted based on the findings of the property-specific Phase I ESAs, to evaluate if mitigation measures are needed to protect the health and safety of construction workers, the environment, and area residents.

At properties identified as being impacted or potentially impacted by Recognized Environmental Conditions as part of the property-specific Phase I ESA or subsequent studies, a Site Management Plan (SMP) shall be prepared prior to development activities to establish management practices for handling contaminated soil, soil vapor, groundwater, or other materials during construction activities. The SMP shall be prepared by an Environmental Professional and submitted to the overseeing regulatory agency (e.g., EPA, RWQCB and/or County Department of Environmental Health) for review and approval prior to commencing construction activities. Management of site risks during earthwork activities in areas where impacted soil, soil vapor, and/or groundwater are present or suspected, shall be described. Worker training requirements, health and safety measures and soil handling procedures shall be described. The SMP shall also be submitted to the City of Mountain View Planning Division for review.

Pursuant to Precise Plan FEIR mitigation measure MM HAZ-3.1, a site-specific Phase I ESA was completed, as well as a peer review of the Phase I ESA (refer to Appendix C for a copy of the Phase I and peer review). Additionally, as required by Precise Plan FEIR mitigation measure MM HAZ-3.1, the project is required to prepare an SMP. As part of the required SMP, groundwater, soil, and soil vapor testing shall be completed in accordance with commonly accepted environmental protocols and compared to applicable screening levels published by the RWQCB, DTSC, and/or EPA. A soil and soil vapor intrusion investigation (see Appendix C) was completed for the site in April 2022. The investigation found no levels of pesticides or other contaminants exceeded their respective ESLs; therefore, no soil vapor intrusion would occur and the project would not result in significant hazards to the public (including construction workers) or environment. This is the same impact as disclosed in the Precise Plan FEIR.

c. There are no schools within 0.25-mile of the project site. The nearest schools to the project site include Vargas Elementary School (approximately 0.4-mile south of the project site) and St. Stephen Lutheran School (approximately 0.6-mile west of the project site). The project proposes to construct office uses, which would not be substantial emitters of hazardous materials or hazardous waste following construction. This is the same less than significant impact as disclosed in the Precise Plan FEIR.

e. The nearest airport to the site is Moffett Federal Airfield, approximately 1.5-miles north of the site. According to the Moffett Federal Airfield Comprehensive Land Use Plan (CLUP), the project site is located within its Airport Influence Area. The project site, however, is not located within a safety zone or the 65 dB noise contour of the Moffett Federal Airfield. Thus, the proposed development would not expose people to a safety hazards or excessive noise from Airfield operations.

f. The Precise Plan FEIR concluded that implementation of the Precise Plan (which includes the proposed project) would not impair or interfere with adopted emergency response or evacuation plans

due to the City's compliance with General Plan Policy MOB 10.4.²⁶ The proposed project is consistent with the Precise Plan and would not interfere with an adopted Mountain View emergency response or evacuation plan because the project would incorporate relevant fire code requirements and is not located along specified evacuation or emergency routes such that an impact would occur. This is the same impact as disclosed in the Precise Plan FEIR.

g. The project site and Precise Plan area is not adjacent to wildland areas and there would be no wildfire-related impact. This is the same impact as disclosed in the Precise Plan FEIR.

3.8.3 Conclusion

The proposed project would not result in a new or substantially more severe significant hazards impact than disclosed in the Precise Plan FEIR.

²⁶ General Plan MOB 10.4 requires the City monitor emergency response times and where necessary consider appropriate measures to maintain emergency response time standards.

3.9

HYDROLOGY AND WATER QUALITY

Environmental Issue Area	A. Where Impact Was Analyzed in Prior Environmental Documents.	B. Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	C. Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	D. Any New Information of Substantial Importance Requiring New Analysis or Verification?	E. Prior Environmental Documents Mitigations Implemented or Mitigations Address Impacts.
Would the project:					
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	Precise Plan Draft EIR (2019) Page 146-147	No	No	No	N/A
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	Precise Plan Draft EIR (2019) Page 147	No	No	No	N/A
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: <ul style="list-style-type: none"> i. result in substantial erosion or siltation on- or off-site; ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv. impede or redirect flood flows? 	Precise Plan Draft EIR (2019) Page 148-149	No	No	No	N/A

Environmental Issue Area	A. Where Impact Was Analyzed in Prior Environmental Documents.	B. Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	C. Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	D. Any New Information of Substantial Importance Requiring New Analysis or Verification?	E. Prior Environmental Documents Mitigations Implemented or Mitigations Address Impacts.
Would the project:					
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	Precise Plan Draft EIR (2019) Page 149-150	No	No	No	N/A
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Precise Plan Draft EIR (2019) Page 150	No	No	No	N/A

3.9.1 Existing Setting

The existing hydrology and water quality setting, including regulatory framework, has not substantially changed since the certification of the 2019 Precise Plan FEIR.

The project site consists of approximately 68 percent (or 114,551 square feet) of impervious surfaces and 32 percent (or 52,292 square feet) of pervious surfaces. Runoff from the project site is directed to 15-inch storm drain lines located in North Bernardo Avenue where it eventually flows out to the San Francisco Bay.

The project site is located within Flood Zone X, which is not a Special Flood Hazard Area as identified by Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM).²⁷ Flood Zone X is defined as an area determined to be outside the one percent and 0.2 percent annual chance floodplains, indicative of a minimal flood hazard.

3.9.2 Discussion

a. The Precise Plan FEIR determined that compliance with the statewide National Pollutant Discharge Elimination System (NPDES) General Construction Permit, Precise Plan design guidelines and standards pertaining to water quality, and Municipal Regional Stormwater NPDES Permit (MRP) would ensure future project construction and post-construction runoff would not result in substantial sources of polluted runoff and impacts would be less than significant.

The proposed project would disturb more than one acre of soil and would be subject to the requirements of the General Construction Permit to reduce runoff and pollution in runoff from construction activities, including preparation of a Storm Water Pollution Prevention Plan (SWPPP) and implementation of stormwater control BMPs.

