Attachment 1

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW CERTIFYING THE NORTH BAYSHORE MASTER PLAN SUBSEQUENT ENVIRONMENTAL IMPACT REPORT, ADOPTING CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS RELATED TO ENVIRONMENTAL IMPACTS, MITIGATION MEASURES, AND ALTERNATIVES, AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, MITIGATION MEASURES, AND A MITIGATION MONITORING AND REPORTING PROGRAM, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000, *et seq.*, the City of Mountain View ("City") has prepared a Subsequent Environmental Impact Report (SEIR) for the North Bayshore Master Plan ("Project"); and

WHEREAS, the City prepared and circulated a Draft EIR for the requisite 45-day public comment period, which ended on February 6, 2023, and gave all public notices in the manner and at the times required by law; and

WHEREAS, the City prepared, completed, and adopted in accordance with CEQA the North Bayshore Precise Plan Final Subsequent Environmental Impact Report (SCH No. 2013082088) ("Precise Plan EIR"), which evaluated the impacts of the North Bayshore Precise Plan ("Precise Plan") that allows up to 10.4 million square feet of office/ R&D development uses, 198,538 square feet of retail/restaurant uses, 26,138 square feet of service uses, and 9,854 residential units in the Precise Plan area; and

WHEREAS, in connection with the adoption of a resolution approving said Precise Plan, the City Council adopted Resolution No. 18186 on December 12, 2017, setting forth certain findings pertaining to the Precise Plan EIR and adopting a mitigation monitoring and reporting program, all pursuant to the provisions of CEQA; and

WHEREAS, the Project was evaluated and analyzed under the Precise Plan EIR, and it was determined a Subsequent Environmental Impact Report to the Precise Plan EIR was required, as further explained in the Final SEIR, as defined below, for the Project; and

WHEREAS, the City circulated a Notice of Preparation ("NOP") for the SEIR for the Project in the manner and times required by law for review and comment by responsible and trustee agencies and other interested agencies, organizations, and individuals from February 28, 2022 through March 30, 2022, and held a public scoping meeting on March 14, 2022; and

WHEREAS, pursuant to Public Resources Code Sections 21161 and 211092 and CEQA Guidelines Sections 15085 and 15087, on April 26, 2022, a Notice of Completion ("NOC")/Notice of Availability ("NOA") document for a Draft SEIR for the Project was duly prepared and distributed; and

WHEREAS, the City duly prepared and circulated the Draft SEIR for the required 45-day public comment period, which commenced on December 21, 2022 and ended on February 6, 2023; and

WHEREAS, the City prepared responses to comments received on the Draft SEIR as reflected in the Response to Comments/Final SEIR document dated April 2023, which address all written and verbal comments on the environmental issues raised during the public review and comment period for the Draft SEIR, and was made available to all commenters and the public on April 11, 2023; and

WHEREAS, the Response to Comments/Final SEIR, together with the Draft SEIR and all appendices to both documents, comprise the Final SEIR; and

WHEREAS, the Final SEIR was presented to the City Council on June 13, 2023, and the City Council has reviewed the Final SEIR on the Project, together with all associated staff reports, documents, testimony, correspondence and evidence constituting the record of proceedings; and

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

WHEREAS, the Final SEIR identifies mitigation measures which, when implemented, will substantially lessen or avoid the significant effects on the environment caused by the proposed Project, with the exception of the significant unavoidable impact(s) related to: (i) a conflict with an applicable air quality plan (due to construction NO_x emissions, operational ROG, NO_x, and PM_{10} emissions, and health risk primarily from construction emissions); (ii) generation of a cumulatively considerable net increase in construction NO_x emissions and operational ROG, NO_x, and PM_{10} emissions in a region that is considered nonattainment under an applicable Federal or State ambient air quality standards; (iii) expose sensitive receptors to substantial pollutant concentrations during construction; (iv) conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs; and (v) generation of a cumulatively considerable contribution to a cumulatively significant GHG emissions impact; and

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

WHEREAS, the Mitigation Monitoring and Reporting Program has been prepared pursuant to CEQA to monitor the changes to the Project which the lead agency has adopted in order to mitigate or avoid significant effects on the environment; now, therefore, be it

RESOLVED: that the City Council of the City of Mountain View, having independently considered the Final SEIR and the potentially significant environmental effects of the Project as shown in the Final SEIR for the North Bayshore Master Plan, hereby:

1. Certifies that the Final SEIR, attached hereto as Exhibit A, has been completed in compliance with CEQA and reflects the independent judgment and analysis of the City and has been presented to the City Council, which reviewed and considered the information in it, along with other relevant information in the Record of Proceedings, including, without limitation, public testimony, written correspondence, and staff reports and responses (including responses to comments on the Final SEIR received at or prior to the City Council public hearing) before approving the Project, and hereby finds that the Final SEIR constitutes an accurate, adequate, objective, and complete EIR.

2. Adopts the CEQA Findings of Fact and Statement of Overriding Considerations for the Project, attached hereto as Exhibit B, which findings are incorporated by reference herein.

3. Adopts the Mitigation, Monitoring, and Reporting Program (MMRP) for the Project, which incorporated the MMRP from the Precise Plan EIR, attached hereto as Exhibit C.

4. Adopts all of the feasible mitigation measures identified and described in the Final SEIR and determines that the Project, as mitigated, will avoid or reduce all of the significant adverse impacts to a less-than-significant level, with the exception of the significant unavoidable impacts related to: (i) a conflict with an applicable air quality plan (due to construction NO_x emissions, operational ROG, NO_x, and PM_{10} emissions, and health risk primarily from construction emissions); (ii) generation of a cumulatively considerable net increase in construction NO_x emissions and operational ROG, NO_x, and PM_{10} emissions in a region that is considered nonattainment under an applicable Federal or State ambient air quality standards; (iii) expose sensitive receptors to substantial pollutant concentrations during construction; (iv) conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs; and (v) generation of a cumulatively considerable contribution to a cumulatively significant GHG emissions impact, which significant unavoidable impacts are considered acceptable because these unavoidable adverse environmental effects are outweighed by the benefits of the Project as set forth in the Statement of Overriding Considerations.

5. Finds that a reasonable range of potentially feasible alternatives were identified and evaluated in the Final SEIR and further finds that none of the alternatives identified and evaluated in the Final EIR will achieve all of the Project objectives or to the same degree as the proposed Project and, otherwise, are infeasible for the reasons detailed in Exhibit B, do not represent substantial environmental benefits over the proposed Project and are, therefore, rejected as infeasible, within the meaning of CEQA, in favor of the proposed Project.

6. The City, in making its decision to certify the Final SEIR and approve the Project and as detailed in Exhibit B, hereby recognizes that a range of technical and scientific opinions exist with respect to certain environmental issues. The City has acquired a comprehensive and well-rounded understanding of the range of these technical and scientific opinions by its review of the Final SEIR, information provided by the experts who prepared the Final SEIR, the City's staff and other consultants, other relevant materials in the Record of Proceedings, and its own experience and expertise in these matters. The materials reviewed by the City include, without limitation, statements of facts as well as other comments on the environmental issues set forth in the Final SEIR. This comprehensive review has enabled the City to make its determinations after weighing and considering the various viewpoints on these important issues. As a result, the City has made determinations of significant effects based on substantial evidence and not public controversy or speculation. Accordingly, the City certifies that its findings and determinations are based on all of the evidence contained in the Final SEIR as well as the evidence and other information in the Record of Proceedings and hereby elects to rely on the opinions set forth in the Final SEIR and other relevant materials in the Record of Proceedings.

TIME FOR JUDICIAL REVIEW:

The time within which judicial review of this document must be sought is governed by California Code of Procedure Section 1094.6, as established in Resolution No. 13850, adopted by the City Council on August 9, 1983.

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DP/2/RESO
807-06-13-23r-1

Exhibits: A. Final SEIR, Including Errata Dated June 1, 2023
B. CEQA Findings and Statement of Overriding Considerations
C. Mitigation, Monitoring, and Reporting Program

Exhibit A

Final Subsequent Environmental Impact Report

North Bayshore Master Plan

SCH No.: 2022020712

Prepared by

City of Mountain View

In Consultation with

DAVID J. POWERS & ASSOCIATES, INC.
ENVIRONMENTAL CONSULTANTS & PLANNERS

April 2023

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SECTION 1.0 INTRODUCTION

This document, together with the December 2022 Draft Subsequent Environmental Impact Report (Draft SEIR) (SCH# 2022020712), constitutes the Final Subsequent Environmental Impact Report (Final SEIR) for the North Bayshore Master Plan project.

1.1 PURPOSE OF THE FINAL EIR

In conformance with the California Environmental Quality Act (CEQA) and CEQA Guidelines, this Final SEIR provides objective information regarding the environmental consequences of the proposed project. The Final SEIR also examines mitigation measures and alternatives to the project intended to reduce or eliminate significant environmental impacts. The Final SEIR is intended to be used by the City and any responsible agencies in making decisions regarding the project.

Pursuant to CEQA Guidelines Section 15090(a), prior to approving a project, the lead agency shall certify that:

(1) The Final SEIR has been completed in compliance with CEQA;
(2) The Final SEIR was presented to the decision-making body of the lead agency, and that the decision-making body reviewed and considered the information contained in the Final SEIR prior to approving the project; and
(3) The Final SEIR reflects the lead agency's independent judgment and analysis.

1.2 CONTENTS OF THE FINAL SEIR

CEQA Guidelines Section 15132 specify that the Final SEIR shall consist of:

(a) The Draft SEIR or a revision of the Draft;
(b) Comments and recommendations received on the Draft SEIR either verbatim or in summary;
(c) A list of persons, organizations, and public agencies commenting on the Draft SEIR;
(d) The Lead Agency's responses to significant environmental points raised in the review and consultation process; and
(e) Any other information added by the Lead Agency.

1.3 PUBLIC REVIEW

In accordance with CEQA and the CEQA Guidelines (Public Resources Code Section 21092.5[a] and CEQA Guidelines Section 15088[b]), the City shall provide a written response to a public agency on comments made by that public agency at least 10 days prior to certifying the SEIR. The Final SEIR and all documents referenced in the Final SEIR are available for public review at the Community Development Department, City Hall offices at 500 Castro Street, 1st Floor, on weekdays during normal business hours and the Mountain View Public Library at 585 Franklin Street during normal business hours. The Final SEIR is also available for review online at the City's website www.mountainview.gov/CEQA and on the State Clearinghouse website www.ceqanet.opr.ca.gov.

SECTION 2.0 DRAFT EIR PUBLIC REVIEW SUMMARY

The Draft SEIR for the North Bayshore Master Plan project, dated December 2022, was circulated to affected public agencies and interested parties for a 45-day review period from December 21, 2022 through February 6, 2023. The City undertook the following actions to inform the public of the availability of the Draft SEIR:

- A Notice of Availability (NOA) of the Draft SEIR was published at www.mountainview.gov/CEQA and in the Daily Post newspaper on December 21, 2022;
- Notification of the availability of the Draft SEIR was mailed to property owners and tenants within a 750 foot radius of the project boundary and other members of the public who had indicated interest in the project;
- Email notification of the availability of the Draft SEIR was sent on December 21, 2022, to all subscribed recipients on the City's project website at https://www.mountainview.gov/depts/comdev/planning/activeprojects/google/googlenorthbayshore.asp.
- Notification of the availability of the Draft SEIR was sent on December 21, 2022 to all subscribed recipients on the City Hall Connection e-newsletter.
- The Draft SEIR was delivered to the State Clearinghouse and posted on December 21, 2022, as well as sent to various governmental agencies, organizations, businesses, and individuals (see Section 3.0 for a list of agencies, organizations, businesses, and individuals that received the Draft EIR); and
- Copies of the Draft SEIR were made available on the City's website at www.mountainview.gov/CEQA.

SECTION 3.0 DRAFT EIR RECIPIENTS

CEQA Guidelines Section 15086 requires that a local lead agency consult with and request comments on the Draft EIR prepared for a project of this type from responsible agencies (government agencies that must approve or permit some aspect of the project), trustee agencies for resources affected by the project, adjacent cities and counties, and transportation planning agencies.

The NOA for the Draft SEIR was sent to owners and occupants within 750 foot of the project site and to adjacent jurisdictions. The following agencies and organizations received a copy of the NOA or Draft SEIR from the City or via the State Clearinghouse:

- Bay Area Air Quality Management District
- California Air Resources Board
- California Department of Conservation
- California Department of Fish and Wildlife
- California Department of Forestry and Fire Protection
- California Department of Housing and Community Development
- California Department of Parks and Recreation
- California Department of Resources Recycling and Recovery
- California Department of Toxic Substances Control
- California Department of Transportation, District 4
- California Department of Transportation, Division of Aeronautics
- California Department of Transportation, Division of Transportation Planning
- California Department of Water Resources
- California Energy Commission
- California Governor's Office of Emergency Services
- California Highway Patrol
- California Native American Heritage Commission
- California Natural Resources Agency
- California Public Utilities Commission
- California Regional Water Quality Control Board, San Francisco Bay Region
- California State Lands Commission
- California State Parks Office of Historic Preservation
- City of Palo Alto
- City of Sunnyvale
- Mountain View Whisman School District
- Mountain View-Los Altos Union High School District
- NASA Ames Research Center
- PG&E
- San Francisco Bay Conservation and Development Commission
- San Francisco Public Utilities Commission
- San Francisco Regional Water Quality Control Board
- Santa Clara County Department of Environmental Health
- Santa Clara County Roads and Airports
- Santa Clara Valley Water District

- Sierra Club, Loma Prieta Chapter
- State Water Resources Control Board, Division of Drinking Water
- State Water Resources Control Board, Division of Financial Assistance
- State Water Resources Control Board, Division of Water Quality
- State Water Resources Control Board, Division of Water Rights
- United States Environmental Protection Agency
- Valley Transportation Authority

SECTION 4.0 RESPONSES TO DRAFT EIR COMMENTS

In accordance with CEQA Guidelines Section 15088, this document includes written responses to comments on environmental issues received by the City of Mountain View on the Draft SEIR. Responses are not provided in this Final SEIR to comments pertaining to the merits of the project.

Comments are organized under headings containing the source of the letter and its date. The specific comments from each of the letters and/or emails are presented with each response to that specific comment directly following. Copies of the letters and emails received by the City of Mountain View are included in their entirety in Appendix A of this document. All comments received on the Draft SEIR are listed below and will be considered by the City Council prior to making a decision on the project.

A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the Draft SEIR for public review, but before certification. Information can include changes in the project or environmental setting as well as additional data. However, new information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement.

None of the comments raised on the Draft SEIR represent new significant information that would warrant recirculation of the Draft SEIR pursuant to CEQA Guidelines Section 15088.5(a).

Comment Letter and Commenter **Page of Response**

Comment Letter and Commenter **Page of Response**

MASTER RESPONSES

Several comments received during the public circulation of the Draft SEIR raised similar concerns and questions; therefore, a master response has been prepared to respond to those common concerns/questions. The master response addresses the following topics:

- Master Response 1: School Impacts

The purpose of the master response is to provide comprehensive answers in one location and to avoid redundancy throughout the individual responses. Cross references to topic responses are made, when appropriate, in individual responses.

Master Response 1: School Impacts

School impacts are discussed in Section 4.12 Public Services on pages 317 through 328 of the Draft SEIR. Responses to comments regarding the existing conditions, proposed project, project impacts, school impact fees, indirect impacts on schools, and the Shoreline Community Redevelopment Area Tax Increment are provided below. None of the comments raised represent new significant information that would warrant recirculation of the Draft SEIR pursuant to CEQA Guidelines Section 15088.5(a).

Existing Conditions

Per CEQA Guidelines Section 15125, the Draft SEIR discusses existing school conditions, including location of local schools and their current enrollment and capacity, on pages 320 through 321 and in Table 4.12-1. The text of the Draft SEIR has been revised to clarify the distance of the local schools in relation to the projects site and a figure has been added to illustrate the location of the local schools to the project site (refer to Section 5.0 Draft EIR Text Revisions).

Proposed Project

The project proposed is a master plan development that would implement a large portion of the already approved and adopted North Bayshore Precise Plan (Precise Plan). The Precise Plan allows for up to 10.4 million square feet of office and R&D development uses, 198,538 square feet of retail/restaurant uses, 26,138 square feet of service uses, and 9,854 residential units in North Bayshore. The City prepared and certified a Final Environmental Impact Report (2017 EIR) that evaluated the addition of the 9,854 residential units to North Bayshore in 2017.[1] This certified 2017 Final EIR was reviewed by the public and agencies, including the Mountain View Los Altos High School District (MVLASD) and Mountain View Whisman School District (MVWSD). Background information on the approved Precise Plan and its associated environmental review is provided in Section 2.1 Background Information on page 5 of the Draft SEIR. The proposed North Bayshore Master Plan development would implement the already approved North Bayshore Precise Plan and includes the development of a large proportion of the already approved residential capacity allowed by the Precise Plan. A detailed description of the proposed master plan is provided in Section 2.3 Project Description on pages 12

[1] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017.

through 37 of the Draft SEIR. No site within the proposed Master Plan area is explicitly dedicated for a school.

Project Impacts

The project's school impacts are discussed in Section 4.12.2.1 Project Impacts under Impact PS-3 of the Draft SEIR (pages 323-324), as well as Section 4.12.2.2 Cumulative Impacts under Impact PS-C on page 326 of the Draft SEIR. In both impact discussions, it is acknowledged that the existing, available school capacity could be insufficient and provision for additional school facilities may be required.[2] Text has been added to the Draft SEIR to clarify this (refer to Section 5.0 Draft EIR Text Revisions). The impacts related to vehicle trips from proposed residences to schools are accounted for in the transportation analysis completed for the project included in Appendix D of the Draft SEIR and summarized in Section 3.4 Transportation under Impact TRN-2 on page 144 of the Draft SEIR. The residential trip generation used in the transportation analysis includes vehicle trips for the work commute and other travel purposes (such as travel to school, retail, entertainment, etc.).

The cumulative impacts on schools are specifically discussed in Section 4.12.2.2 Cumulative Impacts under Impact PS-C of the Draft SEIR (page 326). The scope of the cumulative analysis is explained on pages 47 and 48 of the Draft SEIR and includes a discussion of "impacts that might result from approval of past, present, and reasonably foreseeable future projects, in conjunction with the proposed project…." As explained in Section 1.1 Purpose of the Environmental Impact Report, the Draft SEIR tiers from the certified 2017 EIR, which analyzed cumulative impacts on schools from buildout of the Precise Plan and the Mountain View 2030 General Plan (General Plan). That is, the cumulative analysis accounts for residential development consistent with the adopted Precise Plan and General Plan, including the recently approved residential developments noted in comment letters that would generate students who would attend the same schools as the proposed project (e.g., 901-987 N. Rengstorff Avenue, 1255 Pear Avenue, 828/836 Sierra Vista Avenue, 1100 La Avenida Street, 2005 Rock Street, 2310 Rock Street, and 851-853 Sierra Vista Avenue).

School Impact Fees

As discussed on page 324 and 326 of the Draft SEIR, pursuant to state law (Government Code Section 65995 through 65998 summarized on page 317 of the Draft SEIR), the project (as well as other cumulative projects) would pay state-mandated school impact fees to MVWSD and MVLASD. 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]). The purpose of the school impact fees is to fund the construction or reconstruction of school facilities.

[2] The 2017 EIR used student generation rates provided by MVWSD and MVLASD at the time the 2017 EIR was prepared. Based on these rates, the project would have generated approximately 980 elementary and middle school students and 671 high school students. The Draft SEIR used updated student generation rates provided by MVWSD and MVLASD and estimated the project would generate 1,321 elementary and middle school students and 607 high school students. Overall, the current student generation rates estimate an additional 341 elementary and middle school students and a reduction of 64 high school students compared to the 2017 EIR student generation rates. The update in student generation rates does not change the significance conclusions of the 2017 EIR, nor do they substantially change the analysis.

The City acknowledges that land and construction costs have risen, making the construction of schools more expensive. However, the City cannot (per Government Code 65995) levy or impose an additional fee, charge, dedication, or other requirement for school facilities (other than the payment of state-mandated school impact fees) in connection with, or made a condition of, project approval. The City will work with MVWSD and MVLASD to administer programs and develop school site properties. The development of the school sites would be funded, in part, from the project's payment of state-mandated school impact fees. Methods that also can be used by schools to increase or balance capacity within a District include placement of portable classrooms, and/or adjustments to attendance boundaries. But these methods are under MVWSD's or MVLASD's sole authority and discretion to choose and implement, and the City has no jurisdiction to dictate any particular method.

In light of the state law limits on school impact fees and the challenges to financing school construction, the adopted Precise Plan recognizes other voluntary avenues through shared agreements where the City can support local schools. These voluntary avenues are outlined in Section 3.4.5 of the Precise Plan and include the following:

1. City and School District Collaboration. The City will continue to assist local school districts to address local school needs to serve the North Bayshore area.
2. Transfer of Development Rights (TDR). The City has previously authorized a Transfer of Development Rights (TDR) program that allows the sale of development rights from a school site to property owners/developers for use at another property in the City. The TDR program seeks to allow new school sites in the City to transfer unused development rights to parcels within certain areas, and to allow the receiving sites to use TDR to apply for development projects that would otherwise exceed the maximum FAR. Repeating this process may provide additional resources by which a school district can acquire land.
3. Shared Facilities. The City may continue to provide Park Land Dedication In-Lieu Fee funding support for acquisition of school land and other partnerships with local school districts on sharing of open space at school sites.
4. Funding for Schools. The Shoreline Community shall work with the Mountain View Whisman School District and the Mountain View Los Altos Union High School District to allocate revenue related to the growth in assessed value due to new residential development within the Community pursuant to/in accordance with the annual tax allocation for each school district, through mutually agreed to and legally binding agreements.

The City continues to collaborate with the school districts on many voluntary projects including:

- Exploration of a potential 4-acre site in the North Bayshore area for MVWSD
- The Educational Enhancement Reserve Joint Powers Agreement (EERJPA) which has been in place for 15 years and provides the MVWSD and MVLA with an annual payment from the Shoreline Community
- Enabling the construction of a 144-unit affordable teacher housing project at 777 Middlefield Road for the MVWSD
- Joint Use Agreement for City and District joint use of open space
- School Resource Officer Program
- Safe Routes to School Program
- School Crossing Guards

- Beyond the Bell and the Beat After School Program
- Exploration of potential sites for a high school for the MVLA

Indirect Impacts on Schools

Comments were received claiming the Draft SEIR did not analyze the indirect impacts of 18 significant, unavoidable transportation and traffic impacts on transporting students to schools. The Draft SEIR does not identify any new significant, unavoidable transportation impacts resulting from the project. It is assumed the 18 significant and unavoidable transportation impacts mentioned in the comment letters were the Level of Service impacts (LOS) previously identified in the 2017 EIR. A Statement of Overriding Considerations for these LOS impacts was adopted by the City Council in 2017. After the certification of the 2017 EIR, Senate Bill (SB) 743 was passed which formally changed the criteria for determining a significant CEQA transportation impact from LOS to vehicle miles traveled (VMT). Thus, the previous 18 significant and unavoidable LOS impacts identified in the 2017 EIR are no longer environmental impacts under CEQA. As explained above, the transportation impacts related to school trips was accounted for in the transportation analysis for the project.

Comments were also received about the indirect impact of school districts needing to provide interim housing during buildout of the proposed project. It is assumed that the "interim housing" referred to in the comments refers to classroom space for new students as opposed to temporary housing, since students would not be physically coming to the school facilities until their housing units are constructed and they live in the Master Plan area. Interim classroom space would be considered a direct impact on school facilities, not an indirect impact. As discussed above, the project would pay state-mandated school impact fees which constitute full mitigation under state law. If and when new or expanded school facilities are proposed, the proposal would be subject to separate environmental review. In addition, the 2017 EIR, which the Draft SEIR tiers from, states "It is assumed that the addition of portable classrooms/buildings would occur on existing school sites and that environmental impacts associated with the construction, while requiring separate environmental review, could be mitigated to a less than significant level".[3] This clarification has been added to the Draft SEIR (refer to Section 5.0 Draft EIR Text Revisions). Indirect impacts on school facilities, such as construction air quality, hazardous materials, noise, and transportation, are discussed throughout the Draft SEIR.

Shoreline Community Redevelopment Area Tax Increment

Several comment letters suggest a tax funding agreement between the City and MVWSD/MVLASD in relation to development within the Precise Plan area. Such financial and funding agreements are explicitly outside of the CEQA analysis and process. Thus, no further response is required.

[3] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Page 398.

FEDERAL AND STATE AGENCIES

A. Department of Toxic Substances Control (dated January 31, 2023)

Comment A.1: The Department of Toxic Substances Control (DTSC) received a Draft Subsequent Environmental Impact Report (EIR) for the North Bayshore Master Plan Project (Project). The Lead Agency is receiving this notice from DTSC because the Project includes one or more of the following: groundbreaking activities, work in close proximity to a roadway, presence of site buildings that may require demolition or modifications, importation of backfill soil, and/or work on or in close proximity to an agricultural or former agricultural site.

> **Response A.1:** The comments pertaining to the topics mentioned in the above comment are responded to below.

Comment A.2: DTSC recommends that the following issues be evaluated in the Hazards and Hazardous Materials section of the EIR: 1. The EIR references the listing compiled in accordance with California Government Code Section 65962.5, commonly known as the Cortese List. Not all sites impacted by hazardous waste or hazardous substances will be found on the Cortese List. DTSC recommends that the Hazards and Hazardous Materials section of the EIR address actions to be taken for any sites impacted by hazardous waste or hazardous substances within the Project area, not just those found on the Cortese List. DTSC recommends consulting with other agencies that may provide oversight to hazardous waste facilities or sites impacted with hazardous substances in order to determine a comprehensive listing of all sites impacted by hazardous waste or substances within the Project area. DTSC hazardous waste facilities and sites with known or suspected contamination issues can be found on DTSC's EnviroStor data management system. The EnviroStor Map feature can be used to locate hazardous waste facilities and sites with known or suspected contamination issues for a county, city, or a specific address. A search within EnviroStor indicates that numerous hazardous waste facilities and sites with known or suspected contamination issues are present within the Project's region.

> **Response A.2:** The Draft SEIR tiers from the certified 2017 North Bayshore Precise Plan Final EIR (2017 EIR), which included a discussion of existing hazardous materials sites with the Precise Plan area. Section 4.6.1.2 of the Draft SEIR (pages 240-246) summarizes the site history and hazardous materials contaminations documented in the project area based on hazards and hazardous materials reports completed for the project site. The hazards and hazardous materials reports are included in Appendix I of the Draft SEIR and include multiple Phase I/Phase II Environmental Site Assessments (ESAs) prepared in accordance with American Society for Testing and Materials (ASTM) standard practices. A search of databases that comprise the Cortese List (including DTSC's EnviroStor and the State Water Resources Control Board's GeoTracker) and other federal, state, tribal, and county regulatory databases was completed as part of the on-site investigations and reports. The other federal, state, tribal, and county regulatory databases searched included the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS), RCRAInfo, Leaking Underground Fuel Tank Reports, Aboveground Storage Tanks, Leaking Underground Storage Tanks on Indian Lands, Underground Storage Tanks on Indian Lands, Santa Clara County – CUPA Facilities List, and Santa

Clara County – Local Oversight Program Listing databases. Refer to Appendix I of the Draft SEIR for the names of all databases searched and the results.

The Draft SEIR was submitted to the State Clearinghouse, where it was distributed to state agencies including the DTSC, California Water Resources Control Board, and the San Francisco Regional Water Quality Control Board. The City also provided the Notice of Availability of the Draft SEIR to the agencies listed in Section 3.0 Draft EIR Recipients, and the Santa Clara County Clerk. The City did not receive comments from other hazardous materials regulatory agencies besides DTSC.

Comment A.3: 2. A State of California environmental regulatory agency such as DTSC, a Regional Water Quality Control Board (RWQCB), or a local agency that meets the requirements of Health and Safety Code section 101480 should provide regulatory concurrence that the Project site is safe for construction and the proposed use.

Response A.3: Standard condition of approval COA HAZ-1.1, specifically the requirement for the toxic assessment on page 252-253 of the Draft SEIR, requires the project applicant work with an oversight agency, which could be the DTSC or Regional Water Quality Control Board (as suggested by the above comment), to address site remediation or building design/construction requirements when specific development projects under the Master Plan are proposed. The standard condition requires the design of remediation equipment, equipment placement, or remediation activities be reviewed by the oversight agency and City. In addition, the standard condition requires written proof from the regulatory agency be submitted to the City that the remediation and/or design is adequate. Alternatively, if it is determined no remediation is required on a particular parcel, documentation that no regulatory oversight is needed is required to be submitted to the City.

Comment A.4: 3. The EIR should acknowledge the potential for historic or future activities on or near the Project site to result in the release of hazardous wastes/substances on the Project site. In instances in which releases have occurred or may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. The EIR should also identify the mechanism(s) to initiate any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight.

Response A.4: The existing sources of contamination are described in Section 4.6.1.2 Existing Conditions on pages 240-247 of the Draft SEIR. The potential for the project to result in a release of hazardous wastes/substances due to historic or future activities is discussed in Section 4.6.2.1 Project Impacts on pages 248-266 of the Draft SEIR.

The implementation of standard condition of approval COA HAZ-1.1 and mitigation measures 2017 EIR MM HAZ-3.1, and 2017 EIR MM HAZ-3.3 through 2017 EIR MM HAZ-3.15 of the Draft SEIR (pages 252-258) would ensure the health and safety of future occupants and the environment. These measures require the project to obtain oversight by the appropriate regulatory agency, and conduct any additional studies

required by the oversight agency in order to further delineate and implement site remediation or building design/construction requirements.

Comment A.5: 4. Refiners in the United States started adding lead compounds to gasoline in the 1920s in order to boost octane levels and improve engine performance. This practice did not officially end until 1992 when lead was banned as a fuel additive in California. Tailpipe emissions from automobiles using leaded gasoline contained lead and resulted in aerially deposited lead (ADL) being deposited in and along roadways throughout the state. ADL-contaminated soils still exist along roadsides and medians and can also be found underneath some existing road surfaces due to past construction activities. Due to the potential for ADL-contaminated soil, DTSC recommends collecting soil samples for lead analysis prior to performing any intrusive activities for the Project described in the EIR.

Response A.5: Text has been added to page 241 of the Draft EIR to clarify that on-site soils closest to US 101 may be contaminated with Aerially Deposited Lead (ADL) (refer to Section 5.0 Draft SEIR Text Revisions). Mitigation measure 2017 EIR MM HAZ-3.8 on page 257 of the Draft SEIR requires soil sampling and analytical testing on sites adjacent to US 101 for aerially deposited lead, and appropriate management of it under regulatory oversight, if found above screening levels.

Comment A.6: 5. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition, and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's 2006 Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers.

Response A.6: Standard conditions of approval COA HAZ-1.2 and COA HAZ-1.3 of the Draft SEIR (pages 260-261) require the project to conduct pre-demolition surveys for polychlorinated biphenyl (PCB), asbestos containing materials (ACMs), and lead-based paint. If PCB, ACMs, or lead-based paint are found, the project would remove these materials in accordance with applicable regulations. No school is proposed as part of this project, therefore, sampling in accordance with DTSC's 2006 Interim Guidance Evaluation of School sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers is not applicable.

Comment A.7: 6. If any projects initiated as part of the proposed Project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to DTSC's 2001 Information Advisory Clean Imported Fill Material.

Response A.7: The project does not propose to import soils; therefore, the above reference to the 2001 Information Advisory Clean Imported Fill Material is not applicable.

Comment A.8: 7. If any sites included as part of the proposed Project have been used for agricultural, weed abatement or related activities, proper investigation for organochlorinated pesticides should be discussed in the EIR. DTSC recommends the current and former agricultural lands be evaluated in accordance with DTSC's 2008 Interim Guidance for Sampling Agricultural Properties (Third Revision).

Response A.8: As discussed in Section 4.6.1.2 of the Draft SEIR (pages 240-244), the project site was previously used as agricultural land and on-site soil could be contaminated with agricultural chemicals. Table 4.6-1 of the Draft SEIR (pages 242-244) identifies known or suspected contaminants of each site parcel and shows 40 of the 42 parcels either have residual pesticides exceeding environmental screening levels present in soil or have a history of on-site agricultural uses. Sampling of soils required by standard condition of approval COA HAZ-1.1 and mitigation measures 2017 EIR MM HAZ-3.1, 2017 EIR MM HAZ-3.3, 2017 EIR MM HAZ-3.5, and 2017 EIR MM HAZ-3.9 would be completed in accordance with applicable standards and practices, such as DTSC's 2008 Interim Guidance for Sampling Agricultural Properties (Third Revision) and any other applicable DTSC guidance documents.

REGIONAL AND LOCAL AGENCIES

B. City of Palo Alto (dated February 17, 2023)

Comment B.1: Thank you for the opportunity to comment on Draft EIR for the North Bayshore Master Plan Project. Below are the City of Palo Alto's comments regarding the CEQA document, the Master Plan Project, TDM measures, and the upcoming Multimodal Transportation Analysis (MTA). Please feel free to contact me, if you have any questions regarding the comments. We look forward to reviewing the MTA when it is published.

1. The transportation analysis has included the TDM measures to achieve the trip cap targets and to encourage the use of alternative transportation modes. The addition of new jobs and residences will generate additional traffic on Palo Alto streets. The current MVGO shuttle provides service between North Bayshore and Caltrain station via San Antonio Rd. However, there is no shuttle stop on San Antonio Rd in Palo Alto. The future development in North Bayshore and San Antonio Rd would generate the demand for the shuttle service. Project's TDM program should have a provision for the shuttle stop on San Antonio Rd to reduce the local traffic impacts in Palo Alto.

