

CITY OF MOUNTAIN VIEW  
RESOLUTION NO.  
SERIES 2023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW  
ADOPTING THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION  
AND MITIGATION MONITORING AND REPORTING PROGRAM  
FOR THE 918 RICH AVENUE CONDOMINIUM PROJECT, A FIVE-STORY, 32-UNIT  
RESIDENTIAL CONDOMINIUM PROJECT LOCATED AT  
918 RICH AVENUE, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, prior to the adoption of this Resolution, the City of Mountain View prepared an Initial Study and approved for circulation a Mitigated Negative Declaration for the 918 Rich Avenue Condominiums Project (the “Initial Study/Mitigated Negative Declaration”) in accordance with the requirements of the California Environmental Quality Act of 1970, together with State guidelines implementing said Act, all as amended to date (collectively “CEQA”); and

WHEREAS, the 918 Rich Avenue Condominiums Project located at 918 Rich Avenue (the “Project”) analyzed under the Initial Study/Mitigated Negative Declaration include a Development Review Permit to construct a five-story condominium project with 32 residential for-sale units, including four Below Market Rate (BMR) units, with one level of underground parking, a 27.5% State Density Bonus with one concession and waivers/reductions from development standards, a Vesting Tentative Map to subdivide one lot to create 32 residential condominium lots, and a Heritage Tree Removal Permit to remove two Heritage trees. A more detailed description of the project is set forth in the Initial Study/Mitigated Negative Declaration; and

WHEREAS, the draft Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program was made available and circulated for public comment from May 24, 2023 through June 13, 2023; and

WHEREAS, the Zoning Administrator and Subdivision Committee held a joint public hearing on September 27, 2023 and recommended approval of the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; and

WHEREAS, the City of Mountain View considered the comments received during the public review period and prepared a Final Initial Study/Mitigated Negative Declaration, which include minor text revisions from the Draft Initial Study/Mitigated Negative Declaration in response to a minor revision to the project to remove initially proposed mechanical parking lifts in the proposed parking garage, and in response to public comments received from the public; and

WHEREAS, the Initial Study/Mitigated Negative Declaration concluded that implementation of the project with mitigation measures and City standard conditions of approval will not have a significant effect on the environment; and

WHEREAS, the City of Mountain View is the lead agency on the Project, and the City Council is the decision-making body for the proposed approval of the Project; and

WHEREAS, the City Council has reviewed and considered the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, together with comments received and intends to take action on the Project in compliance with CEQA; and

WHEREAS, the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, for the Project is attached hereto and incorporated herein as Exhibit A; and

WHEREAS, the response to public comments and text modifications to the Initial Study is attached hereto and incorporated herein as Appendix E of Exhibit A; and

WHEREAS, the Mitigation Monitoring and Reporting Program is attached hereto and incorporated as Appendix F of Exhibit A; now therefore, be it

RESOLVED: by the City Council of the City of Mountain View:

1. That the City Council finds the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the project has been completed in compliance with CEQA.

2. That the City Council finds on the basis of the whole record before it, including the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and the comments received, that there is no substantial evidence that the Project will have a significant effect on the environment.

3. That the City Council finds the Initial Study/Mitigated Negative Declaration reflects the independent judgment and analysis of the City of Mountain View.

4. That the City Council hereby designates the Community Development Director, at 500 Castro Street, First Floor, Mountain View, California, 94041, as the custodian of documents and records of proceedings on which this decision is based.

5. That the City Council hereby adopts the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project.

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AS/4/RESO  
809-10-24-23r

Exhibit: A. Initial Study/Mitigated Negative Declaration  
Appendix E of Exhibit A: Response to Public Comments  
Appendix F of Exhibit A: Mitigation Monitoring and Reporting Program

# Initial Study/Mitigated Negative Declaration **Rich Avenue Condominiums**



Prepared by

City of  
**Mountain View**

In Consultation with



**May 2023**



# Rich Avenue Condominiums Project

## Mitigated Negative Declaration

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**Project:** Rich Avenue Condominiums Project

### Lead Agency:

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City of Mountain View  
Community Development Department  
500 Castro Street  
P.O. Box 7540  
Mountain View, CA 94039-7540  
Email: [aki.snelling@mountainview.gov](mailto:aki.snelling@mountainview.gov)  
Phone Number: (650) 903-6306

### Project Proponents:

Greg Xiong  
Ardenview Homes, LLC  
4546 El Camino Real, Suite 217, Los Altos, CA 94022  
Email: [gregxiong@wavechollc.com](mailto:gregxiong@wavechollc.com)

### Availability of the Initial Study:

The Initial Study for this Mitigated Negative Declaration is attached and available for review on the City's website at the following web address:

<https://www.mountainview.gov/our-city/departments/community-development/planning/active-projects/ceqa-postings>

### Project Location and Description:

The flag-shaped, 0.72-acre site is located at 918 Rich Avenue, near the intersection of El Camino Real and Rich Avenue, in the City of Mountain View (Assessor's Parcel Number [APN]: 189-33-028).

The project proposes a Development Review Permit, Heritage Tree Removal Permit, and Tentative Subdivision Map to develop a vacant lot with a five-story, 32-unit residential condominium building.

The project would construct an approximately 43,669 square-foot, five-story tall (up to 58.5 feet) residential building with one-level of underground parking. The project proposes a total of 32 residential units: seven residential units on the first through third floors, eight residential units on the fourth floor (one two-story unit on the third and fourth floor), and three residential units on the fifth floor. Four of the units would be affordable housing units. All units will have private patios or

balconies ranging from approximately 53 to 476 square feet in size. In addition, approximately 13,822 square feet of common amenity space would be provided in the form of an entry plaza and rooftop deck.

Refer to the Initial Study for additional details on the project components.

### **Proposed Findings:**

The City has prepared the attached Initial Study and determined that the analysis in the Initial Study identifies potentially significant project effects, but:

1. Mitigation measures required by the City, and agreed to by the applicant, would avoid or mitigate the effects to a point where no significant effects would occur; and
2. There is no substantial evidence, in light of the whole record before the agency, that the project with implementation of mitigation measures may have a significant effect on the environment. Pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15064(f)(3) and 15070(b), a Mitigated Negative Declaration has been prepared for the project.

### **Basis of Findings:**

Based on the environmental evaluation presented in the attached Initial Study, the project would not cause significant adverse effects related to aesthetics, agricultural and forestry resources, biological resources, cultural resources, energy, geology and soils, hazards and hazardous materials, hydrology and water quality, land use/planning, mineral resources, population and housing, public services, recreation, transportation, utilities/service systems, and wildfire. The project does not have impacts that are individually limited, but cumulatively considerable. The environmental evaluation has determined that the project would have potentially significant impacts on air quality, greenhouse gas emissions, and noise/vibration and the implementation of the mitigation measures listed below would reduce impacts to a less than significant level.

### **Mitigation Measures:**

#### **Air Quality/Greenhouse Gas Emissions**

**MM AIR-1.1:** The project shall develop a plan demonstrating that the off-road equipment used onsite to construct the project would achieve a fleet-wide average 60-percent reduction in DPM exhaust emissions or greater. One feasible plan to achieve this reduction would include the following:

- All construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 emission standards for PM (PM<sub>10</sub> and PM<sub>2.5</sub>), if feasible, otherwise:
  - If use of Tier 4 equipment is not available, alternatively use equipment that meets U.S. EPA emission standards for Tier 3

engines and include particulate matter emissions control equivalent to CARB verifiable diesel emission control devices that altogether achieve a 60 percent reduction in particulate matter exhaust in comparison to uncontrolled equipment; alternatively (or in combination).

- Provide line power (electrical or non-diesel) to the site during the early phases of construction to minimize the use of diesel-powered stationary equipment.

Alternatively, the applicant may develop another construction operations plan demonstrating that the construction equipment used on-site would achieve a reduction in construction diesel particulate matter emissions by 60 percent or greater. Such a construction operations plan would be subject to review by an air quality expert and approved by the City prior to construction.

### **Noise/Vibration**

**MM NOI-2.1:** The project shall implement the following measures to minimize vibration impacts from construction activities:

- a) Avoid the use of vibratory rollers and other heavy construction equipment within 20 feet of existing structures.
- b) Place operating equipment on the construction site as far as possible from vibration sensitive receptors.
- c) Use smaller equipment within 20 feet of the perimeter property lines adjoining off site structures to minimize vibration levels below the limits.
- d) Avoid dropping heavy objects or materials near vibration sensitive locations.
- e) A list of all heavy construction equipment to be used for this project known to produce high vibration levels (tracked vehicles, vibratory compaction, jackhammers, hoe rams, etc.) shall be submitted to the City by the contractor. This list shall be used to identify equipment and activities that would potentially generate substantial vibration and to define the level of effort required for continuous vibration monitoring.
- f) Designate a person responsible for registering and investigating claims of excessive vibration. The contact information of such person shall be clearly posted on the construction site.

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- Appendix A: Air Quality Assessment
- Appendix B: Arborist Report
- Appendix C: Phase I/II ESA and Peer Review
- Appendix D: Utility Impact Study
- Appendix E: Response to Comments
- Appendix F: Mitigation Monitoring and Reporting Program

## **SECTION 1.0 INTRODUCTION AND PURPOSE**

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### **1.1 PURPOSE OF THE INITIAL STUDY**

The City of Mountain View, as the Lead Agency, has prepared this Initial Study for the Rich Avenue Condominium project in compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines (California Code of Regulations Section 15000 et. seq.), and the regulations and policies of the City of Mountain View.

The project proposes to construct a 32-unit residential condominium building. This Initial Study evaluates the environmental impacts that might reasonably be anticipated to result from implementation of the proposed project.

### **1.2 PUBLIC REVIEW PERIOD**

Publication of this Initial Study marks the beginning of a 20-day public review and comment period. During this period, the Initial Study will be available to local, state, and federal agencies and to interested organizations and individuals for review. Written comments concerning the environmental review contained in this Initial Study during the 20-day public review period should be sent to:

Aki Snelling, Senior Planner  
City of Mountain View  
Community Development Department  
500 Castro Street  
P.O. Box 7540  
Mountain View, CA 94039-7540  
(650) 903-6306  
[Aki.Snelling@mountainview.gov](mailto:Aki.Snelling@mountainview.gov)

### **1.3 CONSIDERATION OF THE INITIAL STUDY AND PROJECT**

Following the conclusion of the public review period, the Mountain View City Council will consider the adoption of the Initial Study/Mitigated Negative Declaration (MND) for the project at a regularly scheduled meeting. The City shall consider the Initial Study/MND together with any comments received during the public review process. Upon adoption of the MND, the City may proceed with project approval actions.

### **1.4 NOTICE OF DETERMINATION**

If the project is approved, the City of Mountain View will file a Notice of Determination (NOD), which will be available for public inspection and posted within 24 hours of receipt at the County Clerk's Office for 30 days. The filing of the NOD starts a 30-day statute of limitations on court challenges to the approval under CEQA (CEQA Guidelines Section 15075(g)).

## **SECTION 2.0 PROJECT INFORMATION**

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### **2.1 PROJECT TITLE**

Rich Avenue Condominiums

### **2.2 LEAD AGENCY CONTACT**

Aki Snelling, Senior Planner  
City of Mountain View  
Community Development Department  
500 Castro Street  
P.O. Box 7540  
Mountain View, CA 94039-7540  
(650) 903-6306  
[Aki.Snelling@mountainview.gov](mailto:Aki.Snelling@mountainview.gov)

### **2.3 PROJECT APPLICANT**

Greg Xiong  
Ardenview Homes, LLC  
4546 El Camino Real, Suite 217  
Los Altos, CA 94022  
[gregxiong@wavechollc.com](mailto:gregxiong@wavechollc.com)

### **2.4 PROJECT LOCATION**

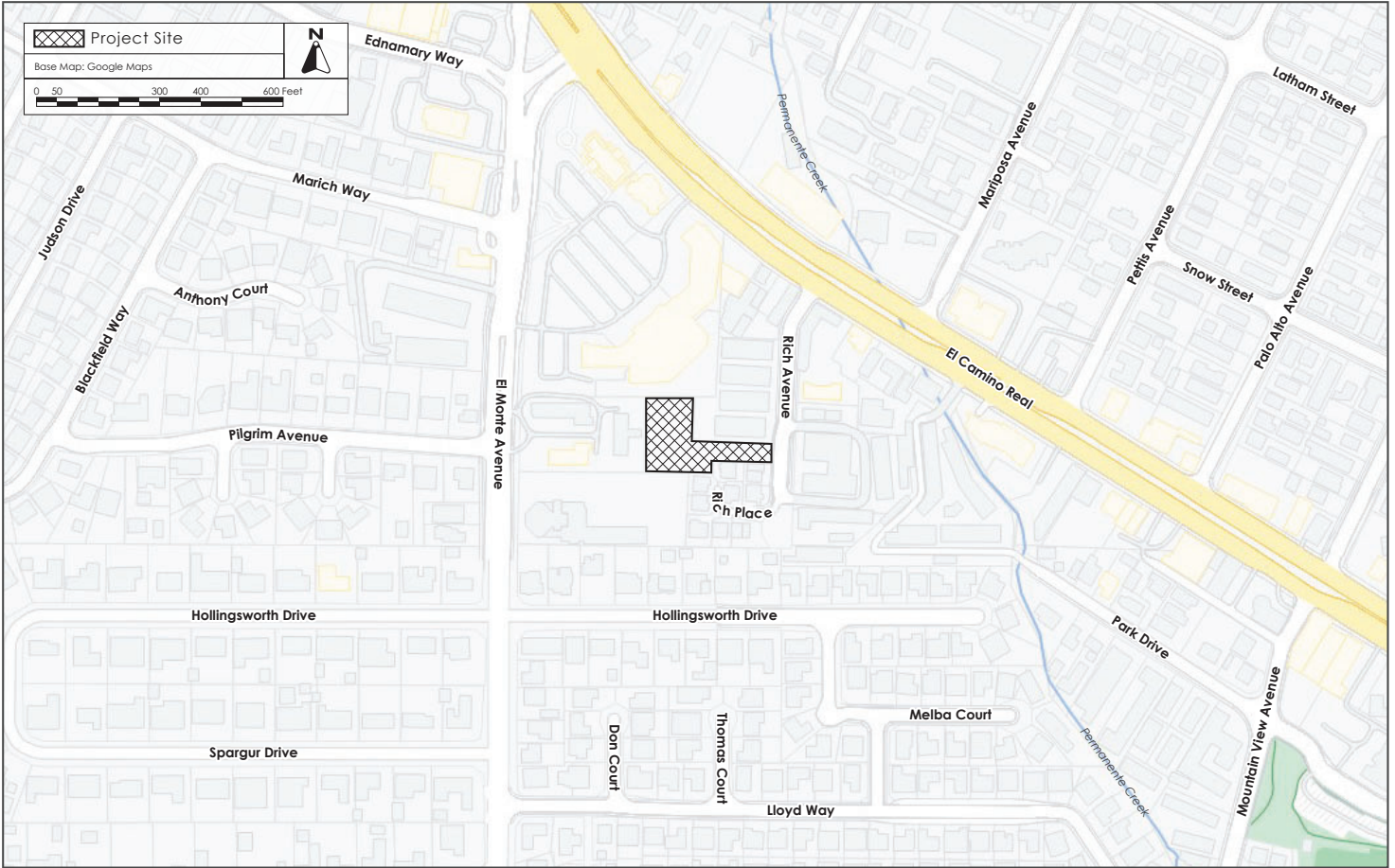
The flag-shaped, 0.72-acre site is located at 918 Rich Avenue, near the intersection of El Camino Real and Rich Avenue, in the City of Mountain View (Assessor's Parcel Number [APN]: 189-33-028). A regional map, vicinity map, and an aerial photograph of the project site and surrounding area are shown on Figure 2.4-1, Figure 2.4-2, and Figure 2.4-3, respectively.



REGIONAL MAP

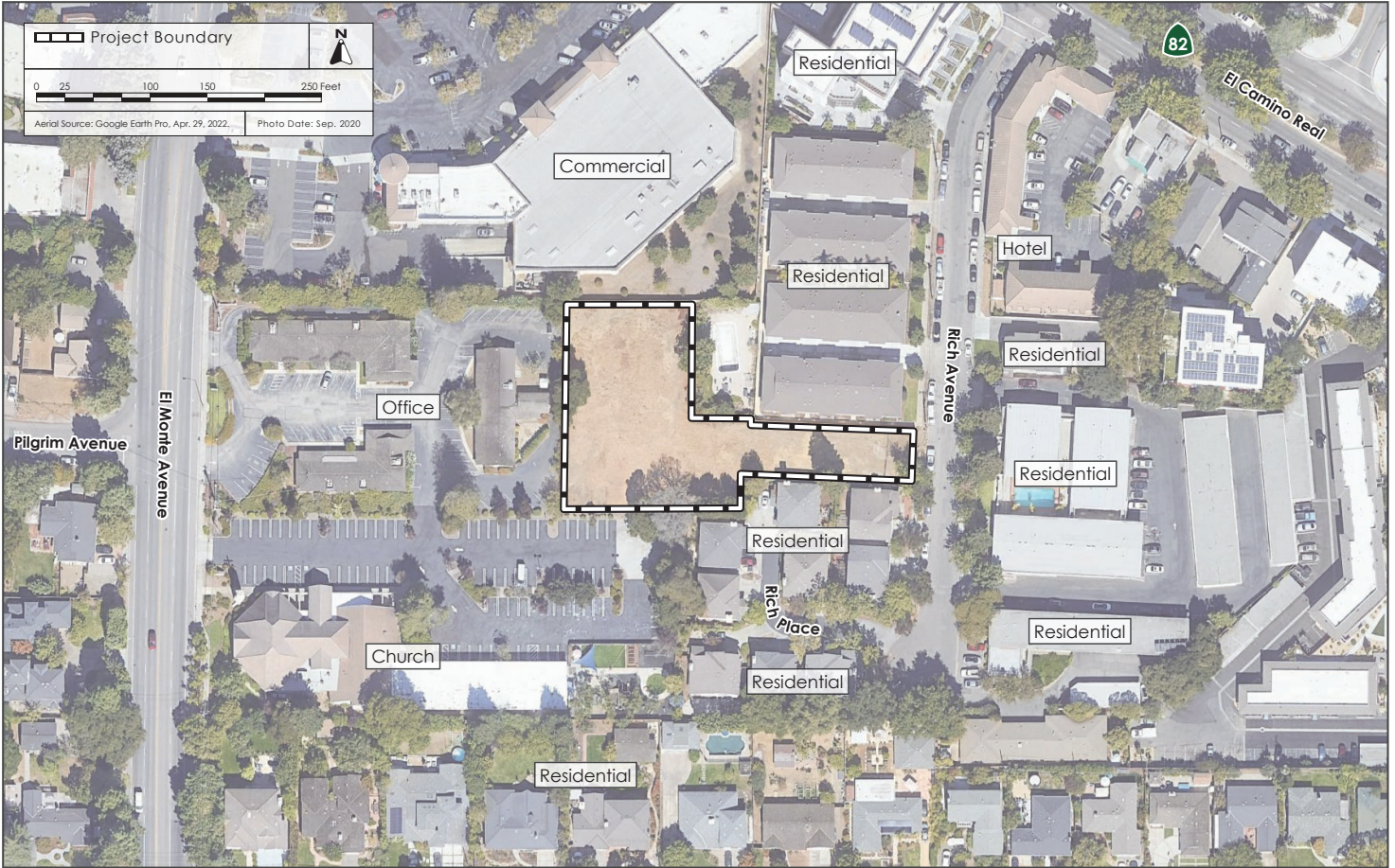
FIGURE 2.4-1





VICINITY MAP

FIGURE 2.4-2



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

FIGURE 2.4-3

**2.5 ASSESSOR’S PARCEL NUMBER**

189-33-028

**2.6 GENERAL PLAN DESIGNATION AND ZONING DISTRICT**

**General Plan:** Medium High-Density Residential

**Zoning:** R3-1, Multiple Family Residential

**2.7 PROJECT-RELATED APPROVALS, AGREEMENTS, AND PERMITS**

The discretionary actions for the project include, but are not limited to, the following:

- Development Review Permit
- Heritage Tree Removal Permit
- Tentative Subdivision Map

Ministerial permits from the City, such as grading permits and building permits, would also be required. Additionally, Public Works permits for offsite improvements and utilities, and easement agreement from the City of Los Altos would be required.



## SECTION 3.0 PROJECT DESCRIPTION

The project proposes to construct a 32-unit residential condominium building (see Figure 3.4-1) on the project site.

The project site has a General Plan land use designation of Medium High-Density Residential and is zoned R3-1, Multiple Family Residential. The proposed project is a permitted use under the General Plan Medium High-Density Residential land use designation and R3-1 zoning; however, the Medium High-Density Residential designation only allows a maximum density of up to 25 units given the size of the project site. The project’s proposed density of 32 units would be allowed with the application of the State Density Bonus Law; therefore, no General Plan amendment or rezoning is required.<sup>1</sup> In addition, the project is seeking the following concessions and waivers under the State Density Bonus Law:

- Waivers for height, plate height, setbacks, personal storage and FAR (see Table 2.7-1)
- Concession #1: Weighted average affordability level

<b>R3-1 Zoning Standard</b>	<b>Required/Limit</b>	<b>Proposed</b>
Side Setback	1 <sup>st</sup> Floor: 15’	15’
	2 <sup>nd</sup> Floor: 19’	15’
	3 <sup>rd</sup> Floor: 29’	15’
	4 <sup>th</sup> Floor: 39’	15’
	5 <sup>th</sup> Floor: 48.5’	15’
Allowable Height	Maximum building height: 45’	55.5’
	Top of wall plate: 36’	49’
Maximum Allowable Floor-Area-Ratio	1.05	1.41
Personal Storage Area	500 cu ft, enclosed and secured	0 – 360 cu ft

The primary components of the project are described below.

### 3.1 RESIDENTIAL BUILDING

The proposed residential building would be 43,669 square feet, five-stories tall (up to 58.5 feet) (see Figure 3.4-2 and Figure 3.4-3) and include one-level of underground parking. The project proposes a total of 32 units: seven residential units on the first through third floors, eight residential units on the fourth floor and three residential units on the fifth floor. Four of the residential units would be one-bedrooms condominiums, while the remaining 28 units would be two-bedroom condominium units. All units will have private patios or balconies ranging from approximately 53 to 476 square feet in size. In addition, approximately 13,822 square feet of common amenity space would be provided in

<sup>1</sup> Project proposes to provide three very-low income units and one moderate income unit, which allows for a 38.75 percent increase in density.  $25 \text{ units} \times 0.3875 = 10 \text{ (9.69) additional units.}$

the form of an entry plaza and rooftop deck (see Figure 3.4-4). The rooftop deck is proposed to be 2,300 square feet. Overall, the project would result in a Floor-Area-Ratio (FAR) of 1.41.

### 3.2 GREEN BUILDING MEASURES AND FEATURES

The proposed project would meet the intent of 70 GreenPoint Rated points from the Build it Green certification program and implement all mandatory California Green Building Standards Code (CALGreen) and Mountain View Green Building Code (MVGBC) requirements. The proposed project would incorporate green building measures including, but not limited to, the following:

- **Renewable Energy:** The project would install photovoltaic panels on 50 percent of the roof.
- **Electric Building:** The project would not use natural gas and all appliances (cooking, heating, dryers, etc.) would be electric.
- **Electric Vehicle Charging:** The project would include electric vehicle chargers.
- **Resource Efficient Landscaping:** The project would plant drought tolerant and native species for landscaping.

### 3.3 LANDSCAPING

The project site is currently undeveloped and has four existing trees (two of which are Heritage trees) on-site.<sup>2,3</sup> The proposed project would remove all four existing trees and plant 58 new ornamental trees and shrubs along the property perimeter and within the entry plaza and rooftop decks. The proposed landscape plan is shown on Figure 3.4-4.

### 3.4 SITE ACCESS AND PARKING

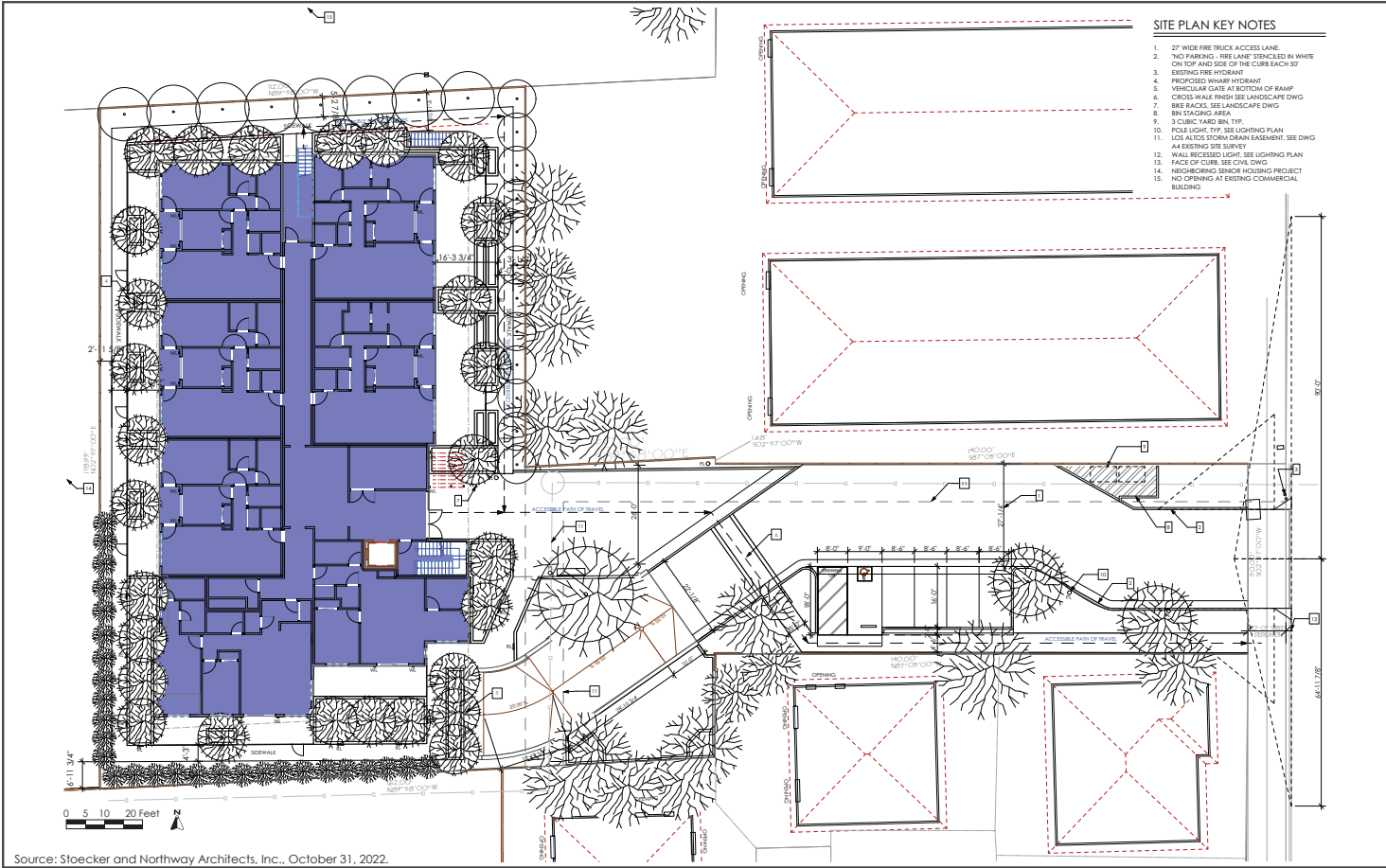
Vehicle access to the project site would be provided via one, two-directional driveway from Rich Avenue along the eastern side of the project site. The project driveway on Rich Avenue would provide access to surface parking and a two-directional ramp located on the southeastern side of the proposed residential building for vehicular access to the underground parking garage. Pedestrians would be able to access the site via a sidewalk along Rich Avenue.

Vehicle parking for the project would be provided in an underground parking garage below the proposed building and at-grade. A total of 71 vehicle parking spaces would be provided on-site, including 66 (42 tandem spaces, 22 lift parking spaces, and two accessible spaces) parking spaces in the underground parking garage and five (including one accessible space) surface parking spaces. A total of 32 long-term bicycle parking spaces would be provided in secure bike lockers in the underground parking garage and four short-term bicycle parking spaces would be provided via a bike rack in the entry plaza.

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<sup>2</sup> A Heritage tree is defined in Section 32.25 of the City Code as any one of the following: 1) A tree which has a trunk with a circumference of 48 inches or more measured at 54 inches above natural grade; 2) A multi-branched tree which has major branches below 54 inches above the natural grade with a circumference of 48 inches measured just below the first major trunk fork; 3) Any Quercus (oak), Sequoia (redwood), or Cedrus (cedar) tree with a circumference of 12 inches or more when measured at 54 inches above natural grade; 4) A tree or grove of trees designated by resolution of the City Council to be of special historical value or of significant community benefit.

<sup>3</sup> There was previously a fifth tree on-site that was dead and has been subsequently removed; therefore, it is not described as part of the existing conditions on-site.



Source: Stoecker and Northway Architects, Inc., October 31, 2022.

SITE PLAN

FIGURE 3.4-1



Source: Stoecker and Northway Architects, Inc., October 31, 2022.

**CONCEPTUAL BUILDING ELEVATIONS (EAST/WEST)** **FIGURE 3.4-2**

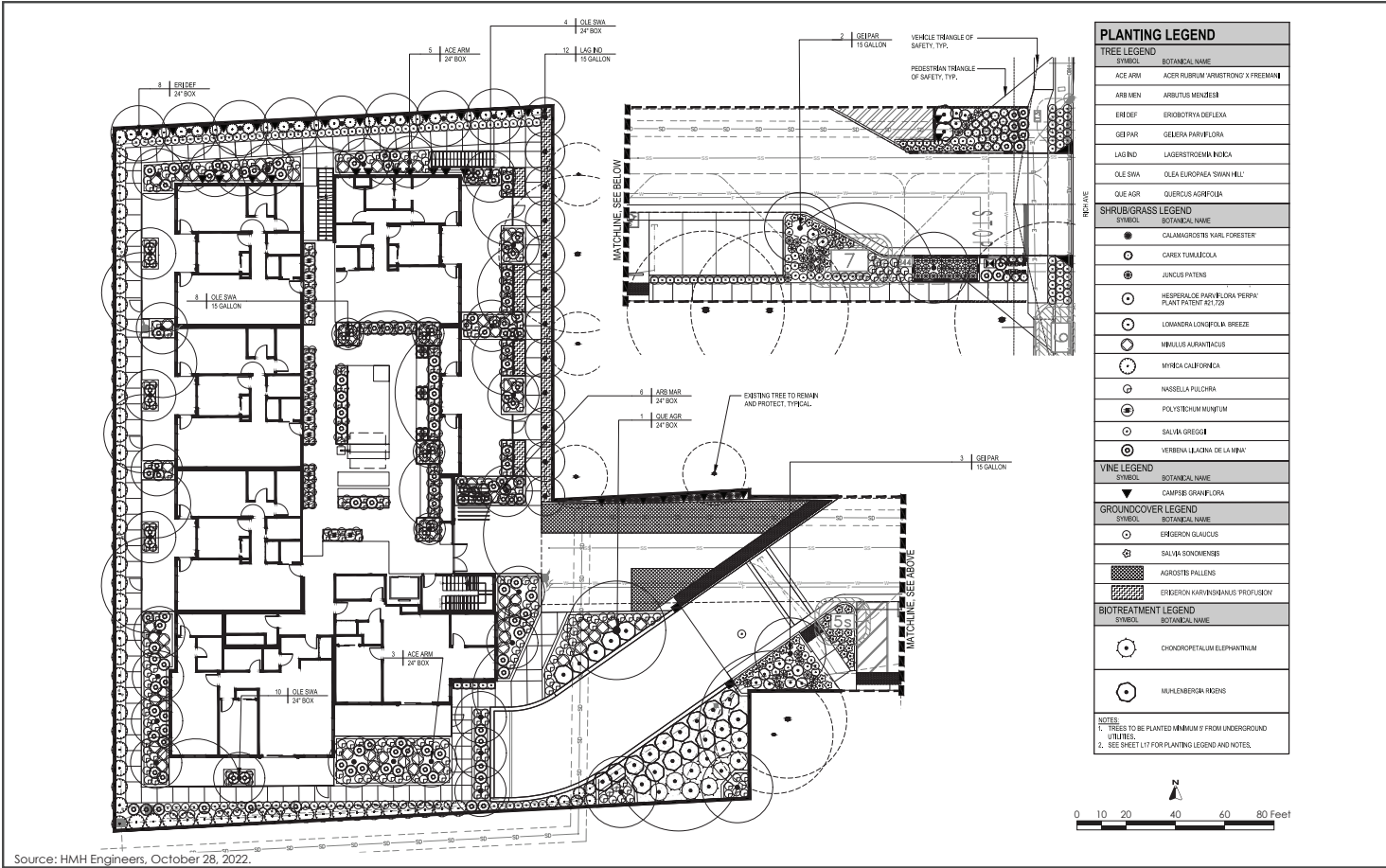


Source: Stoecker and Northway Architects, Inc., October 31, 2022.

CONCEPTUAL BUILDING ELEVATIONS (NORTH/SOUTH)

FIGURE 3.4-3

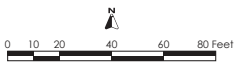




**PLANTING LEGEND**

TREE LEGEND	
SYMBOL	BOTANICAL NAME
ACE ARM	ACER RUBRUM 'ARMSTRONG X FREEMAN'
ARB MEN	ARBUS MENSEN
ERI DEF	ERIOBOTRYA DEFLEXA
GEE PAR	GELERA PARVIFLORA
LAS INO	LAGERSTROMIA INOCHA
OLE SWA	OLEA EUROPAEA 'SWAN HILL'
QUE AGR	QUERCUS AGROFOIDA
SHRUB/GRASS LEGEND	
SYMBOL	BOTANICAL NAME
●	CALAMAGROSTIS KARL FORESTER
○	CAPEX TUMAJUCOLA
⊗	JUNCUS PATENS
⊕	HEDERA LACE PARRIFLORA PERPA PLANT PATENT AD 120
⊖	LOMANORA LONGIFOLIA BREEZE
⊗	NEBALLUS AURANTICUS
⊗	MIRICA CALIFORNICA
⊗	NASSELLA PULCHRA
⊗	POLYSTICHUM MUNITUM
⊗	SALIX GREGGII
⊗	VERBENA ILICINA DE LA MINA
VINE LEGEND	
SYMBOL	BOTANICAL NAME
▼	CAMPSE GRANIFLORA
GROUNDCOVER LEGEND	
SYMBOL	BOTANICAL NAME
⊗	ERESORON GLAUCUS
⊗	SALIX SONOMENSIS
▨	AGROSTIS PALLENS
▨	ERESORON KARINIANUS PROFIBOX
BIOTREATMENT LEGEND	
SYMBOL	BOTANICAL NAME
⊗	CHONDROPETALUM ELEPHANTINUM
⊗	MULLENBERGIA RIKENS

NOTES:  
 1. TREES TO BE PLANTED MINIMUM 9' FROM UNDERGROUND UTILITIES.  
 2. SEE SHEET L17 FOR PLANTING LEGEND AND NOTES.



LANDSCAPE PLAN

FIGURE 3.4-4

### **3.5 RIGHT-OF-WAY IMPROVEMENTS**

The project would require connections to existing utility systems (i.e., water, storm drain, and sewer) located in Rich Avenue and El Monte Avenue. In addition, the project would underground the existing overhead electric power lines along the project site frontage. The project would improve the existing driveway by widening and paving it. Currently, there is a gap in the sidewalk network on the west side of Rich Avenue in front of the project site. The project would complete the sidewalk network by constructing a sidewalk along the project site frontage.

### **3.6 CONSTRUCTION ACTIVITIES**

Project construction activities include site preparation, grading and excavation, building construction, architectural coatings, and paving. Project construction is estimated to take a total of 15 months. Excavation and removal of approximately 7,250 cubic yards (cy) of soil to a maximum depth of 13 feet would be necessary to accommodate the proposed underground parking, building foundations, and footings.