²⁷ Federal Emergency Management Agency. *Flood Insurance Rate Map, Community Panel No. 060347*. Effective Date May 18, 2009.

The project would comply with Precise Plan design guidelines and standards pertaining to water quality by:

- Meeting outdoor water performance standards defined by LEED and mandatory CalGreen requirements.
- Installing dual plumbing for potable and recycled water use.

The project would also replace more than 10,000 square feet of impervious surfaces and would be required to meet the requirements of the MRP. The MRP requires regulated projects to include Low Impact Development (LID) practices, such as pollutant source control measures and stormwater treatment features aimed to maintain or restore the site's natural hydrologic functions. The MRP also requires that stormwater treatment measures are properly installed, operated, and maintained.

Because the project would comply with the General Construction Permit, Precise Plan design guidelines and standards pertaining to water quality, and MRP, the project would result in the same impact as disclosed in the Precise Plan FEIR.

b. The Precise Plan FEIR determined that new development under the Precise Plan would not substantially decrease groundwater supplies or interfere with sustainable groundwater management. Water service would continue to be provided by the City of Mountain View under project conditions. The proposed project would not deplete groundwater supplies or interfere with groundwater recharge because the project would not directly use groundwater and the site does not contribute to recharge because it is mostly paved. It is anticipated that construction of the project would require excavation at a maximum depth of 20 feet below ground. Because groundwater in the project area is known to occur around 25 feet below ground, it is unlikely dewatering would be required during project construction. Thus, the project would be consistent with the Precise Plan and would result in the same impact as disclosed in the Precise Plan FEIR.

c. The Precise Plan FEIR concluded that the implementation of the Precise Plan (which includes the proposed project) would not substantially alter the existing drainage pattern of the site or the area in a manner that would cause significant impacts because the City would implement Storm Drain Master Plan capital improvement projects, design new storm drain facilities to accommodate 10-year storm events, implement the design guidelines in the Precise Plan related to green infrastructure, future development would comply with existing regulations pertaining to runoff quantity and quality, and impervious surfaces would be reduced. The Precise Plan FEIR determined that the City's stormwater system would adequately convey flows from buildout of the Precise Plan.

The proposed project would construct office uses within an existing urban area, on a site that is currently developed. The redevelopment of the project site would not alter the drainage pattern of the area. While the project would increase impervious surfaces compared to existing conditions, the City has confirmed that the existing storm drain infrastructure serving the project site has adequate capacity to accommodate the project flows.²⁸ For this reason, the existing storm drain system would continue

²⁸ Under the proposed project, impervious surfaces would be increased by 11,351 square feet from 114,551 to 125,902 square feet.

to adequately accommodate runoff from the project site and the project would result in the same impact as disclosed in the Precise Plan FEIR.

d. The proposed project site is not located in an identified FEMA 100-year flood hazard zone or subject to tsunamis or seiches.²⁹ For these reasons and the fact that it would not include significant amounts of pollutants, the project would not result in a release of pollutants from flooding, seiches, or tsunamis. This is the same impact as disclosed in the Precise Plan FEIR.

e. Valley Water prepared a Groundwater Management Plan in 2021, establishing recharge facilities, recycled water systems, and conservation strategies to proactively manage groundwater and surface water resources within its jurisdiction. As disclosed in the Precise Plan FEIR, there are no recharge facilities, pump plants, or drinking water treatment plants in the Precise Plan area; therefore, the implementation of the Precise Plan (including the project) would not impact any of these facilities.

3.9.3 **Conclusion**

The proposed project would not result in a new or substantially more severe significant hydrology and water quality impact than disclosed in the Precise Plan FEIR.

²⁹ Association of Bay Area Governments. “Resilience Program.” Accessed: December 15, 2020.
<https://mtc.maps.arcgis.com/apps/webappviewer/index.html?id=4a6f3f1259df42eab29b35dfcd086fc8>

3.10

LAND USE AND PLANNING

Environmental Issue Area	A. Where Impact Was Analyzed in Prior Environmental Documents.	B. Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	C. Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	D. Any New Information of Substantial Importance Requiring New Analysis or Verification?	E. Prior Environmental Documents Mitigations Implemented or Mitigations Address Impacts.
Would the project:					
a. Physically divide an established community?	Precise Plan Draft EIR (2019) Page 156	No	No	No	N/A
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	Precise Plan Draft EIR (2019) Page 156- 158	No	No	No	N/A

3.10.1 Existing Setting

The existing land use setting, including regulatory framework, has not substantially changed since the certification of the 2019 Precise Plan FEIR. The project site is designated High Intensity Office in the City’s General Plan and is zoned East Whisman Precise Plan (P-41). The site is currently developed with office uses and associated parking.

3.10.2 Discussion

a. The Precise Plan FEIR concluded that implementation of the Precise Plan (which includes the proposed project) would not physically divide an established community because the Precise Plan does not include dividing infrastructure. The Precise Plan would include new infrastructure (e.g., street extensions, complete streets, and new parks and trails) that would improve connectivity between existing communities and the Precise Plan area.

The project site is located in the southern portion of the Precise Plan area and is surrounded by roadways and office uses. The project would construct a new office building and parking garage to the east of the existing office building, which would remain as part of the project. The project is consistent with the Precise Plan’s vision and would not involve components that would physically divide an existing community (i.e., highways or railways). For these reasons, the project would result in the same impact as disclosed in the Precise Plan FEIR.

b. The Precise Plan FEIR did not identify any significant impacts from implementing the Precise Plan (which includes the proposed project) due to a conflict with applicable land use plans, policies, or regulations (including the Moffett Airfield CLUP and Plan Bay Area) adopted for the purpose of avoiding or mitigating an environmental effect. The proposed project and land use are consistent with the Precise Plan. Further, the proposed office project is consistent with the East Whisman Mixed-Use

General Plan land use designation and General Plan Policy LUD-19.1, which call for greater land use intensity and transit-oriented developments within a half-mile of light rail transit stations. For these reasons, the proposed project would result in the same impact as the Precise Plan.

3.10.3 Conclusion

The proposed project would not result in a new or substantially more severe significant land use and planning impact than disclosed in the Precise Plan FEIR.