   Response B.1: The project would implement a large portion of the City's adopted North Bayshore Precise Plan. For this reason, the Draft SEIR tiers from the certified 2017 North Bayshore Precise Plan EIR. The project's impact on transit facilities is discussed under Impact TRN-1 on pages 143-144 of the Draft SEIR and concluded that the project would not disrupt existing transit services or facilities, interfere with the implementation of planned transit facilities, or conflict with adopted transit policies. The analysis in the Draft SEIR concluded that the project would not result in new or substantially more severe impacts to transit facilities than disclosed in the 2017 EIR. No impact was identified, therefore, no mitigation (such as the above suggested shuttle stop on San Antonio Road) can be required under CEQA. In addition, SB 743, which was passed by the State Legislature, formally changed the criteria for determining a significant CEQA transportation impact from LOS to VMT. Thus, the project's potential contribution to traffic congestion on City of Palo Alto streets are no longer considered environmental impacts under CEQA.

Comment B.2: 2. The new residential development is likely to generate outbound vehicle trips. The TDM measures should also identify the neighboring major employment areas to provide local shuttle service.

Response B.2: As outlined in the Draft SEIR, the Master Plan project would implement a large portion of the adopted North Bayshore Precise Plan, which requires an aggressive trip reduction and transportation demand management. In addition, the Master Plan project itself proposes a 35 percent single-occupancy vehicle target and ambitious trip reduction measures in order to comply with the City's adopted NBPP requirements. This comment does not raise any issues about the adequacy of the Draft SEIR; therefore, no further response is required.

Comment B.3: 3. The project shall be generating new peak hours trips and daily trips which shall have a local traffic impact on bike routes in Palo Alto. The MTA (Multimodal Transportation Analysis) should also discuss the required pedestrian and bicycle improvements at impacted intersections to provide safer intersection crossings.

Response B.3: As discussed under Impact TRN-1 on pages 142-143 of the Draft SEIR, no new or substantially more severe significant impacts to bicycle (or pedestrian) facilities was identified. As a result, no mitigation is required under CEQA. The MTA includes analysis and discussion of pedestrian and bicycle improvements at study intersections. This document is on-file at the City and available for review at the City's website at https://www.mountainview.gov/depts/comdev/planning/activeprojects/google/googlenorthbayshore.asp.

Comment B.4: 4. All Palo Alto intersections selected in the North Bayshore Precise Plan traffic study should also be evaluated as part of the North Bayshore Master Plan MTA.

5. The MTA report should include recommendations for required off-site improvements in Palo Alto if a significant impact is identified on the Palo Alto streets or intersections.

6. The MTA report should be shared with the City of Palo Alto to review the project-generated traffic impacts.

Response B.4: As discussed under Impact TRN-1 on pages 139-144 of the Draft SEIR, no new or substantially more severe significant impacts to roadways would occur as a result of the project than disclosed in the 2017 EIR. Therefore, no mitigation is required under CEQA.

Page 139 of the Draft SEIR explains that with the passage of SB 743, vehicle congestion and delay are no longer environmental impacts under CEQA. Therefore, separate from CEQA, the City evaluated the project's operational effects on the roadway system in an MTA. The MTA report was shared with the City of Palo Alto on 3/31/2023 and is available for review on the City's website at https://www.mountainview.gov/depts/comdev/planning/activeprojects/google/googlenorthbayshore.asp.

This comment does not raise any issues about the adequacy of the Draft SEIR; therefore, no further response is required.

Comment B.5: 7. The City of Palo Alto identified proposed Housing Opportunity Sites in our draft Housing Element in the vicinity of the North Bayshore Master Plan area, including near West Bayshore Road, San Antonio Road, and Fabian Way. More information on proposed Housing Element Opportunity Sites can be found online: https://paloaltohousingelement.com/wp-content/uploads/2022/12/Palo-Alto-Housing-Element-2023-2031.pdf.

8. The forthcoming new housing location - Homekey Palo Alto at 1237 San Antonio Road - is near to the North Bayshore Master Plan area. Please consider the Homekey Palo Alto site relative to potential

temporary construction air quality, noise, and vibration. For example, use of temporary construction noise barriers, sound curtains, and other noise reduction strategies may be necessary during proposed garage construction near San Antonio Road.

Response B.5: 1237 San Antonio Road is adjacent to the MW1 subarea (Subarea MW1 has been renamed to MW-BP-1, see Section 5.0 Draft SEIR Text Revisions) of the proposed project. As discussed in Sections 3.1 Air Quality and Section 4.10 Noise of the Draft SEIR, the project would implement mitigation measures and standard conditions of approval to reduce impacts to related to construction air quality and noise. Specific to noise, the project would comply with standard condition of approval COA NOI-1.1, which requires the use of temporary sound barriers and other noise reduction strategies.

Comment B.6: 9. If or when development occurs in North Bayshore Master Plan area, there is a standing request from our Fire Department to coordinate on local intersection flow in the San Antonio area to facilitate multi-jurisdiction emergency response access.

10. If or when development occurs in the North Bayshore Master Plan area, there is a standing request from our Emergency Operations team for coordination of public safety operations (including our ongoing shared Computer Aided Dispatch (CAD) system).

Response B.6: The City will coordinate with the City of Palo Alto Fire Department and Emergency Operations team during implementation of the project to facilitate multi-jurisdictional emergency response access, as requested in the above comment. This comment does not raise any issues about the adequacy of the Draft SEIR; therefore, no further response is required.

C. Mountain View Los Altos High School District (dated February 6, 2023)

Comment C.1: This document serves as the Mountain View Los Altos High School District (MVLA) response to the Draft Subsequent Environmental Impact Report (EIR) for the North Bayshore Master Plan. We have reviewed the report and provide the following information in regard to the adequacy of the findings as related to direct and indirect impacts on the Mountain View Los Altos High School District. We understand that the passage of SB50 limits the levying of developer fees for direct impacts on school districts. However, nothing precludes the City, Developer and School District from working collaboratively to develop a mitigation strategy to address the direct and indirect city growth impacts on the school district.

Student Growth
The City of Mountain View's Draft Subsequent EIR indicates the impact of 700 high school students would be adequately mitigated by developer fees. This is not accurate. In reality, developer fees are woefully inadequate, covering less than ten percent of actual school construction and land costs in the city of Mountain View.

Response C.1: Please refer to Master Response 1: School Impacts, specifically the School Impact Fees section of the response.

Comment C.2: Moreover, the updated Draft Subsequent EIR states: "As of the end of the 2021 to 2022 school year, Mountain View High School is over capacity by 770 students. The school currently utilizes portable classrooms in addition to permanent education facilities to accommodate the additional students. The construction of permanent classroom facilities is underway through Measure E bond program funding and has undergone a separate environmental review. After completion of construction, Mountain View High School would have a capacity of 2,379 students. Despite this increase in capacity, there would not be sufficient capacity to accommodate the estimated 700 high school students anticipated from the project. Based on current enrollment, Mountain View High School would be 637 students over capacity

The Draft Subsequent EIR acknowledges that there would not be sufficient capacity for the additional high school students that would result from this project. Therefore, an additional high school campus is necessary to accommodate the estimated 700 high school students.

> **Response C.2:** Please refer to Master Response 1: School Impacts, specifically the School Impact Fees section of the response.

Comment C.3: Indeed, the Draft Subsequent EIR does not take into account projects that were already approved in the northern half of the city, some of which are outside of the North Bayshore precise plan area. These projected students will precede the impact of students generated by the North Bayshore Master Plan and further exacerbate Mountain View Los Altos High School District's lack of capacity to accommodate them.

> **Response C.3:** Please refer to Master Response 1: School Impacts, specifically the Project Impact section of the response.

Comment C.4: Cost to House Students Generated From the North Bayshore Master Plan

Construction costs in the Bay Area have escalated dramatically in the last ten years. The State per pupil grant does not reflect this escalation, and therefore, the gap between what the State allows and provides for school construction is significantly less than the actual cost of school construction.

Land-City May Reserve or Designate Real Property for a School Site

In addition to the dramatic escalation in construction costs in the Bay Area, land costs have increased as well. The State of California will provide fifty percent of the cost of land for eligible school construction. However, the remaining fifty percent of the land cost is the responsibility of the local school district. These substantial increases in land costs make it difficult to build schools in accordance with the Department of Education school site guidelines. The land cost escalation issues were anticipated when S850 was drafted and Government Code section 65998 allows cities to "reserve or designate" real property for a school site.

GOVERNMENT CODE - GOV

TITLE 7. PLANNING AND LAND USE [65000 - 66499.58] *(Heading of Title 7 amended by Stats. 1974, Ch. 1536.)*

DIVISION 1. PLANNING AND ZONING [65000 - 66103] *(Heading of Division 1 added by Stats. 1974, Ch. 1536.)*

CHAPTER 4.9. Payment of Fees, Charges, Dedications, or Other Requirements Against a Development Project [65995 - 65998] *(Chapter 4.9 added by Stats. 1986, Ch. 887, Sec. 11.)*

65998. (a) Nothing in this chapter or in Section 17620 of the Education Code shall be interpreted to limit or prohibit the authority of a local agency to reserve or designate real property for a schoolsite.

(b) Nothing in this chapter or in Section 17620 of the Education Code shall be interpreted to limit or prohibit the ability of a local agency to mitigate the impacts of a land use approval involving, but not limited to, the planning, use, or development of real property other than on the need for school facilities.

(Added by Stats. 1998, Ch. 407, Sec. 25. Effective August 27, 1998. Operative November 4, 1998 (Prop. 1A was adopted Nov. 3) by Sec. 31 of Ch. 407. Note: Pursuant to Education Code Section 101122 (subd. (d)), which was added Nov. 8, 2016, by Prop. 51, Chapter 4.9 (Sections 65995 to 65998) as it read on Jan. 1, 2015, continues in effect until Dec. 31, 2020, or earlier date prescribed. Thereafter, Chapter 4.9 may be amended.)

Response C.4: Please refer to Master Response 1: School Impacts. This comment does not raise any issues about the adequacy of the Draft SEIR; therefore, no further response is required.

Comment C.5: California Department of Education's general guidance for a school site recommends approximately 33.5 acres of land for a high school that would serve approximately 1,100 students, which is the number of high school students MVLA estimates will come from this and other approved housing projects in the city of Mountain View. As a condition of approval of the North Bayshore Master Plan, and prior to the certification of the Draft Subsequent EIR, we request that the City and Developer designate and reserve a school site for MVLA. The availability of land for school construction in Mountain View is extremely limited. The District is amenable to creative efforts to utilize all real property options and is willing to discuss these options with the Developer.

Response C.5: Please refer to Master Response 1: School Impacts, specifically the School Impact Fees section in the response.

Comment C.6: Indirect Impacts

Chawanakee Unified School District V. County of Madera

In this appellate court case, the court concluded that the phrase in SB50 "impacts on school facilities" does not cover all possible environmental impacts. While the North Bayshore Master plan does consider noise, emissions, traffic, and other indirect impacts, it does not specifically identify those indirect impacts in the operation of a school district. For example, the eighteen "significant unavoidable impacts" created by transportation and traffic may have an indirect impact on transporting students to school if the school is not in the proximity of the North Bayshore Master Plan project.

In addition, the buildout of 9,850 units is in a plan that covers a period through 2030. The approximate 10-year buildout of the project would mean an absorption rate of 980 units per year. This construction period would require the MVLA District to provide interim housing over a period of time and is considered an "indirect impact." This issue is not addressed in the Draft Subsequent EIR.

Response C.6: Please refer to Master Response 1: School Impacts, specifically the Indirect Impacts on Schools section of the response.

Comment C.7: Shoreline Community Redevelopment Area Tax Increment

As noted in the draft EIR:

The Shoreline Community shall work with the Mountain View Whisman School District and the Mountain View Los Altos Union High School District to allocate revenue related to the growth in assessed value due to new residential development within the Community pursuant to/in accordance with the annual tax a/location for each school district, through mutually agreed to and legally binding agreements.

The North Bayshore Master Plan indicates the desire to transform a once blighted area into a thriving mixed development area. The businesses and residences that are being planned are currently planned in a de facto redevelopment district. The Shoreline Community, which is managed by the city of Mountain View staff and City Council, currently diverts tax revenue from the schools to the City. MVLA, MVWSD, and the city of Mountain View have formed a Joint Powers Authority (JPA), also known as Shoreline Educational Enhancement Reserve (EER), that began releasing part of the tax increment to schools. The agreement guarantees a minimum of approximately $1.84 million annually to MVLA. That agreement not only ends on July 1, 2023, but also ceases to provide any share of the tax increment thereafter.

Through a formula that was developed by the JPA, MVLA received $3,423,095 this year. Per the county assessor's office, MVLA's normal tax increment would have been $8,920,000 this year, a deficit of $5,496,905. Assessed Value Tax revenue from commercial and residential properties is what community funded districts use to address day-to-day operating costs and is not intended for building schools. As indicated in the Draft Subsequent EIR, North Bayshore should generate 700 high school students. At the MVLA current per student expenditure rate of $30,000, this would mean that tax revenue would, at minimum, need to equal $21,000,000 in the near future.

Response C.7: Please refer to Master Response 1: School Impacts, specifically the Shoreline Community Redevelopment Area Tax Increment section of the response.

Comment C.8: Closing Comments

Our comments regarding the Draft Subsequent EIR should not be construed to indicate our opposition to the North Bayshore Master Plan. It is critical that all interested parties understand that the new dwelling units are of such magnitude that school mitigation measures for the project exceed the District's ability to absorb the 700 students estimated from this project. We look forward to the cooperation of the City and proponents of the project to meet with MVLA and resolve the apparent challenges in this proposed project. We suggest that the District, City, and proponents of the project delay the approval of the North Bayshore Master Plan and the Draft Subsequent EIR and meet soon to provide creative, viable measures that meet the needs of MVLA and all stakeholders.

Response C.8: The City understands MVLA's position and appreciates this comment. This comment does not raise any issues about the adequacy of the Draft SEIR; therefore, no further response is required.

D. Mountain View Whisman School District (dated February 3, 2023)

Comment D.1: This document serves as the Mountain View Whisman School District (MVWSD) response to the Amended North Bayshore Precise Plan (NBPP), Draft Environmental Impact Report. We have reviewed the report and provide the following information in regard to the adequacy of the findings as related to direct and indirect impacts on the Mountain View Whisman School District. We understand that the passage of SB50 limits the levying of developer fees for direct impacts on school districts. However, nothing precludes the City, Developer and School District from working collaboratively to develop a mitigation strategy to address the direct and indirect city growth impacts on the school district.

Response D.1: This is an introductory paragraph and the letter's specific comments are responded to below.

Comment D.2: Student Growth: The City of Mountain View's Draft EIR indicates the impact of 1,471 elementary and middle school students would be adequately mitigated by developer fees. Moreover, the updated Draft EIR indicates:

As discussed in Section 4.12.1.2, both Monta Loma Elementary School and Crittenden Middle School have existing capacity based on current enrollment numbers and would be able to accommodate the project's estimated 1,471 elementary and middle school students. Therefore, the addition of new students as the project is gradually built-out would not require the expansion of those schools.

Furthermore, the Draft EIR asserts:

The project site is located within the Mountain View Whisman School District (MVWSD) and Mountain View-Los Altos Union High School District (MVLASD). The MVWSD serves grades kindergarten through eighth grade and the MVLAS services high-school age students. Students generated by the project would attend Monta Loma Elementary School located at 460 Thompson Avenue (approximately one mile southwest of the core project site), Crittenden Middle School located at 1701 Rock Street (approximately 0.2-mile southwest of the core project site), and Mountain View High School located at 3535 Truman Avenue (approximately four miles south of the core project site).

Table 4.12 1 shows the existing school capacities at Monta Loma Elementary School, Crittenden Middle School, and Mountain View High School. As shown in the table, Monta Loma Elementary School and Crittenden Middle School both have capacity for additional students.

Table 4.12-1: 2021 to 2022 School Enrollment and Capacity

School	Current Enrollment	Existing Capacity
Monta Loma Elementary School[1]	271	460
Crittenden Middle School[1]	532	1,008
Mountain View High School[2]	2,316	1,546

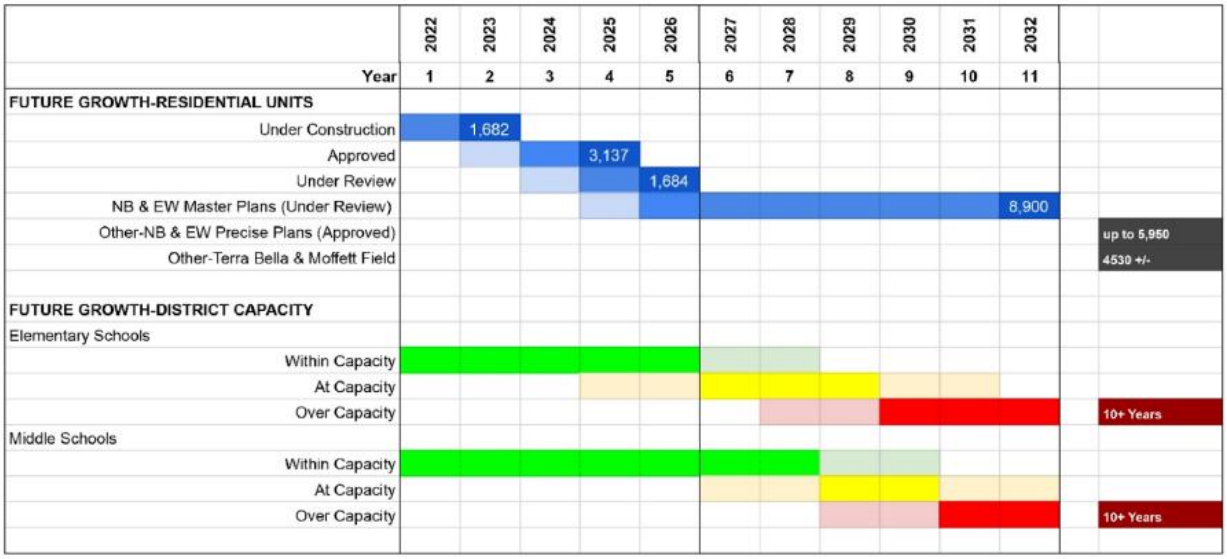
[1] MVWSD. *Level I Developer Fee Study*. Appendix E. May 5, 2022. Accessed August 3, 2022.

[2] Aguilar, Irene. Assistant to the Associate Superintendent-Business Services, Mountain View Los Altos High School District. Personal Communication. July 7, 2022.

Unfortunately, as highlighted below, the City of Mountain View EIR report does not take into account projects that were already approved in the northern half of the city, some of which are outside of the North Bayshore precise plan area. These projected students will precede the impact of students generated by the North Bayshore Precise Plan (NBPP). While both Monta Loma Elementary School and Crittenden Middle School are in the proximity of the NBPP, there will be no capacity available when the NBPP project is developed. Based on our student generation rates, which the City used in its own EIR report, Monta Loma will have 117 new students assigned to the school prior to the completion of these additional units.

		RESIDENTIAL UNITS (D.U.)											
REF #	PROJECT TITLE	New	Existing (Demo)	Total	Net	SF/Condos/Rowhouses	Multi Family	Below Market Rate	Total Units	K-5 Students	6-8 Students	Elementary School	Middle School
	Bubb												
20	1051 Boranda Ave.	3	3	3	0	0			0	0	0	Bubb	Graham
26	1332 Park Dr.	3	1	3	2	2			2	0.076	0.022	Bubb	Graham
30	918 Rich Ave.	29	0	29	29	29			29	1.102	0.319	Bubb	Graham
41	1411-1495 W. El Camino Real (Lux Largo)	53	0	53	53	53			53	2.014	0.583	Bubb	Graham
52	1313/1347 W. El Camino Real	24	0	24	24		24		24	2.04	0.936	Bubb	Graham
56	773 Cuesta Dr.	4	1	4	3	3			3	0.114	0.033	Bubb	Graham
74	982 Bonita Ave.	8	0	8	8	8			8	0.304	0.088	Bubb	Graham
	Subtotal			**124**	**119**	**95**	**24**	**0**	**119**	**5.65**	**1.98**		
	Castro												
43	1958 Latham St.	6	0	6	6	6			6	0.228	0.066	Castro	Graham
59	570 S. Rengstorff Ave.	85	70	85	15	15			15	0.57	0.165	Castro	Graham
60	1919-1933 Gamel Way/574 Escuela Ave.	121	29	121	92		92	0	92	7.82	3.588	Castro	Graham
71	1720 Villa St.	226	19	226	207		192	15	207	20.94	11.193	Castro	Graham
12	601 Escuela Ave/1873 Latham St.	25	1	25	24		24		24	2.04	0.936	Castro	Graham
	Subtotal			**463**	**344**	**21**	**308**	**15**	**344**	**31.598**	**15.948**		
	Landels												
13	870 E. El Camino Real	371	42	371	329		329		329	27.965	12.831	Landels	Graham
22	City Lot 12	120	0	120	120			120	120	36.96	29.64	Landels	Graham
35	325-339 Franklin St.	15	13	15	2	2			2	0.076	0.022	Landels	Graham
54	676 W. Dana St.	9	0	9	9	9			9	0.342	0.099	Landels	Graham
69	525 E. Evelyn Ave. (Flower Mart)	471	0	471	471		471		471	40.035	18.369	Landels	Graham
78	231-235 Hope St.	9	0	9	9	9			9	0.342	0.099	Landels	Graham
32	860 Bay St.	5	0	5	5	5			5	0.19	0.055	Landels	Graham
	Subtotal			**1000**	**945**	**25**	**800**	**120**	**945**	**105.91**	**61.115**		
	Monta Loma												
10	901-987 N. Rengstorff Ave.	126	1	126	125		125		125	10.625	4.875	Monta Loma	Crittenden
53	1255 Pear Ave.	635	0	635	635		540	95	635	75.16	44.525	Monta Loma	Crittenden
55	828/836 Sierra Vista Ave.	20	5	20	15	15			15	0.57	0.165	Monta Loma	Crittenden
58	1100 La Avenida St.	100	0	100	100			100	100	30.8	24.7	Monta Loma	Crittenden
72	2005 Rock St.	15	0	15	15	15			15	0.57	0.165	Monta Loma	Crittenden
73	2310 Rock St.	55	59	55	-4	-4			-4	-0.152	-0.044	Monta Loma	Crittenden
79	851-853 Sierra Vista Ave.	9	3	9	6	6			6	0.228	0.066	Monta Loma	Crittenden
	Subtotal			**960**	**892**	**32**	**665**	**195**	**892**	**117.801**	**74.452**		

Based on MVWSD's Future Growth Considerations and Solutions presentation to the Board of Education on March 24, 2022, monitoring the pace of future residential development was identified as a key task to support other District planning actions. The table below was included as a 10-year projection of future residential development in the District service area.



Note: 1,682 units listed as "Under Construction" on table should be revised to 1,050 units due to 632 units in 2580/2590 California Ave. project being outside MVWSD service area.

Response D.2: Please refer to Master Response 1: School Impacts, specifically the Project Impacts section of the response.

Comment D.3: COST TO HOUSE STUDENTS GENERATED FROM NBPP

Construction costs in the Bay Area have escalated dramatically in the last 8 years. The State per pupil grant does not reflect this escalation and therefore the gap between what the State allows and provides for school construction is significantly less than the actual cost of school construction.

LAND

In addition to dramatic escalation in construction costs in the Bay Area, land costs have increased as well. The State of California will provide 50% of the cost of land for eligible school construction. However, the remaining 50% of the land cost is the responsibility of the local school district. These substantial increases in land costs make it difficult to build schools in accordance with the Department of Education school site guidelines. The land cost escalation issues were anticipated when SB50 was drafted and Government Code section 65998 allows the cities to "reserve or designate" real property for a school site.

GOVERNMENT CODE - GOV

TITLE 7. PLANNING AND LAND USE [65000 - 66499.58] *(Heading of Title 7 amended by Stats. 1974, Ch. 1536.)*

DIVISION 1. PLANNING AND ZONING [65000 - 66103] *(Heading of Division 1 added by Stats. 1974, Ch. 1536.)*

CHAPTER 4.9. Payment of Fees, Charges, Dedications, or Other Requirements Against a Development Project [65995 - 65998] *(Chapter 4.9 added by Stats. 1986, Ch. 887, Sec. 11.)*

65998. (a) Nothing in this chapter or in Section 17620 of the Education Code shall be interpreted to limit or prohibit the authority of a local agency to reserve or designate real property for a schoolsite.

(b) Nothing in this chapter or in Section 17620 of the Education Code shall be interpreted to limit or prohibit the ability of a local agency to mitigate the impacts of a land use approval involving, but not limited to, the planning, use, or development of real property other than on the need for school facilities.

(Added by Stats. 1998, Ch. 407, Sec. 25. Effective August 27, 1998. Operative November 4, 1998 (Prop. 1A was adopted Nov. 3) by Sec. 31 of Ch. 407. Note: Pursuant to Education Code Section 101122 (subd. (d)), which was added Nov. 8, 2016, by Prop. 51, Chapter 4.9 (Sections 65995 to 65998) as it read on Jan. 1, 2015, continues in effect until Dec. 31, 2020, or earlier date prescribed. Thereafter, Chapter 4.9 may be amended.)

Response D.3: Please refer to Master Response 1: School Impacts. This comment does not raise any issues about the adequacy of the Draft SEIR; therefore, no further response is required.

Comment D.4: Moreover, the Draft EIR inaccurately indicates the distance from North Bayshore to Monta Loma Elementary. As noted in the plan: "Students generated by the project would attend Monta Loma Elementary School located at 460 Thompson Avenue (approximately one mile southwest of the core project site), Crittenden Middle School located at 1701 Rock Street (approximately 0.2-mile southwest of the core project site),"

Response D.4: Please refer to Master Response 1: School Impacts, specifically the Existing Conditions section of the response.

Comment D.5: In the following diagrams you will find that almost every elementary school student within the city of Mountain View is approximately 1 to 1.5 miles from school. The placement of these schools helps to facilitate the school as a civic meeting point for the community and reduces commutes. In contrast, while Monta Loma and Crittenden reside close to the outer perimeters off the development area, Monta Loma is more than two miles away from the central residential hub of these developments, thus negating its ability to serve as a community anchor. Because MVWSD cannot provide bussing to an additional 1400 students due to significant cost, not having a school within a 1.5 mile radius would effectively invalidate the traffic study included as part of this EIR.

Refer to the comment letter included in Appendix A for the above referenced diagrams.

Response D.5: Please refer to Master Response 1: School Impacts, specifically the Project Impacts section of the response.

Comment D.6: California Department of Education's general guidance for a school site recommends approximately 10 acres of land for an elementary school and 25 acres for a middle school. It is worth noting that MVWSD does have a school (Jose Antonio Vargas Elementary) that resides on less than

the minimum recommended land. Vargas Elementary is an extremely tight footprint, which creates logistical issues as it pertains to growth and meeting student needs.
In contrast, the North Bayshore plan only intimates at the possibility of green space being used for a school. This referenced site in the DEIR, if provided to MVWSD, would have twice the enrollment of Vargas Elementary with less acreage; the site is 3 acres compared to Vargas Elementary which sits on 4.5 acres and is 7 acres less than the state's minimum recommendation. While an urban school design can mitigate / maximize a small site footprint, this potential site would be inadequate to serve the needs of the community.

Ergo, as a condition of approval of the NBPP project, and prior to the certification of the DEIR, we request that the City and Developer designate and reserve multiple elementary school sites for MVWSD. The availability of land for school construction in Mountain View is extremely limited. The District is amenable to creative efforts to utilize all real property options and is willing to discuss these options with the Developer.

Response D.6: Please refer to Master Response 1: School Impacts, specifically the School Impact Fees section of the response.

Comment D.7: INDIRECT IMPACTS

Chawanakee Unified School District V. County of Madera

In this appellate court case, the court concluded that the phrase in SB50 "impacts on school facilities" does not cover all possible environmental impacts. While the NBPP does consider noise, emissions, traffic, and other indirect impacts, it does not specifically identify those indirect impacts in the operation of a school district. For example, the eighteen "significant unavoidable impacts" created by transportation and traffic may have an indirect impact on transporting students to school if the school is not in the proximity of the NBPP project.

In addition, the buildout of 9,850 units is in a plan that covers a period through 2030. The approximate 10-year buildout of the NBPP project would mean an absorption rate of 980 units per year. This construction period would require the MVWSD to provide interim housing over a period of time and is considered an "indirect impact." This issue is not addressed in the DEIR.

Response D.7: Please refer to Master Response 1: School Impacts, specifically the Indirect Impacts on Schools section of the response.

Comment D.8: Shoreline Community Redevelopment Area Tax Increment

As noted in the EIR report:

Funding for Schools. The Shoreline Community shall work with the Mountain View Whisman School District and the Mountain View Los Altos Union High School District to allocate revenue related to the growth in assessed value due to new residential development within the Community pursuant to/in accordance with the annual tax allocation for each school district, through mutually agreed to and legally binding agreements.

The North Bayshore Precise plan indicates the desire to transform a once blighted area into a thriving mixed development area. The businesses and residences that are being planned are currently planned in a de facto redevelopment district. The Shoreline community, which is managed by the city of Mountain View staff and City Council currently diverts all tax revenue. Currently MVLA, MVWSD and the city of Mountain View have formed a Joint Powers Authority, also known as Share Shoreline, that began releasing part of the tax increment to schools. The current agreement, which not only ends but also ceases to provide any share of the tax increment on July 1st, 2023, currently guarantees approximately $2.8 million. Through a formula that was developed by the City, MVWSD received $5,346,723 dollars this year. Per the county assessor's office, MVWSD normal tax increment would have been $13,926,094.67 last year.

Assessed Value Tax revenue from commercial and residential is what community funded districts use to address day-to-day operating costs and is not really intended for building schools. As indicated in the EIR, North Bayshore should generate 1471 students. At the MVWSD current per student expenditure rate of $23,000 this would mean that tax revenue would at minimum need to equal $33,833,000 in the near future. An increase of students in this fashion, without the tax increment to cover the cost per pupil expenditures, would reduce our per pupil expenditures from $23,000 to $16,611 dollars. This reduction means that each student in our District would experience a decrease of $6,389 in programs and services annually.

> **Response D.8:** Please refer to Master Response 1: School Impacts, specifically the School Impact Fees and Shoreline Community Redevelopment Area Tax Increment sections of the response.

Comment D.9: CLOSING COMMENTS - Our comments regarding the DEIR should not be construed to indicate our opposition to the amended NBPP. It is critical that all interested parties understand that the new dwelling units are of such magnitude that school mitigation measures for the project exceed the District's ability to absorb the 1,471 students projected from this project. We look forward to the cooperation of the City and proponents of the project to meet with MVWSD and resolve the apparent challenges in this proposed project. We suggest that the District, City, and proponents of the project delay the approval of the North Bayshore Master Plan and the DEIR and meet soon to provide creative viable measures that meet the needs of MVWSD and all stakeholders.

> **Response D.9:** Please refer to Master Response 1: School Impacts. This comment does not raise any issues about the adequacy of the Draft SEIR; therefore, no further response is required.

E. Santa Clara Valley Transportation Authority (dated February 6, 2023)

Comment E.1: VTA appreciates the opportunity to comment on the Google North Bayshore Master Plan as well as its accompanying Draft Subsequent Environmental Impact Report (DSEIR). The first half of this letter contains VTA's comments on the December 2022 version of the Master Plan, while the second half contains VTA's comments on the DSEIR for the CEQA review process. This letter builds on VTA comments on the March 2022 version of the Master Plan we provided in a letter dated May 5, 2022, as well as comments on City-led transportation projects in North Bayshore including the US10l/Shoreline off-ramp and the Shoreline transit lane transmitted by email on July 15, 2022.

Comments on the North Bayshore Master Plan

VTA has the following comments on the Google North Bayshore Master Plan dated December 2022:

Project Location and Land Use / Transportation Integration
VTA supports the proposed development intensification and the introduction of new smaller streets to improve circulation and reduce block sizes in the North Bayshore Master Plan. VTA recognizes that the Master Plan builds on the overall growth levels, general placement of land uses and circulation network in the updated North Bayshore Precise Plan approved in 2017. VTA notes that the North Bayshore area is not located on the core transit network and is not as well served by shops and services as other areas of the city. The geographic characteristics of North Bayshore pose challenges to the area's ability to support transit, due to its location on the periphery of the City with few portals across the US 101 barrier. However, VTA is supportive of the City's efforts to balance jobs and housing within the City including North Bayshore. The development of high density residential in this area which has been historically dominated by employment uses will help balance the mix of uses and create opportunities for employees to live closer to work. This could lead to a reduction in automobile trips and Vehicle Miles Traveled (VMT) within North Bayshore, on a per-service-population basis.

VTA encourages the City to continue its efforts to make North Bayshore a place where daily trips can be accomplished without a car. These efforts should include supporting the Mountain View TMA and MVgo shuttle, supporting the Mountain View Community Shuttle, prioritizing transit on Shoreline Boulevard and Charleston Road, and including strong Transportation Demand Management (TDM) requirements and parking maximums with all new development in North Bayshore.

VTA Bus Service and Bus Stops in Master Plan Area
In December 2019, VTA implemented direct bus service on Local Route 40 between the Mountain View Transit Center and North Bayshore, via Shoreline Boulevard. This route, which also serves San Antonio Center, Downtown Los Altos and Foothill College, operates at 30-minute headways on weekdays and 45 to 50-minute headways on weekends. We appreciate that the Master Plan recognizes VTA Route 40 as the trunk transit line through the area and does not assume new or realigned routes on alternative streets in the area. VTA looks forward to the development of North Bayshore into a more transit-supportive, active, and pedestrian-oriented area, which will increase transit utilization and hopefully will warrant increased transit investment in the future. Additional investments that could be warranted by continued development include increased transit service levels (longer hours of service and/or more frequent service) as well as increased capital investments into transit facilities (e.g., bus stop amenities such as shelters, benches, lighting, schedule information, and real-time bus arrival displays). Any potential future increase in service would need to be considered within the framework of VTA's Board-adopted Transit Sustainability Policy/Service Design Guidelines.

