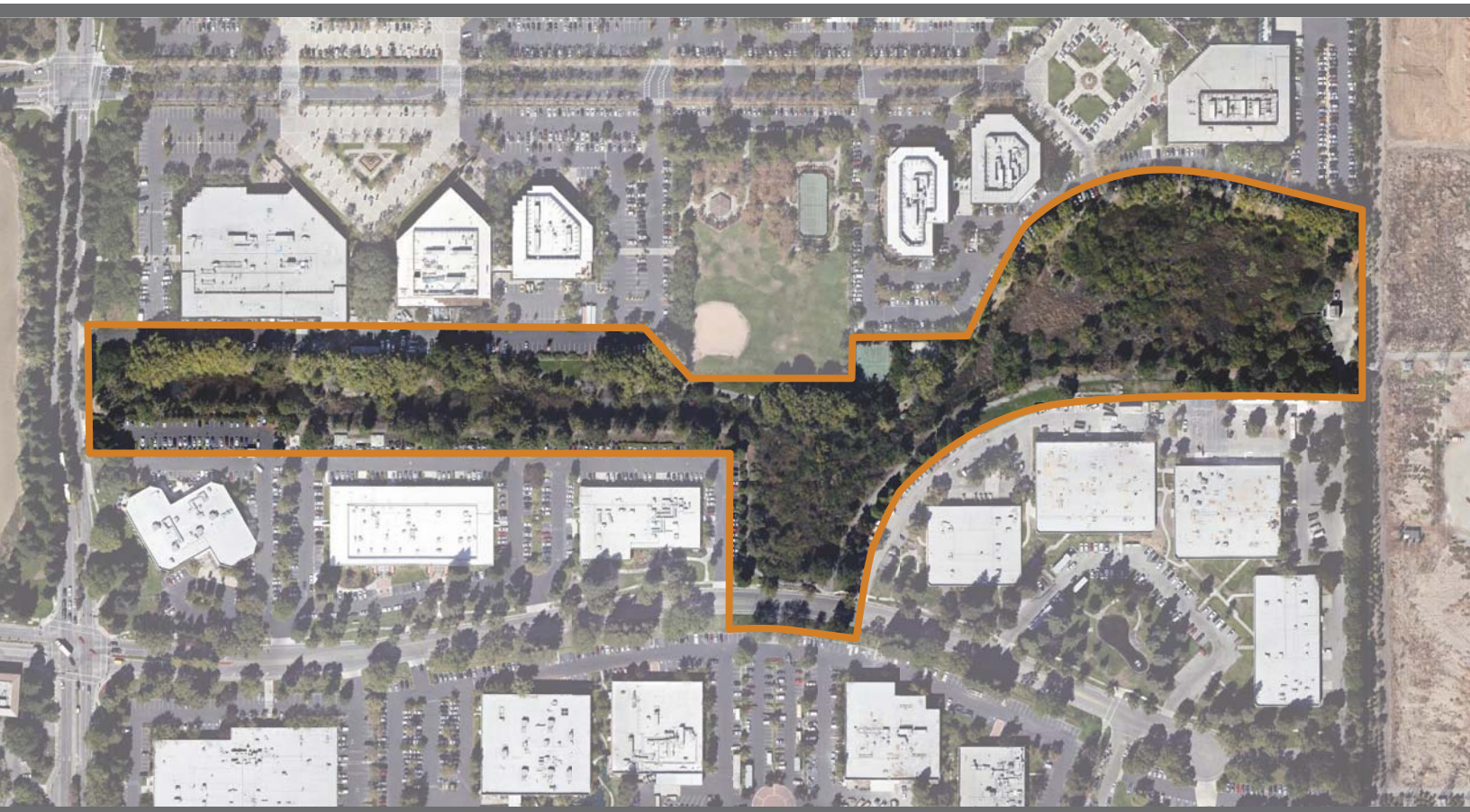
Initial Study
Draft Mitigated Negative Declaration

Charleston Retention Basin Improvement Project



September 2015

Prepared for

City of Mountain View

In Consultation with

David J. Powers & Associates, Inc.
Environmental Consultants & Planners

CITY OF MOUNTAIN VIEW

NOTICE OF INTENT
TO ADOPT A MITIGATED NEGATIVE DECLARATION

Project Description: The Charleston Retention Basin is a stormwater basin and public open space which is owned and maintained by the City of Mountain View. The project proposes to improve the existing natural habitat, improve pedestrian and bicycle circulation, and increase recreation opportunities in and around the Charleston Retention Basin. The project includes the removal of existing parking spaces located adjacent to the retention basin in order to allow for habitat expansion, grading in select areas of the existing basin slopes to allow for habitat appropriate plantings, the removal of non-native plants and trees including the removal of 119 Heritage trees, and the comprehensive replanting of the upland basin areas with native plants and trees.

The project also includes bicycle and pedestrian circulation improvements including the realignment and improvement of the existing pedestrian path around the basin, a new separate bicycle path in the southwestern quadrant which would connect to a larger bicycle path network in the area, and two new pedestrian bridges across the basin. The existing trees and plantings within the center of the basin are not part of the project and would remain untouched.

Project Location: The proposed project site is located east of North Shoreline Boulevard between Charleston Road and Stierlin Court in the North Bayshore area. The project also includes portions of adjacent parcels 116-11-012 to -014, 116-11-020, -027, and -036, owned by Google Inc. and HCP, Inc.

Initial Study/Environmental Assessment: An Initial Study has been prepared for the proposed project and the analysis has determined that there will be no significant environmental impacts with implementation of proposed mitigation measures. Therefore, the proposed project would not have a significant impact on the environment and a Mitigated Negative Declaration will be recommended to the City Council. The public review period for the Initial Study and proposed Mitigated Negative Declaration is from **September 25, 2015 to October 26, 2015** at 5:00 p.m.

Public Hearings: Notices announcing the date and time of public hearings will be published separately.

Information: All information regarding the proposed project, the Initial Study, Draft Mitigated Negative Declaration, and all documents referenced in the environmental analysis are available for review in the City of Mountain View Community Development Department, 500 Castro Street, Mountain View, CA 94041. Written comments regarding the project may be sent to Stephanie Williams, Senior Planner, at the mailing address listed above or via email at Stephanie.Williams@mountainview.gov.

If you challenge any decision to this request in court, you may be limited to raising only those issues you or someone else raised at the public meeting or hearing described in this notice, or in a written correspondence delivered to the City Council at, or prior to, the public meeting or hearing.

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EXECUTIVE SUMMARY

PROJECT LOCATION

The proposed project site is located east of North Shoreline Boulevard between Charleston Road and Stierlin Court in the North Bayshore Precise Plan area of the City of Mountain View. The project site includes the Charleston Retention Basin and storm water pump station, which is a key component of the North Bayshore area storm water management system and public open space area owned and maintained by the City of Mountain View, and portions of the adjacent parcels owned by Google Inc. (Google) and HCP Life Science REIT, Inc. (HCP).

Surrounding land uses include office and commercial uses to the north and south, Stevens Creek and NASA Ames Research Center to the east, and a vacant site to the west across North Shoreline Boulevard. Shoreline Amphitheater and other multi-use recreational activities associated with Shoreline Park are located northwest of the project site.

PROJECT OVERVIEW

The project proposes to improve the existing natural habitat, improve pedestrian and bicycle circulation, and increase recreation opportunities in and around the Charleston Retention Basin.

The project consists of the removal of 134 existing parking spaces located adjacent to the retention basin in order to allow for habitat expansion, grading in select areas of the existing basin slopes to allow for habitat appropriate plantings, the removal of non-native plants and trees including the removal of 119 heritage trees, and the comprehensive replanting of the upland basin areas with native plants and trees.

The project also includes bicycle and pedestrian circulation improvements including the realignment and improvement of the existing pedestrian path around the basin, a new separate bicycle path in the southwestern quadrant which would connect to a larger bicycle path network in the area, and two new pedestrian bridges across the basin.

SIGNIFICANT IMPACTS

The proposed enhancement plans could result in biological resources and hazardous materials impacts.

Implementation of the mitigation measures included in the project and best management practices and conditions of approval required by the City of Mountain View would reduce potential significant impacts to a less than significant level.

SECTION 1.0 INTRODUCTION AND PURPOSE

This Initial Study (IS) of environmental impacts is being prepared to conform to the requirements of the California Environmental Quality Act (CEQA), the CEQA Guidelines (California Code of Regulations 15000 et. seq.), and the regulations and policies of the City of Mountain View. This Initial Study evaluates the potential environmental impacts which might reasonably be anticipated to result from implementation of the proposed Charleston Retention Basin Improvement Project.

The City of Mountain View is the Lead Agency under CEQA and has prepared this Initial Study to address the environmental impacts of implementing the proposed project.

This Initial Study provides decision-makers in the City of Mountain View (the CEQA Lead Agency), responsible agencies, and the general public with relevant environmental information to use in considering the project.

This IS may also be relied upon for other agency approvals necessary to implement the project, including approvals by the California Department of Fish and Wildlife, United States Army Corps of Engineers, and the Regional Water Quality Control Board.

SECTION 2.0 PROJECT INFORMATION

2.1 PROJECT TITLE

Charleston Retention Basin Improvement Project

2.2 PROJECT LOCATION

The proposed project site is located east of North Shoreline Boulevard between Charleston Road and Stierlin Court in the North Bayshore area of the City of Mountain View. The project site includes the Charleston Retention Basin and storm water pump station, which is a key component of the North Bayshore area storm water management system and public open space area owned and maintained by the City of Mountain View, and portions of the adjacent parcels owned by Google and HCP. Regional and vicinity maps of the site are shown on Figures 1 and 2, and an aerial photograph of the project site and surrounding area is shown on Figure 3.

Surrounding land uses include office and commercial uses to the north and south, Stevens Creek and NASA Ames Research Center to the east, and a vacant site to the west across North Shoreline Boulevard. Shoreline Amphitheater and other multi-use recreational activities associated with Shoreline Park are located northwest of the project site.

2.3 LEAD AGENCY CONTACT

Stephanie Williams, Senior Planner
Community Development Department
City of Mountain View
500 Castro Street
Mountain View, CA 94041
(650) 903-6306
Stephanie.Williams@mountainview.gov

2.4 PROJECT PROPONENT

Google Inc.
1600 Amphitheatre Parkway
Mountain View, CA 94043
(650) 903-6311

2.5 ASSESSOR'S PARCEL NUMBERS (APN)

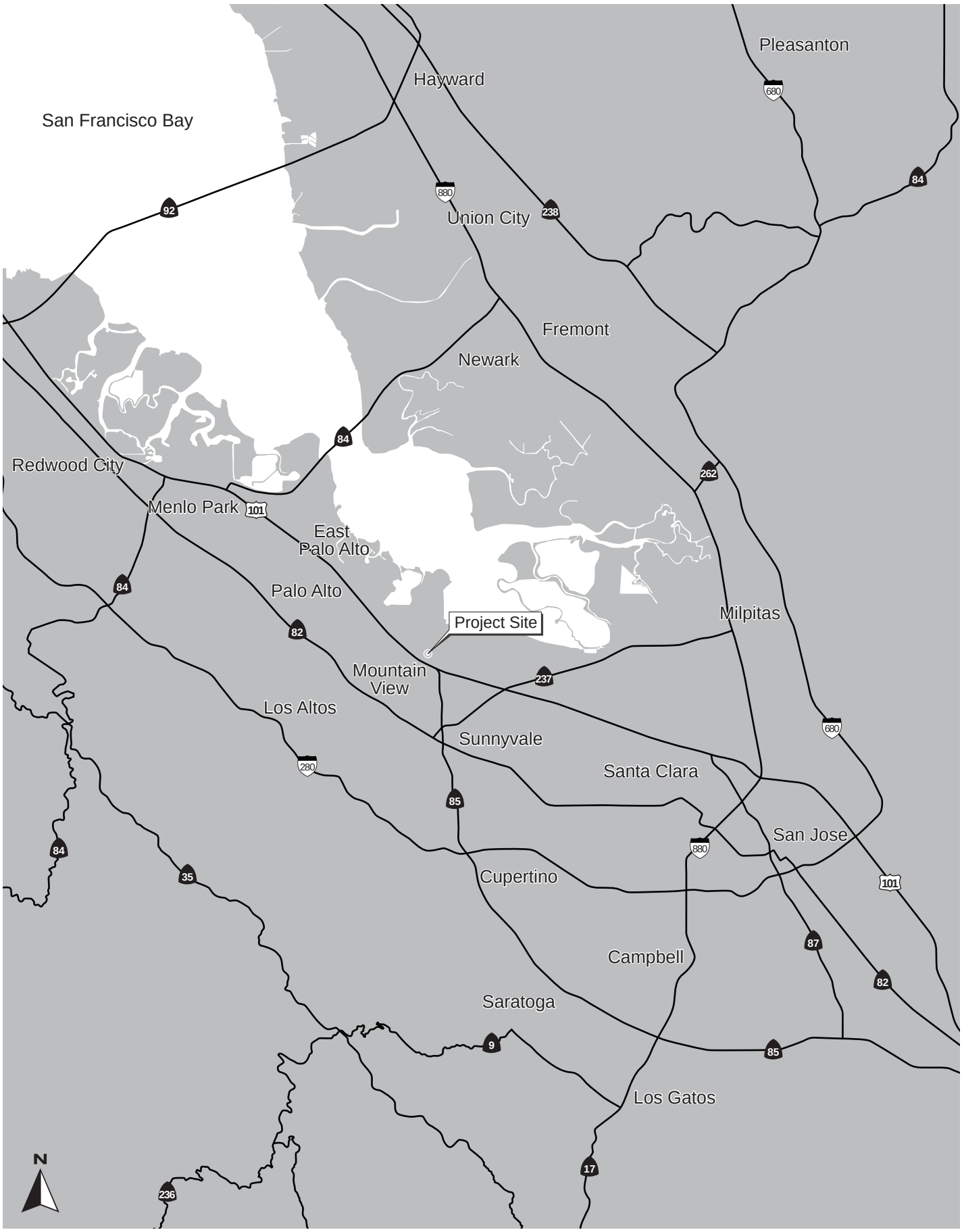
	Parcel APN	Parcel Address
1	116-11-012	1200 Charleston Road 1210 Charleston Road 1220 Charleston Road 1230 Charleston Road
2	116-11-013	1250 Charleston Road

3	116-11-014	1300 Charleston Road
4	116-11-020	1350 Charleston Road
5	116-11-037	2011 Stierlin Court 2015 Stierlin Court 2017 Stierlin Court
6	116-11-036	2019 Stierlin Court 2025 Stierlin Court 2027 Stierlin Court 2029 Stierlin Court 2051 Stierlin Court 2061 Stierlin Court 2071 Stierlin Court
7	116-11-027	Charleston Retention Basin

2.6 EXISTING GENERAL PLAN AND ZONING DISTRICT

General Plan Designation: *Parks, Schools and City Facilities* and *High-Intensity Office*

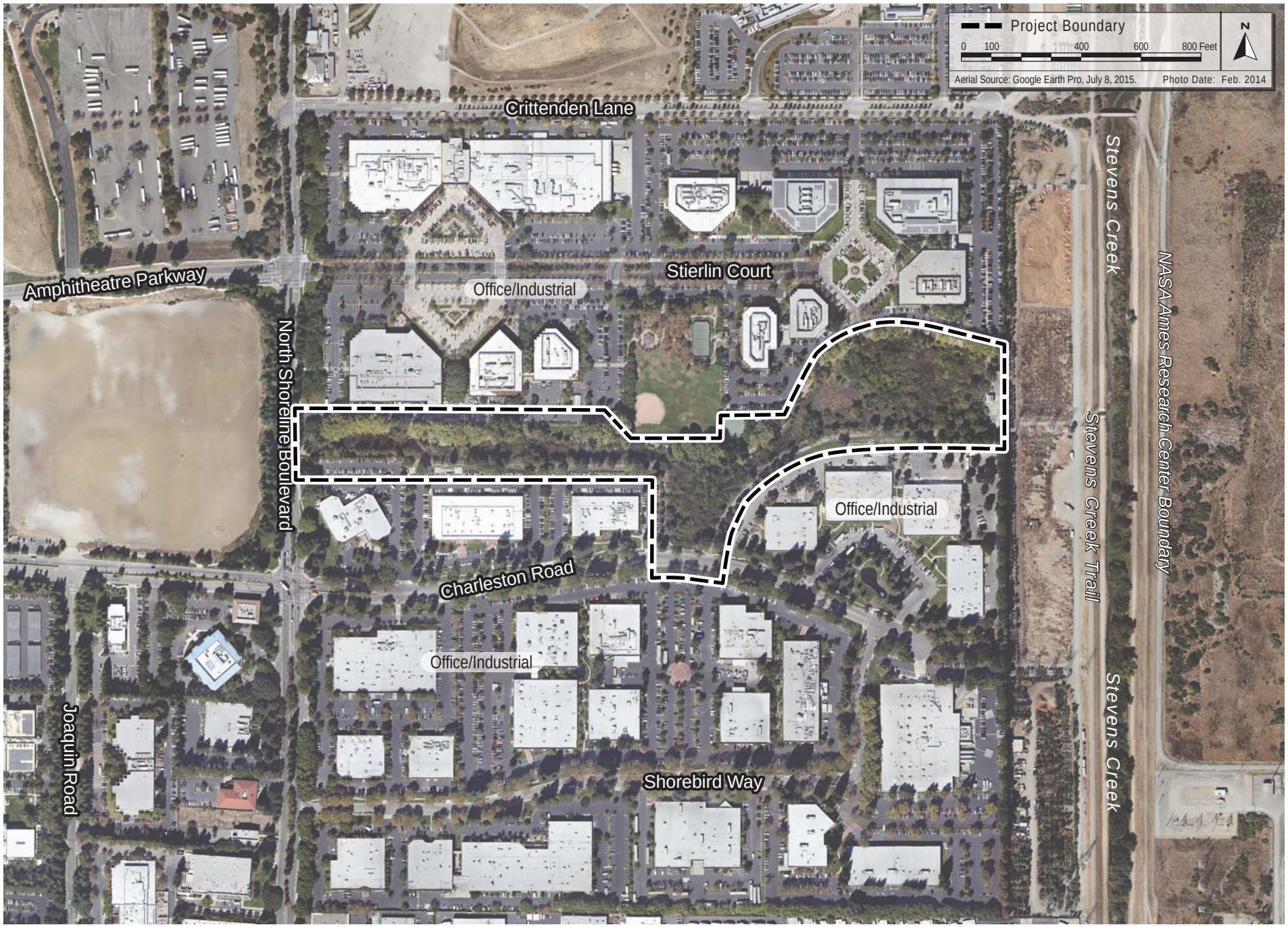
Zoning District: *(F) Flood Plain* and *P(39) North Bayshore Precise Plan*



REGIONAL MAP FIGURE 1

VICINITY MAP

FIGURE 2



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

FIGURE 3

SECTION 3.0 PROJECT DESCRIPTION

3.1 EXISTING SITE CONDITIONS

The proposed project site consists of the Charleston Retention Basin and portions of the adjacent parcels owned by Google and HCP.

The Charleston Retention Basin is a stormwater basin and public open space owned and maintained by the City of Mountain View. The Charleston Retention Basin was originally constructed in 1980 with a wet well, pump station, and 30-inch force main. The primary function of the retention basin is to capture large peak stormwater flows from a 360-acre commercial zone in the North Bayshore area and utilize smaller pumps to discharge the flows into Stevens Creek.

The basin supports riparian and freshwater marsh habitat and includes an existing decomposed granite pedestrian trail that provides recreational opportunities for pedestrians and bicyclists. The existing conditions at the Charleston Retention Basin can be seen in Figure 4.

The parcels surrounding the Charleston Retention Basin, which are owned by Google and HCP, are developed with office and other commercial land uses and include surface parking lots, landscaping, and other site improvements.

3.2 SITE DEVELOPMENT

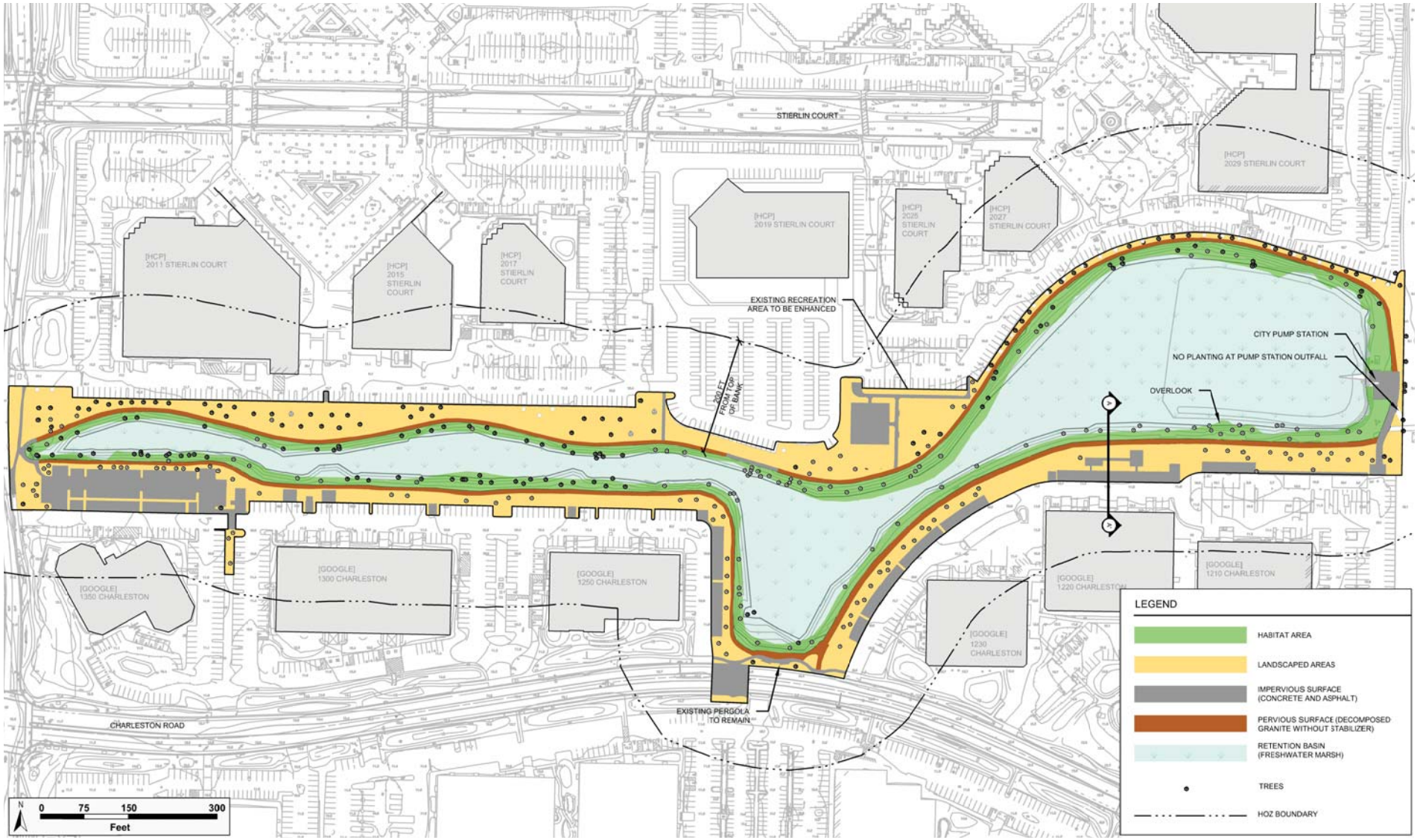
3.2.1 Project Description Overview

The project proposes to improve the existing natural habitat, improve pedestrian and bicycle circulation, and increase recreation opportunities in and around the Charleston Retention Basin.

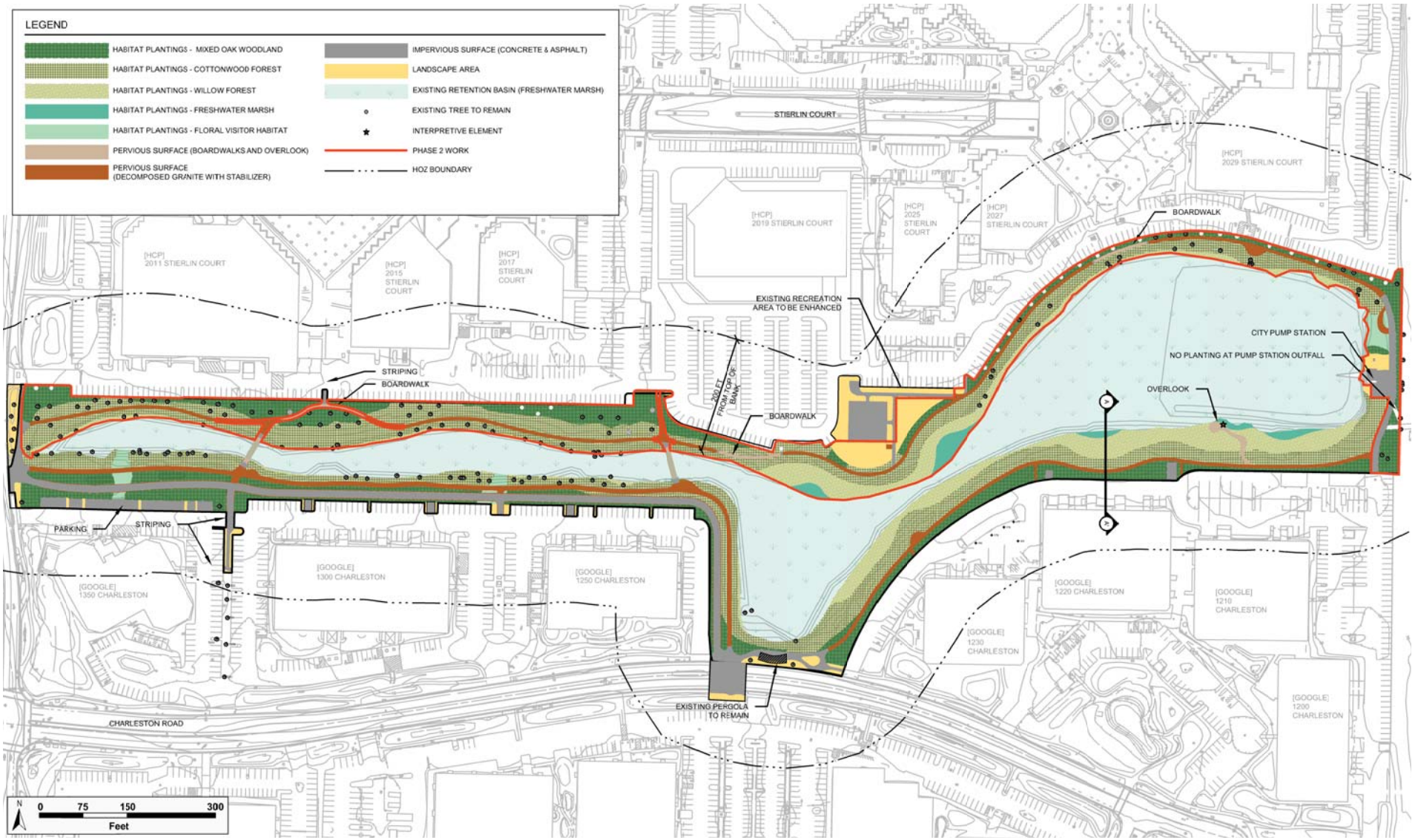
The project consists of the removal of 134 existing parking spaces located adjacent to the retention basin in order to allow for habitat expansion, grading in select areas of the existing basin slopes to allow for habitat appropriate plantings, the removal of non-native plants and trees including the removal of 119 Heritage trees, and the comprehensive replanting of the upland basin areas with native plants and trees.