## SECTION 4.0 ENVIRONMENTAL SETTING, CHECKLIST, AND IMPACT DISCUSSION

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This section presents the discussion of impacts related to the following environmental subjects in their respective subsections:

4.1	Aesthetics	4.12	Mineral Resources
4.2	Agriculture and Forestry Resources	4.13	Noise
4.3	Air Quality	4.14	Population and Housing
4.4	Biological Resources	4.15	Public Services
4.5	Cultural Resources	4.16	Recreation
4.6	Energy	4.17	Transportation
4.7	Geology and Soils	4.18	Tribal Cultural Resources
4.8	Greenhouse Gas Emissions	4.19	Utilities and Service Systems
4.9	Hazards and Hazardous Materials	4.20	Wildfire
4.10	Hydrology and Water Quality	4.21	Mandatory Findings of Significance
4.11	Land Use and Planning		

The discussion for each environmental subject includes the following subsections:

- **Environmental Setting** – This subsection 1) provides a brief overview of relevant plans, policies, and regulations that compose the regulatory framework for the project and 2) describes the existing, physical environmental conditions at the project site and in the surrounding area, as relevant.
- **Impact Discussion** – This subsection 1) includes the recommended checklist questions from Appendix G of the CEQA Guidelines to assess impacts and 2) discusses the project’s impact on the environmental subject as related to the checklist questions. For significant impacts, feasible mitigation measures are identified. “Mitigation measures” are measures that will minimize, avoid, or eliminate a significant impact (CEQA Guidelines Section 15370). Each impact is numbered to correspond to the checklist question being answered. For example, Impact BIO-1 answers the first checklist question in the Biological Resources section. Mitigation measures are also numbered to correspond to the impact they address. For example, MM BIO-1.3 refers to the third mitigation measure for the first impact in the Biological Resources section.

4.1            **AESTHETICS**

4.1.1         **Environmental Setting**

4.1.1.1       ***Regulatory Framework***

**State**

Streets and Highway Code Sections 260 through 263

The California Scenic Highway Program (Streets and Highway Code, Sections 260 through 263) is managed by the California Department of Transportation (Caltrans). The program is intended to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment.

**Local**

City of Mountain View 2030 General Plan

The City’s 2030 General Plan (General Plan) is a comprehensive update to the 1992 General Plan and was adopted in 2012. The General Plan guides growth in the City by identifying goals, policies, and actions that regulate land use and ensure compliance with state and local laws. General Plan policies related to visual and aesthetic resources applicable to the proposed project include the following listed below.

<b>Policy</b>	<b>Description</b>
LUD 6.1	<b>Neighborhood character.</b> Ensure that new development in or near residential neighborhoods is compatible with neighborhood character.
LUD 9.1	<b>Height and setback transitions.</b> Ensure that new development includes sensitive height and setback transitions to adjacent structures and surrounding neighborhoods.
LUD 9.3	<b>Enhanced public space.</b> Ensure that development enhances public spaces: <ul style="list-style-type: none"> <li>• Encourage strong pedestrian-oriented design with visible, accessible entrances and pathways from the street.</li> <li>• Encourage pedestrian-scaled design elements such as stoops, canopies and porches.</li> <li>• Encourage connections to pedestrian and bicycle facilities.</li> <li>• Locate buildings near the edge of the sidewalk.</li> <li>• Encourage design compatibility with surrounding uses.</li> <li>• Locate parking lots to the rear or side of buildings.</li> <li>• Encourage building articulation and use of special materials to provide visual interest.</li> <li>• Promote and regulate high-quality sign materials, colors and design that are compatible with site and building design.</li> <li>• Encourage attractive water-efficient landscaping on the ground level.</li> </ul>
LUD 9.6	<b>Light and glare.</b> Minimize light and glare from new development.

## Mountain View City Code

The City of Mountain View Zoning Ordinance (Chapter 36 of the City Code) sets forth specific design guidelines, height limits, building density, building design and landscaping standards, architectural features, sign regulations, and open space and setback requirements.

The Zoning Ordinance promotes careful planning of development projects to enhance the visual environment. The City's development review process includes the review of preliminary plans, the consideration of public input at and by the Development Review Committee (DRC), Zoning Administrator, Environmental Planning Commission (EPC), and the City Council. The City's Planning Division reviews private development applications for conformance with City plans, ordinances, and policies related to zoning, urban design, subdivision, and CEQA.

The Zoning Administrator makes recommendations to the City Council for development projects located in some Precise Plan areas and makes final decisions for development, variance, and use permits. The DRC reviews the architecture and site design of new development and provides project applicants with design comments and direction. The development review process ensures the architecture and urban design of new developments would protect the City's visual environment.

### **4.1.1.2        *Existing Conditions***

The flag-shaped, 0.72-acre project site is located at 918 Rich Avenue, near the intersection of El Camino Real and Rich Avenue. From Rich Avenue, the project site frontage consists of a dirt and rock driveway entrance and overgrown shrubs. While there are sidewalks in front of the properties to the north and south of the project site on Rich Avenue, there is no sidewalk along the project site frontage. There is an approximately six-foot tall chain-link fence set in about 15 feet from the street prohibiting access into the property. The site is currently undeveloped and covered with overgrown grass and weeds. There are a few shrubs and four mature trees located on-site.

North of the project site on Rich Avenue are two-story, rectangular-shaped apartment buildings with car ports on the ground level and most of the apartment space on the second story. Private second-story balconies are located on the side of the apartment building, facing the project site. To the east of site, on the east side of Rich Avenue, are also two-story apartment buildings with wood privacy fencing with brink columns along its frontage. Minimal landscaping, including narrow lawn areas with trees and shrubs, is located along the frontage of the adjacent apartment buildings. Two-story, single-family detached houses with stucco facades and low fenced porch areas are located south of the project site on Rich Avenue. Additionally, there is a church parking lot to the south. To the west of the project site is a property developed with single-story commercial office buildings that is currently proposed for redevelopment.<sup>4</sup> A primarily single-story commercial strip mall with colonnades and colored awnings over store front windows and doors is also located to the west of the site. Photos of the project site and surrounding area are provided below (see Photos 1 to 6).

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<sup>4</sup> In February 2022, the property west of the project site, located at 1057, 1059, and 1061 El Monte Avenue, received approval for a Conditional Use Permit for a senior care facility use, a Development Review Permit to construct a four-story, 90-room senior care facility (Zoning Permit No. PL-2021-031).





**Photo 1:** View of project site facing east.



**Photo 2:** View of Rich Avenue facing south from project site driveway.





**Photo 3:** View of Rich Avenue facing north from project site driveway.



**Photo 4:** View of project site facing north.





**Photo 5:** View of project site facing west.



**Photo 6:** View of project site facing south.



The General Plan does not specify discrete scenic vistas within the City. Rather, the General Plan identifies views of the Santa Cruz Mountains to the south and west, as important to the visual character of the City.<sup>5</sup> There are no views of the Santa Cruz Mountains given the surrounding development blocking views. There are no state-designated scenic highways in Mountain View. Interstate 280 (I-280) from the San Mateo County line to State Route (SR) 17, which includes segments in Mountain View, is an eligible, but not officially designated, State Scenic Highway.<sup>6</sup>

Streetlights and other lighting are found throughout project site area. Sources of light and glare in the surrounding area are those typical in developed urban areas, including headlights, streetlights, parking lot lights, security lights, and reflective surfaces such as windows and vehicles.

#### 4.1.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
1) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? <sup>7</sup> If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Impact AES-1:** The project would not have a substantial adverse effect on a scenic vista. **(No Impact)**

As discussed in Section 4.1.1.2 Existing Conditions above, there are no scenic vistas in the project area. For this reason, the project would not impact a scenic vista. **(No Impact)**

<sup>5</sup> LSA Associates, Inc. *City of Mountain View Draft 2030 General Plan and Greenhouse Gas Reduction Program Environmental Impact Report*. November 2011.

<sup>6</sup> California Department of Transportation. "Scenic Highways." Accessed May 25, 2022.

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

<sup>7</sup> Public views are those that are experienced from publicly accessible vantage points.

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**Impact AES-2:** The project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. **(No Impact)**

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As discussed in Section 4.1.1.2 Existing Conditions, there are no state scenic highways within the City of Mountain View and the nearest eligible highway is I-280, approximately 2.6 miles southwest of the project site. The project site is not visible from I-280; therefore, the project would not impact any scenic resources within a scenic highway. **(No Impact)**

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**Impact AES-3:** The project is within an urbanized area and would not conflict with applicable zoning and other regulations governing scenic quality. **(Less than Significant Impact)**

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The project would develop the site with a five-story residential building with private patios and balconies and a rooftop deck. The four existing on-site trees would be removed and 58 new ornamental trees and shrubs would be planted along the property perimeter and within the proposed entry plaza and rooftop decks. The project would also complete the sidewalk network in front of the project site.

As discussed in Section 4.1.1.1 Regulatory Framework, Chapter 36 of the City Code sets forth specific design guidelines, height limits, building density, building design and landscaping standards, architectural features, sign regulations, and open space and setback requirements. The project would be subject to the City's development review process that includes a DRC public meeting to provide recommendations on the project design and ensure that the proposed architecture, design, and construction materials are consistent with City's visual environment.

The project would be consistent with the General Plan polices identified in Section 4.1.1.1 Regulatory Framework by:

- Undergoing the City's design review process with the DRC to ensure the development is compatible with the neighborhood character and minimize light and glare (also see the discussion under Impact AES-4 about light and glare impacts);
- Designing the fourth and fifth floors to step back in order to provide a buffer and transition to the adjacent developments;
- Providing private balconies on the upper floors with perforated metal guardrails for privacy and planters along the perimeter of the building to provide additional screening from sightlines both on and off the project site; and
- Enhancing public spaces by completing the sidewalk network along Rich Avenue.

Based on the above discussion, the proposed project would not conflict with applicable zoning and other regulations governing scenic quality. **(Less than Significant Impact)**

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**Impact AES-4:** The project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. **(Less than Significant Impact)**

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The project site is located in an urban infill area with existing light sources including lighting from surrounding buildings, residences, streetlights, and vehicles. Sources of daytime glare include building windows and vehicles. The proposed project would construct a five-story residential building, which would include exterior nighttime security lighting. The interior lighting of units at night would also add to the neighborhood nighttime illumination.

The level of lighting associated with proposed residential development would be similar to the lighting for existing, surrounding residential and commercial development. In addition, glare-producing or reflective materials (e.g., reflective glass or metal) are not proposed for the project exterior. The project exterior would be composed of composite wood siding panels and painted cement plaster. Further, the project would be subject to the design review process prior to submittal of construction drawings for a building permit. The review would ensure project lighting is directed downward and would not spillover onto adjacent properties or otherwise be highly visible, while providing adequate lighting for safety. For these reasons, the project would not create a new source of substantial light or glare. **(Less than Significant Impact)**

## 4.2 AGRICULTURE AND FORESTRY RESOURCES

### 4.2.1 Environmental Setting

#### 4.2.1.1 *Regulatory Framework*

##### State

##### Farmland Mapping and Monitoring Program

The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) assesses the location, quality, and quantity of agricultural land and conversion of these lands over time. Agricultural land is rated according to soil quality and irrigation status. The best quality land is called Prime Farmland. In CEQA analyses, the FMMP classifications and published county maps are used, in part, to identify whether agricultural resources that could be affected are present on-site or in the project area.

##### California Land Conservation Act

The California Land Conservation Act (Williamson Act) enables local governments to enter into contracts with private landowners to restrict parcels of land to agricultural or related open space uses. In return, landowners receive lower property tax assessments. In CEQA analyses, identification of properties that are under a Williamson Act contract is used to also identify sites that may contain agricultural resources or are zoned for agricultural uses.

##### Fire and Resource Assessment Program

The California Department of Forestry and Fire Protection (CAL FIRE) identifies forest land, timberland, and lands zoned for timberland production that can (or do) support forestry resources.<sup>8</sup> Programs such as CAL FIRE's Fire and Resource Assessment Program and are used to identify whether forest land, timberland, or timberland production areas that could be affected are located on or adjacent to a project site.

#### 4.2.1.2 *Existing Conditions*

While the project site is currently undeveloped, it is located in an urban, developed area of the City of Mountain View and is zoned R3-1, Multiple Family Residential. The site is designated Urban and Built-Up by the Santa Clara County Important Farmland 2016 Map, which is defined as land occupied by structures with a building density of at least one unit to 1.5 acres, or approximately six structures to a 10-acre parcel.<sup>9</sup> The site and surrounding sites are not used for agricultural or forestry purposes. The

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<sup>8</sup> Forest Land is land that can support 10 percent native tree cover and allows for management of forest resources (California Public Resources Code Section 12220(g)); Timberland is land not owned by the federal government or designated as experimental forest land that is available for, and capable of, growing trees to produce lumber and other products, including Christmas trees (California Public Resources Code Section 4526); and Timberland Production is land used for growing and harvesting timber and compatible uses (Government Code Section 51104(g)).

<sup>9</sup> California Department of Conservation. *Santa Clara County Important Farmland 2016 Map*. September 2018.

project site is not subject to a Williamson Act contract. The project site and surrounding sites do not contain any land designated as forest land, timberland, or for Timberland Production.<sup>10</sup>

**4.2.2 Impact Discussion**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>Would the project:</b>				
1) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) 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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) Result in a loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Impact AG-1:** The project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use. **(No Impact)**

The project site is not designated as farmland of any significance by the FMMP. As described in Section 4.2.1.2 Existing Conditions above, the project site and surrounding sites are designated as Urban and Built-Up Land on the Santa Clara County Important Farmland Map. For these reasons, the proposed project would not have converted designated farmland. **(No Impact)**

<sup>10</sup> “Forest Land” is defined as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. “Timberland” refers to land, other than land owned by the federal government and land designated as experimental forest land, which is available for and capable of growing a crop of commercial tree species used to produce timber or other products.

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**Impact AG-2:** The project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. **(No Impact)**

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The project site is currently zoned R3-1, Multiple Family Residential. It is not zoned for agricultural use or subject to a Williamson Act contract. Therefore, the project would not conflict with agricultural zoning or a Williamson Act contract. **(No Impact)**

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**Impact AG-3:** The project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. **(No Impact)**

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As stated previously in Section 4.2.1.2 Existing Conditions, the project site and surrounding sites are not zoned for forest land, timberland, or Timberland Production. For this reason, the proposed project would not conflict with forest land, timberland, or Timberland Production zoning. **(No Impact)**

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**Impact AG-4:** The project would not result in a loss of forest land or conversion of forest land to non-forest use. **(No Impact)**

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The project site and surrounding land uses are not used for forest land. For this reason, the project would not result in the loss or conversion of forest land. **(No Impact)**

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**Impact AG-5:** The project would not 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. **(No Impact)**

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See discussions under Impact AG-1 through Impact AG-4 above. The project site and surrounding sites are not used for agricultural uses or forest land. **(No Impact)**

### 4.3 AIR QUALITY

The following discussion is based in part on an Air Quality Assessment prepared by Illingworth & Rodkin, Inc., in December 2022. A copy of the report is included in Appendix A of this Initial Study.

#### 4.3.1 Environmental Setting

##### 4.3.1.1 *Background Information*

#### Criteria Pollutants

Air quality in the Bay Area is assessed related to six common air pollutants (referred to as criteria pollutants), including ground-level ozone (O<sub>3</sub>), nitrogen oxides (NO<sub>x</sub>), particulate matter (PM), carbon monoxide (CO), sulfur oxides (SO<sub>x</sub>), and lead.<sup>11</sup> Criteria pollutants are regulated because they result in health effects. An overview of the sources of criteria pollutants and their associated health effects are summarized in Table 4.3-1. The most commonly regulated criteria pollutants in the Bay Area are discussed further below.

<b>Table 4.3-1: Health Effects of Air Pollutants</b>		
<b>Pollutants</b>	<b>Sources</b>	<b>Primary Effects</b>
Ozone (O <sub>3</sub> )	Atmospheric reaction of organic gases with nitrogen oxides in sunlight	<ul style="list-style-type: none"> <li>• Aggravation of respiratory and cardiovascular diseases</li> <li>• Irritation of eyes</li> <li>• Cardiopulmonary function impairment</li> </ul>
Nitrogen Dioxide (NO <sub>2</sub> )	Motor vehicle exhaust, high temperature stationary combustion, atmospheric reactions	<ul style="list-style-type: none"> <li>• Aggravation of respiratory illness</li> <li>• Reduced visibility</li> </ul>
Fine Particulate Matter (PM <sub>2.5</sub> ) and Coarse Particulate Matter (PM <sub>10</sub> )	Stationary combustion of solid fuels, construction activities, industrial processes, atmospheric chemical reactions	<ul style="list-style-type: none"> <li>• Reduced lung function, especially in children</li> <li>• Aggravation of respiratory and cardiorespiratory diseases</li> <li>• Increased cough and chest discomfort</li> <li>• Reduced visibility</li> </ul>
Toxic Air Contaminants (TACs)	Cars and trucks, especially diesel-fueled; industrial sources, such as chrome platers; dry cleaners and service stations; building materials and products	<ul style="list-style-type: none"> <li>• Cancer</li> <li>• Chronic eye, lung, or skin irritation</li> <li>• Neurological and reproductive disorders</li> </ul>

High O<sub>3</sub> levels are caused by the cumulative emissions of reactive organic gases (ROG) and NO<sub>x</sub>. These precursor pollutants react under certain meteorological conditions to form high O<sub>3</sub> levels. Controlling the emissions of these precursor pollutants is the focus of the Bay Area’s attempts to reduce

<sup>11</sup> The area has attained both state and federal ambient air quality standards for CO. The project does not include substantial new emissions of sulfur dioxide or lead. These criteria pollutants are not discussed further.

O<sub>3</sub> levels. The highest O<sub>3</sub> levels in the Bay Area occur in the eastern and southern inland valleys that are downwind of air pollutant sources.

PM is a problematic air pollutant of the Bay Area. PM is assessed and measured in terms of respirable particulate matter or particles that have a diameter of 10 micrometers or less (PM<sub>10</sub>) and fine particulate matter where particles have a diameter of 2.5 micrometers or less (PM<sub>2.5</sub>). Elevated concentrations of PM<sub>10</sub> and PM<sub>2.5</sub> are the result of both region-wide emissions and localized emissions.

### **Toxic Air Contaminants**

TACs are a broad class of compounds known to have health effects. They include but are not limited to criteria pollutants. TACs are found in ambient air, especially in urban areas, and are caused by industry, agriculture, diesel 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 [DPM] near a freeway).

Diesel exhaust is the predominant TAC in urban air and is estimated to represent about three-quarters of the cancer risk from TACs. Diesel exhaust is a complex mixture of gases, vapors, and fine particles. Medium- and heavy-duty diesel trucks represent the bulk of DPM emissions from California highways. The majority of DPM is small enough to be inhaled into the lungs. Most inhaled particles are subsequently exhaled, but some deposit on the lung surface or are deposited in the deepest regions of the lungs (most susceptible to injury).<sup>12</sup> Chemicals in diesel exhaust, such as benzene and formaldehyde, have been previously identified as TACs by the California Air Resources Board (CARB).

### **Sensitive Receptors**

Some groups of people are 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 16, 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, and elementary schools.

#### **4.3.1.2 *Regulatory Framework***

##### **Federal and State**

###### Clean Air Act

At the federal level, the United States Environmental Protection Agency (EPA) is responsible for overseeing implementation of the Clean Air Act and its subsequent amendments. The federal Clean Air Act requires the EPA to set national ambient air quality standards for the six common criteria pollutants (discussed previously), including PM, O<sub>3</sub>, CO, SO<sub>x</sub>, NO<sub>x</sub>, and lead.<sup>13</sup> CARB is the state

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<sup>12</sup> California Air Resources Board. "Overview: Diesel Exhaust and Health." Accessed January 12, 2021. <https://www.arb.ca.gov/research/diesel/diesel-health.htm>.

<sup>13</sup> The area has attained both state and federal ambient air quality standards for CO. The project does not include substantial new emissions of sulfur dioxide or lead. These criteria pollutants are not discussed further.



agency that regulates mobile sources throughout the state and oversees implementation of the state air quality laws and regulations, including the California Clean Air Act. The EPA and the CARB have adopted ambient air quality standards establishing permissible levels of these pollutants to protect public health and the climate. Violations of ambient air quality standards are based on air pollutant monitoring data and are determined for each air pollutant. Attainment status for a pollutant means that a given air district meets the standard set by the EPA and/or CARB.

### Risk Reduction Plan

To address the issue of diesel emissions in the state, CARB developed the Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles. In addition to requiring more stringent emission standards for new on-road and off-road mobile sources and stationary diesel-fueled engines to reduce particulate matter emissions by 90 percent, the plan involves application of emission control strategies to existing diesel vehicles and equipment to reduce DPM (in addition to other pollutants). Implementation of this plan, in conjunction with stringent federal and CARB-adopted emission limits for diesel fueled vehicles and equipment (including off-road equipment), will significantly reduce emissions of DPM and NO<sub>x</sub>.

## **Regional**

### 2017 Clean Air Plan

The Bay Area Air Quality Management District (BAAQMD) is the agency primarily responsible for assuring that the federal and state ambient air quality standards are maintained in the San Francisco Bay Area. Regional air quality management districts, such as BAAQMD, must prepare air quality plans specifying how state and federal air quality standards will be met. BAAQMD's most recently adopted plan is the Bay Area 2017 Clean Air Plan (2017 CAP). The 2017 CAP focuses on two related BAAQMD goals: protecting public health and protecting the climate. To protect public health, the 2017 CAP describes how BAAQMD will continue its progress toward attaining state and federal air quality standards and eliminating health risk disparities from exposure to air pollution among Bay Area communities. To protect the climate, the 2017 CAP includes control measures designed to reduce emissions of methane and other super-greenhouse gases (GHGs) that are potent climate pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.<sup>14</sup>

### 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. Jurisdictions in the San Francisco Bay Area Air Basin utilize the thresholds and methodology for assessing air quality impacts developed by BAAQMD within their CEQA Air Quality Guidelines. The guidelines include information on legal requirements, BAAQMD rules, methods of analyzing impacts, and recommended mitigation measures.

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<sup>14</sup> BAAQMD. *Final 2017 Clean Air Plan*. April 19, 2017. <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>.

## Local

### City of Mountain View 2030 General Plan

General Plan policies related to air quality applicable to the proposed project include the following listed below.

Policy	Description
INC 20.6	<b>Air quality standards.</b> Protect the public and construction workers from construction exhaust and particulate emissions.
INC 20.7	<b>Protect sensitive receptors.</b> Protect the public from substantial pollutant concentrations.
INC 20.8	<b>Offensive odors.</b> Protect residents from offensive odors.
MOB 9.2	<b>Reduced vehicle miles traveled.</b> Support development and transportation improvements that help reduce greenhouse gas emissions by reducing per capita VMT.
MOB 10.2	<b>Reducing travel demand.</b> Promote effective Transportation Demand Management programs for existing and new development.

#### 4.3.1.3 *Existing Conditions*

The Bay Area is considered a non-attainment area for ground-level O<sub>3</sub> and PM<sub>2.5</sub> under both the federal Clean Air Act and state Clean Air Act. The area is also considered non-attainment for PM<sub>10</sub> under the state act, but not the federal act. The area has attained both state and federal ambient air quality standards for CO. As part of an effort to attain and maintain ambient air quality standards for O<sub>3</sub> and PM<sub>10</sub>, BAAQMD has established thresholds of significance for these air pollutants and their precursors. These thresholds are for O<sub>3</sub> precursor pollutants (ROG and NO<sub>x</sub>), PM<sub>10</sub>, and PM<sub>2.5</sub>, and apply to both construction period and operational period impacts.

Since the project site is undeveloped, it generates little if any air pollutant emissions. The nearest sensitive receptors to the project site are the residences north, east, and south of the project site. A children's daycare is also located approximately 200 feet southwest of the project site.

#### 4.3.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
4) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Pursuant to CEQA Guidelines Section 15064(b), the determination of whether a project may have a significant effect on the environment calls for judgment on the part of the lead agency and must be based to the extent possible on scientific and factual data. The City of Mountain View has considered the air quality thresholds updated by BAAQMD in May 2017 and regards these thresholds to be based on the best information available for the San Francisco Bay Area Air Basin and conservative in terms of the assessment of health effects associated with TACs and PM<sub>2.5</sub>. The BAAQMD CEQA Air Quality thresholds are identified in Table 4.3-2.

Pollutant	Construction Thresholds	Operation Thresholds	
	Average Daily Emissions (pounds/day)	Annual Daily Emissions (pounds/year)	Annual Average Emissions (tons/year)
<b>Criteria Air Pollutants</b>			
ROG, NO <sub>x</sub>	54	54	10
PM <sub>10</sub>	82 (exhaust)	82	15
PM <sub>2.5</sub>	54 (exhaust)	54	10
CO	Not Applicable	9.0 ppm (eight-hour) or 20.0 ppm (one-hour)	
Fugitive Dust	Dust Control Measures/Best Management Practices	Not Applicable	
<b>Health Risks and Hazards for New Sources (within a 1,000-foot Zone of Influence)</b>			
Health Hazard	Single Source	Combined Cumulative Sources	
Excess Cancer Risk	>10 per one million	>100 per one million	
Hazard Index	>1.0	>10.0	
Incremental Annual PM <sub>2.5</sub>	>0.3 µg/m <sup>3</sup>	>0.8 µg/m <sup>3</sup> (average)	
Note: ROG = reactive organic gases, NO <sub>x</sub> = nitrogen oxides, PM <sub>10</sub> = coarse particulate matter or particulates with an aerodynamic diameter of 10 micrometers (µm) or less, PM <sub>2.5</sub> = fine particulate matter or particulates with an aerodynamic diameter of 2.5µm or less. GHG = greenhouse gases. µg/m <sup>3</sup> = micrograms per cubic meter air.			

**Impact AIR-1:** The project would not conflict with or obstruct implementation of the applicable air quality plan. **(Less than Significant Impact with Mitigation Incorporated)**

The project would not conflict with the 2017 CAP because it is considered an urban infill development project, and would be served by existing multi-modal facilities including bicycle paths and transit with regional connections (refer to Section 4.17 Transportation for more details about the existing bicycle and transit facilities in the project area). In addition, the project would have emissions below the BAAQMD thresholds, as discussed below. Thus, the project is not required to incorporate project-specific control measures listed in the 2017 CAP. Further, implementation of the project would not inhibit BAAQMD or partner agencies from continuing progress toward attaining state and federal air quality standards and eliminating health-risk disparities from exposure to air pollution among Bay Area communities, as described within the 2017 CAP. **(Less than Significant Impact)**

### Construction Period Emissions

The California Air Pollution Control Officers Association’s California Emissions Estimator Model (CalEEMod) computes annual emissions for construction of projects based on the project type, size, and acreage. CalEEMod provides emission estimates for both on-site and off-site construction activities. On-site activities are primarily made up of construction equipment emissions, while off-site activities include worker and truck traffic. The CalEEMod modeling of project-generated construction emissions was based on the applicant-provided schedule and equipment usage assumptions. It is estimated that the project would be built over a period of approximately 15 months.

Table 4.3-3 below shows project’s estimated average daily construction emissions of ROG, NO<sub>x</sub>, PM<sub>10</sub> exhaust, and PM<sub>2.5</sub> exhaust.

<b>Table 4.3-3: Construction Period Emissions (pounds/day)</b>				
<b>Year</b>	<b>ROG</b>	<b>NO<sub>x</sub></b>	<b>PM<sub>10</sub> Exhaust</b>	<b>PM<sub>2.5</sub> Exhaust</b>
2023 (171 construction workdays)	0.27	2.43	0.12	0.10
2024 (143 construction workdays)	4.48	3.07	0.16	0.13
<i>BAAQMD Thresholds (pounds per day)</i>	<i>54</i>	<i>54</i>	<i>82</i>	<i>54</i>
<b>Exceed Threshold?</b>	No	No	No	No
Source: Illingworth & Rodkin, Inc. <i>918 Rich Avenue Residential Development Construction Community Risk Assessment</i> . December 19, 2022.				

As shown in Table 4.3-3, predicted construction period emissions would not exceed the BAAQMD significance thresholds. Additionally, the project would implement BAAQMD best management practices (BMPs) as a standard condition of approval, to reduce fugitive dust emissions.

Standard Condition of Approval, with project-specific additions and recommendations from BAAQMD:

- **AIR QUALITY CONSTRUCTION MEASURES:** The applicant shall require all construction contractors to implement the basic construction mitigation measures recommended by BAAQMD to reduce fugitive dust emissions. There shall be a designated on-site coordinator and monitor to ensure implementation of the below dust control measures. Emission reduction measures shall include, at a minimum, the following measures which also include additional measures identified in the project-specific air quality analysis and by BAAQMD:
  - When the air quality index forecast exceeds 100 for particulates for the project area and the reading exceeds 100 for particulates by 10:00 a.m. for the project area, prohibit grading activities for that day.
  - All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered at a frequency of no less than two times per day in order to maintain adequate soil moisture for dust control. Moisture content can be verified by lab samples or moisture probe.
  - Minimize the amount of excavated material or waste materials stored at the site or cover them with tarpaulin.
  - All haul trucks transporting soil, sand, or other loose material off-site shall be covered and loaded material shall not extend above the walls or back of the truck bed.
  - All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
  - All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
  - All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
  - Prohibit off-road diesel-powered equipment from being in the “on” position for more than 10 hours per day.
  - Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measures Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
  - All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
  - Post a publicly visible sign with the telephone number and person to contact at the City of Mountain View and the on-site coordinator/monitor regarding dust complaints. The on-site coordinator/monitor shall respond and take corrective action within 48 hours. BAAQMD’s phone number will also be visible to ensure compliance with applicable regulations.

- All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph and visible dust extends beyond site boundaries.
- Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction adjacent to sensitive receptors. Wind breaks should have at maximum 50 percent porosity.
- Where applicable, vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
- Excavation, grading, and ground-disturbing construction activities shall be phased in accordance with the phasing plan to reduce the amount of disturbed surfaces at any one time.
- Avoid tracking of visible soil material on the public roadways by employing the following measures if necessary: (1) Site accesses to a distance of 100 feet from public paved roads shall be treated with 6 to 12-inch compacted layer of wood chips, mulch, or gravel and (2) washing truck tires and construction equipment of soil prior to leaving the site.
- Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent.

The BAAQMD CEQA Air Quality Guidelines consider construction criteria air pollutant emissions impacts that are below BAAQMD thresholds to be less than significant with the incorporation of BAAQMD BMPs (listed above as a standard conditions of approval). **(Less than Significant Impact)**

### **Operational Period Emissions**

Operational air pollutant emissions from the project would be generated primarily from vehicles driven by future residents and visitors. The BAAQMD CEQA Air Quality Guidelines contain screening thresholds for operational criteria air pollutants. If a project is below the screening threshold, it is assumed to have less than significant operational criteria air pollutant emissions. The BAAQMD screening threshold for the proposed project (mid-rise apartment) is 494 dwelling units.<sup>15</sup> The project proposes to construct 32 dwelling units, which is below the BAAQMD screening threshold; therefore, the project would have less than significant operational period emissions. **(Less than Significant Impact)**

### **Community Health Risk**

Projects may result in impacts due to increased community health risk by introducing new sources of pollutant emissions during either construction or operation, or by introducing new sensitive receptors, including residents, to TAC emissions from existing sources. The latter is discussed under Section 4.3.3 Non-CEQA Effects.

Project operation is not expected to result in localized air pollutant emissions or TACs, due to the low daily truck traffic estimated for the project, and the absence of any stationary emissions sources, such

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<sup>15</sup> Bay Area Air Quality Management District. *CEQA Air Quality Guidelines*. May 2017. Page 3-2.

as generators. In addition, automobile traffic associated with the project would be spread out geographically, and emissions would not be localized.

### Construction Health Risk

Construction equipment and associated heavy-duty truck traffic generates diesel exhaust, which is a known TAC. The primary community risk impact issue associated with construction emissions are cancer risk and exposure to PM<sub>2.5</sub>. Community risk impacts are addressed by predicting increased lifetime cancer risk, the increase in annual PM<sub>2.5</sub> concentrations and computing the Hazard Index (HI) for non-cancer health risks. The maximum modeled annual DPM and PM<sub>2.5</sub> concentrations, which includes both the DPM and fugitive PM<sub>2.5</sub> concentrations, were identified at nearby sensitive receptors, including the maximally exposed individual (MEI). The construction off-site MEI is shown on Figure 4.3-1.

Table 4.3-4 summarizes the maximum cancer risks, PM<sub>2.5</sub> concentrations, and HI for project related construction activities affecting the off-site MEI. The unmitigated maximum increased cancer risk from construction exceeds the BAAQMD single-source thresholds of greater than 10.0 per million. The maximum computed PM<sub>2.5</sub> concentration and HI do not exceed the BAAQMD single-source thresholds of greater than 0.3 µg/m<sup>3</sup> and 1.0, respectively. The health risk at other nearby sensitive receptors would be lower than at the MEI. For example, the unmitigated maximum increased cancer risks, PM<sub>2.5</sub> concentration, and HI at the St. Paul Lutheran Child Development Center Daycare are estimated to be 3.00 in a million, 0.03 µg/m<sup>3</sup>, and 0.05, respectively. All are below BAAQMD single-source thresholds.

<b>Table 4.3-4: Construction Health Risk Impacts at the Off-Site MEIs</b>				
<b>Source</b>		<b>Cancer Risk* (per million)</b>	<b>Annual PM<sub>2.5</sub>* (µg/m<sup>3</sup>)</b>	<b>Hazard Index</b>
<b>Project Construction - MEI</b>				
Unmitigated		<b>22.16</b>	0.07	0.01
Mitigated**		2.79	0.00	<0.01
<i>BAAQMD Single-Source Threshold</i>		>10.0	>0.3	>1.0
<b>Exceed Threshold?</b>	Unmitigated	<b>Yes</b>	No	No
	Mitigated**	No	No	No
<b>Project Construction – St. Paul Lutheran Child Development Center Daycare</b>				
Unmitigated		3.00	0.03	<0.01
<i>BAAQMD Single-Source Threshold</i>		>10.0	>0.3	>1.0
<b>Exceed Threshold?</b>	Unmitigated	No	No	No
* The cancer risk MEI and PM <sub>2.5</sub> concentration MEI are located at different receptors. ** Assumes implementation of mitigation measure MM AQ-1.1 and standard conditions of approval listed in Impact AIR-1 Source: Illingworth & Rodkin, Inc. 918 Rich Avenue Residential Development Construction Community Risk Assessment. December 19, 2022.				





**Legend**

- Mitigated PM<sub>2.5</sub> MEI
- Unmitigated MEI & Mitigated Cancer Risk MEI
- Offsite Receptors
- St Paul Lutheran Child Development Center Daycare Receptors
- Project Site

LOCATION OF OFF-SITE MEI

FIGURE 4.3-1

### Mitigation Measure:

**MM AIR-1.1:** The project shall develop a plan demonstrating that the off-road equipment used onsite to construct the project would achieve a fleet-wide average 60-percent reduction in DPM exhaust emissions or greater. One feasible plan to achieve this reduction would include the following:

- All construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 emission standards for PM (PM<sub>10</sub> and PM<sub>2.5</sub>), if feasible, otherwise:
  - If use of Tier 4 equipment is not available, alternatively use equipment that meets U.S. EPA emission standards for Tier 3 engines and include particulate matter emissions control equivalent to CARB verifiable diesel emission control devices that altogether achieve a 60 percent reduction in particulate matter exhaust in comparison to uncontrolled equipment; alternatively (or in combination).
  - Provide line power (electrical or non-diesel) to the site during the early phases of construction to minimize the use of diesel-powered stationary equipment.
- Alternatively, the applicant may develop another construction operations plan demonstrating that the construction equipment used on-site would achieve a reduction in construction diesel particulate matter emissions by 60 percent or greater. Such construction operations plan would be subject to review by an air quality expert and approved by the City prior to construction.