VTA offers the following additional comments regarding VTA bus service and bus stops in the North Bayshore Master Plan area:

- VTA only envisions providing bus service along Shoreline Boulevard and Charleston Road now and in the future. Currently the street network of North Bayshore outside of Shoreline and Charleston is fragmented, with few streets taking direct paths and with very long blocks. Even though the North Bayshore Master Plan adds smaller grid streets in some locations, the resulting network is still indirect, with many offset intersections and segments that would be

difficult for a transit bus to traverse. Furthermore, it appears that the roadway network in the southeast quadrant of North Bayshore (south of Space Park, east of Shoreline) will remain largely unchanged, also making it more difficult to serve areas east of Shoreline due to the lack of a direct north-south roadway connection.

- Plan 6.1.9 of the Master Plan shows a transit route along Charleston Road east of Shoreline, and a transit stop on Charleston at Inigo Way Extension. Following discussions with City staff, we understand that it is their expectation that this location would only be served by Google buses and TMA/Community shuttles, and there is no expectation that VTA buses will travel east of Shoreline. VTA reiterates that it would not be operationally efficient for VTA to serve this location due to the discontinuous roadway network and the need for buses to make a U-turn, so we do not envision serving the stop on Charleston at Inigo Way Extension.
- In addition to the challenges of serving the proposed stop near Charleston and Inigo Way Extension, it is also difficult to have buses directly serve the intersection of Shoreline Boulevard and Charleston Road, because most buses turn at this intersection and placing bus stops is a challenge. As a result, the nearest bus stop on Charleston is 900 feet west of the intersection (at Charleston Park) and the nearest bus stop on Shoreline that VTA can serve in the northbound direction is 1100 feet south of the intersection (near Space Park Way). While the distance from the stop at Charleston Park to the Shoreline/Charleston intersection is partially mitigated by the attractive pedestrian and bicycle accommodations on Shoreline, VTA would like to emphasize the importance of providing transit stops near this intersection to serve the proposed new development. VTA would like to work with the City to maintain and prioritize the transit stops on Shoreline just south of Charleston, as this block is developed and the Shoreline transit lane is designed; this may include consideration of a queue jump lane or transit-only signal to facilitate bus movement in the northbound direction. We also encourage the City and Google to prioritize attractive pedestrian connections to transit stops near this intersection.
- In the mid-2010s during the update of North Bayshore Precise Plan, the City and Google considered the addition of a new bridge across the Stevens Creek to connect North Bayshore to the NASA Ames/Google Bayview area. If such a crossing was added by extending Charleston Road and was open to transit vehicles, it would become more feasible to operate VTA transit service to the proposed stop at Charleston and Inigo Way Extension. While there is no guarantee that VTA transit service would make this crossing, VTA encourages the City to re-open its planning process for a crossing of the Stevens Creek, to provide more options for transit service if warranted by future conditions.
- VTA is pleased to see that the Transit Network figure in the December 2022 version of the Master Plan shows a transit stop at Shoreline Boulevard and Pear Avenue, which was not shown in the March 2022 version. VTA understands that all bus stops along Shoreline between US 101 and Charleston will eventually be part of the transit lane project design. At these locations, a stop next to the transit lane as well as a second street-side bus stop serving the general-purpose lanes will be necessary in each direction, for a total of four stops at each location.
- The Master Plan envisions a network of transit stops with amenities such as “benches, shelters, and information displays” (p. 55). VTA makes bus stop improvements per our Transit Passenger Environment Plan (TPEP), which outlines the framework by which we allocate limited public dollars to fund bus stop investments, using factors such as ridership, equity, accessibility, and site conditions. We look forward to collaborating with interested stakeholders

to develop and improve bus stops in the area while following the framework set out in our TPEP. In addition, we are happy to collaborate with third-party developers and provide specifications for transit facilities (shelters, benches, etc.) in cases where bus stop improvements are a condition of approval.

Other Transit-Related Considerations

- VTA suggests that Plan 6.1.9 of the Master Plan (Transit Network) be modified to show the locations of existing and planned bus-only lanes in the North Bayshore area.
- The Master Plan, as well as the North Bayshore Precise Plan, generally show how bus stops would fit into the street cross-sections along with protected bike lanes, sidewalks, and other street elements. However, close attention will still be needed to the design of bus stops along Shoreline and Charleston to promote safety and minimize conflicts between buses, other motor vehicles, bicyclists, and pedestrians. VTA requests that the City share any plans for street redesigns and bus stop modifications early in the process as the Master Plan buildout occurs.
- The placement of trees and landscaping should take into account the height of the vehicles travelling underneath the canopy, proximity of the root system to travel ways, and the amount of abscission onto bus stops, transit lanes, roadways, sidewalks, and bicycle paths, and the maintenance needed to prevent buildup of vegetation debris that can lead to localized flooding.
- Modifications to VTA bus stops may require a Construction Access Permit from VTA; more information is available at https://www.vta.org/business-center/construction-access-permits.
- VTA encourages Google and the City to consider the transportation needs of school-age children in the new Master Plan residential development, as well as the impact of school location decisions. Without new K-12 schools, transportation of the area's new school-age children between home and school will be a challenge. VTA provides school-oriented service when and where possible, but this service can only do so much and is often less than ideal, given resource constraints.

Bicycle and Pedestrian Accommodations and Access to Transit - VTA appreciates the designation of Shoreline and Charleston as Transit Boulevards in the North Bayshore Master Plan. We encourage the City to work with the applicant to make sure that new buildings along Shoreline and Charleston and at the "Key Corners" shown in Plan 4.3.1 are oriented towards transit. The pedestrian-only Social Spine proposed parallel to Shoreline is concerning to VTA if the buildings along it are oriented towards the Social Spine and away from Shoreline. Transit succeeds only on corridors that are designed for a variety of users, most particularly pedestrians, with adjacent active uses that are oriented to it. If it is necessary to place active uses on a Social Spine parallel to Shoreline, frequent mid-block paseos should be created between Shoreline and the Social Spine to ensure that the development is permeable, and buildings should be designed to have true, usable entrances fronting both Shoreline and the Social Spine (i.e., the entrances along Shoreline should not be emergency-exit-only and should not direct pedestrians to walk to the other side of the building.) Furthermore, VTA recommends adding active uses or at least an "Engaging Office Edge" to the proposed office buildings facing the south side of Charleston between Shoreline and Huff Avenue, to improve the experience of pedestrians walking to transit.

For the "Key Corners" along Shoreline Boulevard shown in Plan 4.3.1, VTA notes that it will be critical for these locations to be designed for safe and comfortable crossings of Shoreline by pedestrians and bicyclists; otherwise, Shoreline will continue to pose a barrier to non-motorized travel and will deter

people from taking transit. VTA supports the statement in Section 6.1 of the Master Plan that "Intersections will be designed with attention to Vision Zero pedestrian safety goals and principles." The intersection of Shoreline and La Avenida will be one of the most challenging locations for pedestrian and bicycle crossings, requiring special attention by the City and the applicant and design treatments to calm motor vehicle traffic to/from US101.

Other Bicycle and Pedestrian Considerations -

- VTA commends the applicant for continuing to build out the Green Loop concept; at 1.7 miles, this will be a great amenity for the neighborhood (p. 54).
- The Master Plan states that "Bike share services will be integrated into transit stations to support last-leg connections" (p. 54). VTA recommends expanding this to include scooter share, as data on micromobility programs already in place suggests that scooters have better use rates than bikes. VTA also notes that we have not been able to accommodate bike share or scooter share vehicles on light rail station platforms due to limited space, ADA requirements, and system safety concerns. When new transit stops in and around the Master Plan area are designed to integrate bike/scooter share nearby, VTA requests that the applicant and the City consult with VTA regarding the design. Bike and scooter share vehicles should be given their own space for parking, and geofencing should be used to prevent parking within a transit stop.
  • Loading & servicing network – In addition to accommodating motor vehicle loading, VTA recommends that the servicing plan accommodate bicycle utility vehicles (p. 55).
- VTA strongly supports the proposed connections to the Stevens Creek Trail (p. 57).
- Complete Streets discussion (p. 56) and Block Circulation figure (p. 68) – The new streets and mid-block breaks will improve connectivity for pedestrians and bicyclists. However, the Master Plan does not show pedestrian crossings across major existing or proposed roads. VTA's Community Design & Transportation (CDT) Manual recommends midblock crossings for blocks larger than 200 feet. VTA recommends adding mid-block crossings along Huff Avenue, Joaquin Road, Inigo Way, Monarch Street (west of Shoreline), Plymouth Street/Space Park Way, and Shoreline Boulevard (as feasible given the planned transit lane). This is particularly important where mid-block breaks in the Master Plan continue across these roads.
- Roundabout at Charleston Road / Inigo Way Extension (Figure 6.1.6, p. 81) – It is unclear from this conceptual plan how pedestrians would navigate through the intersection. Please modify to show pedestrian access, crosswalks, yield lines, and curb ramps. There is also no narrative discussing the role of this roundabout and what types of vehicles it is intended to accommodate; suggest adding a brief narrative in the Master Plan.

> **Response E.1:** This comment does not raise any issues about the adequacy of the Draft SEIR. The City will respond and coordinate with VTA on the specific requests and details of this comment outside of the CEQA process as part of their staff report.

Comment E.2: Comments on the North Bayshore Master Plan DSEIR

VTA has the following comments on the DSEIR, for the CEQA review process:

Project Effects on Transit
The DSEIR concludes that "Implementation of the proposed project (under either option) would not result in modifications to the transit network that would disrupt existing transit service" (DSEIR p.

143) and that "the project (under either option) would not conflict with a transit program, plan, ordinance or policy, and would not result in a new or substantially more severe significant transit impact than disclosed in the 2017 EIR" (DSEIR p. 144). While VTA generally agrees with this conclusion, we note that care must be taken during the Master Plan buildout and the implementation of related transportation projects to ensure that transit facilities are not disrupted.

As noted in Section 6.3 of the Master Plan, the City's North Bayshore Precise Plan identified several required Priority Transportation Projects to support the planned growth and development within the North Bayshore area, and the Master Plan assumes timely implementation of these projects. Two of these projects, the US101/Shoreline off-ramp realignment, and the Shoreline reversible transit lane project, may affect bus operations to and from VTA's North Yard facility. Any loss or restriction of the use of this yard would strain VTA's service as it is the main base for buses serving the El Camino Real corridor and other area routes. Close coordination with VTA will be required to ensure that access to North Yard is not impeded during construction of buildings or street improvements in the Master Plan area. VTA requests that the City provide VTA staff an opportunity to review designs for any roadways with VTA service that will be modified by the buildout of the Master Plan and Priority Transportation Projects, including the Shoreline reversible transit lane. Any street/lane closures should be communicated with VTA and other transportation providers for route detours and implementation of temporary bus stops.

> **Response E.2:** The project would be required to implement standard condition of approval COA TRN-3.1 on pages 145-146 of the Draft SEIR, which requires the project to prepare a construction management plan as specific development projects under the Master Plan are proposed. As part of the construction management plan, a traffic control plan must be prepared if construction requires temporary roadway closure, lane closure, shoulder closure, and/or bike land closure. The City will share these plans with VTA if any temporary closures would affect VTA operations.

Comment E.3: Air Quality Impacts – Role of Transportation Technology in Mitigation

The DSEIR discloses that the Project would have a Significant and Unavoidable Impact with Mitigation Incorporated in the area of Air Quality, including operational period ROG, NO_x and PM_{10} emissions (Impact AQ-1, DSEIR p. 55). The DSEIR notes that "the greatest source for operational NO_x and PM_{10} emissions is project traffic" and that "This is a new, project-specific impact that was not previously disclosed in the 2017 EIR" (DSEIR p. 65). The DSEIR also states that "The project's mobile NO_x and PM_{10} emissions from proposed land uses would be reduced to the maximum extent feasible through the stringent TDM measures proposed by the project… Given the comprehensive and aggressive TDM measures proposed, there are no feasible additional measures available to reduce the project's mobile emissions further" (DSEIR p. 66).

VTA appreciates the efforts by the applicant to incorporate stringent TDM measures and improvements for bicyclists and pedestrians within the Master Plan area, and efforts by the City to implement transit improvements along Shoreline Boulevard and Charleston Road. These measures will help reduce VMT generated by the Project and resulting operational period emissions. However, VTA believes that there are other feasible mitigation measures available, including investment in newer transportation technologies.

The implementation of newer traffic signal controllers, including supporting communication infrastructure, could be used to provide transit signal priority, adaptive timing for non-motorized modes of travel, and improved performance monitoring plus enhanced real-time response to incidents and congestion on the roadways within the Master Plan area. VTA encourages the City to work with the project applicant to make improvements in the transportation technology infrastructure to benefit transit operations, pedestrians, and bicycles, and further reduce operational period air quality impacts.

Response E.3: As stated on page 65 of the Draft SEIR and noted in the comment above, the project's significant and unavoidable operational NO_x and PM_{10} air pollutant emissions are primarily due to project generated traffic. The transportation technology infrastructure mitigation measures suggested in the above comment could improve traffic flow within the project area; however, the operational NO_x and PM_{10} air pollutant emissions are a result of the large number of vehicle trips generated by the project and the overall trip length or VMT when compared against BAAQMD's project-specific thresholds. Improvements in traffic flow would improve traffic operations and congestion, but would not materially reduce the number of project-generated vehicle trips or VMT, therefore, the suggested improvements would not reduce the project's operational NO_x and PM_{10} air pollutant emissions. For this reason, the above suggested improvements in the transportation technology infrastructure would not mitigate the project's significant operational NO_x and PM_{10} air pollutant emission impacts. The City will consider transportation technology infrastructure that improves transit operations on Charleston Road and Shoreline Boulevard as a condition of approval.

Comment E.4: Air Quality and Transportation Effects – TDM Mitigation

Given the project's Significant and Unavoidable Air Quality impact noted above, and the fact that its Transportation effects in the area of VMT are heavily dependent on TDM measures and a very aggressive non-SOV mode share target, VTA recommends that the City require the applicant to fund monitoring of trip generation, VMT, and parking utilization in the Master Plan area on an ongoing basis.

Monitoring should consist of a combination of surveys of residents and employees, and collection of empirical data by third parties. This monitoring will be especially important as residential development is introduced to the North Bayshore area, to confirm the transportation effects of balancing jobs and housing in close proximity to each other.

Response E.4: As discussed in Section 2.3.10 Transportation Demand Management of the Draft SEIR (page 37), the project would implement a TDM plan consistent with the commercial and residential TDM guidelines in Chapter 6 of the Precise Plan. Chapter 8.3 Monitoring Programs of the Precise Plan outlines the monitoring requirements for site specific TDM plans and vehicle trip caps. The monitoring requirements for non-residential uses include surveys of worker and data collection by a third party, as suggested in the above comment. The monitoring requirements for residential uses include the preparation of a residential vehicle trip performance standard report in which surveys of residents are required. The City could require collection of empirical data by third parties of the residential uses, if the site is found

in non-compliance with its TDM plan and residential vehicle trip performance standard. In addition, the City regularly monitors the district vehicle trip cap at the three major entry points into North Bayshore gateways (San Antonio Road, Rengstorff Avenue, and Shoreline Boulevard) and prepares an annual North Bayshore district transportation performance monitoring report to assess gateway vehicle operations.

Comment E.5: Although VTA recognizes that the list of Master Plan TDM strategies in the DSEIR (Section 2.3.10, p. 37) is not exhaustive, we recommend that the City work with the applicant to add partnering with VTA on transportation solutions to the project's TDM strategies. Partnerships between the applicant and VTA could include transit service funding partnerships, and the applicant providing free or deeply discounted transit passes to employees and residents of the new development.

Response E.5: The City and applicant will coordinate with VTA regarding partnership opportunities. This comment does not raise any issues about the adequacy of the Draft SEIR; therefore, no further response is required.

Comment E.6: Description of Existing Transit Facilities and VTA Bus Service

In the VTA Bus Service writeup within the Existing Transit Facilities section (DSEIR p. 135), VTA suggests making the following corrections:

- Changing "Orange Line" to "the ACE Orange Shuttle"; using "Orange Line" in this section could confuse the ACE shuttle service with VTA's Orange light rail line
- Changing the second sentence to read: "Route 40 also stops at the Mountain View Transit Center, approximately 1.5 miles south of ~~from~~ the project site, and the San Antonio Transit Center, approximately 2.5 miles southwest of the project site"
- Changing the third sentence to note that the Mountain View Transit Centre is served by four VTA bus routes (21, 40, 51, and 52)
- Adding a fourth sentence to this section: "The San Antonio Transit Center also provides connections to several VTA bus routes (21, 22, 40, 522)"

Response E.6: The text of the Draft SEIR has been revised per the above comment, please refer to Section 5.0 Draft SEIR Text Revisions.

F. Valley Water (February 15, 2023)

Comment F.1: Thank you for your consideration of comments after the deadline. The Santa Clara Valley Water District (Valley Water) has reviewed the Draft Supplemental Environmental Impact Report (SEIR) for the North Bayshore Master Plan (Plan) and has the following comments:

1) Table 2.6-1 Required Approvals (page 46): The section notes Valley Water review and approval "may be required if wells are required or if abandoned wells are proposed to be destroyed…" Please note Valley Water review and approval would be required in either case (via well permit), and any abandoned well discovered during construction must be properly destroyed.

Response F.1: The text added to page 46 of the Draft SEIR has been added to clarify the above, refer to Section 5.0 Draft SEIR Text Revisions, and this will be listed by the City as a condition of approval for the Master Plan project. This comment does not raise any issues regarding the adequacy of the Draft SIER; therefore, no further response is required.

Comment F.2: 2) Project with District Utilities System Option (DEIR page 262): Given the presence of contaminated shallow groundwater under portions of the project site and the huge number of deep geothermal bores needed for the potential geothermal system (6,500), Valley Water is concerned with the possibility of inter-aquifer transfer of contaminants. If this option is pursued, Valley Water's Well Ordinance Program should be consulted early in the process to ensure construction methods and materials will adequately protect groundwater quality.

Response F.2: Impacts to groundwater due to drilling of geothermal bores are discussed on page 262 of the Draft SEIR. The geothermal bores would be drilled using techniques and materials as approved under permit issued by the Santa Clara Valley Water District. Text has been added to page 262 of the Draft SEIR to clarify that Valley Water's Well Ordinance Program would be consulted as well.

Comment F.3: 3) 4.7.2.1 Hydrology and Water Quality, Project Impacts (various, including pages 279, 280, 283): Several sections note that Valley Water pumps groundwater from the Santa Clara Groundwater Basin. As the Groundwater Sustainability Agency, Valley Water manages local groundwater basins to ensure sustainable supplies for all beneficial uses. However, groundwater is pumped by well users, including water retailers, other municipal/industrial users, and private well owners. It is these users, collectively, that pumped about 75,000 AFY from the northern Santa Clara Basin, not Valley Water. Please correct all related references.

Response F.3: The text of the Draft SEIR has been revised per the above comment, please refer to Section 5.0 Draft SEIR Text Revisions.

Comment F.4: 4) Encroachment Permit: As noted in previous comments, Valley Water has no right of way within the project area. Any development located adjacent to a creek and not within a Valley Water fee title property or easement (which is Valley Water's jurisdiction), should comply with Valley Water's Guidelines and Standards for Land Use Near Streams (https://www.valleywater.org/contractors/doingbusinesses-with-the-district/permits-working-district-land-or-easement/guidelines-and-standards-landuse-near-streams). The Guidelines and Standards were adopted by the Water Resources Protection Collaborative (which includes the City of Mountain View) through resolutions in 2007.

Response F.4: The project does not propose development adjacent to a creek. This comment does not raise any issues regarding the adequacy of the Draft SEIR; therefore, no further response is required.

ORGANIZATIONS, BUSINESSES, AND INDIVIDUALS

G. Anish Morakhia (dated February 23, 2023)

Comment G.1: I am a resident of the Monta Loma neighborhood. It recently came to my attention that the North Bayshore Master Plan doesn't include an elementary school for the new development and the plan is to enroll the kids from North Bayshore at Monta Loma Elementary.

Based on a reading of the North Bayshore Master Plan draft Environmental Impact Report (Dec 2022), I didn't understand how the report claims that around 1500 new elementary and middle schoolers will be accommodated in Monta Loma Elementary and Crittenden Middle School. Shown below is a snapshot from the draft EIR that shows that Monta Loma Elementary can accommodate additional 189 students and Crittenden Middle school can accommodate additional 476 students.

Table 4.12-1: 2021 to 2022 School Enrollment and Capacity

School	Current Enrollment	Existing Capacity
Monta Loma Elementary School[1]	271	460
Crittenden Middle School[1]	532	1,008
Mountain View High School[2]	2,316	1,546

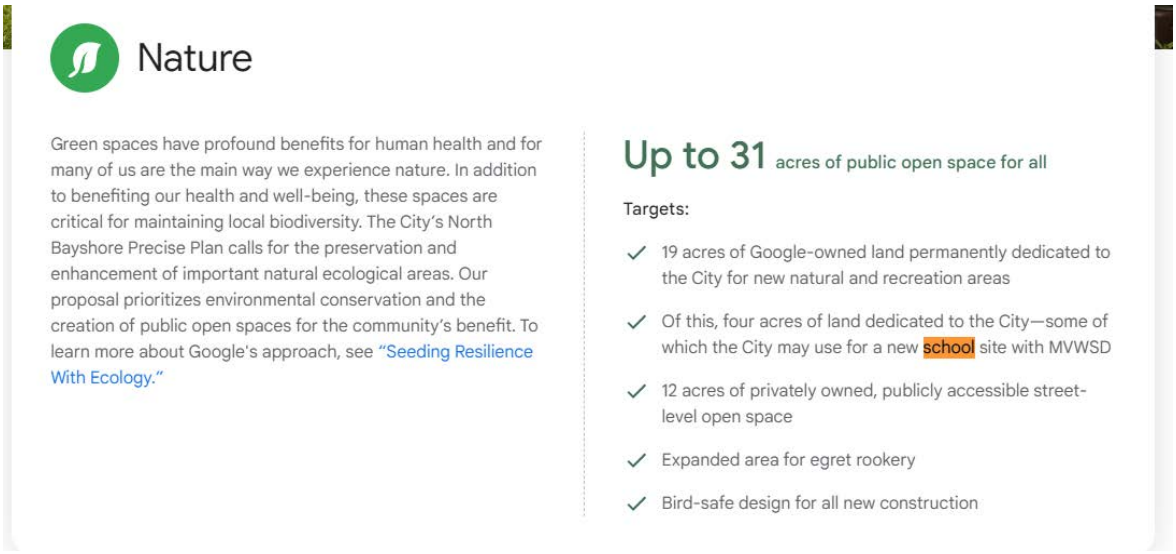
[1] MVWSD. *Level I Developer Fee Study*. Appendix E. May 5, 2022. Accessed August 3, 2022.

[2] Aguilar, Irene. Assistant to the Associate Superintendent-Business Services, Mountain View Los Altos High School District. Personal Communication. July 7, 2022.

Is it correct to assume that 5/8th of the 1500 new students will be elementary school going age? That would be around 900 new elementary school students which grossly exceeds the current capacity. The report mentions there is no need for expanding either of these schools and doesn't mention any other schools as alternatives.

Response G.1: Please refer to Master Response 1: School Impacts, specifically the Project Impacts section of the response.

Comment G.2: I see on Google's website for North Bayshore that they are allocating 4 acres to be potentially used as a school site as shown in the image below. But there doesn't seem to be any plans to build a new school.



Maybe I am missing something here. But the calculations for the schools in the report don't add up. Could you please help clarify?

Response G.2: Please refer to Master Response 1: School Impacts; no school is proposed as part of the project. A portion of the project site would be dedicated to the City for a future public use; however, the type of public use has not been determined at this time. Future environmental review of the public use would be required when proposed.

H. Laura Blakely (dated February 6, 2023)

Comment H.1: I am writing to urge you to defer approval of the Amended EIR until it can be amended to address the concerns raised below. Please use whatever means you have available for the benefit of our Mountain View community as a whole to mitigate the impacts of an estimated 1,471 new elementary and middle school students and 700 new high school students on our school systems. While our community welcomes these new students, we need to make sure we have adequate school facilities for them. Developer fees at the rate of $0.66 per square foot for commercial development and $4.79 per square foot for residential development (divided between the two school districts) are woefully inadequate; those formulas will barely generate enough money to cover the expense of leasing portables and crowding them onto the school fields, which is a totally unacceptable solution. Despite the fact that the EIR claims that there is sufficient classroom space in MVWSD schools, the EIR does not take into account all of the new students who will reside in all of the other construction projects that are already underway. When completed, the new North Bayshore housing units will cause the MVWSD population to increase by at least one-third of the size it is today—even without taking into account all the other new students.

Response H.1: Please refer to Master Response 1: School Impacts, including the Project Impacts section of the response.

Comment H.2: And while the proposed 3-4 acre site dedication will theoretically provide space for construction of one new elementary school, 1,471 elementary students cannot be jammed into a single 3 or 4 acre site.

> **Response H.2:** Please refer to Master Response 1: School Impacts, specifically the Proposed Project section of the response.

Comment H.3: Additional new school sites and funding will be needed to provide sufficient classroom space across MVWSD. Our high school district will have similar needs.

I understand that the state legislature long ago bowed to the will of the all-powerful Building Industry Association lobby and deemed that the statutory developer impact fees will mitigate all impacts, but reality tells us this is simply not the case. In today's economy, declaring that revenues generated by charging $0.66 to $4.79 per square foot of development are the panacea can best be characterized as magical thinking. There will be tremendous negative impacts on our community and environment if means to fill the "school funding gap" (per the language of the City's School Strategy Policy K-26) are not identified.

> **Response H.3:** Please refer to Master Response 1: School Impacts, specifically the School Impact Fees section of the response.

Comment H.4: Finding the solution must be a collaborative effort. Please defer approval of the draft EIR until true mitigations can be identified and put forth with active participation from all stakeholders. We must establish a way for our community to grow in a sustainable manner so that our children can be educated in schools that are not exploding with too many students.

> **Response H.4:** Please refer to Master Response 1: School Impacts. This comment does not raise any issues regarding the adequacy of the Draft SIER; therefore, no further response is required.

I. Santa Clara Valley Audubon Society (dated February 2, 2023)

Comment I.1: I am looking for the responses to comments received on the North Bayshore Precise Plan and the Final EIR. Comments on the North Bayshore Master Plan December 2022 SCH No.: 2022020712 are due Monday, and I would like to see the response to previous comments.

> **Response I.1:** The Final EIR for the North Bayshore Precise Plan is available at https://www.mountainview.gov/depts/comdev/planning/activeprojects/northbayshore_/default.asp.

J. Sierra Club (dated January 25, 2023)

Comment J.1: The staff and volunteers of the Sierra Club Loma Prieta Chapter request a two-week extension to the comment period for response to the Draft Supplemental Environmental Impact Report for the North Bayshore Master Plan released in December 2022. This would move the comment deadline from February 6, 2023 to February 20, 2023. Many of our staff and volunteers have been adversely impacted by power and internet outages due to the historic storms inundating the Bay Area

in addition to dealing with flooding and wind damage. As you know, this has been a very difficult period for many residents of the Bay Area. In addition, the SDEIR comment period occurs over a holiday period where many people have family and community obligations.

Response J.1: The Draft SEIR was available for public review and comment for 45 days, pursuant to the California Environmental Quality Act (CEQA), from December 21, 2022 through February 6, 2023. The City will not be officially extending the public review period for the Draft SEIR, however, the City indicated to the commenter that the City would do its best to accommodate late comments received, as feasible. This comment does not raise any issues with the adequacy of the Draft SEIR; therefore, no further response is required.

K. Sierra Club, Santa Clara Valley Audubon Society, and Green Foothills (dated February 6, 2023)

Comment K.1: The Sierra Club Loma Prieta Chapter, the Santa Clara Valley Audubon Society and Green Foothills are local environmental organizations with inherent interest in biodiversity, native plants and wildlife, ecosystems and natural resources in open spaces and in urban landscapes. We have engaged in planning and conservation efforts in North Bayshore and Shoreline Park for many years. We continue to have a strong interest in the way the community develops and the impacts of the development on the natural environment and the species that share it with us. We have reviewed the Draft Subsequent Environmental Impact Report (DSEIR) for the North Bayshore Master Plan Project (NBMPP, Project) and submit the following comments.

1) Project Description

In our Scoping Comments on the NOP, we asked for the Vision for North Bayshore (described on page 5 of the North Bayshore Precise Plan, NBPP) to be expressed fully to include "innovation and sustainability" as well as "the protection of habitat." We ask again for all elements of the North Bayshore vision to be reflected in the Project Description section.

Response K.1: Section 2.5 Project Objectives of the Draft SEIR (pages 42-44) includes the project's stated objective to "Support the North Bayshore area's transition into an innovative, sustainable, and complete mixed-use district that protects and stewards natural areas and open space". In addition, the City's vision for the Precise Plan is included in this section and lists the elements mentioned in the comment above. It should also be noted, as stated in Section 1.0 Introduction of the Draft SEIR, that the proposed Master Plan project is intended to implement a large portion of the Precise Plan. For this reason, the Draft SEIR tiers off the previously certified 2017 EIR and builds upon the analysis completed for the adopted Precise Plan.

Comment K.2: 2) Approval by Responsible Agencies

The project is immediately adjacent to areas that provide habitat for special-status species (including but not limited to San Francisco Common Yellowthroat at the Charleston Retention Basin and Burrowing owls and Congdon's tarplant at Shoreline Park). The project also contains the largest heron/egret rookery in the south bay (at Shorebird Way). The California Department of Fish and Wildlife (CDFW) is a Trustee Agency responsible for protecting migratory and nesting birds under California Fish and Game Code and their mandate includes projects and activities that may cause

abandonment and/or loss of reproductive efforts through disturbance. Is permitting by CDFW required for project elements in the vicinity of the Charleston Retention Basin, the rookery of Shorebird Way, and Amphitheater Parkway / Shoreline Park?

- Please add the California Department Fish and Wildlife (CDFW) to Table 2.6-1: Required Approval.

> **Response K.2:** The Draft SEIR was submitted to the State Clearinghouse, where it was distributed to state agencies including California Department of Fish and Wildlife (CDFW). Permits are only required from CDFW if the project would impact a species listed under the California Endangered Species Act or impact a lake, stream, or riparian habitat that is regulated under Section 1600 of the California Fish and Game Code.
>
> As discussed in Section 3.2.2.1 Project Impacts on pages 102-107 of the Draft SEIR, the project would not impact a species listed under the California Endangered Species Act or impact a lake, stream, or riparian habitat that is regulated under Section 1600 of the California Fish and Game Code. The project's impact to the biological resources identified in the above comment (including burrowing owls, San Francisco common yellowthroat, egret rookery, and migratory and nesting birds), as well as riparian habitats (including in and adjacent to the Charleston Retention Basin), are less than significant with the project's compliance with the Habitat Overlay Zone (HOZ) and Bird Safe Design standards established in the Chapter 5 of the Precise Plan and outlined on pages 93-96 of the Draft SEIR, mitigation measure MM BIO-1.1 (page 101 of the Draft SEIR), and standard condition of approval COA BIO-1.1 (page 104 of the Draft SEIR). In addition, the project will be required to comply with the City's Burrowing Owl Protection Plan and a condition of approval has been added (see Section 5.0 Draft SEIR Text Revisions and Response K.11: below) to require a habitat confirmation survey in order to receive a Planned Community Permit for development at the AM1 site (Subarea AM1 has been renamed to SA-BP-1, see Section 5.0 Draft SEIR Text Revisions). Therefore, no permits from CDFW are required.

Comment K.3: 2) Utilities
Several new 12 kilovolt (kV) distribution lines are expected to extend from the PG&E's Ames Substation North Bayshore Precise Plan to the NBMPP area (Section 2.3.5). Bird collision with power lines is a recognized threat to colonial nesting colonies and bird populations, and the risk is greater in the vicinity of water features (such as Stevens Creek) and for larger birds (such as herons and egrets).

- Can construction of new distribution lines that cross Stevens Creek be placed underground and under bridges?
- If undergrounding is found infeasible, please request that PG&E use markers to make the wires more visible to flying birds. A variety of line marking devices, including hanging markers, coils, and aviation marker balls, are commercially available.
- The Project utility upgrades, including distribution lines and supporting facilities, should not create electrocution hazards to raptors.

Response K.3: As discussed in Section 2.3.5 Utilities of the Draft SEIR (pages 22-23), possible future modifications to PG&E's Ames substation would undergo separate environmental review, per the CPUC's General Order No. 131-D (GO 131-D), once the actual alignments and final designs are completed. The Draft EIR explains that: "Pursuant to Article XII, Section 5, of the California Constitution, the California Public Utilities Commission (CPUC) has exclusive power and authority with respect to "all matters cognate and germane to the regulation of public utilities." The Constitution, moreover, prohibits municipalities from regulating "matters over which the Legislature grants regulating power to the Commission." (Cal. Const., art. XII, § 8.) PG&E's electric facilities are designed, operated, and maintained in accordance with GO 131-D, which explicitly provides: "Local jurisdictions acting pursuant to local authority are preempted from regulating electric power line projects, distribution lines, substations, or electric facilities constructed by public utilities subject to the CPUC's jurisdiction." (GO 131-D, § XIV.B.) Although local governments do not have the power to regulate activities related to public utilities' electric facilities, the CPUC encourages, and PG&E participates in, cooperative discussions with affected local governments regarding locating such facilities and to address local concerns where feasible. The possible PG&E modifications to the Ames substation are not covered in this EIR and would undergo separate environmental review per GO 131-D." It is expected, however, that future PG&E lines would ultimately be undergrounded, as this is standard practice for new lines.