The project also includes bicycle and pedestrian circulation improvements including the realignment and improvement of the existing pedestrian path around the basin, a new separate bicycle path in the southwestern quadrant which would connect to a larger bicycle path network in the area, and two new pedestrian bridges across the basin. The existing trees and plantings within the center of the basin are not part of the project and would remain untouched.

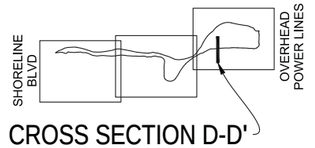
The proposed improvements are shown on Figure 5, and cross sections of the proposed improvements are shown on Figures 6 and 7.



EXISTING SITE CONDITIONS FIGURE 4



PROPOSED HABITAT IMPROVEMENTS FIGURE 5



CROSS SECTION D-D'

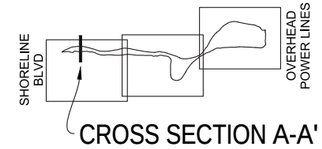
EXISTING CONDITIONS

Not to Scale

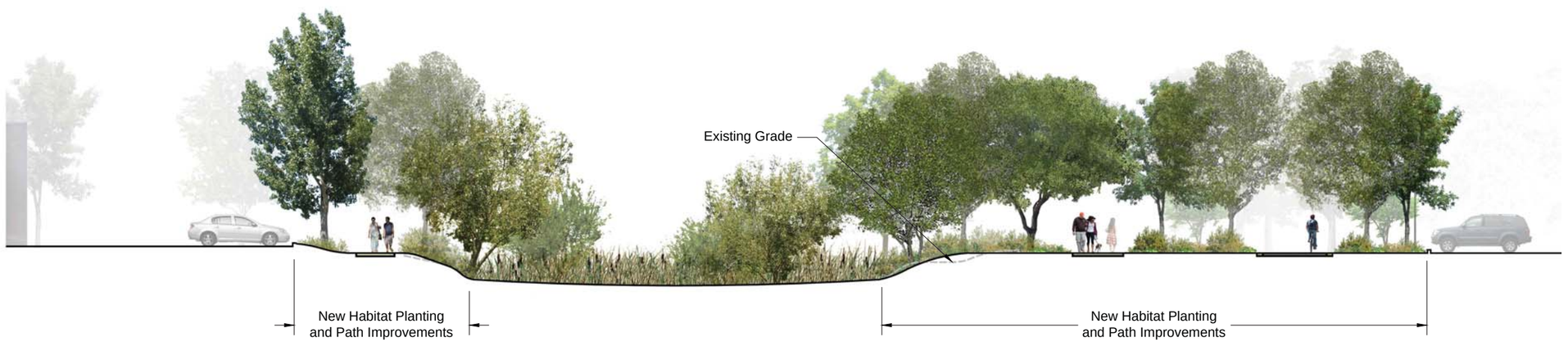
PROPOSED CONDITIONS (YEAR 15)

Not to Scale

PROPOSED EASTERN IMPROVEMENTS CROSS-SECTION FIGURE 6



EXISTING CONDITIONS
Not to Scale



PROPOSED CONDITIONS (YEAR 15)
Not to Scale

PROPOSED WESTERN IMPROVEMENTS CROSS-SECTION FIGURE 7

3.2.1.1 *Pedestrian Bridges*

The project proposes to install two pedestrian-only bridges over the Charleston Retention Basin to improve the north-south pedestrian circulation and connectivity needs in the area. The two pedestrian bridges would be located on the western portion of the retention basin and would be aligned to minimize the removal of existing native trees and span the narrowest parts of the basin. The bridges would be approximately 10 feet wide. The bridges would be prefabricated clear-span structures with specific features, including a low profile and high visibility structure (e.g., no glass, high walls, or fine netting) in order to limit disturbance to wildlife in the basin. Bridges would be placed on concrete bridge abutments that would be placed at each end of the bridge outside of the freshwater marsh habitat.

3.2.1.2 *Pedestrian Pathways*

The Charleston Retention Basin includes an existing decomposed granite pathway that circles the entire basin and provides pedestrian connections to existing sidewalks, internal streets, adjacent office and commercial uses, and the Stevens Creek Trail.

The proposed path realignment would include removal of the existing decomposed granite pathway and the installation of a new realigned decomposed granite pedestrian pathway that would vary between six feet and eight feet in width. The new realigned path would be approximately in the same location or farther away from the edge of the basin, allowing for the expansion of native habitats. The western portions of the new pathway would be constructed approximately 30 feet farther away from the retention basin than the existing pathway.

3.2.1.3 *Overlook and Boardwalks*

The project would construct one new overlook and two new boardwalks. The overlook would be constructed on the southeast side of the basin to provide opportunities to observe the habitat and wildlife associated with the basin. The western boardwalk would be designed to avoid disturbance to roots of existing trees and the eastern boardwalk would span an existing low point located at 1219 Stierlin Court.

3.2.1.4 *Bicycle Path*

The project would also include construction of a new designated bicycle path in the southwestern quadrant of the Charleston Retention Basin. The new 12-foot wide concrete bicycle path would be a stand-alone bicycle path that would run parallel to the realigned decomposed granite pedestrian path along the southwestern quadrant. The bicycle path would be constructed on the paved and developed portions of the adjacent parcels and would be achieved by removing existing parking spaces and hardscape.

3.2.1.5 *Charleston Retention Basin Habitat Enhancement and Expansion*

The project proposes to improve the native vegetation and wildlife habitat of the Charleston Retention Basin primarily through the removal of 134 existing parking spaces located adjacent to the retention basin in order to allow for habitat expansion, grading in select areas of the existing basin slopes to allow for habitat-appropriate plantings, the removal of non-native plants and trees including the removal of 119 Heritage trees, and the comprehensive replanting of the upland basin areas with native plants and trees. Five habitat types are proposed for planting including freshwater marsh, willow forest, cottonwood forest, floral visitor (pollinator) habitat, and mixed oak woodland.

The project would enhance approximately 5.85 acres of native habitat at the Charleston Retention Basin. Habitat improvements would result in a net increase of 0.13 acres of freshwater marsh habitat and 3.76 acres of riparian habitat.

Approximately 36 percent (2.10 acres) would be willow forest habitat, 28 percent (1.66 acres) cottonwood forest habitat, 20 percent (1.18) mixed oak woodland habitat, 12 percent (0.68 acres) oak cottonwood infill habitat, two percent (0.13 acres) freshwater marsh habitat, and two percent (0.10 acres) floral visitor (pollinator) habitat.

In order to enhance the habitat at the Charleston Retention Basin, existing basin slopes would be graded and re-contoured, which would result in the expansion of the capacity of the basin by about 4.4 acre-feet.[1] Nine existing stormwater outfalls located in Charleston Road and the surrounding parcels convey stormwater to the retention basin. Existing slope protection at each outfall would be removed and replaced with an arranged layer of riprap. Existing outfalls would remain the same size and capacity but would be modified (cut) to match the new toe of slope at each location.

Earthwork and re-contouring would be necessary to complete the project and would require approximately 8,200 cubic yards of cut and 1,400 cubic yards of fill, resulting in a net export of 6,800 cubic yards of soil material.

Construction activities necessary to complete the project may require dewatering. The extent of dewatering within the Charleston Retention Basin would depend on the surface water level during project implementation. If needed, temporary sandbag coffer dams would be installed downslope of the proposed work areas. Installation of bridge abutments may also require dewatering of areas that contain greater than three feet of water. Portable dams would be used to create a seal between the work area and the adjacent waters. Only hand tools would be used to prepare the coffer dam and portable dams.

3.2.2 General Plan and Zoning

The project site has a General Plan Land Use Designation of *Parks, Schools and City Facilities* and *High Intensity Office*, and is currently zoned *(F) Flood Plain* and *P(39) North Bayshore Precise Plan*.

[1] An acre-foot is a unit of volume equal to the volume of a sheet of water one acre in area and one foot in depth, or approximately 325,851 gallons.

The project site is located within the overall area of the North Bayshore Precise Plan, which was adopted by the City in 2014. The North Bayshore Precise Plan consolidated all five previously existing Precise Plans in the North Bayshore area into a single *North Bayshore Precise Plan* zoning district. The North Bayshore Precise Plan provides guiding principles, development standards, and design guidelines for the properties in the area, in conformance with the 2030 General Plan vision for the area. The North Bayshore Precise Plan also outlines a series of standards, guidelines, and district improvement projects to protect and enhance habitat and biological resources in the area.

The North Bayshore Precise Plan also established Habitat Overlay Zones (HOZ) to provide standards and guidelines to regulate site development adjacent to sensitive habitat. The Charleston Retention Basin is located within the Open Water, Creeks, and Storm Drain Facilities HOZ.

3.2.3 Access, Circulation, and Parking

The proposed project site is located east of North Shoreline Boulevard in the North Bayshore area of the City of Mountain View. Vehicular access to the Charleston Retention Basin is provided by North Shoreline Boulevard, Charleston Road and Stierlin Court. Public access is provided by existing sidewalks, pathways, and the existing decomposed granite pedestrian trail circling the basin.

There is no dedicated public parking adjacent to the Charleston Retention Basin. Existing surface parking is intended for the surrounding office and commercial uses.

Realignment and construction of the pedestrian pathway and new bicycle path would be achieved by removing approximately 134 existing parking spaces located within the adjacent developed parcels.

3.2.4 Heritage Trees

The proposed improvements to the Charleston Retention Basin would result in the removal of 119 Heritage trees. Tree removal for the project was considered on an individual tree basis and in coordination with the City of Mountain View. There are a total of 362 trees on the project site, 228 of which are considered Heritage trees in the City of Mountain View, as defined in the City of Mountain View Municipal Code (Chapter 32, Article 2).

New trees would be planted on the project site and within the Charleston Retention Basin. Since enhancement of habitat associated with the retention basin is included as part of the project, the number of trees that would be planted greatly outnumbers the number of existing trees to be removed. Each Heritage tree would be replaced at a 1:1 ratio with a 24-inch box oak tree, for a total of 119 Heritage replacement trees. A total of approximately 1,873 native trees (including 119 oak replacement trees) would be planted as part of the proposed project.

3.2.5 Project Phasing and Timing

Construction of the proposed project would occur in two phases. Implementing the project in phases is proposed to lessen and temporally distribute the effects of short-term vegetation loss around the basin perimeter while new habitat establishes. Phasing could also allow some non-native trees on the north side that are ultimately slated for removal to remain during initial construction and be removed in the second phase.

Construction during Phase 1 would focus on the south side of the basin and the two bridge connections over the basin. Phase 2 involves installing the remainder of the improvements along the north and east sides of the basin, approximately one year after the completion of Phase 1.

SECTION 4.0 ENVIRONMENTAL CHECKLIST AND DISCUSSION OF IMPACTS

This section describes the existing environmental conditions on and near the project area, as well as environmental impacts associated with the proposed project. The environmental checklist, as recommended in the California Environmental Quality Act (CEQA) Guidelines, identifies environmental impacts that could occur if the proposed project is implemented.

The right-hand column in the checklist lists the source(s) for the answer to each question. The sources cited are identified at the end of this section. Mitigation measures are identified for all significant project impacts. Mitigation Measures are measures that will minimize, avoid, or eliminate a significant impact (CEQA Guideline 15370).

4.1 AESTHETICS

4.1.1 Aesthetics Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐	1,2,3,4
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒	1,2,3,4, 7
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐	1,2,3,5
d. Create a new source of substantial light or glare which will adversely affect day or nighttime views in the area?	☐	☐	☐	☒	1,2

4.1.2 Existing Setting

The vast majority of the North Bayshore area is characterized by developed and landscaped areas, with features such as buildings, bridges, paved walkways and roadways, and parking lots. The Charleston Retention Basin provides an area of more natural habitat and is one of the defining natural features of the North Bayshore area. The basin was originally excavated in the 1980's on former agricultural land to collect stormwater runoff. The Charleston Retention Basin provides valuable refuge and resource for wildlife species in the area and is supports freshwater marsh habitat and ornamental woodland/urban park habitat. A decomposed granite pedestrian pathway surrounds the basin and provides access and pedestrian connectivity to the offices and business in the vicinity of the basin. Photos 1-2 show the existing retention basin and pedestrian pathway.

PHOTO 1: The Charleston Retention Basin and associated freshwater marsh and riparian habitat.

PHOTO 2: Existing decomposed granite pedestrian pathway located at the Charleston Retention Basin and adjacent surface parking and office building.

PHOTO 1 AND 2

4.1.2.1 *Surrounding Land Uses*

Surrounding land uses include modern one- and two-story office buildings and other commercial land uses. The Stevens Creek Trail is located directly to the east of the project site.

The foothills of the Santa Cruz and Diablo Mountains are visible to the west and south, respectively.

4.1.3 Aesthetics Impacts

The project site is not located along a state scenic highway or scenic gateway. Due to its location within the North Bayshore area, views of the project site are limited to the immediate area. Development of the project would not change the visual character of the retention basin or the surrounding area. The project would ultimately enhance and improve the existing vegetation and open space aesthetic of the retention basin. For these reasons, the project would not have a substantial adverse impact on scenic vistas.

There are no rock outcroppings or historic buildings on-site. The project site supports an existing retention basin, riparian habitat, and pedestrian pathway. Construction of the project is not anticipated to adversely affect visual quality of basin or the area. The project does not include any new buildings or lighting, and would not create substantial glare. **[Less Than Significant Impact]**

4.1.4 Conclusion

Implementation of the proposed project would not result in significant adverse visual or aesthetic impacts. **[Less than Significant Impact]**

4.2 AGRICULTURAL AND FORESTRY RESOURCES

4.2.1 Agricultural and Forestry Resources Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒	2,6,8
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒	2,6,8
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒	2,6
d. Result in a loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒	1,2
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒	1,2,6,8

4.2.2 Existing Setting

According to the Santa Clara County *Important Farmland 2012* map, the Charleston Retention Basin is designated as Urban and Built-Up Land, meaning that the land contains a building density of at least six units per 10-acre parcel or is used for industrial or commercial purposes, golf courses, landfills, airports, or other utilities.

4.2.3 Agricultural and Forest Resource Impacts

The Charleston Retention Basin is not designated, used, or zoned for agricultural purposes. The project site is not part of a Williamson Act contract or used or zoned for forest land. For these reasons, the proposed project would not result in impacts to agricultural or forest resources. **[No Impact]**

4.2.4 Conclusion

Implementation of the proposed project would not impact agricultural or forestry resources in the area. **[No Impact]**

4.3 AIR QUALITY

4.3.1 Air Quality Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒	1,2,3,6,9
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	☒	1,2,3,9
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard including releasing emissions which exceed quantitative thresholds for ozone precursors?	☐	☐	☒	☐	1,2,3,6,9
d. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐	1,6
e. Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐	1

4.3.2 Existing Setting

Air quality and the amount of a given pollutant in the atmosphere are determined by the amount of a pollutant released and the atmosphere's ability to transport and dilute the pollutant. The major determinants of transport and dilution are wind, atmospheric stability, terrain and for photochemical pollutants, sunshine.

The U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) have established ambient air quality standards for what are commonly referred to as "criteria pollutants," because they set the criteria for attainment of good air quality. Criteria pollutants include carbon monoxide, ozone, nitrogen dioxide, sulfur dioxide, and particulate matter (PM).

4.3.2.1 *Regional Air Quality*

The Charleston Retention Basin is located within the San Francisco Bay Area Air Basin. The Bay Area Air Quality Management District (BAAQMD) is the regional government agency that monitors and regulates air pollution within the air basin.

The Federal Clean Air Act and the California Clean Air Act require that the CARB, based on air quality monitoring data, designate portions of the state where the federal or state ambient air quality standard are not met as "nonattainment areas." Because of the differences between the national and

state standards, the designation of nonattainment areas is different under the federal and state legislation. The Bay Area is designated as an "attainment area" for carbon monoxide, nitrogen dioxide, and sulfur dioxide. The region is classified as a "nonattainment area" for both the federal and state ozone standards, although a request for reclassification to "attainment" of the federal standard is currently being considered by the U.S. EPA. The area does not meet the state standards for particulate matter; however, it does meet the federal standards.

4.3.2.2 *Bay Area 2010 Clean Air Plan*

As the regional government agency responsible for regulation air pollution within the air basin, BAAQMD must prepare air quality plans specifying how State and air quality standard will be met.

Regional Clean Air Plans: The Bay Area 2010 Clean Air Plan provides a comprehensive plan to improve Bay Area air quality and protect public health through implementation of a control strategy designed to reduce emissions and decrease ambient concentrations of harmful pollutants. The most recent Clean Air Plan also includes measures designed to reduce GHG emissions.

BAAQMD CEQA Air Quality Guidelines: The BAAQMD CEQA Air Quality Guidelines are intended to serve as a guide for those who prepare or evaluate air quality impact analyses for projects and plans in the San Francisco Bay Area. The Guidelines include information on legal requirements, BAAQMD rules, plans and procedures, methods of analyzing air quality impacts, thresholds of significance, mitigation measures, and background air quality information. In June 2010, the Air District's Board of Directors adopted their CEQA thresholds of significance and an update of their CEQA Guidelines. The updated CEQA Guidelines review and describe assessment methodologies, and mitigation strategies for criteria pollutants, air toxics, odors, and GHG emissions.

As discussed in CEQA Guidelines Section 15064(b), the determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the lead agency and must be based to the extent possible on scientific and factual data. The Cities of San José and Santa Clara, among numerous other jurisdictions in the San Francisco Bay Area Air Basin, have recently used the thresholds and methodology for assessing GHG emissions put forth by BAAQMD based upon the scientific and other factual data prepared by BAAQMD in developing those thresholds.

In December 2010, the California Building Industry Association (BIA) filed a lawsuit in Alameda County Superior Court challenging toxic air contaminants and PM2.5 thresholds developed by BAQQMD for its CEQA Air Quality Guidelines (California Building Industry Association v. Bay Area Air Quality Management District, Alameda County Superior Court Case No. RG10548693). One of the identified concerns is that the widespread use of the thresholds would inhibit infill and smart growth in the urbanized Bay Area. On January 19, 2012, the Superior Court found that adoption of thresholds by the BAAQMD in its CEQA Air Quality Guidelines is a CEQA project, though no further findings or rulings were made. On March 5, 2012, the Alameda County Superior Court issued a judgment that BAAQMD had failed to comply with CEQA when it adopted its Thresholds. The Court issued a writ of mandate ordering the District to set aside the Thresholds and cease disseminating them until the District fully complies with CEQA. The BAAQMD appealed this ruling, and the Appellate Court overturned that decision, finding that adopting the thresholds did not amount to a project under CEQA (California Building Industry Association v. Bay Area Air Quality

Management District (2013) 218 Cak.App.4th 1171). The Court of Appeal also found that the challenged thresholds were supported by substantial evidence. The case is now in front of the state Supreme Court on one issue unrelated to the substance of particular thresholds or the evidence on which they are based.

In April 2012, BAAQMD revised their website in conformance with the Superior Court order, no longer recommending use of the 2010 Thresholds in determining a project's significant air quality impacts. Based on the Appellate ruling, however, it is reasonable for agencies to conclude that the thresholds are based on substantial evidence and that they represent a reasonable method of determining significance. The City of Mountain View has carefully considered the thresholds prepared by BAAQMD and the court rulings, and consider the quantitative thresholds to be based on the best information available for the San Francisco Bay Area Air Basin.

4.3.2.3 *Toxic Air Contaminants*

Toxic Air Contaminants (TACs) are a broad class of compounds known to cause morbidity or mortality (usually because they cause cancer or serious illness) and include, but are not limited to, criteria air pollutants. TACs are found in ambient air, especially in urban areas, and are caused by industry, agriculture, fuel combustion and commercial operations (e.g., dry cleaners). TACs are typically found in low concentrations, even near their source (e.g., diesel particulate matter near a highway). Because chronic exposure can result in adverse health effects, TACs are regulated at the regional, state and federal level. The identification, regulation and monitoring of TACs is relatively new compared to that for criteria air pollutants that have established ambient air quality standards. TACs are regulated or evaluated on the basis of risk to human health rather than comparison to an ambient air quality standard or emission-based threshold.

Diesel Particulate Matter

Diesel exhaust, in the form of diesel particulate matter (DPM), is the predominant TAC in urban air with the potential to cause cancer. It is estimated to represent about two-thirds of the cancer risk from TACs (based on the statewide average). According to the CARB, diesel exhaust is a complex mixture of gases, vapors and fine particles. This complexity makes the evaluation of health effects of diesel exhaust a complex scientific issue. Some of the chemicals in diesel exhaust, such as benzene and formaldehyde, have been previously identified as TACs by the CARB, and are listed as carcinogens either under the State's Proposition 65 or under the federal Hazardous Air Pollutants programs. California has adopted a comprehensive diesel risk reduction program. The U.S. EPA and the CARB have adopted low-sulfur diesel fuel standards in 2006 that reduce diesel particulate matter substantially. The CARB recently adopted new regulations requiring the retrofit and/or replacement of construction equipment, on-highway diesel trucks and diesel buses in order to lower fine particulate matter ($PM_{2.5}$) emissions and reduce statewide cancer risk from diesel exhaust.

4.3.2.4 *Sensitive Receptors*

There are groups of people more affected by air pollution than others. CARB has identified the following persons who are most likely to be affected by air pollution: children under 14, the elderly over 65, athletes, and people with cardiovascular and chronic respiratory diseases. These groups are classified as sensitive receptors. Locations that may contain a high concentration of these sensitive

population groups include residential areas, hospitals, daycare facilities, elder care facilities, elementary schools, and parks. For cancer risk assessments, children are the most sensitive receptors, since they are more susceptible to cancer causing TACs. Residential locations are assumed to include infants and small children. The closest residential location to the basin is located 0.25 miles to the southwest. Recreational users of the basin and adjacent Stevens Creek Trail are also considered sensitive receptors.

4.3.3 Air Quality Impacts

4.3.3.1 *Clean Air Plan*

The project proposes to improve habitat quality and pedestrian and bicycle circulation around the Charleston Retention Basin. The project supports the primary goals of the CAP in that it does not exceed the BAAQMD thresholds for operational air pollutant emissions and proposed improvements would not alter the population and/or employment growth estimates used to develop the CAP.

The project would not be a substantial source of new employment or vehicle trips as it would not increase the population of the area or vehicle miles traveled (VMT). The project would not conflict with or obstruct implementation of the 2010 CAP. The North Bayshore Precise Plan EIR concluded that future development in the Precise Plan area would not disrupt or hinder any CAP control measures. **[No Impact]**

4.3.3.2 *Operational Impacts*

The proposed project would improve the pedestrian pathway, connectivity, and walkability of the trail surrounding the basin and would enhance the basin's natural habitat. The proposed project would not violate any air quality standard or contribute substantially to any existing or projected air quality violation due to the limited work schedule and construction needed to complete the project. The project would not generate traffic trips once constructed, and therefore, would not impact regional or local air quality in the long-term. The project's operational emissions would be less than significant since the project falls under the BAAQMD's operational screening thresholds. A cumulatively considerable net increase of any pollutant would not occur, and any impact would, therefore, be less than significant. **[Less Than Significant Impact]**

4.3.3.3 *Short-Term Construction-Related Impacts*

Construction activity, particularly during site preparation and grading would temporally generate fugitive dust. Sources of fugitive dust include disturbed soil at the construction site and trucks carrying uncovered loads of soil.

Construction equipment and associated heavy-duty truck traffic generate diesel exhaust, a known toxic air contaminant (TAC). Health risks from TACs are a function of both concentration and duration of exposure. Typically, if heavy equipment use occurs for less than six months, then the associated health risk should not be significant. Construction of the proposed project would take place in two phases over two years. Each phase would last approximately five months. Phase two would be initiated approximately one year after the completion of Phase one.

Grading would be necessary to expand and re-contour the retention basin. There would be a minimal amount of heavy-duty diesel equipment on the site to complete the project, and truck traffic to and from the site would be limited. In compliance with the North Bayshore Precise Plan, the proposed project shall implement the following measures, as required by City standard conditions of approval, to reduce or avoid construction-related air quality impacts:

Air Quality Construction Measures: The project applicant shall require all construction contractors to implement the basic construction mitigation measures recommended by the BAAQMD to reduce fugitive dust emissions. Additional measures may be identified by BAAQMD or contractor as appropriate.

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day, if feasible, and if water is available due to drought and water shortage conditions.

- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

- 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.

- 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 measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

- All construction equipment shall be maintained and properly turned 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 viable sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

Sensitive receptors using the retention basin and adjacent Stevens Creek Trail would only be exposed to construction TACs for limited periods of time, and only if recreation and pedestrian activities occur within the timeframe and hours of temporary construction activities.

Implementation of basic air quality construction measures listed above would reduce impacts to a less than significant level. Sensitive receptors in the project area, including recreational users at the

basin and adjacent trail, would not be exposed to significant levels of TACs during project construction activities. **[Less Than Significant Impact]**

4.3.3.4 *Odors*

Land uses primarily associated with odorous emissions include waste transfer and recycling stations, wastewater treatment plants, landfills, composting operations, petroleum operations, food and byproduct processes, factories, and agricultural activities such as livestock operations. The proposed project does not include any of these types of land uses and proposed habitat improvements would not generate objectionable odors. Odors may generated by construction equipment during demolition and construction activity, however; these odors would be localized, temporary in duration, occur only during construction, and would not affect a substantial number of people since residence are not located adjacent to the proposed project. The North Bayshore Precise Plan EIR also concluded that implementation of the Precise Plan would not create objectionable odors. **[Less Than Significant Impact]**

4.3.4 Conclusion

The project would result in less than significant construction-related air quality impacts due to the limited work schedule and small amount of construction necessary to complete the project and the continued use of the project site as a stormwater retention basin and recreational path would not create operational air quality impacts. **[Less Than Significant Impact]**

4.4 BIOLOGICAL RESOURCES

The discussion in this section is based on the following biological reports, which are included in this Initial Study:

- **Appendix A:** H.T. Harvey & Associates. *Habitat Enhancement Plan*. September 18, 2015.
- **Appendix B:** H.T. Harvey & Associates. *Biotic Study*. September 2015.
- **Appendix C:** H.T. Harvey & Associates. *Preliminary Jurisdictional Delineation.* December 2014 (revised June 2015).
- **Appendix D:** ECORP Consulting, Inc. *Peer Review of the Habitat Enhancement Plan*. August 2015.
- **Appendix E**: US Fish and Wildlife Service. *Preliminary Jurisdictional Delineation Letter.* August 14, 2015.