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

### Standard Condition of Approval:

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

The project's construction health risk was modeled assuming the implementation of mitigation measure MM AQ-1.1 and the City's standard conditions of approval identified under Impact AIR-1, and the results show that the project's maximum cancer risk from construction would no longer exceed their respective significance thresholds. **(Less than Significant Impact with Mitigation Incorporated)**

## Cumulative Community Health Risk

The geographic area for cumulative health risk impacts to sensitive receptors is within 1,000 feet of the project site. This distance is recommended by BAAQMD because adverse effects are the greatest within this distance. At further distances, health risk diminishes. A review of the project area indicated existing sources of TACs within 1,000 feet of the project site with the potential to affect the MEI and include El Camino Real and El Monte Avenue (high-volume roadways) and one stationary source (gas station). In addition, construction of the previously approved 1057 El Monte Avenue project, located 150 feet northwest of the project, is assumed to overlap with construction of the proposed project.<sup>16</sup> Table 4.3-5, below, summarizes the cumulative community risk at the off-site MEI from project construction, vehicles traveling on El Camino Real and El Monte Avenue, stationary source emissions, and overlapping construction of the 1057 El Monte Avenue project. The results show cumulative community risk at the off-site MEI would not exceed the cumulative-source threshold for cancer risk, PM<sub>2.5</sub>, or HI. **(Less than Significant Impact)**

<b>Table 4.3-5: Health Risk Impacts from Combined Sources at Off-Site Construction MEI</b>				
<b>Source</b>		<b>Cancer Risk (per million)</b>	<b>Annual PM<sub>2.5</sub> (µg/m<sup>3</sup>)</b>	<b>Hazard Index</b>
Project Construction				
Unmitigated		<b>22.16</b>	0.07	0.01
Mitigated*		2.79	0.02	<0.01
El Monte Avenue		0.63	0.05	<0.01
El Camino Real		0.96	0.09	<0.01
El Monte Chevron (Facility ID #109068, Gas Dispensing Facility)		0.29	--	<0.01
1057 El Monte Avenue Mitigated Construction Emissions		<10.0	<0.3	<1.0
Cumulative Total				
Unmitigated		34.04	0.51	<1.04
Mitigated*		14.67	0.46	<1.04
<i>BAAQMD Cumulative-Source Threshold</i>		<i>&gt;100</i>	<i>&gt;0.8</i>	<i>&gt;10.0</i>
<b>Exceed Threshold?</b>				
Unmitigated		No	No	No
Mitigated*		No	No	No
* Assumes implementation of mitigation measure MM AQ-1.1 and standard conditions of approval listed in Impact AIR-1				
Source: Illingworth & Rodkin, Inc. 918 Rich Avenue Residential Development Construction Community Risk Assessment. December 19, 2022.				

<sup>16</sup> The 1057 El Monte Avenue project would demolish three existing structures and construct a senior housing community with 90 assisted living and memory care rooms in a four-story building with below-grade parking.

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**Impact AIR-2:** The project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. **(Less than Significant Impact)**

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As discussed in Section 4.3.1.3 Existing Conditions, the Bay Area is considered a non-attainment area for ground-level O<sub>3</sub>, PM<sub>2.5</sub>, and PM<sub>10</sub> under federal and/or state acts. As part of an effort to attain and maintain ambient air quality standards for O<sub>3</sub> and PM<sub>10</sub>, BAAQMD has established thresholds of significance for these air pollutants and their precursors. These thresholds are for O<sub>3</sub> precursor pollutants (ROG and NO<sub>x</sub>), PM<sub>10</sub>, and PM<sub>2.5</sub>, and apply to both construction period and operational period impacts. The project's construction and operational period air pollutant emissions were estimated and discussed under Impact AIR-1. As discussed under Impact AIR-1, the project's construction period emissions would be below the BAAQMD thresholds of significance and the project's operational period emissions are screened out (i.e., assumed to be less than significant); therefore, the project would have a less than significant increase in criteria pollutants with the implementation of the identified standard condition of approval (i.e., BAAQMD BMPs). **(Less than Significant Impact)**

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**Impact AIR-3:** The project would not expose sensitive receptors to substantial pollutant concentrations. **(Less than Significant Impact with Mitigation Incorporated)**

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### **Health Effects from Project Criteria Air Pollutant Emissions**

In a 2018 decision (*Sierra Club v. County of Fresno*), the state Supreme Court determined CEQA requires that when a project's criteria air pollutant emissions would exceed applicable thresholds and contribute a cumulatively considerable contribution to a significant cumulative regional criteria pollutant impact, the potential for the project's emissions to affect human health in the air basin must be disclosed. State and federal ambient air quality standards are health-based standards, and exceedances of those standards result in continued unhealthy levels of air pollutants. As stated in the 2017 BAAQMD CEQA Air Quality Guidelines, air pollution by its nature is largely a cumulative impact. No single project is sufficient in size, by itself, to result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. In developing thresholds of significance for air pollutants, BAAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project has a less than significant impact for criteria pollutants, it is assumed to have no adverse health effect.

As discussed under Impact AIR-1, the project would not generate significant amounts of criteria air pollutant emissions during construction or operation. For this reason, the project's less than significant criteria air pollution emissions is concluded to have no adverse health effect. **(Less than Significant Impact)**

## Community Health Risk

As discussed under Impact AIR-1, the project with the implementation of mitigation measure MM AIR-1.1 would not result in significant community health risk. **(Less than Significant Impact with Mitigation Incorporated)**

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**Impact AIR-4:** The project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. **(Less than Significant Impact)**

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The project would generate localized emissions of diesel exhaust during construction equipment operation and truck activity. These emissions may be noticeable by adjacent receptors; however, the odors from these emissions would be localized and temporary and would not affect a substantial number of people. Additionally, the project would implement BAAQMD BMPs as a standard condition of approval under Impact AIR-1, which include measures that would reduce odor generated during construction. For these reasons, implementation of the proposed project would not result in significant odors affecting a substantial number of people. **(Less than Significant Impact)**

### 4.3.3 Non-CEQA Effects

Per *California Building Industry Association v. Bay Area Air Quality Management District*, 62 Cal. 4th 369 (*BIA v. BAAQMD*), effects of the environment on the project are not considered CEQA impacts. The following discussion about the exposure of project residents to existing TAC sources is included for informational purposes only because the City of Mountain View has policies (including General Plan Policies INC 20.6 and INC 20.7) that address existing air quality conditions affecting a proposed project.

In addition to evaluating health impacts from project construction and operation on existing sensitive receptors, a health risk assessment was completed to analyze the effect of existing TAC sources on future residents of the proposed project. The health risk to project residents from vehicles on El Camino Real, El Monte Avenue, stationary sources, and construction of the 1057 El Monte Avenue project were evaluated and the results are shown in Table 4.3-6.<sup>17</sup> No other mobile or stationary sources of TACs were identified within the 1,000 feet of the project site.

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<sup>17</sup> In order to provide a conservative analysis, the 1057 El Monte Avenue project was assumed to be constructed after the proposed project is operational and occupied.



<b>Table 4.3-6: Health Risk Effects from Combined Sources on Project Residents</b>			
<b>Source</b>	<b>Maximum Cancer Risk (per million)</b>	<b>Maximum Annual PM<sub>2.5</sub> (µg/m<sup>3</sup>)</b>	<b>Maximum Hazard Index</b>
El Monte Avenue	1.36	0.08	<0.01
El Camino Real	2.22	0.13	<0.01
El Monte Chevron (Facility ID #109068, Gas Dispensing Facility)	0.55	--	<0.01
1057 El Monte Avenue Mitigated Construction Emissions	<10.0	<0.3	<1.0
<i>BAAQMD Single-Source Threshold</i>	<i>&gt;10.0</i>	<i>&gt;0.3</i>	<i>&gt;1.0</i>
<b>Exceed Threshold?</b>	No	No	No
Cumulative Total	<14.13	<0.51	<1.03
<i>BAAQMD Cumulative Source Threshold</i>	<i>&gt;100</i>	<i>&gt;0.8</i>	<i>&gt;10.0</i>
<b>Exceed Threshold?</b>	No	No	No

As shown in Table 4.3-6 above, cancer risk, PM<sub>2.5</sub>, and HI from El Camino Real does not exceed BAAQMD's the single- or cumulative thresholds.

## 4.4 BIOLOGICAL RESOURCES

The following discussion is based on an Arborist Report prepared by HMM in May 2022. A copy of this report is included in Appendix B of this Initial Study.

### 4.4.1 Environmental Setting

#### 4.4.1.1 *Regulatory Framework*

##### **Federal and State**

##### Endangered Species Act

Individual plant and animal species listed as rare, threatened, or endangered under state and federal Endangered Species Acts are considered special-status species. Federal and state endangered species legislation has provided the United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) with a mechanism for conserving and protecting plant and animal species of limited distribution and/or low or declining populations. Permits may be required from both the USFWS and CDFW if activities associated with a proposed project would result in the take of a species listed as threatened or endangered. 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” these species. Take is more broadly defined by the federal Endangered Species Act to include harm of a listed species.

In addition to species listed under state and federal Endangered Species Acts, Sections 15380(b) and (c) of the CEQA Guidelines provide that all potential rare or sensitive species, or habitats capable of supporting rare species, must be considered as part of the environmental review process. These may include plant species listed by the California Native Plant Society and CDFW-listed Species of Special Concern.

##### Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) prohibits killing, capture, possession, or trade of migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. Hunting and poaching are also prohibited. The taking and killing of birds resulting from an activity is not prohibited by the MBTA when the underlying purpose of that activity is not to take birds.<sup>18</sup> Nesting birds are considered special-status species and are protected by the USFWS. The CDFW also protects migratory and nesting birds under California Fish and Game Code Sections 3503, 3503.5, and 3800. The CDFW defines taking as causing abandonment and/or loss of reproductive efforts through disturbance.

##### Sensitive Habitat Regulations

Wetland and riparian habitats are considered sensitive habitats under CEQA. They are also afforded protection under applicable federal, state, and local regulations, and are generally subject to regulation

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<sup>18</sup> United States Department of the Interior. “Memorandum M-37050. The Migratory Bird Treaty Act Does Not Prohibit Incidental Take.” Accessed November 22, 2020. <https://www.doi.gov/sites/doi.gov/files/uploads/m-37050.pdf>.

by the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), CDFW, and/or the USFWS under provisions of the federal Clean Water Act (e.g., Sections 303, 304, 404) and State of California Porter-Cologne Water Quality Control Act.

Fish and Game Code Section 1602

Streambeds and banks, as well as associated riparian habitat, are regulated by the CDFW per Section 1602 of the Fish and Game Code. Work within the bed or banks of a stream or the adjacent riparian habitat requires a Streambed Alteration Agreement from the CDFW.

**Regional and Local**

City of Mountain View 2030 General Plan

General Plan policies related to biological resources and are applicable to the project include the following.

Policy	Description
INC 16.3	<b>Habitat.</b> Protect and enhance nesting, foraging and habitat for special-status species and other wildlife.
INC 16.6	<b>Built environment habitat.</b> Integrate biological resources, such as green roofs and native landscaping, into the built environment.

Mountain View City Code

The City of Mountain View City Code includes a Tree Preservation Ordinance to protect all trees designated as Heritage trees (Chapter 32, Article 2 of the City Code). A Heritage tree is defined as any one of the following:

- A tree which has a trunk with a circumference of 48 inches or more measured at 54 inches above natural grade;
- A multi-branched tree which has major branches below 54 inches above the natural grade with a circumference of 48 inches measured just below the first major trunk fork.
- Any *Quercus* (oak), *Sequoia* (redwood), or *Cedrus* (cedar) tree with a circumference of 12 inches or more when measured at 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 heritage tree removal permit is required from the City of Mountain View for the removal of Heritage trees.

**4.4.1.2 Existing Conditions**

While the project site is undeveloped, it is surrounded on all sides by urban development. Overgrown grasses and weeds sparsely cover the project site and do not serve as wildlife habitat to any special-status species. The property does not contain a wildlife nursery site, sensitive habitats, or waters/wetlands, nor is it suitable as a wildlife corridor. The nearest waterway is Permanente Creek

and it is approximately 650 feet east of the project site. Urban development (roadways, buildings, parking lots) are located between the project site and Permanente Creek.

### Special-Status Plants

According to the California Natural Diversity Database (CNDDDB), there is one special-status plant species that has been recorded to occur within the Mountain View topographic quadrangle.<sup>19</sup> This federally endangered plant, the California seablite (*Suaeda californica*), does not occur on-site as it grows in restricted areas within the intertidal zone of salt marshes. There are no salt marshes on or near the project site.

### Special-Status Wildlife Species

According to the CNDDDB, there are five special-status wildlife species that have been recorded to occur within the Mountain View topographic quadrangle.<sup>20</sup> These include the western bumble bee (*Bombus occidentalis*), bald eagle (*Haliaeetus leucocephalus*), California least tern (*Sternula antillarum browni*), California Ridgways rail (*Rallus obsoletus obsoletus*), and the salt-marsh harvest mouse (*reithrodontomys raviventris*). Western bumble bees depend on habitats with rich floral resources throughout the nesting season.<sup>21</sup> Bald eagles winter in California and typically found near lakes, reservoirs, rivers, and some rangelands and coastal wetlands.<sup>22</sup> The California least tern and California Ridgways rail are found along freshwater or saltwater marshes. The salt-marsh harvest mouse is found along saltwater marshes. There are no floral resources or freshwater or saltwater marshes on-site; therefore, there is no suitable habitat for western bumble bees, California least tern, California Ridgways rail, or salt-marsh harvest mouse. Bald eagles could potentially nest in nearby trees.

### Trees

There are four trees on-site located along the southern boundary. There are two coast live oaks (*Quercus agrifolia*), one Chinese elm (*Ulmus parvifolia*), and one London plane tree (*Platanus x hispanica*).<sup>23</sup> The trees are in poor to good condition. The two coast live oaks qualify as Heritage trees, per the City's tree preservation ordinance. Additional off-site trees are adjacent to the project site and would not be removed as part of the project.

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<sup>19</sup> California Department of Fish and Wildlife. "CNDDDB Maps and Data." Accessed January 24, 2023. <https://wildlife.ca.gov/Data/CNDDDB/Maps-and-Data#43018410-cnddb-quickview-tool>.

<sup>20</sup> Ibid.

<sup>21</sup> Washington Department of Fish and Wildlife. "Western Bumble Bee". Accessed January 24, 2023. <https://wdfw.wa.gov/species-habitats/species/bombus-occidentalis#desc-range>.

<sup>22</sup> California Department of Fish and Wildlife. "Bald Eagles in California". Accessed January 24, 2023. <https://wildlife.ca.gov/Conservation/Birds/Bald-Eagle#:~:text=Bald%20eagles%20in%20winter%20may,reservoirs%2C%20lakes%2C%20and%20rivers..>

<sup>23</sup> There was previously a fifth tree on-site that was dead and has been subsequently removed; therefore, it is not described as part of the existing conditions on-site.

**4.4.2 Impact Discussion**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Impact BIO-1:** The project would not 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 CDFW or USFWS. **(Less than Significant Impact)**

**Special-Status Species**

As discussed in Section 4.4.1.2 Existing Conditions, given the urbanized nature of the project site and surrounding area, there are no sensitive habitats or special-status species on or adjacent to the project site. The project site contains four trees, which would be removed as part of the project. The trees could



provide nesting habitat for birds, including migratory birds and raptors. Nesting birds are protected under provisions of the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503, 3503.5, and 2800.

Construction of the project during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes abandonment and/or loss of reproductive effort is considered a taking by the CDFW. Any loss of fertile eggs, nesting raptors, or any activities resulting in nest abandonment would constitute an impact. Construction activities such as tree removal and site grading that disturb a nesting bird or raptor on-site or immediately adjacent to the construction zone would also constitute an impact.

In compliance with the MBTA and the CDFW code, the proposed project shall implement the following City standard conditions of approval, to reduce or avoid construction-related impacts to nesting raptors and their nests.

Standard Condition of Approval:

- PRECONSTRUCTION NESTING BIRD SURVEY: To the extent practicable, vegetation removal and construction activities shall be performed from September 1 through January 31 to avoid the general nesting period for birds. If construction or vegetation removal cannot be performed during this period, preconstruction surveys shall be performed no more than seven days prior to construction activities to locate any active nests as follows:
  - The applicant shall be responsible for the retention of a qualified biologist to conduct a survey of the project site and surrounding 500 feet for active nests—with particular emphasis on nests of migratory birds—if construction (including site preparation) begins during the bird nesting season, from February 1 through August 31. If active nests are observed on either the project site or the surrounding area, the qualified biologist, in coordination with the appropriate City staff, shall establish no-disturbance buffer zones around the nests (usually 100' for perching birds and 300' for raptors). The no-disturbance buffer shall remain in place until the biologist determines the nest is no longer active or the nesting season ends. If construction ceases for two days or more and then resumes during the nesting season, an additional survey shall be completed to avoid impacts on active bird nests that may be present.

The project, with the implementation of the above standard condition of approval would reduce impacts to nesting birds to a less than significant level by either starting construction outside of the nesting bird season (which would avoid impacts to nesting birds) or if construction would occur during the nesting season, completing surveys and establishing buffer zones around nesting birds to protect them until the nest is no longer active or the nesting season ends. **(Less than Significant Impact)**

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**Impact BIO-2:** The project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS. **(No Impact)**

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The project site is currently undeveloped and covered with overgrown grass and weeds. A few shrubs and trees are located along the perimeter of the site. The site is surrounded by development on all sides. There are no sensitive habitats, including riparian habitat or areas of high biological diversity, areas providing important wildlife habitat, or unusual or regionally restricted habitat types on or adjacent to the site. For these reasons, the proposed development of the project site would have no impact on riparian habitat or other sensitive natural community. **(No Impact)**

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**Impact BIO-3:** The project would not have a substantial adverse effect on state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means. **(No Impact)**

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As described in Section 4.4.1.2 Existing Conditions, there are no state or federally protected wetlands on or adjacent to the project site. The proposed project, therefore, would not impact wetlands. **(No Impact)**

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**Impact BIO-4:** The project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. **(Less than Significant Impact)**

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Because the project site is surrounded by urban development, the site provides minimal dispersal habitat for native wildlife and does not function as a wildlife movement corridor. As discussed above, under Impacts BIO-2 and BIO-3, there are no riparian or wetland habitats on or adjacent to the site. The project would implement the standard condition of approval under Impact BIO-1 to protect nesting birds, if present during construction. The project would, therefore, not substantially interfere with the movement of fish or wildlife species, nor interfere with established corridors or wildlife nursery sites. **(Less than Significant Impact)**

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**Impact BIO-5:** The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. **(Less than Significant Impact)**

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### General Plan Policies

The project would be consistent with General Plan policies INC 16.3 and 16.6 by:

- Implementing preconstruction nesting bird surveys to protect special-status bird species; and
- Providing a rooftop deck with landscaping and planting California native plants.

Based on the above discussion, the project would not conflict with General Plan policies related to biological resources. **(Less than Significant Impact)**

### **Tree Preservation Ordinance**

The project proposes the removal of four trees (including two Heritage trees) on-site and would plant 58 new trees. The City of Mountain View's Tree Preservation Ordinance requires a permit to remove any Heritage trees. The proposed project would implement the following City standard conditions of approval to comply with the City's Tree Preservation Ordinance.

#### Standard Conditions of Approval:

- **REPLACEMENT:** The applicant shall offset the loss of each Heritage tree with a minimum of two new trees. Each replacement tree shall be no smaller than a 24-inch box and shall be noted on the landscape plans submitted for building permit review as Heritage replacement trees.
- **TREE PROTECTION MEASURES:** The tree protection measures listed in the arborist's report prepared by HMM and dated May 3, 2022 shall be included as notes on the title sheet of all grading and landscape plans. These measures shall include, but may not be limited to, six-foot chain link fencing at the drip line, a continuous maintenance and care program, and protective grading techniques. Also, no materials may be stored within the drip line of any tree on the project site.
- **TREE MITIGATION AND PRESERVATION PLAN:** The applicant shall develop a tree mitigation and preservation plan to avoid impacts on regulated trees and mitigate for the loss of trees that cannot be avoided. The plan shall also outline measures to be taken to preserve off-site trees. Routine monitoring for the first five years and corrective actions for trees that consistently fail the performance standards shall be included in the tree mitigation and preservation plan. The tree mitigation and preservation plan shall be developed in accordance with Chapter 32, Articles I and II, of the City Code, and subject to approval of the Zoning Administrator prior to removal or disturbance of any Heritage trees resulting from project activities, including site preparation activities.

With implementation of the above standard condition of approval, the proposed project would not conflict with the City's tree preservation ordinance. **(Less than Significant Impact)**

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**Impact BIO-6:** The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. **(No Impact)**

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The project site is not within an adopted Habitat Conservation Plan or Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. **(No Impact)**

## 4.5 CULTURAL RESOURCES

The following discussion is based on an archaeological literature review completed by Archaeological/Historical Consultants in June 2022. A copy of the Archaeological Literature Search, which is a confidential document, is on file at the City of Mountain View Community Development Department and is available upon request with appropriate credentials.

### 4.5.1 Environmental Setting

#### 4.5.1.1 *Regulatory Framework*

##### **Federal and State**

##### National Historic Preservation Act

Federal protection is legislated by the National Historic Preservation Act of 1966 (NHPA) and the Archaeological Resource Protection Act of 1979. These laws maintain processes for determination of the effects on historical properties eligible for listing in the National Register of Historic Places (NRHP). Section 106 of the NHPA and related regulations (36 Code of Federal Regulations [CFR] Part 800) constitute the primary federal regulatory framework guiding cultural resources investigations and require consideration of effects on properties that are listed or eligible for listing in the NRHP. Impacts to properties listed in the NRHP must be evaluated under CEQA.

##### California Register of Historical Resources

The California Register of Historical Resources (CRHR) is administered by the State Office of Historic Preservation and encourages protection of resources of architectural, historical, archeological, and cultural significance. The CRHR identifies historic resources for state and local planning purposes and affords protections under CEQA. Under Public Resources Code Section 5024.1(c), a resource may be eligible for listing in the CRHR if it meets any of the NRHP criteria.<sup>24</sup>

Historical resources eligible for listing in the CRHR must meet the significance criteria described previously and retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. A resource that has lost its historic character or appearance may still have sufficient integrity for the CRHR if it maintains the potential to yield significant scientific or historical information or specific data.

The concept of integrity is essential to identifying the important physical characteristics of historical resources and, therefore, in evaluating adverse changes to them. Integrity is defined as “the authenticity of a historical resource’s physical identity evidenced by the survival of characteristics that existed during the resource’s period of significance.” The processes of determining integrity are similar for both the CRHR and NRHP and use the same seven variables or aspects to define integrity that are used to evaluate a resource’s eligibility for listing. These seven characteristics include 1) location, 2) design, 3) setting, 4) materials, 5) workmanship, 6) feeling, and 7) association. To be eligible for listing in the CRHR, the resource must be found significant under one of the following criteria:

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<sup>24</sup> California Office of Historic Preservation. “CEQA Guidelines Section 15064.5(a)(3) and California Office of Historic Preservation Technical Assistance Series #6.” March 14, 2006.

1. It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;
2. It is associated with the lives of persons important to local, California, or national history;
3. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values; or
4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

California Native American Historical, Cultural, and Sacred Sites Act

The California Native American Historical, Cultural, and Sacred Sites Act applies to both state and private lands. The act requires that upon discovery of human remains, construction or excavation activity must cease and the county coroner be notified.

Public Resources Code Sections 5097 and 5097.98

Section 15064.5 of the CEQA Guidelines specifies procedures to be used in the event of an unexpected discovery of Native American human remains on non-federal land. These procedures are outlined in Public Resources Code Sections 5097 and 5097.98. These codes protect such remains from disturbance, vandalism, and inadvertent destruction, establish procedures to be implemented if Native American skeletal remains are discovered during construction of a project, and establish the Native American Heritage Commission (NAHC) as the authority to resolve disputes regarding disposition of such remains.

Pursuant to Public Resources Code Section 5097.98, in the event of human remains discovery, no further disturbance is allowed until the county coroner has made the necessary findings regarding the origin and disposition of the remains. If the remains are of a Native American, the county coroner must notify the NAHC. The NAHC then notifies those persons most likely to be related to the Native American remains. The code section also stipulates the procedures that the descendants may follow for treating or disposing of the remains and associated grave goods.

**Local**

City of Mountain View 2030 General Plan

General Plan policies related to cultural resources and applicable to the proposed project include the following.

Policy	Description
LUD 11.5	<b>Protect important archaeological and paleontological sites.</b> Utilize the development review process to identify and protect archaeological and paleontological deposits.
LUD 11.6	<b>Protect Human Remains.</b> Utilize the development review process to identify and protect human remains and follow the appropriate procedures outlined under Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98.



## Mountain View City Code

Division 15, Designation and Preservation of Historic Resources of the City's Zoning Ordinance includes a process for recognizing, preserving, and protecting historical resources. Division 15, Section 36.54.55 establishes the Mountain View Register of Historic Resources as the City's official list of historically significant buildings, structures, and sites that are considered during the development review process. The criteria of listing in the Mountain View Register is similar to the CRHR and is as follows:

- A. Is strongly identified with a person who, or an organization which, significantly contributed to the culture, history or development of the City of Mountain View;
- B. Is the site of a significant historic event in the city's past;
- C. Embodies distinctive characteristics significant to the city in terms of a type, period, region or method of construction or representative of the work of a master or possession of high artistic value; or
- D. Has yielded, or may be likely to yield, information important to the city's prehistory or history.

### **4.5.1.2 Existing Conditions**

#### **Prehistoric Resources**

Mountain View is situated within territory once occupied by Costanoan (also commonly referred to as Ohlone) language groups. Mountain View lies on the approximate ethnolinguistic boundary between the Tamyen and Ramaytush languages. No cultural resources are recorded within the project area, according to the archaeological literature review and Native American consultation report completed for the project.<sup>25</sup> Areas that are near natural water sources, e.g., riparian corridors and tidal marshland, should be considered of high sensitivity for prehistoric archaeological deposits and associated human remains. The project site is approximately 600 feet west of channelized Permanente Creek and is considered to be moderately sensitive for archaeological resources.<sup>26</sup>

#### **Historic Resources**

The project site is undeveloped and, therefore, contains no historic structures. There are no surrounding properties listed on the NRHP, CRHR, or Mountain View Register.<sup>27,28,29</sup>

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<sup>25</sup> Archaeological/Historical Consultants. *Archaeological Sensitivity Analysis for 918 Rich Avenue, Mountain View*. June 21, 2022

January 21, 2021.

<sup>26</sup> Ibid.

<sup>27</sup> National Park Service. "National Register Database and Research". Accessed January 24, 2023. <https://www.nps.gov/subjects/nationalregister/database-research.htm>.

<sup>28</sup> State Office of Historic Preservation. "Built Environment Resource Directory". Accessed January 24, 2023. [https://ohp.parks.ca.gov/?page\\_id=30338](https://ohp.parks.ca.gov/?page_id=30338).

<sup>29</sup> City of Mountain View. *Mountain View Register of Historic Resources*. September 20, 2017.

**4.5.2 Impact Discussion**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Impact CUL-1:** The project would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5. **(No Impact)**

As discussed in Section 4.5.1.2 Existing Conditions, the project site is undeveloped and the adjacent properties are not listed on the NRHP, CRHR, or Mountain View Register. For these reasons, the construction of the project would not impact historic resources. **(No Impact)**

**Impact CUL-2:** The project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5. **(Less than Significant Impact)**

Although the likelihood of encountering buried cultural resources is low, the disturbance of these resources, if they are encountered during excavation and construction, could create an impact. The project would be required to comply with the City’s standard conditions of approval to avoid or reduce impacts to unknown cultural resources.

Standard Condition of Approval:

- **DISCOVERY OF ARCHAEOLOGICAL RESOURCES:** If prehistoric or historic-period cultural materials are unearthed during ground-disturbing activities, all work within 100 feet of the find be halted until a qualified archaeologist and Native American representative can assess the significance of the find. Prehistoric materials might include obsidian and chert-flaked stone tools (e.g., projectile points, knives, scrapers) or 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.

In addition, the project would be required to implement the following conditions of approval.

Condition of Approval:

- NATIVE AMERICAN ARCHAEOLOGICAL MONITORING: A Native American archaeological monitor shall be present for all ground-disturbing activities throughout the project construction process.
- CULTURAL SENSITIVITY TRAINING: As required during the Tribal Consultation process for the project, Cultural Sensitivity Training shall be provided to the construction crews at the beginning of the project to aid those involved in the project to become more familiar with the indigenous history of peoples in the vicinity of the project site.

With implementation of the above standard condition of approval, the proposed project would result in a less than significant impact to unknown archaeological resources by halting work if resources are discovered, notifying and consulting appropriate parties, and implementing measures to avoid significantly impacting the resource. **(Less than Significant Impact)**

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**Impact CUL-3:** The project would not disturb any human remains, including those interred outside of dedicated cemeteries. **(Less than Significant Impact)**

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As discussed under Impact CUL-2, the likelihood of encountering buried cultural resources (including human remains) is low. The project would be required to comply with the City's standard conditions of approval, which include measures to avoid or reduce impacts to unknown human remains.

Standard Condition of Approval:

- 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' radius of the location of such discovery, or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his/her authority, he/she shall notify the Native American Heritage Commission, which shall attempt to identify descendants of the deceased Native American.

If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the landowner shall reinter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.

A final report shall be submitted to the City's Community Development Director prior to release of a Certificate of Occupancy. This report shall contain a description of the mitigation programs and its results, including a description of the monitoring and testing resources

analysis methodology and conclusions, and a description of the disposition/curation of the resources. The report shall verify completion of the mitigation program to the satisfaction of the City's Community Development Director.

With implementation of the above standard condition of approval, the proposed project would result in a less than significant impact to unknown human remains by stopping construction in the vicinity of any found remains, initiating a formal process for final disposition of the remains, and requiring verification of the mitigation and monitoring process by the City's Community Development Director.  
**(Less than Significant Impact)**

## 4.6 ENERGY

The following discussion is based in part on an Air Quality Assessment prepared by Illingworth & Rodkin, Inc., in December 2022. A copy of the report is included in Appendix A of this Initial Study.

### 4.6.1 Environmental Setting

#### 4.6.1.1 *Regulatory Framework*

##### **Federal and State**

##### Energy Star and Fuel Efficiency

At the federal level, energy standards set by the EPA apply to numerous consumer products and appliances (e.g., the EnergyStar™ program). The EPA also sets fuel efficiency standards for automobiles and other modes of transportation.

##### Renewables Portfolio Standard Program

In 2002, California established its Renewables Portfolio Standard Program, with the goal of increasing the percentage of renewable energy in the state's electricity mix to 20 percent of retail sales by 2010. Governor Schwarzenegger issued Executive Order (EO) S-3-05, requiring statewide emissions reductions to 80 percent below 1990 levels by 2050. In 2008, EO S-14-08 was signed into law, requiring retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. In October 2015, Governor Brown signed SB 350 to codify California's climate and clean energy goals. A key provision of SB 350 requires retail sellers and publicly owned utilities to procure 50 percent of their electricity from renewable sources by 2030. SB 100, passed in 2018, requires 100 percent of electricity in California to be provided by 100 percent renewable and carbon-free sources by 2045.

##### Executive Order B-55-18 To Achieve Carbon Neutrality

In September 2018, Governor Brown issued an executive order, EO-B-55-18 To Achieve Carbon Neutrality, setting a statewide goal “to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter.” The executive order requires CARB to “ensure future Scoping Plans identify and recommend measures to achieve the carbon neutrality goal.” EO-B-55-18 supplements EO S-3-05 by requiring not only emissions reductions, but also that, by no later than 2045, the remaining emissions be offset by equivalent net removals of CO<sub>2</sub> from the atmosphere through sequestration.

##### California Building Standards Code

The Energy Efficiency Standards for Residential and Nonresidential Buildings, as specified in Title 24, Part 6 of the California Code of Regulations (Title 24), was established in 1978 in response to a legislative mandate to reduce California's energy consumption. Title 24 is updated approximately



every three years.<sup>30</sup> Compliance with Title 24 is mandatory at the time new building permits are issued by city and county governments.<sup>31</sup>

### California Green Building Standards Code

CALGreen establishes mandatory green building standards for buildings in California. CALGreen was developed to reduce GHG emissions from buildings, promote environmentally responsible and healthier places to live and work, reduce energy and water consumption, and respond to state environmental directives. CALGreen covers five categories: planning and design, energy efficiency, water efficiency and conservation, material and resource efficiency, and indoor environmental quality.

### Advanced Clean Cars Program

CARB adopted the Advanced Clean Cars program in 2012 in coordination with the EPA and National Highway Traffic Safety Administration. The program combines the control of smog-causing pollutants and GHG emissions into a single coordinated set of requirements for vehicle model years 2015 through 2025. The program promotes development of environmentally superior passenger cars and other vehicles, as well as saving the consumer money through fuel savings.<sup>32</sup>

## **Local**

### City of Mountain View 2030 General Plan

The General Plan contains goals and policies to avoid significant impacts due to energy impacts. The following policies are applicable to the proposed project.

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<b>Policy</b>	<b>Description</b>
LUD-10.5	<b>Building energy efficiency.</b> Incorporate energy-efficiency design features and materials into new and remodeled buildings.
LUD 10.9	<b>Sustainable roofs.</b> Encourage sustainable roofs to reduce a building’s energy use, reduce the heat island effect of new and existing development and provide other ecological benefits.

### Greenhouse Gas Reduction Program

The City of Mountain View certified the General Plan Program EIR (SCH #2011012069) and adopted the Greenhouse Gas Reduction Program (GGRP) in July 2012. The GGRP is a separate but complementary document to the General Plan that implements the long-range GHG emissions reduction goals of the General Plan and serves as a programmatic GHG reduction strategy for CEQA tiering purposes. The GGRP includes goals, policies, performance standards, and implementation measures for achieving GHG emissions reductions, to meet the requirements of AB 32. The program

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<sup>30</sup> California Building Standards Commission. “California Building Standards Code.” Accessed June 14, 2022. <https://www.dgs.ca.gov/BSC/Codes#@ViewBag.JumpTo>.

<sup>31</sup> California Energy Commission (CEC). “2019 Building Energy Efficiency Standards.” Accessed June 14, 2022. <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2019-building-energy-efficiency>.

<sup>32</sup> California Air Resources Board. “The Advanced Clean Cars Program.” June 14, 2022. <https://www.arb.ca.gov/msprog/acc/acc.htm>.

includes a goal to improve communitywide emissions efficiency by 15 to 20 percent over 2005 levels by 2020 and by 30 percent over 2005 levels by 2030.

### Mountain View Green Building Code and Reach Code

The Mountain View Green Building Code (MVGBC) amends the state-mandated CalGreen standards to include local green building standards and requirements for private development. The MVGBC does not require formal certification from a third-party organization but requires projects to be designed and constructed to meet the intent of a third-party rating system. For residential projects proposing over five units, the MVGBC requires those buildings meet the intent of 70 GreenPoint Rated points from the Build it Green certification program, as well as compliance with mandatory CalGreen requirements. Additionally, development projects subject to CalGreen requirements are required to divert at least 65 percent of construction debris from landfills.

In 2019, the Mountain View City Council approved amendments to Chapters 8, 14, and 24 of the MVGBC, referred to as Reach Code amendments. The Reach Code amendments are applicable to any project submitted after December 31, 2019. These Reach Code amendments require new buildings to be all-electric with an exception for commercial spaces with specialized equipment that cannot operate with electric service if approved by the City.

### City of Mountain View Construction and Demolition Ordinance

According to the City’s Construction and Demolition Ordinance, all new development projects are required to recycle and/or salvage for re-use a minimum of 65 percent of nonhazardous construction or demolition debris. Documentation of this diversion is required prior to scheduling a final building inspection.