In general, to avoid impacts to birds, PG&E implements the specifications and requirements set forth in its comprehensive Avian Protection Plan, which includes:

- Employee training to ensure compliance with all federal and state bird protection laws.
- Use of "Bird-safe" poles since 2002.
- Promotion of migratory bird and habitat conservation in cooperation with federal and state agencies.

Comment K.4: 4) Private District Utilities System Option; District Central Plant (DCP)
The DCP is proposed East of 1201 Charleston and potentially could integrate into the building (2.3.5.2). The DCP includes chillers, heat pumps, distribution pumps, cooling towers and air blowers as well as independent backups.

- We are concerned with noise and lighting that this infrastructure and its operations may introduce to the area between Stevens Creek and the heron/egret rookery. Light is especially concerning due to state requirements for industrial facilities. Please describe potential noise and lighting to be used at the DCP, and provide mitigation, including:
    - Use of fixtures with Correlated Color Temperature no more than 2700 Kelvin
    - Use of manual switch for work that is performed at night so that all-night lighting can be minimized.
    - Please consider Section 10, Artificial Light at Night, below.

Refer to Appendix A for a copy of this comment letter for the Artificial Light at Night attachment included.

Response K.4: As described in the Draft SEIR, most mechanical equipment at the proposed district central plant (DCP) would be located inside the DCP building, with only the cooling towers located on the roof or adjacent to the DCP building. The independent backup referenced in the above comment refers to backup connections to the municipal utilities system. These independent backup connections would be underground. In addition, the project would be required to implement standard condition of approval COA NOI-1.1 (Draft SEIR page 306), which requires mechanical equipment to not exceed a noise level of 55 dBA during the day (between 7:00 a.m. and 10:00 p.m.) or 50 dBA during the night (between 10:00 p.m. to 7:00 a.m.) as measured at residential land uses.

Also, pursuant to the Specific Plan egret rookery HOZ standards, no modifications to the western façade and roof of the 1201 Charleston Road building may be modified that would reduce suitability of the rookery site for egrets (as stated on page 94 of the Draft EIR). A qualified biologist shall review any proposed building or site modifications and recommended strategies to the City to ensure there will be no adverse impacts to the egret rookery habitat. Therefore, when a planned community permit is submitted to the City for the DCP, it shall be reviewed by a qualified biologist to ensure it would not adversely impact the egret rookery.

Other HOZ standards (Building placement in the HOZ and Construction near the egret colony standards on page 94 of the Draft EIR) prohibit any new non-residential building within 200 feet of the rookery (with exceptions) and prohibit external construction involving heavy equipment or loud noise within 200 feet of the rookery during the nesting season. Compliance with these Precise Plan standards would prevent significant noise impacts to the egret rookery.

As discussed in Section 4.1.2.1 Project Impacts under Impact AES-4 of the Draft SEIR (page 195), lighting for the project, including the DCP, would comply with outdoor lighting standards and guidelines in Precise Plan Section 4.6 Outdoor Lighting and the standards and guidelines in Precise Plan Section 5.2 Bird Safe Design. In addition, the project will be required to comply with the Precise Plan egret rookery HOZ standard outlined on page 94 of the Draft SEIR for low intensity outdoor lighting within 200 feet of the rookery and utilize full cutoff fixtures to reduce the amount of light reaching the rookery. Compliance with these standards would reduce light pollution to a less than significant level. Therefore, no additional mitigation measures are required.

Comment K.5: The Water Reuse Facility is expected to meet disinfected tertiary recycled water standards as described under Title 22 of the California Code of Regulations. The recycled water would be used for non-potable water demands on-site including toilet flushing, cooling, and irrigation.

- Can recycled water uses include sustaining permanent and seasonal wetlands at the Charleston Retention Basin and the Eco Gem during dry spells?

Response K.5: Though the water from the DCP would be clean enough to use in the wetland areas, this is not proposed by the project and, therefore, was not evaluated in the Draft EIR.

Comment K.6: 5) Green Building and Emissions Reduction Features (Section 2.3.7)
The groundwater level at North Bayshore, especially in the Shorebird area, is high enough to sustain the wetlands of the Charleston Retention Basin and vegetation around the basin with no irrigation at all. In areas of high water level, native vegetation which is not drought tolerant should be permitted because it allows a more biodiverse ecosystem to thrive with minor, if any, irrigation needs after establishment. Planting drought tolerant vegetation to satisfy Green Building Standards in locations where implementation of the standards is not needed should not be required or encouraged.

- Are there areas within the NBMPP area where the groundwater level is high enough to support vegetation that is not drought tolerant, for example, the eco-gem area?
- On page 29, under Energy Efficient Design, promises "Energy modeling in early design phases to optimize wall-to-wall ratios, thermal performance, and exterior shading." Is the intention to model window-to-wall ratios?

Response K.6: This comment does not raise questions regarding the adequacy of the Draft SEIR; therefore, no further response is required. That said, the project is required to comply to the landscape design standards in the Precise Plan. At the time planned community permits are submitted, the applicant would submit planting palettes for specific areas based on the underlying site conditions, such as depth to summer groundwater and soil quality, as well as design objectives. Areas that have the underlying hydrology to support hydrophilic or wetland species would not be planted with upland species that are not suited to these conditions.

The "wall-to-wall" is a typo and is meant to say "window-to-wall". This has been corrected in Section 5.0 Draft SEIR Text Revisions.

Comment K.7: 6) Parking Structures
In our NOP scoping comments, we asked "Please include one alternative scenario with reduced parking… This alternative should also analyze the impact of mitigation strategies that increase the pedestrian, micro-mobility and bicycle capacity, including using Green Streets potentially within the entire North Bayshore Precise Plan area."
The NBMPP does not offer a Reduced Parking Alternative. Instead, five parking structures are planned to accommodate ±7,274 cars (Table 2.3-5). This adds to existing and planned parking under future buildings, parking structures currently under construction, and existing parking structures. While all new parking structures are of concern, we are especially concerned with the parking structure at Subarea AM1 (Amphitheater).

Response K.7: Section 8.0 Alternatives on page 345 of the Draft SEIR explains that an EIR should identify alternatives that feasibly attain most of the basic objectives of the project but would avoid or substantially lessen the project's significant impact. An EIR is not required to consider alternatives which are infeasible. A reduced parking alternative, as suggested in the above comment that eliminates the parking garage at Subarea AM1 is infeasible because there is no data to support the viability of the proposed land uses with the elimination of 4,584 stalls (which is how many parking stalls would be provided in Subarea AM1 and represents approximately 36 percent of the total number of parking provided).

In addition, the proposed project provides parking consistent with the parking standards established by Chapter 6 of the Precise Plan, which establishes parking maximums based on land use. The proposed office uses would be parked at 2.0 stalls per 1,000 square feet (compared to the maximum allowed parking ratio of 2.7 stalls per 1,000 square feet) and the residential uses would be parked at approximately 6.5 stalls per dwelling unit at full buildout (consistent with the Precise Plan maximum allowable parking per unit) (see Section 2.3.9 Site Access, Circulation, and Parking of the Draft SEIR, page 33); thus, the project, as proposed, utilizes reduced parking in compliance with the Precise Plan goals. In addition, the Master Plan project itself proposes a 35 percent single-occupancy vehicle target and ambitious trip reduction measures in order to comply with the City's adopted NBPP requirements. The project, therefore, is proposing less parking than allowed and expected of development in the Precise Plan.

For these reasons, a reduced parking alternative was not evaluated in the Draft SEIR.

The project's consistency with roadway, pedestrian, bicycle, and transit plans is discussed under Section 3.4.2.1 Project Impacts under Impact TRN-1 of the Draft SEIR (pages 139-144). The proposed project would be consistent with all local and regional plans, including the specific design guidelines outlined in the Precise Plan.

Comment K.8: The NBPP envisioned the vast parking spaces of North Bayshore becoming open space and the area becoming less car-centric. But with so many cars accommodated at North Bayshore, this vision may not be implemented as intently and purposely as we hoped.

- Please provide the footprint of 1) existing and 2) planned parking structures in North Bayshore, in acres.
- Please consider using feasible strategies like parking cash-out which Stanford, Lockheed, and Genentech used to avoid building additional parking lots and to reduce automobile use. Stanford may be the best example because it operates under a traffic cap. Traffic caps work if enforced (for example, using pavement sensors that count vehicles throughput) and controlled (via pricing) and feedback systems, such as increasing pricing and fines for exceeding the cap).
- Prior to building each parking structure, please study overall parking demand to evaluate how multi-modal behaviors evolve, and ensure that the added parking is indeed needed.

Response K.8: The locations and approximate footprint of the proposed parking garages for the North Bayshore Master Plan, which is the subject of the Draft SEIR (and not the entire Precise Plan), are shown on Figure 2.3-1 on page 13 of the Draft SEIR. Tables 2.3-1 and 2.3-5 on pages 16-20 of the Draft SEIR provide a summary of the number of parking spaces proposed in each parking garage and the approximate size of the garages in square feet.

As discussed in Section 2.3.10 Transportation Demand Management of the Draft SEIR (page 37), the project would implement TDM strategies consistent with Chapter 6 of the Precise Plan. These strategies include, but are not limited to parking cash-out and trip monitoring (see Response E.4: above).

As the project phases are built, both the applicant and City will evaluate the need for additional parking garages.

Comment K.9: At the Alta/Huff Parking Structure, Google created a dynamic structure that can accommodate change of use in the future - from parking cars to housing people. This flexibility of re-purpose should be the model for all parking structures:

- New parking structures should be built to allow future re-purposing such as housing.
- New parking structures should be built so as to be able to respond immediately to crisis needs (shelter during major weather events, shelter post earthquake).

Response K.9: This suggestion is acknowledged. The use of proposed parking garages for housing is not proposed by the project and, therefore, not evaluated in the Draft SEIR. This comment does not raise any issues regarding the adequacy of the Draft SEIR; therefore, no further response is required.

Comment K.10: 6.1 Amphitheater Parking Structure (AM1)
The Amphitheater Parking Structure (AM1) has not been studied in the North Bayshore Precise Plan. It has been previously required to accommodate parking needs for the Charleston East project, but since that time the Alta/Huff Parking Structure has been built, and parking at the Google Landings project is under construction.

- Please consider removing the AM1 structure from the NBMPP or provide an alternative location(s) for parking in North Bayshore. As suggested above, putting a price on parking and a vehicle cap can go a long way towards reducing the need for parking. Such measures should be considered as an alternative to building this structure, especially at this scope and at this location.

Response K.10: The Draft SEIR on page 14 discloses that AM1 was not previously studied in the 2017 EIR. As such, the impacts of constructing a parking structure at this location are discussed throughout the Draft SEIR.

The purpose of the SEIR is to evaluate the project as proposed. The parking structure at Subarea AM1 is proposed as part of the Master Plan project and required to adequately park the project. The location of the parking structure at Subarea AM1 does not result in significant environmental impacts that cannot be managed, therefore, no location alternative for this parking garage was evaluated in the Draft SEIR. Refer to Response K.7: above regarding why a reduced parking alternative was not evaluated in the Draft SEIR. Also, refer to Response E.4: regarding project TDM measures, such as parking cash out and monitoring.

Comment K.11: Significant Impacts on Burrowing Owls
We are greatly concerned that the parking structure at AM1 will have a significant impact on Burrowing owls locally and regionally. A comment letter from the Department of Fish and Wildlife (April 6, 2022) also highlights the potential of impacts to Burrowing owls.

The Burrowing owl population in the south Bay Area has suffered a significant decline and the breeding population is at a risk of extirpation. In the past four years, the county's Burrowing owl population has been sustained by deliberate conservation actions implemented primarily by the Santa Clara Valley Habitat Agency in an effort to accomplish the requirements of this adopted Valley Habitat Plan.

The City of Mountain View has been engaged in conservation and monitoring efforts at Shoreline Park for decades and has been implementing a Burrowing Owl Conservation Plan since 1998. This plan was updated in 2012 with the adoption of the Burrowing Owl Preservation Plan (BOPP). The BOPP incorporated historical mitigation areas, stipulated Population and Habitat Goals, and designated additional areas (preserves) where owl habitat (for foraging and for breeding) is to be maintained to support wintering and nesting owls. The historical mitigations (Figure 1, from BOPP page 80) involve legal commitments to the California Department of Fish and Wildlife, and must be retained in perpetuity. Vista slope includes mitigation areas, including a mitigation site on the south-west corner of AM1. Vista slope has consistently been used by wintering and by nesting Burrowing owls over the years.

The City of Mountain View is an active participant in the Conservation Actions that are funded in part by the Habitat Agency. Shoreline Park has been one of only two locations where intervention actions by the Habitat Agency, including overwintering of fledglings and supplemental feeding, have been successful (Figure 2). Impacts to the success of Burrowing owls of Shoreline Park can potentially hamper recovery efforts in the south Bay Area and conflict with the adopted Santa Clara Valley Habitat Conservation Plan/Natural Communities Conservation Plan.

Refer to the comment letter included in Appendix A for the above referenced figures.

The BOPP (2012) provides:, "Under the California Endangered Species Act, the Burrowing owl is a State Species of Special Concern based on both localized and State-wide population declines as well as losses of suitable habitat (CDFG, 1995). Under California Fish and Game Code, Section 1802, the CDFG is the agency manager and trustee of fish and wildlife resources and their habitat." The BOPP states, "this document also provides procedures for meeting wildlife laws and regulations without the City having to consult CDFG on every action taken at the Park that has the potential to harm Burrowing owls." The Plan describes 10 Owl Management Actions, including "Action 9. Employ a full-time biologist with owl expertise."

- Have the procedures for meeting wildlife laws and regulations been followed?
- Has the city's Burrowing owl biologist been given the opportunity to participate in the design and mitigations of the parking structure at AM1? Has the biologist approved the proposed mitigations to ensure that procedures for meeting wildlife laws and regulations are met without the City having to consult CDFG?
- If the biologist has issued an opinion or a report pertaining to the design and mitigation of parking at AM1, please include these documents in the Final EIR for public and agency review.

Response K.11: As discussed in Section 3.2.2.1 Project Impacts under Impact BIO-1 of the Draft SEIR (page 103), the project (including development on AM1) would comply with the measures listed in Chapter 5.1 Habitat Overlay Zone, Standard 2 of

the Precise Plan regarding burrowing owls. This standard and associated measures are described on pages 93-94 of the Draft SEIR. In addition, the project would comply with the specific protocol recommendations listed in the burrowing owl preservation plan (BOPP). This includes protocol F on page 54 of the BOPP, which requires the applicant to prepare a project evaluation for review by the City's burrowing owl specialist. Text has been added to pages 97 and 103 of the Draft SEIR to clarify the project's consistency with the BOPP (refer to Section 5.0 Draft SEIR Text Revisions). Additionally, all state, federal, and local requirements would be met by the project during construction and operation.

The Draft SEIR was prepared by the City in consultation with the City's biologist, and the following condition of approval was added to the Draft SEIR:

COA BIO-1.1: Both Project Options: A habitat confirmation survey for burrowing owls must be conducted and submitted for review with any Planned Community Permit (PCP) requests for development of parking structure at AM1. The assessment shall cover all areas within the construction area for the parking structure and Burrowing Owl Preservation Plan (BOPP) boundaries. Based on the results of the habitat survey, the applicant shall comply with Chapter 5.1 Habitat Overlay Zone of the Precise Plan, the BOPP and the habitat assessment guidelines found in the CDFW Staff Report on Burrowing Owl Mitigation, 2012. Management measures would be developed by the City in coordination with the California Department of Fish and Wildlife and may include establishment of new nesting or foraging habitat, enhancement of existing habitat or passive relocation of burrowing owls.

Comment K.12: To protect the Burrowing owls of Shoreline Park, the North Bayshore Precise Plan designated a buffer (Burrowing Owls Habitat Overlay Zone, HOZ) where buildings are not permitted within 250-ft of Burrowing owl habitat, and no net increase in impervious surface can occur. No buildings taller than 55 feet can be constructed within 100 feet of any HOZ boundary. There are additional stipulations regarding lighting, perching, pesticide use etc.

The 2017 NBPP EIR did not evaluate the construction of a parking garage outside of the Precise Plan area on Subarea AM1. The NBMPP proposes that the Parking Structure at AM1 will maintain the same 250-ft buffer that is required for development in the Precise Plan area, and comply with the measures listed in Chapter 5.1 Habitat Overlay Zone, Standard 2 of the Precise Plan regarding outdoor lighting, constructing perch deterrents, avoidance during construction, and the limitation of rodenticide use. We appreciate these measures, but maintain that these measures do not suffice to reduce impacts to a less than significant level.

As we understand it, the SDEIR makes two assumptions that lead to the findings that the impact is "Same Impact as Approved Project; Less than Significant Impact":

1) Assumption 1: The edge of the potentially suitable Burrowing owl habitat is analogous to the baseline of the Burrowing Owl HOZ, and so mitigation can be similar.

2) Assumption 2: The developed/landscaped habitat in AM1 is of relatively low value to wildlife (including Burrowing owls).

We disagree with both assumptions.

There is a wide road (Amphitheater Parkway) that separates Burrowing owl habitat from the areas studied in the NBPP. It also provides, as we show below, Burrowing owl habitat. In contrast with the NBPP Study Area, AM1 is immediately adjacent to Vista slope and a designated mitigation site. The development and operations could therefore have impacts beyond those that were studied in 2017, including loss of habitat onsite, increased recreational activity on Vista Slope, hazards related to the anticipated increase in vehicle traffic, potential introduction of dogs and cats, and lighting in and around the structure. In the precarious situation of the owl population of the south bay, a loss of one nest, even one owl, during the nesting season can lead to the extirpation of the species in the South Bay Area.

Subarea AM1 is described in footnote 54 "The developed/landscaped habitat in AM1 is of relatively low value to wildlife, but provides nesting and foraging opportunities for some urban-adapted species of birds." This description neglects to mention that Burrowing owls may also forage at the site. The footnote shows that the parking lot supports Burrowing owl prey species such as mice, lizards, and small birds. Burrowing owls are known to forage and even nest in parking lots. In "Studies of Western Birds 1:218–226, 2008, Species Accounts (pages 218-226) (attached), the description of this California Species of Special Status includes, "developed environments pose a substantial risk to Burrowing owls from mortality caused by traffic (Klute et al. 2003, D. K. Rosenberg et al. unpubl. data). Owls nesting along roadsides or parking lots are at greatest risk, although owls foraged along roads over 1 km from the nest burrow (Gervais et al. 2003)." Burrowing owls have also been observed foraging in parking lots in North Bayshore.

The observation in the DSEIR footnote 54 that "California ground squirrels and their burrows are common in the ruderal grassland margins of the parcel, as well as on the adjacent grasslands at Shoreline Park" further substantiates the value of this site for burrowing owls. Overwintering or breeding Burrowing owls likely forage here, and potentially use ground squirrel burrows. The AM1 site is important to the preservation of Burrowing owls, and building here should be recognized as a significant impact and avoided, or adequately mitigated.

- Please discuss the impacts to Burrowing owls, including loss of habitat onsite, lighting, increased recreational activity on Vista slope, hazards related to the anticipated increase in vehicle traffic, potential introduction of dogs and cats, and construction-related activities.
- Please consider a regional context for the discussion of impacts to Burrowing owls and include:
    - Cumulative impacts on Burrowing owls. Please include the Moffett Park Specific Plan in Sunnyvale and development and maintenance activities in Moffett Park.
    - The role of Shoreline Park in the recovery efforts by the Santa Clara Valley Habitat Agency.

Response K.12: The project would implement a large portion of the adopted North Bayshore Precise Plan. For this reason, the Draft SEIR tiers from the certified 2017 North Bayshore Precise Plan EIR. Impacts to burrowing owls are discussed on page 103 of the Draft SEIR. The HOZ measures for the NBPP, including the 250-foot buffer, took into consideration the same potential impacts of projects on burrowing owls that would result from construction of the parking structure at Subarea AM1. Applying the

250-foot buffer to the proposed parking structure is, therefore, appropriate even though Subarea AM1 was not evaluated in the 2017 NBPP EIR. Refer to Response K.11: regarding the project's less than significant impact to burrowing owls and compliance with all applicable regulations including the BOPP.

The above comment that Amphitheatre Parkway separates burrowing owl habitat from the areas studied in the Precise Plan is not entirely accurate. Lands in the northwest part of the Precise Plan area are immediately adjacent to burrowing owl habitat, with no intervening road, and the 250-foot buffer that would be applied to the proposed parking structure is also applied to those portions of the Precise Plan area (i.e., Vista Slope). The potential stressors (habitat impacts, lighting, recreational activity, vehicular traffic, introduction of nonnative animals) that may be involved in the construction and operation of the proposed parking structure are the same as those that were evaluated in the certified 2017 Precise Plan EIR. In addition, the proposed use (i.e., parking) is the same as the existing use on Subarea AM1. The BOPP does not identify Subarea AM1 as a designated mitigation area.

The Draft SEIR (on pages 98 and 103) explains that Subarea AM1 is dominated by pavement, and includes trees and narrow slivers of ruderal habitat subject to frequent disturbances (i.e., vehicle traffic, pedestrians, etc.). In addition, there is no evidence that burrowing owls have used the site of the proposed parking structure in recent years for nesting habitat. For these reasons, the City's consulting biologists disagree with the above comment. The ruderal habitat of Subarea AM1 is marginally suitable as stated on page 100 of the Draft SEIR. In addition, a habitat confirmation survey will be conducted as a condition of approval for the Planned Community Permit to determine any management measures that need to be taken (see Response K.11:).

Cumulative impacts of the project are discussed on pages 111-112 of the Draft SEIR. The Draft SEIR concluded that cumulative impacts from the proposed project and other projects in the area on special-status species would be reduced to a less than significant level through compliance with federal, state, and local regulations. The proposed Moffett Park Specific Plan (SCH#2021080338) is located approximately two miles east of the project site, outside of the jurisdiction of the City of Mountain View and not proposed as part of the project, and would be subject to the same federal, regional, and local regulations to protect burrowing owls as the proposed project and to reduce cumulative impacts to a less than significant level.

As discussed on page 110 of the Draft SEIR under Impact BIO-6, the project site is not located within the Santa Clara Valley Habitat Plan and is, therefore, not subject to its regulations. In addition, the project would not conflict with the burrowing owl management activities related to the Habitat Agency within Shoreline Park.

Comment K.13: We believe that avoidance of the impacts by not building this structure is the best alternative. It was not part of the MPSP, and can be eliminated from the NBMPP. If avoidance is not feasible, the following mitigations should be added to the mitigations and standards offered in the DSEIR in order to reduce significant impacts to owls at Shoreline Park and regionally, and to the success of the Santa Clara Valley Habitat Plan.

- Plant grasses and shrubs in the 250-ft buffer to provide foraging for Burrowing owls.
- Ensure there is no-net-loss of impervious area/habitat.
- Install a green roof, seeded to provide grassy foraging habitat.
- Avoid any lighting or spillover light into the 250-ft HOZ. Lighting in the parking structure should not be visible from Vista slope.
- Fencing is needed to stop people from creating social trails to access Vista slope. Design and fencing should direct people to the official trails that provide signs and guidance (such as no dogs, day-use only).
- Additional Mitigation measures should craft best management guidance and requirements based upon the following:
    - Mountain View's BOPP in consultation with the City's Burrowing Owl Biologist,
    - CDFW Staff Report on Burrowing Owl Mitigation (2012) and consultation with the California Department of Fish and Game,
    - Mitigation measures for Burrowing Owls from the Santa Clara Valley Habitat Plan.

Response K.13: As discussed in Response K.11: and Response K.12:, the project would comply with the measures listed in Chapter 5.1 Habitat Overlay Zone, Standard 2 of the Precise Plan and the BOPP. These measures include, but are not limited to, preconstruction surveys, avoiding construction within a 250-foot buffer zone, low-intensity lighting facing away from burrowing owl habitat, no increases in impervious surfaces, social trail deterrence and fencing within Shoreline Park, and coordination with CDFW and the City's burrowing owl biologist. Chapter 5.1 Habitat Overlay Zone, Standard 2 of the Precise Plan also requires projects to perform construction monitoring for burrowing owls consistent with the Santa Clara Valley Habitat Plan Condition 15. Based on the discussion in the Draft SEIR, no significant impact would occur to burrowing owls. The project will be required to comply with the City's Shoreline Burrowing Owl Preservation Plan and a condition of approval has been added to require a habitat confirmation survey in order to receive a Planned Community Permit for development at the AM1 site (see Response K.11:). For this reason, no additional mitigation measures, such as the ones referenced in the above comment, are required.

Comment K.14: 7) Egret Rookery, Shorebirds Wilds and Eco -gem Area
The terminus of Charleston Rd./Shorebird Way is home to the largest egret and heron rookery in the South Bay. The rookery is recognized in the NBPP which states, "This rookery is regionally significant as one of the largest egret colonies in the South Bay and is an important natural resource." In recent years, nesting birds in this area included Snowy Egrets, Great Egrets, Black-crowned night herons, White-tailed kites, Western bluebirds, Red-shouldered hawks and Red-tailed hawks (Matthew Dodder, SCVAS, personal Communications).

The use of 1201 Charleston for meeting/event space and outdoor activities in the Shorebirds Wilds and Eco-gem Area could introduce disturbance to nesting birds. The NBPP describes "passive" uses without defining what activities may or may not be permitted, or how these activities may accommodate nesting birds without disruption.

Mitigation measures to protect nesting birds from operations-related activities and disturbance should be specified for the lifetime of the project.

- Please develop Standards, Guidelines and Protocols to ensure that noisy or light-generating events, events that attract predators and/or other potential disturbances (especially outdoor activities) are evaluated by the City's Biologist if they are scheduled to occur during the nesting season.
- In the letter from CDFW, the agency requests that the SEIR include building height and location alternatives that reduce environmental impacts such as not locating tall buildings near biologically sensitive areas. We ask that any facade that faces the egret rookery/Shorebirds wilds, the ecogem and the retention basin implement bird-safety measures (including glazing above 60-ft).

Response K.14: The project would implement a large portion of the adopted North Bayshore Precise Plan. For this reason, the Draft SEIR tiers from the certified 2017 North Bayshore Precise Plan EIR. Impacts to the egret rookery are discussed on pages 103-105 and page 107 of the Draft SEIR. As described on page 20 of the Draft SEIR, the community activities proposed at 1201 Charleston would be located inside the existing building and activities would be similar to normal business operations. The proposed park space surrounding the egret rookery would be a mix of POPA and dedicated park land to the City. Page 20 of the Draft SEIR describes the use of Shorebirds Wilds as having "passive open space and native gardens to support the egret rookery and enhance the natural quality of the surrounding HOZ." No noisy or light-generating events, or those that would attract predators, are proposed as part of the project; therefore, no additional analysis or associated impact is identified in the Draft SEIR. The project would comply with existing regulations including the Migratory Bird Treaty Act and California Fish and Game Code.

All new construction (including the proposed parking garage on AM1) is required to comply with Chapter 5 of the Precise Plan, which establishes Bird Safe Design measures. In addition, Chapter 5.1 Habitat Overlay Zone, Standard 3 of the Precise Plan establishes specific requirements around the egret rookery, including landscape design, low-lighting requirements, and coordination with the City biologist on any modifications to the adjacent 1201 Charleston building's western façade or roof.

Comment K.15:

- Please develop a Tree Preservation Plan for the trees in the Egret rookery HOZ.
    - This plan should identify important trees to preserve. This should specifically include the London plane trees that are traditionally used by the egrets and the redwoods across Shorebird Way (including the redwood in which a White-tailed kite has been nesting).
    - The plan should specify maintenance requirements, importantly including irrigation with water with no salt content.

These mitigations aim to reduce the aesthetic impacts of loss of trees and canopy, and the risk that the London Plane trees die due to over-fertilization and high salt content by recycled water augmenting the bird excrement, or that the redwood trees die due to high salt content in recycled water). Both of these outcomes are known to occur if these trees are irrigated with high salt content water. If protective measures are not taken to ensure that the trees thrive, the trees of the egret colony may perish – a potentially significant impact to the largest heron/egret rookery in the South Bay area.

Response K.15: Standard condition of approval COA BIO-2.1 on pages 109-110 of the Draft SEIR requires that an arborist report, arborist inspections, replacement, protection measures, and preservation plans be completed by the project when specific developments are proposed to successfully protect and preserve trees, including the trees within the egret rookery. The Draft SEIR found and the City concluded that the project, with the implementation of the identified mitigation measures and standard conditions of approval, would not result in new or substantially more severe impacts to egrets than disclosed in the certified 2017 Precise Plan EIR.

Comment K.16: 8) Potential Loss of Trees

The loss of trees and canopy, and mitigations for such loss, are of great public interest in Mountain View. In 2022, the City has prioritized Biodiversity as a strategic goal, and within this goal, a new Urban Forest Master Plan is being developed. The new Plan, with associated code changes, is likely to be completed within two years and change the existing, inadequate regulations for the protection of trees. COA BIO-2.1, "Tree Mitigation and Preservation Plan" defers the preparation of a Tree Mitigation Plan and at the same time grandfathers in existing tree mitigation requirements for decades to come. However, in light of the ecological sensitivity of North Bayshore, note the following.

- It is important that future projects implement the new policies and ordinances that are developed to protect biodiversity and the environment, including requirements for mitigation for the loss of trees. The existing code regarding trees should not be static and grandfathered in. An update to the NBMPP should be required when the tree ordinance is updated.
- Identification of locations where replacement trees will be planted (so the city does not end up with in-lieu funds but no viable planting locations) is important, including potential planting locations outside the boundary of North Bayshore.
- Please identify redwood trees/groves to preserve similar to Landings projects.
- In addition, please see our previous comment regarding the development of a Tree Preservation Plan for the trees in the Egret rookery HOZ (Section 7). This plan should be incorporated into the Tree Mitigation and Preservation Plan and include directions for maintenance and preservation of the London Plane and redwood trees that comprise the rookery so the trees are retained and maintained in good health. Trimming guidelines are also needed, and a plan to continue supplying water of low-salt content. This is because irrigation of redwoods in North Bayshore with recycled water of high salt content has led to a rapid decline in the health of the trees. London Plane trees are more resistant to salinity, but fertilization by egret droppings augmented by irrigation with water of high salinity may impact the health of these trees adversely.

Response K.16: As the comment points out, the project would comply with the City's standard condition of approval COA BIO-2.1 (which is described on pages 109-110 of the Draft SEIR and discussed above in Response K.15:), which follows the guidelines and regulations of the City's current Tree Preservation Ordinance. CEQA requires an evaluation of the project against the conditions, thresholds, and plans which exist at the time of analysis (CEQA Guidelines Sections 15126.2(a) and 15064.7). If the Tree Preservation Ordinance is updated in the future, subsequent planned community permits for development under the proposed Master Plan would be subject to compliance with the updated version. Please refer to the arborist report in Appendix F

of the Draft SEIR for location of existing redwoods and those proposed to be removed as part of the project.

Please refer to Response K.14: regarding tree preservation and the egret rookery.

Comment K.17: 9) Cumulative Impacts Analysis
Why has the cumulative Impact analysis not addressed Google's Bayview Campus, Caribbean campus and the City of Sunnyvale's Moffett Park Specific Plan? These projects are located in close proximity to the NBMPP (a biking/walking distance) along the Bay. These projects and plans introduce millions of square feet of office space and thousands of hotel rooms and housing units. The implementation of the Moffett Park Specific Plan is expected to coincide with the development of the NBMPP. All these projects have a Google nexus, and all may have cumulative impacts on Biological Resources, air quality, traffic and other environmental resources. We encourage the City to analyze the cumulative impacts of these additional projects.

Response K.17: The methodology for evaluating cumulative impacts is described on pages 47-48 of the Draft SEIR. The analysis should include either a list of past, present, and probable future projects or a summary of projections from an adopted general plan or similar document. Both approaches were used in the Draft SEIR. In addition, the cumulative geographic area of impact varies for different resource areas. Also, the Draft SEIR tiers from the certified 2017 Precise Plan EIR and incorporates that cumulative analysis by reference.

As explained on page 111-112 of the Draft SEIR, as well as in Response K.12:, all cumulative projects are subject to the same federal and state regulations and same/similar local regulations to protect biological resources and reduce cumulative impacts to a less than significant level.

Page 83 of the Draft EIR explains that if a project exceeds the Bay Area Air Quality Management District's significance threshold, it is assumed the project's criteria air pollutant emissions would also be cumulatively considerable. For this reason, emissions from other cumulative projects do not need to be quantified or explicitly discussed to determine whether the project would result in cumulative air quality impacts. The cumulative projects listed in Table 3.0-1 of the Draft SEIR on pages 48-49 were considered for the cumulative health risk assessment; however, only the 1100 La Avenida and 1255 Pear Avenue projects were within 1,000 feet of the project site (see Section 5.0 Draft SEIR Text Revisions for clarification on cumulative project distances) and included in the analysis. The Draft SEIR assumed that both of these projects would be occupied by the time project construction began and, therefore, they were treated as sensitive receptors.