4.4.1 Biological Resources Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
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 or US Fish and Wildlife Service?	☐	☐	☒	☐	1,3,8,10, 11
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 California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☒	☐	☐	1,3,8,10, 11,12
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐	1,3,8,10, 11,12
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, impede the use of native wildlife nursery sites?	☐	☐	☒	☐	1,2,3,8, 10,11

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐	1,3,4,10, 11
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?	☐	☐	☐	☒	1,3,6,10, 11

4.4.2 Regulatory Setting

4.4.2.1 *Federal Regulations*

Federal Endangered Species Act

The U.S. Fish and Wildlife Service (USFWS) has jurisdiction over federally listed threatened and endangered plant and animal species. The federal Endangered Species Act (FESA) prohibits the take of any fish or wildlife species that is federally listed as threatened or endangered without prior approval. "Take" is broadly defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in any such conduct (16 USC, Section 1532(19), 50 CFR, Section 17.3). Take can also include habitat modification or degradation that directly results in death or injury of a listed wildlife species.

Although federally listed animal species are legally protected from harm no matter where they occur, Section 9 of the FESA provides protection for endangered plants by prohibiting the malicious destruction of individuals on federal land and other "take" that violates State law. The National Marine Fisheries Service (NMFS) has jurisdiction over federally listed, threatened and endangered, marine species and anadromous fish.

Clean Water Act

Areas meeting the regulatory definition of "waters of the U.S." (jurisdictional waters) are subject to the jurisdiction of the U.S. Army Corps of Engineers (USACE) under provisions of Section 404 of the 1972 Clean Water Act (Federal Water Pollution Control Act). These waters may include all waters used, or potentially used, for interstate commerce, including all waters subject to the ebb and flow of the tide, all interstate waters, all other waters (intrastate lakes, rivers, streams, mudflats, sandflats, playa lakes, natural ponds, etc.), all impoundments of waters otherwise defined as "waters of the U.S.," tributaries of waters otherwise defined as "waters of the U. S.," the territorial seas, and wetlands (termed Special Aquatic Sites) adjacent to "waters of the U.S." (33 CFR, Part 328, Section 328.3).

Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA: 16 USC Section 703, Supp. I, 1989) prohibits killing, possessing, or trading in migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. This act encompasses whole birds, parts of birds, and bird nests and eggs. Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment, a violation of the MBTA.

4.4.2.2 *State Regulations*

Threatened and Endangered Species

Special status species in California include plants or animals that are listed as threatened or endangered under the California Endangered Species Act (CESA), species identified by the California Department of Fish and Wildlife (CDFW) as California Species of Special Concern, as well as plants identified by the California Native Plant Society (CNPS)[2] as rare, threatened, or endangered.

The CESA (Fish and Game Code of California, Chapter 1.5, Sections 2050-2116) prohibits the take of any plant or animal listed or proposed for listing as rare, threatened, or endangered. The CDFW has jurisdiction over state-listed species and regulate activities that may result in take of individuals. To "take" a listed species, as defined by the state of California, is "to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill" said species (California Fish and Wildlife Code, Section 86).

Porter-Cologne Water Quality Control Act

The RWQCB is responsible for protecting surface, ground, and coastal waters within its boundaries, pursuant to the Porter-Cologne Water Quality Control Act of the California Water Code. The RWQCB has jurisdiction under Section 401 of the Clean Water Act for activities that could result in a discharge of dredged or fill material to a water body. Federal authority is exercised whenever a proposed project requires a Clean Water Act Section 404 permit from the USACE in the form of a Section 401 Water Quality Certification. State authority is exercised when a proposed project is not subject to federal authority, in the form of a Notice of Coverage, Waiver of Waste Discharge Requirements. Many wetlands and riparian areas fall into RWQCB jurisdiction, including some wetlands, waters, and stream banks that are not subject to USACE jurisdiction. RWQCB jurisdiction of other waters, such as streams and lakes, extends to all areas below the ordinary high water mark.

California Fish and Game Code

The California Fish and Game Code includes regulations governing the use of, or impacts on, many of the state's fish, wildlife, and sensitive habitats. The CDFW has jurisdiction over the bed and banks of rivers, lakes, and streams (Sections 1601-1603 of the California Fish and Game Code).

[2] The California Native Plant Society (CNPS) is a non-profit organization that maintains lists and a database of rare and endangered plant species in California. Plants in the CNPS "Inventory of Rare and Endangered Plants of California" are considered "Special Plants" by the CDFW Natural Diversity Database Program.

Streambed Alteration Agreements are required for the fill or removal of material within the beds and banks of a watercourse or waterbodies, and for removal of riparian vegetation.

Certain sections of the Fish and Game Code describe regulations that pertain to certain wildlife species. Fish and Game Code Section 3503, 2513, and 3800 (and other sections and subsections) protect native birds, including their nests and eggs, from all forms of take. Birds of prey, such as owls and hawks, are protected in California under provisions of the state Fish and Game Code, Section 3503.5 (1992), which states that it is "unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered "taking" by the CDFW.

4.4.2.3 *Mountain View Tree Preservation Ordinance*

The City of Mountain View tree regulations protect all trees designated as "Heritage" trees (Chapter 32, Article 2). Under this ordinance, a Heritage tree is defined as any one of the following:

- A tree which has a trunk with a circumference of forty-eight (48) inches or more measured at fifty-four (54) inches above natural grade;
- A multi-branched tree which has major branches below fifty-four (54) inches above the natural grade with a circumference of forty-eight (48) inches measured just below the first major trunk fork.
- Any *Quercus* (oak), *Sequoia* (redwood), or *Cedrus* (cedar) tree with a circumference of twelve (12) inches or more when measured at fifty-four (54) inches above natural grade;
- A tree or grove of trees designated by resolution of the City Council to be of special historical value or of significant community benefit.

A tree removal permit is required from the City of Mountain View for the removal of Heritage trees. It is unlawful to willfully injure, damage, destroy, move or remove a Heritage tree.

4.4.2.4 *North Bayshore Precise Plan Habitat Overlay Zones*

The North Bayshore Precise Plan area is adjacent to sensitive habitat areas, special-status species, and other native species, many of which are protected by state or federal law. The North Bayshore Precise Plan outlines a series of standards, guidelines, and district improvement projects to protect and enhance habitat and biological resources by establishing three Habitat Overlay Zones (HOZ), Burrowing Owl, Egret Rookery, and Open Water, Creeks, and Storm Drain Facilities. Each HOZ provides standards, guidelines, and requirements for site development, which apply to all new construction and additions in that zone. The intent is to protect sensitive habitat by guiding building placement adjacent to high-value habitat locations, limiting new impervious surface, minimizing light pollution, and guiding landscape design.

The project site is located within the Open Water, Creeks, and Storm Drain Facilities HOZ. To protect habitat and preserve water quality, the following outlines standards for areas adjacent to the Coast Casey Forebay, Shoreline Lake, Stevens Creek, the Charleston Retention Basin, Permanente Creek, and the Coast Casey channel.

a. HOZ boundary. The distances from each boundary are as follows:
   i. *Coast Casey Forebay*: 250 feet as measured from the boundary edge existing in 2014.
   ii. *Charleston Retention Basin*: 200 feet as measured from the boundary edge existing in 2014.
   iii. *Stevens Creek*: 200 feet as measured from the inner edge of the top of the bank.
   iv. *Permanente Creek and Coast Casey channel*: 150 feet as measured from the inner edge of the top of the bank.
   v. *Shoreline Lake*: 200 feet as measured from the lake edge.
b. Building placement in the HOZ. New construction shall not be placed inside the HOZ, except where allowed based on the exceptions described below.
c. Impervious surface. No new impervious surface shall be constructed closer to open water or creek habitat than existing impervious surfaces, and no net increase in impervious surface can occur within the HOZ associated with these areas.
d. Bioswales. Bioswales shall be constructed for any new or reconstructed impervious surface draining directly toward creek areas to treat runoff before it enters a creek or open water.
e. Landscape design. All woody vegetation planted in the HOZ shall consist of native species or non-natives that provide valuable resources (e.g., food, structure, or cover) for native wildlife.
f. Low intensity outdoor lighting. Within the HOZ, outdoor lighting shall be of low intensity (LZ 2) and shall utilize full cutoff fixtures to reduce the amount of light reaching these sensitive habitats.

4.4.2.5 *Habitat Conservation Plan/Natural Community Conservation Plan*

The City of Mountain View and the proposed project site is not included within the study area of the Santa Clara Valley Habitat Plan/Natural Community Conservation Plan (SCV Habitat Plan).

The SCV Habitat Plan, which encompasses a study area of 519,506 acres (or approximately 62 percent of Santa Clara County), was adopted by six local entities in Santa Clara County. The area for which development activities are covered by the plan is located south and east of Mountain View, primarily within the Llagas/Uvas/Pajaro, Coyote Creek, and Guadalupe Watersheds. The plan went into effect in October 2013 and the Santa Clara Valley Habitat Agency is charged with implementing the plan. The SCV Habitat Plan was developed through a partnership between Santa Clara County, the Cities of San José, Morgan Hill, and Gilroy, the Santa Clara Valley Water District, and the Santa Clara Valley Transportation Authority (collectively termed the 'Local Partners'), the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife.

The SCV Habitat Plan is a conservation program to promote the recovery of endangered species in portions of Santa Clara County while accommodating planned development, infrastructure and maintenance activities. The species of concern identified in the SCV Habitat Plan include, but are not limited to, the California tiger salamander, California red-legged frog, western burrowing owl, Bay Checkerspot butterfly, and a number of species endemic to serpentine grassland and scrub.

Projects and activities of the jurisdictions in Santa Clara County, such as the City of Mountain View, which are not Permittees, are not covered under the SCV Habitat Plan.

4.4.3 Existing Setting

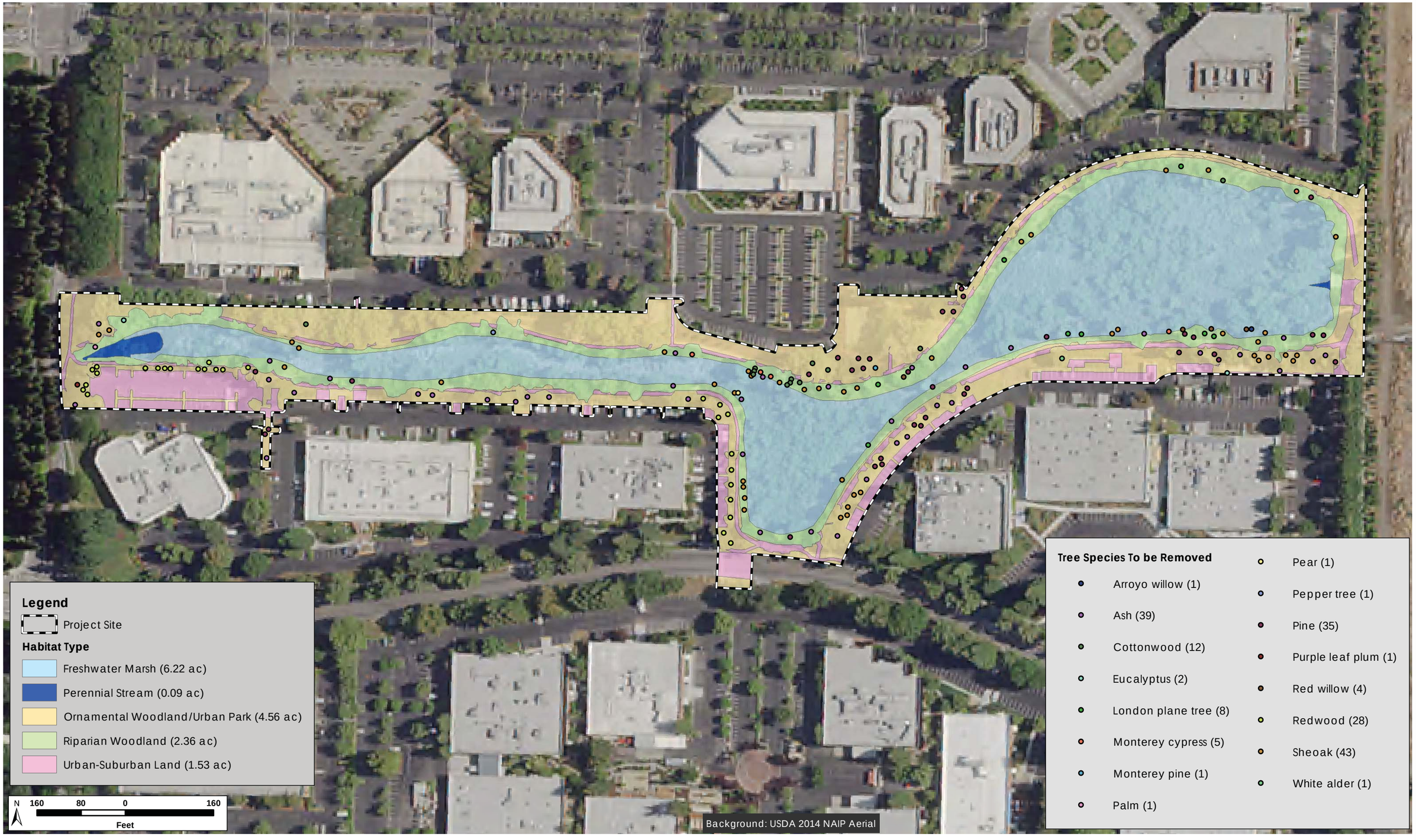
The vast majority of the North Bayshore area is characterized by developed and landscaped areas, with features such as buildings, bridges, paved walkways and roadways, and parking lots. The Charleston Retention Basin provides an area of more natural habitat and is identified in the North Bayshore Precise Plan as one of the defining natural features of the North Bayshore area. The basin was originally excavated in the 1980's on former agricultural land to collect stormwater runoff. The Charleston Retention Basin provides valuable refuge and resources for wildlife species in the area. The basin currently supports five general habitat types: 1) perennial stream, 2) freshwater marsh, 3) ornamental woodland/urban park, 4) riparian woodland, and 5) urban-suburban land. A map showing these existing habitat types is shown in Figure 8.

1. Perennial Stream Habitat: Perennial stream habitat is present in the low-lying areas on the eastern and western boundaries of the basin. This section is devoid of vegetation and stormwater is delivered to the retention basin via a box culvert under North Shoreline Boulevard. The perennial stream habitat in the Charleston Retention basin is not hydrologically connected to native habitats in the region and is not considered high-quality habitat for aquatic species.

2. Freshwater Marsh Habitat: Freshwater marsh habitat is present at and below the top of bank of the basin. The herbaceous layer of freshwater marsh is dense and dominated by California tule (*Schoenoplectus californicus*) and various cattail species (*Typha ssp*.). Other common species recorded along the edges of the wetland include dallis grass (*Paspalum dilatatum*), Mexican rush (*Juncus mexicanus*), tall flatsedge (*Cyperus eragrostis*), and purple pampas grass.

3. Ornamental Woodland/Urban Park: The retention basin slopes up to a vegetated bench that supports ornamental woodland/urban park habitat, which occurs on the outer edge of the existing pedestrian path. The ornamental woodland/urban park areas is dominated by planted tree species, such as shamel ash, sheoak, and various species of pine (*Pinus ssp*.). Dense hedgerows of planted juniper (*Juniperus sp*.), cotoneaster (*Cotoneaster sp*.), privet (*Ligustrum sp*.), various species of firethorn (*Pyracantha ssp*.), crimson bottlebrush (*Callistemon citrinus*), and oleander (*Nerium oleander*) make up most of the shrub layer. These hedgerows are located alongside the path, often directly abutting the parking lots adjacent to the site. The herbaceous layer of ornamental woodland/urban park is dominated by non-native grasses, such as dallis grass and various species of wildoats (*Avena ssp.*). Non-native forbs in the herbaceous layer include English ivy (*Hedra helix*), bristly ox-tongue (*Helminthotheca echioides*), fennel, and alfalfa (*Medicago sativa*).

4. Riparian Woodland: Riparian habitat generally parallels the inner edge of the pedestrian path that surrounds the basin. This habitat type grows within close proximity to, and depends on soil moisture from, a nearby freshwater source. The overstory is dominated by planted sheoak (*Casuarina sp.*), Fremont cottonwood, and shamel ash trees (*Fraxinus uhdei*). Only a few arroyo willows, white alders (*Alnus rhombifolia*), and other naturally occurring riparian plant species occur here.



EXISTING HABITATS AND TREE IMPACT MAP

FIGURE 8

Although the understory of the riparian area lacks landscaped areas and hedgerows, it is also similar to that of the ornamental woodland/urban park habitat, as it is dominated by upland herbaceous plant species such as dallis grass, wild oats, bristly ox-tongue, fennel, and alfalfa.

5. Urban-Suburban: Urban-suburban habitat includes the existing decomposed granite pedestrian path, pump station, and hardscape such as parking lots and buildings.

4.4.3.1 *Proposed Habitat Improvements*

Five native habitat types are proposed for planting: 1) freshwater marsh, 2) willow forest, 3) cottonwood forest, 4) floral visitor (pollinator) habitat, and 5) mixed oak woodland. Preliminary plant palettes for all new planting areas are included in Appendix A. The new planting areas would be installed in areas cleared of vegetation and infrastructure during construction. Existing native trees would remain where feasible, unless grading requirements or an unsafe tree condition necessitates their removal. In some locations new understory plantings may be installed under existing trees. Figure 4 and 5 illustrate the existing and proposed conditions on the site.

1. Freshwater marsh vegetation would be established in areas immediately adjacent to the Charleston Retention Basin water surface. The freshwater marsh plant palette is composed of common rush (*Juncus effusus*), spreading rush (*Juncus patens*), and various tule species (*Schoenoplectus spp*.).

2. Willow forest habitat would be installed on created low terraces and other areas bordering the existing freshwater marsh habitat, up to approximately one vertical foot from the basin water elevation. Red and arroyo willows (*Salix laevigata* and *S. lasiolepis*, respectively) and Fremont cottonwood (*Populus fremontii*) trees will be established in the willow forest planting areas with an approximate on-center spacing of eight feet. This dense planting layout would facilitate rapid habitat establishment.

3. The cottonwood forest habitat type would be installed generally from the upper edge of the willow forest to the edge of the new path alignment. The cottonwood forest will include Fremont cottonwood, coast live oak (*Quercus agrifolia*), and blue elderberry (*Sambucus nigra ssp. cerulea*) trees.

4. The floral visitor (pollinator) habitat type would be installed at three retention basin maintenance access points. It will include both shrub and herbaceous species known to host multiple life stages of a diverse range of floral visitors. The palette includes yarrow (*Achillea millefolium*), California fuchsia (*Epilobium canum*), and narrowleaf milkweed (*Asclepias fascicularis*).

5. The mixed oak woodland habitat type would be installed in all remaining available habitat planting areas, and some pockets of oak woodland species would be intermingled with the cottonwood forest to increase species diversity. The trees that would be installed in the oak woodland habitat type are coast live oak, valley oak (*Quercus lobata*), blue elderberry, and California buckeye (*Aesculus californica*).

Each forest type would have an associated understory palette of native species, including both shrubs and herbaceous vegetation. Native understory plants would be installed in all planting areas to increase structural diversity and would also be installed under existing canopy to remain.

Table 4.4-1 below shows the existing and proposed land use and habitat acreages.

Table 4.4-1
Existing and Proposed Land Use and Habitat Acreages

Land Use/Habitat	Existing (acres)	Proposed (acres)	Change (acres)
Retention Basin (freshwater marsh)	6.30	6.43	+0.13
Habitat Areas			
Willow Forest	0.00	2.10	+2.10
Cottonwood Forest	0.00	1.66	+1.66
Oak Cottonwood Infill	0.00	0.68	+0.68
Mixed Oak Woodland	0.00	1.18	+1.18
Floral Visitor Habitat	0.00	0.10	+0.10
Existing Mixed Habitat (including non-native species)	2.26	0.00	-2.26
Total	**2.26**	**5.72**	**+3.46**

4.4.4 Biological Resources Impacts

4.4.4.1 *Special Status Plant Species*

The majority of potentially occurring special-status plant species were determined to be absent from the project site for at least one of the following reasons: (1) absence of suitable habitat types; (2) lack of specific microhabitat or edaphic requirements, such as serpentine soils; (3) the elevation range of the species is outside of the range on the project site; and/or (4) the species is presumed extirpated from the immediate vicinity of the site based on CNDDB records (2015) within a five mile radius of the site. The list of potentially occurring special-status species was reduced to one possible plant species that warrants further discussion: Congdon's tarplant (*Centromadia parryi ssp. Congdonii*).

Two extant populations of Congdon's tarplant have been recorded in the project vicinity (Figure 5). Congdon's tarplant has been documented by City biologists at five locations the vicinity of the project site in 2014. Although Congdon's tarplant has the potential to occur in the larger North Bayshore Precise Plan area, it is not expected to occur on the project site due to a lack of suitable grassland habitat. For this reason, the proposed project would not impact special-status plant species.

4.4.4.2 *Special Status Animal Species*

Mammals

Two bat species, the western red bat *(Lasiurus blossevillii*) and pallid bat (*Antrozous pallidus*) may also occur as occasional nonbreeding visitors to the project site, but these species do not breed in the site vicinity and are not expected to occur regularly or in large numbers.

Marginally suitable habitat for San Francisco dusky-footed woodrats (*Neotoma fuscipes annectens*) occurs in areas of thick vegetation at the Charleston Retention Basin. San Francisco dusky-footed woodrats are not known to occur in the more urbanized portions of Santa Clara County. No woodrats or woodrat nests were observed on the site during the 2013 reconnaissance-level surveys for the *North Bayshore Precise Plan Environmental Impact Report* or during the 2014 reconnaissance-level survey conducted for the project. For these reasons the species is presumed to be absent from the project site.

Birds

Seven bird species that are considered California species of special concern when they are breeding may occur on the project site as nonbreeding transients, foragers, or migrants. These species have not been recorded nesting in, or very close to, the Charleston Retention Basin. These species include the yellow warbler (*Setophaga petechia*), yellow-breasted chat (*Icteria virens*), and Alameda song sparrow (*Melospiza melodia pusillula*); however, because they are only considered species of special concern when nesting, they are not "special-status species" when they occur as nonbreeding visitors to the project site.

Bird species that are listed as threatened or endangered under the CESA and/or the FESA are considered "special-status species" year-round even if they do not nest on the project site. The state-threatened bank swallow (*Riparia riparia*) occasionally occurs in the region as a nonbreeding transient, but it is not known or expected to nest, to occur regularly, or in large numbers. The state endangered tricolored blackbird (*Agelaius tricolor*) may also occur on the site as an occasional nonbreeding forager, but is not known or expected to nest on or near the project site.

Two state fully protected species, the golden eagle (*Aquila chrysaetos*) and white-tailed kite (*Elanus leucurus*), have been observed flying over the project site. The American peregrine falcon (*Falco peregrinus anatum*), may also fly over the site. No suitable nesting habitat for golden eagles or peregrine falcons occurs anywhere near the site, and white-tailed kites are not known to nest in the site vicinity. These species are not expected to forage on the site because it is small and has high levels of human disturbance.

San Francisco Common Yellowthroat

The San Francisco common yellowthroat (*Geothlyis trichas sinuosa*) is the only special-status species known to breed on the project site. The species inhabits emergent vegetation and nests in fresh and brackish marshes and moist floodplain vegetation around the San Francisco Bay.

Up to four to six pairs of San Francisco common yellowthroats nest in the Charleston Retention Basin. The project would temporarily remove 0.32 acres of nesting and foraging habitat within the freshwater marsh habitat on the site, and an additional 1.25 acres of foraging habitat within the adjacent riparian habitat due to grading impacts.

The removal of this vegetation may result in the displacement of several pairs of common yellowthroats during the construction phase, but no long-term impact on this species' abundance on the site is expected as individuals will continue using this habitat following construction. The

temporary removal of this peripheral nesting and foraging habitat in the retention basin is not expected to reduce the number of common yellowthroats that nest and forage on the site, especially as the freshwater marsh vegetation is expected to reestablish within one to two years following project implementation.

The project would expand the freshwater marsh habitat on the site by 0.13 acres resulting in a net increase in nesting habitat for common yellowthroats in the long term, and is expected to benefit the species.

Impact BIO-1: Project activities, including the noise and increased activity associated with construction, could result in disturbance of common yellowthroats and other birds, including raptors that may nest in the vegetation associated with the Charleston Retention Basin. **[Potentially Significant Impact]**

Mitigation Measures: In compliance with the MBTA, California Fish and Game Code, and the standards and guidelines included in Section 5.3 of the North Bayshore Precise Plan, the proposed project shall implement the following mitigation measures to reduce or avoid construction-related impacts to nesting raptor and other birds, including San Francisco common yellowthroats.

MM BIO-1.1: Avoidance of the nesting season. If construction or removal of trees and vegetation occurs outside the nesting season, impacts on protected nesting birds would be avoided. The nesting season for most birds in the North Bayshore area extends from February 1st through August 31st. Work activities performed during the September 1st to January 31st period would not be subject to the pre-activity surveys and nest buffers.

MM BIO-1.2: Pre-activity surveys. If construction activities occur between February 1st and August 31st, pre-activity surveys for active nests shall be conducted by a qualified biologist. These surveys shall be conducted no more than seven days prior to the initiation of work activities in any given area. During each survey, the biologist shall inspect all potential nesting habitats (e.g., trees, shrubs, and buildings) within the work area; within 300 feet of the work area for raptor nests; and within 100 feet of the work area for nests of other birds.

MM BIO-1.3: Nest buffers. If an active nest (i.e., a nest with eggs or young, or any completed raptor nest attended by adults) is found sufficiently close to work areas to be disturbed by these activities, the biologist, in coordination with the California Department of Fish and Wildlife (CDFW), shall determine the extent of a disturbance-free buffer zone to be established around the nest. Typical buffer zones are 300 feet for nests of raptors and 100 feet for nests of other birds. The biologist, in consultation with the CDFW, may determine that a reduced buffer is appropriate in some instances. Topography, buildings, or vegetation that screen a nest from the work area, or very high existing levels of disturbance (indicating the birds' tolerance to high levels of human activity), may indicate that a reduced buffer is appropriate. No new activities (i.e., work-related activities that were not ongoing when the nest was established) will occur within the buffer as long as the nest is active.