3.11

NOISE AND VIBRATION

Environmental Issue Area	A. Where Impact Was Analyzed in Prior Environmental Documents.	B. Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	C. Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	D. Any New Information of Substantial Importance Requiring New Analysis or Verification?	E. Prior Environmental Documents Mitigations Implemented or Mitigations Address Impacts.
Would the project result in:					
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Precise Plan Draft EIR (2019) Page 169-173	No	No	No	N/A
b. Generation of excessive groundborne vibration or groundborne noise levels?	Precise Plan Draft EIR (2019) Page 173 -174	No	No	No	Yes, MM NOI-4.1
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	Precise Plan Draft EIR (2019) Page 179	No	No	No	N/A

3.11.1 Existing Setting

The existing noise and vibration setting, including regulatory framework, has not substantially changed since the certification of the 2019 Precise Plan FEIR. The existing noise environment in the project area results primarily from vehicular traffic along freeway and roadways (including Central Expressway, East Middlefield Road, North Bernardo Avenue, and Highway 237), and aircraft associated with Moffett Federal Airfield. The project site is not located within the aircraft noise contour zones for the Moffett Federal Airfield. The closest sensitive receptors to the project site are mobile home residences to the east of the project site opposite Central Expressway, approximately 400 feet southeast.

3.11.2 Discussion

a. A discussion of the project’s construction and operational noise impacts is discussed below.

Construction Noise

Construction activities for the proposed project would be completed between 7:00 a.m. and 6:00 p.m., Monday through Friday, consistent with the allowable hours of construction specified in the City's Municipal Code (Chapter 8). In addition, the project is required to implement the below standard conditions of approval identified in the Precise Plan FEIR, which include implementing construction noise reduction measures and designating a disturbance coordinator to respond to and address complaints.

Standard Conditions of Approval:

- **CONSTRUCTION NOISE REDUCTION:** The following noise reduction measures shall be incorporated into construction plans and contractor specifications to reduce the impact of temporary construction-related noise on nearby properties: a. comply with manufacturer's muffler requirements on all construction equipment engines; b. turn off construction equipment when not in use, where applicable; c. locate stationary equipment as far as practicable from receiving properties; d. use temporary sound barriers or sound curtains around loud stationary equipment if the other noise reduction methods are not effective or possible; e. and shroud or shield impact tools and use electric powered rather than diesel-powered construction equipment.
- **CONSTRUCTION PRACTICES NOTICING -DISTURBANCE COORDINATOR:** The project applicant shall designate a "disturbance coordinator" who shall be responsible for responding to any local complaints regarding construction noise. The coordinator (who may be an employee of the general contractor) shall determine the cause of the complaint and shall require that reasonable measures warranted to correct the problem be implemented. A telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site fence and on the notification sent to neighbors adjacent to the site. The sign must also list an emergency after-hours contact number for emergency personnel.

With implementation of the above standard conditions of approval and compliance with Chapter 8 of the City Code, the Precise Plan FEIR determined that construction of future projects (including the proposed project) would have a less than significant construction noise impact. The project would comply with the City Code and implement the above standard conditions of approval and, therefore, result in the same impact as disclosed in the Precise Plan FEIR.

Traffic Noise

As identified in the Precise Plan FEIR, a significant permanent noise level increase would occur if project-generated traffic would result in a noise level increase of three dBA Ldn or greater, with a future noise level of 60 dBA Ldn or greater.³⁰ The future traffic noise from buildout of the Precise Plan was modeled for the Precise Plan FEIR. Traffic noise increases above existing levels from Precise

³⁰ Noise is measured on a decibel scale, which serves as an index of loudness. The zero on the decibel scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Each 10 decibel increase in sound level is perceived as approximately a doubling of loudness. Because the human ear cannot hear all pitches or frequencies, sound levels are frequently adjusted or weighted to correspond to human hearing. This adjusted unit is known as the A-weighted decibel, or dBA. L_{eq} is a measurement of average energy level intensity of noise over a given period of time.

Plan-generated traffic would be one to two dBA Ldn or less at noise sensitive receptors within or outside the Precise Plan area. Since the increase in traffic noise result of the Precise Plan buildout (which includes traffic from the proposed project) would be less than three dBA, Precise Plan (as well as project) traffic noise would have a less than significant impact on noise-sensitive receptors in the area.

Mechanical Equipment Noise

The proposed project would include mechanical systems (i.e., HVAC, exhaust fans, intake ventilation) on the roof top of the proposed office building. The Precise Plan FEIR includes the following standard condition of approval (which is consistent with General Plan Policy NOI 1.7) to reduce potential noise impacts from mechanical equipment.

Standard Conditions of Approval:

- **MECHANICAL EQUIPMENT:** The noise emitted by any mechanical equipment shall not exceed a level of 55 dBA during the day (between 7:00 a.m. and 10:00 p.m.) or 50 dBA during the night (between 10:00 p.m. to 7:00 a.m) as measured at residential land uses.

With implementation of the above standard condition of approval, the Precise Plan FEIR determined that mechanical equipment noise from future development (including the proposed project) would be less than significant. The project would implement the standard condition of approval and, therefore, result in the same less than significant impact disclosed in the Precise Plan FEIR.

b. The Precise Plan FEIR identified a less than significant vibration noise impact with implementation of mitigation measure MM NOI-4.1, which calls for avoiding impact pile driving, avoiding use of vibratory rollers and tampers near sensitive uses, and completing site-specific vibration studies if activities are proximate to adjacent structures.

Precise Plan FEIR Mitigation Measure

MM NOI-4.1: Use drilled piles (which cause lower vibration levels) where geological conditions permit their use. In areas where project construction is anticipated to include vibration-generating activities, such as pile driving or use of vibratory rollers, in close proximity to existing structures, site-specific vibration studies should be conducted to determine the area of impact and to identify appropriate mitigation measures which may include the following:

- Identification of sites that would include vibration compaction activities such as pile driving and have the potential to generate ground-borne vibration, and the sensitivity of nearby structures to ground-borne vibration. Vibration limits should be applied to all vibration-sensitive structures located within 200 feet of the project. A qualified structural engineer should conduct this task.
- Development of a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits,

and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions.