#### **4.6.1.2 Existing Conditions**

Total energy usage in California was approximately 7,802 trillion British thermal units (Btu) in the year 2019, the most recent year for which this data was available.<sup>33</sup> Out of the 50 states, California is ranked second in total energy consumption and 46<sup>th</sup> in energy consumption per capita. The breakdown by sector was approximately 19 percent (1,456 trillion Btu) for residential uses, 19 percent (1,468 trillion Btu) for commercial uses, 23 percent (1,805 trillion Btu) for industrial uses, and 39 percent (3,073 trillion Btu) for transportation.<sup>34</sup> This energy is primarily supplied in the form of natural gas, petroleum, nuclear electric power, and hydroelectric power.

### **Electricity**

Electricity in Santa Clara County in 2020 was consumed primarily by the non-residential sector (73 percent), followed by the residential sector consuming 24 percent. In 2020, a total of approximately 16,435 gigawatt hours (GWh) of electricity was consumed in Santa Clara County.<sup>35</sup>

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<sup>33</sup> United States Energy Information Administration. “State Profile and Energy Estimates, 2019.” Accessed May 31, 2022. <https://www.eia.gov/state/?sid=CA#tabs-2>.

<sup>34</sup> United States Energy Information Administration. “State Profile and Energy Estimates, 2019.” Accessed May 31, 2022. <https://www.eia.gov/state/?sid=CA#tabs-2>.

<sup>35</sup> California Energy Commission. Energy Consumption Data Management System. “Electricity Consumption by County.” Accessed May 31, 2022. <http://ecdms.energy.ca.gov/elecbycounty.aspx>.

The community-owned Silicon Valley Clean Energy (SVCE) is the electricity provider for the City of Mountain View.<sup>36</sup> SVCE sources the electricity and the Pacific Gas and Electric Company (PG&E) delivers it to customers over their existing utility lines. Customers are automatically enrolled in the GreenStart plan and can upgrade to the GreenPrime plan. Both options are 100 percent GHG-emission free.

There is no existing electricity demand at the project site, as the site is currently undeveloped.

### Natural Gas

PG&E provides natural gas services within the City of Mountain View. In 2020, approximately two percent of California's natural gas supply came from in-state production, while the remaining supply was imported from other western states and Canada.<sup>37</sup> In 2019 residential and commercial customers in California used 33 percent of the state's natural gas, power plants used 26 percent, the industrial sector used 35 percent, and other uses used six percent.<sup>38</sup> Transportation accounted for one percent of natural gas use in California. In 2020, Santa Clara County used approximately three percent of the state's total consumption of natural gas.<sup>39</sup>

There is no existing natural gas demand at the project site, as the site is currently undeveloped.

### Fuel for Motor Vehicles

In 2019, 15.4 billion gallons of gasoline were sold in California.<sup>40</sup> The average fuel economy for light-duty vehicles (autos, pickups, vans, and sport utility vehicles) in the United States has steadily increased from about 13.1 miles per gallon (mpg) in the mid-1970s to 25.4 mpg in 2020.<sup>41</sup> Federal fuel economy standards have changed substantially since the Energy Independence and Security Act was passed in 2007. That standard, which originally mandated a national fuel economy standard of 35 miles per gallon by the year 2020, was updated in April 2022 to require all cars and light duty trucks achieve an overall industry average fuel economy of 49 mpg by model year 2026.<sup>42,43</sup>

There is no existing gasoline demand for the project site, as the site is currently undeveloped.

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<sup>36</sup> Silicon Valley Clean Energy. "Frequently Asked Questions." Accessed May 31, 2022. <https://www.svcleanenergy.org/faqs>.

<sup>37</sup> California Gas and Electric Utilities. 2020 *California Gas Report*. Accessed May 31, 2022. [https://www.socalgas.com/sites/default/files/2020-10/2020\\_California\\_Gas\\_Report\\_Joint\\_Utility\\_Biennial\\_Comprehensive\\_Filing.pdf](https://www.socalgas.com/sites/default/files/2020-10/2020_California_Gas_Report_Joint_Utility_Biennial_Comprehensive_Filing.pdf).

<sup>38</sup> United States Energy Information Administration. "State Profile and Energy Estimates, 2019." Accessed May 31, 2022. <https://www.eia.gov/state/?sid=CA#tabs-2>.

<sup>39</sup> California Energy Commission. "Natural Gas Consumption by County." Accessed May 31, 2022. <http://ecdms.energy.ca.gov/gasbycounty.aspx>.

<sup>40</sup> California Department of Tax and Fee Administration. "Net Taxable Gasoline Gallons." Accessed May 31, 2022. <https://www.cdtfa.ca.gov/dataportal/dataset.htm?url=VehicleTaxableFuelDist>.

<sup>41</sup> United States Environmental Protection Agency. "The 2021 EPA Automotive Trends Report: Greenhouse Gas Emissions, Fuel Economy, and Technology since 1975." November 2021. <https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockkey=P1010U68.pdf>

<sup>42</sup> United States Department of Energy. *Energy Independence & Security Act of 2007*. Accessed May 13, 2022. <http://www.afdc.energy.gov/laws/eisa>.

<sup>43</sup> United States Department of Transportation. USDOT Announces New Vehicle Fuel Economy Standards for Model Year 2024-2026." Accessed May 13, 2022. <https://www.nhtsa.gov/press-releases/usdot-announces-new-vehicle-fuel-economy-standards-model-year-2024-2026>

**4.6.2 Impact Discussion**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<hr/>				
<b>Impact EN-1:</b>	The project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. <b>(Less than Significant Impact)</b>			

**Construction**

Construction of the proposed project would require energy for the manufacture and transportation of building materials, preparation of the project site (e.g., excavation and grading), and the construction of the residential building, including the below ground parking structure. Construction processes are generally designed to be efficient in order to avoid excess monetary costs. Additionally, as noted in Section 4.3 Air Quality, the project would implement BAAQMD BMPs as a standard condition of approval which include requirements for restricting equipment idling times and requiring the applicant to post signs on the project site reminding workers to shut off idle equipment, thus reducing energy waste. The project would also comply with the City’s requirements to reuse a minimum of 65 percent of nonhazardous construction and demolition waste, minimizing energy impacts from the creation of excessive waste. For these reasons, the proposed project would not use fuel or energy in a wasteful manner during construction activities. **(Less than Significant Impact)**

**Operations**

Operation of the project would consume energy for building heating and cooling, lighting, and appliance use. Energy consumption for the proposed project was estimated using CalEEMod standard assumptions. The project is estimated to use approximately 280,788 kWh of electricity and 13,637 gallons of gasoline annually.<sup>44</sup>

The project would be built to CALGreen requirements, Title 24 energy efficiency standards, and MVGBC, all of which would improve the efficiency of the overall project. The MVGBC requires residential projects, including the proposed project, meet the intent of 70 GreenPoint Rated points from the Build it Green certification program and incorporate energy and emissions reduction features, such as:

<sup>44</sup> Illingworth & Rodkin, Inc. *918 Rich Avenue Residential Development Construction Community Risk Assessment*. December 19, 2022.

- **Renewable Energy:** The project would install photovoltaic panels on 50 percent of the roof.
- **Electric Building:** The project would not use natural gas and all appliances (cooking, heating, dryers, etc.) would be electric.
- **Electric Vehicle Charging:** The project would include electric vehicle chargers.
- **Resource Efficient Landscaping:** The project would plant drought tolerant and native species for landscaping.

Given the proximity of the project site to transit and infill location, the project location facilitates reduced gasoline usage. That coupled with the project’s adherence to current building codes and efficiency standards, the proposed project would not result in wasteful, inefficient, or unnecessary consumption of energy. **(Less than Significant Impact)**

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**Impact EN-2:** The project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. **(Less than Significant Impact)**

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The project would obtain electricity from SVCE, which is 100 percent GHG-emission free energy from renewable and hydroelectric sources, consistent with the state’s Renewables Portfolio Standard program and SB 350. In addition, the project would be designed per building standards that meet or exceed state mandated Title 24 energy efficiency standards, CALGreen standards, and MVGBC standards; especially with the inclusion of on-site solar generation, rooftop open space, and requirement to achieve 70 GreenPoint Rated points from the Build it Green certification program. These project design features would also be consistent with the City’s GGRP and General Plan polices LUD-10.5 and LUD 10.9. For these reasons, the proposed project would not obstruct a state or local plan for renewable energy or energy efficiency. **(Less than Significant Impact)**



## 4.7 GEOLOGY AND SOILS

### 4.7.1 Environmental Setting

#### 4.7.1.1 *Regulatory Framework*

##### State

##### Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act was passed following the 1971 San Fernando earthquake. The act regulates development in California near known active faults due to hazards associated with surface fault ruptures. Alquist-Priolo maps are distributed to affected cities, counties, and state agencies for their use in planning and controlling new construction. Areas within an Alquist-Priolo Earthquake Fault Zone require special studies to evaluate the potential for surface rupture to ensure that no structures intended for human occupancy are constructed across an active fault.

##### Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (SHMA) was passed in 1990 following the 1989 Loma Prieta earthquake. The SHMA directs the California Geological Survey (CGS) to identify and map areas prone to liquefaction, earthquake-induced landslides, and amplified ground shaking. CGS has completed seismic hazard mapping for the portions of California most susceptible to liquefaction, landslides, and ground shaking, including the central San Francisco Bay Area. The SHMA requires that agencies only approve projects in seismic hazard zones following site-specific geotechnical investigations to determine if the seismic hazard is present and identify measures to reduce earthquake-related hazards.

##### California Building Standards Code

The CBC prescribes standards for constructing safe buildings. The CBC contains provisions for earthquake safety based on factors including occupancy type, soil and rock profile, ground strength, and distance to seismic sources. The CBC requires that a site-specific geotechnical investigation report be prepared for most development projects to evaluate seismic and geologic conditions such as surface fault ruptures, ground shaking, liquefaction, differential settlement, lateral spreading, expansive soils, and slope stability. The CBC is updated every three years.

##### California Division of Occupational Safety and Health Regulations

Excavation, shoring, and trenching activities during construction are subject to occupational safety standards for stabilization by the California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA) under Title 8 of the California Code of Regulations and Excavation Rules. These regulations minimize the potential for instability and collapse that could injure construction workers on the site.

##### Public Resources Code Section 5097.5

Paleontological resources are the fossilized remains of organisms from prehistoric environments found in geologic strata. They range from mammoth and dinosaur bones to impressions of ancient animals

and plants, trace remains, and microfossils. These materials are valued for the information they yield about the history of the earth and its past ecological settings. California Public Resources Code Section 5097.5 specifies that unauthorized removal of a paleontological resource is a misdemeanor. Under the CEQA Guidelines, a project would have a significant impact on paleontological resources if it would disturb or destroy a unique paleontological resource or site or unique geologic feature.

### **Local**

#### City of Mountain View 2030 General Plan

The General Plan contains goals and policies to avoid significant impacts due to geology and soils impacts. The following policies are applicable to the proposed project.

<b>Policy</b>	<b>Description</b>
PSA-4.2	<b>Natural disasters.</b> Minimize impacts of natural disasters.
PSA-5.1	<b>New development.</b> Ensure new development addresses seismically induced geologic hazards.
PSA-5.2	<b>Alquist-priolo zones.</b> Development shall comply with the Alquist-Priolo Earthquake Fault Zoning Act.

#### Mountain View City Code

The City of Mountain View has adopted the CBC, with amendments, as the reference building code for all projects in the City under Chapter 8 of the City Code. The City of Mountain View’s Building Inspection Division is responsible for reviewing plans, issuing building permits, and conducting field inspections. Project-specific geotechnical investigation reports are required for projects as a City standard condition of approval. Reports are reviewed by the City of Mountain View’s Building Inspection Division prior to issuance of building permits to ensure compliance.

#### **4.7.1.2 Existing Conditions**

### **On-site Geology**

#### Soils

The project site is generally underlain by undocumented fill and sandy loam, sandy clay loam, and gravelly sandy clay loam alluvium soils. The soils in the project area are moderately to highly expansive.<sup>45</sup>

#### Site Topography

The project site is relatively flat, and as a result, the risk of erosion or landslide is low. There are no hillsides or steep embankments within the project site that require consideration for development. The elevation of the site is approximately 100 feet above mean sea level.<sup>46</sup>

<sup>45</sup> City of Mountain View. *El Camino Real Precise Plan, Initial Study*. August 2014. Page 34-35.

<sup>46</sup> Environmental Investigation Services, Inc. *918 Rich Avenue San Jose, California*. February 16, 2020.

## Groundwater

The project site is located in the Santa Clara Valley Subbasin, a groundwater subbasin that is 297 square miles in area. The project site is not located within or adjacent to any groundwater recharge facilities used by Valley Water.

Groundwater at the project site is estimated to be approximately 43 to 51 feet below ground surface (bgs).<sup>47</sup>

## **Seismic and Seismic-Related Hazards**

### Earthquake Faults

The project site is located within the seismically active San Francisco Bay region. Nearby active faults include the Stanford Fault (0.5 mile southwest), Monte Vista Fault (1.6 mile southwest), and San Andreas Fault (4.6 miles to the west). The project site is not located within a designated Alquist-Priolo Earthquake Fault Zone.<sup>48</sup>

### Liquefaction

Soil liquefaction can be defined as ground failure or loss of strength that causes otherwise solid soil to take on the characteristics of a liquid. This phenomenon is triggered by earthquake or ground shaking that causes saturated or partially saturated soils to lose strength, potentially resulting in the soil's inability to support structures. The project site is not located within a State of California liquefaction hazard zone.<sup>49</sup>

### Other Geological Hazards

The project site is not located within a geologic hazard zone for compressible soil, landslides, lateral spreading, or fault rupture.<sup>50</sup>

## **Paleontological Resources**

There have been no recorded fossils discovered within the City of Mountain View, though two fossils have been discovered outside of the Mountain View City limits (the location of one of these deposits is not known; however, the location of the other deposit is identified as approximately two miles west of the City's sphere of influence).<sup>51</sup> Fossiliferous deposits could exist in the City. Soils at the project site could have paleontological sensitivity.

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<sup>47</sup> Environmental Investigation Services, Inc. *918 Rich Avenue San Jose, California*. February 16, 2020.

<sup>48</sup> California Department of Conservation. *Earthquake Zones of Required Investigation*. Accessed May 31, 2022. <https://maps.conservation.ca.gov/cgs/EQZApp/app/>

<sup>49</sup> County of Santa Clara. *Geologic Hazard Zone Map*. October 26, 2012.

<sup>50</sup> *Ibid.*

<sup>51</sup> City of Mountain View. *Draft General Plan and Greenhouse Gas Reduction Program, Draft EIR*. November 2011. Page 470.

4.7.2

**Impact Discussion**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
- Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (refer to Division of Mines and Geology Special Publication 42)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
- Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
- Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
- Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Be located on expansive soil, as defined in the current California Building Code, creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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**Impact GEO-1:** The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; strong seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides. **(Less than Significant Impact)**

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The project site is not located within the Alquist-Priolo special study zone.<sup>52</sup> However, 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 (thus, fault rupture would not occur), ground shaking on the site could damage structures and threaten future occupants of the proposed development. Additionally, the project site is not located in a liquefaction hazard area.<sup>53</sup> Due to the relatively flat topography of the site and surrounding areas, the project would not be subject to substantial slope instability or landslide related hazards.

The proposed project would be designed and constructed in accordance with CBC requirements, General Plan Policies PSA 4.2, PSA 5.1, and PSA 5.2, with the implementation of the following standard condition of approval.

Standard Condition of Approval:

- GEOTECHNICAL REPORT: The applicant shall have a design-level geotechnical investigation prepared which includes recommendations to address and mitigate geologic hazards in accordance with the specifications of California Geological Survey (CGS) Special Publication 117, Guidelines for Evaluating and Mitigating Seismic Hazards, and the requirements of the Seismic Hazards Mapping Act. The report shall be submitted to the City during building plan check, and the recommendations made in the geotechnical report shall be implemented as part of the project and included in building permit drawings and civil drawings as needed. Recommendations may include considerations for design of permanent below-grade walls to resist static lateral earth pressures, lateral pressures caused by seismic activity, and traffic loads; method for backdraining walls to prevent the build-up of hydrostatic pressure; considerations for design of excavation shoring system; excavation monitoring; and seismic design.

With implementation of the above standard condition of approval, and consistency with CBC and local policies, the project would result in a less than significant impact from seismic and seismic-related hazards by completing a design-level geotechnical investigation and implementing the recommendations that would include construction and design measures to reduce seismic and seismic related hazards (including lateral spreading and expansive soils) to acceptable levels. **(Less than Significant Impact)**

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<sup>52</sup> California Department of Conservation. Earthquake Zones of Required Investigation. Accessed May 31, 2022. <https://maps.conservation.ca.gov/cgs/EQZApp/app/>

<sup>53</sup> County of Santa Clara. Geologic Hazard Zone Map. October 26, 2012.



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**Impact GEO-2:** The project would not result in substantial soil erosion or the loss of topsoil.  
**(Less than Significant Impact)**

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During project demolition and construction, soil could be exposed to erosion from wind and surface water runoff. The project would be required to implement the following standard condition of approval to reduce soil erosion impacts during construction.

Standard Condition of Approval:

- CONSTRUCTION SEDIMENT AND EROSION CONTROL PLAN: The applicant shall submit a written plan acceptable to the City which shows controls that shall be used at the site to minimize sediment runoff and erosion during storm events. The plan shall include installation of the following items where appropriate: (a) silt fences around the site perimeter; (b) gravel bags surrounding catch basins; (c) filter fabric over catch basins; (d) covering of exposed stockpiles; (e) concrete washout areas; (f) stabilized rock/gravel driveways at points of egress from the site; and (g) vegetation, hydroseeding, or other soil stabilization methods for high-erosion areas. The plan shall also include routine street sweeping and storm drain catch basin cleaning.

With implementation of the above standard condition of approval, the proposed project would have a less than significant impact on soil erosion by requiring the installation of erosion controls during construction. **(Less than Significant Impact)**

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**Impact GEO-3:** The project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.  
**(Less than Significant Impact)**

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Given the proximity (within 0.5 miles) of seismically active faults to the project site, seismic ground shaking could result in differential settlement. Furthermore, undocumented fill is present in the project site due to the existing developments. Undocumented fill could potentially settle and cause distress to new structures and other improvements proposed by future projects. Implementation of the standard condition of approval discussed under Impact GEO-1 would reduce the impacts of seismic-related hazards to a less than significant level by preparing a design-level geotechnical investigation and implementing the recommendations in the report to properly design and engineer the project to prevent seismic and seismic related hazards and addresses undocumented fill on-site. Furthermore, the project site does not contain steep slopes subject to landslide potential and is not located within a liquefaction hazard zone.

Valley Water actively monitors for land subsidence through surveying, groundwater elevation monitoring, and data from compaction wells. Valley Water reduces the potential for land subsidence throughout the Santa Clara Valley by recharging groundwater basins with local and imported surface water. The project would develop urban uses connected to the City's water system and would not require permanent groundwater extraction wells on-site. As noted in Section 4.10 Hydrology and Water Quality, the project would not require groundwater dewatering during construction or operations. For this reason, the project would have a less than significant impact on subsidence.

The project would comply with Cal/OSHA requirements that minimize the potential for instability and collapse. Based on the above discussion, the project would have less than significant impacts related to on- or off-site landslide, lateral spreading, subsidence, or liquefaction from on-site conditions. **(Less than Significant Impact)**

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**Impact GEO-4:** The project would not be located on expansive soil, as defined in the current California Building Code, creating substantial direct or indirect risks to life or property. **(Less than Significant Impact)**

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Soils with moderate to high expansion potential occur on the project site, which can cause heaving and cracking of slabs-on-grade, pavements, and structures founded on shallow foundations. The implementation of the standard condition of approval discussed under Impact GEO-1 would reduce impacts of expansive soils to a less than significant level by properly designing and engineering the project to address effects from expansive soils. Therefore, the project would result in a less than significant impact from expansive soil and would not create substantial direct or indirect risks to life or property. **(Less than Significant Impact)**

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**Impact GEO-5:** The project would not 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. **(No Impact)**

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The project would connect to the City's existing sanitary sewer system. The project would not require septic tanks or alternative wastewater disposal systems. **(No Impact)**

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**Impact GEO-6:** The project would not directly or indirectly destroy a unique paleontological resource or site or unique geological feature. **(Less than Significant Impact)**

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No paleontological resources have been identified in the City of Mountain View; however, construction and excavation could result in the disturbance of unknown resources. The project would implement the standard condition of approval regarding the discovery of unknown paleontological resources.

Standard Condition of Approval:

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

With implementation of the above standard condition of approval, the project would result in less than significant impacts to paleontological resources by ensuring any unburied paleontological resources

are properly recovered and minimizing disturbance during excavation and construction. (**Less than Significant Impact**)

## 4.8 GREENHOUSE GAS EMISSIONS

### 4.8.1 Environmental Setting

#### 4.8.1.1 *Background Information*

Gases that trap heat in the atmosphere, GHGs, regulate the earth's temperature. This phenomenon, known as the greenhouse effect, is responsible for maintaining a habitable climate. In GHG emission inventories, the weight of each gas is multiplied by its global warming potential (GWP) and is measured in units of CO<sub>2</sub> equivalents (CO<sub>2</sub>e). The most common GHGs are carbon dioxide (CO<sub>2</sub>) and water vapor but there are also several others, most importantly methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>). These are released into the earth's atmosphere through a variety of natural processes and human activities. Sources of GHGs are generally as follows:

- CO<sub>2</sub> and N<sub>2</sub>O are byproducts of fossil fuel combustion.
- N<sub>2</sub>O is associated with agricultural operations such as fertilization of crops.
- CH<sub>4</sub> is commonly created by off-gassing from agricultural practices (e.g., keeping livestock) and landfill operations.
- Chlorofluorocarbons (CFCs) were widely used as refrigerants, propellants, and cleaning solvents, but their production has been stopped by international treaty.
- HFCs are now used as a substitute for CFCs in refrigeration and cooling.
- PFCs and SF<sub>6</sub> emissions are commonly created by industries such as aluminum production and semiconductor manufacturing.

An expanding body of scientific research supports the theory that global climate change is currently causing changes in weather patterns, average sea level, ocean acidification, chemical reaction rates, and precipitation rates, and that it will increasingly do so in the future. The climate and several naturally occurring resources within California are adversely affected by the global warming trend. Increased precipitation and sea level rise will increase coastal flooding, saltwater intrusion, and degradation of wetlands. Mass migration and/or loss of plant and animal species could also occur. Potential effects of global climate change that could adversely affect human health include more extreme heat waves and heat-related stress; an increase in climate-sensitive diseases; more frequent and intense natural disasters such as flooding, hurricanes and drought; and increased levels of air pollution.

#### 4.8.1.2 *Regulatory Framework*

##### State

##### Assembly Bill 32

Under the California Global Warming Solutions Act, also known as AB 32, CARB established a statewide GHG emissions cap for 2020, adopted mandatory reporting rules for significant sources of GHGs, and adopted a comprehensive plan, known as the Climate Change Scoping Plan, identifying how emission reductions would be achieved from significant GHG sources.

In 2016, SB 32 was signed into law, amending the California Global Warming Solution Act. SB 32, and accompanying Executive Order B-30-15, require CARB to ensure that statewide GHG emissions are reduced to 40 percent below the 1990 level by 2030. CARB updated its Climate Change Scoping Plan in December of 2017 to express the 2030 statewide target in terms of million metric tons of CO<sub>2</sub>e (MMTCO<sub>2</sub>e). Based on the emissions reductions directed by SB 32, the annual 2030 statewide target emissions level for California is 260 MMTCO<sub>2</sub>e.

### Senate Bill 375

SB 375, known as the Sustainable Communities Strategy and Climate Protection Act, was signed into law in September 2008. SB 375 builds upon AB 32 by requiring CARB to develop regional GHG reduction targets for automobile and light truck sectors for 2020 and 2035. The per capita GHG emissions 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.

Consistent with the requirements of SB 375, the Metropolitan Transportation Commission (MTC) partnered with the Association of Bay Area Governments (ABAG), BAAQMD, and the Bay Conservation and Development Commission to prepare the region's Sustainable Communities Strategy (SCS) as part of the Regional Transportation Plan process. The SCS is referred to as Plan Bay Area 2050. Plan Bay Area 2050 establishes a course for reducing per capita GHG emissions through the promotion of compact, high-density, mixed-use neighborhoods near transit, particularly within identified Priority Development Areas (PDAs).

### California Transportation Plan 2050

The California Transportation Plan 2050 (CTP 2050) defines performance-based goals, policies, and strategies to achieve the state's collective vision for California's future statewide, integrated, multimodal transportation system. The CTP 2050 includes goals for achieving statewide GHG emissions reduction targets, improving multimodal mobility and access to destinations, maintaining a high-quality transportation system, and expanding protection of natural resources.

## **Regional and Local**

### 2017 Clean Air Plan

To protect the climate, the 2017 CAP (prepared by BAAQMD) includes control measures designed to reduce emissions of methane and other super-GHGs that are potent climate pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.

### CEQA Air Quality Guidelines

The 2017 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 jurisdictions in the San Francisco Bay Area Air Basin utilize the thresholds and methodology for assessing GHG impacts developed by BAAQMD within the CEQA Air Quality Guidelines. The guidelines include information on legal requirements, BAAQMD rules, methods of analyzing impacts, and recommended mitigation measures. BAAQMD has since adopted updated GHG thresholds which

include screening criteria for land use projects. Under the new thresholds, projects that meet all of the following criteria are considered to have a less than significant GHG impact.

- The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development).
- The project will not result in any wasteful, inefficient, or unnecessary energy usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.
- Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target, reflecting the recommendations provided in the Governor’s Office of Planning and Research’s Technical Advisory on Evaluating Transportation Impacts in CEQA:
  - Residential projects: 15 percent below the existing VMT per capita
  - Office projects: 15 percent below the existing VMT per employee
  - Retail projects: no net increase in existing VMT
- Achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.

### Plan Bay Area 2050

Plan Bay Area 2050 is a long-range plan for the nine-county San Francisco Bay Area that provides strategies that increase the availability of affordable housing, support a more equitable and efficient economy, improve the transportation network, and enhance the region’s environmental resilience. Plan Bay Area 2050 promotes the development of a variety of housing types and densities within identified Priority Development Areas (PDAs). PDAs are areas generally near existing job centers or frequent transit that are locally identified for housing and job growth.<sup>54</sup>

ABAG allocates regional housing needs to each city and county within the San Francisco Bay Area, based on statewide goals. These allocations are designed to lay the foundation for Plan Bay Area 2050’s long-term envisioned growth pattern for the region. ABAG also develops a series of forecasts and models to project the growth of population, housing units, and jobs in the Bay Area. ABAG, MTC, and local jurisdiction planning staff created the Forecasting and Modeling Report, which is a technical overview of the of the growth forecasts and land use models upon which Plan Bay Area 2050 is based.

### City of Mountain View 2030 General Plan

The General Plan contains goals and policies to avoid significant impacts due to greenhouse gas emissions impacts. The following goals and policies are applicable to the proposed project.

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<sup>54</sup> Association of Bay Area Governments and Metropolitan Transportation Commission. *Plan Bay Area 2050*. October 21, 2021. Page 20.



<b>Policy</b>	<b>Description</b>
INC-5.2	<b>Citywide water conservation.</b> Reduce water waste and implement water conservation and efficiency measures throughout the city.
INC-5.5	<b>Landscape efficiency.</b> Promote water-efficient landscaping including drought-tolerant and native plants, along with efficient landscape irrigation techniques.
LUD-3.1	<b>Land use and transportation.</b> Focus higher land use intensities and densities within half-mile of public transit service, and along major commute corridors.

### Greenhouse Gas Reduction Program

The City of Mountain View certified the General Plan Program EIR (SCH #2011012069) and adopted the GGRP in July 2012. The GGRP is a separate but complementary document to the General Plan that implements the long-range GHG emissions reduction goals of the General Plan and serves as a programmatic GHG reduction strategy for CEQA tiering purposes. The GGRP includes goals, policies, performance standards, and implementation measures for achieving GHG emissions reductions, to meet the requirements of AB 32. The program includes a goal to improve communitywide emissions efficiency by 15 to 20 percent over 2005 levels by 2020 and by 30 percent over 2005 levels by 2030.

### Climate Protection Roadmap

The City’s Climate Protection Roadmap (CPR), completed in 2015, presents a projection of GHG emissions through 2050 and several strategies that would help the City reduce absolute communitywide GHG emissions to 80 percent below 2005 levels by 2050.

### Mountain View Green Building Code and Reach Code

The MVGBC builds on the state-mandated CalGreen standards to include local green building standards and requirements for private development. The MVGBC does not require formal certification from a third-party organization but requires projects to be designed and constructed to meet the intent of a third-party rating system. For residential projects proposing over five units, the MVGBC requires those buildings meet the intent of 70 GreenPoint Rated points from the Build it Green certification program, as well as compliance with mandatory CalGreen requirements. Additionally, development projects subject to CalGreen requirements are required to divert at least 65 percent of construction debris from landfills.

In 2019, the Mountain View City Council approved amendments to Chapters 8, 14, and 24 of the MVGBC, referred to as Reach Code amendments. The Reach Code amendments are applicable to any project submitted after December 31, 2019. These Reach Code amendments require new buildings to be all-electric with an exception for commercial spaces with specialized equipment that cannot operate with electric service if approved by the City.

### City of Mountain View Construction and Demolition Ordinance

According to the City’s Construction and Demolition Ordinance, all new development projects are required to recycle and/or salvage for re-use a minimum of 65 percent of nonhazardous construction or demolition debris. Documentation of this diversion is required prior to scheduling a final building inspection.

**4.8.1.3 Existing Conditions**

The project site is not located within an identified PDA.<sup>55</sup> The project site is currently undeveloped and does not generate GHG emissions.

**4.8.2 Impact Discussion**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

---

**Impact GHG-1:** The project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. **(Less than Significant Impact with Mitigation Incorporated)**

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**Construction**

Construction of the project would generate GHG emissions from on-site operation of construction equipment, vendor and hauling truck trips, and worker trips. Neither the City nor BAAQMD have an adopted threshold of significance for construction related GHG emissions. There is nothing atypical or unusual about the project’s construction. In addition, the project would implement City standard condition of approval and mitigation measure MM AIR-1.1 to restrict idling of construction equipment and utilize energy-efficient equipment, which would in turn reduce GHG emissions. For these reasons, the project’s construction GHG emissions are less than significant. **(Less than Significant Impact with Mitigation Incorporated)**

**Operation**

Pursuant to the BAAQMD thresholds of significance, if a land use project meets the following criteria, it would have a less than significant greenhouse gas impact;

- Projects must either not include natural gas appliances or plumbing;
- Not result in wasteful, inefficient, or unnecessary energy use;
- Achieve a 15 percent reduction in project-generated vehicle miles traveled (VMT) below the regional average; and

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<sup>55</sup> Association of Bay Area Governments. Priority Development Areas (Plan Bay Area 2050). July 27, 2020. Accessed May 31, 2022. <https://opendata.mtc.ca.gov/datasets/priority-development-areas-plan-bay-area-2050/explore?location=37.388508%2C-122.092765%2C17.42>

- Include off-street electric vehicle infrastructure consistent with CALGreen Tier 2 requirements.

The project would comply with the City’s Reach Code for an all electric building and would be designed to achieve 70 GreenPoint Rated points from the Build it Green certification program by incorporating green building measures such as water efficient fixtures, drought tolerant landscaping, and solar panels on the rooftop on the new building. Electric vehicle charging infrastructure would be provided for each tandem parking space in the underground parking garage (i.e., one charger per two vehicle parking spaces), which is consistent with CALGreen Tier 2 requirements. As discussed in Section 4.6 Energy, the project’s implementation of BAAQMD BMPs and compliance with existing regulations (CALGreen, Title 24, and MVGBC) would result in energy efficiencies. In addition, the project would achieve a VMT rate of 15 percent below the regional average (see Section 4.17 Transportation). For these reasons, the project would not use energy in a wasteful or inefficient way and would meet current BAAQMD GHG thresholds; therefore, the project would result in a less than significant operational GHG emissions impact. **(Less than Significant Impact)**

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**Impact GHG-2:** The project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. **(Less than Significant Impact with Mitigation Incorporated)**

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### Plan Bay Area

The project site is not located within a PDA. However, it would not impede implementation of Plan Bay Area 2050 because the proposed project would provide new housing, comply with CALGreen and MVGBC, and place housing with bicycle parking in an urbanized area serviced by public transit and bicycle facilities that would promote alternative modes of transportation. Additionally, the project would receive its energy from SVCE, who provides electricity generated from carbon free sources. **(Less than Significant Impact)**

### 2017 Clean Air Plan

The BAAQMD 2017 CAP focuses on two goals: protecting public health and protecting the climate. The 2017 CAP includes air quality standards and control measures designed to reduce emissions of methane, carbon dioxide, and other super-GHGs. As discussed in Section 4.3 Air Quality under Impact AIR-1, the project is consistent with the 2017 Clean Air Plan because the project would not exceed BAAQMD criteria air pollutant emissions thresholds during construction with implementation of BAAQMD BMPs (City standard condition of approval) and during operation. In addition, the project construction would implement mitigation measure MM AQ-1.1 by using energy-efficient alternative fueled construction equipment to reduce air pollutant (DPM and PM<sub>2.5</sub>) emissions. In addition, the project would implement City standard conditions of approval to reduce community health risks from building interior finishes containing formaldehyde. For these reasons, the proposed project would not conflict with the 2017 CAP goal to reduce GHG emissions. **(Less than Significant Impact with Mitigation Incorporated)**

### **General Plan**

The proposed project would be consistent with General Plan policies INC-5.2, INC-5.5, and LUD-3.1 by complying with Title 24 and CALGreen, and the City's Green Building Code and Reach Code by installing drought tolerant landscaping with high-efficiency irrigation and water efficient interior fixtures, and intensifying development on an infill within a half mile from bus stops (along El Camino Real) served by existing public transit service and in proximity to major commute corridors (El Camino Real, Shoreline Boulevard). **(Less than Significant Impact)**

### **Greenhouse Gas Reduction Program**

The City's GGRP implementation Measures E-1.6, E-1.8, E-2.3, and SW-1.1 apply to the proposed project and call for new residential development to exceed state energy standards, plant shade trees, encourage installation of solar photovoltaic systems, and implement the City's zero-waste program. As discussed under Impact GHG-1 above, the project would be designed to achieve 70 GreenPoint Rated points, meet MVGBC standards, plant 60 trees on-site, install a solar photovoltaic system on the roof, and divert 65 percent of the project's construction waste, consistent with the MVGBC. For these reasons, the project would be consistent with the GGRP. **(Less than Significant Impact)**

## 4.9 HAZARDS AND HAZARDOUS MATERIALS

The following discussion is based on a Phase I Environmental Site Assessment (ESA) and Phase II Subsurface Investigation completed by Environmental Investigations Services, Inc. in February 2020 and November 2021, respectively. The following discussion is also based on a peer review of the aforementioned Phase I and Phase II completed by Cornerstone Earth Group in June 2022. A copy of the Phase I ESA, Phase II Subsurface Investigation, and peer review is included in Appendix C of this Initial Study.

### 4.9.1 Environmental Setting

#### 4.9.1.1 *Regulatory Framework*

The storage, use, generation, transport, and disposal of hazardous materials and waste are highly regulated under federal and state laws. In California, the EPA has granted most enforcement authority over federal hazardous materials regulations to the California Environmental Protection Agency (CalEPA). In turn, local agencies have been granted responsibility for implementation and enforcement of many hazardous materials regulations under the Certified Unified Program Agency (CUPA) program.

Worker health and safety and public safety are key issues when dealing with hazardous materials. Proper handling and disposal of hazardous material is vital if it is disturbed during project construction. Cal/OSHA enforces state worker health and safety regulations related to construction activities. Regulations include exposure limits, requirements for protective clothing, and training requirements to prevent exposure to hazardous materials. Cal/OSHA also enforces occupational health and safety regulations specific to lead and asbestos investigations and abatement.