MM BIO-1.4: Nests of common yellowthroats. San Francisco common yellowthroat nests are inherently difficult to locate because of accessibility and the reclusiveness of the species. To protect active nests of this species, the biologist will map the territories of common yellowthroats within the retention basin during the pre-construction survey by observing the movements and behaviors of individuals. Nesting by yellowthroats within this mapped area will be assumed. The biologist will coordinate with the CDFW to determine the extent of a disturbance-free buffer zone around this area.

Implementation of these mitigation measures listed above would reduce impacts to San Francisco common yellowthroats and other nesting birds to a less than significant level. **[Less Than Significant Impact with Mitigation Measures]**

4.4.4.3 *Riparian and Wetland Habitat*

A preliminary wetland delineation of the extent of Waters of the U.S. and State on the project site was prepared for the project and included in Appendix C.

The perennial stream, freshwater marsh, culverts, outfalls and riparian habitat associated with the Charleston Retention Basin are considered potential Waters of the U.S. under the Clean Water Act and Waters of the State under the Porter-Cologne Water Quality Control Act. The outfalls, culverts, and banks would also be considered jurisdictional waters by the RWQCB. It is up to the discretion of the USACE and the RWQCB to ultimately determine the limits of jurisdiction.

Following the preparation of the preliminary wetland delineation (Appendix C), the project team met with the USACE and requested a formal preliminary jurisdictional determination to identify the extent of Waters of the US that occur at the Charleston Retention Basin. The USACE issued a letter dated August 14, 2015 confirming the request for a preliminary determination and included a delineation map that depicts the extent and location of wetlands, and other Waters of the United States, at the Charleston Retention Basin that may be subject to USACE regulatory authority under Section 404 of the Clean Water Act. The letter indicated that 6.22 acres of jurisdictional wetlands (perennial marsh habitat) occurs within the Charleston Retention Basin. The basin also supports 0.08 acres of perennial stream and 0.08 acres of Other Waters (culverts) that are also subject to USACE jurisdiction. The letter and map is attached to this Initial Study as Appendix E.

California Fish and Game Code requires a Streambed Alteration Agreement for impacts to riparian habitat and jurisdictional areas. Impacts to jurisdictional waters and wetlands would also require a Section 404 Nationwide Permit and a Section 401 Water Quality Certification from the USACE and RWQCB for impacts on Waters of the U.S and State.

The project would affect up to 1.58 acres of sensitive wetland and riparian habitat at the Charleston Retention Basin, including 0.32 acres of freshwater marsh habitat and 1.25 acres of riparian habitat. The project also includes jurisdictional features including culverts and existing outfalls that deliver stormwater to the basin. The project would enhance approximately 5.85 acres of native habitat at the Charleston Retention Basin. Habitat improvements would result in a net increase of 0.13 acres of freshwater marsh habitat and 3.76 acres of riparian habitat.

Impact BIO-2: Construction activities would impact wetland and riparian habitats in the Charleston Retention Basin that are regulated by USACE, CDFW, and the RWCQB. **[Potentially Significant Impact]**

Mitigation Measures: To reduce potential impacts to wetland, riparian, and jurisdictional habitats, the following mitigation measures are included in the project.

MM BIO-2.1: Streambed Alteration Agreement from CDFW: Prior to any construction activities, the project shall obtain a Streambed Alteration Agreement from the CDFW per Section 1602 of the California Fish and Game Code. CDFW may require on- or off-site compensatory mitigation for project impacts.

MM BIO-2.2: Obtain Regulatory Permits: Prior to any construction activities the project shall obtain a Section 404 fill permit from the USACE and a Section 401 Water Quality Certification from the RWQCB.

MM BIO-2.3: Water Quality: To the extent practicable, all grading within and upslope from jurisdictional features shall occur during the dry season. If grading is to occur during the rainy season, the primary Best Management Practices (BMPs) selected shall focus on erosion control. End-of-pipe sediment control measures (e.g., basins and traps) shall be used only as secondary measures. The following BMPs will be implemented during construction.

- No earthwork or ground-disturbing activities will take place within wetted areas of the basin.
- No litter, debris, or sediment shall be dumped into storm drains. Work crews shall be educated about the impacts of trash in sensitive habitats. Enclosed trash containers shall be provided, and trash and debris shall be removed from the site daily.
- Vehicles and equipment will be driven only on established roads and crossings. Routes and boundaries will be clearly marked and will be located outside of the driplines of preserved trees.
- Equipment shall be staged and vehicles shall be parked only on established access roads and flat surfaces, avoiding driplines of preserved trees.
- The integrity and effectiveness of construction fencing and erosion control measures shall be inspected daily. Corrective actions and repairs shall be carried out immediately for fence breaches and ineffective BMPs.

- Fueling, washing, and maintenance of vehicles should occur more than 100 feet away from drainage structures. Equipment shall be regularly maintained to avoid fluid leaks. Any leaks shall be captured in containers until equipment is moved to a repair location. Hazardous materials shall be stored more than 100 feet away from drainage structures. Containment and cleanup plans will be prepared and put in place for immediate cleanup of fluid or hazardous materials spills.

- Stormwater pollution prevention inspections shall be made at appropriate intervals (frequency to be determined as part of the SWPPP preparation process, but at a minimum likely before and after rain events).

- Additional impervious surface treatment measures shall be implemented during construction and may include temporary bioswales, filters, and/or detention ponds.

Implementation of these mitigation measures listed above would reduce potential impacts to wetland, riparian and jurisdictional habitat regulated by USACE, CDFW, and RWQCB to a less than significant level. **[Less Than Significant Impact with Mitigation Measures]**

4.4.4.4 *Impacts to Habitat Connectivity and Movement*

The project is not an important area for movement by non-flying wildlife and does not contain any high-quality corridors allowing dispersal of animals, due to the developed nature of the surrounding area. The maturity and diversity of non-native vegetation associated with the retention basin provide food and cover for migrant songbirds. Migratory birds flying over or along the edges of the Bay may use the site as stopover during migration. Vegetation removal necessary to complete the project would result in temporary reduction of available habitat. The project would still retain most of the riparian habitat and birds would be able to continue to use the site for stopover purposes. The habitat enhancement, once complete, would also increase the value of the site as nesting and migratory stopover habitat for riparian associated birds in the long term. For these reasons, the project would have a less than significant impact on habitat connectivity and wildlife movement. **[Less Than Significant Impact]**

4.4.4.5 *Impacts on Trees and Landscaping*

The project would remove a total of 183 trees from the project site, which corresponds to 51 percent of the individual trees that occur at the retention basin. Of these, 119 are considered Heritage trees including 29 ash, 25 sheoaks, 23 pines, 28 coast redwoods, one palm, five cottonwoods, one London plane, one Monterey pine, two Monterey cypress, two eucalyptus, one red willow, and one white alder. A total of 18 trees that are species native to the project area are scheduled to be removed. The majority of other species that would be removed were originally planted on the project site and do not naturally occur in the immediate vicinity of the site.

Tree removal for the project was considered on an individual tree basis and in coordination with the City. The trees that will remain on site would provide habitat during construction and during the period when planted habitat enhancements mature. Implementing the project in two phases would

lessen and temporally distribute the short-term vegetation loss around the basin perimeter while new habitat establishes. Although some temporary habitat loss would occur after the trees have been removed and before the new trees have become mature, the number of trees planted (approximately 1,800) greatly outnumber those being removed (183). The project would result in a net ecological benefit over the long-term as the tree canopy reestablishes, as tree density would increase and the tree species composition would consist of a higher percentage of native tree species comparted to existing conditions.

A City of Mountain View Heritage tree removal permit is required before any trees can be removed from the site. Figure 8 shows the trees to be removed by the project. Each Heritage tree would be replaced at a 1:1 ratio with a 24-inch box oak tree, for a total of 119 replacement trees. A total of approximately 1,873 native trees would be planted as part of the project via small containers, seed, or direct planting.

Impact BIO-3: The project would remove 183 trees, including 119 Heritage trees. **[Potentially Significant Impact]**

Mitigation Measures: To reduce potential impacts associated with the removal of trees at the Charleston Retention Basin, the following mitigation measures are included in the project.

MM BIO-3.1: Heritage Tree Replacement: The applicant shall offset the loss of each Heritage tree with a minimum of one new tree, for a total of 119 replacement trees. Each replacement tree shall be no smaller than a 24-inch box, and shall be noted on the landscape plans submitted for review to the City as a Heritage replacement tree.

MM BIO-3.2: Tree Monitoring Plan: The applicant shall develop a tree monitoring and preservation plan to avoid impacts on regulated trees and mitigate for the loss of trees that cannot be avoided. The monitoring plan shall include, but is not limited to, identifying methods for monitoring tree survival, duration and frequency of monitoring efforts, planting success criteria, requirements for dead tree replacement, methods of invasive plant and weed control, temporary irrigation methods, contingency measures if performance measures are not achieved, and responsible parties. The tree monitoring and preservation plan will be developed in accordance with Chapter 32: Articles I and II of the Mountain View 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.

MM BIO-3.3: Tree Protection Measures: In order to minimize the impacts on tree species associated with the Charleston Retention Basin, the project shall implement the following tree protection measures:

- Final grading and construction plans shall clearly identify the size and species of all trees proposed for removal, consistent with the arborist plan review report.

- Trees that are not scheduled for removal will be clearly marked for avoidance. Fenced enclosures for individual trees or groups of trees to be protected shall be erected at the driplines of trees, where possible, or as established by the arborist. Soil disturbance within this protection zone will not be permitted.

- Compaction of the soil causes a significant impact on trees during construction. If compaction to the upper 12-inches of the soil profile occurs, or is proposed, then one or more of the following measures shall be implemented as recommended by the arborist:

    - Four inches of chip bark mulching shall be placed on top of the tree protection zone and enclosed within the protective fencing.
    - If compaction of the root system may result in possible suffocation, a soil aeration shall be installed as designed and specified by an arborist.

- Paving, hardscape, and other soil compacting material that encroaches upon the tree protection zone should include an aeration system designed by an arborist.

- Tree roots will not be left exposed to the air, and will be protected with wet burlap or peat moss until the excavated area is ready for backfill. During backfill, careful tamping and the punching 12-inch holes in the compacted ground using an iron bar can help achieve the desired amount of soil aeration for regrowth.

- The ends of damaged tree roots will be cleanly removed with a smooth cut. Damaged bark will be removed with a cut that is tapered at the top to provide drainage at the base of the wood. During periods of drought or grading, spray the trunk, limbs, and foliage of remaining trees to remove accumulated dust.

Implementation of these mitigation measures listed above would reduce potential impacts associated with the removal of trees at the Charleston Retention Basin to a less than significant level. **[Less Than Significant Impact with Mitigation Measures]**

4.4.4.6 *Net Ecological Benefit*

The Open Water, Creeks, and Storm Drain Facilities HOZ surrounding the Charleston Retention Basin is intended to protect and allow for future enhancement of wetland and riparian habitats. Implementation of the proposed project is intended to directly benefit habitat at the basin and the wildlife species using them by increasing the net area and quality of native riparian habitat and reducing nearby parking surfaces and areas vegetated with non-native plants. The new habitat planting areas would also serve to buffer existing wetland and riparian habitat from disturbance, thereby increasing their value to wildlife.

The proposed native habitat expansion and planting would result in a net benefit to wildlife, especially with respect to birds and native insects. Native riparian willow and cottonwood forests, which provide high-value wildlife habitat, would be extensively planted around the basin.

The proposed planting plan targets the provision of high foliage height diversity or layering of vegetation. When more layers of vegetation are present in a given area, more bird species are typically supported. As a result, the planting plan for the Charleston Retention Basin includes ground cover, understory species, and tree canopy species capable of growing tall to maximize the number of niches that can be supported in the planting area, thereby increasing the number of bird species that can be accommodated.

Implementation of the project would also enhance habitat by providing oaks, which are absent from the basin. Research on the historical ecology of the Mountain View area by the San Francisco Estuary Institute (2010) revealed that a stand of oaks previously was located near Moffett Field, but mature oaks are virtually absent from the North Bayshore area.

Locally native species, particularly birds, are strongly associated with oaks. These species, which include white-breasted nuthatches (*Sitta carolinensis*), oak titmice (*Baeolophus inornatus*), and acorn woodpeckers (*Melanerpes formicivorus*), are rare in or absent from the North Bayshore area. Planting oaks in upland areas around the wetland and riparian habitat at the Charleston Retention Basin could help these species to expand their ranges into the North Bayshore area. Oaks are used by numerous other wildlife species, and coast live oaks will provide foliage year-round, which will increase the value of the site to birds in winter. The planting of additional vegetation would also increase connectivity between native habitats for wildlife in the area by reducing the travel distance between patches of native vegetation.

With respect to the San Francisco common yellowthroat, several pairs may be displaced during construction, but no long-term impact on this species' abundance on the site is expected, and more importantly the expanded marsh/upland transition habitat would provide more herbaceous-layer and understory vegetation for use by this species than the existing habitat, resulting in a net benefit to the species.

4.4.5 Conclusion

The project would have a less than significant impact on biological resources with implementation of mitigation measures included in the project. **[Less Than Significant Impact with Mitigation Measures]**

4.5 CULTURAL RESOURCES

4.5.1 Cultural Resources Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a. Cause a substantial adverse change in the significance of an historical resource as defined in §15063.5?	☐	☐	☐	☒	1,3,6
b. Cause a substantial adverse change in the significance of an archaeological resource as defined in §15063.5?	☐	☐	☒	☐	1,3,6
c. Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	☐	☐	☒	☐	1,3,6
d. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐	1,3,6

4.5.2 Existing Setting

4.5.2.1 *Prehistoric Resources*

For the most recent 2030 General Plan update, a records search was conducted at the Northwest Information Center (NWIC) of the California Historical Resources Information System (CHRIS, including an examination of the official records and maps for archaeological sites and surveys in Santa Clara County, as well as a review of the National Register of Historic Places, the California Register of Historical Resources, the California Inventory of Historic Resources, California State Landmarks, California Points of Historical Interest, the Directory of Properties in the Historical Resources Inventory, Caltrans Local Bridge Surveys, and secondary sources pertaining to state and local prehistory and history.

Ten recorded archaeological resources are recorded within the City of Mountain View. Several known archaeological sites are located near the North Bayshore Precise Plan area, but none are located in proximity to the Charleston Retention Basin, which was created as part of the stormwater drainage system.

4.5.2.2 *Historic Resources*

There are no known historic resources located within the project boundaries or within the immediate vicinity of the project site. The closest historic resources to the project site is the Henry A. Rengstorff House, a historic residence listed on the City Register of Historic Resources and the National Register, is located inside Shoreline at Mountain View Regional Park at 3070 North Shoreline Boulevard, approximately 0.75 miles northwest of the project site.

4.5.3 Cultural Resources Impacts

4.5.3.1 *Prehistoric Resources Impacts*

The Charleston Retention Basin is a man-made feature created in 1980 as part of the stormwater drainage infrastructure for the City. The North Bayshore Precise Plan EIR concluded that it is unlikely that buried historical or prehistoric resources are present in most developed areas. Although the likelihood of encountering buried cultural resources is low, the disturbance of these resources, if they are encountered during excavation and grading, could result in an impact. The project would be required to comply with the City's standard conditions of approval listed below, which pertain to the discovery of unknown cultural resources.

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 shall halt 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 tool making 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 walls; 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 authority, he shall notify the Native American Heritage Commission who 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 City shall re-inter 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. **[Less Than Significant Impact]**

4.5.3.2 *Historic Resources Impacts*

According to the cultural resources assessment prepared for the Mountain View 2030 General Plan, there are no historical resources located on the proposed project site. The North Bayshore Precise Plan EIR concluded that there are no historic structures in the Precise Plan area. The Henry A. Rengstorff House is located inside Shoreline at Mountain View Regional Park approximately 0.75 miles northwest of the project site. There are no known historic resources within the proposed project boundaries or within the immediate vicinity of the project site. The proposed project would not directly or indirectly impact the Rengstorff House. **[No Impact]**

4.5.3.3 *Paleontological Resources Impacts*

Although no paleontological resources have been identified in the vicinity of the project site, and the likelihood of encountering buried paleontological resources is low, the disturbance of these resources, if they are encountered during excavation and construction, could result in an impact. The project will be required to comply with City's standard conditions of approval listed below which pertain to the discovery of unknown paleontological resources.

> Discovery of Paleontological Resources: In the event that 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. **[Less Than Significant Impact]**

4.5.4 Conclusion

With the implementation of the measures included in the project as standard conditions of approval, the project would result in a less than significant cultural resources impact. **[Less Than Significant Impact]**

4.6 GEOLOGY

4.6.1 Geology and Soils Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					1,2,3,6
1. Rupture of a known earthquake fault, as described 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.)	☐	☐	☒	☐	1,3,6,15, 16
2. Strong seismic ground shaking?	☐	☐	☒	☐	1,3,6,15, 16
3. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐	1,3,6,15, 16
4. Landslides?	☐	☐	☐	☒	1,3,15,16
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐	1,3,15,16 ,17
c. Be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐	1,3,15,16 17,
d. Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property?	☐	☐	☒	☐	1,3,15,16 17
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒	1,3,15,16 ,117

4.6.2 Regulatory Background

A number of laws and regulations related to geology and soils would apply to the proposed development on the project site, including the following:

The **Alquist-Priolo Earthquake Fault Zoning (AP) Act** was passed into law following the destructive 1971 San Fernando earthquake. The AP Act provides a mechanism for reducing losses

from surface fault rupture on a statewide basis. The intent of the AP Act is to ensure public safety by prohibiting the siting of most structures for human occupancy across traces of active faults that constitute a potential hazard to structures from surface faulting or fault creep.

The **Seismic Hazards Mapping Act (SHMA)** was passed by the California Legislature in 1990 following the 1989 Loma Prieta earthquake to protect the public from the effects of strong ground shaking, liquefaction, landslides and other seismic hazards. The SHMA established a state-wide mapping program to identify areas subject to violent shaking and ground failure; the program is intended to assist cities and counties in protecting public health and safety. The SHMA requires the State Geologist to delineate various seismic hazard zones and requires cities, counties, and other local permitting agencies to regulate certain development projects within these zones. As a result, the CGS is mapping SHMA Zones and has completed seismic hazard mapping for the portions of California most susceptible to liquefaction, ground shaking, and landslides: primarily the central San Francisco Bay Area and Los Angeles basin.

4.6.3 Existing Setting

4.6.3.1 *Regional Geology*

The project site is located in the Santa Clara Valley, an alluvial basin, bound by the Santa Cruz Mountains to the west, the Hamilton/Diablo Range to the east, and the San Francisco Bay to the north. The Santa Clara Valley was formed when sediments derived from the Santa Cruz Mountains and the Hamilton/Diablo Range were exposed by continued tectonic uplift and regression of the inland sea that had previously inundated this area. Bedrock in this area is made up of the Franciscan Complex, a diverse group of igneous, sedimentary, and metamorphic rocks of Upper Jurassic to cretaceous age (70 to 140 million years old). Overlaying the bedrock at substantial depths are marine and terrestrial sedimentary rocks of Tertiary and Quaternary age.

4.6.3.2 *Seismicity and Seismic Hazards*

The project site is located within the seismically active San Francisco Bay region, but is not located within an earthquake fault zone. The major earthquake faults in the project area are the San Andreas Fault, located approximately seven miles southwest of the site; and the Hayward Fault, located approximately 10 miles northeast of the site. These regional faults are capable of generating earthquakes of at least 7.0 in magnitude. The smaller Monte Vista-Shannon Fault is located approximately five miles south of the project site.

The Association of Bay Area Governments (ABAG) reported that the Working Group on California Earthquake Probabilities (2003) estimated that there is a 62 percent probability that one or more major earthquakes would occur in the San Francisco Bay Area between 2002 and 2031. A moderate to major earthquake on the San Andreas Fault is most likely to generate the strongest ground shaking at the site.

Liquefaction

Liquefaction is the result of seismic activity and is characterized as the transformation of loose water-saturated soils from a solid state to a liquid state during ground shaking. During ground shaking, such as during earthquakes, cyclically induced stresses may cause increased pore water pressures within the soil voids, resulting in liquefaction. Liquefied soils may lose shear strength that may lead to large shear deformations and/or flow failure under moderate to high shear stresses, such as beneath foundations or sloping ground.

The proposed project site is located within a State of California Seismic Hazard Zone for liquefaction and a Santa Clara County Liquefaction Hazard Zone.[3,4]

4.6.3.3 *Site Topography and Soils*

The Charleston Retention Basin is a man-made basin that varies in elevation from approximately three feet to ten feet above mean sea level (MSL).

The central and western portions of the basin are primarily underlain by Urbanland-Hangerone complex soils of zero to two percent slopes.[5] These soils are clay alluvium soils derived from metamorphic or sedimentary rock. The surface soils have poor drainage, limited erosion hazard, and exhibit high shrink-swell (i.e., expansive) behavior. Expansive soils shrink and swell as a result of moisture changes. The eastern portion of the basin is mapped as Campbell complex silt loam of zero to two percent slopes, which are alluvium-derived silty loam moderately drained soils. These soils are alluvium soils derived from metamorphic or sedimentary rock. These soils have a moderate to very high shrink/swell potential and are considered expansive soils.

The nearest waterway to the project site is Stevens Creek, which is contained in an engineered channel approximately 400 feet east of the project site. Stevens Creek flows northwards towards San Francisco Bay. Permanente Creek is located approximately 0.50 miles west of the project site.

4.6.4 Geology Impacts

4.6.4.1 *Geologic and Soils Impacts*

The project site would not be exposed to slope instability, substantial erosion, or landslide related hazards due to the relatively flat topography of the site and surrounding areas. Grading and re-contouring of the existing basin slopes to allow for new habitat planting and path improvements would be necessary to complete the project. Earthwork and re-contouring would be necessary to complete the project and would require approximately 8,200 cubic yards of cut and 1,400 cubic yards of fill, resulting in a net export of 6,800 cubic yards of soil material.

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[3] California Geological Survey. "Seismic Hazard Zones." October 18, 2006. Accessed June 19, 2015. Available at: http://gmw.consrv.ca.gov/shmp/download/pdf/ozn_mview.pdf

[4] County of Santa Clara. "Geologic Hazard Zones." October 26, 2012. Accessed June 19, 2015. Available at: https://www.sccgov.org/sites/dpd/PlansOrdinances/GeoHazards/Pages/GeoMaps.aspx

[5] United States Department of Agriculture, Natural Resources Conservation Service. "Web Soil Survey: Santa Clara Area, California Western Part." Accessed June 22, 2015. Available at: http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm

Soils located in the basin have a high potential for expansion, which can cause heaving and cracking of pavements and structures founded on shallow foundations.

The habitat improvement plan will be designed and constructed in accordance with standard engineering safety techniques and in conformance with a final design-specific geotechnical report prepared for the site in accordance with, reducing any potential substantial hazards from soil conditions. Review of design specifications by a qualified geotechnical specialist and monitoring of the site preparation and installation of structures and utilities to insure conformance with the required design specifications will be required as a 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 CGS Special Publication 117, Guidelines for Evaluating and Mitigating Seismic Hazards, and the requirements of the Seismic Hazards Mapping Act. The report will be submitted to the City prior to the issuance of grading permits, and the recommendations made in the geotechnical report will be implemented as part of the project. **[Less Than Significant Impact]**

4.6.4.2 *Seismicity and Seismic Hazards*

As previously discussed, 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. While no active faults are known to cross the project site, ground shaking on the site could damage the pavement, pathways, and pedestrian bridges.

To avoid or minimize potential damage from seismic shaking and liquefaction all portions of the project would be designed and constructed in accordance with City of Mountain View requirements and seismic design guidelines for Seismic Design Category D in the current (2013) California Building Code. Specific recommendations contained in the geotechnical report prepared for the site shall also be implemented to the satisfaction of the City of Mountain View Building Inspection Division. **[Less Than Significant Impact]**

4.6.5 Conclusion

With the use of standard engineering and seismic design techniques and conformance with regulatory standards, construction of the proposed project would result in less than significant geology or soils impacts, and would not significantly expose people or structures to adverse seismic risks. **[Less Than Significant Impact]**

4.7 GREENHOUSE GAS EMISSIONS

4.7.1 Greenhouse Gas Emissions Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐	1,3,6,10
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐	1,3,7,10

4.7.2 Introduction and Regulatory Background

Unlike emissions of criteria and toxic air pollutants, which have local or regional impacts, emissions of Greenhouse Gases (GHGs) have a broader, global impact. Global warming associated with the "greenhouse effect" is a process whereby GHGs accumulating in the atmosphere contribute to an increase in the temperature of the earth's atmosphere over time. The principal GHGs contributing to global warming and associated climate change are carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and fluorinated compounds. Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the transportation, industrial/ manufacturing, utility, residential, commercial, and agricultural sectors.

4.7.2.1 *State of California*

California Assembly Bill 32

The Global Warming Solutions Act (Assembly Bill (AB) 32) was passed in California in September 2006 to address the State's contribution to global climate change. Assembly Bill 32 requires that GHG emissions in California be reduced to 1990 levels by 2020. The California Air Resources Board (CARB) approved the state's first Climate Change Scoping Plan in 2008. It proposed a comprehensive set of actions designed to reduce California's dependence on oil, diversify energy sources, save energy, and enhance public health, among other goals. Per AB 32, the Scoping Plan must be updated every five years to evaluate the mix of AB 32 policies to ensure that California is on track to achieve the 2020 greenhouse gas reduction goal.

In May 2014, CARB adopted an updated Scoping Plan document. The 2014 Update defines CARB's climate change priorities for the next five years and lays the groundwork to start the transition to the post-2020 goals set forth in Executive Orders S-3-05 and B-16-2012 (see below). The 2014 Update highlights California's progress toward meeting the "near-term" 2020 greenhouse gas emission reduction goals defined in the 2008 Scoping Plan and evaluates how to align the State's longer-term greenhouse gas reduction strategies with other State policy priorities, such as for water, waste, natural resources, agriculture, clean energy, and transportation and land use.

The California Natural Resources Agency, as required under state law (Public Resources Code Section 21083.05) amended the state CEQA Guidelines to address the analysis and mitigation of greenhouse gas emissions. In these changes to the CEQA Guidelines, Lead Agencies, such as the City of Mountain View, retain discretion to determine the significance of impacts from greenhouse gas emissions based upon individual circumstances. Neither CEQA nor the CEQA Guidelines provide a specific methodology for analysis of greenhouse gases and under the amendments to the CEQA Guidelines, a Lead Agency may describe, calculate or estimate greenhouse gas emissions resulting from a project and use a model and/or qualitative analysis or performance based standards to assess impacts.