- Construction contingencies would be identified for when vibration levels approached the limits.
- At a minimum, vibration monitoring should be conducted during initial demolition activities and during pile driving activities. Monitoring results may indicate the need for more or less intensive measurements.
- When vibration levels approach limits, suspend construction and implement contingencies to either lower vibration levels or secure the affected structures.
- Conduct post-survey on structures where either monitoring has indicated high levels or complaints of damage has been made. Make appropriate repairs or compensation

The project would implement Precise Plan FEIR mitigation measure MM NOI-4.1 and, therefore, the project would result in the same less than significant construction-vibration impact as identified in the Precise Plan FEIR.

c. Moffett Federal Airfield is a joint civilian/military airport located approximately 1.5-miles north of the project site. According to the Moffett Federal Airfield CLUP 2022 Aircraft Noise Contour Map, the project site is not located within the Community Noise Equivalent level (CNEL) noise contours. Therefore, the project would not expose employees to excessive noise levels, and impacts would be less than significant. This is the same impact as disclosed in the Precise Plan FEIR.

3.11.3 Conclusion

The proposed project would not result in a new or substantially more severe significant noise and vibration impact than disclosed in the Precise Plan FEIR.

3.12

POPULATION AND HOUSING

Environmental Issue Area	A. Where Impact Was Analyzed in Prior Environmental Documents.	B. Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	C. Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	D. Any New Information of Substantial Importance Requiring New Analysis or Verification?	E. Prior Environmental Documents Mitigations Implemented or Mitigations Address Impacts.
Would the project:					
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	Precise Plan Draft EIR (2019) Page 183-185	No	No	No	N/A
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	Precise Plan Draft EIR (2019) Page 185	No	No	No	N/A

3.12.1 Existing Setting

The existing population and housing setting, including regulatory framework, has not substantially changed since the certification of the 2019 Precise Plan FEIR. According to the Precise Plan FEIR, the Precise Plan area is expected to experience employment growth of approximately 12,000 new jobs over existing conditions for a total of 27,360 employees at full buildout in 2030. The growth projection for the Precise Plan disclosed in the Precise Plan FEIR is consistent with the growth projections for the area in the General Plan. Buildout of the Precise Plan would add an estimated 10,750 residents to the Precise Plan area. Currently there is one single-family residence in the Precise Plan area located on Middlefield Road.

There are no residential units on or adjacent to the project site.

3.12.2 Discussion

a. The Precise Plan area is located in an urban, developed environment and it is within a designated Change Area in the General Plan. The proposed project does not propose residential units and, therefore, would not generate new residents. The employment growth associated with the proposed project is included in the planned growth projections of the General Plan and Precise Plan. Impacts associated with population growth would be within the limits of the growth previously analyzed the Precise Plan FEIR. The project would result in the same impact as disclosed in the Precise Plan FEIR.

b. The project site is developed with office uses and does not contain housing; therefore, the project would not displace existing residents or housing. This is the same impact as disclosed in the Precise Plan FEIR.

3.12.3 Conclusion

The proposed project would not result in a new or substantially more severe significant population and housing impact than disclosed in the Precise Plan FEIR.

3.13

PUBLIC SERVICES

Environmental Issue Area	A. Where Impact Was Analyzed in Prior Environmental Documents.	B. Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	C. Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	D. Any New Information of Substantial Importance Requiring New Analysis or Verification?	E. Prior Environmental Documents Mitigations Implemented or Mitigations Address Impacts.
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
a. Fire protection?	Precise Plan Draft EIR (2019) Page 188-193	No	No	No	N/A
b. Police protection?	Precise Plan Draft EIR (2019) Page 188-193	No	No	No	N/A
c. Schools?	Precise Plan Draft EIR (2019) Page 188-193	No	No	No	N/A
d. Parks?	Precise Plan Draft EIR (2019) Page 188-193	No	No	No	N/A
e. Other public facilities?	Precise Plan Draft EIR (2019) Page 188-193	No	No	No	N/A

3.13.1 Existing Setting

The existing public services setting, including regulatory framework, has not substantially changed since the certification of the 2019 Precise Plan FEIR. The Precise Plan area is served by the Mountain View Fire Department (MVFD). The nearest fire station to the project site is Station Four (located approximately 0.75-miles northwest of the project site at 229 North Whisman Road). Police protection services are provided by the Mountain View Police Department (MVPD). The MVPD consists of authorized staff of 90 sworn and 45 non-sworn personnel.

The Precise Plan area is located within the Mountain View Whisman School District and the Mountain View Los Altos High School District.

The Precise Plan area, including the project site, is located within the Whisman Planning Area of the City of Mountain View 2014 Parks and Open Space Plan. There are approximately 15.41 acres of open

space in the Whisman Planning Area located primarily at Whisman and Slater Schools and four mini-parks: Magnolia, Chetwood, Creekside, and Devonshire Parks.

3.13.2 **Discussion**

a. The buildout of the Precise Plan (which includes the proposed project) would incrementally increase the needs for fire suppression and rescue response services, as described in the Precise Plan FEIR. The proposed project would be constructed to current Fire Code standards to increase fire safety overall. In addition, the MVFD does not anticipate the need to construct a new fire station to accommodate growth anticipated in the buildout of the General Plan, of which the Precise Plan is a part. Further, the Precise Plan FEIR concluded that there is existing capacity at nearby Station Four to respond to additional service calls created by the proposed project and no new facilities or expansion of existing facilities would be required. The project would result in the same impact as disclosed in the Precise Plan FEIR.

b. The MVPD maintains a staffing ratio of approximately 1.3 officers per 1,000 residents. As noted in Section 3.12 Population and Housing above, the project would not generate new residents, since no residential units are proposed. While the proposed project would intensify the use of the site, the MVPD confirmed that implementation of projects consistent with the Precise Plan would not require the construction or expansion of police facilities. In addition, future development (including the proposed project) within the Precise Plan area would be reviewed by MVPD to ensure safety features are incorporated to minimize the opportunity for criminal activity. The project would result in the same impact as disclosed in the Precise Plan FEIR.

c. The proposed project does not include new residential units that would generate new residents; therefore, it would not contribute to school impacts nor would the project be required to pay school impact fees. No new schools are proposed and no physical changes to existing school district facilities would occur with implementation of the proposed project. The project would result in the same impact as disclosed in the Precise Plan FEIR.

d. Project-related impacts to parks are discussed in Section 3.14 Recreation below and concluded to be less than significant. The project would result in the same impact as disclosed in the Precise Plan FEIR.

e. The Precise Plan FEIR concluded that the growth projected in the Precise Plan (which includes the proposed project), would not trigger the City to build or operate a new library in the Precise Plan area. The project would result in the same impact as disclosed in the Precise Plan FEIR.