### **Federal and State**

#### Federal Aviation Regulations Part 77

Federal Aviation Regulations, Part 77 Objects Affecting Navigable Airspace (FAR Part 77) sets forth standards and review requirements for protecting the airspace for safe aircraft operation, particularly by restricting the height of potential structures and minimizing other potential hazards (such as reflective surfaces, flashing lights, and electronic interference) to aircraft in flight. These regulations require that the Federal Aviation Administration (FAA) be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport's runways, or which would otherwise stand at least 200 feet in height above the ground.

#### Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was enacted by Congress on December 11, 1980. This law created a tax on the chemical and petroleum industries and provided broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. Over five years, \$1.6 billion was collected and the tax went to a trust fund for cleaning up abandoned or uncontrolled hazardous waste sites. CERCLA accomplished the following objectives:

- Established prohibitions and requirements concerning closed and abandoned hazardous waste sites;
- Provided for liability of persons responsible for releases of hazardous waste at these sites; and
- Established a trust fund to provide for cleanup when no responsible party could be identified.

The law authorizes two kinds of response actions:

- Short-term removals, where actions may be taken to address releases or threatened releases requiring prompt response; and
- Long-term remedial response actions that permanently and significantly reduce the dangers associated with releases or threats of releases of hazardous substances that are serious, but not immediately life-threatening. These actions can be completed only at sites listed on the EPA’s National Priorities List.

CERCLA also enabled the revision of the National Contingency Plan (NCP). The NCP provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The NCP also established the National Priorities List. CERCLA was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986.<sup>56</sup>

#### Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA), enacted in 1976, is the principal federal law in the United States governing the disposal of solid waste and hazardous waste. RCRA gives the EPA the authority to control hazardous waste from the “cradle to the grave.” This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also sets forth a framework for the management of non-hazardous solid wastes.

The Federal Hazardous and Solid Waste Amendments (HSWA) are the 1984 amendments to RCRA that focused on waste minimization, phasing out land disposal of hazardous waste, and corrective action for releases. Some of the other mandates of this law include increased enforcement authority for the EPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program.<sup>57</sup>

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<sup>56</sup> United States Environmental Protection Agency. “Superfund: CERCLA Overview.” Accessed May 31, 2022. <https://www.epa.gov/superfund/superfund-cercla-overview>.

<sup>57</sup> United States Environmental Protection Agency. “Summary of the Resource Conservation and Recovery Act.” Accessed May 31, 2022. <https://www.epa.gov/laws-regulations/summary-resource-conservation-and-recovery-act>.



## Government Code Section 65962.5

Section 65962.5 of the Government Code requires CalEPA to develop and update a list of hazardous waste and substances sites, known as the Cortese List. The Cortese List is used by state and local agencies and developers to comply with CEQA requirements. The Cortese List includes hazardous substance release sites identified by the Department of Toxic Substances Control (DTSC) and State Water Resources Control Board (SWRCB).<sup>58</sup>

## Toxic Substances Control Act

The Toxic Substances Control Act (TSCA) of 1976 provides the EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics, and pesticides. The TSCA addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls (PCBs), asbestos, radon, and lead-based paint.

## California Accidental Release Prevention Program

The California Accidental Release Prevention (CalARP) Program aims to prevent accidental releases of regulated hazardous materials that represent a potential hazard beyond the boundaries of a property. Facilities that are required to participate in the CalARP Program use or store specified quantities of toxic and flammable substances (hazardous materials) that can have off-site consequences if accidentally released. The Santa Clara County Department of Environmental Health reviews CalARP risk management plans as the CUPA.

## Asbestos-Containing Materials

Friable asbestos is any asbestos-containing material (ACM) that, when dry, can easily be crumbled or pulverized to a powder by hand, allowing the asbestos particles to become airborne. Common examples of products that have been found to contain friable asbestos include acoustical ceilings, plaster, wallboard, and thermal insulation for water heaters and pipes. Common examples of non-friable ACMs are asphalt roofing shingles, vinyl floor tiles, and transite siding made with cement. The EPA began phasing out use of friable asbestos products in 1973 and issued a ban in 1978 on manufacture, import, processing, and distribution of some asbestos-containing products and new uses of asbestos products.<sup>59</sup> The EPA is currently considering a proposed ban on on-going use of asbestos.<sup>60</sup> National Emission Standards for Hazardous Air Pollutants (NESHAP) guidelines require that potentially friable ACMs be removed prior to building demolition or remodeling that may disturb the ACMs.

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<sup>58</sup> California Environmental Protection Agency. "Cortese List Data Resources." Accessed May 31, 2022. <https://calepa.ca.gov/sitecleanup/corteselist/>.

<sup>59</sup> United States Environmental Protection Agency. "EPA Actions to Protect the Public from Exposure to Asbestos." Accessed April 19, 2022. <https://www.epa.gov/asbestos/epa-actions-protect-public-exposure-asbestos>

<sup>60</sup>Ibid.

## CCR Title 8, Section 1532.1

The United States Consumer Product Safety Commission banned the use of lead-based paint in 1978. Removal of older structures with lead-based paint is subject to requirements outlined by the Cal/OSHA Lead in Construction Standard, CCR Title 8, Section 1532.1 during demolition activities. Requirements include employee training, employee air monitoring, and dust control. If lead-based paint is peeling, flaking, or blistered, it is required to be removed prior to demolition.

## Municipal Regional Permit Provision C.12.f

Polychlorinated biphenyls (PCBs) were produced in the United States between 1955 and 1978 and used in hundreds of industrial and commercial applications, including building and structure materials such as plasticizers, paints, sealants, caulk, and wood floor finishes. In 1979, the EPA banned the production and use of PCBs due to their potential harmful health effects and persistence in the environment. PCBs can still be released to the environment today during demolition of buildings that contain legacy caulks, sealants, or other PCB-containing materials.

With the adoption of the San Francisco Bay Region Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) Permit (MRP) by the San Francisco Bay Regional Water Quality Control Board on November 19, 2015, Provision C.12.f requires that permittees develop an assessment protocol methodology for managing materials with PCBs in applicable structures planned for demolition to ensure PCBs do not enter municipal storm drain systems.<sup>61</sup> Municipalities throughout the Bay Area are currently modifying demolition permit processes and implementing PCB screening protocols to comply with Provision C.12.f. Mountain View requires the completion of a PCB Screening Assessment Package prior to approval of a demolition permit. As of July 1, 2019, buildings constructed between 1955 and 1980 that are proposed for demolition must be screened for the presence of PCBs prior to the issuance of a demolition permit.

## **Regional and Local**

### Moffett Federal Airfield Comprehensive Land Use Plan

The project site is approximately 2.6 miles southwest of the Moffett Federal Airfield, which is the closest airport to the site. The Moffett Federal Airfield Comprehensive Land Use Plan (CLUP), adopted by the Santa Clara County Airport Land Use Commission, is intended to safeguard the general welfare of the inhabitants within the vicinity of the airport, as well as aircraft occupants.<sup>62</sup> The CLUP is also intended to ensure that surrounding new land uses do not affect airfield operations. The CLUP identifies the Airfield's Airport Influence Area (AIA). The AIA is a composite of areas surrounding the Airfield that are affected by noise, height, and safety considerations. Within the AIA, the CLUP establishes a (1) noise restriction area, (2) height restriction area, and (3) safety restriction area.

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<sup>61</sup> California Regional Water Quality Control Board. *San Francisco Bay Region Municipal Regional Stormwater NPDES Permit*. November 2015.

<sup>62</sup> Santa Clara County Airport Land Use Commission. *Moffett Federal Airfield Comprehensive Land Use Plan*. November 2, 2016.

## Santa Clara County Operational Area Hazard Mitigation Plan

The City's Hazard Mitigation Plan, an annex to Santa Clara County's Operational Area Hazard Mitigation Plan (2017), performs a full risk assessment on the nine hazards that present the greatest concern in Santa Clara County. The nine hazards focused on for this mitigation plan are climate change/sea-level rise, dam and levee failure, drought, earthquakes, floods, landslides, severe weather, tsunamis, and wildfires.

The City's annex, Chapter 11 of the document, provides a detailed overview of the City's response capabilities, the organizational structure of local authorities, risk rating scores that determine which hazards present the greatest risk to Mountain View, and a priority schedule for mitigation measures planned by local and regional agencies.

## Certified Unified Program Agency

The routine management of hazardous materials in California is administered under the Unified Program. The CalEPA 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 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 MVFD 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.

## City of Mountain View 2030 General Plan

The General Plan contains goals and policies to avoid significant impacts due to hazards and hazardous materials. The following goals and policies are applicable to the proposed project.

<b>Policy</b>	<b>Description</b>
PSA-3.2	<b>Protection from hazardous materials.</b> Prevent injuries and environmental contamination due to the uncontrolled release of hazardous materials through prevention and enforcement of fire and life safety codes and prevention.
PSA-3.3	<b>Development review.</b> Implement development review procedures that encourage effective identification and remediation of contamination and protection of public and environmental health and safety.
PSA-3.4	<b>Oversight agencies.</b> Work with local, state, and federal oversight agencies to encourage remediation of contamination and protection of public and environmental health and safety.
INC-18.1	<b>Contamination prevention.</b> Protect human and environmental health from environmental contamination.
INC-18.2	<b>Contamination clean-up.</b> Cooperate with local, state, and federal agencies that oversee environmental contamination and clean-up.

#### 4.9.1.2 *Existing Conditions*

##### **On-Site Contaminants**

The project site was used as pasture until 1948 when a small structure and dirt driveway were developed on-site. Between 1948 and 2018, the structure was demolished and the site was converted to a construction storage yard with multiple containers and trailers located around the perimeter and stockpiles in the northwestern portion of the project site. There is no documentation regarding the origin or use of the stockpiles; therefore, this represents a potential environmental concern.

A Phase II Subsurface Investigation (Phase II) was completed for the proposed project in October 2021 (see Appendix C) and included soil and soil vapor sampling and laboratory analysis. According to the laboratory analysis, soil samples revealed cobalt, nickel, and arsenic levels above the applicable environmental screening levels. Cobalt and nickel were detected in soil samples at concentrations (24 mg/kg for cobalt and 87 mg/kg for nickel) which slightly exceed the most conservative residential environmental screening level (ESL) of 23 mg/kg and 86 mg/kg, respectively. Additionally, arsenic was detected in soil samples at concentrations ranging from 2.6 to 4.2 mg/kg which exceed most conservative residential ESL of 0.067 mg/kg. Arsenic concentrations detected at the project site are typical of background arsenic concentrations in the region and therefore, do not represent a significant environmental concern. Soil vapor on the project site contained benzene at concentrations (20  $\mu\text{g}/\text{m}^3$ ) that exceed residential and commercial/industrial environmental safety limits of 2.3 and 14  $\mu\text{g}/\text{m}^3$ . No asbestos was detected in any of the analyzed soil samples and PCBs were found to be well below the most conservative ESL.

The peer review of the Phase II concluded that the levels of cobalt, nickel, and arsenic found in soil samples on the project site are typical of natural background concentrations in the area. Background concentrations of these metals often exceed screening levels and CalEPA does not generally require cleanup of soil to below background concentrations. The peer review of the Phase II also concluded that, based on the site history, the elevated levels of benzene found in soil vapor could be part of natural ambient air quality conditions. Furthermore, since the proposed project would construct residential units above a below ground parking garage, vapor intrusion into the residential units would be greatly reduced.

The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. No recognized environmental conditions, historical recognized environmental conditions, or controlled recognized environmental conditions were identified at the project site.

##### **Off-Site Contaminants**

A review of properties and surrounding uses within one mile of the project site identified one active clean up case and two commercial uses with potential impacts to the project site.

An active solvent leak clean up case was identified at 1313 El Camino Real, approximately 1,200 feet southeast of the project site. Ground monitoring wells at 1313 El Camino Real showed PCE levels below applicable environmental screening levels in December 2020.

Additionally, the project site is located adjacent to present and historical commercial uses including an existing dry cleaning facility at 1049 El Monte Avenue and Chevron Gas Station at 1010 El Monte

Avenue, as well as numerous historical commercial uses at 1049 El Monte Avenue which used underground storage tanks. Although no evidence of leaks, spills, or unauthorized releases were identified on these properties, minor CUPA inspection violations are noted for the dry cleaner property. As a result, the various historical commercial uses and existing dry cleaning and gasoline station represent a potential vapor encroachment concern.

### Other Hazards

The Moffett Federal Airfield is located approximately 2.6-miles northeast of the project site. The project site is not located within the Airport Influence Area of the Moffett Federal Airfield.

The project site is located in a developed, urban area surrounded by urban development. The site is not located within a designated Very High Fire Hazard Severity Zone.<sup>63</sup>

#### 4.9.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5) 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, result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<sup>63</sup> California Department of Forestry and Fire Protection. *Santa Clara County – Very High Fire Hazard Severity Zones in LRA*. October 8, 2008. California Department of Forestry and Fire Protection. *Santa Clara County – Fire Hazard Severity Zones in SRA*. November 6, 2007.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
6) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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**Impact HAZ-1:** The project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. **(Less than Significant Impact)**

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Operation of the proposed residential building would include the use and storage of cleaning supplies and maintenance chemicals in small quantities by future residents. No other hazardous materials would be used or stored on-site. For these reasons, the proposed project would not create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials. **(Less than Significant Impact)**

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**Impact HAZ-2:** The project would not 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. **(Less than Significant Impact)**

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### Construction

As discussed in Section 4.9.1.2 Existing Conditions above, the project site is currently undeveloped with no existing structures. Although the site once contained structures constructed prior to the 1978 ban on asbestos containing materials, no asbestos or lead were detected in on-site soil samples. Slightly elevated levels of cobalt, nickel, and arsenic in on-site soils were detected; however, these elevated levels are typical of naturally occurring background concentrations. For these reasons, the project would not 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. **(Less than Significant Impact)**

### Operation

As discussed under Impact HAZ-1 above, operation of the proposed project would include the use and storage of cleaning supplies and maintenance chemicals in small quantities. No other hazardous materials would be used or stored on-site. Storage of cleaning supplies and maintenance chemicals are typical of residential uses and would not create a significant hazard to the public or the environment through reasonably foreseeable upset or accident conditions. **(Less than Significant Impact)**



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**Impact HAZ-3:** The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. **(Less than Significant Impact)**

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The nearest school to the project site is Mariano Castro Elementary School, approximately 0.35-mile north of the project site. No schools are proposed in the area. Therefore, the project would not result in emissions of hazardous materials within one quarter mile of an existing or proposed school. **(Less than Significant Impact)**

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**Impact HAZ-4:** The project would not 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, create a significant hazard to the public or the environment. **(No Impact)**

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The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and therefore, would not result in a significant hazard to the public or the environment. **(No Impact)**

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**Impact HAZ-5:** The project would not be 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. The project would not result in a safety hazard or excessive noise for people residing or working in the project area. **(Less than Significant Impact)**

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The project site is approximately 2.6-miles from Moffett Federal Airfield (the nearest airport to the project site). The proposed project does not require airspace safety review by the FAA (because it proposes a building less than 200 feet tall) and the site is not located within the ALUC's Airport Influence Area. The proposed project would, therefore, not result in aircraft safety hazards and would not result in a substantial safety hazard for people residing or working in the project area. **(Less than Significant Impact)**

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**Impact HAZ-6:** The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. **(Less than Significant Impact)**

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The project site is located in a developed area on an infill site. There are no formal evacuation routes or emergency response plans involving the project site or adjacent parcels. The project would be constructed in accordance with current building and fire codes to ensure structural stability and safety. In addition, the MVFD would review the site development plans to ensure adequate emergency access is provided. For these reasons, the project would not impair implementation of, or physically interfere with, the City's Emergency Operations and Evacuation Plans and impacts would be less than significant. **(Less than Significant Impact)**

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**Impact HAZ-7:** The project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. **(No Impact)**

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The project site is not located within a Very-High Fire Hazard Severity Zone for wildland fires designated by CalFIRE.<sup>64</sup> **(No Impact)**

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<sup>64</sup> California Department of Forestry and Fire Protection. *Santa Clara County – Very High Fire Hazard Severity Zones in LRA*. October 8, 2008. California Department of Forestry and Fire Protection. *Santa Clara County – Fire Hazard Severity Zones in SRA*. November 6, 2007.

## **4.10 HYDROLOGY AND WATER QUALITY**

### **4.10.1 Environmental Setting**

#### **4.10.1.1 *Regulatory Framework***

##### **Federal and State**

The federal Clean Water Act and California’s Porter-Cologne Water Quality Control Act are the primary laws related to water quality in California. Regulations set forth by the Environmental Protection Agency (EPA) and the State Water Resources Control Board (SWRCB) have been developed to fulfill the requirements of this legislation. EPA 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 Regional Water Quality Control Boards (RWQCBs). The project site is within the jurisdiction of the San Francisco Bay RWQCB.

Under Section 303(d) of the federal Clean Water Act, the SWRCB and RWQCBs are required to identify impaired surface water bodies that do not meet water quality standards and develop total maximum daily loads (TMDLs) for contaminants of concern. The list of the state’s identified impaired surface water bodies, known as the “303(d) list” can be found on the on the RWQCB’s website.<sup>65</sup>

##### **National Flood Insurance Program**

The Federal Emergency Management Agency (FEMA) established the National Flood Insurance Program (NFIP) to reduce impacts of flooding on private and public properties. The program provides subsidized flood insurance to communities that comply with FEMA regulations protecting development in floodplains. As part of the program, FEMA publishes Flood Insurance Rate Maps (FIRMs) that identify Special Flood Hazard Areas (SFHAs). An SFHA is an area that would be inundated by the one-percent annual chance flood, which is also referred to as the base flood or 100-year flood.

##### **Statewide Construction General Permit**

The SWRCB has implemented an NPDES General Construction Permit for the State of California (Construction General Permit). The Construction General Permit includes requirements for training, inspections, record keeping, and, for projects of certain risk levels, monitoring. The general purpose of the requirements is to minimize the discharge of pollutants and to protect beneficial uses and receiving waters from the adverse effects of construction-related storm water discharges.

##### **Regional**

##### **San Francisco Bay Basin Plan**

The San Francisco Bay RWQCB regulates water quality in accordance with the Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan). The Basin Plan lists the beneficial uses that the San

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<sup>65</sup> San Francisco Regional Water Quality Control Board. “The 303(d) List of Impaired Water Bodies.” Accessed March 3, 2022. [https://www.waterboards.ca.gov/sanfranciscobay/water\\_issues/programs/TMDLs/303dlist.html](https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/TMDLs/303dlist.html).

Francisco Bay RWQCB has identified for local aquifers, streams, marshes, rivers, and the San Francisco Bay, as well as the water quality objectives and criteria that must be met to protect these uses. The San Francisco Bay RWQCB implements the Basin Plan by issuing and enforcing waste discharge requirements, including permits for nonpoint 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.

### Municipal Regional Permit Provision C.3

The San Francisco Bay RWQCB re-issued the MRP in May 2022 to regulate stormwater discharges from municipalities and local agencies (co-permittees) in Alameda, Contra Costa, San Mateo, and Santa Clara Counties, and the cities of Fairfield, Suisun City, and Vallejo.<sup>66</sup> Under Provision C.3 of the MRP, new and redevelopment projects that create or replace 5,000 square feet or more of impervious surface area are required to implement site design, source control, and Low Impact Development (LID)-based stormwater treatment controls to treat post-construction stormwater runoff. LID-based treatment controls are intended to maintain or restore the site's natural hydrologic functions, maximizing opportunities for infiltration and evapotranspiration, and using stormwater as a resource (e.g., rainwater harvesting for non-potable uses). The MRP also requires that stormwater treatment measures are properly installed, operated, and maintained.

In addition to water quality controls, the MRP requires new development and redevelopment projects that create or replace one acre or more of impervious surface to manage development-related increases in peak runoff flow, volume, and duration, where such hydromodification is likely to cause increased erosion, silt pollutant generation, or other impacts to local rivers, streams, and creeks. Projects may be deemed exempt from these requirements if: (1) the post-project impervious surface area is less than, or the same as, the pre-project impervious surface area; (2) the project is located in a catchment that drains to a hardened (e.g., continuously lined with concrete) engineered channel or channels or enclosed pipes, which extend continuously to the Bay, Delta, or flow controlled reservoir, or, in a catchment that drains to channels that are tidally influenced; or (3) the project is located in a catchment or subwatershed that is highly developed (i.e., that is 70 percent or more impervious).<sup>67</sup>

### Municipal Regional Permit Provision C.12.f

Provision C.12.f of the MRP requires co-permittee agencies to implement a control program for PCBs that reduces PCB loads by a specified amount during the term of the permit, thereby making substantial progress toward achieving the urban runoff PCBs wasteload allocation in the Basin Plan by March 2030.<sup>68</sup> Programs must include focused implementation of PCB control measures, such as source control, treatment control, and pollution prevention strategies. Municipalities throughout the Bay Area are updating their demolition permit processes to incorporate the management of PCBs in demolition building materials to ensure PCBs are not discharged to storm drains during demolition. As of July 1,

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<sup>66</sup> California Regional Water Quality Control Board San Francisco Region. *Municipal Regional Stormwater NPDES Permit, Order No. R2-2022-0018, NPDES Permit No. CAS612008*. May 11, 2022

<sup>67</sup> The Hydromodification Applicability Maps developed the permittees under Order No. R2-2009-0074 were prepared using this standard, adjusted to 65 percent imperviousness to account for the presence of vegetation on the photographic references used to determine imperviousness. Thus, the maps for Order No. R2-2009-0074 are accepted as meeting the 70 percent requirement.

<sup>68</sup> San Francisco Bay Regional Water Quality Control Board. *Municipal Regional Stormwater Permit, Provision C.12*. November 19, 2015.

2019, buildings constructed between 1955 and 1980 that are proposed for demolition must be screened for the presence of PCBs prior to the issuance of a demolition permit.

### Water Resources Protection Ordinance and District Well Ordinance

Valley Water operates as the flood control agency for Santa Clara County. Their stewardship also includes creek restoration, pollution prevention efforts, and groundwater recharge. Permits for well construction and destruction work, most exploratory boring for groundwater exploration, and projects within Valley Water property or easements are required under Valley Water’s Water Resources Protection Ordinance and District Well Ordinance.

### 2021 Groundwater Management Plan

The 2021 Groundwater Management Plan (GWMP) describes the Valley Water’s comprehensive groundwater management framework, including existing and potential actions to achieve basin sustainability goals and ensure continued sustainable groundwater management. The GWMP covers the Santa Clara and Llagas subbasins, which are located entirely in Santa Clara County. Valley Water manages a diverse water supply portfolio, with sources including groundwater, local surface water, imported water, and recycled water. About half of the county’s water supply comes from local sources and the other half comes from imported sources. Imported water includes the District’s State Water Project and Central Valley contract supplies and supplies delivered by the San Francisco Public Utilities Commission (SFPUC) to cities in northern Santa Clara County. Local sources include natural groundwater recharge and surface water supplies. A small portion of the county’s water supply is recycled water.

Local groundwater resources make up the foundation of the county’s water supply, but they need to be augmented by the District’s comprehensive water supply management activities to reliably meet the county’s needs. These include the managed recharge of imported and local surface water and in-lieu groundwater recharge through the provision of treated surface water and raw water, acquisition of supplemental water supplies, and water conservation and recycling.<sup>69</sup>

## **Local**

### City of Mountain View 2030 General Plan

The General Plan contains goals and policies to avoid significant impacts due to hydrology and water quality impacts. The following goals and policies are applicable to the proposed project.

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<b>Policy</b>	<b>Description</b>
INC-8.2	<b>National Pollutant Discharge Elimination System Permit.</b> Comply with requirements in the Municipal Regional Stormwater National Pollutant Discharge Elimination System Permit (MRP).
INC-8.4	<b>Runoff pollution prevention.</b> Reduce the amount of stormwater runoff and stormwater pollution entering creeks, water channels and the San Francisco Bay through participation in the Santa Clara Valley Urban Runoff Pollution Prevention Program.

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<sup>69</sup> Valley Water. *2021 Groundwater Management Plan, Santa Clara and Llagas Subbasins*. November 2021.

<b>Policy</b>	<b>Description</b>
INC-8.5	<b>Site-specific stormwater treatment.</b> Require post-construction stormwater treatment controls consistent with MRP requirements for both new development and redevelopment projects.
INC-8.7	<b>Stormwater quality.</b> Improve the water quality of stormwater and reduce flow quantities.
POS-9.1	<b>Sustainable design.</b> Promote sustainable building materials, energy- efficient and water-efficient designs, permeable paving and other low-impact features in new public buildings.

#### 4.10.1.2 *Existing Conditions*

##### **Stormwater Drainage**

The project site is located within the Permanente Creek watershed. Stormwater runoff from developed areas of the watershed is primarily conveyed to Permanente Creek by way of the City’s stormwater system, which flows into the San Francisco Bay via Mountain View Slough. The project site consists of 100 percent pervious surfaces (or 0.72 acre). The municipal storm drain system consists of storm drain inlets, conveyance pipes, culverts, channels and retention basins operated by the City of Mountain View Public Works Department. Drainage into the City system generally flows south to north towards San Francisco Bay.

##### **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 nonpoint 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.

While there are no streams, creeks, ponds, or other surface water bodies located within the project site, Permanente Creek is located 650 feet east of the site. Permanente Creek is on the 2006 Clean Water Act Section 303(d) list due to Diazinon pollution from urban runoff and storm sewer sources. The California Water Board is in the process of examining the current status of impairment.

##### **Groundwater**

The project site is located within the Santa Clara subbasin. The 297 square mile Santa Clara groundwater basin provides municipal, domestic, industrial, and agricultural water supply to the area.

The Santa Clara subbasin has not been identified as a groundwater basin in a state of overdraft in the 2021 Groundwater Management Plan.

Groundwater at the project site is estimated to be approximately 43 to 51 feet below ground surface (bgs).<sup>70</sup>

<sup>70</sup> Environmental Investigation Services, Inc. *918 Rich Avenue San Jose, California*. February 16, 2020.



## Flooding

The project site is located within Flood Zone X, which is not a Special Flood Hazard Area as identified by FEMA FIRM.<sup>71</sup> Flood Zone X is defined as an area determined to be outside the one percent and 0.2 percent annual chance floodplains, indicative of a minimal flood hazard.

## Seiches and Tsunamis

A seiche is the oscillation of a body of water, typically caused by changes in atmospheric pressure, strong winds, earthquakes, tsunamis, or tidal movements. Seiches occur most frequently in enclosed or semi-enclosed basins such as lakes, bays, or harbors. A damaging seiche has not been recorded in the San Francisco Bay Area as far as records indicate. There are no enclosed or semi-enclosed bodies of water near the project site.

Tsunamis are long period water waves caused by underwater seismic events, volcanic eruptions, or undersea landslides. The project site is located approximately 3.8-mile southwest of San Francisco Bay, and therefore, is not located within an identified tsunami inundation area.<sup>72</sup>

### 4.10.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
– result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
– substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<sup>71</sup> Federal Emergency Management Agency. Flood Insurance Rate Map, Community Panel No. 06085C0038H. Effective Date May 18, 2009.

<sup>72</sup> State of California, 2021, Tsunami Hazard Area Map, Santa Clara County; produced by the California Geological Survey, the California Governor's Office of Emergency Services, and AECOM; dated 2021 on the map, mapped at multiple scales.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
- create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
- impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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**Impact HYD-1:** The project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. **(Less than Significant Impact)**

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### During Construction

Implementation of the project would require grading, excavation, and paving of the site. Grading and excavation activities could increase erosion and sedimentation, resulting in sediment, soil, and associated pollutants that could be carried by runoff into natural waterways increasing sedimentation impacts to local creeks or the San Francisco Bay. The project, with implementation of the following measures (which are required by the City as standard conditions of approval and are based on RWQCB requirements), would reduce impacts to water quality during construction.

#### Standard Conditions of Approval

- **CONSTRUCTION SEDIEMENT AND EROSION CONTROL PLAN:** The applicant shall submit a written plan acceptable to the City which shows controls that shall be used at the site to minimize sediment runoff and erosion during storm events. The plan shall include installation of the following items where appropriate: (a) silt fences around the site perimeter; (b) gravel bags surrounding catch basins; (c) filter fabric over catch basins; (d) covering of exposed stockpiles; (e) concrete washout areas; (f) stabilized rock/gravel driveways at points of egress from the site; and (g) vegetation, hydroseeding, or other soil stabilization methods for high-erosion areas. The plan should also include routine street sweeping and storm drain catch basin cleaning.

With implementation of the above standard condition of approval, the proposed project would have a less than significant impact on soil erosion by requiring the installation of erosion controls during construction. **(Less than Significant Impact)**

## Post-Construction

Construction of the project would result in the creation of more than 10,000 square feet of impervious surface area. As a result, the project would be required to comply with the requirements of the MRP. In order to meet these requirements, the proposed project would include LID-based stormwater treatment controls (e.g., bioretention treatment areas, pervious pavers).

The project would increase the amount of impervious surfaces on-site by approximately 25,077 square feet. The increase in impervious surfaces results in a corresponding increase in surface runoff. The project, however, would include stormwater treatment controls that would be numerically sized and would have sufficient capacity to treat the runoff from the roofs, podium decks, hardscape, and driveway areas entering the storm drainage system consistent with the NPDES requirements.

The project would be required to include the following measures, based on RWQCB requirements, to reduce stormwater runoff impacts from project implementation.

### Standard Conditions of Approval:

- **STORMWATER TREATMENT (C.3):** This project would create or replace more than ten thousand (10,000) square feet of impervious surface; therefore, stormwater runoff shall be directed to approved permanent treatment controls as described in the City’s guidance document entitled, “Stormwater Quality Guidelines for Development Projects.” The City’s guidelines also describe the requirement to select Low-Impact Development (LID) types of stormwater treatment controls; the types of projects that are exempt from this requirement; and the Infeasibility and Special Projects exemptions from the LID requirement.

The “Stormwater Quality Guidelines for Development Projects” document requires applicants to submit a Stormwater Management Plan, including information such as the type, location, and sizing calculations of the treatment controls that will be installed. Include three stamped and signed copies of the Final Stormwater Management Plan with the building plan submittal. The Stormwater Management Plan must include a stamped and signed certification by a qualified Engineer, stating that the Stormwater Management Plan complies with the City’s guidelines and the State NPDES Permit. Stormwater treatment controls required under this condition may be required to enter into a formal recorded Maintenance Agreement with the City.

- **LANDSCAPE DESIGN:** Landscape design shall minimize runoff and promote surface filtration. Examples include: (a) No steep slopes exceeding 10 percent; (b) Using mulches in planter areas without ground cover to avoid sedimentation runoff; (c) Installing plants with low water requirements; and (d) Installing appropriate plants for the location in accordance with appropriate climate zones. Identify which practices shall be used in the building plan submittal.
- **EFFICIENT IRRIGATION:** Common areas shall employ efficient irrigation to avoid excess irrigation runoff. Examples include: (a) Setting irrigation timers to avoid runoff by splitting irrigations into several short cycles; (b) Employing multi-programmable irrigation controllers; (c) Employing rain shutoff devices to prevent irrigation after significant precipitation; (d) Use of drip irrigations for all planter areas which have a shrub density that will cause excessive spray interference of an overhead system; and (e) Use of flow reducers to mitigate broken

heads next to sidewalks, streets and driveways. Identify which practices shall be used in the building plan submittal.

- OUTDOOR STORAGE AREAS (INCLUDING GARBAGE ENCLOSURES): Outdoor storage areas (for storage of equipment or materials which could decompose, disintegrate, leak or otherwise contaminate stormwater runoff), including garbage enclosures, shall be designed to prevent the run-on of stormwater and runoff of spills by all of the following: (a) Paving the area with concrete or other nonpermeable surface; (b) Covering the area; and (c) Sloping the area inward (negative slope) or installing a berm or curb around its perimeter. There shall be no storm drains in outdoor storage areas.
- STORM DRAIN/SANITARY SEWER PLAN CHECK SHEET: Complete a “Storm Drain/Sanitary Sewer Discharges” check sheet. All applicable items in the check sheet should be completed and shown on the building plan submittal.
- CONSTRUCTION BEST MANAGEMENT PRACTICES: All construction projects shall be conducted in a manner which prevents the release of hazardous materials, hazardous waste, polluted water, and sediments to the storm drain system.
- 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 include installation of the following items where appropriate: (a) silt fences around the site perimeter; (b) gravel bags surrounding catch basins; (c) filter fabric over catch basins; (d) covering of exposed stockpiles; (e) concrete washout areas; (f) stabilized rock/gravel driveways at points of egress from the site; and (g) vegetation, hydroseeding, or other soil stabilization methods for high-erosion areas. The plan should also include routine street sweeping and storm drain catch basin cleaning.
- ENGINEERED DRAWINGS: Treatment systems and/or porous pavement, pavers, and other uncompacted surfaces require engineered drawings.
- LOW-USE ACCESS AREA DRAINAGE: Low-use public access areas, such as overflow parking, emergency access roads, and alleys, shall be designed to increase stormwater infiltration and decrease runoff by one or more of the following methods: (a) porous pavement; (b) pavers; (c) uncompacted bark/gravel; or (d) drain to landscaped areas or vegetative strips.
- FIRE SPRINKLERED BUILDINGS: New buildings that will have fire sprinkler systems shall be provided with a sanitary sewer drain in a protected area, which can adequately accommodate sprinkler water discharged during sprinkler system draining or activation of the inspector test valve. Show the location and provide a detail of the fire sprinkler drain on the plans.
- PARKING GARAGES: For multiple-level parking garages, interior levels shall be connected to an approved wastewater treatment system discharging to the sanitary sewer.
- STORMWATER MANAGEMENT PLAN—THIRD-PARTY ENGINEER’S CERTIFICATION: The Final Stormwater Management Plan must be certified by a qualified third-party engineer that the proposed stormwater treatment controls comply with the City’s Guidelines and Provision C.3 of the Municipal Regional Stormwater NPDES Permit (MRP). A list of qualified engineers is available at the following link: [http://www.scvurppp-w2k.com/consultants\\_list.shtml](http://www.scvurppp-w2k.com/consultants_list.shtml).

With the implementation of the standard conditions of approval, based on RWQCB requirements, the

project's post-construction water quality impacts would be less than significant by treating surface runoff. **(Less than Significant Impact)**

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**Impact HYD-2:** The project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. **(Less than Significant Impact)**

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The project site is located in a confined area of the Santa Clara Subbasin. The project does not include installation of groundwater wells and, therefore, would not deplete groundwater supplies underneath the site. Further, while the project would result in a net increase in impervious surfaces compared to existing conditions, there are no groundwater recharge facilities on-site managed by Valley Water. For these reasons, impacts related to groundwater recharge would be less than significant. **(Less than Significant Impact)**

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**Impact HYD-3:** The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows. **(Less than Significant Impact)**

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There are no existing waterways on the site; therefore, the proposed project would not substantially alter the existing drainage pattern of the site or area through the alteration of any waterway. The project would result in an increase in impervious surfaces compared to existing conditions, however, the project would comply with stormwater treatment requirements and implement erosion and sedimentation controls described under Impact HYD-1. In addition, the City Department of Public Works has confirmed the existing storm drainage system can accommodate the runoff flows from the project site. As a result, the project would not result in substantial erosion or siltation, flooding, or additional sources of polluted runoff. **(Less than Significant Impact)**

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**Impact HYD-4:** The project would not risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones. **(Less than Significant Impact)**

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As discussed in Section 4.10.1.2 Existing Conditions, the project site is not located within a 100-year flood hazard area or subject to tsunamis or seiches. In addition, the proposed project is anticipated to use only small quantities of cleaning chemicals that would be properly stored. For these reasons, the project would not risk release of substantial pollutants due to inundation. **(Less than Significant Impact)**

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**Impact HYD-5:** The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. **(Less than Significant Impact)**

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The San Francisco Basin Plan provides a framework for state and local governments to meet water quality objectives and criteria to protect the beneficial uses of local aquifers, streams, marshes, and San Francisco Bay. Consistent with the San Francisco Basin Plan, the proposed project would comply with the MRP requirement to install LID treatment controls to treat stormwater runoff and implement the City standard conditions of approval identified under Impact HYD-1. The Santa Clara Plain subbasin, which the project site is located within, has not been identified as a groundwater basin in a state of overdraft in the GWMP. The project site is not located within, or adjacent to, a groundwater recharge pond or facility. Implementation of the proposed project, therefore, would not conflict with or obstruct the GWMP.