The methodology for evaluating cumulative Vehicle Miles Traveled (VMT) impacts is explained on pages 147-148 of the Draft SEIR and is based on the project's affects to regionwide VMT. The cumulative condition is based on the City of Mountain View travel model and the 2007 Association of Bay Area Governments (ABAG) land use projections for adjacent jurisdictions and planned and funded transportation system improvements in the Valley Transportation Plan (VTP) 2040. While the above

mentioned Google projects are not explicitly mentioned in the cumulative condition, additional growth within adjacent jurisdictions is accounted for in the analysis. Other cumulative transportation impacts pertaining to consistency with programs, plans, ordinance, and policies, hazards, and emergency access are more localized to the project site and area, (i.e., not affected by the cumulative projects identified in the above comment, which are either already built and occupied or located at least two miles from the project site) and evaluated as such on pages 147-149 of the Draft SEIR.

Text has been added to page 48 of the Draft SEIR to clarify that the cumulative analysis considers the effects of cumulative projects including the existing Google Bayview campus, the approved but not yet constructed Google Caribbean campus, and the proposed Moffett Park Specific Plan where applicable (refer to Section 5.0 Draft SEIR Text Revisions).

In addition, for all the impacts assessed in the Draft SEIR, the proposed project was found to have the same or similar impacts to those disclosed in the certified 2017 Precise Plan EIR. Therefore, the proposed project, which is within the same geographic area analyzed in the certified 2017 Precise Plan EIR, would not result in new or more severe significant cumulative impacts than those disclosed in the 2017 Precise Plan EIR.

This comment does not provide new information that would change the analysis or conclusions disclosed in the Draft EIR.

Comment K.18: 10) Artificial Light at Night

In the time since the NBPP was adopted, scientific evidence and understanding of the devastating impacts of Artificial Light At Night (ALAN), especially in the blue band of the spectrum, has grown substantially. We now know much more about impacts of ALAN to the environment and to human health, and we have a better understanding of how to mitigate the impacts. The Artificial Light at Night Research Literature Database includes many recent (2018-2023) scientific studies that focus on the harmful impacts of LED lighting to species, ecosystems and human health, impacts that were not known, and could not have been discovered, when the NBPP was approved in 2017. The primary lesson that emerges from these studies is that ALAN must be minimized.

This upcoming update to City code, and the proliferation of new scientific evidence, justifies a reevaluation of the NBPP standards and strengthening the existing requirements by the following.

- Eliminating minimum requirements for lighting from the NBPP and the NBMPP. Lighting for all human needs can be achieved without setting minimums.
- Turning off all outdoor lights at 10PM.
- Ensuring that Correlated Color Temperature should not exceed 2700 Kelvin (with potential exception to vibrant social activity centers).
- Including as Standards and Guidelines the best practices that the International Dark-sky Association (IDA) provides in its Board Policy on the Application of the Lighting Principles document (June 24, 2021). This policy provides guidance for implementing the Five Principles for Responsible Outdoor Lighting that are offered as mitigation for the significant impacts of

ALAN on the environment. These guidelines include the following among other recommendations.

- The spectral content, or color, of light should be limited to only what is necessary for the task. Because of the disproportionate impact on the nighttime environment, particular attention should be paid to reducing the total emissions of short-wavelength or "blue" light (defined for the purposes of this resolution between the wavelengths of 380 nm and 520 nm) through light source spectrum management.
- To minimize negative environmental impacts, IDA recommends using lamps rated at 2200K CCT18 , Phosphor-Converted Amber LED, or some filtered LED.
- When higher than 2200K CCT is necessary to meet lighting objectives, keep the total emission of blue light into the environment as low as reasonably possible through low intensities, careful targeting, and reduced operating times.
- Near sensitive sites, such as conservation areas, sensitive wildlife habitat, ecological reserves, parks, astronomical observatories, or stargazing sites, IDA recommends that lighting installations use 0% blue light and a narrower spectrum of emission.
- Critically sensitive environments should be kept naturally dark.

- Tall buildings that emit internal light at night can divert bird migration patterns and increase bird collisions. Any buildings that face ecologically sensitive areas should include window coverings that can be drawn at night to reduce visibility of light from surrounding areas. We are especially concerned with the lighting of parking garages, particularly the proposed garage on Amphitheater Parkway.

Response K.18: The analysis in the Draft EIR (page 195) found that the proposed project (including development on Subarea AM1), in compliance with the outdoor lighting standards and guidelines in Precise Plan Section 4.6 Outdoor Lighting and the standards and guidelines in Precise Plan Section 5.2 Bird Safe Design, would reduce light and glare impacts to a less than significant level and would not result in a new or more substantially severe significant impact than disclosed in the 2017 EIR. For this reason, no additional mitigation (such as the measures in the above comment) are required.

Comment K.19: 11) Hydrology
Have impacts of the Project to the hydrology of the Charleston Retention Basin been analyzed? Please ensure that the wetland is not deprived of water.

Response K.19: Impacts related to hydrology and water quality are discussed in Section 4.7 of the Draft SEIR on pages 269-286. The project would comply with the City's standard condition of approval COA HYD-1.1 (described on page 277-279 of the Draft SEIR), the General Construction Permit, and current MRP to reduce water quality impacts to a less than significant level. In addition, the project would retrofit existing streets with stormwater treatments in accordance with the MRP and City policy, and reduce the total amount of impervious surfaces on the project site. Further, the existing drainage patterns leading to Charleston Retention Basin would be maintained and the required stormwater treatment areas would allow cleaner flows to reach the Charleston Retention Basin than under existing conditions.

L. Tamara Wilson (dated February 6, 2023)

Comment L.1: I'm writing today to comment on the Amended North Bayshore Precise Plan (NBPP), Draft Environmental Impact Report (DEIR). In particular, I'd like to comment on the indirect impact on Mountain View schools – both the Mountain View Whisman School District (MVWSD) and the Mountain View Los Altos (MVLA) High School District – responsible for educating the future children coming from this large, new proposed community. As a former MVWSD board member (2016-2020), I see this as a wonderful opportunity for the City of Mountain View, the Developer, and the 2 school districts to work together to serve the future students generated from the proposed development while also considering the broader picture factoring in all future growth in the school impact analysis and school site needs. I realize the City cannot impose school related fees on developers, but the current school impacts are grossly underestimated and the findings are not aligned with real world facts. There are numerous other projects, both approved and in process, that will also bring additional pupils to our schools well ahead of the NBPP development. These numbers do not appear to be factored into the school site impacts. Neither MVWSD nor MVLA has the monetary resources to purchase new land to house the sheer magnitude of all future growth in the city, when all existing and approved developments are factored in. Land costs were roughly $15 million and acre over 3 years ago and even with the State of California paying for ½ of the land costs, our districts simply cannot afford the remaining costs for both land and construction with their current revenue streams.

> **Response L.1:** Please refer to Master Response 1: School Impacts, specifically the Project Impacts section of the response.

Comment L.2: One potential and logical avenue to explore, to alleviate the pressure and of either new land and/or facilities from Mountain View's school districts, would be to faithfully, fairly, and more equitably renegotiate the Shoreline Community Redevelopment Area Tax Increment set to expire in June 2023. The current allocation to MVWSD alone is a mere 38% of what the normal tax base would be in any other part of the city. Renegotiating to a more representative rate could allow both districts to set aside funds for school site modifications, facilities expansion, potential lease lapses (as income would no longer be needed) and possibly the purchase of additional land before the NBPP students arrive, as well as help both district's serve these students once they populate classrooms. Without such revenue, existing student services would decline for all Mountain View students. Ideally, with a development of this size, a walkable elementary school within the NBPP community is what is needed, as all of MVWSD's kids can currently walk and bike to nearby schools, an opportunity all Mountain View residents should be afforded. Schools within communities foster relationships, build healthy connections, improve mental health, and serve as focal gathering spaces for after-hours events and open space use.

> **Response L.2:** Please refer to Master Response 1: School Impacts, specifically the Shoreline Community Redevelopment Area Tax Increment section of the response.

Comment L.3: Thank you for your time and consideration of my comments on the DEIR. I respectfully request a more adequate representation of the full impact on Mountain View's schools of a development of this size, and encourage the thoughtful consideration of all possible, creative, and collaborative solutions to the vision of creating an entirely new neighborhood in our beautiful city while also supporting schools to equitably educate our children near where they live.

Response L.3: Please refer to Master Response 1: School Impacts. This comment does not raise any issues about the adequacy of the Draft SEIR; therefore, no further response is required.

M. The Friends of Mountain View Parks (dated February 6, 2023)

Comment M.1: This document serves as the response by The Friends of Mountain View Parks to the Amended North Bayshore Precise Plan (NBPP) Draft Environmental Impact Report (DEIR). I have reviewed the report and provide the following comments concerning the adequacy of the findings relating to the direct and indirect impacts to parks, open space, the Shoreline Regional Wildlife Area, and the overall quality of life in the proposed North Bayshore development.

The proposed project including up to 7,000 residential units is estimated to generate approximately 12,250 new residents resulting in a parkland requirement of 36.8 acres to meet the City's target of three (3) acres per 1,000 residents. DEIR at page 324-325.

The project Master Plan proposes a total of 30.5 acres of parks and open space with 18.9 acres of unimproved land dedicated to the City of Mountain View and 11.7 areas provided as POPA open space which would be improved and maintained by the applicant in perpetuity. DEIR at Section 2.3.2.

The applicant would pay in lieu fees for the remaining 6.2 acres. DEIR at page 331.

Section 41.5 of the City Code states that "The public interest, convenience, health, welfare and safety require that three (3) acres of property for each one thousand (1,000) persons residing in the city be devoted to public parks and recreational facilities. Section 41.3(c) of the City Code further provides that "[i]f there is no public park or recreation facility designated or required in whole or in part within the proposed residential development, which meets the requirements set forth herein, the owner and/or developer shall be required to pay a fee in lieu of land dedication equal to the value of the land as determined by Secs. 41.5 through 41.9 of this chapter.". "The fees collected pursuant to this chapter are to be used only for the purpose of providing park or recreational facilities to serve the residential development from which fees are collected in accordance with the service area requirement in Table 41.3 of this chapter." Section 41.3(e).

However, a plan for how the in lieu fees based on the value of the 6.2 acres of land will be used to mitigate the impact of the approximately 12,250 new residents in the proposed North Bayshore development has not been set forth in the DEIR. The DEIR fails to provide any plan for how the in lieu fees will be spent or articulate a nexus between the use of the funds and mitigating the impact of the residential development. "[T]o be adequate the payment of fees must be tied to a functioning mitigation program." (California Native Plant Society v. County of El Dorado (2009) 170 Cal.App.4th 1026, 1055); "To be adequate, these mitigation fees ... must be part of a reasonable plan of actual mitigation that the relevant agency commits itself to implementing." (Id., quoting Anderson First Coalition v. City of Anderson (2005) 130 Cal.App.4th 1173, 1188.) "For an in-lieu fee system to satisfy the duty to mitigate, either that system must be evaluated by CEQA (two tier approval for later, more specific, projects) or the in-lieu fees or other mitigation must be evaluated on a project-specific basis." (Id.)

Response M.1: The land acreage the project would dedicate to the City as parkland has been refined from 18.9 to 14.8 acres (please refer to Section 5.0 Draft SEIR Text

Revisions). As noted by the above comment, the City has an adopted Parkland Dedication Ordinance that establishes in-lieu fees. Chapter 41 of the City's Municipal Code states that "The fees collected pursuant to this chapter are to be used only for the purpose of providing park or recreational facilities to serve the subdivision from which fees are collected… Fees so collected shall be used to purchase land, buy equipment, construct improvements or rehabilitate a proposed or existing mini-park, neighborhood park, community park, recreational facility, Stevens Creek Trail, community gardening facility or combination thereof serving said residential development." Therefore, the in-lieu fees paid by the project will be used by the City for park and recreational facilities within proximity to the project site and within the North Bayshore Precise Plan area. Text from Chapter 41 of the Municipal Code has been added to the Draft SEIR summary to clarify this aspect of Chapter 41.

Comment M.2: In addition to the 7,000 residential dwelling units, the proposed North Bayshore development further includes 3.1 million square feet of office space of which 1.3 million square feet is new office space and 1.8 million square feet is existing office space to be developed, 224,000 of retail space, and 525 hotel rooms. Notice of Preparation of a Draft Subsequent Impact Report for the North Bayshore Master Plan Project, City of Mountain View dated February 28, 2022.

The employees, the shoppers, and the visitors to the office buildings, stores, restaurants, and hotels will use the parks and open space. But the DEIR makes no provision for the impacts of these non-residential developments on parks and open space. The cumulative impact of not only those living in the proposed NBBS development but also the employees and visitors to the area should be taken into consideration when determining the appropriate acreage of parks and open space and in developing mitigation strategies that accomplish the objectives of fostering a vibrant neighborhood and community in North Bayshore.

Response M.2: The City's parkland dedication requirement is calculated based on the number of new residents (not employees) a development would generate. Employees and visitors of non-residential uses would use park and recreation facilities on a limited basis compared to residents, therefore, the City does not require parkland dedication for non-residential development. Employees and visitors of non-residential uses are not considered to substantially deteriorate park facilities.

Comment M.3: General Plan Policy POS 1.2 is to "Require new development to provide park and recreation facilities". This policy is not limited to residential development. The new commercial and office developments should be required to provide park and recreation facilities in addition to the parks being created for the new residential development.

Furthermore, it is critical that adequate park and recreational facilities be provided for all those who live, work, and visit the development to ensure that the viability of the Shoreline Regional Wildlife Area as a wildlife habitat is preserved. If adequate park and recreational facilities are not provided for these new visitors and residents, they will inevitably make their way to more sensitive wildlife habitat areas as they seek out the open space not otherwise adequately provided by the project.

For at least these reasons, I recommend that the City and the proponents of the proposed North Bayshore project provide additional park and open space as part of their project, and that the City delay the approval of the North Bayshore Master Plan and the DEIR to address the
concerns raised in this letter.

Response M.3: The complete description of General Plan Policy POS 1.2 is not provided in full in the above comment. Per the General Plan, General Plan Policy POS-1.2 is as follows: "*POS 1.2: Recreation facilities in new residential developments.* Require new development to provide park and recreation facilities." The first sentence of General Plan Policy POS 1.2 ("Recreation facilities in new residential developments") means that this policy pertains to new residential developments. The above interpretation of this General Plan Policy in the above comment is incorrect – this policy does not apply to non-residential developments.

The open space and recreational facilities constructed as part of the project would be available for use to residents, as well as visitors and employees. Protection of the Shoreline Regional Wildlife Area would be maintained and areas off-limits to people would continue to be enforced. As discussed on pages 325 and 331 of the Draft SEIR, the project would comply with the City's Park Land Dedication or Fees In Lieu Thereof Ordinance to provide adequate parkland. Per the City's Parkland Dedication Ordinance, in-lieu fees could be used to maintain existing parks within and near the project site, including Shoreline Park. Also refer to Response M.2:.

None of the comments raised represent new significant information that would warrant recirculation of the Draft SEIR pursuant to CEQA Guidelines Section 15088.5(a).

SECTION 5.0 DRAFT SEIR TEXT REVISIONS

This section contains revisions to the text of the North Bayshore Master Plan Draft SEIR dated December 2022. Revised or new language is underlined. All deletions are shown with a ~~line through the text~~.

Master edit **REVISE** all occurrences of subarea labels with the revised labels below:

Draft EIR Subarea Labels	Final EIR Revised Subarea Labels
~~Shorebird Yards~~	SB-PU
~~SB-PO-1~~	SB-BO-1
~~SB-PO-2~~	SB-BO-1
~~SB-PO-3~~	SB-BO-3
~~SB-PH~~	SB-BH
~~SB-PR-1~~	SB-BR-1
~~SB-PR-2~~	SB-BR-2
~~SB-PR-3~~	SB-BR-3
~~SB-PR-4~~	SB-BR-4
~~SB-PR-5~~	SB-BR-5
~~SB-PR-6~~	SB-BR-6
~~SB-PR-7~~	SB-BR-7
~~SB-PR-8~~	SB-BR-8
~~JS-PO-1~~	JS-BO-1
~~JS-PR-1~~	JS-BR-1
~~JS-PR-2~~	JS-BR-2
~~JS-PR-3~~	JS-BR-3
~~JN-PO-1~~	JN-BO-1
~~JN-PO-2~~	JN-BO-2
~~JN-PR-1~~	JN-BR-1
~~JN-PR-3~~	JN-BR-3
~~JN-PR-4~~	JN-BR-4
~~JN-PR-6~~	JN-BR-6
~~JN-PR-7~~	JN-BR-7
~~PE-PR-1~~	PE-BR-1
~~PE-PR-2~~	PE-BR-2
~~MW1~~	MW-BP-1
~~MW2~~	MW-BP-2
~~AM1~~	SA-BP-1
~~Basement (SB-PH, SB-PO-1, SB-PO-2, SB-PR-1)~~	Basement (SB-BH, SB-BO-1, SB-BO-2, SB-BR-1)
~~Basement (SB-PR-2)~~	Basement (SB-BR-2)
~~Basement (SB-PR-3, SB-PR-4)~~	Basement (SB-BR-3, SB-BR-4)
~~Basement (SB-PR-5)~~	Basement (SB-BR-5)
~~Basement (SB-PR-7)~~	Basement (SB-BR-7)
~~Basement (SB-PR-8)~~	Basement (SB-BR-8)

Page v **REVISE** the fourth sentence under Summary of Project as follows:

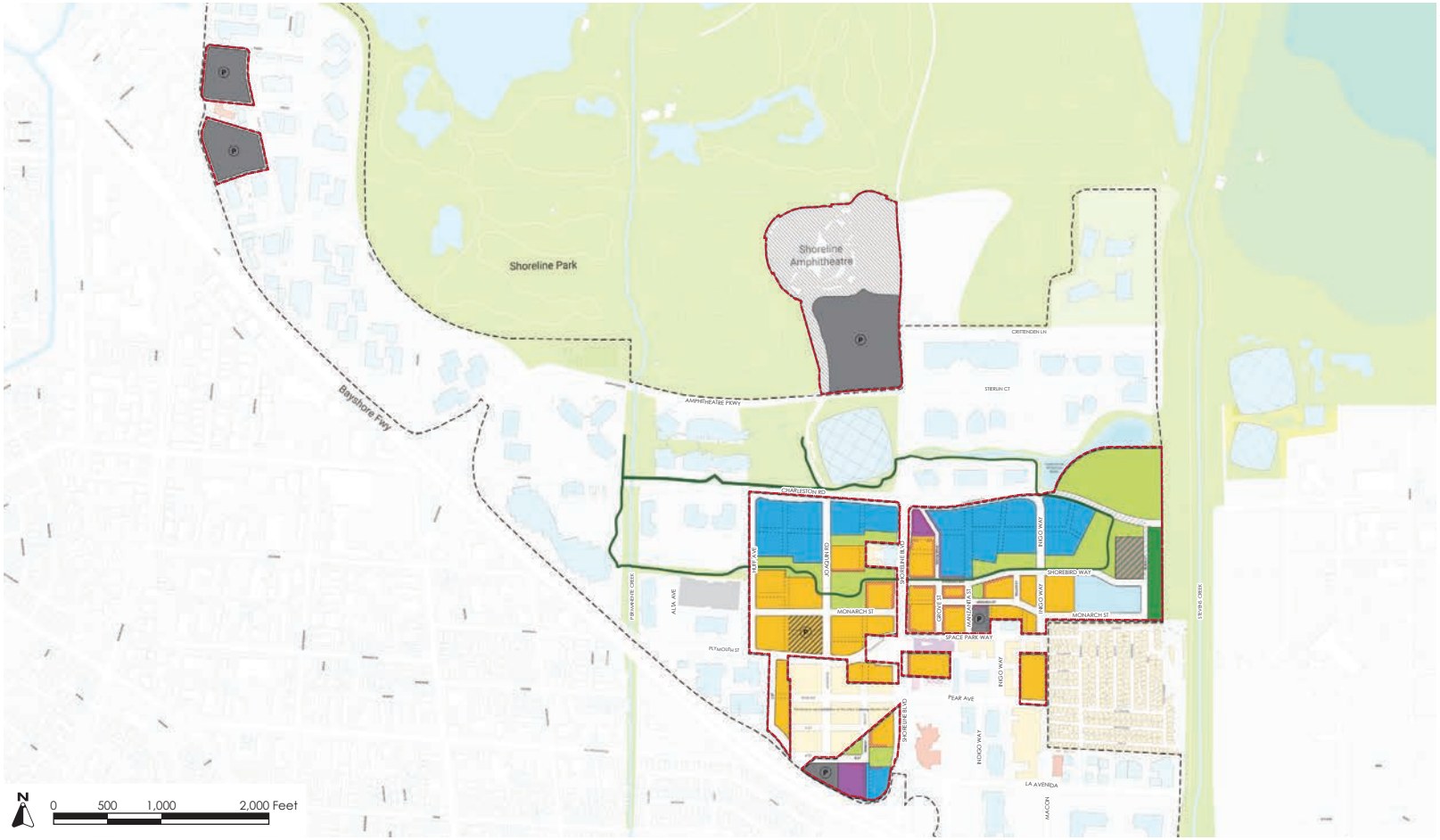
The project would also dedicate ~~18.9~~14.8 acres of public open space and construct 11.~~7~~3 acres of Privately Owned Publicly Accessible (POPA) open space.

Page 12 **REVISE** the first, third, and fourth bullet on this page as follows:

- Up to 7,000 residential dwelling units (including ~~20~~ 15 percent affordable residential units);
- ~~18.9~~14.8 acres of public open space and 11.~~7~~3 acres of Privately Owned Publicly Accessible (POPA) open space;
- Up to 244,000 square feet of retail uses;[4]

Page 13 **REPLACE** Figure 2.3-1 with the following figure:

[4] Since circulation of the Draft SEIR, the project has been refined to reduce the amount of total retail by 10,010 square feet from 244,000 to 233,990 square feet. This reduction would not materially change the impact analyses or conclusions in the Draft SEIR.



Source: Google, March 2023.

PROPOSED LAND USE PLAN

FIGURE 2.3-1

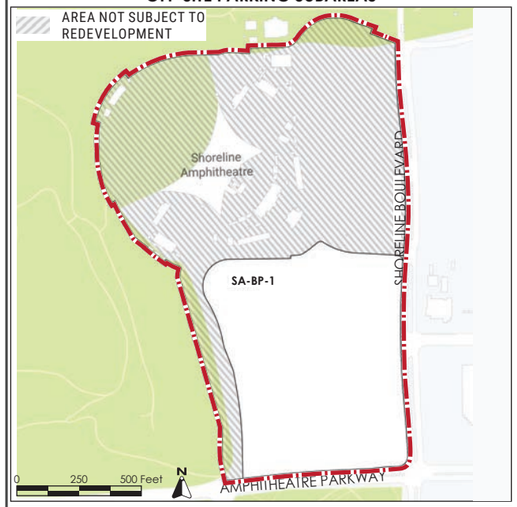
Page 14 **ADD** the following text to the end of the paragraph under Master Plan Subareas:

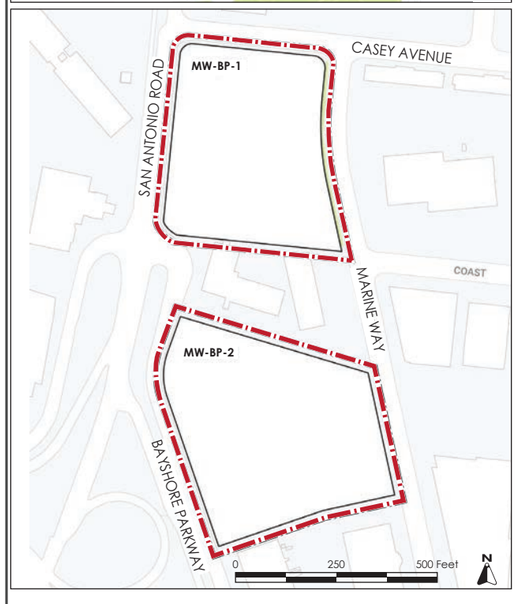
Subarea SB-PU, shown on Figure 2.3-2, would be dedicated to the City for future public use.[5] In addition, land within Subareas noted in Table 2.3-1 below would also be dedicated to the City for the development of affordable housing to meet North Bayshore Precise Plan affordable housing requirements.

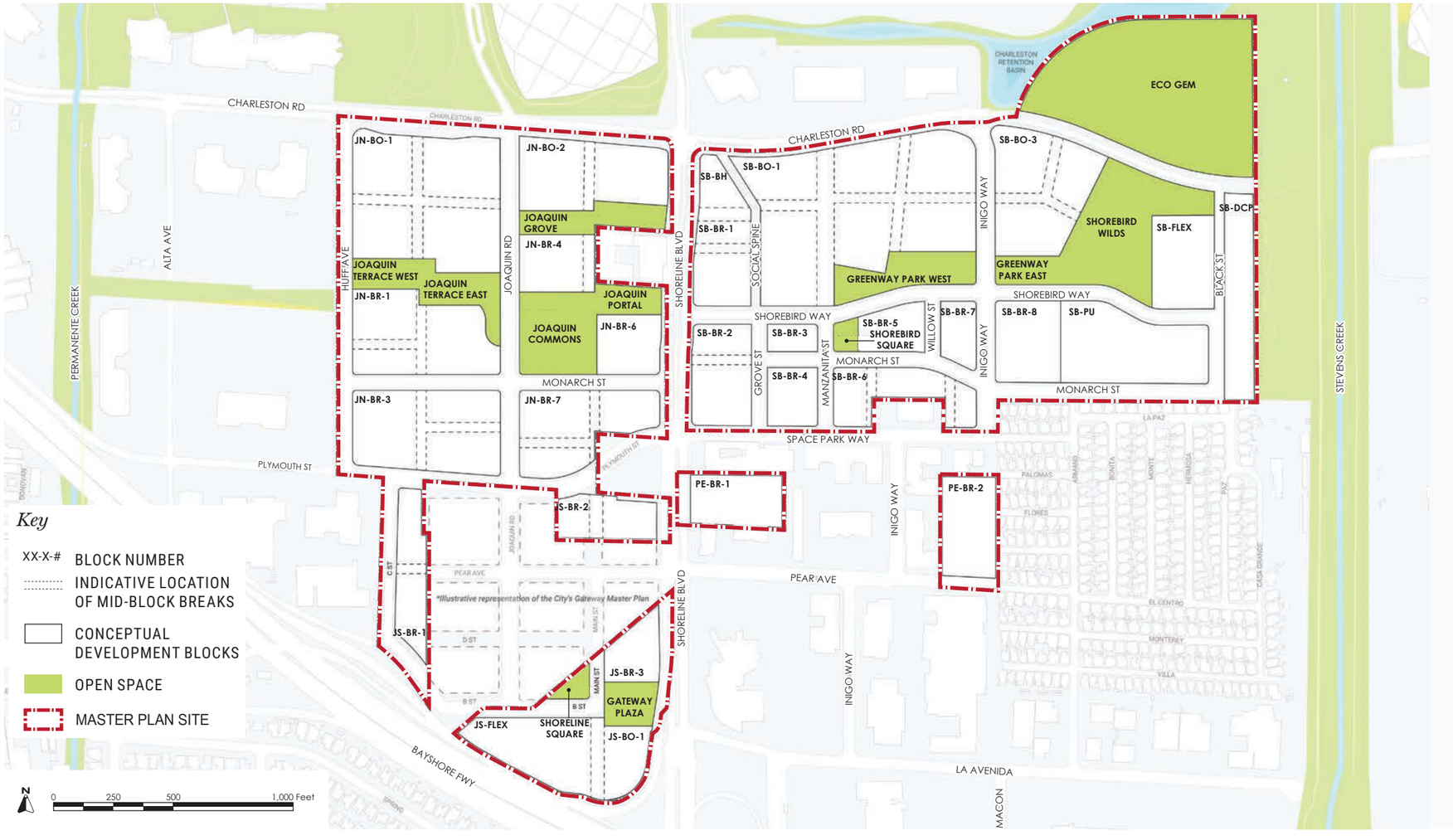
Page 15 **REPLACE** Figure 2.3-2 with the following figure:

[5] The public use of this dedicated land is currently unknown and would undergo separate environmental review once development is proposed.

OFF-SITE PARKING SUBAREAS







Source: Google, March 2023.

MASTER PLAN SUBAREAS | FIGURE 2.3-2

Page 16 **REVISE** Table 2.3-1 as follows:

Table 2.3-1: Master Plan Development by Subareas							
Subareas	**Proposed Use(s)**	**Square Feet**	**Units**	**Maximum Building Height (feet)**	**Vehicle Parking Provided**		**Maximum Excavation Depth (feet)**
					Stalls	**Square Feet**	
SB-BPO-1	Office	511,259	0	110	118	111,714	8
	Retail	33,711			136		
~~SB-PO-2~~	Office	738,156	0	95	139	65,176	8
Greenway Park West	Retail	2,000	0	95	0	0	8
SB-BPO-3	Office	390,179	0	80	73	32,483	8
Greenway Park East	Retail	1,000	0	80	0	0	8
SB-BPH	Hotel	160,000	0	110	0	0	8
	Retail	16,731					
SB-BPR-1	Residential	360,342	366	160	257	139,000	8
	Retail	27,192			80		
SB-BPR-2	Residential	486,000	428	160	233	98,000	8
	Retail	39,707					
SB-BPR-3	Residential	202,000	211	160	0	0	8
	Retail	18,552					
SB-BPR-4	Residential	296,000	297	160	224	77,000	8
	Retail	12,825					
SB-BPR-5	Residential	183,000	176	95	162	68,000	8
	Retail	16,732					
SB-BPR-6[2]	Residential	223,000	220	95	155	34,000	8
	Active Use	4,550	0	95	495	185,000	
	Hotel Parking	0			105		
SB-BPR-7	Residential	161,000	172	95	73	15,000	8
SB-BPR-8	Residential	241,000	215	55	280	117,000	8
SB-FLEX	Community	55,000	0	45	0	0	8

Table 2.3-1: Master Plan Development by Subareas							
Subareas	**Proposed Use(s)**	**Square Feet**	**Units**	**Maximum Building Height (feet)**	**Vehicle Parking Provided**		**Maximum Excavation Depth (feet)**
					Stalls	**Square Feet**	
	District Systems, Ancillary Retail	35,000					
SB-DCP	District Systems	95,000	0	45	5	0	8
~~SB-PP~~	~~Retail~~	~~4,550~~	~~0~~	~~95~~	~~495~~	~~151,000~~	~~8~~
	~~Hotel Parking~~	~~0~~			~~105~~		
JS-B~~P~~O-1	Office	250,000	0	140	50	25,000	8
	Retail	3,990					
JS-B~~P~~R-1[2]	Residential	426,000	409	160	220	54,000	8
JS-B~~P~~R-2[2]	Residential	~~284,000~~ 288,000	~~283~~ 276	160	~~201~~ 161	~~84,000~~ 47,000	8
	~~Retail~~	~~10,010~~					
JS-B~~P~~R-3	Residential	327,000	318	160	241	107,000	8
	Retail	7,000					
JS-FLEX	Hotel	180,000	0	140	250	332,579	8
	Retail	4,000					
	Office	0			450		
JN-B~~P~~O-1	Office	770,023	0	95	171	72,478	8
JN-B~~P~~O-2	Office	486,280	0	110	112	46,497	8
JN-B~~P~~R-1[2]	Residential	970,000	922	160	688	186,000	8
JN-B~~P~~R-3	Residential, Parking	953,000	881	160	1,059	404,215	8
JN-B~~P~~R-4	Residential	367,000	375	160	220	74,000	8
	Retail	7,748					
The Portal	Retail	1,000	0	110	0	0	8
JN-B~~P~~R-6	Residential	~~280,000~~ 380,000	391	160	182	76,000	8

Table 2.3-1: Master Plan Development by Subareas							
Subareas	**Proposed Use(s)**	**Square Feet**	**Units**	**Maximum Building Height (feet)**	**Vehicle Parking Provided**		**Maximum Excavation Depth (feet)**
					Stalls	**Square Feet**	
	Retail	20,655					
JN-B~~P~~R-7	Residential	~~809,000~~ 805,000	~~764~~ 771	160	~~520~~ 560	~~173,000~~ 210,000	8
	Retail	6,597					
PE-B~~P~~R-1	Residential	287,000	341	160	184	77,000	8
	Retail	10,000					
PE-B~~P~~R-2[2]	Residential	232,000	231	95	151	63,000	8
~~MW1~~ MW-BP-1	Parking	0	0	80	416	477,411	8
~~MW2~~ MW-BP-2	Parking	0	0	80	474	362,120	8
~~AM1~~ SA-BP-1	Police Operations Station	2,000	0	90	4,584	1,516,800	8
	Parking	0					
Basement (SB-B~~P~~H, SB-B~~P~~O-1, SB-B~~P~~O-2, SB-B~~P~~R-1)[1]	Office, Residential, Hotel, Retail	0	0	160	800	653,483	30
Basement (SB-B~~P~~R-2)[1]	Residential, Retail	0	0	160	327	117,008	30
Basement (SB-B~~P~~R-3, SB-B~~P~~R-4)[1]	Residential, Retail	0	0	160	331	82,400	30
Basement (SB-B~~P~~R-5)[1]	Residential, Retail	0	0	95	115	54,416	30
Basement (SB-B~~P~~R-7)[1]	Residential	0	0	95	112	39,624	30

Table 2.3-1: Master Plan Development by Subareas							
Subareas	**Proposed Use(s)**	**Square Feet**	**Units**	**Maximum Building Height (feet)**	**Vehicle Parking Provided**		**Maximum Excavation Depth (feet)**
					Stalls	**Square Feet**	
Basement (SB-B~~P~~R-8)[1]	Residential	0	0	55	140	94,020	30
[1] Basement parking is not proposed at this time; however, if basement is pursued an equivalent amount of podium parking would be removed in order to maintain a proposed total number of 12,708 parking spaces (see Table 3.3-2 below) [2] Land within these subareas would be dedicated to the City for development of affordable housing to meet North Bayshore Precise Plan affordable housing requirements.							