3.13.3 **Conclusion**

The proposed project would not result in a new or substantially more severe significant public services impact than disclosed in the Precise Plan FEIR.

3.14

RECREATION

Environmental Issue Area	A. Where Impact Was Analyzed in Prior Environmental Documents.	B. Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	C. Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	D. Any New Information of Substantial Importance Requiring New Analysis or Verification?	E. Prior Environmental Documents Mitigations Implemented or Mitigations Address Impacts.
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Precise Plan Draft EIR (2019) Page 188-193	No	No	No	N/A
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	Precise Plan Draft EIR (2019) Page 188-193	No	No	No	N/A

3.14.1 Existing Setting

The existing recreational setting, including regulatory framework, has not substantially changed since the certification of the 2019 Precise Plan FEIR. The City of Mountain View owns 972 acres of parks and open space facilities, including 22 urban parks and Stevens Creek Trail. The City also maintains 10 parks under joint-use agreements with local school districts. The Precise Plan area, including the project site, is located within the Whisman Planning Area of the City of Mountain View 2014 Parks and Open Space Plan. There are approximately 15.41 acres of open space in the Whisman Planning Area located primarily at Whisman and Slater Schools and four mini-parks: Magnolia, Chetwood, Creekside, and Devonshire Parks. The Precise Plan area currently does not meet the City’s standard of 3.0 acres of parkland per 1,000 residents.

3.14.2 Discussion

a., b. The Precise Plan area currently does not meet the City’s standard of 3.0 acres of parkland per 1,000 residents. The Precise Plan includes an overall goal of adding 30 acres of publicly accessible open space to serve the projected 10,000 residents of the Precise Plan area (which would meet the City’s standard of 3.0 acres per 1,000 residents). The park and open space vision for the Precise Plan area includes a central park, up to six mini-parks, a neighborhood park, a system of linear parks, and accessible open spaces. Approximately three to eight acres would be acquired by the City with the parkland in-lieu fees paid and creation of new open space areas within non-residential developments.

The project includes a 12,000 square-foot rooftop deck and 38,030 square feet of publicly accessible open space, which is consistent with Precise Plan requirements. The rooftop deck would include

amenities such as lounge seating, dining tables, and barbeques to be used by future employees and reduce demand on existing parks in the area. Given that the Precise Plan includes sufficient future parkland facilities to meet future demand and that the project includes on-site open space amenities, project-related parks impacts would be less than significant, consistent with the Precise Plan FEIR.

3.14.3 Conclusion

The proposed project would not result in a new or substantially more severe significant recreation impact than disclosed in the Precise Plan FEIR.

Environmental Issue Area	A. Where Impact Was Analyzed in Prior Environmental Documents.	B. Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	C. Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	D. Any New Information of Substantial Importance Requiring New Analysis or Verification?	E. Prior Environmental Documents Mitigations Implemented or Mitigations Address Impacts.
Would the project:					
a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes and pedestrian facilities?	Precise Plan Draft EIR (2019) Page 189-193	No	No	No	N/A
b. For a land use project, conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	Precise Plan Draft EIR (2019) Page 189-193	No	No	No	N/A
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	Precise Plan Draft EIR (2019) Page 189-193	No	No	No	N/A
d. Result in inadequate emergency access?	Precise Plan Draft EIR (2019) Page 189-193	No	No	No	N/A

The discussion within this section is based in part on a Multimodal Traffic Analysis (MTA) prepared by Fehr & Peers in January 2023. The MTA is included with this checklist as Appendix E.

3.15.1 Existing Setting

The existing transportation setting, including regulatory framework, has not substantially changed since the certification of the 2019 Precise Plan FEIR. The 2019 Precise Plan FEIR evaluated VMT impacts based on guidelines created by the Governor’s Office of Planning and Research in conjunction with SB 743 because the City of Mountain View had not adopted a VMT policy at that time. The City of Mountain View subsequently adopted their own VMT policy in June 2020 in accordance SB 743; however, the MTA for this project (see Appendix E) prepared a VMT assessment using the same VMT thresholds as the 2019 Precise Plan FEIR in order to tier from the findings of the 2019 Precise Plan FEIR.

The City of Mountain View has prepared a nexus study and adopted an impact fee for transportation improvements necessary to address impacts generated by development in the Precise Plan area. The following transportation improvements were included in the Precise Plan FEIR:

- Signalize intersection of Ellis Street and Manila Drive
- Add westbound left- and southbound right-turn lanes to US 101 Northbound Ramps and Ellis Street
- Add Southbound turn lane on Fairchild Drive and Ellis Street
- Construct new interchange at Maude Avenue and SR 237 Ramps
- Add a dedicated Eastbound right turn lane to Maude Avenue and North Mary Avenue
- Add a dedicated Eastbound right turn lane to East Middlefield Road and North Whisman Road
- Add an Eastbound left turn lane to East Middlefield Road and Ellis Street
- Convert southbound right turn lane to shared southbound left/ right turn lane on Central Expressway and SR 85 Southbound Ramp
- Add westbound lane, Westbound turn lane and eastbound turn lanes to Central Expressway and North Mary Avenue
- Add Eastbound lane to West Evelyn Avenue and North Mary Avenue
- Add dedicated northbound right, southbound right, and eastbound right turn lanes to Moffett Boulevard and West Middlefield Road
- Close Castro Street between Moffett Boulevard and Central Expressway³¹

As stated in the Precise Plan, development projects will contribute funding to these transportation improvements.