For these reasons, the project would not conflict with water quality control plans or sustainable groundwater management plans. **(Less than Significant Impact)**



## 4.11 LAND USE AND PLANNING

### 4.11.1 Environmental Setting

#### 4.11.1.1 *Regulatory Framework*

#### Local

##### City of Mountain View 2030 General Plan

The General Plan contains goals and policies to avoid significant impacts due to land use and planning impacts. The following goals and policies are applicable to the proposed project.

Policy	Description
Land Use and Design	
LUD 3.1	<b>Land use and transportation.</b> Focus higher land use intensities and densities within a half-mile of public transit service, and along major commute corridors.
LUD 3.4	<b>Land use conflict.</b> Minimize conflicts between different land uses
LUD 3.8	<b>Preserved land use districts.</b> Promote and preserve commercial and industrial districts that support a diversified economic base.
LUD 15.2	<b>Sustainable development focus.</b> Require sustainable site planning, building, and design strategies.
LUD 15.4	<b>Wildlife friendly development.</b> Implement wildlife friendly site planning, building and design strategies.

##### Mountain View City Code

Chapter 36 of the City Code is the Zoning Ordinance, which 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 General Plan and Zoning Ordinance are distinct documents, the General Plan and Zoning Ordinance are closely related, and state law mandates that zoning regulations be consistent with the General Plan maps and policies.

#### 4.11.1.2 *Existing Conditions*

The project site has a General Plan land use designation of Medium High-Density Residential and is zoned R3-1, Multiple Family Residential. The project site is currently undeveloped.

**4.11.2 Impact Discussion**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

---

**Impact LU-1:** The project would not physically divide an established community. **(Less than Significant Impact)**

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Examples of projects that have the potential to physically divide an established community include ones that physically construct a feature (such as new freeways and highways, major arterial streets, and railroad lines) or remove a means of access (such as a local roadway or bridge), which would impair mobility. The project proposes a residential land use similar to the surrounding residential land uses to the north, east, and south of the site. The site west of the project site (currently developed with commercial office uses) was recently approved for residential development as well. The project would not include the construction of features that would divide the community. Thus, development of the project would not physically divide an established community. **(Less than Significant Impact)**

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**Impact LU-2:** The project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. **(Less than Significant Impact)**

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The project is permitted under the existing General Plan land use designation and zoning, coupled with the State Density Bonus Law (as explained in detail in Section 3.0 ). The project proposes mitigation measures and would implement standard conditions of approval to minimize environmental impacts to avoid or mitigate environmental effects as described in the individual resource sections of this Initial Study. For these reasons, the proposed project would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. **(Less than Significant Impact)**

**4.12 MINERAL RESOURCES**

**4.12.1 Environmental Setting**

**4.12.1.1 *Regulatory Framework***

**State**

Surface Mining and Reclamation Act

The Surface Mining and Reclamation Act (SMARA) was enacted by the California legislature in 1975 to address the need for a continuing supply of mineral resources, and to prevent or minimize the negative impacts of surface mining to public health, property, and the environment. As mandated under SMARA, the State Geologist has designated mineral land classifications in order to help identify and protect mineral resources in areas within the state subject to urban expansion or other irreversible land uses which would preclude mineral extraction. SMARA also allowed the State Mining and Geology Board (SMGB), after receiving classification information from the State Geologist, to designate lands containing mineral deposits of regional or statewide significance.

**4.12.1.2 *Existing Conditions***

Based on the United States Geological Survey (USGS) map of mines and mineral resources, the project site is not comprised of known mineral resources or mineral resource production areas.<sup>73</sup> Mineral resource recovery activities do not occur on or near the project site.

**4.12.2 Impact Discussion**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<sup>73</sup> United States Geological Survey. *Mineral Resources Online Spatial Data: Interactive maps and downloadable data for regional and global Geology, Geochemistry, Geophysics, and Mineral Resources*. Accessed June 8, 2022. <https://mrdata.usgs.gov/>.

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**Impact MIN-1:** The project would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state. **(No Impact)**

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As discussed above in Section 4.12.1.2 Existing Conditions, there are no known mineral resources on-site. Therefore, the proposed project would not result in the loss of availability of a known mineral resource that would be of value to the residents in the state or region. **(No Impact)**

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**Impact MIN-2:** The project would not 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. **(No Impact)**

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See discussion for Impact MIN-1. **(No Impact)**

## 4.13 NOISE

### 4.13.1 Environmental Setting

#### 4.13.1.1 *Background Information*

##### **Noise**

Factors that influence sound as it is perceived by the human ear include the actual level of sound, period of exposure, frequencies involved, and fluctuation in the noise level during exposure. Noise is measured on a decibel scale, which serves as an index of loudness. The zero on the decibel scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Each 10 decibel increase in sound level is perceived as approximately a doubling of loudness. Because the human ear cannot hear all pitches or frequencies, sound levels are frequently adjusted or weighted to correspond to human hearing. This adjusted unit is known as the A-weighted decibel, or dBA.

Since excessive noise levels can adversely affect human activities and human health, federal, state, and local governmental agencies have set forth criteria or planning goals to minimize or avoid these effects. Noise guidelines are generally expressed using one of several noise averaging methods, including  $L_{eq}$ , DNL, or CNEL.<sup>74</sup> These descriptors are used to measure a location's overall noise exposure, given that there are times when noise levels are higher (e.g., when a jet is taking off from an airport or when a leaf blower is operating) and times when noise levels are lower (e.g., during lulls in traffic flows on freeways or in the middle of the night).  $L_{max}$  is the maximum A-weighted noise level during a measurement period.

##### **Vibration**

Ground vibration consists of rapidly fluctuating motions or waves with an average motion of zero. Vibration amplitude can be quantified using Peak Particle Velocity (PPV), which is defined as the maximum instantaneous positive or negative peak of the vibration wave. PPV has been routinely used to measure and assess ground-borne construction vibration. Studies have shown that the threshold of perception for average persons is in the range of 0.008 to 0.012 inches/second (in/sec) PPV.

#### 4.13.1.2 *Regulatory Framework*

##### **Federal and State**

##### Federal Transit Administration Vibration Limits

The Federal Transit Administration (FTA) has developed vibration impact assessment criteria for evaluating vibration impacts associated with transit projects. The FTA has proposed vibration impact criteria based on maximum overall levels for a single event. The impact criteria for groundborne vibration are shown in Table 4.13-1 below. There are established criteria for frequent events (more than 70 events of the same source per day), occasional events (30 to 70 vibration events of the same

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<sup>74</sup>  $L_{eq}$  is a measurement of average energy level intensity of noise over a given period of time. Day-Night Level (DNL or  $L_{dn}$ ) is a 24-hour average of noise levels, with a 10 dB penalty applied to noise occurring between 10:00 PM and 7:00 AM. Community Noise Equivalent Level (CNEL) includes an additional five dB applied to noise occurring between 7:00 PM and 10:00 PM. Where traffic noise predominates, the CNEL and DNL are typically within two dBA of the peak-hour  $L_{eq}$ .

source per day), and infrequent events (less than 30 vibration events of the same source per day). These criteria can be applied to development projects in jurisdictions that lack vibration impact standards.

<b>Table 4.13-1: Groundborne Vibration Impact Criteria</b>			
<b>Land Use Category</b>	<b>Groundborne Vibration Impact Levels (VdB inch/sec)<sup>1</sup></b>		
	<b>Frequent Event</b>	<b>Occasional Events</b>	<b>Infrequent Events</b>
<b>Category 1:</b> Buildings where vibration would interfere with interior operations	65	65	65
<b>Category 2:</b> Residences and buildings where people normally sleep	72	75	80
<b>Category 3:</b> Institutional land uses with primarily daytime use	75	78	83

1. VdB inch/sec = vibration decibels per inch per second.  
 Source: Federal Transit Administration. *Transit Noise and Vibration Assessment Manual*. September 2018.

### California Building Standards Code

The CBC establishes uniform minimum noise insulation performance standards to protect persons within new buildings housing people, including hotels, motels, dormitories, apartments, and dwellings other than single-family residences. Title 24 mandates that interior noise levels attributable to exterior sources not exceed 45 DNL/CNEL in any habitable room. Exterior windows must have a minimum Sound Transmission Class (STC) of 40 or Outdoor-Indoor Transmission Class (OITC) of 30 when the property falls within the 65 dBA DNL noise contour for a freeway or expressway, railroad, or industrial source.

### **Regional and Local**

#### Moffett Federal Airfield Comprehensive Land Use Plan

The project site is approximately 2.6 miles southwest of the Moffett Federal Airfield, which is the closest airport to the site. The Moffett Federal Airfield Comprehensive Land Use Plan (CLUP), adopted by the Santa Clara County Airport Land Use Commission, is intended to safeguard the general welfare of the inhabitants within the vicinity of the airport, as well as aircraft occupants.<sup>75</sup> The CLUP is also intended to ensure that surrounding new land uses do not affect airfield operations. The CLUP identifies the Airfield’s Airport Influence Area (AIA). The AIA is a composite of areas surrounding the Airfield that are affected by noise, height, and safety considerations. Within the AIA, the CLUP establishes a (1) noise restriction area, (2) height restriction area, and (3) safety restriction area.

<sup>75</sup> Santa Clara County Airport Land Use Commission. *Moffett Federal Airfield Comprehensive Land Use Plan*. November 2, 2016.



City of Mountain View 2030 General Plan

The purpose of the City of Mountain View 2030 General Plan Noise Element is to guide policies for addressing exposure to current and projected noise sources in Mountain View. The Noise Element includes a land use compatibility section which outlines acceptable outdoor noise environment standards for land use categories, as shown below in Table 4.13-2.

Table 4.13-2: General Plan Outdoor Noise Acceptability Guidelines							
Land Use Category	Community Noise Exposure in Decibels (CNEL) Day/Night Average Noise Level in Decibels (Ldn)						
	55	60	65	70	75	80	85
Residential-Single-Family, Duplex, Mobile Homes	Normally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable	Clearly Unacceptable
Residential-Multi-Family Transient Lodging-Motels, Hotels	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable	Clearly Unacceptable
Schools, Libraries, Churches, Hospitals, Nursing Homes	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable	Clearly Unacceptable
Auditoriums, Concert Halls, Amphitheaters, Sports Arenas, Outdoor Spectator Sports	Conditionally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Clearly Unacceptable	Clearly Unacceptable	Clearly Unacceptable
Playgrounds, Neighborhood Parks	Normally Acceptable	Normally Acceptable	Normally Acceptable	Normally Acceptable	Normally Unacceptable	Clearly Unacceptable	Clearly Unacceptable
Golf Courses, Riding Stables, Water Recreation, Cemeteries	Normally Acceptable	Normally Acceptable	Normally Acceptable	Normally Acceptable	Normally Unacceptable	Clearly Unacceptable	Clearly Unacceptable
Office Buildings, Business Commercial and Professional	Normally Acceptable	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable	Clearly Unacceptable
Industrial, Manufacturing, Utilities, Agriculture	Normally Acceptable	Normally Acceptable	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Clearly Unacceptable	Clearly Unacceptable

**NORMALLY ACCEPTABLE**  
Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.

**CONDITIONALLY ACCEPTABLE**  
New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design.

**NORMALLY UNACCEPTABLE**  
New construction or development should be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.

**CLEARLY UNACCEPTABLE**  
New construction or development clearly should not be undertaken.

Source: State of California General Plan Guidelines, 2003.

The General Plan contains goals and policies to avoid significant impacts due to noise. The following goals and policies are applicable to the proposed project.

Policy	Description
NOI 1.1	<b>Land Use Compatibility.</b> Use the Outdoor Noise Acceptability Guidelines as a guide for planning and development decisions.
NOI 1.2	<p><b>Noise-sensitive land uses.</b> Require new development of noise-sensitive land uses to incorporate measures into the project design to reduce interior and exterior noise levels to the following acceptable levels:</p> <ul style="list-style-type: none"> <li>• New single-family developments shall maintain a standard of 65 dBA Ldn for exterior noise in private outdoor active use areas.</li> <li>• New multi-family residential developments shall maintain a standard of 65 dBA Ldn for private and community outdoor recreation use areas. Noise standards do not apply to private decks and balconies in multi-family residential developments.</li> <li>• Interior noise levels shall not exceed 45 dBA Ldn in all new single-family and multi-family residential units.</li> <li>• Where new single-family and multi-family residential units would be exposed to intermittent noise from major transportation sources such as train or airport operations, new construction shall achieve an interior noise level of 65 dBA through measures such as site design or special construction materials. This standard shall apply to areas exposed to four or more major transportation noise events such as passing trains or aircraft flyovers per day.</li> </ul>
NOI 1.3	<b>Exceeding acceptable noise thresholds.</b> If noise levels in the area of a proposed project would exceed normally acceptable thresholds, the City shall require a detailed analysis of proposed noise reduction measures to determine whether the proposed use is compatible. As needed, noise insulation features shall be included in the design of such projects to reduce exterior noise levels to meet acceptable thresholds, or for uses with no active outdoor use areas, to ensure acceptable interior noise levels.
NOI 1.4	<b>Site planning.</b> Use site planning and project design strategies to achieve the noise level standards in NOI 1.1 (Land Use Compatibility) and in NOI 1.2 (Noise Sensitive Land Uses). The use of noise barriers shall be considered after all practical design-related noise measures have been integrated into the project design.
NOI 1.5	<b>Major roadways.</b> Reduce the noise impacts from major arterials and freeways.
NOI 1.6	<b>Sensitive uses.</b> Minimize noise impacts on noise-sensitive land uses, such as residential uses, schools, hospitals and child-care facilities.
NOI 1.7	<b>Stationary sources.</b> Restrict noise levels from stationary sources through enforcement of the Noise Ordinance.

### Mountain View City Code

The City of Mountain View addresses noise regulations and goals in the zoning chapter of the City Code. The City’s codes help protect the community from exposure to excessive noise and also specify how noise is measured and regulated. Noise is also regulated through standard project conditions of approval, and the Mountain View Police Department and the City Attorney’s office enforce noise violations.

Construction noise impacts primarily occur 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 duration lasts over an extended period of time. Section 8.70.1 of the City Code restricts the hours of construction activity to 7:00 a.m. to 6:00 p.m., Monday through Friday. No construction activity is permitted on Saturday, Sunday, or holidays without written approval from the City. Construction activities are defined to include any physical activity on the construction site or in the project’s staging area, including the delivery of materials.

The City of Mountain View also identifies limits on noise from stationary equipment (such as heating, ventilation, and air conditioning mechanical systems, delivery truck idling, loading/unloading activities, recreation activities, and parking lot operations) in Section 21.26 of the City Code. The maximum allowable noise level is 55 dBA during the day and 50 dBA at night (10:00 p.m. to 7:00 a.m.), unless it has been demonstrated that such operation would not be detrimental to the health, safety, peace, morals, comfort or general welfare of residents subjected to such noise, and the use has been granted a permit by the Zoning Administrator.

**4.13.1.3 Existing Conditions**

Noise levels at the project site are primarily from traffic along El Camino Real and El Monte Avenue. The Mountain View 2030 General Plan and Greenhouse Gas Reduction Program Final Environmental Impact Report (General Plan EIR) calculated noise levels to be approximately 68.3 dBA DNL along El Camino Real near the project site.<sup>76</sup> The project site, however, is setback from El Camino Real by at least 360 feet and is surrounded by existing buildings which provide shielding from noise along El Camino Real. For these reasons, the noise level at the project site would be less than 68 dBA DNL. The nearest noise sensitive receptors are residential uses located directly north and south of the project site.

**4.13.2 Impact Discussion**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in:				
1) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<sup>76</sup> City of Mountain View. *Mountain View 2030 General Plan and Greenhouse Gas Reduction Program Final Environmental Impact Report*. SCH #: 2011012069. 2012. Page 296.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in:				
3) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Impact NOI-1:** The project would not result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. **(Less than Significant Impact)**

### Construction Noise

Noise impacts resulting from construction depend upon the noise generated by various pieces of construction equipment, the timing and duration of noise-generating activities, and the distance between construction noise sources and noise-sensitive areas. Construction noise impacts primarily result when construction activities occur during noise-sensitive times of the day (e.g., early morning, evening, or nighttime hours), the construction occurs in areas immediately adjoining noise-sensitive land uses, or when construction lasts over extended periods of time.

Construction of the project would take approximately 15 months. Construction activities for the proposed project would be completed between 7:00 a.m. and 6:00 p.m., Monday through Friday, consistent with the City’s Municipal Code (Chapter 8). In addition, the project would be required to implement the below standard conditions of approval.

Standard Conditions of Approval:

- **WORK HOURS:** No work shall commence on the job site 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 any holiday unless prior approval is granted by the Chief Building Official. At the discretion of the Chief Building Official, the general contractor or the developer may be required to erect a sign at a prominent location on the construction site to advise subcontractor and material suppliers of the working hours. Violation of this condition of approval may be subject to the penalties outlined in Section 8.6 of the City Code and/or suspension of building permits.
- **NOTICE OF CONSTRUCTION:** The applicant shall notify neighbors within 300 feet of the project site of the construction schedule in writing, prior to construction. A copy of the notice and the mailing list shall be submitted prior to issuance of building permits.
- **CONSTRUCTION NOISE REDUCTION:** The following noise reduction measures shall be incorporated into construction plans and contractor specifications to reduce the impact of temporary construction-related noise on nearby properties: a. comply with manufacturer’s muffler requirements on all construction equipment engines; b. turn off construction equipment

when not in use, where applicable; c. locate stationary equipment as far as practicable from receiving properties; d. use temporary sound barriers or sound curtains around loud stationary equipment if the other noise reduction methods are not effective or possible; e. and shroud or shield impact tools and use electric powered rather than diesel-powered construction equipment.

- CONSTRUCTION PRACTICES NOTICING-DISTURBANCE COORDINATOR: The project applicant shall designate a “disturbance coordinator” who shall be responsible for responding to any local complaints regarding construction noise. The coordinator (who may be an employee of the general contractor) shall determine the cause of the complaint and shall require that reasonable measures warranted to correct the problem be implemented. A telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site fence and on the notification sent to neighbors adjacent to the site. The sign must also list an emergency after-hours contact number for emergency personnel.

With implementation of the standard conditions of approval and compliance with Chapter 8 of the City Code, the project would have a less than significant construction noise impact because it would notify neighbors of the project construction schedule, designate a disturbance coordinator, work within the allowed construction hours, and implement noise reduction measures. **(Less than Significant Impact)**

## Operational Noise

### Traffic

A significant noise impact would occur if traffic generated by the project would substantially increase noise levels at sensitive receivers in the vicinity. A substantial increase would occur if the noise level increase is three dBA DNL or greater, as existing noise levels are projected to exceed 60 dBA DNL. Generally, traffic volumes need to double to result in a perceptible (three dB) noise increase. The project is estimated to result in approximately 145 daily trips.<sup>77</sup> This incremental number of trips would not double traffic volumes on existing roadways; therefore, project-generated traffic would not increase ambient noise levels by three dBA DNL or more. For this reason, the project-generated traffic noise would result in a less than significant impact. **(Less than Significant Impact)**

### Mechanical Equipment

Residential structures such as the one proposed for the project typically include mechanical equipment such as air conditioning, heating systems, and exhaust fans. The project would implement the following standard condition of approval to ensure that impacts from mechanical equipment noise would meet stationary equipment noise limits identified in City Code Section 21.26. During the building permit process, a project-specific acoustical analysis that demonstrates compliance with day and nighttime noise limits at the adjoining residentially used property shall be required as part of the permit application.

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<sup>77</sup> Project trips were estimated using the average ITE trip rate of 4.54 trips per dwelling unit (Mid-Rise Multifamily Housing Land Use 221). Source: Institute of Transportation Engineers. *ITE Trip Generation Manual, 11th Edition*. 2021.



Standard Condition of Approval:

MECHANICAL EQUIPMENT: The noise emitted by any mechanical equipment shall not exceed a level of 55 dB(A) during the day or 50 dB(A) during the night, 10:00 p.m. to 7:00 a.m., when measured at any location on the adjoining residentially used property.

With implementation of the above standard condition of approval, project mechanical equipment would not substantially increase noise levels in the project area. **(Less than Significant Impact)**

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**Impact NOI-2:** The project would not result in generation of excessive groundborne vibration or groundborne noise levels. **(Less than Significant Impact with Mitigation Incorporated)**

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The construction of the project may generate perceptible vibration when heavy equipment or impact tools (e.g., jackhammers, hoe rams) are used. The proposed project does not include pile driving, which can cause excessive vibration.

For structural damage, the California Department of Transportation recommends a vibration limit of 0.5 in/sec PPV for buildings designed to modern engineering standards, and 0.3 in/sec PPV for buildings where structural damage is a major concern. For the purpose of this analysis, groundborne vibration levels exceeding the conservative 0.3 in/sec PPV limit at the existing adjacent residences would have the potential to result in a significant vibration impact.

Table 4.13-3 presents typical vibration levels that could be expected from construction equipment at a distance of 25 feet. Project construction activities, such as drilling, the use of jackhammers, rocks drill, and other high-power or vibratory tools, and rolling stock equipment (tracked vehicles, compactors, etc.) can generate substantial vibration. The nearest residential structure is adjacent to the project site, less than 10 feet to the north and south. At the distance of approximately 10 feet, vibration levels could exceed the state's 0.3 in/sec PPV limit (see vibration levels expected at 10 feet in Table 4.13-3).

<b>Equipment</b>	<b>PPV at 10 feet (in/sec)</b>	
Clam Shovel Drop	0.553	
Hydromill (slurry wall)	in soil	0.022
	in rock	0.047
Vibratory Roller	0.575	
Hoe Ram	0.244	
Large Bulldozer	0.244	
Caisson Drilling	0.244	
Loaded Trucks	0.208	
Jackhammer	0.096	
Small Bulldozer	0.008	



**Table 4.13-3: Vibration Source Levels for Construction Equipment**

Equipment	PPV at 10 feet (in/sec)
<p>Note: VdB is the term used for vibration decibels. in/sec = inches per second Source: Transit Noise and Vibration Impact Assessment Manual, Federal Transit Administration, Office of Planning and Environment, U.S. Department of Transportation, September 2019, as modified by Illingworth &amp; Rodkin, Inc., June 2020.</p>	

**Mitigation Measure:**

**MM NOI-2.1:** The project shall implement the following measures to minimize vibration impacts from construction activities:

- a) Avoid the use of vibratory rollers and other heavy construction equipment within 20 feet of existing structures.
- b) Place operating equipment on the construction site as far as possible from vibration sensitive receptors.
- c) Use smaller equipment within 20 feet of the perimeter property lines adjoining off site structures to minimize vibration levels below the limits.
- d) Avoid dropping heavy objects or materials near vibration sensitive locations.
- e) A list of all heavy construction equipment to be used for this project known to produce high vibration levels (tracked vehicles, vibratory compaction, jackhammers, hoe rams, etc.) shall be submitted to the City by the contractor. This list shall be used to identify equipment and activities that would potentially generate substantial vibration and to define the level of effort required for continuous vibration monitoring.
- f) Designate a person responsible for registering and investigating claims of excessive vibration. The contact information of such person shall be clearly posted on the construction site.

With implementation of MM NOI-2.1, vibration levels from construction of the proposed project would be reduced to a less than significant level. **(Less than Significant Impact with Mitigation Incorporated)**

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**Impact NOI-3:** The project would not be located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport. The project would not expose people residing or working in the project area to excessive noise levels. **(Less than Significant Impact)**

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The proposed project is located 2.8 miles southwest of the Moffett Federal Airfield. While aircraft flyovers from Moffett Federal Airfield would at times be audible in the project area, the project site is outside of the Airfield’s 65 dBA CNEL noise contour area. For these reasons, the proposed project would not expose people to excessive aircraft noise. **(Less than Significant Impact)**

### 4.13.3 Non-CEQA Effects

Per *California Building Industry Association v. Bay Area Air Quality Management District*, 62 Cal. 4th 369 (*BIA v. BAAQMD*), effects of the environment on the project are not considered CEQA impacts. The following discussion is included for informational purposes only because City of Mountain View has policies (including General Plan Policies NOI 1.1 and NOI 1.2) that address existing noise conditions affecting a proposed project.

#### **Future Exterior Noise Environment**

The “normally acceptable” exterior noise threshold established in the City’s General Plan for multi-family residences is 60 dBA DNL. This noise standard would apply to the common open space areas proposed as part of the residential development. The project proposes two common open space areas, a courtyard on the ground floor and rooftop deck. Noise levels along El Camino Real are estimated to be approximately 68.3 dBA DNL; however, the project site is setback at least 300 feet from El Camino Real and fully shielded by the existing buildings between the project site and El Camino Real, resulting in approximately 10 dBA of noise reduction.<sup>78</sup> Thus, noise levels at the common open space areas would be reduced to below 60 dBA DNL and meet the City’s 60 dBA DNL exterior noise standard.

#### **Future Interior Noise Environment**

##### Residential Uses

General Plan policies and the CBC’s interior noise level standard of 45 dBA DNL apply to the proposed project. Interior noise levels would vary depending upon the design of the building (relative window area to wall area) and the selected construction materials and methods. Standard residential construction provides 15 dBA of exterior-to-interior noise reduction, assuming the windows are partially open for ventilation. Standard construction with the windows closed provides approximately 20 to 25 dBA of noise reduction in interior spaces. The project would be required to implement the following City standard condition of approval to ensure interior noise levels meet the 45 dBA DNL noise standard.

##### Standard Condition of Approval

- INTERIOR NOISE LEVELS: Construction drawings must confirm that measures have been taken to achieve an interior noise level of 45 dB(A)Ldn that shall be reviewed and approved by a qualified acoustical consultant prior to building permit submittal.

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<sup>78</sup> Thill, Michael. Principal, Illingworth & Rodkin, Inc. Personal Communication. June 8, 2022.

## 4.14 POPULATION AND HOUSING

### 4.14.1 Environmental Setting

#### 4.14.1.1 *Regulatory Framework*

##### State

##### Housing-Element Law

State requirements mandating that housing be included as an element of each jurisdiction’s general plan is known as housing-element law. The Regional Housing Need Allocation (RHNA) is the state-mandated process to identify the total number of housing units (by affordability level) that each jurisdiction must accommodate in its housing element. California housing-element law requires cities to: 1) zone adequate lands to accommodate its RHNA; 2) produce an inventory of sites that can accommodate its share of the RHNA; 3) identify governmental and non-governmental constraints to residential development; 4) develop strategies and a work plan to mitigate or eliminate those constraints; and 5) adopt a housing element and update it on a regular basis.<sup>79</sup> The City of Mountain View Housing Element and related land use policies were last updated in 2014. The City is currently in the process of updating its Housing Element.

##### Regional and Local

##### Plan Bay Area 2050

Plan Bay Area 2050 is a long-range plan for the nine-county San Francisco Bay Area that provides strategies that increase the availability of affordable housing, support a more equitable and efficient economy, improve the transportation network, and enhance the region’s environmental resilience. Plan Bay Area 2050 promotes the development of a variety of housing types and densities within identified Priority Development Areas (PDAs). PDAs are areas generally near existing job centers or frequent transit that are locally identified for housing and job growth.<sup>80</sup>

ABAG allocates regional housing needs to each city and county within the San Francisco Bay Area, based on statewide goals. These allocations are designed to lay the foundation for Plan Bay Area 2050’s long-term envisioned growth pattern for the region. ABAG also develops a series of forecasts and models to project the growth of population, housing units, and jobs in the Bay Area. ABAG, MTC, and local jurisdiction planning staff created the Forecasting and Modeling Report, which is a technical overview of the of the growth forecasts and land use models upon which Plan Bay Area 2050 is based.

<sup>79</sup> California Department of Housing and Community Development. “Regional Housing Needs Allocation and Housing Elements” Accessed June 9, 2022. <https://www.hcd.ca.gov/planning-and-community-development/regional-housing-needs-allocation>

<sup>80</sup> Association of Bay Area Governments and Metropolitan Transportation Commission. *Plan Bay Area 2050*. October 21, 2021. Page 20.

**4.14.1.2 Existing Conditions**

As of January 2022, the City of Mountain View had an approximate population of 83,864 with an average of 2.35 persons per household.<sup>81</sup> The City’s current General Plan Housing Element projects the City's 2040 population to be 134,000.<sup>82</sup> As described above, the City is currently updating its General Plan Housing Element for the upcoming 2023-2031 cycle, and if adopted, the projected 2040 population would be 142,200.<sup>83</sup> The project site is currently vacant and has no housing.

**4.14.2 Impact Discussion**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Impact POP-1:** The project would not induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure). **(Less than Significant Impact)**

The proposed project would construct a 32-unit residential building, resulting in approximately 75 new residents.<sup>84</sup> These additional residents would represent a 0.1 percent increase in the remaining growth assumed for buildout of the General Plan (50,134 residents). The number of proposed units represents 0.3 percent of the housing growth assumed for the buildout of the General Plan (8,970 households). Given the nominal growth resulting from the new 32 units and the fact that these additional units are proposed on an infill site within an urban area, consistent with the General Plan, the project would not induce substantial growth. In addition, the project does not include extension of infrastructure that would result in indirect population growth. For these reasons, implementation of the project would not contribute to substantial growth inducement in Mountain View or in the region. **(Less than Significant Impact)**

<sup>81</sup> California Department of Finance. “E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2022.” May 2022. Accessed August 24, 2022.

<sup>82</sup> City of Mountain View. *City of Mountain View Housing Element Update*. July 2022. Table 3-2.

<sup>83</sup> Ibid.

<sup>84</sup> The number of residents was estimated assuming a citywide average 2.35 residents per household. California Department of Finance. “E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2022.” May 2022. Accessed August 24, 2022.

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**Impact POP-2:** The project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. **(No Impact)**

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The project site is currently undeveloped and does not provide any housing. Thus, the proposed project would not displace existing housing, nor would it necessitate the construction of replacement housing elsewhere. **(No Impact)**

**4.15 PUBLIC SERVICES**  
**4.15.1 Environmental Setting**  
**4.15.1.1 *Regulatory Framework***

**State**

Government Code Section 66477

The Quimby Act (included within Government Code Section 66477) requires local governments to set aside parkland and open space for recreational purposes. It provides provisions for the dedication of parkland and/or payment of fees in lieu of parkland dedication to help mitigate the impacts from new residential developments. The Quimby Act authorizes local governments to establish ordinances requiring developers of new residential subdivisions to dedicate parks, pay a fee in lieu of parkland dedication, or perform a combination of the two.

Government Code Section 65995 through 65998

California Government Code Section 65996 specifies that an acceptable method of offsetting a project’s effect on the adequacy of school facilities is the payment of a school impact fee prior to the issuance of a building permit. Government Code Sections 65995 through 65998 set forth provisions for the payment of school impact fees by new development by “mitigating impacts on school facilities that occur (as a result of the planning, use, or development of real property)” (Section 65996[a]). The legislation states that the payment of school impact fees “are hereby deemed to provide full and complete school facilities mitigation” under CEQA (Section 65996[b]).

Developers are required to pay a school impact fee to the school district to offset the increased demands on school facilities caused by the proposed residential development project. The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code.

**Local**

City of Mountain View 2030 General Plan

The following General Plan policies related to public services and would be applicable to the project.

<b>Policy</b>	<b>Description</b>
PSA 1.1	<b>Adequate staffing.</b> Maintain adequate police and fire staffing, performance levels and facilities to serve the needs of the community.
PSA 1.2	<b>Design for safety.</b> Support and promote crime prevention and fire safety strategies in the design of new developments.
POS 7.5	<b>Library Service.</b> Provide quality library service and resources that address community needs and goals.



## Mountain View City Code

Chapter 41 of the City Code contains a Park Land Dedication Ordinance, which sets requirements for park land dedication or in-lieu fees. The City requires developers to dedicate at least three acres of park land for each 1,000 persons who will live in a new housing project (owned or rented), or to pay an in-lieu fee that would be used to offset the increased demands on park facilities. The City also allows developers to propose, for City Council consideration, a POPA space within a residential development site for park land credit, reducing the land or in-lieu fee obligation generated by the development. Section 41.11 of the City Code exempts affordable housing units from being counted towards the total number of dwelling units used to calculate the park land dedication requirement.

### **4.15.1.2 Existing Conditions**

#### **Fire Protection Services**

Fire protection to the project site is provided by the MVFD, which serves a population of over 80,000 and an area of 12 square miles. The MVFD provides fire suppression and rescue response, hazard prevention and education, and disaster preparedness. In fiscal year 2020/2021, out of 8,512 emergency calls made to the MVFD, 6,003 of the calls were for medical aid, and 445 were for fire.<sup>85</sup>

The City of Mountain View also participates in a mutual aid program with neighboring cities, including Palo Alto, Los Altos, and Sunnyvale. Through this program, one or more of the mutual aid cities would provide assistance to Mountain View in whatever capacity was needed. The nearest fire station to the project site is MVFD Fire Station 1, approximately 0.7-mile northeast of the project site at 251 S. Shoreline Boulevard.

#### **Police Protection Services**

Police protection services are provided to the project site by the Mountain View Police Department (MVPD). The MVPD conducts an active volunteer program (non-officers). Officers patrolling the area are dispatched from police headquarters, located at 1000 Villa Street, approximately 0.7 miles northeast of the project site.

The MVPD has a goal to respond to Priority E and Priority 1 calls in less than four minutes at least 55 percent of the time. Priority E and Priority 1 calls are considered the highest priority calls and signal emergency dispatch from the MVPD. MVPD has a mutual aid agreement with the surrounding jurisdictions, under which the other agencies would assist the MVPD in responding to calls, when needed.

#### **Schools**

The project site is located within the Mountain View Whisman and Mountain View-Los Altos Union High School Districts. The Mountain View Whisman School District serves grades kindergarten through eighth grade and the Mountain View-Los Altos Union High School District serves high-school age students. Students in the project area attend Bubb Elementary School located at 525 Hans Avenue

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<sup>85</sup> MVFD. "Stats/Response/Annual Report". Accessed June 10, 2022. <https://www.mountainview.gov/our-city/departments/fire/about-us/annual-report?locale=en>

(approximately one mile southeast of the site), Graham Middle School located at 1175 Castro Street (approximately 0.75-mile southeast of the site), and Los Altos High School located at 201 Almond Avenue (approximately 0.8-mile southwest of the site).

Table 4.15-1 shows the existing school capacities and recent enrollment data at Bubb Elementary School, Graham Middle School, and Los Altos High School.

<b>Table 4.15-1: School Enrollment and Capacity</b>		
<b>School</b>	<b>Enrollment</b>	<b>Capacity</b>
Bubb Elementary School <sup>1</sup>	317	432
Graham Middle School <sup>1</sup>	886	1,176
Los Altos High School <sup>2</sup>	2,152	2,260
1. Dr. Westover, Rebecca. Chief Business Officer, Mountain View Whisman School District. Personal Communication, February 1, 2023. 2. Satterwhite, Wynne. Principal, Los Altos High School. Personal Communication, January 25, 2023.		

### **Parks and Open Space**

The City of Mountain View currently owns or manages 993.07 acres of parks and open space facilities, including 22 urban parks and the Stevens Creek Trail. The urban parks include 18 mini-parks, 13 neighborhood/school parks (under joint-use agreements with local school districts), five neighborhood parks not associated with school sites, two community parks, and one regional park (Shoreline at Mountain View).<sup>86</sup>

Castro Park is the nearest public park to the project site, approximately 0.3-mile north of the site on Latham Street, and includes children’s play equipment. Other nearby park facilities include Eagle Park approximately 0.4-mile east of the site and McKelvey Park approximately 0.4-mile southeast of the site.

Rengstorff Park, approximately 0.7-mile north of the project site, is one of two large community parks in the City. The park is 16.92 acres in size and includes the City’s Community Center and a number of sports fields and other facilities.

### **Libraries**

The Mountain View Public Library, located at 585 Franklin Street, is the City’s only library. It is located approximately 0.6-mile east of the project site.