Page 19 **ADD** the following footnote to Table 2.3-2:

Table 2.3-2: Square Footage of Master Plan Uses	
Master Plan Uses	**Square Feet**
Office	3,145,897
Residential (7,000 units)	7,187,342
Hotel (525 rooms)	340,000
District Central Plant	130,000
Retail[1]	244,000
Community	55,000
Parking (12,708 stalls)	5,377,066
1. Since circulation of the Draft SEIR, the project has been refined to reduce the amount of total retail by 10,010 square feet from 244,000 to 233,990 square feet. This reduction would not materially change the impact analyses or conclusions in the Draft SEIR.	

Page 19 **REVISE** the first paragraph and Table 2.3-3 under Parks and Open Space as follows:

The Master Plan proposes a network of dedicated public space, POPA open space subject to an access covenant, and private open space. Approximately ~~18.9~~14.8 acres of unimproved land is proposed to be dedicated to the City.[6] In addition, approximately 11.~~7~~3 acres of parks and open space would be provided as POPA open space which would be improved and maintained by the applicant (Google) in perpetuity. In total, approximately ~~20~~ 17 percent of the project site (i.e., ~~30.5~~26.1 of the ~~151~~ 153 acres) would be dedicated parkland or POPA. Additional publicly accessible spaces include streets, paths,

[6] Subsequent environmental review may be required when the City proposes to develop this dedicated land.

and other areas that do not qualify as parks. Parkland and open space locations and sizes are detailed in Table 2.3-3 and shown in Figure 2.3-3 below.

Table 2.3-3: Park and Open Space Locations and Size				
Park	**Neighborhood**	**Area (acres)**	**Type**	**Ownership**
Greenway Parks	Shorebird	±2.4~~5~~	POPA	Google
Eco Gem	Shorebird	±10.7~~8~~	Dedicated	City
Shorebird Wilds	Shorebird	±4.5~~6~~	POPA	Google
~~Shorebird Yard~~	~~Shorebird~~	~~±4.1~~	~~Dedicated~~	~~City~~
Shorebird Square	Shorebird	±0.3	Dedicated	City
The Portal	Joaquin	±0.8	POPA	Google
Joaquin Grove	Joaquin	±1.4	POPA	Google
Joaquin Commons	Joaquin	±2.6	Dedicated	City
Joaquin Terrace	Joaquin	±2.2	POPA	Google
Gateway Plaza	Joaquin	±0.9	Dedicated	City
Shoreline Square	Joaquin	±0.3	Dedicated	City
Total acreage		±~~30.5~~26.1		

Page 21 **REPLACE** Figure 2.3-3 with the following figure:

Source: Google, March 2023.

PROPOSED PARKS AND OPEN SPACE AREAS

FIGURE 2.3-3

Page 27 **REVISE** the second sentence of the first paragraph as follows:

Heating and cooling for all Master Plan buildings would be provided from the DCP through all-electric generation using a combination of ground source heating and cooling, heat recovery chillers, air source heat pumps, water-cooled chillers, cooling towers, biogas, and thermal energy storage. ~~This~~ Most mechanical equipment (i.e., chillers, heat pumps, and pumps) would be located inside the DCP, with only the cooling towers mounted on the roof or adjacent to the DCP.

Page 30 **REVISE** the second bullet labeled Energy Efficiency Design as follows:

- Energy Efficient Design: Energy modeling in early design phases to optimize window~~wall~~-to-wall ratios, thermal performance, and exterior shading.

Page 32 **REPLACE** Figure 2.3-4 with the following figure:

Source: Google, March 2023.

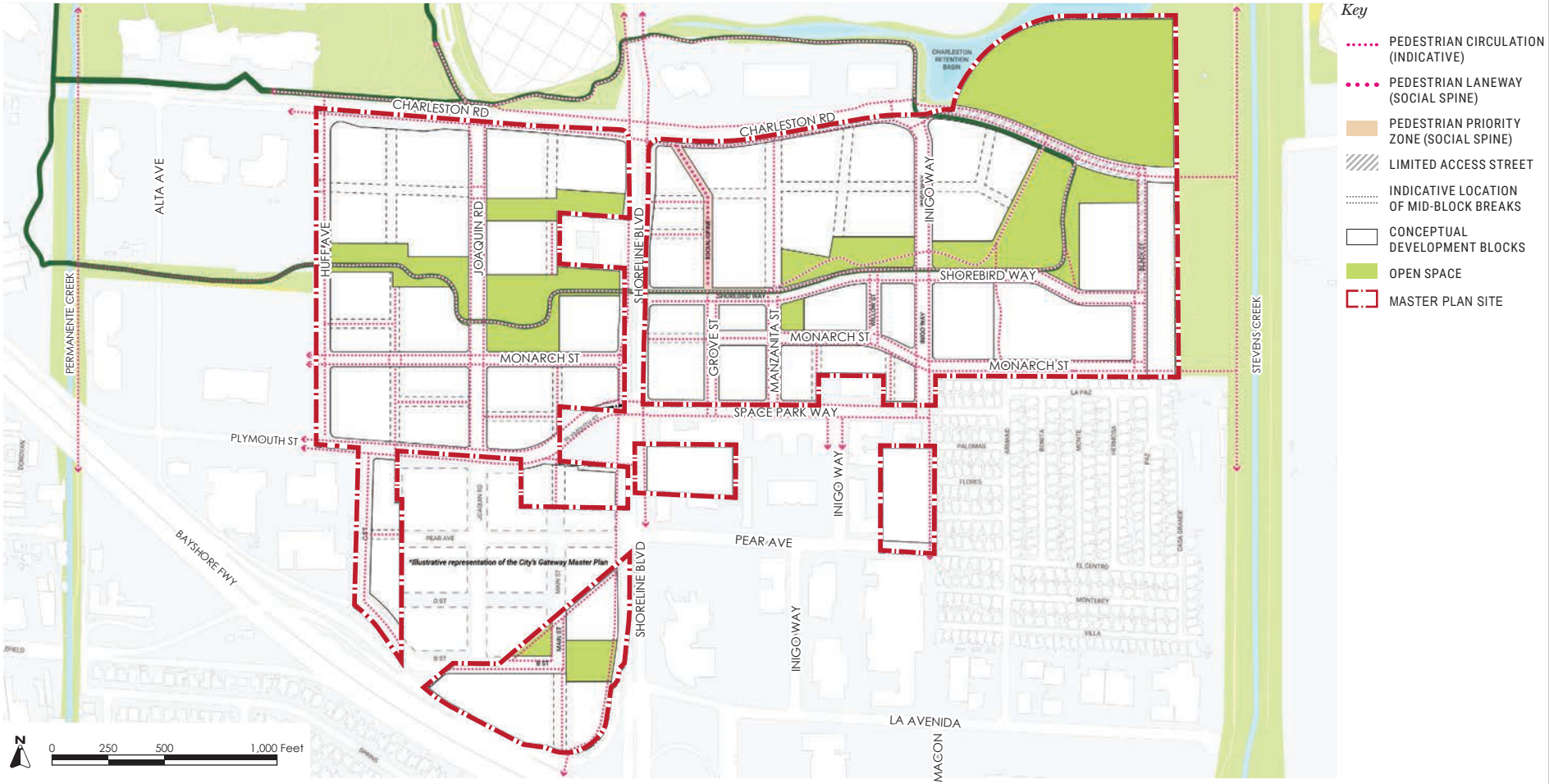
PROPOSED STREET NETWORK

FIGURE 2.3-4

Page 33 **REMOVE** the second paragraph on this page:

~~Further, as a Community Benefit pursuant to the allocation of 1.3 million square feet of Bonus FAR, the Master Plan would contribute funds toward the completion of the Charleston Transit Corridor (Phases 2 and 3). The Charleston Transit Corridor would turn Charleston Road into a transit corridor that would give priority to bus transit and would provide dedicated cycle tracks along its entire length in order to encourage non-vehicular transportation. The Charleston Transit Corridor is a City project subject to separate CEQA review and permitting.~~

Pages 34-35 **REPLACE** Figure 2.3-5 and Figure 2.3-6 with the following figures:



Source: Google, March 2023.

PROPOSED PEDESTRIAN NETWORK

FIGURE 2.3-5

Source: Google, March 2023.

PROPOSED BICYCLE NETWORK

FIGURE 2.3-6

Page 36 **REVISE** the text in the first and second columns of Table 2.3-5 as follows:

Table 2.3-5: Summary of Proposed District Parking Facilities			
Parking Garage	**Subarea Location**	**Use Served**	**Approximate Number of Parking Stalls**
SB-P-1	SB-PP	Hotel, Retail, residential visitor	±600
JN-P-1	JN-B~~P~~R-3	Hotel, Retail, residential visitor	±500
JS-P-1	JS-Flex	Office, Hotel, Retail, residential visitor	±700
~~AM1~~ SA-P-1	~~AM1~~ SA-BP-1	Office, public	±4,584
~~MW1 & MW2~~ MW-P-1 & MW-P-2	~~MW1 & MW2~~ MW-BP-1 & MW-BP-2	Office	±890
Total			**±7,274**

Page 37 **REVISE** the text of the first paragraph under the Heritage Trees and Landscaping heading as follows:

The project site contains approximately ~~3,969~~3,608 trees[7], ~~1,806~~1,660 of which are Heritage trees as defined in the City's Municipal Code. Implementation of the Master Plan would result in the removal of approximately ~~3,330~~2,895 existing trees (including ~~1,509~~1,345 Heritage trees). The project would plant 3,115 new trees throughout the site as required by City policies or as otherwise agreed to with the City. Tree species to be planted would be native and include oak and sycamore trees. In addition to new trees, the Master Plan proposes new landscaping consisting of native and/or drought-tolerant plants. The landscaping (including trees) within the project site to the greatest degree possible would be irrigated using recycled water (not potable water) to the extent feasible at full buildout.

[7] This total excludes the trees on land that would be dedicated as parkland as part of the proposed project, except for the Eco Gem. Existing trees on the Eco Gem subarea are included in the 3,608 total.

Page 46 **ADD** the following text to the Valley Water row:

Valley Water/U.S. Environmental Protection Agency	Approvals of proposed geobores. Review and approval may be required if wells are required and/or if abandoned wells are proposed to be destroyed during construction of the project. Review and issue well construction, relocation, and destruction permits, including soil borings greater than 45 feet in depth.

Page 48 **REVISE** the text of the first paragraph as follows:

Table 3.0-1 identifies the pending and approved (but not yet constructed or occupied) cumulative projects ~~within 1,000 feet of~~ near the project site that were ~~included~~ considered in the cumulative ~~air quality~~ analysis. Cumulative projects, including the existing Google Bayview campus, the approved but not yet constructed Google Caribbean campus, and the proposed Moffett Park Specific Plan, are analyzed in the Draft SEIR where applicable.

Page 61 **ADD** the following bullet and footnote to mitigation measure MM AQ-1.1:

MM AQ-1.1: Both Project Options: The project (under either option) shall implement the following measures during all phases of construction:

- For demolition and construction activities prior to the year 2024, off-road diesel vehicles 25 horsepower or greater shall use R99 or R100 renewable diesel fuel to the extent feasible and commercially available.[8]

Page 65 **ADD** the following footnote to the second sentence of the first paragraph:

The greatest sources for operational ROG emissions are area emissions (e.g., architectural coatings and consumer product use) and the greatest source for operational NO_x and PM_{10} emissions is project traffic.[9]

[8] The California Air Resources Board adopted new regulations for off-road diesel equipment in November 2022, which requires all off-road diesel vehicles 25 horsepower or greater to use R99 or R100 renewable diesel fuel beginning January 1, 2024, Source: California Air Resources Board. "Proposed Amendments to the In-Use Off-Road Diesel-Fueled Fleets Regulation". November 17, 2022. Accessed April 10, 2023. https://ww2.arb.ca.gov/sites/default/files/barcu/board/res/2022/res22-19.pdf.

[9] Since circulation of the Draft SEIR, the project description has been refined to no longer provide inclusionary housing, which would reduce the percentage of affordable housing units from 20 percent to 15 percent. The number of overall housing units (7,000) would not change. Mobile emissions from project operation were based on trip generation rates that differentiate between market rate and affordable housing units. The five percent shift from affordable to market rate housing units would result in approximately 116 additional daily vehicle trips. This incremental increase in trips would not change the results of the operational air quality analysis, nor change the conclusions presented in the Draft SEIR for operational air quality emissions.

Page 66 **REVISE** the first sentence on this page as follows:

The project's mobile NO_x and PM_{10} emissions from proposed land uses would be reduced to the maximum extent feasible through the stringent TDM measures proposed by the project as described in Section ~~3~~2.3.10 Transportation Demand Management.

Page 89 **REVISE** the text in row AQ-C in the table as follows:

AQ-C:	**Both Project Options:** The project (under either option) would result in a cumulatively considerable contribution to a significant cumulative air quality impact.	Yes	S	2017 EIR MM AQ-2.1, 2017 EIR MM AQ-3.1, ~~2017 EIR MM-4.1~~, MM AQ-1.1, MM AQ-1.2	SU

Page 97 **ADD** the following text at the bottom of the page after Mountain View Heritage Tree Preservation Ordinance discussion:

Burrowing Owl Preservation Plan

The City of Mountain View first adopted the Burrowing Owl Preservation Plan (BOPP) in 1998 and it was updated in October 2012. The BOPP describes an adaptive management approach to preserving burrowing owls based on setting goals, implementing actions to achieve those goals and monitoring the results of actions and the, if goals are met, revising actions based on consultation with burrowing owl experts and Shoreline Park managers to determine what actions could be taken to improve conditions for burrowing owls. The BOPP also provides procedures for meeting wildlife laws and regulations without the City having to consult CDFW on every action taken at Shoreline Park that has the potential to harm burrowing owls.

Page 98 **REVISE** the text of the third paragraph under the Habitat heading as follows:

The project site contains ~~4,021~~ a total of 3,820 trees~~,~~. Of the existing trees, 212 of the trees are located within areas proposed to be dedicated to the City as parkland (except for the Eco Gem) and, therefore, would be managed at the City's discretion. The remaining trees (3,608 trees) are located within areas proposed for redevelopment and the Eco Gem. Of the 3,608 tree, ~~including 1,812~~1,660 are Heritage trees as defined in the City's Municipal Code.[10] Of the ~~4,021~~3,608 trees ~~on site, approximately 12 percent are in poor condition, 42 percent are in fair condition, and 46 percent are in~~

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

~~good condition. T~~the most common tree species ~~on-site~~ are coast redwood, London plane, sweetgum, Canary island pine, and evergreen ash, most of which are in good or fair condition. ~~The most common tree on-site is the coast redwood, which comprises approximately 21 percent of the trees on-site. The largest tree on-site is a coast redwood with a trunk diameter of 58 inches, it is located in the northeastern portion of the project site.~~

Page 100 **ADD** the following text in the paragraph under the Burrowing Owl heading:

An actively breeding population of burrowing owls is present in Shoreline Park, and habitats on Vista Slope, immediately west of Subarea ~~AM1~~SA-BP-1, are managed to provide suitable nesting, roosting, and foraging habitat for this species. Marginally suitable burrowing owl foraging and roosting habitat, and possibly nesting habitat, is present on the north, east, and western margins of Subarea ~~AM1~~SA-BP-1 in the form of ruderal grassland with abundant ground squirrel burrows. There is no evidence that burrowing owls have used Subarea SA-BP-1 for nesting habitat in recent years. These areas do not provide high-quality owl habitat due to their narrow nature and frequent disturbance, but burrowing owls may occasionally be present on Subarea ~~AM1~~SA-BP-1. Burrowing owls are more likely to occur (and more regularly) in the Vista Slope grasslands immediately to the west of ~~AM1~~SA-BP-1. It is possible that up to one pair of white-tailed kites and one pair of loggerhead shrikes could nest in trees or shrubs within or immediately adjacent to Subarea ~~AM1~~SA-BP-1.

Page 101 **ADD** the following text right after the "MM BIO-1.1:" text:

MM BIO-1.1: **Both Project Options:**

Page 102 **ADD** the following text right after the "MM BIO-1.2:" text:

MM BIO-1.2: **Both Project Options:**

Page 102 **ADD** the following text right after the "MM BIO-1.3:" text:

MM BIO-1.3: **Both Project Options:**

Page 103 **ADD** the following text after the second paragraph under the Burrowing Owls heading:

In addition, the project would implement the following condition of approval to further reduce any potential impacts to burrowing owls on Subarea SA-BP-1.

Condition of Approval

COA BIO-1.1: **Both Project Options:** A habitat confirmation survey for burrowing owls must be conducted and submitted for review with any Planned Community Permit (PCP)

requests for development of parking structure at Subarea SA-BP-1. The assessment shall cover all areas within the construction area for the parking structure and Burrowing Owl Preservation Plan (BOPP) boundaries. Based on the results of the habitat survey, the applicant shall comply with Chapter 5.1 Habitat Overlay Zone of the Precise Plan, the BOPP and the habitat assessment guidelines found in the CDFW Staff Report on Burrowing Owl Mitigation, 2012. Management measures would be developed by the City in coordination with the California Department of Fish and Wildlife and may include establishment of new nesting or foraging habitat, enhancement of existing habitat or passive relocation of burrowing owls.

Page 109 **REVISE** the text of the first paragraph under the Tree Preservation Ordinance heading as follows:

The proposed project would remove ~~3,330~~2,895 existing on-site trees, including ~~1,509~~1,345 Heritage trees, from the project site. The project would plant ~~3,715~~3,115 new trees. The City of Mountain View regulations require a permit to remove or move any tree over 48-inches in circumference or any *Quercus*, Sequoia, or *Cedrus* over 12-inches in circumference (measured at 54-inch above grade). A City of Mountain View Heritage tree removal permit is required before any Heritage trees are removed. The proposed project (under either option) would implement the following standard City condition of approval.

Page 111 **ADD** the following text before the last sentence of the first paragraph:

In addition, the project would not conflict with the burrowing owl management activities related to the Habitat Plan within Shoreline Park. For these reasons, the project (under either option) would not conflict with an adopted habitat conservation plan. Impacts would be consistent with those identified in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Page 135 **DELETE** the following text in the first sentence of the last paragraph:

The proposed project (under either option) is consistent ~~with the Precise Plan; therefore, it is consistent~~ with Plan Bay Area 2050 and California Transportation Plan 2040 for the same reasons disclosed in the 2017 EIR for the Precise Plan.

Page 123 **ADD** the following text in row GHG-C in the table:

GHG-C:	**Both Project Options:** The project would result in a cumulatively considerable contribution to a cumulatively significant GHG emissions impact.	Partially	SU	2017 EIR MM AQ-2.1, 2017 EIR MM AQ-3.1, 2017 EIR MM GHG-1.1, 2017 EIR MM GHG-1.2, MM AQ-1.1, MM AQ-1.2	SU

Page 135 **REVISE** the text under VTA Bus Service as follows:

VTA Route 40 and the ACE Orange Shuttle~~Line~~ serves the project vicinity with bus stops in each direction on Shoreline Boulevard and Charleston Road. Route 40 also stops at the Mountain View Transit Center, approximately 1.5 miles south of ~~from~~ the project site, and the San Antonio Transit Center, approximately 2.5 miles southwest of the project site. The Mountain View Transit Center provides connections to Caltrain, VTA light rail transit, several VTA bus routes (21, 40, 51, and 52), MV community shuttle, and MVgo shuttle routes. The San Antonio Transit Center also provides connections to several VTA bus routes (21, 22, 40, and 522).

Page 144 **REVISE** the impact conclusion of the second paragraph as follows:

For these reasons, the project (under either option) would not conflict with a transit program, plan, ordinance or policy, and would not result in a new or substantially more severe significant transit impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact, pursuant to SB 743~~Significant and Unavoidable Impact~~])**

Page 144 **ADD** the following footnotes to the third paragraph under Impact TRN-2:

The proposed project's land use mix, TDM plan, and 35 percent SOV mode share target were entered into the City's Travel Model to calculate total project-generated VMT.[11] As shown in 3.4-3 below, the

[11] Since circulation of the Draft SEIR, the project description has been refined to no longer provide inclusionary housing, which would reduce the percentage of affordable housing units from 20 percent to 15 percent. The number of overall housing units (7,000) will not change. VMT is partially based on trip generation rates and service population numbers that differentiate between market rate and affordable housing units. The five percent reduction in affordable housing units would result in approximately 116 additional daily vehicle trips and 35 additional residents. These incremental increases would not change the results of the VMT analysis, nor change the less than significant impact conclusion presented in the Draft SEIR for VMT.

project's total VMT per service population (under either option) of 25.13 would not exceed the significance threshold of 24.46; thus, the project would result in a less than significant VMT impact.[12]

Page 164 **REVISE** the third and fourth sentences of the first paragraph under Stormwater Drainage Infrastructure as follows:

The project (under either option) would dedicate approximately ~~18.9~~14.8 acres of unimproved land to the City and construct approximately 11.~~7~~3 acres of POPA open space. This would result in approximately 17 percent of the project site (i.e., ~~30.5~~26.1 of the ~~151~~ 153 acres) being dedicated parkland or POPA which would decrease the amount of impervious surfaces compared to existing conditions by approximately ~~eight~~ three acres (or ~~five~~ two percent).

Page 241 **ADD** the following text before the Off-Site Sources of Contamination heading:

California banned lead as a fuel additive in 1992. Due to the site's proximity to US 101, on-site soils closest to US 101 may contain aerially deposited lead (ADL) from automobiles driving along US 101.

Page 262 **REVISE** the text to the fourth sentence in the second paragraph under Project with District Utilities Systems Option heading as follows:

The project would consult Valley Water's Well Ordinance Program and t~~T~~he geothermal bores would be drilled using techniques and materials, such as installing permanent conductor casing, that would prevent cross-contamination of aquifers as approved under permit issued by the Santa Clara Valley Water District.

Page 277 **ADD** the following text to the last sentence of the COA HYD-1.1, Stormwater Treatment (C.3) section:

Stormwater treatment controls required under this condition may be required to enter into a formal recorded Maintenance Agreement with the City.

Page 279 **REVISE** the text in the second paragraph under Impact HYD-2 as follows:

The City of Mountain View, including the entire project site, lies entirely within the confined zone of the Santa Clara Groundwater Basin and is not located within a designated groundwater recharge area. The principal aquifer zone that Valley Water ~~pumps drinking water~~ manages groundwater from generally occurs at depths below 150 feet bgs, and shallow groundwater within 150 feet of the ground

[12] Since circulation of the Draft SEIR, the project has been refined to reduce the amount of total retail by approximately 10,000 square feet. This reduction would not change the conclusion of the VMT analysis and the impact would remain less than significant.

surface is not typically used for the region's water supply.[13] Between 2010 and 2019, ~~Valley Water~~ well users (including water retailers, other municipal/industrial users, and private well owners) pumped an average of 24.4 billion gallons of groundwater per year (75,000 AFY).

Page 280 **REVISE** the text in the second paragraph as follows:

The dewatering that would occur on-site during construction activities would be limited to depths of 50 feet bgs, which is within the shallow groundwater zone that is not typically used for groundwater supply ~~by Valley Water~~. In addition, the amount of water estimated to be pumped during dewatering activities would comprise a minor percentage of the total amount of water pumped each year ~~by Valley Water~~ from the principal aquifer zones. Consistent with the findings of the 2017 EIR, this dewatering would be temporary and would not deplete groundwater aquifers.

Page 281 **REVISE** the third sentence in the second paragraph as follows:

As discussed under Impact HYD-2, the project would dedicate approximately 17 percent of the site (i.e., ~~30.5~~26.1 of the ~~151~~ 153 acres) as parkland which would decrease impervious surfaces compared to existing conditions.

Page 282-283 **REVISE** the text in the last paragraph on page 282 as follows:

As discussed under Impact HYD-2, the project would require temporary dewatering during construction activities. This dewatering would pump shallow groundwater on-site at depths of up to 50 feet bgs. As discussed previously, this dewatering would not pump groundwater from any principal aquifer zones that are typically used for drinking water supplies. In addition, the amount of dewatering required for the project (under either option) is estimated to comprise a small percentage of the average amount of groundwater pumped ~~by Valley Water~~ from the principal aquifer zones each year. For these reasons, the project (under either option) would not conflict with water quality control plans or sustainable groundwater management plans. **[Same Impact as Approved Project (Less than Significant Impact)]**

Page 292 **REVISE** the text in the third sentence of the first paragraph as follows:

The project (under either option) would be allocated 1.3 million square feet of "bonus" FAR in return for community benefits such as ~~contributing to the funding of the Charleston Transit Corridor and~~ dedicating ~~20~~ 15 percent of the new residential units as affordable housing units.

[13] Ibid. Page 2-3.

Page 302 **REVISE** the following text in the first paragraph as follows:

The existing noise environment in the project area results primarily from vehicular traffic along freeway and roadways (including US 101, North Shoreline Boulevard, Charleston Road, and Amphitheatre Parkway), and aircraft associated with Moffett Federal Airfield. The project site, including Subarea ~~AM1~~SA-BP-1 which is outside of the Precise Plan boundaries, is located outside of the 65 dBA CNEL noise contour for the Moffett Federal Airfield (refer to Figure 4.10-1). The nearest sensitive receptors are the Santiago Villa mobile home park (located south of Subareas SB-~~P~~BR-8 and SB-PU~~the Shorebird Yards~~, and adjacent to the east of PE-~~P~~BR-2), the Shashi Hotel at the corner of North Shoreline Boulevard and Spacepark Way (adjacent to the north of Subarea PE-~~P~~BR-1), and a single-family residence at 1024 Alta Avenue, located approximately 725 feet west of the Joaquin Courts subarea of the Master Plan (refer to Figure 2.3-2).

Page 309 **REVISE** the latter portion of the first paragraph as follows:

It is likely that construction of the proposed project and construction of adjacent cumulative projects would overlap. Specifically, the Microsoft project (located at 1045 La Avenida Street), Sobrato project (located at 1255 Pear Avenue), and the 1100 La Avenida Affordable Housing project are all located near the Santiago Villa mobile home park (located south of Subarea SB-~~P~~BR-8 ~~and the Shorebird Yards,~~ and adjacent to the east of PE-PR-2), a sensitive receptor. All these cumulative projects (including the project under either option), would be required to adhere to City Code requirements and standard conditions of approval (which are discussed under Impact NOI-1). For these reasons, the cumulative projects would not result in a significant cumulative construction noise impact. **[Same Impact as Approved Project (Less than Significant Cumulative Impact)]**

Page 319 **ADD** the following text to the end of the Mountain View Municipal Code section as follows:

Chapter 41 of the City's Municipal Code states that "The fees collected pursuant to this chapter are to be used only for the purpose of providing park or recreational facilities to serve the subdivision from which fees are collected… Fees so collected shall be used to purchase land, buy equipment, construct improvements or rehabilitate a proposed or existing mini-park, neighborhood park, community park, recreational facility, Stevens Creek Trail, community gardening facility or combination thereof serving said residential development."

Page 320 **REVISE** the text in the last sentence of the first paragraph under Schools as follows:

Students generated by the project would attend Monta Loma Elementary School located at 460 Thompson Avenue (approximately ~~one~~ 1.3-miles southwest of the core project site), Crittenden Middle School located at 1701 Rock Street (approximately 0.~~2~~6-mile southwest of the core project site), and Mountain View High School located at 3535 Truman Avenue (approximately ~~four~~ five miles south of the core project site). Figure 4.12-1 below shows the approximate distance of Monta Loma Elementary School and Crittenden Middle School in relation to the project site.

ELEMENTARY AND MIDDLE SCHOOL LOCATIONS | FIGURE 4.12-1

Page 324 **REVISE** the text in the first full paragraph as follows:

The project (under either option) includes up to 7,000 residential units (~~1,400~~ 1,050 of which would be affordable), which would generate approximately 12,250 residents. It is estimated that the project (under either option) would generate ~~1,471~~ 1,321 elementary and middle school students and ~~700~~ 607 high school students for a total of ~~2,171~~ 1,928 new students.[14] The estimated project generated students would materialize over time with the project's 14-year buildout. The proposed residential units and their associated project generated students were accounted for in the 2017 EIR analysis.[15] As discussed in Section 4.12.1.2, both Monta Loma Elementary School and Crittenden Middle School have existing capacity based on current enrollment numbers and would be able to accommodate most of the project's estimated ~~1,471~~ 1,321 elementary and middle school students. ~~Therefore, the addition of new students as the project is gradually built-out would not require the expansion of those schools.~~ As of the end of the 2021 to 2022 school year, Mountain View High School is over capacity by 770 students. The school currently utilizes portable classrooms in addition to permanent education facilities to accommodate the additional students.[16] The construction of permanent classroom facilities is underway through Measure E bond program funding and has undergone separate environmental review.[17] After completion of construction, Mountain View High School would have a capacity of 2,379 students. Despite this increase in capacity, there would not be sufficient capacity to accommodate the estimated ~~700~~ 607 high school students anticipated from the project. Based on current enrollment, Mountain View High School would be ~~637~~ 544 students over capacity. Consistent with the conclusion in the 2017 EIR, the buildout of the Precise Plan (which includes the proposed residential units) may require the expansion or construction of additional school facilities.[18]

[14] Based on the following student generation rates: Elementary and middle school students per market-rate multi-family unit: 0.124 (0.555 per below market-rate unit) Source: Mountain View Whisman School District. *Level I Developer Fee Study*. Appendix E. May 5, 2022. Accessed August 3, 2022.
High school students per market-rate multi-family unit = 0.047 (0.312 per below market-rate unit) Source: Mountain View/Los Altos Union High School District. Level 1 Developer Fee Study. July 27, 2020. Table 1

[15] The 2017 EIR used student generation rates provided by MVWSD and MVLASD at the time the 2017 EIR was prepared. Based on these rates, the project would have generated approximately 980 elementary and middle school students and 671 high school students. Since the certification of the 2017 EIR, the school districts have updated their student generation rates. The updated student generation rates for market rate housing are about the same between the 2017 EIR and the Draft SEIR; however, the draft SEIR now includes a student generation rate for below market rate (BMR) housing for K-8 students. This BMR rate was not included in the 2017 EIR.

This Draft SEIR uses the updated student generation rates provided by MVWSD and MVLASD to estimate the number of students generated by the project. Overall, the current student generation rates estimate an additional 341 elementary and middle school students and a reduction of 64 high school students compared to the 2017 EIR student generation rates.

The updated student generation rates and estimated number of student generated by the project is not considered substantial new information because it would not result in a new or substantially more severe significant impact than disclosed in the 2017 EIR and the project would still pay the state-mandated school impact fee to reduce impacts to schools to a less than significant level.

[16] Aguilar, Irene. Assistant to the Associate Superintendent-Business Services, Mountain View Los Altos High School District. Personal Communication. July 7, 2022.

[17] Mountain View/Los Altos Union High School District. *Draft Mitigated Negative Declaration - Mountain View High School Expansion Project (SCH Number 2011092006)*. November 2018. Page 10.

[18] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Pages 397-398, Page 401.

Page 325 **REVISE** the text in the second paragraph as follows:

The proposed project (under either option) would include a total of ~~30.5~~26.1-acres of open space, including 11.~~7~~3 acres of POPA open space to be developed under the project (under either option) and ~~18.9~~14.8 acres of parkland dedicated to the City for development of future parks at a later date (see Figure 2.3-3). The ~~30.5~~26.1 acres of parkland included in the project would offset the demand for recreational facilities by future employees and residents living and working on-site. Per the City's Park Land Dedication or Fees In Lieu Thereof Ordinance, the project would be required to provide ~~36.8~~34.5-acres of open space to meet the City's three acres per 1,000 residents ratio. As mentioned above, the project proposes ~~30.5~~26.1-acres of open space; therefore, the project would be required to pay in-lieu fees for the remaining ~~6.2~~8.4-acres. Project-related impacts from construction of on-site parks are discussed further in Section 4.13 Recreation below and are concluded to be less than significant, which is consistent with the findings of the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Page 326 **ADD** the following text to the opening paragraph under Impact PS-C as follows:

As discussed in the 2017 EIR, cumulative projects in Mountain View and Sunnyvale may require provision of public services, including fire and police services, schools, and recreational facilities. For instance, the 2017 EIR disclosed that the development of the Precise Plan (which accounts for the proposed number of residential units) and cumulative projects could result in the need for new schools.[19] The cumulative conditions have not substantially changed since the certification of the 2017 EIR and there is no substantial change in the project (e.g., no change in the number of residential units) or circumstances under which the project is undertaken (e.g., no public school closures). While the Master Plan includes more development within the Precise Plan and on Subarea ~~AM1~~SA-BP-1, that development would consist of a parking garage and police substation, which would improve public services in the area.

Page 330 **ADD** the following text to the end of the Mountain View Municipal Code section as follows:

Chapter 41 of the City's Municipal Code states that "The fees collected pursuant to this chapter are to be used only for the purpose of providing park or recreational facilities to serve the subdivision from which fees are collected… Fees so collected shall be used to purchase land, buy equipment, construct improvements or rehabilitate a proposed or existing mini-park, neighborhood park, community park, recreational facility, Stevens Creek Trail, community gardening facility or combination thereof serving said residential development."

[19] Ibid.