As outlined in Section 15183.5 of the CEQA Guidelines (*Tiering and Streamlining the Analysis of Greenhouse Gas Emissions*), public agencies also may analyze and mitigate significant greenhouse gas emissions in a plan for the reduction of greenhouse gas emissions that has been adopted in a public process following environmental review. The City of Mountain View adopted a Greenhouse Gas Reduction Program as a part of its 2030 General Plan on July 10, 2012 (refer to *Section 4.7.2.3*, below).

Executive Orders

In addition to AB 32, Executive Order S-3-05 (EO S-3-05) established a reduction target of 80 percent below 1990 levels by 2050 and Executive Order B-16-2012 established benchmarks for increased use of zero emission vehicles and zero emission vehicle infrastructure by 2020 and 2025.

On April 29, 2015, Governor Edmund G. Brown Jr. issued Executive Order B-30-15, setting a new interim statewide greenhouse gas emission reduction target. The purpose of establishing the interim target is to ensure California meets its previously established target of reducing greenhouse gas emissions to 80 percent below 1990 levels by 2050, as set forth in Executive Order S-3-05 in 2005. Under Executive Order B-30-15, the interim target is to reduce greenhouse gas emissions to 40 percent below 1990 levels by 2030.

California Senate Bill 375

Senate Bill 375 (SB 375), known as the Sustainable Communities Strategy and Climate Protection Act, was signed into law in September 2008. It builds on AB 32 by requiring CARB to develop regional GHG reduction targets to be achieved from the automobile and light truck sectors for 2020 and 2035 in comparison to 2005 emissions. The per capita reduction targets for passenger vehicles in the San Francisco Bay Area include a seven percent reduction by 2020 and a 15 percent reduction by 2035.

The Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG) adopted Plan Bay Area in July 2013 as part of SB 375 implementation. The strategies in the plan are intended to promote compact, mixed-use development close to public transit, jobs, schools, shopping, parks, recreation, and other amenities, particularly within Priority Development Areas (PDAs) identified by local jurisdictions.

4.7.2.2 *Bay Area Air Quality Management District*

The Bay Area Air Quality Management District (BAAQMD) is the regional government agency that regulates sources of air pollution within the nine San Francisco Bay Area counties. The BAAQMD regulates GHG emissions through the following plans, programs, and guidelines.

Regional Clean Air Plans: BAAQMD and other air districts prepare clean air plans in accordance with the state and federal Clean Air Acts. The Bay Area 2010 Clean Air Plan (CAP) provides a comprehensive plan to improve Bay Area air quality and protect public health through implementation of a control strategy designed to reduce emissions and decrease ambient concentrations of harmful pollutants. The most recent CAP also includes measures designed to reduce GHG emissions.

BAAQMD CEQA Air Quality Guidelines: BAAQMD's CEQA Air Quality Guidelines include thresholds of significance for GHG emissions, and provide additional guidance for tiering under CEQA. Under the CEQA Air Quality Guidelines, a local government may prepare a qualified GHG Reduction Strategy that is consistent with AB 32 goals. If a project is consistent with an adopted qualified GHG Reduction Strategy and General Plan that address the project's GHG emissions, it can be presumed that the project will not have significant GHG emissions under CEQA.

4.7.2.3 *City of Mountain View 2030 General Plan, Greenhouse Gas Reduction Program, and General Plan and Greenhouse Gas Reduction Program EIR*

The City of Mountain View adopted the Mountain View 2030 General Plan and Greenhouse Gas Reduction Program (GGRP), and certified the General Plan and Greenhouse Gas Reduction Program EIR in July 2012. The General Plan is the guiding document for future growth of the City. The GGRP is a separate but complementary document and long-range plan that implements the greenhouse gas emissions reduction goals of the General Plan, and serves as a programmatic greenhouse gas reduction strategy for CEQA tiering purposes. The GGRP includes goals, policies, performance standards, and implementation measures for achieving GHG emission reductions, to meet the requirements of AB 32. The GGRP was evaluated in the certified 2030 General Plan and Greenhouse Gas Reduction Program EIR.

Future individual development projects that comply with the GGRP can be determined to not have cumulatively considerable greenhouse gas emissions impacts under CEQA.

4.7.3 Existing Setting

The existing Charleston Retention Basin generates minimal amount of direct greenhouse gas emission from vehicle trips made by the City maintenance crews and visitors that utilize the basin for recreation. The existing pump station, located within a concrete building on the east side of the basin, generates GHG emissions when in operation. Indirect GHG emissions occur from operational electricity, natural gas, water, and other sources.

4.7.4 Greenhouse Gas Emissions Impacts

The proposed project would generate greenhouse gas emissions during pavement removal, grading, re-contouring, and during construction of pathways and other improvements. The BAAQMD guidelines and the Mountain View GGRP do not suggest a threshold of significance for short-term construction-related GHG emissions. Minimal construction vehicle trips would be necessary to complete the project. Operational vehicle trips associated with on-going maintenance activities would not change once the project is constructed. Based on the limited amount of construction-related activities necessary to complete the project and implementation of Basic Construction Measures discussed in *Section 4.3, Air Quality*, the project would result in a less than significant impact to greenhouse gas emissions. **[Less Than Significant Impact]**

4.7.5 Conclusion

The proposed project would not generate new greenhouse gas emissions considered to have a significant impact on global climate change. Implementation of BAAQMD's recommended Basic Construction Mitigation Guidelines would further reduce impacts to greenhouse gas emissions to a less than significant level. **[Less Than Significant Impact]**

4.8 HAZARDS AND HAZARDOUS MATERIALS

4.8.1 Hazards and Hazardous Materials Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐	1,3,6
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?	☐	☐	☒	☐	1,3,6
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒	1,3,6
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, will it create a significant hazard to the public or the environment?	☐	☐	☒	☐	1,3,6
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, will the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	1,3,6,18, 19
f. For a project within the vicinity of a private airstrip, will the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	1,3,18,19
g. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	1,3,6
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒	1,3,6,20

4.8.2 Introduction and Regulatory Background

Hazardous materials encompass a wide range of substances, some of which are naturally-occurring and some of which are man-made. Examples include motor oil and fuel, metals (e.g., lead, mercury, arsenic), asbestos, pesticides, herbicides, and chemical compounds used in manufacturing and other activities. A substance may be considered hazardous if, due to its chemical and/or physical properties, it poses a substantial hazard when it is improperly treated, stored, transported, disposed of, or released into the atmosphere in the event of an accident. Determining if such substances are present on or near project sites is important because exposure to hazardous materials above regulatory thresholds can result in adverse health effects on humans, as well as harm to plant and wildlife ecology.

Due to the fact that these substances have properties that are toxic to humans and/or the ecosystem, there are multiple regulatory programs in place designed to minimize the chance for unintended releases and/or exposures to occur. Other programs set forth remediation requirements at sites where contamination has occurred.

Hazardous waste generators and hazardous materials users in the City are required to comply with regulations enforced by several federal, state, and county agencies. The regulations are designed to reduce the risk associated with the human exposure to hazardous materials and minimize adverse environmental effects. State and federal construction worker health and safety regulations require protective measures during construction activities where workers may be exposed to asbestos, lead, and/or other hazardous materials.

4.8.2.1 *California Laws and Regulations*

Hazardous waste in California is regulated primarily under the authority of the federal Resource Conservation and Recovery Act of 1976, and the California Health and Safety Code. Other California laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup and emergency planning. In California, the Environmental Protection Agency (EPA) has granted most enforcement authority of federal hazardous materials regulations to the California Environmental Protection Agency (Cal/EPA). Under the authority of Cal/EPA, the Department of Toxic Substances Control (DTSC) or the San Francisco Bay Regional Water Quality Control Board (Regional Water Board) is responsible for overseeing the remediation of contaminated sites in the San Francisco Bay area.

Worker health and safety and public safety are key issues when dealing with hazardous materials that may affect human health and the environment. Proper disposal of hazardous material is vital if it is disturbed during project construction. The California Department of Industrial Relations, Division of Occupational Safety and Health (DOSH) enforces state worker health and safety regulations related to construction activities. Regulations include exposure limits, protective clothing, and training requirements to prevent exposure to hazardous materials. DOSH also enforces occupational health and safety regulations specific to lead and asbestos investigations and abatement, which equal or exceed their federal counterparts.

4.8.2.2 *Local Regulations*

The routine management of hazardous materials in California is administered under the Unified Program. The Cal/EPA has granted responsibilities to the Santa Clara County Hazardous Materials Compliance Division (HMCD) for implementation and enforcement of hazardous material regulations under the Unified Program as a Certified Unified Program Agency (CUPA). Through a formal agreement with the HMCD, the Mountain View Fire Department (MVFD) implements hazardous materials programs for the City of Mountain View as a Participating Agency within the Unified Program. The Mountain View Fire Department coordinates with the HMCD to implement the Santa Clara County Hazardous Materials Management Plan and to ensure that commercial and residential activities involving classified hazardous substances are properly handled, contained, and disposed. The County of Santa Clara, Department of Environmental Health also provides oversight for underground fuel tank removals and contamination remediation under the Clean Water Act.

Under authority from the Regional Water Board, the Santa Clara County Department of Environmental Health implements the Local Oversight Program (LOP) to oversee the investigation and remediation of leaking underground fuel tanks in Santa Clara County.

Most of the hazardous materials programs in the North Bayshore area are administered and enforced under the Unified Program. The Unified Program consolidates, coordinates, and makes consistent the administrative requirements, permits, inspections, and enforcement activities of the following hazardous materials programs: 1) Hazardous Materials Business Plan (HMBP) Program, 2) California Accidental Release Prevention (CalARP) Program, 3) Underground Storage Tank (UST) Program, 4) Aboveground Storage Tank (AST) Program, 5) Hazardous Waste Generator Program, and 6) Hazardous Waste Tiered-Permitting Program.

4.8.2.3 *Regulatory Databases*

Federal, State, and local regulatory hazardous materials databases record the type of hazardous source, the status for cleanup, monitoring, and/or remediation, and the location of the source. These databases include:

National Priority List (NPL): Also known as Superfund, the NPL database identifies properties for priority cleanup under the Superfund program. The purpose of this database is to assist the U.S. EPA in prioritizing and determining sites that warrant further investigation through utilizing the Hazard Ranking System (HRS). The EPA requires that the criteria provided by the HRS be used to make a list of national priorities of the known releases or threatened releases of hazardous substances, pollutants, or contaminants in the United States.

Envirostor: The Department of Toxic Substances Control's (DTSC's) Envirostor database identifies sites that have known contamination or sites for which there may be reasons to investigate further. The database includes the following site types: Federal Superfund sites; State Response, including Military Facilities and State Superfund; Voluntary Cleanup; and School sites.

Underground Storage Tank (UST): This database contains registered USTs. The data originates from the State Water Resources Control Board's Hazardous Substance Storage Container Database.

4.8.2.4 *Airport Safety*

The proposed project site is approximately one-half mile west of Moffett Federal Airfield, the closest airport to the project site. Airport safety zones are established to minimize the number of people exposed to potential aircraft accidents in the vicinity of the airport by imposing density and use limitations within these zones. The safety zones are related to runway length and expected use. The project site is not within the airport safety zone for Moffett Federal Airfield.

The Airport Influence Area (AIA) is a composite of the areas surrounding the airport that are affected by noise, height, and safety considerations. The AIA is defined as a feature-based boundary around the airport within which all actions, regulations and permits must be evaluated by local agencies to determine how the Airport Comprehensive Land Use Plan (CLUP) policies may impact the proposed development. This evaluation is to determine that the development meets the conditions specified for height restrictions, and noise and safety protection to the public. The project is within the AIA for Moffett Federal Airfield.

4.8.3 Existing Setting

The proposed project site consists of the Charleston Retention Basin and portions of the adjacent parking lots, and is located in the North Bayshore area, an area known to support former and existing industrial, commercial, and research and development (R&D) uses. These uses are known for storing chemicals for manufacturing and research that subsequently generate hazardous wastes.

Prior to the development of industrial and commercial uses in North Bayshore, the area was used for a variety of agricultural uses, including orchards, row crops, and greenhouses. Based on this historic agricultural use, pesticides and herbicides were likely used in the course of normal operations. Since that time, however, soils containing agricultural chemicals may have been excavated for construction of the basin and other improvements, reducing their presence on site. Nonetheless, some residual agricultural contamination is still possible at the project site.

The Charleston Retention Basin itself does not currently use or store manufacturing chemicals or generate hazardous waste. The Charleston pump station includes two diesel powered backup generator engines that run separate pumps during power outages, emergencies, and for routine testing. Only one pump can be operated at a time due to the outlet line size restraints. There is a small fuel tank located adjacent to the pump station that supplies diesel fuel to the backup generator engines. The pump station does not generate hazardous waste or store manufacturing chemicals.

A review of the Envirostor database was completed to identify any hazardous source on-site or within 1,000 feet of the proposed project site. The property located at 2400 Charleston Road, south of the proposed project site, had an underground storage tank that was leaking solvents. Cleanup has been completed and the case was closed in September 2012. The property located at 2025 Stierlin Court, located north of the project site, had soil contaminated by total petroleum hydrocarbons (TPH) and has since been remediated, and the case was closed in October 2013. The property located at 1401 Stierlin Court, approximately 1,000 feet north of the proposed project site, has soil contaminated with volatile organic compounds (VOCs) and is an open but inactive contamination/remediation case.

While the North Bayshore area does not contain any active Superfund source sites, contamination from the Teledyne Semiconductor/Spectra-Physics Superfund site, listed on the NPL database and located south of US 101, has spread down-gradient and contaminated groundwater in the North Bayshore area. Monitoring at the Teledyne Semiconductor/Spectra-Physics site revealed that a contaminated groundwater plume had migrated northward and contaminated private domestic wells. Volatile organic compounds (VOCs) identified in soil and groundwater include trichloroethylene (TCE), dichloroethylene (DCE), Freon-113, dichlorobenzene (DCB), perchloroethylene (PCE), and xylene. Extraction wells installed down gradient hydrologically control the contaminated plume, and the US EPA is the lead agency overseeing remediation. Several monitoring wells are located near the project site, including one near the south side of the basin, and several to the west of the basin. Maps of the TCE concentration in the plume indicate that low levels of TCE are present in groundwater west of the project site.[6]

4.8.4 Hazardous Materials Impacts

4.8.4.1 *Impacts from the Use, Storage, and Delivery of Hazardous Materials On-site*

The project would not involve the use storage, or disposal of hazardous materials on-site following construction, apart from maintenance and operations at the Charleston pump station. No long-term release of hazardous materials into the environment would occur as a result of project implementation.

Project construction would require the temporary use of heavy equipment. Construction would also require the use of hazardous materials including petroleum products, lubricants, cleaners, paints, and solvents. These materials would be used in accordance with all federal, state, and local laws. If used as directed, these materials would not pose a hazard to workers or persons in the vicinity.

4.8.4.2 *Existing Hazardous Materials Contamination*

The Charleston Retention Basin is not on a list of hazardous materials site pursuant to Government Code Section 65962.5; however, the western portion of the basin is mapped close to the Teledyne Semiconductor/Spectra-Physics contaminated groundwater plume. Agricultural chemicals were also likely used in the area at some point in the past.

The proposed project would require grading and re-contouring of existing basin slopes, tree removal, and planting of new vegetation in order to enhance the basin. Construction workers may encounter contaminated soil or groundwater during earthwork and grading activities.

Impact HAZ-1: Hazardous materials contamination could be present on the project site, and could pose a risk to construction workers. **[Potentially Significant Impact]**

Mitigation Measures: To reduce the potential for construction workers to encounter hazardous materials contamination, the following mitigation measures are included in the project.

[6] U.S. Environmental Protection Agency. Spectra-Physics, Inc. Superfund Site. Map. "Site Map Showing Groundwater TCE Isoconcentrations – Commercial." August 30, 2010.

MM HAZ-1.1: Toxic Assessment. A toxic assessment report shall be prepared and submitted to the City prior to issuance of a grading permit. The applicant must demonstrate that hazardous materials do not exist on the site, or that construction activities and the proposed use of this site are approved by: the City of Mountain View Fire Department Hazardous Materials Division; the Santa Clara County Department of Environmental Health; the Regional Water Quality Control Board; and any Federal agency, including the US Environmental Protection Agency, with jurisdiction. No grading permit will be issued until each agency and/or department with jurisdiction has released the site as clean or an approved site toxics mitigation plan has been approved.

MM HAZ-1.2: Discovery of Contaminated Soils. If contaminated soils are discovered, the applicant will ensure the contractor employs engineering controls and Best Management Practices (BMPs) to minimize human exposure to potential contaminants. Engineering controls and construction BMPs will include, but not be limited to, the following:

- Contractor employees working on-site will be certified in OSHA's 40-hour Hazardous Waste Operations and Emergency Response (HAZWOPER) training.
- Contractor will stockpile soil during redevelopment activities to allow for proper characterization and evaluation of disposal options.
- Contractor will monitor area around construction site for fugitive vapor emissions with appropriate field screening instrumentation.
- Contractor will water/mist soil as it is being excavated and loaded onto transportation trucks.
- Contractor will place any stockpiled soil in areas shielded from prevailing winds.
- Contractor will cover the bottom of excavated areas with sheeting when work is not being performed.

Implementation of the mitigation measures listed above would reduce potential impacts from hazardous materials contamination to a less than significant level. **[Less Than Significant Impact with Mitigation Measures]**

4.8.4.3 *Educational and Child-care Facilities Impacts*

There are no public schools currently located or proposed in the North Bayshore area. The proposed project is not located within one-quarter mile of an existing or proposed school. The nearest school (Crittenden Middle School) is located approximately one mile south of the project site. The proposed project would not emit hazardous emissions or handle hazardous materials, substances, or waste during operation. **[No Impact]**

4.8.4.4 *Airport Safety Impacts*

The proposed project site is approximately one-half mile from Moffett Federal Airfield, the closest airport to the project site. The project site is not within the airport safety zone for Moffett Federal Airfield, however, the project is within the airport influence area for the Airfield. The project will not need to be evaluated by the Santa Clara County Airport Land Use Commission (ALUC) to determine consistency with the CLUP, since the project is in conformance with the North Bayshore Precise Plan and General Plan and does not propose a rezoning or General Plan Amendment. The project is not located within the vicinity of a private airstrip. **[Less Than Significant Impact]**

4.8.4.5 *Wildland Fire Hazards and Emergency Response Impacts*

The proposed project would not impair or interfere with implementation of the City's emergency response plan or any statewide emergency response or evacuation plans. The project site is located in an urbanized area and is not subject to hazards from wildland fires.[7] Implementation of the project would not expose people or structures to risk from wildland fires. **[No Impact]**

4.8.5 Conclusion

With implementation of the mitigation measures listed above, the proposed project would not result in significant hazardous materials impacts. **[Less Than Significant Impact with Mitigation Measures]**

[7] California Department of Forestry and Fire Protection. *Fire Hazard Severity Zones – Santa Clara County*. October 8, 2008.

4.9 HYDROLOGY AND WATER QUALITY

The following discussion in this section is based on a Hydrology Study prepared for the applicant by *BKF* on September 15, 2015. This report is included as Appendix F to this Initial Study.

4.9.1 Hydrology and Water Quality Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a. Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐	1,3,6
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there will be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells will drop to a level which will not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒	1,3,6,24
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which will result in substantial erosion or siltation on-or off-site?	☐	☐	☐	☒	1,24
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which will result in flooding on-or off-site?	☐	☐	☒	☐	1,24
e. Create or contribute runoff water which will exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒	1,3,24
f. Otherwise substantially degrade water quality?	☐	☐	☒	☐	1,3
g. Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒	1,21
h. Place within a 100-year flood hazard area structures which will impede or redirect flood flows?	☐	☐	☒	☐	1,21

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐	1,3,21,22
j. Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒	1,3,23

4.9.2 Regulatory Background

4.9.2.1 *Federal Clean Water Act of 1972*

The federal Clean Water Act (CWA) is the primary federal law that protects the quality of the nation's surface waters, including lakes, rivers, and coastal wetlands, and is administered by US Environmental Protection Agency (EPA). It operates on the principle that all discharges into the nation's waters are unlawful unless specifically authorized by a permit. The sections of the CWA include:

- Section 303 – Water Quality Standards and Implementation Plans
- Section 401 – Dredge/Fill and Wetlands Certification Program
- Section 402 – National Pollutant Discharge Elimination System
- Section 404 – US Army Corps of Engineers fill or dredge discharge Permits

With the exception of the 404 permits, the EPA has delegated its authority to implement and enforce the provisions of these sections to the individual states. In California, the provisions are enforced by nine Regional Water Quality Control Boards under the auspices of the State Water Board.

4.9.2.2 *Federal Emergency Management Agency*

In 1968, Congress created the National Flood Insurance Program (NFIP) in response to the rising cost of taxpayer funded disaster relief for flood victims and the increasing amount of damage caused by floods. The NFIP makes federally-backed flood insurance available for communities that agree to adopt and enforce floodplain management ordinances to reduce future flood damage.

The Federal Emergency Management Agency (FEMA) manages the NFIP and creates Flood Insurance Rate Maps (FIRMs) that designate 100-year floodplain zones and delineate other flood hazard areas. A 100-year floodplain zone is the area that has a one in one hundred (one percent) chance of being flooded in any one year based on historical data. Portions of the City are identified as special flood hazard areas with a one percent annual chance and two percent annual chance of flooding (also known as the 100-year and 500-year flood zones) as determined by the FEMA NFIP.

4.9.2.3 *Porter-Cologne Water Quality Control Act*

The Porter-Cologne Water Quality Control Act (California Water Code, Division 7, Water Quality), promulgated in 1969, implements the federal CWA. It established the State Water Board and divided the State into nine hydrologic regions, each overseen by a Regional Water Quality Control Board (RWQCB). The State Water Board is the primary state agency responsible for protecting the quality of the State's surface and groundwater supplies, but much of its daily implementation authority is delegated to the nine Regional Water Quality Control Boards. The Porter-Cologne Act also provides for the development and tri-annual review of Water Quality Control Plans (Basin Plans) that designate beneficial uses of California's major rivers and groundwater basins and establish narrative and numerical water quality objectives for those waters.

The San Francisco Bay RWQCB regulates water quality in the Bay Area in accordance with the Water Quality Control Plan or "Basin Plan." The Basin Plan is a master policy document that contains descriptions of the legal, technical, and programmatic bases of water quality regulations in the San Francisco Bay region. The Regional Board first adopted a water quality control plan in 1974 and the last major revision was adopted in 1995. The Basin Plan lists the beneficial uses which the RWQCB has identified for local aquifers, streams, marshes, rivers, and the Bay, as well as the water quality objectives, and criteria that must be met to protect these uses. The RWQCB implements the Basin Plan by issuing and enforcing waste discharge requirements, including permits for "non-point sources" such as the urban runoff discharged by a City's stormwater drainage system. The Basin Plan also describes watershed management programs and water quality attainment strategies. Mountain View lies within the jurisdiction of the San Francisco Bay Water Board which enforces compliance with water quality objectives for beneficial uses of surface waters.

4.9.2.4 *National Pollutant Discharge Elimination System*

The federal Clean Water Act and California's Porter-Cologne Water Quality Control Act are the primary laws related to water quality. Regulations set forth by the U.S. Environmental Protection Agency (EPA) and the State Water Resources Control Board have been developed to fulfill the requirements of this legislation. EPA's regulations include the National Pollutant Discharge Elimination System (NPDES) permit program, which controls sources that discharge pollutants into the waters of the United States (e.g., streams, lakes, bays, etc.). These regulations are implemented at the regional level by the water quality control boards, which for the Mountain View area is the San Francisco Regional Water Quality Control Board (RWQCB).

Statewide Construction General Permit

The State Water Resources Control Board has implemented a NPDES General Construction Permit (CGP) for the State of California. For projects disturbing one acre or more of soil, a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) must be prepared prior to commencement of construction. The CGP, which became effective July 1, 2010, includes additional requirements for training, inspections, record keeping, reporting, and for projects of certain risk levels, monitoring. This project will be required to comply with the CGP.

Municipal Regional Stormwater NPDES Permit (MRP)/C.3 Requirement

The San Francisco Bay RWQCB also has issued a Municipal Regional Stormwater NPDES Permit (Permit Number CAS612008) (MRP). In an effort to standardize stormwater management requirements throughout the region, this permit replaces the formerly separate countywide municipal stormwater permits with a regional permit for 77 Bay Area municipalities, including the City of Mountain View. Under provisions of the NPDES Municipal Permit, redevelopment projects that create or replace more than 10,000 square feet of impervious surfaces are required to design and construct stormwater treatment controls to treat post-construction stormwater runoff. Amendments to the MRP require all of the post-construction runoff to be treated by using Low Impact Development (LID) treatment controls, such as biotreatment facilities. Due to the nearby groundwater contamination (described previously in *Section 4.8, Hazardous Materials)*, LID treatment controls will be selected, designed, and constructed in a way that will minimize the potential to adversely affect the site.

Impaired Water Bodies (Section 303(d))

Pursuant to the Clean Water Act Section 303(d), the State of California assesses the water quality of the state's waterways to determine if they contain pollutants in concentrations that exceed federal standards. Total Maximum Daily Load (TMDL) programs are established by the State and Regional Water Quality Control Boards (RWQCB) for waterways that exceed these limits. A TMDL is a calculation of the maximum amount of a pollutant that body of water can receive and still meet water quality standards. A body of water is deemed 'impaired' if, despite the use of pollution control technologies, pollutant concentrations exceed the standards.

4.9.3 Existing Setting

4.9.3.1 *Stormwater Drainage*

The City's municipal storm drain system consists of storm drain inlets, conveyance pipes, culverts, channels, pump stations, and retention basins operated by the City of Mountain View Public Works Department. Stormwater runoff from impervious surfaces in the vicinity of the project site is captured by the storm drain system and conveyed to the Charleston Retention Basin where it is ultimately discharged to Stevens Creek by the Charleston Pump Station.

The Charleston Retention Basin was originally constructed in 1980 with a wet well, duplex pump station, concrete intake structure with weir invert, and 30-inch force main. The primary function of the retention basin is to capture large peak flows from a 360-acre commercial zone in the North Bayshore area and utilize smaller pumps to discharge the flows into Stevens Creek. In this area storm drain mains are below the water level in the creeks and San Francisco Bay so pump stations are used to convey the runoff.[8]

[8] BKF. *Charleston Retention Basin Bridges and Habitat Improvement Hydrology Study*. September 2015.

Water Quality

The water quality of streams, creeks, ponds, and other surface water bodies can be greatly affected by pollution carried in contaminated surface runoff. Pollutants from unidentified sources, known as non-point source pollutants, are washed from streets, construction sites, parking lots, and other exposed surfaces into storm drains. Urban stormwater runoff often contains contaminants such as oil and grease, plant and animal debris (e.g., leaves, dust, animal feces, etc.), pesticides, litter, and heavy metals. In sufficient concentration, these pollutants have been found to adversely affect the aquatic habitats to which they drain.