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<sup>86</sup> City of Mountain View. *City of Mountain View 2014 Parks and Open Space Plan 2014*. 2014.

**4.15.2 Impact Discussion**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
1) Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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**Impact PS-1:** The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection services. **(Less than Significant Impact)**

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The project site is in an area currently served by the MVFD. The MVFD does not anticipate the need to construct a new fire station to accommodate growth anticipated in the General Plan.<sup>87</sup> The proposed project is consistent with the General Plan. Compared to existing conditions, the addition of the proposed 32 residential units would incrementally increase demand for fire protection services. In addition, the project would be constructed to current Fire Code standards. **(Less than Significant Impact)**

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<sup>87</sup> City of Mountain View. *Draft General Plan and Greenhouse Gas Reduction Program, Draft EIR*. November 2011. Page 502-503.

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**Impact PS-2:** The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police protection services. **(Less than Significant Impact)**

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While the proposed project would intensify the use of the site and would result in an increase of 32 residences, this incremental increase in units would not require the construction or expansion of police facilities. The General Plan EIR concluded that buildout of the General Plan, which the project is consistent with, would increase the demand for police services; however, the City has policies that would ensure that the City maintains adequate police staffing to serve the needs of the community. In addition, the project design shall be reviewed by MVPD to ensure safety features are incorporated to minimize the opportunity for criminal activity. **(Less than Significant Impact)**

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**Impact PS-3:** The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for schools. **(Less than Significant Impact)**

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The construction of the proposed housing units would generate approximately four elementary school students, two middle school students, and three high school students.<sup>88</sup> As shown in Table 4.15-1 above, there is sufficient capacity at local schools to accommodate the nine project-generated students. Thus, the project would not require the expansion or construction of school facilities.

As required by state law (Government Code Section 65996), the project proponent shall pay the appropriate school impact fees to offset and mitigate the increased demands on school facilities caused by the project. **(Less than Significant Impact)**

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**Impact PS-4:** The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for parks. **(Less than Significant Impact)**

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To meet the Mountain View's demand for parks and open space, the City uses the Quimby Act (California Government Code, Section 66477), which allows cities to require builders of residential subdivisions to dedicate land for parks and recreational areas, or pay an open space fee to the City.

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<sup>88</sup> Based on the student generation rates provided by Jack Schreder & Associates. December 8, 2021. K-5 = 0.085 (0.308 affordable), 6-8 = 0.039 (0.247 affordable), High School = 0.047 (0.312 affordable).

Implementation of the proposed project would contribute to an incremental increase in demand for parkland because it would add new residents to the City compared to existing conditions. The incremental increase by project residents in use of existing parks near the project site that could potentially lead to physical deterioration of park facilities. To offset the project's impacts on neighborhood parks and recreational facilities, the project includes approximately 13,822 square feet of common amenity space and would implement the following City standard conditions of approval.

Standard Condition of Approval:

- PARK LAND DEDICATION FEE: Prior to the issuance of any building permits and prior to the approval of the final map, the applicant shall pay the Park Land Dedication Fee of \$48,000 for each net new market rate residential unit with a project total fee of \$8,000,000, based on a land valuation of \$1,344,000 per acre in accordance with Chapter 41 of the City Code. No credit against the Park Land Dedication Fee is allowed for private open space and recreational facilities.

With the implementation of the above standard condition of approval, the proposed project would have a less than significant impact on park facilities by paying the appropriate fee to the City which would be used to maintain and/or construct new City parks. **(Less than Significant Impact)**

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<b>Impact PS-5:</b>	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for other public facilities. <b>(Less than Significant Impact)</b>
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Implementation of the proposed project would contribute to an incremental increase in demand for other public facilities, such as libraries, because it would add new residents to the City. The single library in the City currently serves the existing population of 83,864, and the addition of the approximately 75 new project residents would result in a potential increase of less than 0.1 percent. This incremental demand would not trigger the City to build or operate a new library in the project area; therefore, the proposed project would not substantially contribute to the increase in use of library facilities. **(Less than Significant Impact)**

## **4.16 RECREATION**

### **4.16.1 Environmental Setting**

#### **4.16.1.1 *Regulatory Framework***

##### **State**

###### Government Code Section 66477

The Quimby Act (included within Government Code Section 66477) requires local governments to set aside parkland and open space for recreational purposes. It provides provisions for the dedication of parkland and/or payment of fees in lieu of parkland dedication to help mitigate the impacts from new residential developments. The Quimby Act authorizes local governments to establish ordinances requiring developers of new residential subdivisions to dedicate parks, pay a fee in lieu of parkland dedication, or perform a combination of the two.

##### **Local**

###### Mountain View City Code

Chapter 41 of the City Code contains a Park Land Dedication Ordinance, which sets requirements for park land dedication or in-lieu fees. The City requires developers to dedicate at least three acres of park land for each 1,000 persons who will live in a new housing project (owned or rented), or to pay an in-lieu fee that would be used to offset the increased demands on park facilities. The City also allows developers to propose, for City Council consideration, a POPA space within a residential development site for park land credit, reducing the land or in-lieu fee obligation generated by the development. Section 41.11 of the City Code exempts affordable housing units from being counted towards the total number of dwelling units used to calculate the park land dedication requirement.

#### **4.16.1.2 *Existing Conditions***

As described in Section 4.15 Public Services, the City of Mountain View owns or manages 993.07 acres of parks and open space facilities, including 22 urban parks and the Stevens Creek Trail. Castro Park is the nearest public park to the project site, approximately 0.3-mile north of the site on Latham Street, and includes children’s play equipment. Other nearby park facilities include Eagle Park approximately 0.4-mile east of the site and McKelvey Park approximately 0.4-mile southeast of the site. Rengstorff Park, approximately 0.7-mile north of the project site, is one of two large community parks in the City. The park is 16.92 acres in size and includes the City’s Community Center and a number of sports fields and other facilities.



**4.16.2 Impact Discussion**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
1) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

---

**Impact REC-1:** The project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. **(Less than Significant Impact)**

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To meet the Mountain View’s demand for parks and open space, the City uses the Quimby Act (California Government Code, Section 66477), which allows cities to require builders of residential subdivisions to dedicate land for parks and recreational areas, or pay an open space fee to the City.

Implementation of the proposed project would contribute to an incremental increase in demand for parkland because it would add new residents to the City compared to existing conditions. The incremental increase by project residents in use of existing parks near the project site that could potentially lead to physical deterioration of park facilities. To offset the project’s impacts on neighborhood parks and recreational facilities, the project includes approximately 13,822 square feet of common amenity space, and would implement the following City standard conditions of approval.

Standard Condition of Approval:

- **PARK LAND DEDICATION FEE:** Prior to the issuance of any building permits and prior to the approval of the final map, the applicant shall pay the Park Land Dedication Fee of \$48,000 for each net new market rate residential unit with a project total fee of \$8,000,000, based on a land valuation of \$1,344,000 per acre in accordance with Chapter 41 of the City Code. No credit against the Park Land Dedication Fee is allowed for private open space and recreational facilities.

With the implementation of the above standard condition of approval, the proposed project would have a less than significant impact on park and recreational facilities by paying in lieu fees to maintain and/or construct new City parks. **(Less than Significant Impact)**

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**Impact REC-2:** The project does not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. **(Less than Significant Impact)**

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The project would include 13,822 square feet of common amenity space on-site for project residents. As discussed throughout this Initial Study, the project (which includes the construction of this on-site amenity space) would comply with existing regulations and implement standard conditions of approval to reduce adverse physical effect on the environment to a less than significant level. **(Less than Significant Impact)**

## 4.17 TRANSPORTATION

### 4.17.1 Environmental Setting

#### 4.17.1.1 *Regulatory Framework*

### State

#### Regional Transportation Plan

MTC is the transportation planning, coordinating, and financing agency for the nine-county San Francisco Bay Area, including Santa Clara County. MTC is charged with regularly updating the Regional Transportation Plan, a comprehensive blueprint for the development of mass transit, highway, airport, seaport, railroad, bicycle, and pedestrian facilities in the region. MTC and ABAG adopted Plan Bay Area 2040 in July 2017, which includes a Regional Transportation Plan to guide regional transportation investment for revenues from federal, state, regional and local sources through 2040.

#### Senate Bill 743

SB 743 establishes criteria for determining the significance of transportation impacts using a VMT metric intended to promote the reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses. Specifically, SB 743 requires the replacement of automobile delay—described solely by level of service (LOS) or similar measures of vehicular capacity or traffic congestion—with VMT as the recommended metric for determining the significance of transportation impacts. The Governor’s Office of Planning and Research (OPR) approved the CEQA Guidelines implementing SB 743 on December 28, 2018. Local jurisdictions are required to implement a VMT policy by July 1, 2020.

SB 743 did not authorize OPR to set specific VMT impact thresholds, but it did direct OPR to develop guidelines for jurisdictions to utilize. CEQA Guidelines Section 15064.3(b)(1) describes factors that might indicate whether a development project’s VMT may be significant. Notably, projects located within 0.50 mile of transit should be considered to have a less than significant transportation impact based on OPR guidance.

### Regional and Local

#### Congestion Management Program

VTA oversees the Congestion Management Program (CMP), which is aimed at reducing regional traffic congestion. The relevant state legislation requires that urbanized counties in California prepare a CMP in order to obtain each county’s share of gas tax revenues. State legislation requires that each CMP define traffic LOS standards, transit service standards, a trip reduction and transportation demand management plan, a land use impact analysis program, and a capital improvement element. VTA has review responsibility for proposed development projects that are expected to affect CMP-designated intersections.

## City of Mountain View 2030 General Plan

The following transportation-related policies from the General Plan are applicable to the project.

<b>Policy</b>	<b>Description</b>
LUD 3.1	<b>Land use and transportation.</b> Focus higher land use intensities and densities within 0.5 mile of public transit service and along major commute corridors.
LUD 8.5	<b>Pedestrian and bicycle amenities.</b> Encourage attractive pedestrian and bicycle amenities in new and existing developments, and ensure that roadway improvements address the needs of pedestrians and bicyclists.
LUD 17.2	<b>Transportation Demand Management strategies.</b> Require development to include and implement Transportation Demand Management strategies.
MOB 8.3	<b>Multi-modal transportation monitoring.</b> Monitor the effectiveness of policies to reduce vehicle miles traveled (VMT) per service population by establishing transportation mode share targets and periodically comparing travel survey data to established targets.

## City of Mountain View Bicycle Transportation Plan

The Mountain View Bicycle Transportation Plan Update summarizes goals for improving the bicycle network, existing and proposed facilities, and programs involving education and enforcement. The plan was developed in conformance with several other plans including the General Plan, VTA Countywide Bicycle Plan, Metropolitan Transportation Commission Regional Bicycle Plan, the Santa Clara County Trails Master Plan, and Caltrans Streets and Highways Code Section 891.2.

## City of Mountain View Pedestrian Master Plan

The City of Mountain View Pedestrian Master Plan summarizes goals for the pedestrian network, existing and proposed facilities, and priority of pedestrian improvements. The plan was developed in conformance with the General Plan and sets the goals of establishing complete streets, pedestrian accessibility, walkability, safe routes to school, and maintenance of pedestrian facilities.

## Mountain View VMT Policy

On June 30, 2020, the City adopted its VMT Policy in response to SB 743. The VMT Policy establishes screening criteria for projects that are expected to cause a less-than-significant transportation impact under CEQA based on the land use and/or location. Projects that meet the screening criteria are not required to prepare further VMT analysis. For a project that does not meet the screening criteria, a project's VMT impact is determined by comparing the project VMT to the appropriate thresholds of significance based on the type of development. For residential developments, the threshold of significance is 15 percent below the regional average daily VMT per capita.

### **4.17.1.2 Existing Conditions**

The project site is currently undeveloped and does not generate any vehicle trips.

## Vehicle Access

Vehicle access to the project site is provided via a driveway on Rich Avenue, which is a two-lane, dead-end street. The primary arterial streets that provide access to the project site are El Camino Real and El Monte Avenue.

## Transit Facilities

The closest transit services to the project site are bus stops located 480 feet north of the project site on El Camino Real at Mariposa Avenue (Route 22), and 900 feet northwest of the project site on El Camino Real at El Monte Avenue (Route 52 and 22). The Mountain View Transit Station is located approximately one mile northeast of the project site at 600 Evelyn Avenue, and provides access to Caltrain and VTA light rail service from the project site.

## Pedestrian Facilities

Pedestrian facilities in the project area consist of sidewalks along all of the surrounding streets. Crosswalks with pedestrian signal heads (i.e., walk/don't walk signals) are located at all of the signalized intersections in the project area. Currently, there is a gap in the sidewalk network on the west side of Rich Avenue in front of the project site.

## Bicycle Facilities

Although Rich Avenue is not designated as a bike route, this local street is conducive to bicycle usage due to its low traffic volumes. Currently, Class II bicycle facilities exist along El Monte Avenue and Shoreline Boulevard.<sup>89</sup> While El Camino Real is wide enough to accommodate bikes, traveling on El Camino Real is not recommended due to heavy traffic volumes.

### 4.17.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<sup>89</sup> Class II bikeways are bike lanes established along streets and are defined by pavement striping and signage to delineate a portion of a roadway for bicycle travel.

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**Impact TRN-1:** The project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian facilities. **(Less than Significant Impact)**

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### **Roadway Network**

The project proposes 32 residential units, which would result in approximately 145 new daily trips with 12 trips in the AM peak hour and 12 trips in the PM peak hour.<sup>90</sup> Consistent with General Plan Policy LUD 17.2, the project includes Transportation Demand Management strategies such as on-site bicycle parking that promotes an alternative to single-occupancy vehicle trips. The addition of project's incremental trips would not affect traffic operations on the surrounding roadways and would not be significantly noticeable on pedestrian, bicycle, and transit facilities. Thus, the proposed project would not conflict with any roadway plans, ordinances, or policies. **(Less than Significant Impact)**

### **Transit Facilities**

The project site is adequately served by transit with existing bus stops and the Mountain View Transit Station (which provides access to Caltrain and VTA light rail service) in proximity to the project site, as described in Section 4.17.1.2 Existing Conditions. The addition of project residents could result in a slight increase in transit use. The increase would be minimal and existing transit services would be able to accommodate the additional riders. The project would not conflict with a program, plan, ordinance or policy addressing transit. **(Less than Significant Impact)**

### **Bicycle Facilities**

As described in Section 4.17.1.2 Existing Conditions, existing bicycle facilities within the project area are limited. General Plan Policy LUD 8.5 and the Mountain View Bicycle Transportation Plan Update encourages bicycle amenities in new developments. The project proposes a total of 32 long-term bicycle parking spaces in secure bike lockers in the underground parking garage and four short-term bicycle parking spaces via a bike rack in the entry plaza; therefore, proposed project would not conflict with the City's Bicycle Transportation Plan, or any other program, plan, ordinance, or policy addressing the bicycle lanes facilities. **(Less than Significant Impact)**

### **Pedestrian Facilities**

Existing sidewalks on Rich Avenue and El Camino Real provide safe pedestrian routes to surrounding land uses, including local transit access. The proposed project would complete the sidewalk network by constructing a sidewalk along the project site frontage and include an internal pedestrian pathway along the proposed driveway to connect the proposed residential building to the sidewalk network. These improvements would be consistent with General Policy LUD 8.5 and Pedestrian Master Plan. **(Less than Significant Impact)**

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<sup>90</sup> Average ITE trip rate of 4.54 trips (0.37 trips AM peak hour/0.39 trips PM peak hour) per dwelling unit (Mid-Rise Multifamily Housing Land Use 221) were used. Source: Institute of Transportation Engineers. *ITE Trip Generation Manual, 11th Edition*. 2021.



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**Impact TRN-2:** The project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). **(Less than Significant Impact)**

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The City of Mountain View adopted a VMT policy in June 2020. The City policy includes map-based screening criteria based on project area VMT per capita to determine whether residential developments will result in VMT impacts, and whether project impacts can be mitigated. Project area VMT is measured against regional average VMT, with a threshold of significance of 15 percent below regional average VMT. If the project area VMT is below the threshold of significance, the project VMT impact is presumed to be less than significant. Reference average VMT per capita or employee baseline values are obtained from VTA. The project area VMT is shown in Figure 4.17-1 below. The project site is located in an area that is between 25 percent and 15 percent below the regional average VMT. Thus, the proposed project would screen out of further VMT analysis, and the impact is presumed less than significant. **(Less than Significant Impact)**

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**Impact TRN-3:** The project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). **(Less than Significant Impact)**

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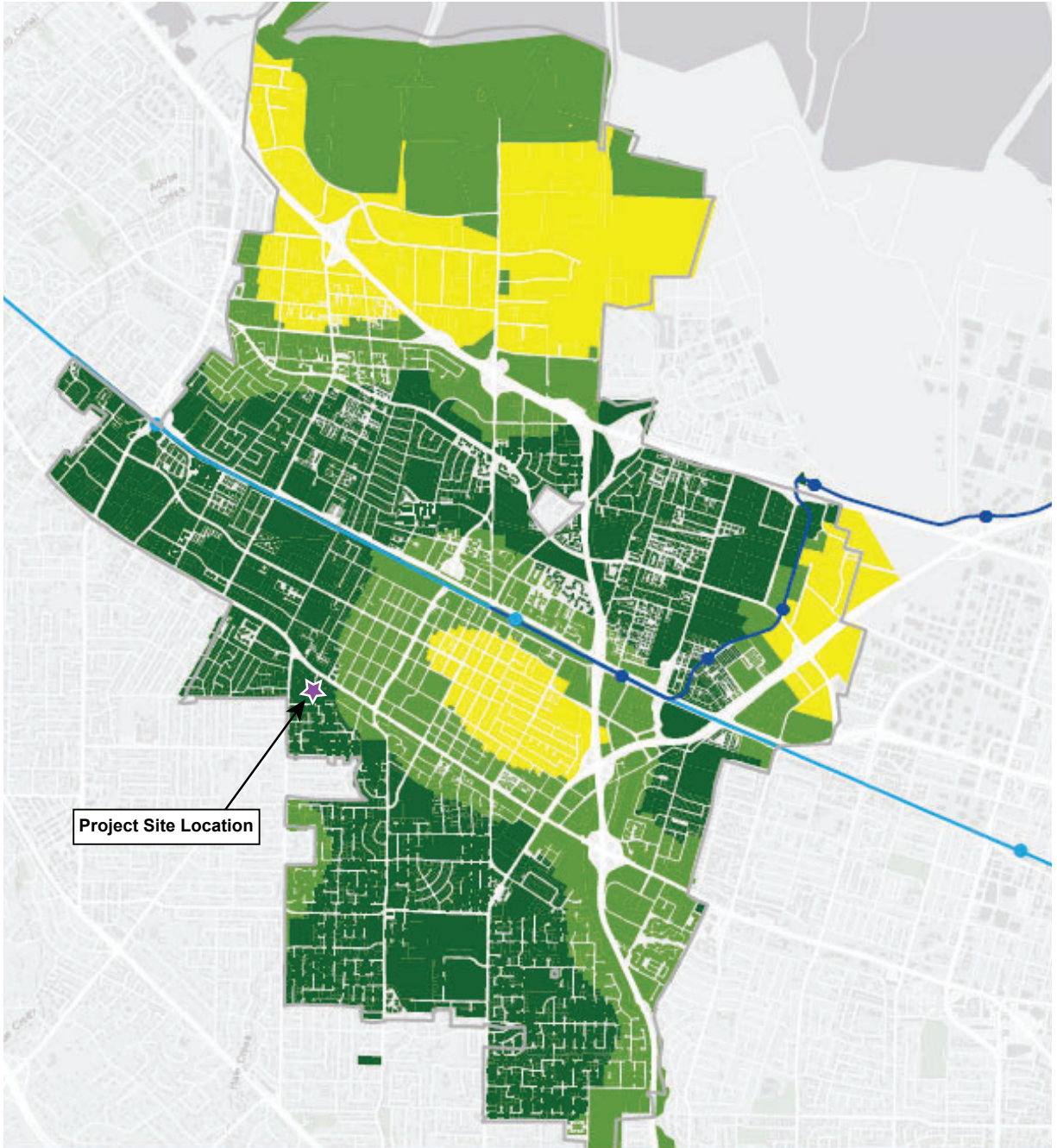
Vehicle access to the project site would be provided via one, two-directional driveway on Rich Avenue. A two-directional ramp located in the southwest corner of the project site would provide vehicular access to the underground parking garage. Vehicle parking for the project would be provided in one level of below ground parking underneath the proposed building and at-grade. The project would be required to comply with City sight distance standards. For example, the project driveway would be designed to be free and clear of any obstructions to optimize sight distance (thereby ensuring that exiting vehicles have adequate site distance and can see pedestrians coming from either direction on the sidewalk and other vehicles or bicycles traveling on the street) and any landscaping and signage would be located in such a way as to ensure an unobstructed view for drivers entering and exiting the site. The project, therefore, would not substantially increase hazards due to a geometric design feature. In addition, the project does not propose incompatible uses. The proposed residential use is consistent with the existing mix land uses in the project area. **(Less than Significant Impact)**

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**Impact TRN-4:** The project would not result in inadequate emergency access. **(Less than Significant Impact)**

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The project site would be required to meet the standards set forth by the MVFD to ensure the project includes the appropriate fire building safety design features and adequate emergency access. The project would be reviewed by the MVFD for compliance with emergency access and design requirements under the City's fire code. As a result, the project would not result in inadequate emergency access. **(Less than Significant Impact)**



**VTA Model, Variation from Regional Average VMT per Capita (2020)**

- Caltrain Stops
- VTA

- VMT Measures Relative to Average
- Less than 25% below mean
  - Less than 15% below mean
  - Between 15% below mean to mean
  - Between mean and 5% above mean
  - 5% above mean to 15% above mean
  - More than 15% above mean
  - More than 25% above mean



Source: Hexagon Transportation Consultants, Inc., November 18, 2020.

## **4.18 TRIBAL CULTURAL RESOURCES**

The following discussion is based on an archaeological literature review completed by Archaeological/Historical Consultants in June 2022. A copy of the Archaeological Literature Search, which is a confidential document, is on file at the City of Mountain View Community Development Department and is available upon request with appropriate credentials.

### **4.18.1 Environmental Setting**

#### **4.18.1.1 *Regulatory Framework***

##### **State**

##### Assembly Bill 52

AB 52, effective July 2015, established a new category of resources for consideration by public agencies called Tribal Cultural Resources (TCRs). AB 52 requires lead agencies to provide notice of projects to tribes that are traditionally and culturally affiliated with the geographic area if they have requested to be notified. Where a project may have a significant impact on a TCR, consultation is required until the parties agree to measures to mitigate or avoid a significant effect on a TCR or until it is concluded that mutual agreement cannot be reached.

Under AB 52, TCRs are defined as follows:

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are also either:
  - Included or determined to be eligible for inclusion in the CRHR, or
  - Included in a local register of historical resources as defined in Public Resources Code Section 5020.1(k).
  - A resource determined by the lead agency to be a TCR.

#### **4.18.1.2 *Existing Conditions***

The project site is within the territory of the Tamien Nation, who had settlements along creeks in the area. The project site is approximately 530-feet northwest of Permanente Creek.

As discussed in Section 4.5 Cultural Resources, based on a site-specific records search and literature review, there are no known archaeological sites on the project site or nearby. The NAHC was contacted on July 8, 2022 to initiate a Sacred Lands File search. On August 4, 2022, the NAHC responded and determined there were no known sacred lands on the project site or within the project area.

On May 28, 2021, the Tamien Nation sent a written request for notification of projects in the City of Mountain View under AB 52. The City sent notification to representatives of Tamien Nation on September 22, 2022 and received a response from Tamien Nation on November 4, 2022. Tamien Nation indicated that they have no concerns about the project; therefore, consultation was concluded on November 4, 2022.

**4.18.2 Impact Discussion**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

---

**Impact TCR-1:** The project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k). **(Less than Significant Impact)**

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There are no known TCRs on-site. Based upon the discussion above and in Section 4.5 Cultural Resources, the likelihood of encountering buried TCRs is low. The project would be required to implement the standard conditions of approval described in Section 4.5 Cultural Resources. These conditions of approval would provide cultural sensitivity training to educate all contractors on types of artifacts and features that may be encountered and what to do if those items are encountered, ensure that any objects encountered during ground-disturbing activities are appropriately evaluated for cultural significance and protected if significant, and if human remains are found, determine if the remains are Native American. Based on this discussion, the project would not cause a substantial adverse change in the significance of a TCRs. **(Less than Significant Impact)**

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**Impact TCR-2:** The project would not cause a substantial adverse change in the significance of a tribal cultural resource that is determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. **(Less than Significant Impact)**

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Please refer to the discussion under Impact TCR-1 above. **(Less than Significant Impact)**



## 4.19 UTILITIES AND SERVICE SYSTEMS

The following discussion is based in part on a Utility Impact Study (UIS) prepared by Schaaf & Wheeler in December 2022. A copy of this report is included in Appendix D of this Initial Study.

### 4.19.1 Environmental Setting

#### 4.19.1.1 *Regulatory Framework*

##### State

##### State Water Code

Pursuant to the State Water Code, water suppliers providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet (approximately 980 million gallons) of water annually must prepare and adopt an urban water management plan (UWMP) and update it every five years. As part of a UWMP, water agencies are required to evaluate and describe their water resource supplies and projected needs over a 20-year planning horizon, water conservation, water service reliability, water recycling, opportunities for water transfers, and contingency plans for drought events. The City of Mountain View adopted its most recent UWMP in June 2021.

##### Assembly Bill 939

The California Integrated Waste Management Act of 1989, or AB 939, established the Integrated Waste Management Board, required the implementation of integrated waste management plans, and mandated that local jurisdictions divert at least 50 percent of solid waste generated (from 1990 levels), beginning January 1, 2000, and divert at least 75 percent by 2010. Projects that would have an adverse effect on waste diversion goals are required to include waste diversion mitigation measures.

##### Assembly Bill 341

AB 341 sets forth the requirements of the statewide mandatory commercial recycling program. Businesses that generate four or more cubic yards of garbage per week and multi-family dwellings with five or more units in California are required to recycle. AB 341 sets a statewide goal for 75 percent disposal reduction by the year 2020.

##### Senate Bill 1383

SB 1383 establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. The bill grants CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that at least 20 percent of currently disposed edible food is recovered for human consumption by 2025.

##### California Green Building Standards Code

CALGreen establishes mandatory green building standards for buildings in California. CALGreen was developed to reduce GHG emissions from buildings, promote environmentally responsible and healthier places to live and work, reduce energy and water consumption, and respond to state



environmental directives. The most recent update to CALGreen went into effect on January 1, 2020, and covers five categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and indoor environmental quality. CALGreen requires projects to recycle and/or salvage for reuse a minimum of 65 percent of nonhazardous construction and demolition waste.

## Local

### City of Mountain View 2030 General Plan

The following General Plan policies are related to utilities, water supply, solid waste disposal, sewer and wastewater infrastructure, and are applicable to the proposed project.

Policy	Description
INC 1.3	<b>Utilities for new development.</b> Ensure adequate utility service levels before approving new development.
INC 1.4	<b>Existing capital facilities.</b> Maintain and enhance existing capital facilities in conjunction with capital expansion.
INC 6.1	<b>Citywide wastewater.</b> Ensure high-quality wastewater collection services and a well maintained wastewater system.
INC 8.4	<b>Runoff pollution prevention.</b> Reduce the amount of stormwater runoff and stormwater pollution entering creeks, water channels and the San Francisco Bay through participation in the Santa Clara Valley Urban Runoff Pollution Prevention Program.
INC 8.7	<b>Stormwater quality.</b> Improve the water quality of stormwater and reduce flow quantities.
INC 11.1	<b>Waste diversion and reduction.</b> Meet or exceed all federal, state and local laws and regulations concerning solid waste diversion and implementation of recycling and source reduction programs.

### City of Mountain View Sewer System Management Plan

This Sewer System Management Plan (SSMP) is a compendium of the policies, procedures, and activities that are included in the planning, management, operation, and maintenance of the City’s sanitary sewer system. The SSMP was most recently updated in June 2018.

### Mountain View Mandatory Organic Waste Disposal Reduction Ordinance

Consistent with SB 1383, City Council adopted the Mandatory Organic Waste Disposal Reduction Ordinance (City Code Chapter 16 Article IV) mandating organic waste disposal reduction. The ordinance requires all residents and businesses to separate organics out of the trash.<sup>91</sup>

<sup>91</sup> City of Mountain View. “Food Scraps Composting Program.” Accessed September 1, 2022.

<https://www.mountainview.gov/our-city/departments/public-works/recycling-zero-waste/food-scraps-composting?locale=en>

#### **4.19.1.2 Existing Conditions**

##### **Water Supply**

The City of Mountain View provides water service to the project site. The City is the water retailer for the area and purchases water from two wholesale water suppliers, the SFPUC and Valley Water. In 2020, the City's water supply production was 84 percent SFPUC, 10 percent Valley Water, two percent groundwater, and four percent recycled water. The City's existing water supply is 10,456 acre-feet per year (AFY) and the City's water demand is approximately 10,000 AFY.<sup>92</sup> The UWMP has a projected citywide water demand of 12,058 AFY in 2025 and 14,163 AFY in 2045.<sup>93</sup>

The project site is currently undeveloped and does not use any water.

##### **Wastewater Services**

The City of Mountain View maintains its own wastewater collection system. Sanitary and storm drains in the City are operated and maintained by the Wastewater Section of the Public Works Department. The City pumps its wastewater to the Palo Alto Regional Water Quality Control Plant (PARWQCP) for treatment. The PARWQCP has an overall 40 mgd average annual treatment capacity. The City has an average annual flow treatment allocation of 15.1 mgd at the PARWQCP. In 2020, approximately 6.9 mgd of wastewater from Mountain View was collected and treated by the PARWQCP.<sup>94</sup> The project site is served by an eight-inch sewer main in Rich Avenue

The project site is currently undeveloped and does not generate any wastewater.

##### **Stormwater Drainage**

The project area is located in the Permanente Creek watershed. Stormwater runoff from developed areas of the watershed, as well as the project site, enters Permanente Creek by way of the City's storm sewer system. As discussed in Section 4.10 Hydrology and Water Quality, the project site is 100 percent pervious. There are no stormwater treatment facilities on the site. The project site is served by an existing 48-inch storm sewer line that runs through the project site and then north along Rich Avenue.

##### **Solid Waste**

Solid waste collection and recycling services for residents and businesses in Mountain View are provided by Recology Mountain View. Once collected, solid waste and recyclables are transported to the SMaRT Station in Sunnyvale for sorting, and commercial compostable are transported to a composting facility in Vernalis, California. Non-recyclable waste is transported and landfilled at Kirby Canyon Sanitary Landfill in south San José. Kirby Canyon Landfill has an estimated remaining capacity of approximately 14.6 million tons, and a closing date of approximately January 1, 2071.<sup>95</sup>

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<sup>92</sup> City of Mountain View. *2020 Urban Water Management Plan*. June 2021. P. 34.

<sup>93</sup> *Ibid.* P. 18.

<sup>94</sup> *Ibid.* P. 31.

<sup>95</sup> Azevedo, Becky. Waste Management Technical Manager. Personal communications. December 27, 2021.

## Telecommunications Systems

The project site is served by existing phone and electrical services. Phone service is provided to the site by AT&T, and electrical service is provided by Pacific Gas and Electric (PG&E) or SVCE.

### 4.19.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<hr/> Would the project:				
1) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) Be noncompliant with federal, state, or local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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**Impact UTL-1:** The project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. **(Less than Significant Impact)**

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The proposed project would connect to existing utilities in Rich Avenue and El Monte Avenue. As discussed in Section 4.10 Hydrology and Water Quality, the City has confirmed there is sufficient capacity in the local and downstream storm drain lines to accommodate runoff flows from the project site. The project would require local connections to the existing electrical and telecommunications facilities in the area.

The General Plan EIR and the 2030 General Plan Update Utility Impact Study (GPUUIS) previously disclosed a water system fire flow deficiency and sewer line deficiency in the project area. To address these deficiencies, the GPUUIS identified Capital Improvement Project (CIP) P-15, which would upsize an existing six-inch water line in Rich Avenue to an eight-inch water line in order to increase fire flow, and CIP P-18, which would upsize existing eight- and 12-inch sewer lines in Escuela Avenue to 12- and 15-inch sewer lines between Gamel Way and Villa Street. The project would incrementally add to these existing fire flow and sewer line deficiencies; however, construction of CIP P-15 and CIP P-18 are sufficient to mitigate these deficiencies.<sup>96</sup> City policy requires that a project's contribution to recommended CIPs be calculated to determine the fair share fee required from developers to assist in the implementation of the CIPs. The City has determined that contributions of less than one percent fall within the margin of error for variability within the model. Therefore, only projects that contribute more than one percent would be responsible for the fair share fee associated with the CIP. Based on the UIS prepared for the project (see Appendix D), the project would contribute to a less than one percent increase in fire and sewer flow rates; therefore, the project is not required to pay a fair share towards the construction of the CIPs.

The construction impacts of the proposed project, including the utility connections, are discussed in Sections 4.3 Air Quality, 4.4 Biological Resources, 4.5 Cultural Resources, 4.10 Hydrology and Water Quality, and 4.13 Noise and Vibration of this Initial Study. Implementation of standard conditions of approval and mitigation measures are required for the project to reduce construction-related impacts to a less than significant level. The Future CIPs required within the City (i.e., CIP P-15 and CIP P-18) would be subject to a separate project specific environmental review at the time the design and construction details of the CIPs are known. Mitigation measures for construction-related impacts (such as the ones discussed in this Initial Study) typically reduce construction-related impacts to a less than significant level. For these reasons, the project would not require the relocation or construction of new or expanded water, electric power, natural gas, or telecommunications facilities that would result in significant environmental effects. **(Less than Significant Impact)**

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**Impact UTL-2:** The project would not have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years. **(Less than Significant Impact)**

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The proposed project would use approximately 3,200 gpd (or 3.6 AFY) of water.<sup>97</sup> In 2025, the City of Mountain View projected to have a water supply and water demand of approximately 12,058 AFY.<sup>98</sup> The net new demand generated by the proposed project represents approximately 0.02 percent of the City's total projected demand for 2025. The City's 2020 UWMP found that the City had adequate water supplies to meet demand through 2045 in normal years, with potential shortfalls up to 20 percent due to cuts in supply from SFPUC in dry years.<sup>99</sup>

To maintain adequate water supply during dry and multiple dry years where there may be shortfalls in supply, the City would institute mandatory conservation measures, with escalating levels of conservation requirements as the shortages in water supply increase. These measures include limiting

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<sup>96</sup> Schaaf & Wheeler. *918 Rich Avenue – Utility Impact Study*. December 7, 2022.

<sup>97</sup> Ibid.

<sup>98</sup> City of Mountain View. *2020 Urban Water Management Plan*. June 8, 2021.

<sup>99</sup> Ibid. Page ES-7.

outdoor water use, encouraging further conservation through outreach programs, and requiring the rapid repair of leaks. The entire City, including the proposed project, would be subject to these measures during dry and multiple dry years. Compliance with mandatory conservation measures in the City would ensure that sufficient water supply is maintained in normal, dry, and multiple dry years. **(Less than Significant Impact)**

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**Impact UTL-3:** The project would not result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. **(Less than Significant Impact)**

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The project would generate approximately 2,400 gpd of wastewater (or 0.0024 mgd).<sup>100</sup> Given the overall capacity at PARWQCP (40 mgd), the City's treatment allocation at PARWQCP (15.1 mgd), and the existing wastewater generated from the City (6.9 mgd), there is sufficient capacity at the PARWQCP and within the City's existing treatment allocation to serve the project. **(Less than Significant Impact)**

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**Impact UTL-4:** The project would not generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. **(Less than Significant Impact)**

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The project would generate approximately 0.02 tons of solid waste per day.<sup>101</sup> Solid waste generated by the project would be transported to Kirby Canyon Landfill, which has an estimated remaining capacity of approximately 14.6 million tons and a closing date of approximately January 1, 2071. The landfill, therefore, has sufficient capacity to serve the project.