Page 331 **REVISE** the text in the second paragraph under Impact REC-1 as follows:

The 2017 EIR concluded that future development in compliance with the Park Land Dedication or Fees In Lieu Thereof Ordinance (Chapter 41 of the City Code) would not result in significant impacts to park or recreational facilities.[20] Per the City's Park Land Dedication or Fees In Lieu Thereof Ordinance, the project (under either option) would be required to provide ~~36.8~~34.5-acres of open space to meet the City's three acres per 1,000 residents ratio. The project (under either option) would comply with the Park Land Dedication or Fees In Lieu Thereof Ordinance by providing a total of ~~30.5~~26.1-acres of open space, including 11.~~7~~3 acres of POPA open space to be developed under the project and ~~18.9~~ 14.8 acres dedicated to the City for development future parks at a later date, and paying in lieu fees for the remaining ~~6.2~~8.4-acres. The compliance of the project (under either option) with the Park Land Dedication or Fees In Lieu Thereof Ordinance would offset the demand for recreational facilities by project employees and residents living and working on-site. The project (under either option) would result in the same less than significant impact to parks and recreational facilities as disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Page 332 **REVISE** the text under Impact REC-2 as follows:

The proposed project (under either option) would construct 11.~~7~~3 acres of POPA open space. The environmental impacts associated with development of this POPA open space are discussed throughout this EIR. The project (under either option) would dedicate ~~18.9~~14.8 acres to the City for future development of City parks. Future development on the dedicated land would be subject to separate environmental review. The development of the POPA open space would not result in any new or substantially more severe significant impacts than disclosed in the 2017 EIR. The project (under either option) would result in new impacts pertaining to construction and operational criteria air pollutants and community health risk; however, these new impacts are attributed to the residential, office, retail, hotel, parking, and district utility system. The development of the ~~30.5~~26.1 acres of open space, as described in Section 2.3.2, would not alone result in new impacts not previously disclosed in the 2017 EIR. Subsequent project-level environmental review may be required for these ~~18.9~~14.8 acres of dedicated parkland when proposed for development. Therefore, the project (under either option) would not result in a new or substantially more severe significant impact than disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Page 332 **REVISE** the first sentence of the second paragraph under Impact REC-C as follows:

As discussed under Impact REC-1 above, the project (under either option) would comply with the Park Land Dedication or Fees In Lieu Thereof Ordinance by providing a total of ~~30.5~~26.1-acres of open space and paying in lieu fees.

[20] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Page 400.

Page 351 **REVISE** Table 8.2-1 as follows:

Table 8.2-1: Summary of Development Assumptions for the Project and Project Alternatives				
		Project Alternatives		
	Project (under either option)[1]	No Project, No New Development	Mitigated 11% Reduced Development	Mitigated 39% Reduced Development
Light Industrial (million square feet)	0	1.8	0	0
Office (million square feet)	3.1		2.8	1.9
Residential (units)	7,000	0	6,230	4,270
Hotel (rooms)	525	0	467	320
Retail (square feet)	244,000	11,056	217,000	148,840
Community (square feet)	55,000	0	49,000	33,550
Park/open space (acres)	~~30.5~~26.1	0	~~27.1~~23.2	~~18.6~~15.9

[1] The project with District Utilities System Option includes a DCP not reflected as a land use in the table.

[2] Park sizes are estimated for the purposes of this discussion. Community benefits and impact requirements and fees would be recalculated based on the ultimate development square footages and residential unit types ultimately approved. Parkland specifically would be provided as a combination of land and impact fees.

Page 353 **REVISE** Table 8.2-2 as follows:

Table 8.2-2: Approximate Percent Reduction in Development Required to Avoid Significant and Unavoidable Construction and Operational Air Quality Impacts			
Construction-Related Impacts			
	NO_x (2024 only)	**Cancer Risk**	**Annual $PM_{2.5}$**
Approximate % Reduction	11	22	39
Approximate Corresponding Amount of Development	Office: 2.8 msf Residential: 6,230 du Hotel: 467 rooms Retail: 217,000 sf Community: 49,000 sf Open Space: 23.2 acres	Office: 2.4 msf Residential: 5,460 du Hotel: 410 rooms Retail: 190,000 sf Community: 43,000 sf Open Space: 20.4 acres	Office: 1.9 msf Residential: 4,270 du Hotel: 320 rooms Retail: 148,840 sf Community: 33,550 sf Open Space: 15.9 acres

Table 8.2-2: Approximate Percent Reduction in Development Required to Avoid Significant and Unavoidable Construction and Operational Air Quality Impacts			
Operation-Related Impacts			
	ROG	**NO_x**	**PM_{10}**
Approximate % Reduction	86	55	28
Approximate Corresponding Amount of Development	Office: 434,000 sf Residential: 980 du Hotel: 74 rooms Retail: 34,160 sf Community: 7,700 sf Open Space: 3.7 acres	Office: 1.4 msf Residential: 3,150 du Hotel: 236 rooms Retail: 109,800 sf Community: 24,750 sf Open Space: 11.7 acres	Office: 2.2 msf Residential: 5,040 du Hotel: 378 rooms Retail: 176,000 sf Community: 40,000 sf Open Space: 18.8 acres

Page 355 **REVISE** the last sentence of the Mitigated 11 Percent Reduced Development Alternative bullet as follows:

Objective 7 is to provide new open space and public park areas and this alternative would provide ~~27.1~~ 23.2 (whereas the project proposes ~~30.5~~26.1 acres under either option).

Page 355 **REVISE** the second to last sentence of the Mitigated 39 Percent Reduced Development Alternative bullet as follows:

Under this alternative, approximately ~~18.6~~15.9 acres of open space/park land would be provided, which is less than the ~~30.5~~ 26.1 acres proposed by the project (under either option).

Appendix A: Draft EIR Comment Letters

Letter A

Department of Toxic Substances Control

Yana Garcia
Secretary for
Environmental Protection

Meredith Williams, Ph.D.
Director
8800 Cal Center Drive
Sacramento, California 95826-3200

Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

January 31, 2023

Ms. Diana Pancholi
City of Mountain View
500 Castro Street
Mountain View, CA 94041
Diana.Pancholi@mountainview.gov

DRAFT SUBSEQUENT ENVIRONMENTAL IMPACT REPORT FOR NORTH BAYSHORE MASTER PLAN – DATED DECEMBER 2022 (STATE CLEARINGHOUSE NUMBER: 2022020712)

Dear Ms. Pancholi:

The Department of Toxic Substances Control (DTSC) received a Draft Subsequent Environmental Impact Report (EIR) for the North Bayshore Master Plan Project (Project). The Lead Agency is receiving this notice from DTSC because the Project includes one or more of the following: groundbreaking activities, work in close proximity to a roadway, presence of site buildings that may require demolition or modifications, importation of backfill soil, and/or work on or in close proximity to an agricultural or former agricultural site.

DTSC recommends that the following issues be evaluated in the Hazards and Hazardous Materials section of the EIR:

1. The EIR references the listing compiled in accordance with California Government Code Section 65962.5, commonly known as the Cortese List. Not all sites impacted by hazardous waste or hazardous substances will be found on the Cortese List. DTSC recommends that the Hazards and Hazardous Materials section of the EIR address actions to be taken for any sites impacted by hazardous waste or hazardous substances within the Project area, not just those found on the Cortese List. DTSC recommends consulting with other agencies that may provide oversight to hazardous waste facilities or sites impacted with hazardous substances in order to determine a comprehensive listing of all sites

impacted by hazardous waste or substances within the Project area. DTSC hazardous waste facilities and sites with known or suspected contamination issues can be found on DTSC's EnviroStor data management system. The EnviroStor Map feature can be used to locate hazardous waste facilities and sites with known or suspected contamination issues for a county, city, or a specific address. A search within EnviroStor indicates that numerous hazardous waste facilities and sites with known or suspected contamination issues are present within the Project's region.

2. A State of California environmental regulatory agency such as DTSC, a Regional Water Quality Control Board (RWQCB), or a local agency that meets the requirements of Health and Safety Code section 101480 should provide regulatory concurrence that the Project site is safe for construction and the proposed use.

3. The EIR should acknowledge the potential for historic or future activities on or near the Project site to result in the release of hazardous wastes/substances on the Project site. In instances in which releases have occurred or may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. The EIR should also identify the mechanism(s) to initiate any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight.

4. Refiners in the United States started adding lead compounds to gasoline in the 1920s in order to boost octane levels and improve engine performance. This practice did not officially end until 1992 when lead was banned as a fuel additive in California. Tailpipe emissions from automobiles using leaded gasoline contained lead and resulted in aerially deposited lead (ADL) being deposited in and along roadways throughout the state. ADL-contaminated soils still exist along roadsides and medians and can also be found underneath some existing road surfaces due to past construction activities. Due to the potential for ADL-contaminated soil, DTSC recommends collecting soil samples for lead analysis prior to performing any intrusive activities for the Project described in the EIR.

5. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition, and disposal of any of the above-mentioned chemicals should be conducted in compliance with California

environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's 2006 *Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers*.

6. If any projects initiated as part of the proposed Project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to DTSC's 2001 *Information Advisory Clean Imported Fill Material*.

7. If any sites included as part of the proposed Project have been used for agricultural, weed abatement or related activities, proper investigation for organochlorinated pesticides should be discussed in the EIR. DTSC recommends the current and former agricultural lands be evaluated in accordance with DTSC's 2008 *Interim Guidance for Sampling Agricultural Properties (Third Revision)*.

DTSC appreciates the opportunity to comment on the EIR. Should you choose DTSC to provide oversight for any environmental investigations, please visit DTSC's Site Mitigation and Restoration Program page to apply for lead agency oversight. Additional information regarding voluntary agreements with DTSC can be found at DTSC's Brownfield website.

If you have any questions, please contact me at (916) 255-3710 or via email at Gavin.McCreary@dtsc.ca.gov.

Sincerely,

Gavin McCreary, M.S.
Project Manager
Site Evaluation and Remediation Unit
Site Mitigation and Restoration Program
Department of Toxic Substances Control

cc: (next page)

cc: (via email)

Governor's Office of Planning and Research
State Clearinghouse
State.Clearinghouse@opr.ca.gov

Mr. Dave Kereazis
Office of Planning & Environmental Analysis
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

Letter

From: Patel, Shrupath <Shrupath.Patel@CityofPaloAlto.org>
Sent: Friday, February 17, 2023 10:35:44 AM
To: Pancholi, Diana <Diana.Pancholi@mountainview.gov>
Cc: Lait, Jonathan <Jonathan.Lait@CityofPaloAlto.org>; Star-Lack, Sylvia <Sylvia.Star-Lack@CityofPaloAlto.org>; Atkinson, Rebecca <Rebecca.Atkinson@CityofPaloAlto.org>; Kamhi, Philip <Philip.Kamhi@CityofPaloAlto.org>

Subject: North Bayshore Master Plan Project Comments

Hello Diana,

Thank you for the opportunity to comment on Draft EIR for the North Bayshore Master Plan Project. Below are the City of Palo Alto's comments regarding the CEQA document, the Master Plan Project, TDM measures, and the upcoming Multimodal Transportation Analysis (MTA). Please feel free to contact me, if you have any questions regarding the comments. We look forward to reviewing the MTA when it is published.

1. The transportation analysis has included the TDM measures to achieve the trip cap targets and to encourage the use of alternative transportation modes. The addition of new jobs and residences will generate additional traffic on Palo Alto streets. The current MVGO shuttle provides service between North Bayshore and Caltrain station via San Antonio Rd. However, there is no shuttle stop on San Antonio Rd in Palo Alto. The future development in North Bayshore and San Antonio Rd would generate the demand for the shuttle service. Project's TDM program should have a provision for the shuttle stop on San Antonio Rd to reduce the local traffic impacts in Palo Alto.
2. The new residential development is likely to generate outbound vehicle trips. The TDM measures should also identify the neighboring major employment areas to provide local shuttle service.
3. The project shall be generating new peak hours trips and daily trips which shall have a local traffic impact on bike routes in Palo Alto. The MTA (Multimodal Transportation Analysis) should also discuss the required pedestrian and bicycle improvements at impacted intersections to provide safer intersection crossings.
4. All Palo Alto intersections selected in the North Bayshore Precise Plan traffic study should also be evaluated as part of the North Bayshore Master Plan MTA.
5. The MTA report should include recommendations for required off-site improvements in Palo Alto if a significant impact is identified on the Palo Alto streets or intersections.
6. The MTA report should be shared with the City of Palo Alto to review the project-generated traffic impacts.
7. The City of Palo Alto identified proposed Housing Opportunity Sites in our draft Housing Element in the vicinity of the North Bayshore Master Plan area, including near West Bayshore Road, San Antonio Road, and Fabian Way. More information on proposed Housing Element Opportunity

Sites can be found online: https://paloaltohousingelement.com/wp-content/uploads/2022/12/Palo-Alto-Housing-Element-2023-2031.pdf.

8. The forthcoming new housing location - Homekey Palo Alto at 1237 San Antonio Road - is near to the North Bayshore Master Plan area. Please consider the Homekey Palo Alto site relative to potential temporary construction air quality, noise, and vibration. For example, use of temporary construction noise barriers, sound curtains, and other noise reduction strategies may be necessary during proposed garage construction near San Antonio Road.
9. If or when development occurs in North Bayshore Master Plan area, there is a standing request from our Fire Department to coordinate on local intersection flow in the San Antonio area to facilitate multi-jurisdiction emergency response access.
10. If or when development occurs in the North Bayshore Master Plan area, there is a standing request from our Emergency Operations team for coordination of public safety operations (including our ongoing shared Computer Aided Dispatch (CAD) system).

Thank you
Shrupath

CITY OF PALO ALTO

Shrupath Patel
Associate Planner
Office of Transportation I City of Palo Alto

250 Hamilton Avenue I Palo Alto, CA 94301
T: 650-329-2568 I E: Shrupath.patel@cityofpaloalto.org

Letter

MVLA
HIGH SCHOOL DISTRICT
Serving the communities of Mountain View, Los Altos and Los Altos Hills

MOUNTAIN VIEW LOS ALTOS HIGH SCHOOL DISTRICT

February 6, 2023

Diana Pancholi, Principal Planner
Community Development Department
500 Castro Street
Mountain View, CA 94041

Dear Ms. Pancholi,

This document serves as the Mountain View Los Altos High School District (MVLA) response to the Draft Subsequent Environmental Impact Report (EIR) for the North Bayshore Master Plan. We have reviewed the report and provide the following information in regard to the adequacy of the findings as related to direct and indirect impacts on the Mountain View Los Altos High School District. We understand that the passage of SB50 limits the levying of developer fees for direct impacts on school districts. However, nothing precludes the City, Developer and School District from working collaboratively to develop a mitigation strategy to address the direct and indirect city growth impacts on the school district.

Student Growth

The City of Mountain View's Draft Subsequent EIR indicates the impact of 700 high school students would be adequately mitigated by developer fees. This is not accurate. In reality, developer fees are woefully inadequate, covering less than ten percent of actual school construction and land costs in the city of Mountain View. Moreover, the updated Draft Subsequent EIR states:

As of the end of the 2021 to 2022 school year, Mountain View High School is over capacity by 770 students. The school currently utilizes portable classrooms in addition to permanent education facilities to accommodate the additional students. The construction of permanent classroom facilities is underway through Measure E bond program funding and has undergone a separate environmental review. After completion of construction, Mountain View High School would have a capacity of 2,379 students.

Despite this increase in capacity, there would not be sufficient capacity to accommodate the estimated 700 high school students anticipated from the project. Based on current enrollment, Mountain View High School would be 637 students over capacity.

The Draft Subsequent EIR acknowledges that there would not be sufficient capacity for the additional high school students that would result from this project. Therefore, an additional high school campus is necessary to accommodate the estimated 700 high school students.

Indeed, the Draft Subsequent EIR does not take into account projects that were already approved in the northern half of the city, some of which are outside of the North Bayshore precise plan area. These projected students will precede the impact of students generated by the North Bayshore Master Plan and further exacerbate Mountain View Los Altos High School District's lack of capacity to accommodate them.

Cost to House Students Generated From the North Bayshore Master Plan

Construction costs in the Bay Area have escalated dramatically in the last ten years. The State per pupil grant does not reflect this escalation, and therefore, the gap between what the State allows and provides for school construction is significantly less than the actual cost of school construction.

Land-City May Reserve or Designate Real Property for a School Site

In addition to the dramatic escalation in construction costs in the Bay Area, land costs have increased as well. The State of California will provide fifty percent of the cost of land for eligible school construction. However, the remaining fifty percent of the land cost is the responsibility of the local school district. These substantial increases in land costs make it difficult to build schools in accordance with the Department of Education school site guidelines. The land cost escalation issues were anticipated when SB50 was drafted and Government Code section 65998 allows cities to "reserve or designate" real property for a school site.

GOVERNMENT CODE - GOV
TITLE 7. PLANNING AND LAND USE [65000 - 66499.58] *(Heading of Title 7 amended by Stats. 1974. Ch. 1536.)*
DIVISION 1. PLANNING AND ZONING [65000 - 66103] *(Heading of Division 1 added by Stats. 1974. Ch. 1536.)*

CHAPTER 4.9. Payment of Fees, Charges, Dedications, or Other Requirements Against a Development Project [65995 - 65998] *(Chapter 4.9 added by Stats. 1986. Ch. 887. Sec. 11.)*

65998. (a) Nothing in this chapter or in Section 17620 of the Education Code shall be interpreted to limit or prohibit the authority of a local agency to reserve or designate real property for a schoolsite.

(b) Nothing in this chapter or in Section 17620 of the Education Code shall be interpreted to limit or prohibit the ability of a local agency to mitigate the impacts of a land use approval involving, but not limited to, the planning, use, or development of real property other than on the need for school facilities.

(Added by Stats. 1998, Ch. 407, Sec. 25. Effective August 27, 1998. Operative November 4, 1998 (Prop. 1A was adopted Nov. 3) by Sec. 31 of Ch. 407. Note: Pursuant to Education Code Section 101122 (subd. (d)), which was added Nov. 8, 2016, by Prop. 51, Chapter 4.9 (Sections 65995 to 65998) as it read on Jan. 1, 2015, continues in effect until Dec. 31, 2020, or earlier date prescribed. Thereafter, Chapter 4.9 may be amended.)

California Department of Education's general guidance for a school site recommends approximately 33.5 acres of land for a high school that would serve approximately 1,100 students, which is the number of high school students MVLA estimates will come from this and other approved housing projects in the city of Mountain View.

As a condition of approval of the North Bayshore Master Plan, and prior to the certification of the Draft Subsequent EIR, we request that the City and Developer designate and reserve a school site for MVLA. The availability of land for school construction in Mountain View is extremely limited. The District is amenable to creative efforts to utilize all real property options and is willing to discuss these options with the Developer.

Indirect Impacts

Chawanakee Unified School District V. County of Madera

In this appellate court case, the court concluded that the phrase in SB50 "impacts on school facilities" does not cover all possible environmental impacts. While the North Bayshore Master plan does consider noise, emissions, traffic, and other indirect impacts, it does not specifically identify those indirect impacts in the operation of a school district. For example, the eighteen "significant unavoidable impacts" created by transportation and traffic may have an indirect impact on transporting students to school if the school is not in the proximity of the North Bayshore Master Plan project. In addition, the buildout of 9,850 units is in a plan that covers a period through 2030. The approximate 10-year buildout of the project would mean an absorption rate of 980 units per year. This construction period would require the MVLA District to provide interim housing over a period of time and is considered an "indirect impact." This issue is not addressed in the Draft Subsequent EIR.

Shoreline Community Redevelopment Area Tax Increment

As noted in the draft EIR:
The Shoreline Community shall work with the Mountain View Whisman School District and the Mountain View Los Altos Union High School District to allocate revenue related to the growth in assessed value due to new residential development within the Community pursuant to/in accordance with the annual tax allocation for each school district, through mutually agreed to and legally binding agreements

The North Bayshore Master Plan indicates the desire to transform a once blighted area into a thriving mixed development area. The businesses and residences that are being planned are currently planned in a de facto redevelopment district. The Shoreline Community, which is managed by the city of Mountain View staff and City Council, currently diverts tax revenue from the schools to the City. MVLA, MVWSD, and the city of Mountain View have formed a Joint Powers Authority (JPA), also known as Shoreline Educational Enhancement Reserve (EER), that began releasing part of the tax increment to schools. The agreement guarantees a minimum of approximately $1.84 million annually to MVLA. That agreement not only ends on July 1, 2023, but also ceases to provide any share of the tax increment thereafter.

Through a formula that was developed by the JPA, MVLA received $3,423,095 this year. Per the county assessor's office, MVLA's normal tax increment would have been $8,920,000 this year, a deficit of $5,496,905.

Assessed Value Tax revenue from commercial and residential properties is what community-funded districts use to address day-to-day operating costs and is not intended for building schools. As indicated in the Draft Subsequent EIR, North Bayshore should generate 700 high school students. At the MVLA current per student expenditure rate of $30,000, this would mean that tax revenue would, at minimum, need to equal $21,000,000 in the near future.

Closing Comments

Our comments regarding the Draft Subsequent EIR should not be construed to indicate our opposition to the North Bayshore Master Plan. It is critical that all interested parties understand that the new dwelling units are of such magnitude that school mitigation measures for the project exceed the District's ability to absorb the 700 students estimated from this project. We look forward to the cooperation of the City and proponents of the project to meet with MVLA and resolve the apparent challenges in this proposed project. We suggest that the District, City, and proponents of the project delay the approval of the North Bayshore Master Plan and the Draft Subsequent EIR and meet soon to provide creative, viable measures that meet the needs of MVLA and all stakeholders.

Respectfully,

Nellie Meyer
Superintendent
MVLAHSD

cc: Alison Hicks, Mayor
Pat Showalter, Vice Mayor
Margaret Abe-Koga, Councilmember
Ellen Kamei, Councilmember
Lisa Matichak, Councilmember
Lucas Ramirez, Councilmember
Emily Ramos, Councilmember
Dr. Phil Faillace, Board President
Sanjay Dave, Board Vice President
Esmeralda Ortiz, Board Clerk
Thida Cornes, Board Trustee
Catherine Vonnegut, Board Trustee
Mike Mathiesen, Associate Superintendent

Letter

Mountain View Whisman School District

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City of Mountain View
% Diana Pancholi, Project Planner
500 Castro St.
Mountain View, CA 94041

February 3, 2022

Dear Mrs. Pancholi,

This document serves as the Mountain View Whisman School District (MVWSD) response to the Amended North Bayshore Precise Plan (NBPP), Draft Environmental Impact Report. We have reviewed the report and provide the following information in regard to the adequacy of the findings as related to direct and indirect impacts on the Mountain View Whisman School District. We understand that the passage of SB50 limits the levying of developer fees for direct impacts on school districts. However, nothing precludes the City, Developer and School District from working collaboratively to develop a mitigation strategy to address the direct and indirect city growth impacts on the school district.

Student Growth:

The City of Mountain View's Draft EIR indicates the impact of 1,471 elementary and middle school students would be adequately mitigated by developer fees. Moreover, the updated Draft EIR indicates:

> **As discussed in Section 4.12.1.2, both Monta Loma Elementary School and Crittenden Middle School have existing capacity based on current enrollment numbers and would be able to accommodate the project's estimated 1,471 elementary and middle school students. Therefore, the addition of new students as the project is gradually built-out would not require the expansion of those schools.**

Furthermore, the Draft EIR asserts:

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The project site is located within the Mountain View Whisman School District (MVWSD) and Mountain View-Los Altos Union High School District (MVLASD). The MVWSD serves grades kindergarten through eighth grade and the MVLAS services high-school age students. Students generated by the project would attend Monta Loma Elementary School located at 460 Thompson Avenue (approximately one mile southwest of the core project site), Crittenden Middle School located at 1701 Rock Street (approximately 0.2-mile southwest of the core project site), and Mountain View High School located at 3535 Truman Avenue (approximately four miles south of the core project site).

Table 4.12-1 shows the existing school capacities at Monta Loma Elementary School, Crittenden Middle School, and Mountain View High School. As shown in the table, Monta Loma Elementary School and Crittenden Middle School both have capacity for additional students.

Table 4.12-1: 2021 to 2022 School Enrollment and Capacity

School	Current Enrollment	Existing Capacity
Monta Loma Elementary School[1]	271	460
Crittenden Middle School[1]	532	1,008
Mountain View High School[2]	2,316	1,546

[1] MVWSD. *Level I Developer Fee Study*. Appendix E. May 5, 2022. Accessed August 3, 2022.

[2] Aguilar, Irene. Assistant to the Associate Superintendent-Business Services, Mountain View Los Altos High School District. Personal Communication. July 7, 2022.

Unfortunately, as highlighted below, the City of Mountain View EIR report does not take into account projects that were already approved in the northern half of the city, some of which are outside of the North Bayshore precise plan area. These projected students will precede the impact of students generated by the North Bayshore Precise Plan (NBPP). While both Monta Loma Elementary School and Crittenden Middle School are in the proximity of the NBPP, there will be no capacity

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available when the NBPP project is developed. Based on our student generation rates, which the City used in its own EIR report, Monta Loma will have 117 new students assigned to the school prior to the completion of these additional units.

		RESIDENTIAL UNITS (D.U.)											
REF #	PROJECT TITLE	New	Existing (Demo)	Total	Net	SF/Condos/Rowhouses	Multi Family	Below Market Rate	Total Units	K-5 Students	6-8 Students	Elementary School	Middle School
	Bubb												
20	1051 Boranda Ave.	3	3	3	0	0			0	0	0	Bubb	Graham
26	1332 Park Dr.	3	1	3	2	2			2	0.076	0.022	Bubb	Graham
30	918 Rich Ave.	29	0	29	29	29			29	1.102	0.319	Bubb	Graham
41	1411-1495 W. El Camino Real (Lux Largo)	53	0	53	53	53			53	2.014	0.583	Bubb	Graham
52	1313/1347 W. El Camino Real	24	0	24	24		24		24	2.04	0.936	Bubb	Graham
56	773 Cuesta Dr.	4	1	4	3	3			3	0.114	0.033	Bubb	Graham
74	982 Bonita Ave.	8	0	8	8	8			8	0.304	0.088	Bubb	Graham
	Subtotal			**124**	**119**	**95**	**24**	**0**	**119**	**5.65**	**1.98**		
	Castro												
43	1958 Latham St.	6	0	6	6	6			6	0.228	0.066	Castro	Graham
59	570 S. Rengstorff Ave.	85	70	85	15	15			15	0.57	0.165	Castro	Graham
60	1919-1933 Gamel Way/574 Escuela Ave.	121	29	121	92		92	0	92	7.82	3.588	Castro	Graham
71	1720 Villa St.	226	19	226	207		192	15	207	20.94	11.193	Castro	Graham
12	601 Escuela Ave/1873 Latham St.	25	1	25	24		24		24	2.04	0.936	Castro	Graham
	Subtotal			**463**	**344**	**21**	**308**	**15**	**344**	**31.598**	**15.948**		
	Landels												
13	870 E. El Camino Real	371	42	371	329		329		329	27.965	12.831	Landels	Graham
22	City Lot 12	120	0	120	120			120	120	36.96	29.64	Landels	Graham
35	325-339 Franklin St.	15	13	15	2	2			2	0.076	0.022	Landels	Graham
54	676 W. Dana St.	9	0	9	9	9			9	0.342	0.099	Landels	Graham
69	525 E. Evelyn Ave. (Flower Mart)	471	0	471	471		471		471	40.035	18.369	Landels	Graham
78	231-235 Hope St.	9	0	9	9	9			9	0.342	0.099	Landels	Graham
32	860 Bay St.	5	0	5	5	5			5	0.19	0.055	Landels	Graham
	Subtotal			**1000**	**945**	**25**	**800**	**120**	**945**	**105.91**	**61.115**		
	Monta Loma												
10	901-987 N. Rengstorff Ave.	126	1	126	125		125		125	10.625	4.875	Monta Loma	Crittenden
53	1255 Pear Ave.	635	0	635	635		540	95	635	75.16	44.525	Monta Loma	Crittenden
55	828/836 Sierra Vista Ave.	20	5	20	15	15			15	0.57	0.165	Monta Loma	Crittenden
58	1100 La Avenida St.	100	0	100	100			100	100	30.8	24.7	Monta Loma	Crittenden
72	2005 Rock St.	15	0	15	15	15			15	0.57	0.165	Monta Loma	Crittenden
73	2310 Rock St.	55	59	55	-4	-4			-4	-0.152	-0.044	Monta Loma	Crittenden
79	851-853 Sierra Vista Ave.	9	3	9	6	6			6	0.228	0.066	Monta Loma	Crittenden
	Subtotal			**960**	**892**	**32**	**665**	**195**	**892**	**117.801**	**74.452**		

Based on MVWSD's *Future Growth Considerations and Solutions* presentation to the Board of Education on March 24, 2022, monitoring the pace of future residential development was identified as a key task to support other District planning actions. The table below was included as a 10-year projection of future residential development in the District service area.

Mountain View Whisman School District

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Note: 1,682 units listed as "Under Construction" on table should be revised to 1,050 units due to 632 units in 2580/2590 California Ave. project being outside MVWSD service area.

COST TO HOUSE STUDENTS GENERATED FROM NBPP

Construction costs in the Bay Area have escalated dramatically in the last 8 years. The State per pupil grant does not reflect this escalation and therefore the gap between what the State allows and provides for school construction is significantly less than the actual cost of school construction.

LAND

In addition to dramatic escalation in construction costs in the Bay Area, land costs have increased as well. The State of California will provide 50% of the cost of land for eligible school construction. However, the remaining 50% of the land cost is the responsibility of the local school district. These substantial increases in land costs make it difficult to build schools in accordance with the Department of Education school site guidelines. The land cost escalation issues were anticipated when SB50 was drafted and Government Code section 65998 allows the cities to "reserve or designate" real property for a school site.

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(Added by Stats. 1998, Ch. 407, Sec. 25. Effective August 27, 1998. Operative November 4, 1998 (Prop. 1A was adopted Nov. 3) by Sec. 31 of Ch. 407. Note: Pursuant to Education Code Section 101122 (subd. (d)), which was added Nov. 8, 2016, by Prop. 51, Chapter 4.9 (Sections 65995 to 65998) as it read on Jan. 1, 2015, continues in effect until Dec. 31, 2020, or earlier date prescribed. Thereafter, Chapter 4.9 may be amended.)

Moreover, the Draft EIR inaccurately indicates the distance from North Bayshore to Monta Loma Elementary. As noted in the plan:

> **Students generated by the project would attend Monta Loma Elementary School located at 460 Thompson Avenue (approximately one mile southwest of the core project site), Crittenden Middle School located at 1701 Rock Street (approximately 0.2-mile southwest of the core project site),**

In the following diagrams you will find that almost every elementary school student within the city of Mountain View is approximately 1 to 1.5 miles from school. The placement of these schools helps to facilitate the school as a civic meeting point for the community and reduces commutes. In contrast, while Monta Loma and Crittenden reside close to the outer perimeters of the development area, Monta Loma is more than two miles away from the central residential hub of these developments, thus negating its ability to serve as a community anchor. Because MVWSD cannot provide bussing to an additional 1400 students due to significant cost, not having a school within a 1.5 mile radius would effectively invalidate the traffic study included as a part of this EIR.

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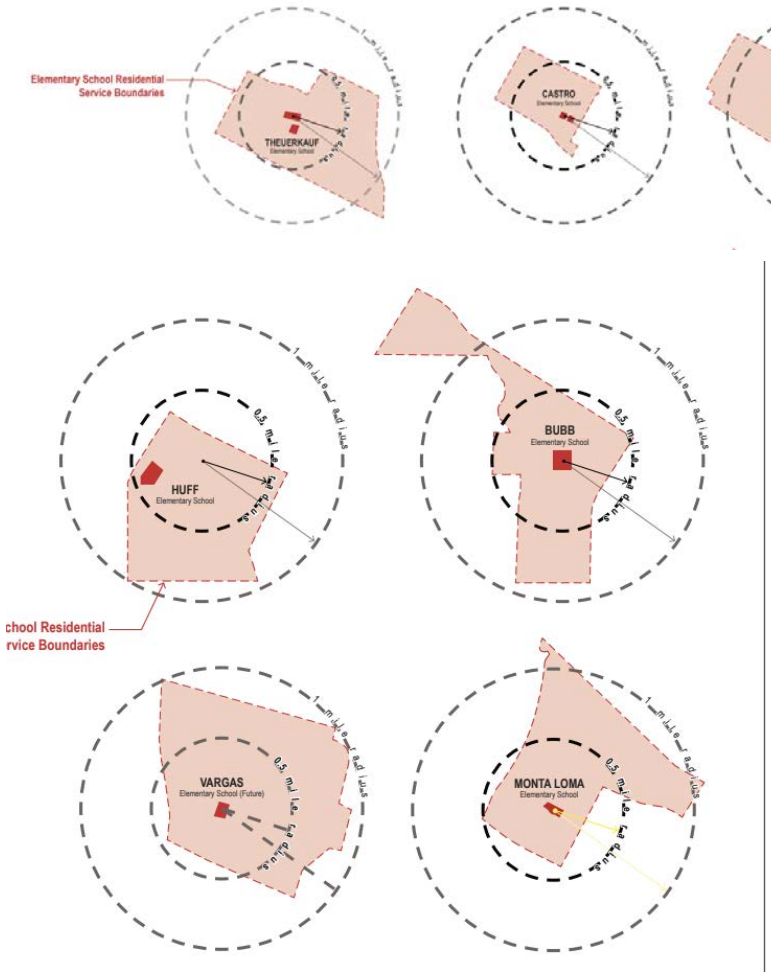

California Department of Education's general guidance for a school site recommends approximately 10 acres of land for an elementary school and 25 acres for a middle school. It is worth noting that MVWSD does have a school (Jose Antonio Vargas Elementary) that resides on less than the minimum recommended land. Vargas Elementary is an extremely tight footprint, which creates logistical issues as it pertains to growth and meeting student needs.

In contrast, the North Bayshore plan only intimates at the possibility of green space being used for a school. This referenced site in the DEIR, if provided to MVWSD, would have twice the enrollment of Vargas Elementary with less acreage; the site is 3 acres compared to Vargas

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Elementary which sits on 4.5 acres and is 7 acres less than the state's minimum recommendation. While an urban school design can mitigate / maximize a small site footprint, this potential site would be inadequate to serve the needs of the community.