4.9.3.2 *Groundwater*

Depth to groundwater varies throughout the City of Mountain View depending on the site specific conditions. Typical groundwater levels in the North Bayshore area range from five to 15 feet below ground surface.[9] Groundwater generally flows northeast to southwest towards the nearby marshlands adjoin San Francisco Bay. Groundwater flow direction may deviate from the regional trend due to zones of higher or lower permeability and groundwater pumping or recharge.

4.9.3.3 *Flooding*

The nearest waterway to the Charleston Retention Basin is Stevens Creek, which is contained in an engineered channel approximately 400 feet east of the project site. Stevens Creek flows northwards towards the San Francisco Bay, which is located approximately one mile north of the project site.

According to the Flood Insurance Rate Map (FIRM) prepared by the Federal Emergency Management Agency (FEMA) for the project area, the Charleston Retention Basin is located within Zone AE, which is defined as special flood hazard area subject to inundation by the one percent annual change flood (100-year flood), also known as the base flood. The base flood elevation is the water surface elevation of the one percent annual chance flood, which has been determined to be 11-feet for the Charleston Retention Basin.[10]

4.9.3.4 *Other Inundation Hazards*

The Association of Bay Area Governments (ABAG) compiles the dam failure inundation hazard maps submitted to the State Office of Emergency Services by dam owners throughout the Bay Area. The Mountain View dam hazard map shows that the project site is not located within a dam failure inundation hazard zone.[11] The Santa Clara County Geologic Hazard Zones Map also indicates that the project site is not located within a Dike Failure Hazard Zone.

The City of Mountain View completed the *Shoreline Regional Park Community Sea Level Rise Study: Feasibility Report and Capital Improvement Program* in December 2012. Because of

[9] City of Mountain View. *North Bayshore Precise Plan Draft Environmental Impact Report*. August 2014.
[10] Federal Emergency Management Agency. *Flood Insurance Rate Map, Community Panel No. 06085C0037H*. Map. Effective Date: May 18, 2009.
[11] City of Mountain View. *Draft General Plan and Greenhouse Gas Reduction Program, Draft EIR*. November 2011. Figure IV. H-3.

considerable uncertainty in sea level rise projections, this study adopts two sea level rise scenarios to bracket the low and high ends of a representative uncertain range. The two sea level rise scenarios studied were:

- 8 inches of sea level rise between 2000 and 2067, and
- 31 inches of sea level rise between 2000 and 2067.

The study examines impacts to the Charleston Retention Basin with and without the implementation of the capital improvements described in the plan. The project site has the potential to be affected by sea-level rise under either of the scenarios described above, however, with implementation of capital improvements identified in the plan, the retention basin would be protected against the worst-case 31 inch sea level rise scenario.

4.9.3.5 *Existing Setting: Charleston Retention Basin*

The Charleston Retention Basin was originally constructed in 1980. It is estimated that the 10-year water level in the basin at construction would have been elevation 5.6 feet and the 100-year water level would have been 7.4 feet[12]. The maximum storage in the basin was 25.3 acre-feet at the time of construction. Over time there has been a loss of low-lying storage capacity due to excessive vegetation growth and sedimentation, which has caused the bottom of the basin to rise approximately one foot, on average. Currently the 10-year water level in the basin is elevation 6.3 feet and the 100-year water level is elevation 8.0 feet.

4.9.4 Hydrology and Water Quality Impacts

4.9.4.1 *Water Quality Impacts*

Construction Impacts

Implementation of the project would require demolition of the existing pedestrian path, parking spaces and hardscape, grading, tree removal, and subsequent construction of the new pedestrian and bicycle pathways. Construction activities would temporarily increase the amount of unconsolidated materials on-site, and grading activities could increase erosion and sedimentation that could be carried by runoff into natural waterways, which could increase sedimentation impacts to local creeks or San Francisco Bay.

Construction activities necessary to complete the project may require dewatering. The extent of dewatering within the Charleston Retention Basin would depend on the surface water level during project implementation. If needed, temporary sandbag coffer dams would be installed downslope of the proposed work areas.

Installation of bridge abutments may require dewatering of areas that contain greater than three feet of water. Portable dams would be used to create a seal between the work area and the adjacent waters.

[12] Elevations are based on NAVD 88 datum.

Only hand tools would be used to prepare the coffer dam and portable dams. Surface water would be pumped from the coffer dam into a tank (containing baffles and absorbent booms) to allow for settlement of sediment prior to discharging the water back into the basin. Coffer dams and portable dams would be removed immediately after work in dewatered areas is completed.

The project would disturb more than one acre and would be required to comply with the State of California General Construction Permit. The project would also be required to comply with the City of Mountain View's requirements for reducing erosion and sedimentation during construction, which are described below.

Implementation of the following standard City conditions of approval, which require appropriate stormwater treatment measures, would reduce any potentially significant impacts.

State of California Construction General Stormwater Permit: A "Notice of Intent" (NOI) and "Stormwater Pollution Prevention Plan" (SWPPP) shall be prepared for construction projects disturbing one (1) acre or more of land. Proof of coverage under the State General Construction Activity Stormwater Permit shall be attached to the building plans.

Construction Best Management Practices: Construction BMPs shall be implemented for reducing the volume of runoff and pollution in runoff to the maximum extent practicable during site excavation, grading, and construction. All measures shall be included in the project's Stormwater Management Plan (described below) and printed on all construction documents, contracts, and project plans. These would include:

- Restrict grading to the dry season or meet City requirements for grading during the rainy season.
- Use effective, site-specific erosion and sediment control methods during the construction periods. Provide temporary cover of all disturbed surfaces to help control erosion during construction. Provide permanent cover as soon as is practical to stabilize the disturbed surfaces after construction has been completed.
- Cover soil, equipment, and supplies that could contribute non-visible pollution prior to rainfall events or perform monitoring of runoff. Cover stockpiles with secure plastic sheeting or tarp.
- Implement regular maintenance activities such as sweeping driveways between the construction area and public streets. Clean sediments from streets, driveways, and paved areas on-site using dry sweeping methods. Designate a concrete truck washdown area.
- Dispose of all wastes properly and keep site clear of trash and litter. Clean up leaks, drips, and other spills immediately so that they do not contact stormwater.
- Place fiber rolls or silt fences around the perimeter of the site. Protect existing storm and sewer inlets in the project area from sedimentation with filter fabric and sand or gravel bags.

Construction Sediment and Erosion Control Plan: The applicant shall submit a written plan acceptable to the City which shows controls that will be used at the site to minimize sediment runoff and erosion during storm events. The plan should also include routine street sweeping and storm drain catch basin cleaning. The plan should include installation of the following items where appropriate:

- Silt fences around the site perimeter;
- Gravel bags surrounding catch basins;
- Filter fabric over catch basins;
- Covering of exposed stockpiles;
- Concrete washout areas;
- Stabilized rock/gravel driveways at points of egress from the site; and
- Vegetation, hydroseeding or other soil stabilization methods for high-erosion areas.

[Less Than Significant Impact]

4.9.4.2 *Groundwater Impacts*

Shallow groundwater exists in the North Bayshore area due to its low elevation and proximity to San Francisco Bay. Shallow groundwater in the vicinity of the project site is not used for drinking water. The project includes realignment and construction of pedestrian and bicycle pathways, installation of interpretative elements, installation of new native habitat, and improvements to the Charleston Retention Basin. These activities would not deplete groundwater supplies or interfere with groundwater recharge. **[Less Than Significant Impact]**

4.9.4.3 *Storm Drainage System Impacts*

The project proposes to remove existing surface parking, other paved surfaces, and landscaping, and would re-contour the existing basin slopes. The project would move the existing pedestrian path further away from portions of the retention basin to reduce disturbance of wildlife and allow for enhancement of the basin and associated native habitats.

The project proposes to expand the storage volume of the Charleston Retention Basin by about 4.4 acre-feet from 30.6 acre-feet to 35.0 acre-feet at elevation 8.7 feet. The surface area of the basin would increase by a maximum of 1.2 acres. With the increased volume, the proposed 10-year water level in the basin would be elevation 6.0 feet and the 100-year water level would be elevation 7.5 feet. The current and proposed top of basin is at elevation 8.0 feet. The proposed improvements would result in approximately 0.5 feet of additional freeboard.

In order to expand the capacity of the basin, existing basin slopes would be graded and re-contoured. Nine existing stormwater outfalls located in Charleston Road and the surrounding parcels convey stormwater to the retention basin. Existing slope protection at each outfall would be removed and replaced with an arranged layer of riprap. Existing outfalls would remain the same size and capacity but would be modified (cut) to match the new toe of slope at each location.

The proposed project reduces the overall impervious area within the limits of work by approximately 0.40 acres. Runoff from the approximately 0.65 acres or proposed paved improvements would be treated in compliance with the RWQCB C.3 requirements and the Santa Clara Valley Urban Runoff Pollution Prevention Program regulations prior to being directed to the Charleston Retention Basin.

All project improvements would maintain the existing local surface runoff pattern to the Charleston Retention Basin. Enhancement planting included in the project would also increase the net ecological value of the basin. The proposed habitat improvements would also act to stabilize bank slopes and reduce the potential for bank erosion or sediment deposition at the basin compared to existing conditions.

The project site replaces more than 10,000 square feet of surface and, therefore, would be required to comply with the Stormwater Treatment Requirements.

The project includes the placement of two pedestrian-only bridges over the basin. The bridges would be prefabricated clear-span structures with specific features, including a low profile and high visibility structure (e.g., no glass, high walls, or fine netting) in order to limit disturbance to wildlife in the basin. Bridges would be placed on concrete bridge abutments that would be placed at each end of the bridge outside of the freshwater marsh habitat. The bridges are not expected to have a substantial impact on the flow capacity through the basin, nor is scouring a concern since the abutments would be located on the perimeter and low water flow velocities occur within the basin. **[Less Than Significant Impact]**

4.9.4.4 *Flooding Impacts*

The existing Charleston Retention Basin and pedestrian pathway is located in a special flood hazard area subject to inundation by the one percent annual change flood (100-year flood), also known as the base flood. The proposed improvement project does not include any housing or new structures within the flood zone. Two new pedestrian bridges would be constructed that clear span the basin and are not expected to impede or redirect flood flows. **[Less Than Significant Impact]**

4.9.4.5 *Other Inundation Hazards*

The project site is not subject to seiche, tsunami, or mudslide hazards, and is not located within a dam or dike failure inundation zone. The California Department of Conservation provides tsunami inundation maps for the Bay Area. Based on the review of the maps for Santa Clara County, the project is not located in an affected area. **[Less Than Significant Impact]**

4.9.5 Conclusion

With implementation of best management practices, erosion control measures, and conformance with the City of Mountain View Flood Hazard Ordinance, the project would result in a less than significant impact on hydrology and stormwater quality. **[Less Than Significant Impact]**

4.10 LAND USE

4.10.1 Land Use Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a. Physically divide an established community?	☐	☐	☐	☒	1,2,3
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒	1, 3,6
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒	1,14

4.10.2 Land Use Plans and Regulations

4.10.2.1 *Mountain View 2030 General Plan*

The General Plan provides the City with goals and policies that reflect shared community values, potential change areas, and compliance with state law and local ordinances, and provides a guide for future land use decisions. The current *Mountain View 2030 General Plan* was adopted by the City Council in July 2012. The project site has a General Plan Land Use Designation of *Parks, Schools and City Facilities* and *High Intensity Office*.

4.10.2.2 *City of Mountain View Zoning Ordinance*

As a long-range planning document, the General Plan outlines long-term visions, policies, and actions designed to shape future development within Mountain View. The Zoning Ordinance serves as an implementing tool for the General Plan by establishing detailed, parcel-specific development regulations and standards in each area of the City. Although the two are distinct documents, the Mountain View General Plan and Zoning Ordinance are closely related, and State law mandates that zoning regulations be consistent with the General Plan maps and policies.

The Charleston Retention Basin is zoned *Floodplain (F)*. The primary uses allowed in the district include public parks and recreation areas, extraction of chemicals from sea water by natural evaporation, and certain agricultural uses.

The surrounding properties are located within the *P(39): North Bayshore Precise Plan* zoning district.

North Bayshore Precise Plan

The North Bayshore Precise Plan was adopted by the City in 2014 to consolidate all five previously existing Precise Plans located in the North Bayshore area into a single *North Bayshore Precise Plan* zoning district, under Section 36.22 of the City's Municipal Zoning Ordinance. The North Bayshore Precise Plan provides guiding principles, development standards, and design guidelines for the properties in the area, in conformance with the 2030 General Plan vision for the area. The North Bayshore Precise Plan contains approximately 7.3 million square feet of office, light industrial, and commercial uses, and a small number of residential units.

The North Bayshore Precise Plan zoning district allows for increase in the intensity of office an commercial uses within the area, consist with the growth studies for the North Bayshore area in the 2030 General Plan, up to a maximum approximately 3.4 million square feet of net new development. In addition to office and commercial space, new development in the Precise Plan area could include enhanced parks and trail corridors, new public streets, and recreational facilities.

While a vast majority of the North Bayshore Precise Plan are consists of existing developed or landscaped areas, the Precise Plan provides an opportunity to improve habitat within and adjacent to North Bayshore. The Precise Plan includes the following objectives:

- Expand existing habitat areas in North Bayshore;
- Improve the quality of existing habitat areas in North Bayshore; and
- Ensure that future development results in net benefits to wildlife inside and adjacent to North Bayshore.

Habitat Overlay Zones

The North Bayshore Precise Plan outlines a series of standards, guidelines, and district improvement projects to protect and enhance habitat and biological resources, and three Habitat Overlay Zones (HOZ), Burrowing owl; Egret Rookery; and Open Water, Creeks, and Storm Drain Facilities. Each HOZ provides standards, guidelines, and requirements for site development, which apply to all new construction and additions in that zone. The project site is located within the Open Water, Creeks, and Storm Drain Facilities HOZ, and included the following standards.

To protect habitat and preserve water quality, the following standards apply to areas adjacent to the Coast Casey Forebay, Shoreline Lake, Stevens Creek, the Charleston Retention Basin, Permanente Creek, and the Coast Casey channel.

a. HOZ boundary. The distances from each boundary are as follows:
   i. *Coast Casey Forebay*: 250 feet as measured from the boundary edge existing in 2014.
   ii. *Charleston Retention Basin*: 200 feet as measured from the boundary edge existing in 2014.
   iii. *Stevens Creek*: 200 feet as measured from the inner edge of the top of the bank.
   iv. *Permanente Creek and Coast Casey channel*: 150 feet as measured from the inner edge of the top of the bank.
   v. *Shoreline Lake*: 200 feet as measured from the lake edge.

b. Building placement in the HOZ. New construction shall not be placed inside the HOZ, except where allowed based on the exceptions described below.
c. Impervious surface. No new impervious surface shall be constructed closer to open water or creek habitat than existing impervious surfaces, and no net increase in impervious surface can occur within the HOZ associated with these areas.
d. Bioswales. Bioswales shall be constructed for any new or reconstructed impervious surface draining directly toward creek areas to treat runoff before it enters a creek or open water.
e. Landscape design. All woody vegetation planted in the HOZ shall consist of native species or non-natives that provide valuable resources (e.g., food, structure, or cover) for native wildlife.
f. Low intensity outdoor lighting. Within the HOZ, outdoor lighting shall be of low intensity (LZ 2) and shall utilize full cutoff fixtures to reduce the amount of light reaching these sensitive habitats.

North Bayshore is envisioned as a district that supports and enhances wildlife, trees, and habitat areas. The Precise Plan includes some possible habitat enhancement opportunities and management activities that exceed requirements for new construction and renovations described in the HOZ.

Habitat enhancement activities may be implemented by private property owners and/or the City. Examples of activities include landscape design requirements for projects in the HOZ, enhancements to justify an HOZ exception, projects seeking the Public Benefit or District-Improvement Projects Bonus FAR, enhancement required with Transfer of Development, development agreements, or other City regional habitat improvement projects.

The Charleston Retention Basin is one of the primary areas identified in the Precise Plan for potential enhancement activities.

a. Charleston Retention Basin enhancements. The Charleston Retention Basin could be expanded to increase nesting, feeding, and roosting areas for birds. Adjacent areas could be utilized through limited grading to enlarge the existing area. Trails, parking areas, and other artificial features may be relocated farther from the edge of the area to allow enhancements outward from the Basin.

4.10.3 Existing Setting

The proposed project site consists of seven parcels, and is located east of North Shoreline Boulevard between Charleston Road and Stierlin Court in the North Bayshore area of the City of Mountain View. The Charleston Retention Basin is a City-owned retention basin that supports existing pedestrian pathways, a pump station, and native vegetation and wildlife habitat. An existing decomposed granite pathway circles the entire basin. The area surrounding the basin is developed with existing one- and two-story office, commercial, and industrial uses owned by Google and HCP.

4.10.4 Land Use Impacts

4.10.4.1 *Community Impacts*

The project consists of realigning and improving existing pedestrian paths, creating a new bicycle path, installing two new pedestrian bridges across the retention basin, and expanding and enhancing native vegetation and wildlife habitat. The project would not physically divide an established community within the City, because it would not interfere with the movement of the residents that live in the North Bayshore area. **[No Impact]**

4.10.4.2 *Land Use Compatibility Impacts*

Potential incompatibility may arise from placing a particular development or land use at an inappropriate location, or from some aspect of the project's design or scope. Depending on the nature of the impacts and its severity, land use compatibility conflicts can range from minor irritation and nuisance to potentially significant effects on human health and safety.

In addition to office and commercial development, the North Bayshore Precise Plan allows for the development of enhanced parks and trail corridors, new public streets, and recreational facilities. The Charleston Retention Basin was identified in *Chapter 5: Habitat and Biological Resources* of the North Bayshore Precise Plan as an area that provides opportunity for voluntary habitat enhancement. The proposed project would enhance pedestrian pathways, habitat, and recreational opportunities at the Charleston Retention Basin and is consistent with the goals and objectives of the Precise Plan. The project would, therefore, be compatible with the surrounding land uses, and would not result in significant land use compatibility impact. **[No Impact]**

4.10.4.3 *Conflict with Environmental Plans, Policies, o Regulations*

A decomposed granite pathway currently circles the entire Charleston Retention Basin and would be replaced with a realigned decomposed granite pedestrian path and a concrete bicycle path along the southwestern portion of the basin. The project scope includes the removal of approximately one acre of existing impervious surface area adjacent to the basin to accommodate new planting areas and the planting of native plants, which are supportive to the basin environment. No buildings are proposed as part of the project.

The removal of the paved areas adjacent to the basin to accommodate additional habitat planting areas would result in a net decrease in pervious surface area within the HOZ; therefore the project is consistent with the North Bayshore Precise Plan and does not conflict with any environmental plans, policies, or regulations. **[Less Than Significant Impact]**

4.10.4.4 *Habitat Conservation Plans*

As described in *Section 4.4, Biological Resources*, the City of Mountain View and the proposed project site are not included within the study area of the Santa Clara Valley Habitat Plan/Natural Community Conservation Plan (SCV Habitat Plan), and, therefore, the project would not conflict with the plan. **[No Impact]**

4.10.5 Conclusion

The proposed project would not result in a significant land use impact. **[No Impact]**

4.11 MINERAL RESOURCES

4.11.1 Mineral Resources Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a. Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?	☐	☐	☐	☒	1,2,3
b. 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?	☐	☐	☐	☒	1,2,3

4.11.2 Existing Setting

Extractive resources known to exist in and near the Santa Clara Valley include cement, sand, gravel, crushed rock, clay, limestone, and mercury. The project site is not located within a Mineral Resource Zone area containing known mineral resources, nor is the project site within an area where they are likely to occur.

4.11.3 Mineral Resources Impacts

The project site is not located in an area containing known mineral resources. There are no known mineral recovery sites in the vicinity of the project site. **[No Impact]**

4.11.4 Conclusion

The project would not result in the loss of availability of known mineral resources. **[No Impact]**

4.12 NOISE

4.12.1 Noise Environmental Checklist

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐	1,3,5,6
b. Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐	1,3,5,6
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒	1,3,5,6
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	1,3,5,6
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, will the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	1,2,3,18, 19
f. For a project within the vicinity of a private airstrip, will the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	1,2,3,18, 19

4.12.2 Existing Setting

Noise may be defined as unwanted sound. Acceptable levels of noise vary from land use to land use. In any one location, the noise level will vary over time, from the lowest background or ambient noise level to temporary increases caused by traffic or other sources. State and federal standards have been established as guidelines for determining the compatibility of a particular use with its noise environment.

There are several methods of characterizing sound. The most common in California is the A-weighted sound level or **dBA**.[13] This scale gives greater weight to the frequencies of sound to which the human ear is most sensitive. Because sound levels can vary markedly over a short period of time,

[13] The sound pressure level in decibels as measured on a sound level meter using the A-weighting filter network. All sound levels in this discussion are A-weighted, unless otherwise stated.

different types of noise descriptors are used to account for this variability. Typical noise descriptors include maximum noise level (L_{max}), the energy-equivalent noise level (L_{eq}), and the day-night average noise level (**L_{dn}**). The L_{dn} noise descriptor is commonly used in establishing noise exposure guidelines for specific land uses. For the energy-equivalent sound/noise descriptor called **L_{eq}** the most common averaging period is hourly, but L_{eq} can describe any series of noise events of arbitrary duration.

Although the A-weighted noise level may adequately indicate the level of environmental noise at any instant in time, community noise levels vary continuously. Most environmental noise includes a conglomeration of noise from distant sources which create a relatively steady background noise in which no particular source is identifiable.

Since the sensitivity to noise increases during the evening hours, 24-hour descriptors have been developed that incorporate artificial noise penalties added to quiet-time noise events. The Day/Night Average Sound Level, **L_{dn}** (sometimes also referred to as DNL), is the average A-weighted noise level during a 24-hour day, obtained after the addition of 10 dB to noise levels measured in the nighttime between 10:00 p.m. and 7:00 a.m. The Community Noise Equivalent Level (CNEL) is a 24-hour A-weighted noise level from midnight to midnight after the addition of five dBA to sound levels occurring in the evening from 7:00 p.m. to 10:00 p.m. and after the addition of 10 dBA to sound levels occurring in the night between 10:00 p.m. and 7:00 a.m.

4.12.3 Noise Impacts

4.12.3.1 *Thresholds of Significance*

Based on Appendix G of the CEQA Guidelines and the Mountain View 2030 General Plan EIR, and for the purposes of this EIR, a noise impact is considered significant if the project would:

- Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; or
- Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels; or
- Result in a substantial (five (5) dBA or greater) permanent increase in ambient noise levels in the project vicinity above levels existing without the project; or
- Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project and in excess of standards established in the General Plan or noise ordinance, or applicable standards of other agencies; or
- Be located within the Moffett Federal Airfield Airport Influence Area, and would expose people residing or working in the project area to excessive noise levels associated with aircraft noise?

4.12.3.2 *Operational Noise Impacts*

The City's 2030 General Plan has established outdoor noise environment guidelines for different land use categories. The following are the outdoor compatibility standards for neighborhood parks:

- Normally Acceptable: up to 65 dBA L_{dn}
- Normally Unacceptable: 65-75 dBA L_{dn}
- Clearly Unacceptable: 75-85+ dBA L_{dn}

The existing noise ambient noise levels at the Charleston Retention Basin and in the vicinity results primarily from recreational and maintenance activities at the site, vehicular traffic along nearby roadways, and aircraft overflights from Moffett Federal Airfield. Currently, land uses in the North Bayshore area are subject to noise levels ranging from 65 to 75 dBA.[14] Once the enhancements to the basin and pedestrian paths have been completed, operational noise of the project site would be similar to existing noise conditions. The project does not include any new noise generating sources. The closest residential uses to the basin are located approximately 0.25 miles south. **[No Impact]**

4.12.3.3 *Construction Noise Impacts*

Construction noise impacts primarily result when construction activities occur during noise-sensitive times of the day (early morning, evening, or nighttime hours), the construction occurs in areas immediately adjoining noise-sensitive land uses (e.g., residences), and/or when construction durations last over extended periods of time.

Construction-related noise levels are normally highest during the demolition phase and during excavation, including installation of infrastructure. These phases of construction require heavy equipment (e.g., earthmoving equipment and impact tools) that normally generate the highest noise levels during site redevelopment. Construction-related noise levels are normally lower during finishing and landscaping phases.

Typical hourly average construction-generated noise levels are about 75 to 80 dBA, measured at a distance of 100 feet from the center of a site during busy construction periods (e.g., earthmoving equipment, impact tools, etc.). Construction-generated noise levels drop off at a rate of about six dBA per doubling of distance between the source and receptor.

Demolition, grading, and earthwork activity would be necessary to complete the project. Office buildings and recreational users associated with the Steven Creek Trail are located adjacent to the project site. Noise and groundborne vibration generated by construction activity would temporally increase noise and vibration levels in the vicinity of the project. Construction necessary to complete the project would be short-term and only for a limited duration. Construction related noise would be considered a less than significant impact since construction necessary to complete the project would be short-term and of limited duration, and would be carried out in accordance with the provisions of the City of Mountain View City Code and General Plan policies.

The following noise reduction measures will be included in the project as a City condition of approval:

- No construction activity shall commence prior to 7:00 a.m., nor continue later than 6:00 p.m., Monday through Friday, nor shall any work be permitted on Saturday or Sunday or holidays

[14] City of Mountain View. *North Bayshore Precise Plan Final Environmental Impact Report.* November 2014.

unless prior written approval is granted by the building official. The term "construction activity" shall include any physical activity on the construction site or in the staging area, including the delivery of materials. In approving modified hours, the building official may specifically designate and/or limit the activities permitted during the modified hours.

- 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:

    - Comply with manufacturer's muffler requirements on all construction equipment engines;

    - Turn off construction equipment when not in use, where applicable;

    - Locate stationary equipment as far as practical from receiving properties;

    - Use temporary sound barriers or sound curtains around loud stationary equipment if the other noise reduction methods are not effective or possible; and

    - Shroud or shield impact tools and use electric-powered rather than diesel-powered construction equipment.

- The project applicant shall designate a "disturbance coordinator" who will be responsible for responding to any local complaints regarding construction noise. The coordinator (who may be an employee of the general contractor) will determine the cause of the complaint and will 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.

With incorporation of these construction noise measures, the noise impact from project construction activities would be considered a less than significant impact. **[Less Than Significant Impact]**

4.12.3.4 *Adjacent Land Use Noise Impacts*

Moffett Federal Airfield is located approximately 0.50 miles to the east of the project site. The project site is located outside of the current 65 dB CNEL noise contour for Moffett Federal Airfield.[15] The project site is located approximately 3.0 miles south of Palo Alto Airport and is not located within the noise contour for the airport.[16]

The project site is already subjected to noise from overhead flights associated with Palo Alto Airport and Moffett Federal Airfield and the project would not expose people to excessive noise levels. **[Less Than Significant Impact]**

[15] Santa Clara County Airport Land Use Commission. *Moffett Federal Airfield Comprehensive Land Use Plan*. November 2, 2012.
[16] Santa Clara County Airport Land Use Commission. *Comprehensive Land Use Plan, Santa Clara County, Palo Alto Airport.* November 19, 2008.