The nearest bus stop (VTA route 21) is located approximately 0.7 miles north of the project site on East Middlefield Road. Rail service also operates approximately 0.7 miles north of the project site at the Middlefield light rail station. In addition, the Mountain View Community Shuttle and MVgo shuttle are operated along Fairchild Drive and East Middlefield Road in the project area.

The City of Mountain View is working collaboratively with the City of Sunnyvale and Santa Clara Valley Transportation Authority (VTA) on the Bernardo Avenue Undercrossing. The undercrossing will allow for pedestrians and cyclists to cross from Evelyn Avenue, beneath the Caltrain tracks and Central Expressway. The undercrossing will terminate at the corner of Central Expressway and N Bernardo Avenue, near the project site. The project is partially-funded and included in the Mountain View 2022-23 [Adopted Capital Improvement Program](#). The undercrossing project is anticipated to facilitate alternative modes of transportation to the project site and surrounding areas. The project is expected to be completed in 2029.

3.15.2 Impact Discussion

a. The project’s consistency with a plan, ordinance, or policy addressing the circulation system is discussed below.

Roadway System

The Precise Plan FEIR found that implementation of the Precise Plan would conflict with existing Level of Service (LOS) policies. LOS deficiencies and improvements were identified and disclosed in the Precise Plan FEIR, with deficiencies at select intersections and freeway segments concluded to be

³¹ City of Mountain View. *East Whisman Precise Plan Draft Environmental Impact Report*. June 2019.

unavoidable. The traffic generated by the proposed project was included in the Precise Plan FEIR and, therefore, the project would result in the same LOS deficiencies disclosed in the Precise Plan FEIR.

The project proposes to implement a TDM plan to reduce vehicle trips, spread demand across time, and make the most efficient use of the alternative circulation system in the project vicinity. The MTA (refer to Appendix E) evaluated intersection deficiencies and improvements under Existing with Project Conditions and Background with Project Conditions. According to the MTA, the project would generate 435 new daily trips, including 69 AM peak hour and 60 PM peak hour trips. The results of the LOS calculations indicate that the project would not cause deficiencies at any study intersection under Existing with Project Conditions. Under Background Plus Project Conditions, all study intersections would operate at acceptable LOS levels, except at the intersection of Central Expressway and Mary Avenue during the AM peak hour. This intersection, however, already operates at a deficiency under Background Conditions based on the thresholds outlined in the Precise Plan FEIR; therefore, no improvements are required, although the project would contribute fair share funding to transportation improvements necessary to address LOS deficiencies caused by the overall development in the Precise Plan area (which includes the proposed development), as noted above.

As discussed in the Precise Plan FEIR, an Existing with Precise Plan condition deficiency was determined for one study intersection – Central Expressway and North Mary Avenue intersection (Intersection 20). The proposed project would contribute traffic to this intersection (see Appendix E) and although the proposed project itself does not result in a deficiency at this intersection, it contributes to the Precise Plan deficiency. The improvement identified in the Precise Plan FEIR for this intersection was an additional westbound left-turn lane, westbound through lane, and eastbound through lane, which would improve intersection operations to an acceptable LOS E. According to the Precise Plan FEIR, while these improvements would address the intersection deficiency, the improvements would be implemented by another jurisdiction (Santa Clara County) and cannot be guaranteed to occur. Thus, the intersection deficiency was considered unavoidable and no improvements were required as part of the Precise Plan FEIR.

Additionally, pursuant to the 2018 amendments to the CEQA Guidelines implementing SB 743 and recent case law (*Citizens for Positive Growth & Preservation v. City of Sacramento*), project effects on LOS no longer constitute a significant impact under CEQA. The project would result in the same impact as disclosed in the Precise Plan FEIR.

Pedestrian and Bicycle Facilities

The Precise Plan FEIR concluded that implementation of the Precise Plan (which includes the proposed development) would not conflict with a program, plan, ordinance, or policy addressing bicycle lanes and pedestrian facilities.

The project would generate new bicycling and walking trips throughout the day. Bicycle trips may include employee commute trips and work-related dining, shopping, and recreation trips made by employees and visitors. The project includes a total of 80 bicycle parking spaces, including eight short-term bicycle parking spaces and 72 long-term bicycle parking spaces. Walking trips would be made throughout the day as well, and it is possible that some employees would choose to walk to and from work-related destinations, bus stops and the Middlefield light rail station, and other destinations within the East Whisman area during their stay.

The project would construct an approximately 17-foot multi-use path along the southern property line and include pedestrian pathways within the project site connecting the existing office building, proposed office building, and proposed parking garage. The project would also retain the existing seven-foot wide sidewalk on the west project frontage along North Bernardo Avenue. None of the proposed improvements or structures would conflict with existing or planned pedestrian facilities or conflict with policies related to bicycle or pedestrian activities. For these reasons, the project would not interfere with pedestrian accessibility to the site and adjoining areas; conflict with an existing or planned pedestrian or bicycle facility; nor conflict with policies related to bicycle and pedestrian activity adopted by the City of Mountain View, VTA, or Caltrans for their respective facilities in the project area. The project, therefore, would result in the same impact as disclosed in the Precise Plan FEIR.

Transit Facilities

The Precise Plan FEIR concluded that while the Precise Plan would add peak hour transit riders, the project would not disrupt or interfere with existing or planned transit services or facilities. The Precise Plan FEIR also identify a significant, unavoidable effect on transit vehicle operations at intersections with a deficient LOS (Impact TRA-3 in the Precise Plan FEIR). As discussed in the Precise Plan FEIR, operational and service improvements planned in the Precise Plan area would not fully mitigate the impact to a less than significant level. The project's contribution to this impact is included in the Precise Plan FEIR analysis. For this reason, the project would result in the same impact as disclosed in the Precise Plan FEIR.

b. The Precise Plan FEIR identified a significant, unavoidable project-level and cumulative-level VMT impact due to Precise Plan on both a citywide and countywide basis. The VMT per service population for the Precise Plan was calculated to be 35.93, which exceeded the thresholds of significance of 30.86 citywide and 22.67 countywide.