In addition, 65 percent of construction and demolition waste must be diverted in compliance with CALGreen. The proposed project would also provide on-site recycling collection pursuant to AB 341.

Because the project can be served by a landfill with capacity and would be required to comply with existing local and state programs and regulations, the project's impacts related to solid waste and landfill capacity and attainment of solid reduction goals would be less than significant. **(Less than Significant Impact)**

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**Impact UTL-5:** The project would be compliant with federal, state, or local management and reduction statutes and regulations related to solid waste. **(Less than Significant Impact)**

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As discussed under Impact UTL-4, the proposed project would comply with state and local regulations related to solid waste reduction. The project would comply with CALGreen standards for construction waste recycling and divert at least 65 percent of construction waste resulting from construction

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<sup>100</sup> Schaaf & Wheeler. *918 Rich Avenue – Utility Impact Study*. December 7, 2022.

<sup>101</sup> CalEEMod assumes a disposal rate of 0.274 (tons/unit/year) for residential units in Santa Clara County.  $0.274 \text{ tons/unit/year} \times 32 \text{ units} \div 365 \text{ days/year} = 0.02 \text{ tons/day}$ . California Air Pollution Control Officers Association. *California Emissions Estimator Model User Guide Version 2022.1, Appendix G Default Data Tables*. April 2022.

activities on-site. The proposed project would comply with AB 341 by utilizing the City's garbage service, which commercially sorts recyclable material at the SMaRT Station. In addition, the project would comply with SB 1383 and City Code by offering compost bins in the on-site trash collection rooms that residents could utilize to dispose of their organic waste (i.e., food scraps). Furthermore, solid waste from the project site would be disposed of at the Kirby Canyon Landfill in San José, as discussed under Impact UTL-4. The project would not result in a substantial increase in waste landfilled at Kirby Canyon, nor would it be served by a landfill without sufficient capacity. In compliance with the City Code and General Plan policies, the project would not conflict with state and federal solid waste regulations and statutes. **(Less than Significant Impact)**



**4.20 WILDFIRE**

**4.20.1 Environmental Setting**

**4.20.1.1 *Existing Conditions***

The California Department of Forestry and Fire Protection (Cal Fire) is required by law to map areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors. Referred to as Fire Hazard Severity Zones (FHSZ), these maps influence how people construct buildings and protect property to reduce risk associated with wildland fires. The project site is not located in a FHSZ.<sup>102</sup>

**4.20.2 Impact Discussion**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
1) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project site is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones; therefore, the project would not result in wildfire impacts. **(No Impact)**

<sup>102</sup> California Department of Forestry and Fire Protection. FHSZ Viewer. Accessed June 14, 2022. <https://egis.fire.ca.gov/FHSZ/>.

4.21

MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
1) Does the project have the potential to substantially 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, substantially 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) 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.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact MFS-1:** The project does not have the potential to substantially 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, substantially 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. **(Less than Significant Impact)**

As discussed throughout this Initial Study, the proposed project would not substantially degrade the quality of the environment with implementation of identified standard conditions of approval and mitigation measures. As discussed in Section 3.4 Biological Resources, with implementation of the identified standard conditions of approval, the project would not significantly impact nesting birds. No sensitive species or habitats would be significantly impacted by the project. As discussed in Section 3.5 Cultural Resources, with implementation of the identified standard conditions of approval, the project would result in a less than significant impact on archaeological resources (including TCRs). The project would have no impact on historic resources. **(Less than Significant Impact)**

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**Impact MFS-2:** The project does not have impacts that are individually limited, but cumulatively considerable. **(Less than Significant Impact with Mitigation Incorporated)**

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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) of the CEQA Guidelines, 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.” This Initial Study evaluates the environmental impacts of the proposed residential development at 918 Rich Avenue and takes into account other past, pending, and probable future projects whose impacts could combine to produce cumulative impacts.

The project would result in no impacts to agriculture and forestry resources, mineral resources, or wildfire; therefore, the project has no potential to combine with other projects to result in cumulative impacts to those resources.

As discussed in Section 4.3 Air Quality, the project would implement mitigation measure MM AIR-1.1 to reduce construction health risk impacts to less than significant. The cumulative health risk assessment shows the cumulative health risk is less than significant without mitigation measure MM AIR-1.1. The project would also implement mitigation measure MM NOI-2.1 to reduce construction vibration impacts to less than significant. There are no other projects in the vicinity that would contribute to a cumulative construction vibration impact with the project. For these reasons, the project would not result in significant cumulative health risk or construction vibration impacts.

Pursuant to the General Plan EIR, cumulative projects (including the proposed project) consistent with the General Plan would comply with existing regulations and implement City standard conditions of approval to reduce cumulative impacts to aesthetics, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology or water quality, land use and planning, noise and vibration, population and housing, public services, recreation, and utilities and service system to a less than significant level.

The project’s individual air quality impacts (criteria air pollutant emissions during construction and operation), as well as the project’s individual impact on energy, GHGs, and VMT, are evaluated at a cumulative level. That is, if a project results in a significant project-level impact to air quality, energy, GHGs, and VMT, the project would be considered to have a significant cumulative impact to those resources. The thresholds for a significant impact is the same for the project individually and cumulatively. As discussed in Sections 4.3 Air Quality, 4.6 Energy, 4.8 Greenhouse Gas Emissions, and 4.17 Transportation, the project would not result in significant (cumulative) impacts to those resources with the implementation of the identified standard conditions of approval **(Less than Significant Cumulative Impact)**

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**Impact MFS-3:** The project does not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. **(Less than Significant Impact with Mitigation Incorporated)**

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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. Pursuant to this standard, a change to the physical environment that might otherwise be minor must be treated as significant if people would be significantly affected. 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 that 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 pollutants, geological hazards, hazardous materials, and noise. As discussed in Section 4.3 Air Quality, 4.7 Geology and Soils, 4.9 Hazards and Hazardous Materials, and 4.13 Noise, the project with the implementation of standard conditions of approval and mitigation measures and adherence to existing regulations, would avoid significant impacts. No other direct or indirect adverse effects on human beings have been identified. **(Less than Significant Impact with Mitigation Incorporated)**

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## **SECTION 6.0 LEAD AGENCY AND CONSULTANTS**

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### **6.1 LEAD AGENCY**

#### **City of Mountain View**

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Aki Snelling, Senior Planner

### **6.2 CONSULTANTS**

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Ryan Osako, Graphic Artist

#### **Archaeological/Historical Consultants**

Cultural Resources Services

Dan Shoup, Archaeologist & Historian

#### **Cornerstone Earth Group, Inc.**

Geotechnical Consultants

Ron Helm, Senior Principal Geologist

Stason Foster, PE

#### **Environmental Investigation Services, Inc.**

Hazardous Materials Consultant

Peter Littman, Senior Project Manager

#### **HMH, Inc.**

Arborist

William Sowa, ISA Certified Arborist

#### **Illingworth & Rodkin, Inc.**

Air Quality Consultants

James Reyff, President

Zachary Palm, Air Quality Consultant

Casey Divine, Air Quality Consultant

## SECTION 7.0      ACRONYMS AND ABBREVIATIONS

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ABAG	Association of Bay Area Governments
ACM	Asbestos-Containing Material
ADA	Americans with Disabilities Act
ADT	Average Daily Trips
AFY	Acre-Feet per Year
APN	Assessor's Parcel Number
AIA	Airport Influence Area
ATCM	Air Toxics Control Measure
BAAQMD	Bay Area Air Quality Management District
BGS	Below Ground Surface
BLTS	Bicycle Level of Traffic Stress
BMPs	Best Management Practices
BTP	Bicycle Transportation Plan
Btu	British thermal units
CAL FIRE	California Department of Forestry and Fire Protection
CalARP	California Accidental Release Prevention
CalEPA	California Environmental Protection Agency
CALGreen	California Green Building Standards Code
Cal/OSHA	California Department of Industrial Relations, Division of Occupational Safety and Health
CALTRANS	California Department of Transportation
CAL FIRE	California Department of Forestry and Fire Protection
CAP	Clean Air Plan
CARB	California Air Resources Board
CBC	California Building Code
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFCs	Chlorofluorocarbons
CGS	California Geological Survey
CIPs	Capital Improvement Projects
CLUP	Comprehensive Land Use Plan
CMP	Congestion Management Program

CMU	Concrete Masonry Unit
CO <sub>2</sub>	Carbon Dioxide
CO <sub>2</sub> e	CO <sub>2</sub> Equivalents
CPR	Climate Protection Roadmap
CRHR	California Register of Historical Resources
CUPA	Certified Unified Program Agency
DDW	State Water Resources Control Board Division of Drinking Water
DRC	Development Review Committee
DTSC	Department of Toxic Substances Control
DU/AC	Dwelling Units per Acre
EIR	Environmental Impact Report
EPA	Environmental Protection Agency
EPC	Environmental Planning Commission
ESA	Environmental Site Assessment
FAA	Federal Aviation Administration
FAR	Floor Area Ratio
FAR	Federal Aviation Regulations
FEMA	Federal Emergency Management Agency
FEPD	Fire and Environmental Protection Division
FIRM	Flood Insurance Rate Maps
FMMP	Farmland Mapping and Monitoring Program
FTA	Federal Transit Administration
GHG	Greenhouse Gas
GPUUIS	2030 General Plan Update Utility Impact Study
GWh	Gigawatt Hours
GWMP	Groundwater Management Plan
GWP	Global Warming Potential
HAZWOPER	Hazardous Waste Operations and Emergency Response
HFCs	Hydrofluorocarbons
HI	Hazard Index
HMCD	Hazardous Materials Compliance Division
HOV	High-Occupancy Vehicle
HSWA	Hazardous and Solid Waste Amendments
HVAC	Heating, Ventilation, and Air Conditioning

LID	Low Impact Development
LOS	Level of Service
LRA	Local Responsibility Area
LUST	Leaking Underground Storage Tank
MBTA	Migratory Bird Treaty Act
MDD	Maximum Day Demand
MDD+FF	Maximum Day Demand with Fire Flow
MND	Mitigated Negative Declaration
MRP	Municipal Regional Stormwater NPDES Permit
MVFD	Mountain View Fire Department
MVGBC	Mountain View Green Building Code
MVLASD	Mountain View-Los Altos Union High School District
MVPD	Mountain View Police Department
MVTC	Mountain View Transit Center
MVTMA	Mountain View Transportation Management Association
MVWSD	Mountain View Whisman School District
NAHC	Native American Heritage Commission
NCP	National Contingency Plan
NESHAP	National Emission Standards for Hazardous Air Pollutants
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act of 1966
NOD	Notice of Determination
NOI	Notice of Intent
NO <sub>x</sub>	Nitrogen Oxides
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
O <sub>3</sub>	Ground-level Ozone
OITC	Outdoor-Indoor Transmission Class
OPR	Governor's Office of Planning and Research
PCB	Polychlorinated Biphenyls
PDA	Priority Development Areas
PFCs	Perfluorocarbons
PHD	Peak Hour Demand
PM	Particulate Matter



PPV	Peak Particle Velocity
PSI	Pound-Force per Square Inch
RCRA	Resource Conservation and Recovery Act
RHNA	Regional Housing Need Allocation
ROG	Reactive Organic Gases
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCCDEH	Santa Clara County Department of Environmental Health
SCH	State Clearinghouse
SCS	Sustainable Communities Strategy
SFHA	Special Flood Hazard Areas
SFPUC	San Francisco Public Utilities Commission
SHMA	Seismic Hazards Mapping Act
SMARA	Surface Mining and Reclamation Act
SO <sub>x</sub>	Sulfur Oxides
SRA	State Responsibility Area
STC	Sound Transmission Class
SVCE	Silicon Valley Clean Energy
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TACs	Toxic Air Contaminants
TCRs	Tribal Cultural Resources
TDML	Total Maximum Daily Loads
TSCA	Toxic Substances Control Act
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service
USGS	US Geologic Service
UWMP	Urban Water Management Plan
VMT	Vehicle Miles Traveled
VTA	Santa Clara Valley Transportation Authority
WUI	Wildland Urban Interface



## Memorandum

**DATE:** August 28, 2023

**TO:** Aki Snelling, City of Mountain View

**FROM:** Tyler Rogers, Project Manger  
Kristy Weis, Principal Project Manager

**SUBJECT:** Draft Initial Study/Mitigated Negative Declaration for the Rich Avenue Condominiums Project – Responses to Comments Received

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The purpose of this memorandum is to provide responses to comments received on the Draft Initial Study/Mitigated Negative Declaration (IS/MND) following its publication on May 24, 2023. The 20-day public review period for the Draft IS/MND concluded on June 13, 2023. Three comment letters were received by the City during the public review period for the IS/MND. Responses to the comments are provided below. A copy of the comment letters is provided in Attachment A of this memorandum. Subsequent to the publication of the Draft IS/MND, the applicant revised the project to remove the mechanical parking lifts in the proposed parking garage. The text revisions below address this change.

As exemplified below, the comments received, responses to comments, and text revisions do not constitute substantial revisions pursuant to CEQA Guidelines Section 15073.5, therefore, no recirculation of the IS/MND is required prior to adoption. No revisions to the Draft IS/MND are required.

### RESPONSE TO COMMENTS

#### A. Anil Pannikkat (May 26 and June 2, 2023)

**Comment A.1: Comment 1:** Thank you. Could you explain why no traffic study was required. In every community meeting which was held. there was a major concern from attendees about the impact on Rich Avenue traffic which has already high traffic during morning and evening hours and no parking at night.

**Response A.1:** The City of Mountain View Public Works Department determined that based on the trip estimates, project location, and other factors, the project did not meet the criteria to require a Multi-modal Transportation Analysis (MTA) or Vehicle Miles Traveled (VMT) Analysis.

**Comment A.2:** The document you pointed me said this below. Where did these numbers come from? 12 trips in the AM & PM peak hour seems very low.

The project proposes 32 residential units, which would result in approximately 145 new daily trips with 12 trips in the AM peak hour and 12 trips in the PM peak hour.<sup>90</sup> Consistent with General Plan Policy LUD 17.2, the project includes Transportation Demand Management strategies such as on-site bicycle parking that promotes an alternative to single-occupancy vehicle trips. The addition of project's incremental trips would not affect traffic operations on the surrounding roadways and would not be significantly noticeable on pedestrian, bicycle, and transit facilities. Thus, the proposed project would not conflict with any roadway plans, ordinances, or policies. (Less than Significant Impact)

**Response A.2:** The footnote quoted above from page 124 of the Initial Study is a citation from the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition, published in 2021. The ITE manual is the industry standard for estimating trips of proposed developments. Based on the rates in the ITE manual, 32 residential units would generate approximately 145 daily trips and 12 trips in the AM and PM peak hours (32 units x 4.54 daily trips/unit = 145 daily trips, 32 units x 0.37 AM peak hour trips/unit = 12 trips in the AM peak hour, 32 units x 0.39 PM peak hour trips/unit = 12 trips in the PM peak hour).

**Comment A.3:** The fact that a traffic planning study was not required was not communicated during the community meetings we had. In fact during the 1st meeting we had almost a year ago, we were sent a traffic plan done during the pandemic. And during the other meetings we were told that we would be sent a traffic study. May I ask why that happened?

Also as to the link below could you explain what I am supposed to look at? There are multiple links on the page. I am not the expert on this and I would ask you as the expert to summarize the document. I see this on the page which seems to indicate that a local study is required. It refers to VMT analysis as opposed to your ITE statement below.

Mountain View VMT and MTA

On June 30, 2020, the Council endorsed a Vehicle-Miles-Traveled (VMT) analysis methodology for development projects that require transportation analysis citywide, in combination with requirements for a local-level analysis of multi-modal transportation impacts (including bicycle, pedestrian, and vehicle movements) referred to as a Multimodal Transportation Analysis (MTA). For more information, see Council Staff Report and Materials.

**Response A.3:** Please refer to Response A.1 above regarding the need for an MTA and VMT analysis.

**Comment A.4:** The Draft study. 918 Rich Ave Final Initial.pdf

My opposition would be 1) that the study does not take into account the amount of traffic on Rich Avenue due to the additional 71 cars which could be possible due to the 71 parking spaces. This is considerably more than the 14 trips assumed below at peak hours.

**Response A.4:** As discussed in Response A.2, the Initial Study discloses that the project would result in 145 daily new trips. The 12 trips during the AM and PM peak hours are for a short specific time frame and represent peak vehicle movement during the day. The trip rates in the ITE manual are based on observed results compiled by ITE; therefore, the rates are representative of typical multifamily housing. In addition, pursuant to CEQA and Senate Bill 743 (which is described on page 121 of the Initial Study), traffic congestion (e.g., level of service) is not considered an environmental impact; therefore, discussion of the amount of traffic on Rich Avenue is not included nor is it required per CEQA.

**Comment A.5:** 2) Noise levels.

The document Sec 4.13.2 says that ambient noise levels would not exceed standards. We would be living next door to the property (which has an open terrace where parties would be held). Could you point me to the study which shows that the noise levels would be less than standard during normal hours and when parties are held on the open terrace.

**Response A.5:** The Initial Study evaluates operational noise from the proposed project's traffic generation and mechanical equipment. Temporary and infrequent noise generated during operation (such as people occupying the proposed entry plaza or 2,300 square foot rooftop deck) are not analyzed in the Initial Study as the analysis would be speculative. The proposed project is subject to the same City noise standards as the surrounding residential uses, including limiting noise generating activities to certain hours and decibels (see standard condition of approval on page 106 of the Initial Study). Any noise violations are enforced through the Mountain View Police Department and City Attorney's Office.

**B. Keyi Liu & Xiulan Zhou (June 4, 2023)**

**Comment B.1:** My name is Keyi Liu and my name is Xiulan Zhou and we are living at 920 Rich Ave, Mountain View, CA 94040. As requested in the last meeting, we want a buffer zone between our fence and the 918 pedestrian path.

Thank you for your consideration!

**Response B.1:** Since circulation of the IS/MND, the site plan has been revised and the proposed pedestrian path has been relocated from the south side of the project driveway to the north side of the project driveway (see updated site plan figure in the Text Revisions to the Draft IS/MND section below). As such, the pedestrian path is no longer adjacent to the commenter's residence. This modification to the site plan would not change the analysis or conclusions in the Initial Study.

**C. Deborah Lundgren (June 7, 2023)**

**Comment C.1:** The construction of a 5-story building on this small lot would impose a huge negative impact on our community. I understand the need for more housing and state mandates for housing but it's important to use reason.

This neighborhood is a mostly long-standing, single-family neighborhood with one and 2-story buildings. To construct a 5-story building is such an invasion of privacy and esthetics of this neighborhood.

Yes the building is nice looking. Yes those maple trees in fall will be beautiful. Realize they are deciduous trees that lose all their leaves for 5 or 6 months. There is nothing to block the view of that building for half of the year! Plus, they won't even reach the height of the building when they are fully grown! It will be fine for the residents of that building but the owner and the city are not considering the negative impact on us long-time residents: loss of privacy; obstructed views; lights illuminating the night sky all night, every night.

Attached is an image of the view out of my upstairs window where the bedrooms are. You can imagine how drastically it will change the view and character of our neighborhood.

Please, please allow the construction of a 4-story building only. This will still be an invasion for us but at least it won't be so overwhelming.

*Refer to Attachment A to see the photo included as part of this comment.*

**Response C.1:** Residential uses adjacent to existing residential land uses is compatible. The aesthetic impacts of the project are analyzed pursuant to CEQA in Section 4.1 on pages 15 through 22 of the Initial Study. Under CEQA, as stated on page 20 of the Initial Study, an aesthetic impact occurs if a project would result in a substantial adverse effect on a scenic vista, substantially damage scenic resources within a state scenic highway, conflict with applicable regulations governing scenic quality, and/or create a new source of substantial light or glare which would adversely affect views in the area. As explained in the Initial Study, There are no designated scenic vistas or scenic highways in the area; thus, the project would not obstruct a protected view under CEQA. The proposed project would also be built to City standards regarding setbacks and height, except for those waivers granted to the project per the State Density Bonus Law (see Table 2.7-1 on page 7 of the Initial Study). Nighttime security lighting for the project would be directed downward and not spillover to adjacent properties, consistent with City standards. In addition, nighttime lighting on the project site would be similar in lighting levels to the surrounding apartment complexes and would not create a significant new source of light or glare (see discussion under Impact AES-4 on page 22 of the Initial Study).

Additionally, the project site is located within the R3-1 zoning district, which allows for a maximum height of 45 feet, and is generally surrounded by properties in the same zoning district. However, these surrounding properties are developed with different

uses including two-story, small lot single family homes and two-story apartment buildings along Rich Avenue and Rich Place, and a one-story shopping center and church to the west. However, a four-story senior care building on El Monte Avenue directly to the west of the project site was approved and is anticipated to be constructed prior to the subject building.

As a result of the State Density Bonus request, the project is proposing a waiver of the height restriction to allow for a five-story, 58.5 feet high building. This would be a permitted request through the State Density Bonus Law. The applicant has explained that they have reduced the massing impacts by inseting the upper floors, provided for warmer color tones, and have added landscaping around the building.



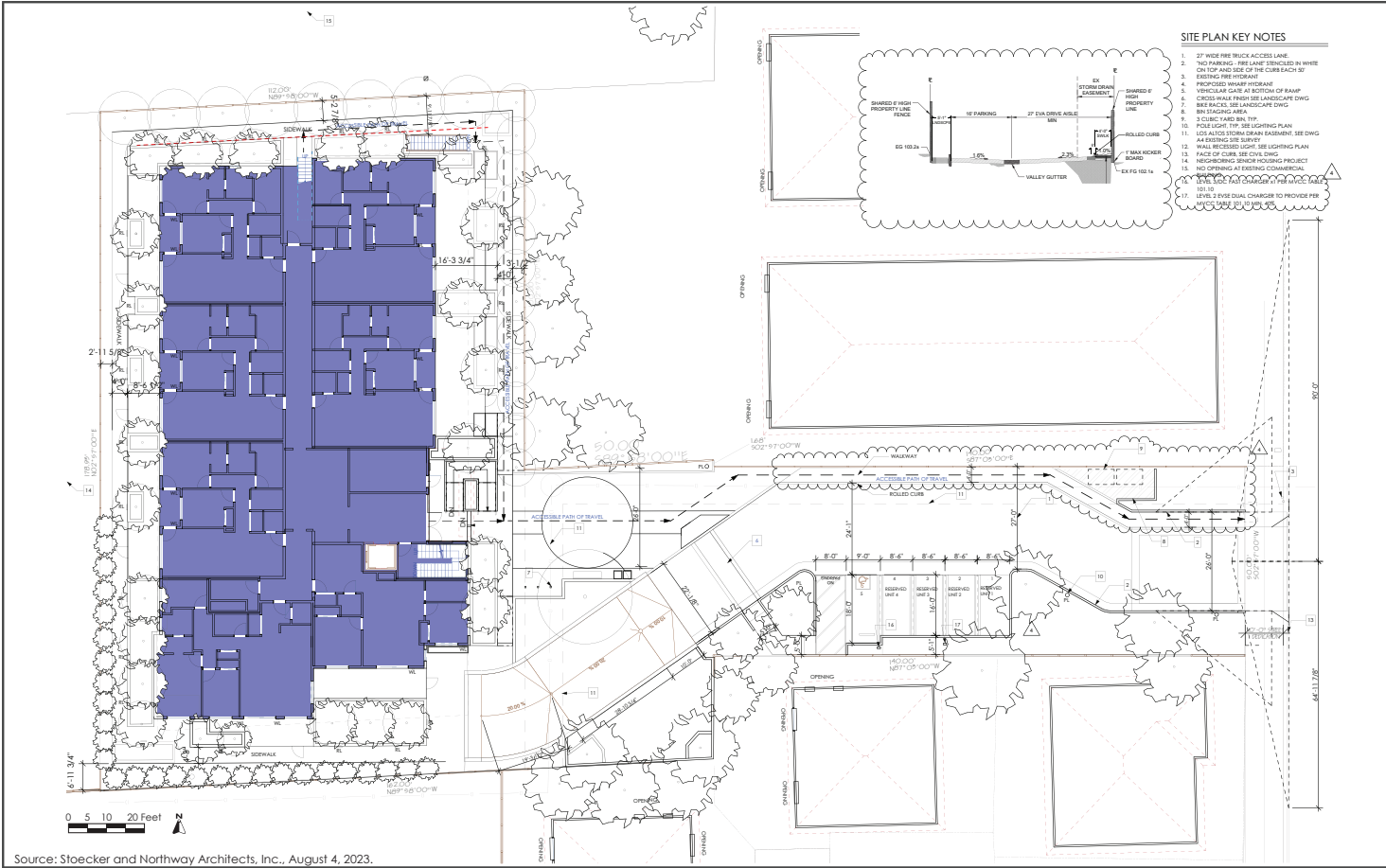
## TEXT REVISIONS TO THE DRAFT IS/MND

New text is shown as underlined and deletions are shown with a ~~line through the text~~.

Page 8            REVISION the text in the second paragraph under Site Access and Parking as follows:

Vehicle parking for the project would be provided in an underground parking garage below the proposed building and at-grade. A total of 7150 vehicle parking spaces would be provided on-site, including 6645 (4224 tandem spaces and 21 single stalls, ~~22 lift parking spaces, and two accessible spaces~~) parking spaces in the underground parking garage and five (including one accessible space) surface parking spaces. A total of 32 long-term bicycle parking spaces would be provided in secure bike lockers in the underground parking garage and four short-term bicycle parking spaces would be provided via a bike rack in the entry plaza.

Page 9            REPLACE Figure 3.4-1 with the following figure:



- SITE PLAN KEY NOTES**
1. 27" WIDE FREE TRUCK ACCESS LANE
  2. "NO PARKING" FIRE LANE" VEHICLES IN WHITE ON TOP AND SIDE OF THE CURB EACH 30' EXCEEDING PER FIREMAN
  3. PROPOSED WARMY PITCHMAN
  4. VERTICAL CURB AT BOTTOM OF RAMP
  5. CROSS-WALK FROM SEE LANDSCAPE DWG
  6. SEE RAILCAR SEE LANDSCAPE DWG
  7. 3' CURB-YARD BSA TYP
  8. 8" DRAINING AREA
  9. 1" LOS AUTOS STORM DRAIN BASEMENT. SEE DWG
  10. 1" WALL RECESSED LIGHT. SEE LIGHTING PLAN
  11. 1" WALL RECESSED LIGHT. SEE LIGHTING PLAN
  12. 1" WALL RECESSED LIGHT. SEE LIGHTING PLAN
  13. 1" WALL RECESSED LIGHT. SEE LIGHTING PLAN
  14. 1" WALL RECESSED LIGHT. SEE LIGHTING PLAN
  15. 1" WALL RECESSED LIGHT. SEE LIGHTING PLAN
  16. 1" WALL RECESSED LIGHT. SEE LIGHTING PLAN
  17. 1" WALL RECESSED LIGHT. SEE LIGHTING PLAN

Source: Stoecker and Northway Architects, Inc., August 4, 2023.

SITE PLAN

FIGURE 3.4-1

**ATTACHMENT A: COMMENT LETTERS**

---

From: Anil Pannikkat [REDACTED] >

Sent: Friday, June 2, 2023 2:47 PM

To: Snelling, Aki <[Aki.Snelling@mountainview.gov](mailto:Aki.Snelling@mountainview.gov)>

Cc: [REDACTED]

Subject: Re: 918 Rich Ave meeting March 20th, 6-7 pm

**CAUTION: EXTERNAL EMAIL - Ensure you trust this email before clicking on any links or attachments.**

Hi Aki

Thank you for the info.

The fact that a traffic planning study was not required was not communicated during the community meetings we had..

In fact during the 1st meeting we had almost a year ago, we were sent a traffic plan done during the pandemic..

And during the other meetings we were told that we would be sent a traffic study.

May I ask why that happened. ?

Also as to the link below could you explain what I am supposed to look at?

There are multiple links on the page. I am not the expert on this and I would ask you as the expert to summarize the document.

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The Draft study. 918 Rich Ave Final Initial.pdf

My opposition would be

1) that the study does not take into account the amount of traffic on Rich Avenue due to the additional 71 cars which could be possible due to the 71 parking spaces. This is considerably more than the 14 trips assumed below at peak hours.

2) Noise levels..

The document Sec 4.13.2 says that ambient noise levels would not exceed standards..

We would be living next door to the property (which has an open terrace where parties would be held).

Could you point me to the study which shows that the noise levels would be less than standard during normal hours and when parties are held on the open terrace.

Regards

Anil

**From:** Anil Pannikkat <[anil\\_pannikkat@yahoo.com](mailto:anil_pannikkat@yahoo.com)>

**Sent:** Friday, May 26, 2023 2:39 PM

**To:** Snelling, Aki <[Aki.Snelling@mountainview.gov](mailto:Aki.Snelling@mountainview.gov)>

**Cc:** [REDACTED]

**Subject:** Re: 918 Rich Ave meeting March 20th, 6-7 pm

**CAUTION:** EXTERNAL EMAIL - Ensure you trust this email before clicking on any links or attachments.

Hi Aki

Thank you . Could you explain why no traffic study was required..

In every community meeting which was held.. there was a major concern from attendees about the impact on Rich Avenue traffic which has already high traffic during morning and evening hours and no parking at night..

The document you pointed me said this below.

Where did these numbers come from? 12 trips in the AM & PM peak hour seems very low.

The project proposes 32 residential units, which would result in approximately 145 new daily trips with 12 trips in the AM peak hour and 12 trips in the PM peak hour.<sup>90</sup> Consistent with General Plan Policy LUD 17.2, the project includes Transportation Demand Management strategies such as on-site bicycle parking that promotes an alternative to single-occupancy vehicle trips. The addition of project's incremental trips would not affect traffic operations on the surrounding roadways and would not be significantly noticeable on pedestrian, bicycle, and transit facilities. Thus, the proposed project would not conflict with any roadway plans, ordinances, or policies. **(Less than Significant Impact)**

Regards

Anil

## Comment B

**From:** [keyi liu](#)  
**To:** [Snelling, Aki](#)  
**Subject:** Comment on 918 Rich Ave Condominiums  
**Date:** Sunday, June 4, 2023 11:21:54 AM

---

**CAUTION:** EXTERNAL EMAIL - Ensure you trust this email before clicking on any links or attachments.

Dear Aki Snelling,

My name is Keyi Liu and my wife name is Xiulan Zhou and we are living at 920 Rich Ave, Mountain View, CA 94040. As requested in the last meeting, we want a buffer zone between our fence and the 918 pedestrian path.

Thanks for your consideration!

Keyi Liu and Xiulan Zhou



## Comment C

---

**From:** Deborah Lundgren [REDACTED] >  
**Sent:** Wednesday, June 7, 2023 9:17 PM  
**To:** Snelling, Aki <[Aki.Snelling@mountainview.gov](mailto:Aki.Snelling@mountainview.gov)>  
**Subject:** 918 Rich Avenue Condominiums

**CAUTION: EXTERNAL EMAIL - Ensure you trust this email before clicking on any links or attachments.**

Dear Aki:

The construction of a 5-story building on this small lot would impose a huge negative impact on our community. I understand the need for more housing and state mandates for housing but it's important to use reason.

This neighborhood is a mostly long-standing, single-family neighborhood with one and 2-story buildings. To construct a 5-story building is such an invasion of privacy and esthetics of this neighborhood.

Yes the building is nice looking. Yes those maple trees in fall will be beautiful. Realize they are deciduous trees that lose all their leaves for 5 or 6 months. There is nothing to block the view of that building for half of the year! Plus, they won't even reach the height of the building when they are fully grown! It will be fine for the residents of that building but the owner and the city are not considering the negative impact on us long-time residents: loss of privacy; obstructed views; lights illuminating the night sky all night, every night.

Attached is an image of the view out of my upstairs window where the bedrooms are. You can imagine how drastically it will change the view and character of our neighborhood

Please, please allow the construction of a 4-story building only. This will still be an invasion for us but at least it won't be so overwhelming.

Thank-you,  
Deborah Lundgren  
[REDACTED]





**MITIGATION MONITORING & REPORTING PROGRAM**  
**918 Rich Avenue Condominiums Project**

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance and Oversight of Implementation	Timing of Compliance
<b>Project-Specific Mitigation Measures</b>				
<b>Air Quality Impacts</b>				
<p><b>Impact AIR-1:</b> The project would not conflict with or obstruct implementation of the applicable air quality plan with implementation of mitigation. <b>(Less than Significant Impact with Mitigation Incorporated)</b></p> <p><b>Impact AIR-3:</b> The project would not expose sensitive receptors to substantial pollutant concentrations with implementation of mitigation. <b>(Less than Significant Impact with Mitigation Incorporated)</b></p> <p><b>Impact GHG-1:</b> The project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment with mitigation.</p>	<p><b>MM AIR-1.1:</b> The project shall develop a plan demonstrating that the off-road equipment used onsite to construct the project would achieve a fleet-wide average 60-percent reduction in DPM exhaust emissions or greater. One feasible plan to achieve this reduction would include the following:</p> <ol style="list-style-type: none"> <li>1. All construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 emission standards for PM (PM<sub>10</sub> and PM<sub>2.5</sub>), if feasible, otherwise,               <ol style="list-style-type: none"> <li>a. If use of Tier 4 equipment is not available, alternatively use equipment that meets U.S. EPA emission standards for Tier 3 engines and include particulate matter emissions control equivalent to CARB verifiable diesel emission control devices that altogether achieve a 60 percent reduction in particulate matter exhaust in comparison to uncontrolled equipment; alternatively (or in combination).</li> <li>b. Provide line power (electrical or non-diesel) to the site during the early phases of construction to minimize</li> </ol> </li> </ol>	Project applicant	<p>The mitigation measure shall be printed on all construction documents, contracts, and project plans.</p> <p>Oversight of implementation by City of Mountain View Community Development Director (or their Designees).</p>	Prior to issuance of grading and demolition permits

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance and Oversight of Implementation	Timing of Compliance
<p><b>(Less than Significant Impact with Mitigation Incorporated)</b></p> <p><b>Impact GHG-2:</b> The project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs with mitigation. <b>(Less than Significant Impact with Mitigation Incorporated)</b></p>	<p>the use of diesel-powered stationary equipment.</p> <p>2) Alternatively, the applicant may develop another construction operations plan demonstrating that the construction equipment used on-site would achieve a reduction in construction diesel particulate matter emissions by 60 percent or greater. Such construction operations plan would be subject to review by an air quality expert and approved by the City prior to construction.</p>			
<b>Noise Impacts</b>				
<p><b>Impact NOI-2:</b> The project would not result in generation of excessive groundborne vibration or groundborne noise levels with implementation of mitigation. <b>(Less than Significant Impact with Mitigation Incorporated)</b></p>	<p><b>MM NOI-2.1:</b> The project shall implement the following measures to minimize vibration impacts from construction activities:</p> <ol style="list-style-type: none"> <li>a. Avoid the use of vibratory rollers and other heavy construction equipment within 20 feet of existing structures.</li> <li>b. Place operating equipment on the construction site as far as possible from vibration sensitive receptors.</li> <li>c. Use smaller equipment within 20 feet of the perimeter property lines adjoining off site structures to minimize vibration levels below the limits.</li> <li>d. Avoid dropping heavy objects or materials near vibration sensitive locations.</li> <li>e. A list of all heavy construction equipment to be used for this project known to produce high vibration levels (tracked vehicles, vibratory compaction, jackhammers, hoe</li> </ol>	Project applicant / Project contractor	<p>The mitigation measure shall be printed on all construction documents, contracts, and project plans.</p> <p>Oversight of implementation by City of Mountain View Community Development Director (or their Designees).</p>	Prior to issuance of demolition and grading permits

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance and Oversight of Implementation	Timing of Compliance
	<p>rams, etc.) shall be submitted to the City by the contractor. This list shall be used to identify equipment and activities that would potentially generate substantial vibration and to define the level of effort required for continuous vibration monitoring.</p> <p>f. Designate a person responsible for registering and investigating claims of excessive vibration. The contact information of such person shall be clearly posted on the construction site.</p>			