4.12.4 Conclusion

Compliance with City of Mountain View Municipal Code and General Plan noise policies would ensure that the project would result in a less than significant noise impact. **[Less than Significant Impact]**

4.13 POPULATION AND HOUSING

4.13.1 Population and Housing Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a. Induce substantial 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)?	☐	☐	☐	☒	1,2
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	1,2
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	1,2

4.13.2 Existing Setting

The proposed project site consists of the Charleston Retention Basin and portions of the adjacent parcels. The Charleston Retention Basin is a stormwater basin and public open space owned and maintained by the City of Mountain View. The basin supports riparian and freshwater marsh habitat and includes an existing decomposed granite pedestrian trail that provides recreational opportunities for pedestrians and bicyclists. The project does not include any housing or residential land uses and existing residences are not located near the Charleston Retention Basin.

4.13.3 Population and Housing Impacts

The proposed project does not include any residential uses or improvements to infrastructure that would induce population growth. Pedestrian pathway improvements would increase the recreational usability of the Charleston Retention Basin, but would not induce population growth in the City.

Implementation of the project would not result in substantial population growth that is not already anticipated by the Mountain View 2030 General Plan. The project would not result in displacement of any residences and would not result in the need to construct replacement housing. **[No Impact]**

4.13.4 Conclusion

The project would not induce unplanned growth or result in significant adverse impacts to the existing housing supply. **[No Impact]**

4.14 PUBLIC SERVICES

4.14.1 Public Services Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the 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:					
1. Fire Protection?	☐	☐	☐	☒	1,2,3,25
2. Police Protection?	☐	☐	☐	☒	1,2,3,26
3. Schools?	☐	☐	☐	☒	1,2,3,6
4. Parks?	☐	☐	☒	☐	1,2,3,6, 1,2,3,27
5. Other Public Facilities?	☐	☐	☐	☒	1,2,3,6

4.14.2 Existing Setting

Public facility services are provided to the community as a whole, usually from a central location or from a defined set of nodes. The resources base for delivery of the services, including the physical service delivery mechanisms, is financed on a community-wide basis, usually from a unified or integrated financial system. The service delivery agency can be a city, county, service or other special district.

4.14.3 Public Services Impacts

4.14.3.1 *Fire Protection Services*

Fire protection to the project site is provided by the City of Mountain View Fire Department (MVFD), which serves a population of approximately 74,066 and an area of 12 square miles. The MVFD provides fire suppression and rescue response, hazard prevention and education, and disaster preparedness. The MVFD operates out of five stations, strategically located throughout the City to ensure fast responses. Station Five is the closest fire station to the project site. Station Five is located at 2195 North Shoreline Boulevard, approximately 0.20 miles north of the project site.

The proposed project does not include the construction of any new buildings or structures. Improvements to the pedestrian pathway and enhancement of habitat at the Charleston Retention Basin would not create any new potential fire hazards that do not already exist at the basin, and

would not exceed the capacity of the City Fire Department to provide services to the site. **[No Impact]**

4.14.3.2 *Police Protection Services*

Police protection services are provided by the Mountain View Police Department (MVPD). The MVPD consists of authorized staff of 95 sworn and 49.5 non-sworn personnel. The MVPD conducts an active volunteer program (non-officers), which consists of approximately 30 non-sworn volunteers. Officers patrolling the area are dispatched from police headquarters, located at 1000 Villa Street, approximately three miles driving distance south of the project site.

The Charleston Retention Basin is served by MVPD. The proposed project does not include the addition of any new uses. Pedestrian improvements and habitat enhancement included in the proposed project would not create new demand for police services or alter existing service. **[No Impact]**

4.14.3.3 *School Services*

The proposed project does not include any new residential development or land use. Pedestrian improvements and habitat enhancement included in the proposed project would not create new demand for school services or alter existing service. **[No Impact]**

4.14.3.4 *Park Services*

The Charleston Retention Basin is a stormwater basin and public open space owned and maintained by the City of Mountain View. The basin supports freshwater marsh habitat and includes an existing trail that provides recreational opportunities for pedestrians and bicyclists. Pedestrian improvements and habitat enhancement included in the proposed project would improve the recreational opportunities offered at the basin. The proposed project would not result in a demand for new park services. Demolition and construction proposed by the project may temporarily disturb recreational users of the basin. Staging and use of heavy equipment would create temporary construction noise, however, these impacts are minimal and temporary and would not change the availability of the basin for recreational purposes. **[Less Than Significant Impact]**

4.14.3.5 *Other Public Facilities*

The proposed project does not include any new residential development or land uses. Pedestrian improvements and habitat enhancement included in the proposed project would have no impact on libraries, senior centers or other public facilities. **[No Impact]**

4.14.4 Conclusion

The project would result in a less than significant impact to public services. **[Less Than Significant Impact]**

4.15 RECREATION

4.15.1 Recreation Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
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 will occur or be accelerated?	☐	☐	☒	☐	1,3
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?	☐	☐	☒	☐	1

4.15.2 Existing Setting

The City of Mountain View currently owns 972.26 acres of parks and open space facilities, including 22 urban parks and the Stevens Creek Trail. The urban parks are divided among mini-parks, neighborhood parks, district parks, a community garden, and a regional park (Shoreline at Mountain View). The City also maintains 10 parks under joint-use agreements with local school districts.

The Charleston Retention Basin is a stormwater basin and public open space owned and maintained by the City of Mountain View. The basin supports freshwater marsh habitat and includes an existing trail that provides recreational opportunities for pedestrians and bicyclists.

4.15.3 Recreation Impacts

Pedestrian improvements and habitat enhancement included in the proposed project would improve the recreational opportunities offered at the basin. Improvements would attract more users to the basin, but would not significantly increase the use of existing neighborhood and regional parks. Primary users of the pedestrian pathway surrounding the basin include employees in the North Bayshore area, and this pedestrian pathway would be improved to be ADA-compliant. No substantial physical deterioration of the basin would occur or be accelerated by the project.

The proposed project would expand recreational opportunities at the Charleston Retention Basin. Proposed improvements require the removal of existing parking and paved areas surrounding the basin and enhancement of the natural habitat within the basin. Proposed habitat enhancements would improve the habitat quality of the basin by removing nonnative species and paved areas and planting native vegetation. These improvements would not result in the adverse physical effect on the environment. **[Less Than Significant Impact]**

4.15.4 Conclusion

The project would have a less than significant on recreation facilities and opportunities within the City of Mountain View. **[Less Than Significant Impact]**

4.16 TRANSPORTATION

4.16.1 Transportation Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐	1,3,5,6
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐	1,3,5,6
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒	1,2,3,18, 19
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	☐	☐	☐	☒	1
e. Result in inadequate emergency access?	☐	☐	☐	☒	1,3,
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☒	☐	1,3,6

4.16.2 Existing Setting

Regional access to the Charleston Retention Basin is provided by US 101 and State Route (SR) 85. US 101 is a north-south freeway that extends through and beyond the Bay Area, connecting San Francisco to San Jose. Local access to the basin is provided via North Shoreline Boulevard, Charleston Road, and Stierlin Court. Shoreline Boulevard is a north-south arterial that extends northward from El Camino Real (SR 82) across US 101 to the San Francisco Bay. The four-lane roadway has a landscaped median with left-turn pockets, bike lanes and sidewalks on both sides of

the street. Charleston Road is an east-west four-lane roadway that tapers down to two lanes east of Shoreline Boulevard and has bike lanes on both sides of the street, and a sidewalk on the north side of the street. Stierlin Court is a four-lane roadway that has a landscaped median with left-turn pockets and no bike lanes or sidewalks.

The Charleston Retention Basin also provides opportunities to connect to regional trails and other park facilities, including the Stevens Creek Trail and Shoreline Park.

4.16.3 Transportation Impacts

4.16.3.1 *Project Traffic Impacts*

North Shoreline Boulevard, Charleston Road, and Stierlin Court provide vehicular access to the Charleston Retention Basin. Recreational users of the basin are primarily employees in the North Bayshore area that access the basin via existing sidewalks and pedestrian pathways that connect to the basin trail. City employees and maintenance crews access the basin for routine service and on-going maintenance of the basin and pump station.

No public vehicular parking is available along North Bayshore Boulevard, Charleston Road, or Sterling Court. Parking lots surrounding the basin are owned by Google and HCP and do not provide public parking for recreational use of the Charleston Retention Basin. Traffic associated with recreational uses of the basin is considered low due to a lack of public parking, low public demand to use the facility, and isolated location of the facility. The project would not exceed a level of service standard established by any congestion management agency.

Construction Traffic

Demolition, construction, and earthwork activities would be necessary to complete the proposed project. Construction staging would take place in the existing parking lots surrounding the basin owned by Google and HCP. Daily construction traffic would be generated by construction workers coming to the project site and the delivery of construction materials and equipment. Construction related traffic is expected to be temporary and would have a less than significant long-term traffic impact. In addition, the project would be required to submit a construction traffic plan as a condition of approval. **[Less Than Significant Impact]**

4.16.3.2 *Transit, Bicycle, and Pedestrian Access*

Transit Facilities

Public bus service in the North Bayshore area is provided by the Santa Clara Valley Transportation Authority (VTA). The closest VTA bus service is located near the intersection of North Shoreline Boulevard and Charleston Road, approximately 700 feet to the south. The area is served by VTA bus routes; Route 40 and Route 120. The proposed project does not include any new employment or residences and would not impact existing transit facilities. **[Less Than Significant Impact]**

Bicycle Facilities

Within the vicinity of the Charleston Retention Basin, Class II designated bike lanes are present along Charleston Road and along the southern portion North Shoreline Boulevard. Class II bike lanes offer striped lane for on-street, one-way bike travel designed for the exclusive use of cyclists. Class IIIa bike lanes are designated along North Shoreline Boulevard, north of Charleston Road. Class IIIa bike lanes are local collector streets that are wide enough and have low enough traffic volume to allow both bicycles and vehicles to share a lane. The Stevens Creek Trail is located directly east of the basin and supports an existing Class I bike path. Class I bike paths include separate right-of-way for exclusive use of bicycles and pedestrians with minimal roadway crossings.

Although the existing pedestrian pathway (trail) that surrounds the Charleston Retention Basin is not designated as a bicycle pathway, it is utilized by employees in the North Bayshore area to travel between office buildings, and for recreational bicyclists to connect to the Stevens Creek Trail to the east. The proposed project would construct a new bicycle path in the southwestern quadrant of the Charleston Retention Basin. The new 12 foot wide concrete bicycle path would run parallel to the realigned pedestrian path in the southwest portion of the basin. The bicycle path would be constructed on the paved and developed portions of the adjacent parcels located at 1220, 1230, 1250, 1300 and 1350 Charleston Road. Once constructed, the new designated bicycle path would improve bike access, connectivity, and circulation for employees and recreational uses of the basin. **[Less Than Significant Impact]**

Pedestrian Facilities

The Charleston Retention Basin supports an existing decomposed granite pathway that circles the entire basin and provides pedestrian connections to existing sidewalks, internal streets, adjacent office and commercial uses, and the Stevens Creek Trail. The project would realign the pathway and install two pedestrian bridges that span the basin to improve pedestrian circulation, connectivity, and walkability around the basin and in the project vicinity.

Realignment would include removal of the existing decomposed granite pathway and construction of a new pedestrian pathway that would vary between six feet and eight feet in width. The new realigned path would be no closer to the edge of the retention basin than the current path, and in a few areas, would be located farther from the edge of the basin allowing for the expansion of the basin and native habitats. Western portions of the new pathway would be constructed approximately 30 feet further away from the retention basin on the paved and developed areas of the adjacent parcels owned by Google and HCP. Realignment and construction of the new pedestrian pathway would be achieved by removing approximately 62 existing parking spaces located on adjacent parcels owned by Google and HCP.

Striped pedestrian crossings would also be installed in the parking lots to enhance pedestrian safety. The project would include installation of pedestrian transition paving and installation of a raised pedestrian and bike crossing at Charleston Road. Once constructed, the realigned pathway and bridges would improve pedestrian access for employees and recreational users of the basin. **[Less Than Significant Impact]**

4.16.3.3 *Circulation and Parking*

Realignment and construction of the new pedestrian pathway, pedestrian bridges, and bike path would remove approximately 134 existing parking spaces located on adjacent properties located at 1220, 1230, 1250, 1300, and 1350 Charleston Road. The parking lots would be reconfigured and restriped and new curbs installed to maintain adequate access, parking, and circulation. Eight new parking spaces would be added to 1350 Charleston Road resulting in a net decrease of 55 parking spaces for that property. The project would also grind and resurface the existing maintenance road on the east side of the basin that provides maintenance access to the pump station, and would install a mountable curb on the west end of the basin at North Shoreline Boulevard to provide maintenance access. Table 4.16-1 shows the number of stalls to be removed per parcel.

Table 4.16-1
Parking Spaces to be Removed

Parcel	APN	Existing Parking Spaces	Maximum Parking Stalls Allowed*	Proposed Parking Stalls Removed	Proposed Parking Reduction
1350 Charleston Road	116-11-030	160	140	55	34%
1300 Charleston Road	116-11-014	158	104	4	0.1%
1250 Charleston Road	116-11-013	104	68	22	21%
1200-1230 Charleston Road	116-11-012	441	329	52	12%
2011-2081 Stierlin Court	116-11-037	1,005	960	1	0.1%
2019-2071 Stierlin Court	116-11-036	2,543	2,004	0	0%
* Maximum Parking Allowed by North Bayshore Precise Plan					

The North Bayshore Precise Plan eliminated minimum parking requirements projects and established maximum allowable parking standards. Office/Research and Development land uses are allowed 2.7 parking spaces per 1,000 square feet of gross building floor area. Removal of the 134 existing parking spaces and addition necessary to complete the project would bring the existing office projects located on those parcels closer to conforming with the parking maximum established in the Precise Plan. **[Less Than Significant Impact]**

4.16.3.4 *Safety, Air Traffic, and Emergency Access*

The project would not result in any change to existing air traffic patterns or include any design features (e.g., sharp curves or dangerous intersections) that would increase hazards. The improvement project would also not result in inadequate emergency access to the area. **[No Impact]**

4.16.4 Conclusion

Implementation of the proposed project would have a less than significant impact on transportation and traffic. [**Less Than Significant Impact]**

4.17 UTILITIES AND SERVICE SYSTEMS

4.17.1 Utilities and Service Systems Environmental Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒	1,3
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒	1,3,24
c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐	1,3,24
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐	1,3,6
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒	1,3,6
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐	1,3,6,28
g. Comply with federal, state and local statutes and regulations related to solid waste?	☐	☐	☒	☐	1,3,28

4.17.2 Existing Setting

The City of Mountain View owns and operates its own water utility, which serves the majority of the City and all of the North Bayshore area. Most of the City's water (approximately 84 percent) comes from the City and the County of San Francisco Regional Water System, operated by the San Francisco Public Utilities Commission (SFPUC).

This water originates primarily in the Sierra Nevada and is transported via the Hetch Hetchy Water System, but also includes treated water from facilities in Alameda and San Mateo Counties. Mountain View's remaining water comes from the Santa Clara Valley Water District System

(SCVWD) (approximately nine percent), local groundwater wells (four percent), and recycled water delivered for non-potable irrigation purposes (three percent).

The City of Mountain View maintains its own wastewater collection system. The City pumps its wastewater to the Palo Alto Regional Water Quality Control Plant (RWQCP) for treatment. The RWQCP has an overall 40 million gallons per day (mgd) average annual treatment capacity. The City of Mountain View has an annual wastewater capacity allotment of 15.1 mgd at the plant. As of 2010, approximately 8.8 mgd of wastewater from Mountain View was collected and treated by the RWQCP. This quantity is expected to increase to 12.6 mgd by the year 2035.[17]

Solid waste collection and recycling services for residents and businesses in Mountain View are provided by Recology Mountain View (formerly known as Foothill Disposal). Once collected, solid waste and recyclables are transported to the SMaRT station in Sunnyvale for sorting. Non-recyclable waste is transported to Kirby Canyon Sanitary Landfill in south San José, which is contracted to the City until 2021. Additional small quantities of waste may be transported to other landfills within the area by private contractors.

4.17.3 Utilities and Service Systems Impacts

4.17.3.1 *Water Service Impacts*

The Charleston Retention Basin is a City-owned stormwater facility that currently uses a minimal amount of water for maintenance purposes.

Water would be supplied to the project site from several existing water vaults located in the parcels surrounding the basin. Temporary potable water irrigation zones would be set up to irrigate the trees and vegetation planted to enhance the basin until the vegetation becomes established.

The proposed project would not require construction of new water facilities or require the expansion of existing facilities. **[Less Than Significant Impact]**

4.17.3.2 *Wastewater Service Impacts*

There are no public restrooms at the basin. The Charleston Retention Basin generates a minimal amount of wastewater from maintenance activities. The proposed project would not create additional wastewater that is not already generated by routine maintenance activities at the Charleston Retention Basin. The proposed project would not require construction of new wastewater facilities or require the expansion of existing facilities. **[No Impact]**

4.17.3.3 *Storm Drainage Impacts*

Nine existing stormwater outfalls located in Charleston Road and the surrounding parcels convey stormwater to the retention basin. Existing slope protection at each outfall would be removed and replaced with an arranged layer of riprap. Existing outfalls would remain the same size and capacity but would be modified (cut) to match the new toe of slope at each location.

[17] City of Mountain View. *2010 Urban Water Management Plan.* June 2011.

The project proposes to expand the storage volume of the Charleston Retention Basin by about 4.4 acre-feet from 30.6 acre-feet to 35.0 acre-feet at elevation 8.7 feet. The surface area of the basin would increase by a maximum of 1.2 acres. With the increased volume, the proposed 10-year water level in the basin would be elevation 6.0 feet and the 100-year water level would be elevation 7.5 feet. The current and proposed top of basin is at elevation 8.0 feet. The proposed improvements would result in approximately 0.5 feet of additional freeboard.

The proposed project would expand the Charleston Retention Basin and increase the stormwater capacity in the North Bayshore area. This construction would not result in a significant environmental impact. **[Less Than Significant Impact]**

4.17.3.4 *Solid Waste Impacts*

Solid waste at the Charleston Retention Basin is generated by maintenance activities and recreational users. Maintenance waste is typically brought back to the City maintenance yard and placed in debris bins and hauled offsite on an as-needed basis. Recreational waste is disposed of in debris cans located along the trail, in the surrounding parking lots, and in front of office buildings. Solid waste is hauled to the City's designated recycling facility in Sunnyvale and unrecoverable refuse is transported to Kirby Canyon Landfill in San José.

Following construction, the proposed project is not expected to generate additional solid waste that is not already generated by existing maintenance activities and recreational users of the basin. **[Less Than Significant Impact]**

4.17.4 Conclusion

The project would result in a less than significant impact to utilities and service systems. **[Less Than Significant Impact]**

4.18 MANDATORY FINDINGS OF SIGNIFICANCE

4.18.1 Mandatory Findings Environmental Checklist

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a.	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐	Pages 3-91
b.	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐	Pages 3-91
c.	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐	Pages 3-91

4.18.2 Project Impacts

Under Section 15065(a)(1) of the CEQA Guidelines, a finding of significance is required if a project "has the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory."

The project would not result in significant impacts to aesthetics, agricultural resources, air quality, cultural resources, geology and soils, greenhouse gas emissions, hydrology and water quality, land use, mineral resources, noise, population and housing, public services, recreation, transportation, and utilities and service systems.

With the implementation of the mitigation measures included in the proposed project and described in the biological resources, and hazardous materials section of this Initial Study, the proposed project would not result in significant adverse environmental impacts. **[Less than Significant Impact With Mitigation Measures**

4.18.3 Cumulative Impacts

Under Section 15065(a)(3) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has potential environmental effects "that are individually limited, but cumulatively considerable." As defined in Section 15065(a)(3), cumulatively considerable means "that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects."

As identified elsewhere in this Initial Study, the potential environmental impacts from the proposed project are primarily limited to the construction period, which would be completed in two phases. Each phase of construction is estimated to be approximately five months. It is possible that other proposed construction schedules in the North Bayshore area may overlap with the project, but the overlap is likely to be minimal, and the proposed project includes measures to minimize disturbance to adjacent land uses, in conformance with the North Bayshore Precise Plan, the 2030 General Plan, and standard Mountain View conditions of approval. **[Less than Significant Impact]**

4.18.4 Direct and Indirect Adverse Effects on Human Beings

Consistent with Section 15065(a)(4) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has the potential to cause substantial adverse effects on human beings, either directly or indirectly.

Under this standard, a change to the physical environment that might otherwise be minor must be treated as significant if it would cause substantial adverse effects to humans, either directly or indirectly. This factor relates to adverse changes to the environment of human beings generally, and not to effects on particular individuals.

While changes to the environment could indirectly affect human beings would be represented by all of the designated CEQA issue areas, those that could directly affect human beings include air quality, hazardous materials, and noise. Implementation of mitigation measures and standard Mountain View conditions of approval included in the project would reduce these impacts to a less than significant level. No other direct or indirect adverse effects of the project on human beings has been identified. **[Less than Significant Impact]**

4.19 SUMMARY TABLE OF IMPACTS AND MITIGATION MEASURES

SIGNIFICANT IMPACTS	MITIGATION AND AVOIDANCE MEASURES
Biological Resources Impacts	
Impact BIO-1: Project activities, including the noise and increased activity associated with construction, could result in disturbance of common yellowthroats and other birds, including raptors that may nest in the vegetation associated with the Charleston Retention Basin. **[Potentially Significant Impact]**	**MM BIO-1.1:** Avoidance of the nesting season. If construction or removal of trees and vegetation occurs outside the nesting season, impacts on protected nesting birds would be avoided. The nesting season for most birds in the North Bayshore area extends from February 1st through August 31st. Work activities performed during the September 1st to January 31st period would not be subject to the pre-activity surveys and nest buffers described in MM BIO-1.3. **MM BIO-1.2:** Pre-activity surveys. If construction activities occur between February 1st and August 31st, pre-activity surveys for active nests shall be conducted by a qualified biologist. These surveys shall be conducted no more than seven days prior to the initiation of work activities in any given area. During each survey, the biologist shall inspect all potential nesting habitats (e.g., trees, shrubs, and buildings) within the work area; within 300 feet of the work area for raptor nests; and within 100 feet of the work area for nests of other birds. **MM BIO-1.3:** Nest buffers. If an active nest (i.e., a nest with eggs or young, or any completed raptor nest attended by adults) is found sufficiently close to work areas to be disturbed by these activities, the biologist, in coordination with the California Department of Fish and Wildlife (CDFW), shall determine the extent of a disturbance-free buffer zone to be established around the nest. Typical buffer zones are 300 feet for nests of raptors and 100 feet for nests of other birds. The biologist, in consultation with the CDFW, may determine that a reduced buffer is appropriate in some instances. Topography, buildings, or vegetation that screen a nest from the work area, or very high existing levels of disturbance (indicating the birds' tolerance to high levels of human activity), may indicate that a reduced buffer is appropriate. No new activities (i.e., work-related activities that were not ongoing when the nest was established) will occur within the buffer as long as the nest is active.