According to the MTA prepared for the proposed project, the project would have a project generated VMT of 34.7 on both a citywide and countywide scale, which would be less than the project-level VMT estimates included in the Precise Plan FEIR. Furthermore, although implementation of the proposed TDM program would reduce project generated vehicle trips, spread demand across time, and make efficient use of the alternative circulation system, project generated VMT would remain significant and unavoidable. For these reasons, the project would not result in new or more severe impact than was identified in the Precise Plan FEIR.

c. The proposed uses and design would be consistent with the uses, design, and development standards in the Precise Plan and, therefore, would not substantially increase hazards due to a design feature or incompatible use, as described in the Precise Plan FEIR. The project proposes uses consistent with the Precise Plan and would be designed in accordance with the standards in the Precise Plan. For this reason, the project would result in the same less than significant impact as disclosed in the Precise Plan FEIR.

d. The Precise Plan FEIR concluded that since the implementation of the Precise Plan would result in greater connectivity of the street and multimodal network and all future development would be reviewed by the MVFD for compliance with the City's fire code regarding emergency access and

design requirements, the Precise Plan would not result in inadequate emergency access. The project is consistent with the Precise Plan and the final design of the project would be reviewed by the MVFD for compliance with the City's fire code. For this reason, the project would result in the same less than significant impact regarding emergency access as disclosed in the Precise Plan FEIR.

3.15.3 Conclusion

The proposed project would not result in a new or substantially more severe significant transportation impact than disclosed in the Precise Plan FEIR.

3.16

TRIBAL CULTURAL RESOURCES

Environmental Issue Area	A. Where Impact Was Analyzed in Prior Environmental Documents.	B. Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	C. Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	D. Any New Information of Substantial Importance Requiring New Analysis or Verification?	E. Prior Environmental Documents Mitigations Implemented or Mitigations Address Impacts.
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?	Precise Plan Draft EIR (2019) Page 264-265	No	No	No	N/A
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	Precise Plan Draft EIR (2019) Page 264-265	No	No	No	N/A

3.16.1 Existing Setting

The existing tribal cultural resources setting, including regulatory framework, has not substantially changed since the certification of the 2019 Precise Plan FEIR. As disclosed in the Precise Plan FEIR, there are no known tribal cultural resources within the Precise Plan area, including the project site.³²

3.16.2 Discussion

a., b. No tribal cultural resources or Native American resources were identified in the Precise Plan area as a result of email and telephone consultation and outreach completed as part of the Precise Plan FEIR.

³² City of Mountain View. *East Whisman Precise Plan Draft Environmental Impact Report*. June 2019. Page 265.

While there is the potential for unknown Native American resources or human remains to be present in at the project site, impacts would be less than significant with implementation of the standard conditions of approval identified in the Precise Plan FEIR of halting work if a resource or human remains is are discovered, notifying and consulting appropriate parties, and implementing measures to avoid significantly impacting the resource or human remains. These are the same conditions of approval previously identified in Section 3.4 Cultural Resources.

Standard Conditions of Approval

- **DISCOVERY OF ARCHAEOLOGICAL RESOURCES.** If prehistoric, or historic-period cultural materials are unearthed during ground-disturbing activities, all work within 100 feet of the find be halted until a qualified archaeologist and Native American representative can assess the significance of the find. Prehistoric 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 and artifacts; stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered-stone tools, such as hammerstones and pitted stones. Historic-period materials might include stone, concrete, or adobe footings and wall, filled wells or privies, and deposits of metal, glass, and/or ceramic refuse. If the find is determined to be potentially significant, the archaeologist, in consultation with the Native American representative, shall develop a treatment plan that could include site avoidance, capping, or data recovery.
- **DISCOVERY OF HUMAN REMAINS.** In the event of the discovery of human remains during construction or demolition, there shall be no further excavation or disturbance of the site within a 50-foot radius of the location of such discovery, or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his/her authority, he/she shall notify the NAHC, which shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this state law, then the landowner shall reinter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.

A final report shall be submitted to the City’s Community Development Director prior to release of a Certificate of Occupancy. This report shall contain a description of the mitigation programs and its results, including a description of the monitoring and testing resources analysis methodology and conclusions, and a description of the disposition/curation of the resources. The report shall verify completion of the mitigation program to the satisfaction of the City's Community Development Director.

With the implementation of standard City standard conditions of approval listed above, the proposed project would result in a less than significant impact to tribal cultural resources. This is the same impact as disclosed in the Precise Plan FEIR.

3.16.3 **Conclusion**

The proposed project would not result in a new or substantially more severe significant tribal resources impact than disclosed in the Precise Plan FEIR.

Environmental Issue Area	A. Where Impact Was Analyzed in Prior Environmental Documents.	B. Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	C. Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	D. Any New Information of Substantial Importance Requiring New Analysis or Verification?	E. Prior Environmental Documents Mitigations Implemented or Mitigations Address Impacts.
Would the project:					
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	Precise Plan Draft EIR (2019) Page 267-279	No	No	No	Yes, MM ULT-1.1
b. Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	Precise Plan Draft EIR (2019) Page 267-279	No	No	No	N/A
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	Precise Plan Draft EIR (2019) Page 267-279	No	No	No	N/A
d. Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Precise Plan Draft EIR (2019) Page 267-279	No	No	No	N/A
e. Be noncompliant with federal, state, and local management and reduction statutes and regulations related to solid waste?	Precise Plan Draft EIR (2019) Page 267-279	No	No	No	N/A

The discussion within this section is based in part on a Utility Impact Study prepared by Schaaf & Wheeler in February 2021 and included with this checklist as Appendix F.