SIGNIFICANT IMPACTS	MITIGATION AND AVOIDANCE MEASURES
	MM BIO-1.4: Nests of common yellowthroats. San Francisco common yellowthroat nests are inherently difficult to locate because of accessibility and the reclusiveness of the species. To protect active nests of this species, the biologist will map the territories of common yellowthroats within the retention basin during the pre-construction survey by observing the movements and behaviors of individuals. Nesting by yellowthroats within this mapped area will be assumed. The biologist will coordinate with the CDFW to determine the extent of a disturbance-free buffer zone around this area. **[Less Than Significant Impact with Mitigation Measures]**
Impact BIO-2: Construction activities would impact wetland and riparian habitats in the Charleston Retention Basin that are regulated by USACE, CDFW, and the RWCQB. **[Potentially Significant Impact]**	**MM BIO-2.1:** Streambed Alteration Agreement from CDFW: Prior to any construction activities, the project shall obtain a Streambed Alteration Agreement from the CDFW per Section 1602 of the California Fish and Game Code. CDFW may require on- or off-site compensatory mitigation for project impacts. **MM BIO-2.2:** Obtain Regulatory Permits: Prior to any construction activities, the project shall obtain a Section 404 fill permit from the USACE and a Section 401 Water Quality Certification from the RWQCB. **MM BIO-2.3:** Water Quality: To the extent practicable, all grading within and upslope from jurisdictional features shall occur during the dry season. If grading is to occur during the rainy season, the primary Best Management Practices (BMPs) selected shall focus on erosion control. End-of-pipe sediment control measures (e.g., basins and traps) shall be used only as secondary measures. The following BMPs will be implemented during construction: • No earthwork or ground disturbing activities will take place within wetted areas of the basin. • No litter, debris, or sediment shall be dumped into storm drains. Work crews shall be educated about the impacts of trash in sensitive habitats. Enclosed trash containers shall be provided, and trash and debris shall be removed from the site daily. • Vehicles and equipment will be driven only on established roads and crossings. Routes and boundaries will be clearly marked and will be

SIGNIFICANT IMPACTS	MITIGATION AND AVOIDANCE MEASURES
	located outside of the driplines of preserved trees. • Equipment shall be staged and vehicles shall be parked only on established access roads and flat surfaces, avoiding driplines of preserved trees. • The integrity and effectiveness of construction fencing and erosion control measures shall be inspected daily. Corrective actions and repairs shall be carried out immediately for fence breaches and ineffective BMPs. • Fueling, washing, and maintenance of vehicles should occur more than 100 feet away from drainage structures. Equipment shall be regularly maintained to avoid fluid leaks. Any leaks shall be captured in containers until equipment is moved to a repair location. Hazardous materials shall be stored more than 100 feet away from drainage structures. Containment and cleanup plans will be prepared and put in place for immediate cleanup of fluid or hazardous materials spills. • Stormwater pollution prevention inspections shall be made at appropriate intervals (frequency to be determined as part of the SWPPP preparation process, but at a minimum likely before and after rain events). • Additional impervious surface treatment measures shall be implemented during construction and may include temporary bioswales, filters, and/or detention ponds. **[Less Than Significant Impact with Mitigation Measures]**
Impact BIO-3: The project would remove 183 trees, including 119 Heritage trees. **[Potentially Significant Impact]**	**MM BIO-3.1:** Heritage Tree Replacement: The applicant shall offset the loss of each Heritage tree with a minimum of one new tree, for a total of 119 replacement trees. Each replacement tree shall be no smaller than a 24-inch box, and shall be noted on the landscape plans submitted for review to the City as a Heritage replacement tree. **MM BIO-3.2:** Tree Monitoring Plan: The applicant shall develop a tree monitoring and preservation plan to avoid impacts on regulated trees and mitigate for the loss of trees that cannot be avoided. The monitoring plan shall include, but is not limited to, identifying methods for monitoring tree survival, duration and frequency of monitoring efforts, planting success criteria, requirements for dead tree replacement, methods of invasive plant and weed control,

SIGNIFICANT IMPACTS	MITIGATION AND AVOIDANCE MEASURES
	temporary irrigation methods, contingency measures if performance measures are not achieved, and responsible parties. The tree monitoring and preservation plan will be developed in accordance with Chapter 32: Articles I and II of the Mountain View 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. **MM BIO-3.3:** Tree Protection Measures: In order to minimize the impacts on tree species associated with the Charleston Retention Basin, the project shall implement the following tree protection measures: • Final grading and construction plans shall clearly identify the size and species of all trees proposed for removal, consistent with the arborist plan review report. • Trees that are not scheduled for removal will be clearly marked for avoidance. Fenced enclosures for individual trees or groups of trees to be protected shall be erected at the driplines of trees, where possible, or as established by the arborist. Soil disturbance within this protection zone will not be permitted. • Compaction of the soil causes a significant impact on trees during construction. If compaction to the upper 12-inches of the soil profile occurs, or is proposed, then one or more of the following measures shall be implemented as recommended by the arborist: ○ Four-inches of chip bark mulching shall be placed on top of the tree protection zone and enclosed within the protective fencing. ○ In compaction of the root system may result in possible suffocation, a soil aeration shall be installed as designed and specified by an arborist. • Paving, hardscape, and other soil compacting material that encroaches upon the tree protection zone should include an aeration system designed by an arborist. • Tree roots will not be left exposed to the air, and will be protected with wet burlap or peat moss until the excavated area is ready for backfill. During backfill, careful tamping and the punching 12-inch

SIGNIFICANT IMPACTS	MITIGATION AND AVOIDANCE MEASURES
	holes in the compacted ground using an iron bar can help achieve the desired amount of soil aeration for regrowth. • The ends of damaged tree roots will be cleanly removed with a smooth cut. Damaged bark will be removed with a cut that is tapered at the top to provide drainage at the base of the wood. During periods of drought or grading, spray the trunk, limbs, and foliage of remaining trees to remove accumulated dust. **[Less Than Significant Impact with Mitigation Measures]**
Hazardous Materials Impacts	
Impact HAZ-1: Hazardous materials contamination could be present on the project site, and could pose a risk to construction workers. **[Potentially Significant Impact]**	**MM HAZ-1.1:** Toxic Assessment. A toxic assessment report shall be prepared and submitted to the City prior to issuance of a grading permit. The applicant must demonstrate that hazardous materials do not exist on the site, or that construction activities and the proposed use of this site are approved by: the City of Mountain View Hazardous Materials Division of the Fire Department; the Santa Clara County Department of Environmental Health; the Regional Water Quality Control Board; and any Federal agency, including the US Environmental Protection Agency, with jurisdiction. No grading permit will be issued until each agency and/or department with jurisdiction has released the site as clean or an approved site toxics mitigation plan has been approved. **MM HAZ-1.2:** Discovery of Contaminated Soils. If contaminated soils are discovered, the applicant will ensure the contractor employs engineering controls and Best Management Practices (BMPs) to minimize human exposure to potential contaminants. Engineering controls and construction BMPs will include, but not be limited to, the following: • Contractor employees working on-site will be certified in OSHA's 40-hour Hazardous Waste Operations and Emergency Response (HAZWOPER) training. • Contractor will stockpile soil during redevelopment activities to allow for proper characterization and evaluation of disposal options.

SIGNIFICANT IMPACTS	MITIGATION AND AVOIDANCE MEASURES
	• Contractor will monitor area around construction site for fugitive vapor emissions with appropriate field screening instrumentation. • Contractor will water/mist soil as it is being excavated and loaded onto transportation trucks. • Contractor will place any stockpiled soil in areas shielded from prevailing winds. • Contractor will cover the bottom of excavated areas with sheeting when work is not being performed. **[Less Than Significant Impact with Mitigation Measures]**

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Santa Clara County Airport Land Use Commission. *Final Draft Comprehensive Land Use Plan, Palo Alto Airport*. November 8, 2012.

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SECTION 6.0 LEAD AGENCY AND CONSULTANTS

LEAD AGENCY

City of Mountain View
Community Development Department
Randall Tsuda, Director
Stephanie Williams, Senior Planner

CONSULTANTS

David J. Powers & Associates, Inc.
Environmental Consultants and Planners
John Schwarz, Principal
Judy Fenerty, Project Manager
Jared Bond, Associate Project Manager
Zach Dill, Graphic Artist

SECTION 7.0 DRAFT MITIGATED NEGATIVE DECLARATION

CITY OF MOUNTAIN VIEW
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)
DRAFT MITIGATED NEGATIVE DECLARATION

I. INTRODUCTION

A. LEAD AGENCY AND ADDRESS

Community Development Department
City of Mountain View
500 Castro Street
P.O. Box 7540
Mountain View, CA 94039-7540

B. CONTACT PERSON AND PHONE NUMBER

Stephanie Williams, Senior Planner
City of Mountain View
(650) 903-6466

C. PROJECT SPONSOR AND ADDRESS

Google Inc.
1600 Amphitheatre Parkway
Mountain View, CA 94043
(650) 903-6306

D. EXISTING GENERAL PLAN DESIGNATION AND ZONING

General Plan Designation: *Parks, Schools, and City Facilities* and *High-Intensity Office*
Zoning District: *(F) Flood Plain* and *P(39) North Bayshore Precise Plan*

E. PROJECT DESCRIPTION

The project proposes to improve the existing natural habitat, improve pedestrian and bicycle circulation, and increase recreation opportunities in and around the Charleston Retention Basin.

The project consists of the removal of 134 existing parking spaces located adjacent to the retention basin in order to allow for habitat expansion, grading in select areas of the existing basin slopes to allow for habitat appropriate plantings, the removal of non-native plants and trees including the removal of 119 Heritage trees, and the comprehensive replanting of the upland basin areas with native plants and trees. The project also includes bicycle and pedestrian circulation improvements including the realignment and improvement of the existing pedestrian path around the basin, a new separate bicycle path in the southwestern quadrant which would

connect to a larger bicycle path network in the area, and two new pedestrian bridges across the basin. The existing trees and plantings within the center of the basin are not part of the project and would remain untouched.

F. LOCATION OF PROJECT

The proposed project site is located east of North Shoreline Boulevard between Charleston Road and Stierlin Court in the North Bayshore area of the City of Mountain View. The project site includes the Charleston Retention Basin and storm water pump station, which is a key component of the North Bayshore area storm water management system and public open space area owned and maintained by the City of Mountain View, and portions of the adjacent parcels owned by Google and HCP.

Surrounding land uses include office and commercial uses to the north and south, Stevens Creek and NASA Ames Research Center to the east, and a vacant site to the west across North Shoreline Boulevard. Shoreline Amphitheater and other multi-use recreational activities associated with Shoreline Park are located northwest of the project site.

II. MITIGATION MEASURES

Biological Resources

MM BIO-1.1: Avoidance of the nesting season. If construction, building additions, building alterations, or removal of trees and shrubs occurs outside the nesting season, impacts on protected nesting birds would be avoided. The nesting season for most birds in the North Bayshore area extends from February 1st through August 31st. Work activities performed during the September 1st to January 31st period would not be subject to the pre-activity surveys and nest buffers described in MM BIO-1.3.

MM BIO-1.2: Pre-activity surveys. If construction activities occur between February 1st and August 31st, pre-activity surveys for active nests shall be conducted by a qualified biologist. These surveys shall be conducted no more than seven days prior to the initiation of work activities in any given area. During each survey, the biologist shall inspect all potential nesting habitats (e.g., trees, shrubs, and buildings) within the work area; within 300 feet of the work area for raptor nests; and within 100 feet of the work area for nests of other birds.

MM BIO-1.3: Nest buffers. If an active nest (i.e., a nest with eggs or young, or any completed raptor nest attended by adults) is found sufficiently close to work areas to be disturbed by these activities, the biologist, in coordination with the California Department of Fish and Wildlife (CDFW), shall determine the extent of a disturbance-free buffer zone to be established around the nest. Typical buffer zones are 300 feet for nests of raptors and 100 feet for nests of other birds. The biologist, in consultation with the CDFW, may determine that a reduced buffer is appropriate in some instances. Topography, buildings, or vegetation that screen a nest from the work area, or very high

existing levels of disturbance (indicating the birds' tolerance to high levels of human activity), may indicate that a reduced buffer is appropriate. No new activities (i.e., work-related activities that were not ongoing when the nest was established) will occur within the buffer as long as the nest is active.

MM BIO-1.4: Nests of common yellowthroats. San Francisco common yellowthroat nests are inherently difficult to locate because of accessibility and the reclusiveness of the species. To protect active nests of this species, the biologist will map the territories of common yellowthroats within the retention basin during the pre-construction survey by observing the movements and behaviors of individuals. Nesting by yellowthroats within this mapped area will be assumed. The biologist will coordinate with the CDFW to determine the extent of a disturbance-free buffer zone around this area, as described above.

MM BIO-2.1: Streambed Alteration Agreement from CDFW: Prior to any construction activities, the project shall obtain a Streambed Alteration Agreement from the CDFW per Section 1602 of the California Fish and Game Code. CDFW may require on- or off-site compensatory mitigation for project impacts.

MM BIO-2.2: Obtain Regulatory Permits: Prior to any construction activities, the project shall obtain a Section 404 fill permit from the USACE and a Section 401 Water Quality Certification from the RWQCB.

MM BIO-2.3: Water Quality: To the extent practicable, all grading within and upslope from jurisdictional features shall occur during the dry season. If grading is to occur during the rainy season, the primary Best Management Practices (BMPs) selected shall focus on erosion control. End-of-pipe sediment control measures (e.g., basins and traps) shall be used only as secondary measures. The following BMPs will be implemented during construction.

- No earthwork or ground disturbing activities will take place within wetted areas of the basin.
- No litter, debris, or sediment shall be dumped into storm drains. Work crews shall be educated about the impacts of trash in sensitive habitats. Enclosed trash containers shall be provided, and trash and debris shall be removed from the site daily.
- Vehicles and equipment will be driven only on established roads and crossings. Routes and boundaries will be clearly marked and will be located outside of the driplines of preserved trees.
- Equipment shall be staged and vehicles shall be parked only on established access roads and flat surfaces, avoiding driplines of preserved trees.

- The integrity and effectiveness of construction fencing and erosion control measures shall be inspected daily. Corrective actions and repairs shall be carried out immediately for fence breaches and ineffective BMPs.

- Fueling, washing, and maintenance of vehicles should occur more than 100 feet away from drainage structures. Equipment shall be regularly maintained to avoid fluid leaks. Any leaks shall be captured in containers until equipment is moved to a repair location. Hazardous materials shall be stored more than 100 feet away from drainage structures. Containment and cleanup plans will be prepared and put in place for immediate cleanup of fluid or hazardous materials spills.

- Stormwater pollution prevention inspections shall be made at appropriate intervals (frequency to be determined as part of the SWPPP preparation process, but at a minimum likely before and after rain events).

- Additional impervious surface treatment measures shall be implemented during construction and may include temporary bioswales, filters, and/or detention ponds.

MM BIO-3.1: Heritage Tree Replacement: The applicant shall offset the loss of each Heritage tree with a minimum of one new tree, for a total of 119 replacement trees. Each replacement tree shall be no smaller than a 24-inch box, and shall be noted on the landscape plans submitted for review to the City as a Heritage replacement tree.

MM BIO-3.2: Tree Monitoring Plan: The applicant shall develop a tree monitoring and preservation plan to avoid impacts on regulated trees and mitigate for the loss of trees that cannot be avoided. The monitoring plan shall, include but is not limited to, identifying methods for monitoring tree survival, duration and frequency of monitoring efforts, planting success criteria, requirements for dead tree replacement, methods of invasive plant and weed control, temporary irrigation methods, contingency measures if performance measures are not achieved, and responsible parties. The tree monitoring and preservation plan will be developed in accordance with Chapter 32: Articles I and II of the Mountain View 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.

MM BIO-3.3: Tree Protection Measures: In order to minimize the impacts on tree species associated with the Charleston Retention Basin, the project shall implement the following tree protection measures:

- Final grading and construction plans shall clearly identify the size and species of all trees proposed for removal, consistent with the arborist plan review report.

- Trees that are not scheduled for removal will be clearly marked for avoidance. Fenced enclosures for individual trees or groups of trees to be protected shall be erected at the driplines of trees, where possible, or as established by the arborist. Soil disturbance within this protection zone will not be permitted.

- Compaction of the soil causes a significant impact on trees during construction. If compaction to the upper 12-inches of the soil profile occurs, or is proposed, then one or more of the following measures shall be implemented as recommended by the arborist:

    - Four inches of chip bark mulching shall be placed on top of the tree protection zone and enclosed within the protective fencing.
    - If compaction of the root system may result in possible suffocation, a soil aeration shall be installed as designed and specified by an arborist.

- Paving, hardscape, and other soil compacting material that encroaches upon the tree protection zone should include an aeration system designed by an arborist.

- Tree roots will not be left exposed to the air, and will be protected with wet burlap or peat moss until the excavated area is ready for backfill. During backfill, careful tamping and the punching 12-inch holes in the compacted ground using an iron bar can help achieve the desired amount of soil aeration for regrowth.

- The ends of damaged tree roots will be cleanly removed with a smooth cut. Damaged bark will be removed with a cut that is tapered at the top to provide drainage at the base of the wood. During periods of drought or grading, spray the trunk, limbs, and foliage of remaining trees to remove accumulated dust.

Hazardous Materials

MM HAZ-1.1: Toxic Assessment. A toxic assessment report shall be prepared and submitted to the City prior to issuance of a grading permit. The applicant must demonstrate that hazardous materials do not exist on the site, or that construction activities and the proposed use of this site are approved by: the City of Mountain View Hazardous Materials Division of the Fire Department; the State Department of Health Services; the Regional Water Quality Control Board; and any Federal agency, including the Environmental Protection Agency, with jurisdiction. No grading permit will be issued until each agency and/or department with jurisdiction has released the site as clean or an approved site toxics mitigation plan has been approved.

MM HAZ-1.2: Discovery of Contaminated Soils. If contaminated soils are discovered, the applicant will ensure the contractor employs engineering controls and Best Management Practices (BMPs) to minimize human exposure to potential contaminants. Engineering controls and construction BMPs will include, but not be limited to, the following:

- Contractor employees working on-site will be certified in OSHA's 40-hour Hazardous Waste Operations and Emergency Response (HAZWOPER) training.
- Contractor will stockpile soil during redevelopment activities to allow for proper characterization and evaluation of disposal options.
- Contractor will monitor area around construction site for fugitive vapor emissions with appropriate field screening instrumentation.
- Contractor will water/mist soil as it is being excavated and loaded onto transportation trucks.
- Contractor will place any stockpiled soil in areas shielded from prevailing winds.
- Contractor will cover the bottom of excavated areas with sheeting when work is not being performed.

III. DETERMINATION

In accordance with local procedures regarding the California Environmental Quality Act (CEQA), the City of Mountain View has conducted an Initial Study to determine whether the proposed project may have a significant adverse effect on the environment, and on the basis of that study recommends the following determination:

The proposed project will not have a significant effect on the environment based on the implementation of the required mitigation measures, and therefore, an Environmental Impact Report (EIR) is not required.

The Initial Study incorporates all relevant information regarding potential environmental effects of the project and confirms the determination that an EIR is not required.

IV. FINDINGS

Based on the findings of the Initial Study, the proposed project will not have a significant effect on the environment for the following reasons:

A. As discussed in the preceding sections, the proposed project does not have the potential to significantly degrade the quality of the environment, including effects on animals or plants, or to eliminate historic or prehistoric sites.

B. As discussed in the preceding sections, both short-term and long-term environmental effects associated with the proposed project will be less than significant.

C. When impacts associated with the adoption of the proposed project are considered alone or in combination with other impacts, the project-related impacts are insignificant.

D. The above discussions do not identify any substantial adverse impacts to people as a result of the proposed project.

E. This determination reflects the independent judgment of the City.

Stephanie Williams — 9-22-15

Name/Title — Date

Environmental Impacts	Mitigation and Avoidance Measures	Responsibility for Compliance	Method of Compliance and Oversight of Implementation	Timing of Compliance
BIOLOGICAL RESOURCES				
Impact BIO-1: Project activities, including the noise and increased activity associated with construction, could result in disturbance of common yellowthroats and other birds, including raptors that may nest in the vegetation associated with the Charleston Retention Basin. **[Potentially Significant Impact]**	**MM BIO-1.1:** Avoidance of the nesting season. If construction or removal of trees and vegetation occurs outside the nesting season, impacts on protected nesting birds would be avoided. The nesting season for most birds in the North Bayshore area extends from February 1st through August 31st. Work activities performed during the September 1st to January 31st period would not be subject to the pre-activity surveys and nest buffers. **MM BIO-1.2:** Pre-activity surveys. If construction activities occur between February 1st and August 31st, pre-activity surveys for active nests shall be conducted by a qualified biologist. These surveys shall be conducted no more than seven days prior to the initiation of work activities in any given area. During each survey, the biologist shall inspect all potential nesting habitats (e.g., trees, shrubs, and buildings) within the work area; within 300 feet of the work area for raptor nests; and within 100 feet of the work area for nests of other birds. **MM BIO-1.3:** Nest buffers. If an active nest (i.e., a nest with eggs or young, or any completed raptor nest attended by adults) is found sufficiently close to work areas to be disturbed by these activities, the biologist, in coordination with the California Department of Fish and Wildlife (CDFW), shall determine the extent of a disturbance-free buffer zone to be	Project applicant (developer), and contractors.	All measures will be required as part of the grading permits. All measures will be printed on all construction documents, contracts, and project plans prior to issuance of permits. Oversight of implementation by the City's Community Development Department.	Prior to and grading, tree removal, or construction activities, as specified.

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	established around the nest. Typical buffer zones are 300 feet for nests of raptors and 100 feet for nests of other birds. The biologist, in consultation with the CDFW, may determine that a reduced buffer is appropriate in some instances. Topography, buildings, or vegetation that screen a nest from the work area, or very high existing levels of disturbance (indicating the birds' tolerance to high levels of human activity), may indicate that a reduced buffer is appropriate. No new activities (i.e., work-related activities that were not ongoing when the nest was established) will occur within the buffer as long as the nest is active. **MM BIO-1.4:** Nests of common yellowthroats. San Francisco common yellowthroat nests are inherently difficult to locate because of accessibility and the reclusiveness of the species. To protect active nests of this species, the biologist will map the territories of common yellowthroats within the retention basin during the pre-construction survey by observing the movements and behaviors of individuals. Nesting by yellowthroats within this mapped area will be assumed. The biologist will coordinate with the CDFW to determine the extent of a disturbance-free buffer zone around this area. **[Less Than Significant Impact with Mitigation Measures]**			
Impact BIO-2: Construction activities would impact wetland and riparian habitats in the Charleston Retention Basin	**MM BIO-2.1:** Streambed Alteration Agreement from CDFW: Prior to any construction activities, the project shall obtain a Streambed Alteration Agreement from the CDFW per Section 1602 of the California Fish and Game Code. CDFW may require on- or off-site compensatory mitigation for project impacts.	Project applicant and contractors.	All measures will be required as part of the grading permits. All measures will be printed on all construction documents, contracts, and project plans	Prior to any grading, tree removal, or construction activities, as specified.

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that are regulated by USACE, CDFW, and the RWCQB. **[Potentially Significant Impact]**	**MM BIO-2.2:** Obtain Regulatory Permits: Prior to any construction activities, the project shall obtain a Section 404 fill permit from the USACE and a Section 401 Water Quality Certification from the RWQCB. **MM BIO-2.3:** Water Quality: To the extent practicable, all grading within and upslope from jurisdictional features shall occur during the dry season. If grading is to occur during the rainy season, the primary Best Management Practices (BMPs) selected shall focus on erosion control. End-of-pipe sediment control measures (e.g., basins and traps) shall be used only as secondary measures. The following BMPs will be implemented during construction: • No earthwork or ground disturbing activities will take place within wetted areas of the basin. • No litter, debris, or sediment shall be dumped into storm drains. Work crews shall be educated about the impacts of trash in sensitive habitats. Enclosed trash containers shall be provided, and trash and debris shall be removed from the site daily. • Vehicles and equipment will be driven only on established roads and crossings. Routes and boundaries will be clearly marked and will be located outside of the driplines of preserved trees. • Equipment shall be staged and vehicles shall be parked only on established access roads and flat surfaces, avoiding driplines of preserved trees. • The integrity and effectiveness of construction fencing		prior to issuance of permits. Oversight of implementation by the City's Community Development Department, USACE, CDFW, and the RWQCB.	

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	and erosion control measures shall be inspected daily. Corrective actions and repairs shall be carried out immediately for fence breaches and ineffective BMPs. • Fueling, washing, and maintenance of vehicles should occur more than 100 feet away from drainage structures. Equipment shall be regularly maintained to avoid fluid leaks. Any leaks shall be captured in containers until equipment is moved to a repair location. Hazardous materials shall be stored more than 100 feet away from drainage structures. Containment and cleanup plans will be prepared and put in place for immediate cleanup of fluid or hazardous materials spills. • Stormwater pollution prevention inspections shall be made at appropriate intervals (frequency to be determined as part of the SWPPP preparation process, but at a minimum likely before and after rain events). • Additional impervious surface treatment measures shall be implemented during construction and may include temporary bioswales, filters, and/or detention ponds. **[Less Than Significant Impact with Mitigation Measures]**			
Impact BIO-3: The project would remove 183 trees, including 119 Heritage trees. **[Potentially Significant Impact]**	**MM BIO-3.1:** Heritage Tree Replacement: The applicant shall offset the loss of each Heritage tree with a minimum of one new tree, for a total of 119 replacement trees. Each replacement tree shall be no smaller than a 24-inch box, and shall be noted on the landscape plans submitted for review to the City as a Heritage replacement tree. **MM BIO-3.2:** Tree Monitoring Plan: The applicant shall	Project applicant and contractors.	All measures will be required as part of the grading permits. All measures will be printed on all construction documents, contracts, and project plans prior to issuance of permits. Oversight of	Prior to any grading, tree removal, or construction activities, as specified.

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	develop a tree monitoring and preservation plan to avoid impacts on regulated trees and mitigate for the loss of trees that cannot be avoided. The monitoring plan shall include, but is not limited to, identifying methods for monitoring tree survival, duration and frequency of monitoring efforts, planting success criteria, requirements for dead tree replacement, methods of invasive plant and weed control, temporary irrigation methods, contingency measures if performance measures are not achieved, and responsible parties. The tree monitoring and preservation plan will be developed in accordance with Chapter 32: Articles I and II of the Mountain View 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. **MM BIO-3.3:** Tree Protection Measures: In order to minimize the impacts on tree species associated with the Charleston Retention Basin, the project shall implement the following tree protection measures: • Final grading and construction plans shall clearly identify the size and species of all trees proposed for removal, consistent with the arborist plan review report. • Trees that are not scheduled for removal will be clearly marked for avoidance. Fenced enclosures for individual trees or groups of trees to be protected shall be erected at the driplines of trees, where possible, or as established by the arborist. Soil disturbance within this protection zone will not be permitted. • Compaction of the soil causes a significant impact on trees during construction. If compaction to the upper 12 inches		implementation by the City's Community Development Department,	

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	of the soil profile occurs, or is proposed, then one or more of the following measures shall be implemented as recommended by the arborist: o Four inches of chip bark mulching shall be placed on top of the tree protection zone and enclosed within the protective fencing. o If compaction of the root system may result in possible suffocation, a soil aeration shall be installed as designed and specified by an arborist. • Paving, hardscape, and other soil compacting material that encroaches upon the tree protection zone should include an aeration system designed by an arborist. • Tree roots will not be left exposed to the air, and will be protected with wet burlap or peat moss until the excavated area is ready for backfill. During backfill, careful tamping and the punching 12-inch holes in the compacted ground using an iron bar can help achieve the desired amount of soil aeration for regrowth. • The ends of damaged tree roots will be cleanly removed with a smooth cut. Damaged bark will be removed with a cut that is tapered at the top to provide drainage at the base of the wood. During periods of drought or grading, spray the trunk, limbs, and foliage of remaining trees to remove accumulated dust. **[Less Than Significant Impact with Mitigation Measures]**			
HAZARDOUS MATERIALS				

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Impact HAZ-1: Hazardous materials contamination could be present on the project site, and could pose a risk to construction workers. **[Potentially Significant Impact]**	**MM HAZ-1.1:** Toxic Assessment. A toxic assessment report shall be prepared and submitted to the City prior to issuance of a grading permit. The applicant must demonstrate that hazardous materials do not exist on the site, or that construction activities and the proposed use of this site are approved by: the City of Mountain View Fire Department Hazardous Materials Division; the Santa Clara County Department of Environmental Health; the Regional Water Quality Control Board; and any Federal agency, including the US Environmental Protection Agency, with jurisdiction. No grading permit will be issued until each agency and/or department with jurisdiction has released the site as clean or an approved site toxics mitigation plan has been approved. **MM HAZ-1.2:** Discovery of Contaminated Soils. If contaminated soils are discovered, the applicant will ensure the contractor employs engineering controls and Best Management Practices (BMPs) to minimize human exposure to potential contaminants. Engineering controls and construction BMPs will include, but not be limited to, the following: • Contractor employees working on-site will be certified in OSHA's 40-hour Hazardous Waste Operations and Emergency Response (HAZWOPER) training. • Contractor will stockpile soil during redevelopment activities to allow for proper characterization and evaluation of disposal options. • Contractor will monitor area around construction site for fugitive vapor emissions with appropriate field screening instrumentation. • Contractor will water/mist soil as it is being excavated and loaded onto transportation trucks.	Project applicant and contractors.	All measures will be required as part of the grading permits. All measures will be printed on all construction documents, contracts, and project plans prior to issuance of permits. Oversight of implementation by the City's Community Development Department and/or Fire Department, SCCDEH, RWQCB, and USEPA, as specified.	Prior to and during any construction activities, as specified.

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	• Contractor will place any stockpiled soil in areas shielded from prevailing winds. • Contractor will cover the bottom of excavated areas with sheeting when work is not being performed. **[Less Than Significant Impact with Mitigation Measures]**			

SOURCE: City of Mountain View. *Charleston Retention Basin Improvement Project Initial Study/Draft Mitigated Negative Declaration.* September 2015.