3.17.1 **Existing Setting**

The existing utilities and service systems setting, including regulatory framework, has not substantially changed since the certification of the 2019 Precise Plan FEIR. Water and wastewater services in the Precise Plan area are owned and operated by the City of Mountain View. Wastewater from the Precise Plan area is gravity fed to the Shoreline Sewer Pump Station. Storm drains in the Precise Plan area are also operated and maintained by the City of Mountain View and consists of a network of pipes, channels, ditches, culverts, ponds and pumps that discharge to Stevens Creek. Solid waste collection and recycling services for residents and businesses in Mountain View are provided by Recology Mountain View and disposed of at Kirby Canyon Landfill. Kirby Canyon Landfill has an estimated remaining capacity of approximately 15 million tons, and a closing date of approximately January 1, 2068.³³

3.17.2 **Discussion**

The Precise Plan FEIR identified that future large-scale, site-specific development projects associated with implementation of the Precise Plan could result in impacts to the existing water, sewer, and storm drainage infrastructure (Impact UTL-1). The following discusses whether the proposed project may require upsizing and/or improvements to infrastructure to mitigate for this identified impact

a. The Precise Plan FEIR concluded that buildout of the Precise Plan would primarily connect to existing utility services and any improvements would generally consist of upsizing of pipes in existing locations, minimizing environmental impacts. Further, to fund recommended sewer infrastructure upgrades, the City has prepared a nexus study and adopted an impact fee for utility improvements necessary to address impacts. The proposed project would be subject to this fee.

Precise Plan FEIR Mitigation Measure

MM UTL-1.1: The City shall require, determined on a project by project basis, the preparation of a site-specific utility analysis of applicable water, sewer, and stormwater infrastructure systems adjacent to and downstream of the project site to identify capacity issues. The utility impact analysis will be submitted to the Planning Division as part of future project applications. The analysis will determine the proportional utility impact fees to be paid under the nexus study and will identify any other utility infrastructure improvements required as a result of individual projects.

Consistent with the conclusion in the Precise Plan FEIR, the proposed project would not result in the relocation or construction of new or expanded electric power, natural gas, or telecommunications facilities. The project would pay impact fees to fund stormwater drainage improvements included as part of Capital Improvement Projects (CIPs) identified in the 2030 General Plan Update Utility Impact Study (GPUUIS). The proposed project would not significantly impact the water system under existing or cumulative conditions with the implementation of the recommended CIPs identified in the Precise

³³ Azevedo, Becky. Waste Management Technical Manager. Personal communications. September 14, 2020.

Plan FEIR. The implementation of the CIPs would ensure adequate storm drain and water service and the impact would be less than significant, as identified in the Precise Plan FEIR.

The sewer system has sufficient capacity under existing conditions with the estimated increase in incremental project flow from the implementation of the Precise Plan (which includes the proposed project). With the construction of the CIPs identified in the 2030 GPUUIS and Precise Plan, the sewer system would have sufficient capacity in the future cumulative condition under both pre- and post-project conditions. Three CIPs from the 2030 GPUUIS and one CIP from the Precise Plan are located downstream of the project. The proposed project's Utilities Impact Study (Appendix F) would be used to determine the proportional utility impact fees to be paid under the adopted nexus study, as described in mitigation measure MM UTL-1.1 in the Precise Plan FEIR. This ensures that development projects in the Precise Plan area appropriately fund area CIPs and complete other needed utility infrastructure improvements. As a result, the impact is less than significant (consistent with the Precise Plan FEIR).

b. The Precise Plan FEIR concluded that implementation of the Precise Plan would result in an increase in water demand within the City of Mountain View. As described in the Precise Plan Water Supply Assessment (2018), the City's available potable and non-potable water supplies are expected to be sufficient to meet demands of existing uses and future uses under a Normal Year scenario through 2035; however, shortfalls of 11 percent are projected for single dry years and up to 13 percent in multiple dry years. To deal with anticipated shortfalls, the City has established a staged Water Shortage Contingency Plan within the Urban Water Management Plan, which can mitigate for shortfalls of up to 50 percent. In addition, new development under the Precise Plan would be required to comply with 2030 General Plan Policies INC 5.1 through INC 5.7 related to water conservation and Precise Plan standards and guidelines for water conservation and green building such as meeting CalGreen and LEED BD+C standards, installing dual plumbing for potable and recycled water use, and connections to existing City recycled water system where feasible. The proposed project is accounted for within the Precise Plan and, therefore, the project's water demand was accounted for the Precise Plan Water Supply Assessment. For these reasons, there is sufficient water supply for the proposed project.

c. As described in the Precise Plan FEIR, implementation of the Precise Plan (which includes the proposed project) would not exceed the treatment capacity at the Regional Water Quality Control Plant (RWQCP). The Utilities Impact Study for the proposed project calculated that adding the proposed project to the existing Precise Plan development (see Table 5-3 of Appendix F) would not exceed the total wastewater flows disclosed in the Precise Plan FEIR and would be within the treatment capacity of the RWQCP. Thus, the proposed project would result in the same less than significant wastewater impact as disclosed in the Precise Plan FEIR.

d., e. As discussed in the Precise Plan FEIR, Kirby Canyon Landfill has sufficient capacity to accommodate solid waste generated from the buildout of the Precise Plan (which includes the proposed project). New development in the Precise Plan area would be required to divert and dispose of waste during operation in accordance with the state requirements and policies in the General Plan.³⁴ The project would increase the amount of development at the site and, therefore, would increase the amount of solid waste generated. The project would be required to comply with the California mandated 50 percent waste diversion and CALGreen standards (including a construction waste recycling

³⁴ General Plan Policies INC-11.1- INC- 11.4 call for waste diversion, recycling, and composting to ensure all municipal solid waste generated within the city is collected, transported and disposed of in a manner that protects public health and safety.

requirement and readily accessible areas for recycling) and at least 65 percent of construction waste would be recycled or reused. Based on the above discussion, the project would not adversely affect the City's compliance with the waste diversion requirements under state law and be served by a landfill with sufficient capacity. This is the same impact as disclosed in the Precise Plan FEIR.

3.17.3 Conclusion

The proposed project would not result in a new or substantially more severe significant utilities and service systems impact than disclosed in the Precise Plan FEIR.

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SECTION 5.0 LEAD AGENCY AND CONSULTANTS

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