Ergo, as a condition of approval of the NBPP project, and prior to the certification of the DEIR, we request that the City and Developer designate and reserve multiple elementary school sites for MVWSD. The availability of land for school construction in Mountain View is extremely limited. The District is amenable to creative efforts to utilize all real property options and is willing to discuss these options with the Developer.

INDIRECT IMPACTS

Chawanakee Unified School District V. County of Madera

In this appellate court case, the court concluded that the phrase in SB50 "impacts on school facilities" does not cover all possible environmental impacts. While the NBPP does consider noise, emissions, traffic, and other indirect impacts, it does not specifically identify those indirect impacts in the operation of a school district. For example, the eighteen "significant unavoidable impacts" created by transportation and traffic may have an indirect impact on transporting students to school if the school is not in the proximity of the NBPP project. In addition, the buildout of 9,850 units is in a plan that covers a period through 2030. The approximate 10-year buildout of the NBPP project would mean an absorption rate of 980 units per year. This construction period would require the MVWSD to provide interim housing over a period of time and is considered an "indirect impact." This issue is not addressed in the DEIR.

Shoreline Community Redevelopment Area Tax Increment

As noted in the EIR report:

> **Funding for Schools. The Shoreline Community shall work with the Mountain View Whisman School District and the Mountain View Los Altos Union High School District to allocate revenue**

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related to the growth in assessed value due to new residential development within the Community pursuant to/in accordance with the annual tax allocation for each school district, through mutually agreed to and legally binding agreements.

The North Bayshore Precise plan indicates the desire to transform a once blighted area into a thriving mixed development area. The businesses and residences that are being planned are currently planned in a de facto redevelopment district. The Shoreline community, which is managed by the city of Mountain View staff and City Council currently diverts all tax revenue. Currently MVLA, MVWSD and the city of Mountain View have formed a Joint Powers Authority, also known as Share Shoreline, that began releasing part of the tax increment to schools. The current agreement, which not only ends but also ceases to provide any share of the tax increment on July 1st, 2023, currently guarantees approximately $2.8 million. Through a formula that was developed by the City, MVWSD received $5,346,723 dollars this year. Per the county assessor's office, MVWSD normal tax increment would have been $13,926,094.67 last year.

Assessed Value Tax revenue from commercial and residential is what community funded districts use to address day-to-day operating costs and is not really intended for building schools. As indicated in the EIR, North Bayshore should generate 1471 students. At the MVWSD current per student expenditure rate of $23,000 this would mean that tax revenue would at minimum need to equal $33,833,000 in the near future. An increase of students in this fashion, without the tax increment to cover the cost per pupil expenditures, would reduce our per pupil expenditures from $23,000 to $16,611 dollars. This reduction means that each student in our District would experience a decrease of $6,389 in programs and services annually.

CLOSING COMMENTS

Our comments regarding the DEIR should not be construed to indicate our opposition to the amended NBPP. It is critical that all interested parties understand that the new dwelling units are of such magnitude that school mitigation measures for the project exceed the District's ability to absorb the 1,471 students projected from this project. We look forward to the cooperation of the City and

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proponents of the project to meet with MVWSD and resolve the apparent challenges in this proposed project. We suggest that the District, City, and proponents of the project delay the approval of the North Bayshore Master Plan and the DEIR and meet soon to provide creative viable measures that meet the needs of MVWSD and all stakeholders.

Respectfully,

Ayindé Rudolph Ed.D.
Superintendent

CC: Mountain View City Council
Mountain View Whisman Board of Trustees
Mrs. Kimbra McCarthy, City Manager

Letter

Santa Clara Valley Transportation Authority

February 6, 2023

City of Mountain View
Community Development Department
Attention: Diana Pancholi, Principal Planner
500 Castro Street, P.O. Box 7540
Mountain View, CA 94039-7540

RE: North Bayshore Master Plan and Draft Subsequent Environmental Impact Report

Dear Diana,

VTA appreciates the opportunity to comment on the Google North Bayshore Master Plan as well as its accompanying Draft Subsequent Environmental Impact Report (DSEIR). The first half of this letter contains VTA's comments on the December 2022 version of the Master Plan, while the second half contains VTA's comments on the DSEIR for the CEQA review process. This letter builds on VTA comments on the March 2022 version of the Master Plan we provided in a letter dated May 5, 2022, as well as comments on City-led transportation projects in North Bayshore including the US101/Shoreline off-ramp and the Shoreline transit lane transmitted by email on July 15, 2022.

Comments on the North Bayshore Master Plan

VTA has the following comments on the Google North Bayshore Master Plan dated December 2022:

Project Location and Land Use / Transportation Integration

VTA supports the proposed development intensification and the introduction of new smaller streets to improve circulation and reduce block sizes in the North Bayshore Master Plan. VTA recognizes that the Master Plan builds on the overall growth levels, general placement of land uses and circulation network in the updated North Bayshore Precise Plan approved in 2017. VTA notes that the North Bayshore area is not located on the core transit network and is not as well served by shops and services as other areas of the city. The geographic characteristics of North Bayshore pose challenges to the area's ability to support transit, due to its location on the periphery of the City with few portals across the US 101 barrier. However, VTA is supportive of the City's efforts to balance jobs and housing within the City including North Bayshore. The development of high density residential in this area which has been historically dominated by employment uses will help balance the mix of uses and create opportunities for employees to live closer to work. This could lead to a reduction in automobile trips and Vehicle Miles Traveled (VMT) within North Bayshore, on a per-service-population basis.

VTA encourages the City to continue its efforts to make North Bayshore a place where daily trips can be accomplished without a car. These efforts should include supporting the Mountain View TMA and MVgo shuttle, supporting the Mountain View Community Shuttle, prioritizing transit on Shoreline Boulevard and Charleston Road, and including strong Transportation Demand Management (TDM) requirements and parking maximums with all new development in North Bayshore.

VTA Bus Service and Bus Stops in Master Plan Area

In December 2019, VTA implemented direct bus service on Local Route 40 between the Mountain View Transit Center and North Bayshore, via Shoreline Boulevard. This route, which also serves San Antonio Center, Downtown Los Altos and Foothill College, operates at 30-minute headways on weekdays and 45 to 50-minute headways on weekends. We appreciate that the Master Plan recognizes VTA Route 40 as the trunk transit line through the area and does not assume new or realigned routes on alternative streets in the area. VTA looks forward to the development of North Bayshore into a more transit-supportive, active, and pedestrian-oriented area, which will increase transit utilization and hopefully will warrant increased transit investment in the future. Additional investments that could be warranted by continued development include increased transit service levels (longer hours of service and/or more frequent service) as well as increased capital investments into transit facilities (e.g., bus stop amenities such as shelters, benches, lighting, schedule information, and real-time bus arrival displays). Any potential future increase in service would need to be considered within the framework of VTA's Board-adopted Transit Sustainability Policy/Service Design Guidelines.

VTA offers the following additional comments regarding VTA bus service and bus stops in the North Bayshore Master Plan area:

- VTA only envisions providing bus service along Shoreline Boulevard and Charleston Road now and in the future. Currently the street network of North Bayshore outside of Shoreline and Charleston is fragmented, with few streets taking direct paths and with very long blocks. Even though the North Bayshore Master Plan adds smaller grid streets in some locations, the resulting network is still indirect, with many offset intersections and segments that would be difficult for a transit bus to traverse. Furthermore, it appears that the roadway network in the southeast quadrant of North Bayshore (south of Space Park, east of Shoreline) will remain largely unchanged, also making it more difficult to serve areas east of Shoreline due to the lack of a direct north-south roadway connection.
- Plan 6.1.9 of the Master Plan shows a transit route along Charleston Road east of Shoreline, and a transit stop on Charleston at Inigo Way Extension. Following discussions with City staff, we understand that it is their expectation that this location would only be served by Google buses and TMA/Community shuttles, and there is no expectation that VTA buses will travel east of Shoreline. VTA reiterates that it would not be operationally efficient for VTA to serve this location due to the discontinuous roadway network and the need for buses to make a U-turn, so we do not envision serving the stop on Charleston at Inigo Way Extension.
- In addition to the challenges of serving the proposed stop near Charleston and Inigo Way Extension, it is also difficult to have buses directly serve the intersection of Shoreline Boulevard and Charleston Road, because most buses turn at this intersection and placing bus stops is a challenge. As a result, the nearest bus stop on Charleston is 900 feet west of the intersection (at Charleston Park) and the nearest bus stop on Shoreline that VTA can serve in the northbound direction is 1100 feet south of the intersection (near Space Park Way). While the distance from the stop at Charleston Park to the Shoreline/Charleston intersection is partially mitigated by the attractive pedestrian and bicycle accommodations on Shoreline, VTA would like to emphasize the importance of providing transit stops near this intersection to serve the proposed new development. VTA would like to work with

the City to maintain and prioritize the transit stops on Shoreline just south of Charleston, as this block is developed and the Shoreline transit lane is designed; this may include consideration of a queue jump lane or transit-only signal to facilitate bus movement in the northbound direction. We also encourage the City and Google to prioritize attractive pedestrian connections to transit stops near this intersection.

- In the mid-2010s during the update of North Bayshore Precise Plan, the City and Google considered the addition of a new bridge across the Stevens Creek to connect North Bayshore to the NASA Ames/Google Bayview area. If such a crossing was added by extending Charleston Road and was open to transit vehicles, it would become more feasible to operate VTA transit service to the proposed stop at Charleston and Inigo Way Extension. While there is no guarantee that VTA transit service would make this crossing, VTA encourages the City to re-open its planning process for a crossing of the Stevens Creek, to provide more options for transit service if warranted by future conditions.
- VTA is pleased to see that the Transit Network figure in the December 2022 version of the Master Plan shows a transit stop at Shoreline Boulevard and Pear Avenue, which was not shown in the March 2022 version. VTA understands that all bus stops along Shoreline between US 101 and Charleston will eventually be part of the transit lane project design. At these locations, a stop next to the transit lane as well as a second street-side bus stop serving the general-purpose lanes will be necessary in each direction, for a total of four stops at each location.
- The Master Plan envisions a network of transit stops with amenities such as "benches, shelters, and information displays" (p. 55). VTA makes bus stop improvements per our Transit Passenger Environment Plan (TPEP), which outlines the framework by which we allocate limited public dollars to fund bus stop investments, using factors such as ridership, equity, accessibility, and site conditions. We look forward to collaborating with interested stakeholders to develop and improve bus stops in the area while following the framework set out in our TPEP. In addition, we are happy to collaborate with third-party developers and provide specifications for transit facilities (shelters, benches, etc.) in cases where bus stop improvements are a condition of approval.

<u>Other Transit-Related Considerations</u>

- VTA suggests that Plan 6.1.9 of the Master Plan (Transit Network) be modified to show the locations of existing and planned bus-only lanes in the North Bayshore area.
- The Master Plan, as well as the North Bayshore Precise Plan, generally show how bus stops would fit into the street cross-sections along with protected bike lanes, sidewalks, and other street elements. However, close attention will still be needed to the design of bus stops along Shoreline and Charleston to promote safety and minimize conflicts between buses, other motor vehicles, bicyclists, and pedestrians. VTA requests that the City share any plans for street redesigns and bus stop modifications early in the process as the Master Plan buildout occurs.
- The placement of trees and landscaping should take into account the height of the vehicles travelling underneath the canopy, proximity of the root system to travel ways, and the amount of

abscission onto bus stops, transit lanes, roadways, sidewalks, and bicycle paths, and the maintenance needed to prevent buildup of vegetation debris that can lead to localized flooding.

- Modifications to VTA bus stops may require a Construction Access Permit from VTA; more information is available at https://www.vta.org/business-center/construction-access-permits.
- VTA encourages Google and the City to consider the transportation needs of school-age children in the new Master Plan residential development, as well as the impact of school location decisions. Without new K-12 schools, transportation of the area's new school-age children between home and school will be a challenge. VTA provides school-oriented service when and where possible, but this service can only do so much and is often less than ideal, given resource constraints.

Bicycle and Pedestrian Accommodations and Access to Transit

VTA appreciates the designation of Shoreline and Charleston as Transit Boulevards in the North Bayshore Master Plan. We encourage the City to work with the applicant to make sure that new buildings along Shoreline and Charleston and at the "Key Corners" shown in Plan 4.3.1 are oriented towards transit. The pedestrian-only Social Spine proposed parallel to Shoreline is concerning to VTA if the buildings along it are oriented towards the Social Spine and away from Shoreline. Transit succeeds only on corridors that are designed for a variety of users, most particularly pedestrians, with adjacent active uses that are oriented to it. If it is necessary to place active uses on a Social Spine parallel to Shoreline, frequent mid-block paseos should be created between Shoreline and the Social Spine to ensure that the development is permeable, and buildings should be designed to have true, usable entrances fronting both Shoreline and the Social Spine (i.e., the entrances along Shoreline should not be emergency-exit-only and should not direct pedestrians to walk to the other side of the building.) Furthermore, VTA recommends adding active uses or at least an "Engaging Office Edge" to the proposed office buildings facing the south side of Charleston between Shoreline and Huff Avenue, to improve the experience of pedestrians walking to transit.

For the "Key Corners" along Shoreline Boulevard shown in Plan 4.3.1, VTA notes that it will be critical for these locations to be designed for safe and comfortable crossings of Shoreline by pedestrians and bicyclists; otherwise, Shoreline will continue to pose a barrier to non-motorized travel and will deter people from taking transit. VTA supports the statement in Section 6.1 of the Master Plan that "Intersections will be designed with attention to Vision Zero pedestrian safety goals and principles." The intersection of Shoreline and La Avenida will be one of the most challenging locations for pedestrian and bicycle crossings, requiring special attention by the City and the applicant and design treatments to calm motor vehicle traffic to/from US101.

Other Bicycle and Pedestrian Considerations

- VTA commends the applicant for continuing to build out the Green Loop concept; at 1.7 miles, this will be a great amenity for the neighborhood (p. 54).
- The Master Plan states that "Bike share services will be integrated into transit stations to support last-leg connections" (p. 54). VTA recommends expanding this to include scooter share,

as data on micromobility programs already in place suggests that scooters have better use rates than bikes. VTA also notes that we have not been able to accommodate bike share or scooter share vehicles on light rail station platforms due to limited space, ADA requirements, and system safety concerns. When new transit stops in and around the Master Plan area are designed to integrate bike/scooter share nearby, VTA requests that the applicant and the City consult with VTA regarding the design. Bike and scooter share vehicles should be given their own space for parking, and geofencing should be used to prevent parking within a transit stop.

- Loading & servicing network – In addition to accommodating motor vehicle loading, VTA recommends that the servicing plan accommodate bicycle utility vehicles (p. 55).
- VTA strongly supports the proposed connections to the Stevens Creek Trail (p. 57).
- Complete Streets discussion (p. 56) and Block Circulation figure (p. 68) – The new streets and mid-block breaks will improve connectivity for pedestrians and bicyclists. However, the Master Plan does not show pedestrian crossings across major existing or proposed roads. VTA's Community Design & Transportation (CDT) Manual recommends midblock crossings for blocks larger than 200 feet. VTA recommends adding mid-block crossings along Huff Avenue, Joaquin Road, Inigo Way, Monarch Street (west of Shoreline), Plymouth Street/Space Park Way, and Shoreline Boulevard (as feasible given the planned transit lane). This is particularly important where mid-block breaks in the Master Plan continue across these roads.
- Roundabout at Charleston Road / Inigo Way Extension (Figure 6.1.6, p. 81) – It is unclear from this conceptual plan how pedestrians would navigate through the intersection. Please modify to show pedestrian access, crosswalks, yield lines, and curb ramps. There is also no narrative discussing the role of this roundabout and what types of vehicles it is intended to accommodate; suggest adding a brief narrative in the Master Plan.

Comments on the North Bayshore Master Plan DSEIR

VTA has the following comments on the DSEIR, for the CEQA review process:

Project Effects on Transit

The DSEIR concludes that "Implementation of the proposed project (under either option) would not result in modifications to the transit network that would disrupt existing transit service" (DSEIR p. 143) and that "the project (under either option) would not conflict with a transit program, plan, ordinance or policy, and would not result in a new or substantially more severe significant transit impact than disclosed in the 2017 EIR" (DSEIR p. 144). While VTA generally agrees with this conclusion, we note that care must be taken during the Master Plan buildout and the implementation of related transportation projects to ensure that transit facilities are not disrupted.

As noted in Section 6.3 of the Master Plan, the City's North Bayshore Precise Plan identified several required Priority Transportation Projects to support the planned growth and development within the North Bayshore area, and the Master Plan assumes timely implementation of these projects. Two of

these projects, the US101/Shoreline off-ramp realignment, and the Shoreline reversible transit lane project, may affect bus operations to and from VTA's North Yard facility. Any loss or restriction of the use of this yard would strain VTA's service as it is the main base for buses serving the El Camino Real corridor and other area routes. Close coordination with VTA will be required to ensure that access to North Yard is not impeded during construction of buildings or street improvements in the Master Plan area. VTA requests that the City provide VTA staff an opportunity to review designs for any roadways with VTA service that will be modified by the buildout of the Master Plan and Priority Transportation Projects, including the Shoreline reversible transit lane. Any street/lane closures should be communicated with VTA and other transportation providers for route detours and implementation of temporary bus stops.

Air Quality Impacts – Role of Transportation Technology in Mitigation

The DSEIR discloses that the Project would have a Significant and Unavoidable Impact with Mitigation Incorporated in the area of Air Quality, including operational period ROG, NO_x and PM_{10} emissions (Impact AQ-1, DSEIR p. 55). The DSEIR notes that "the greatest source for operational NO_x and PM_{10} emissions is project traffic" and that "This is a new, project-specific impact that was not previously disclosed in the 2017 EIR" (DSEIR p. 65). The DSEIR also states that "The project's mobile NO_x and PM_{10} emissions from proposed land uses would be reduced to the maximum extent feasible through the stringent TDM measures proposed by the project... Given the comprehensive and aggressive TDM measures proposed, there are no feasible additional measures available to reduce the project's mobile emissions further" (DSEIR p. 66).

VTA appreciates the efforts by the applicant to incorporate stringent TDM measures and improvements for bicyclists and pedestrians within the Master Plan area, and efforts by the City to implement transit improvements along Shoreline Boulevard and Charleston Road. These measures will help reduce VMT generated by the Project and resulting operational period emissions. However, VTA believes that there are other feasible mitigation measures available, including investment in newer transportation technologies.

The implementation of newer traffic signal controllers, including supporting communication infrastructure, could be used to provide transit signal priority, adaptive timing for non-motorized modes of travel, and improved performance monitoring plus enhanced real-time response to incidents and congestion on the roadways within the Master Plan area. VTA encourages the City to work with the project applicant to make improvements in the transportation technology infrastructure to benefit transit operations, pedestrians, and bicycles, and further reduce operational period air quality impacts.

Air Quality and Transportation Effects – TDM Mitigation

Given the project's Significant and Unavailable Air Quality impact noted above, and the fact that its Transportation effects in the area of VMT are heavily dependent on TDM measures and a very aggressive non-SOV mode share target, VTA recommends that the City require the applicant to fund monitoring of trip generation, VMT, and parking utilization in the Master Plan area on an ongoing basis.

Monitoring should consist of a combination of surveys of residents and employees, and collection of empirical data by third parties. This monitoring will be especially important as residential development is introduced to the North Bayshore area, to confirm the transportation effects of balancing jobs and housing in close proximity to each other.

Although VTA recognizes that the list of Master Plan TDM strategies in the DSEIR (Section 2.3.10, p. 37) is not exhaustive, we recommend that the City work with the applicant to add partnering with VTA on transportation solutions to the project's TDM strategies. Partnerships between the applicant and VTA could include transit service funding partnerships, and the applicant providing free or deeply discounted transit passes to employees and residents of the new development.

Description of Existing Transit Facilities and VTA Bus Service

In the VTA Bus Service writeup within the Existing Transit Facilities section (DSEIR p. 135), VTA suggests making the following corrections:

- Changing "Orange Line" to "the ACE Orange Shuttle"; using "Orange Line" in this section could confuse the ACE shuttle service with VTA's Orange light rail line
- Changing the second sentence to read: "Route 40 also stops at the Mountain View Transit Center, approximately 1.5 miles south of ~~from~~ the project site, and the San Antonio Transit Center, approximately 2.5 miles southwest of the project site"
- Changing the third sentence to note that the Mountain View Transit Centre is served by four VTA bus routes (21, 40, 51, and 52)
- Adding a fourth sentence to this section: "The San Antonio Transit Center also provides connections to several VTA bus routes (21, 22, 40, 522)"

Thank you again for the opportunity to provide comments on these documents. Please do not hesitate to contact me at 408-321-5949 or robert.swierk@vta.org to discuss any questions you may have on this letter.

Sincerely,

Robert Swierk

Robert Swierk, AICP
Principal Transportation Planner

Letter F

From: Shree Dharasker <sdharasker@valleywater.org>
Sent: Wednesday, February 15, 2023 11:02 AM
To: Pancholi, Diana <Diana.Pancholi@mountainview.gov>
Cc: John Schwarz <John@jhsconsult.com>; Vanessa De La Piedra <vdelapiedra@valleywater.org>; Michael Martin <MichaelMartin@valleywater.org>
Subject: RE: North Bayshore Master Plan

Dear Ms. Pancholi,

Thank you for your consideration of comments after the deadline. The Santa Clara Valley Water District (Valley Water) has reviewed the Draft Supplemental Environmental Impact Report (SEIR) for the North Bayshore Master Plan (Plan) and has the following comments:

1) **Table 2.6-1 Required Approvals (page 46)**: The section notes Valley Water review and approval "may be required if wells are required or if abandoned wells are proposed to be destroyed…" Please note Valley Water review and approval would be required in either case (via well permit), and any abandoned well discovered during construction must be properly destroyed.

2) **Project with District Utilities System Option (DEIR page 262)**: Given the presence of contaminated shallow groundwater under portions of the project site and the huge number of deep geothermal bores needed for the potential geothermal system (6,500), Valley Water is concerned with the possibility of inter-aquifer transfer of contaminants. If this option is pursued, Valley Water's Well Ordinance Program should be consulted early in the process to ensure construction methods and materials will adequately protect groundwater quality.

3) **4.7.2.1 Hydrology and Water Quality, Project Impacts (various, including pages 279, 280, 283)**: Several sections note that Valley Water pumps groundwater from the Santa Clara Groundwater Basin. As the Groundwater Sustainability Agency, Valley Water manages local groundwater basins to ensure sustainable supplies for all beneficial uses. However, groundwater is pumped by well users, including water retailers, other municipal/industrial users, and private well owners. It is these users, collectively,

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To: Pancholi, Diana <Diana.Pancholi@mountainview.gov>
Cc: John Schwarz <John@jhsconsult.com>; Vanessa De La Piedra <vdelapiedra@valleywater.org>; Michael Martin <MichaelMartin@valleywater.org>
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that pumped about 75,000 AFY from the northern Santa Clara Basin, not Valley Water. Please correct all related references.

4) **Encroachment Permit**: As noted in previous comments, Valley Water has no right of way within the project area. Any development located adjacent to a creek and not within a Valley Water fee title property or easement (which is Valley Water's jurisdiction), should comply with Valley Water's Guidelines and Standards for Land Use Near Streams (https://www.valleywater.org/contractors/doing-businesses-with-the-district/permits-working-district-land-or-easement/guidelines-and-standards-land-use-near-streams). The Guidelines and Standards were adopted by the Water Resources Protection Collaborative (which includes the City of Mountain View) through resolutions in 2007.

I apologize for the delay in submitting comments. Valley Water has several CEQA documents to review during this period. Please provide a copy of the Final Environmental Impact Report (FEIR) when available.

Please contact me if there are any questions,

Sincerely,

Shree Dharasker
Associate Engineer Civil
Community Projects Review Unit
(408)630-3037

From: Pancholi, Diana <Diana.Pancholi@mountainview.gov>
Sent: Monday, February 6, 2023 10:27 AM
To: Shree Dharasker <sdharasker@valleywater.org>
Cc: John Schwarz <John@jhsconsult.com>; Vanessa De La Piedra <vdelapiedra@valleywater.org>
Subject: RE: North Bayshore Master Plan

Good Morning,

Thank you for your email. Unfortunately, the project has a tight schedule, and I am unable to move the official DEIR public commenting deadline. We will try to accommodate comments received after the deadline to the extent feasible.

Sincerely,
Diana

Diana Pancholi
Principal Planner
Community Development Department | Planning Division
650-903-6306 | MountainView.gov
Twitter | Facebook | Instagram | YouTube | AskMV

Letter G

From: Anish Morakhia <[redacted]>
Sent: Thursday, February 23, 2023 6:23 PM
To: Pancholi, Diana <Diana.Pancholi@mountainview.gov>
Subject: Question about Elementary School for North Bayshore draft EIP

Hi Diana,

I am a resident of the Monta Loma neighborhood. It recently came to my attention that the North Bayshore Master Plan doesn't include an elementary school for the new development and the plan is to enroll the kids from North Bayshore at Monta Loma Elementary.

Based on a reading of the North Bayshore Master Plan draft Environmental Impact Report (Dec 2022), I didn't understand how the report claims that around 1500 new elementary and middle schoolers will be accommodated in Monta Loma Elementary and Crittenden Middle School. Shown below is a snapshot from the draft EIP that shows that Monta Loma Elementary can accommodate additional 189 students and Crittenden Middle school can accommodate additional 476 students

Table 4.12-1: 2021 to 2022 School Enrollment and Capacity

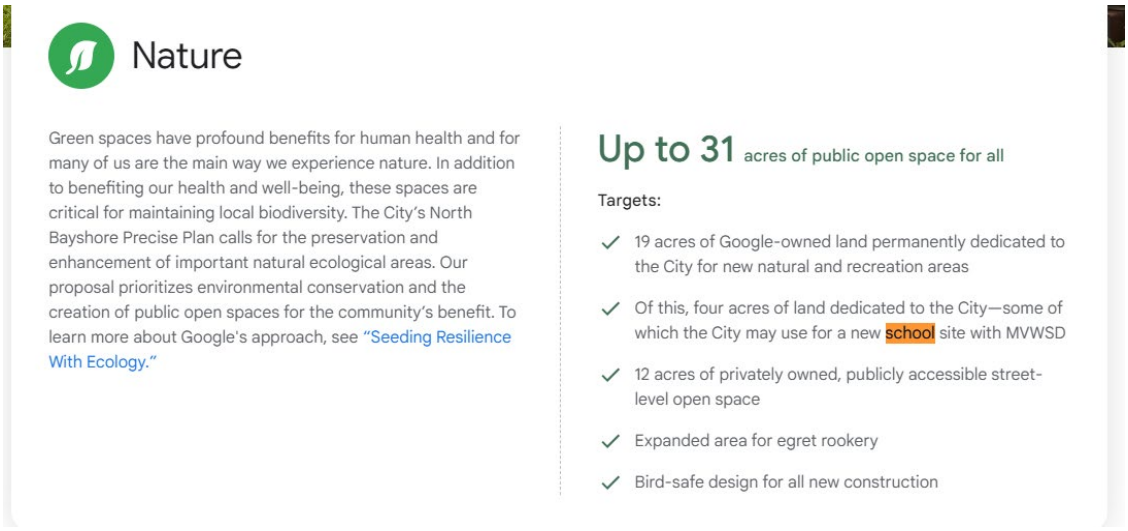
School	Current Enrollment	Existing Capacity
Monta Loma Elementary School[1]	271	460
Crittenden Middle School[1]	532	1,008
Mountain View High School[2]	2,316	1,546

[1] MVWSD. *Level I Developer Fee Study*. Appendix E. May 5, 2022. Accessed August 3, 2022.

[2] Aguilar, Irene. Assistant to the Associate Superintendent-Business Services, Mountain View Los Altos High School District. Personal Communication. July 7, 2022.

Is it correct to assume that 5/8th of the 1500 new students will be elementary school going age? That would be around 900 new elementary school students which grossly exceeds the current capacity. The report mentions there is no need for expanding either of these schools and doesn't mention any other schools as alternatives.

I see on Google's website for North Bayshore that they are allocating 4 acres to be potentially used as a school site as shown in the image below. But there doesn't seem to be any plans to build a new school.



Maybe I am missing something here. But the calculations for the schools in the report don't add up. Could you please help clarify?

Thank you,
Anish Morakhia

Letter H

From: Laura Blakely [redacted]>
Sent: Monday, February 6, 2023 12:58 PM
To: Pancholi, Diana <Diana.Pancholi@mountainview.gov>
Cc: City Council <City.Council@mountainview.gov>; McCarthy, Kimbra <Kimbra.McCarthy@mountainview.gov>
Subject: Comments on Draft Subsequent EIR (North Bayshore Master Plan)

Diana Pancholi, Principal Planner
Community Development Department
500 Castro Street
Mountain View, CA 94041
Diana.Pancholi@mountainview.gov

Dear Ms. Pancholi:

This email is being submitted as written comments concerning the environmental review contained in the Amended North Bayshore Precise Plan Draft Environmental Impact Report.

I am writing to urge you to defer approval of the Amended EIR until it can be amended to address the concerns raised below. Please use whatever means you have available for the benefit of our Mountain View community as a whole to mitigate the impacts of an estimated 1,471 new elementary and middle school students and 700 new high school students on our school systems. While our community welcomes these new students, we need to make sure we have adequate school facilities for them. Developer fees at the rate of $0.66 per square foot for commercial development and $4.79 per square foot for residential development (divided between the two school districts) are woefully inadequate; those formulas will barely generate enough money to cover the expense of leasing portables and crowding them onto the school fields, which is a totally unacceptable solution. Despite the fact that the EIR claims that there is sufficient classroom space in MVWSD schools, the EIR does not take into account all of the new students who will reside in all of the other construction projects that are already underway. When completed, the new North Bayshore housing units will cause the MVWSD population to increase by at least one-third of the size it is today—even without taking into account all the other new students. And while the proposed 3-4 acre site dedication will theoretically provide space for construction of one new elementary school, 1,471 elementary students cannot be jammed into a single 3 or 4 acre site. Additional new school sites and funding will be needed to provide sufficient classroom space across MVWSD. Our high school district will have similar needs.

I understand that the state legislature long ago bowed to the will of the all-powerful Building Industry Association lobby and deemed that the statutory developer impact fees will mitigate all impacts, but reality tells us this is simply not the case. In today's economy, declaring that revenues generated by charging $0.66 to $4.79 per square foot of development are the panacea can best be characterized as magical thinking. There will be tremendous negative impacts on our community and environment if means to fill the "school funding gap" (per the language of the City's School Strategy Policy K-26) are not identified. Finding the solution must be a collaborative effort. Please defer approval of the draft EIR until true mitigations can be identified and put forth with active participation from all stakeholders. We

must establish a way for our community to grow in a sustainable manner so that our children can be educated in schools that are not exploding with too many students.

Best regards,

Laura Blakely

View Street

Letter I

From: Reyburn, Peggy [redacted]>
Sent: Thursday, February 2, 2023 11:44 AM
To: Penollar, Krisha <Krisha.Penollar@mountainview.gov>
Cc: Monlux, Merry <Merry.Monlux@mountainview.gov>
Subject: Re: NextRequest #23-257} Responses to Comments Received on the North Bayshore Precise Plan and the Final EIR.

I am Looking for the responses to comments received on the North Bayshore Precise Plan and the Final EIR.

Comments on the North Bayshore Master Plan December 2022 SCH No.: 2022020712 are due Monday, and I would like to see the response to previous comments.

[redacted]

Letter J

SIERRA CLUB
LOMA PRIETA CHAPTER

SAN MATEO, SANTA CLARA & SAN BENITO COUNTIES

SIERRA CLUB
BAY ALIVE

January 25, 2023

Diana Pancholi, Principal Planner
Community Development Department
City of Mountain View
500 Castro Street
Mountain View, CA 94041

Via email to: Diana.pancholi@mountainview.gov

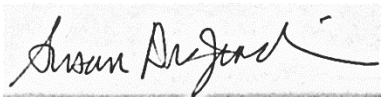
Re: Draft Supplemental Environmental Impact Report, North Bayshore Master Plan,
File No. 202020712

Dear Ms. Pancholi,

The staff and volunteers of the Sierra Club Loma Prieta Chapter request a two-week extension to the comment period for response to the Draft Supplemental Environmental Impact Report for the North Bayshore Master Plan released in December 2022. This would move the comment deadline from February 6, 2023 to February 20, 2023. Many of our staff and volunteers have been adversely impacted by power and internet outages due to the historic storms inundating the Bay Area in addition to dealing with flooding and wind damage. As you know, this has been a very difficult period for many residents of the Bay Area. In addition, the SDEIR comment period occurs over a holiday period where many people have family and community obligations.

We appreciate your consideration of this request.

Respectfully,



Susan DesJardin
Bay Alive Committee Chair

Jennifer Chang Hetterly
Bay Alive Coordinator

Letter K

Diana Pancholi, Senior Planner
City of Mountain View
Community Development Department
Diana.Pancholi@mountainview.gov

February 6, 2023

Re: Draft Subsequent Environmental Impact Report for the North Bayshore Master Plan Project

Dear Ms. Pancholi,

The Sierra Club Loma Prieta Chapter, the Santa Clara Valley Audubon Society and Green Foothills are local environmental organizations with inherent interest in biodiversity, native plants and wildlife, ecosystems and natural resources in open spaces and in urban landscapes. We have engaged in planning and conservation efforts in North Bayshore and Shoreline Park for many years. We continue to have a strong interest in the way the community develops and the impacts of the development on the natural environment and the species that share it with us. We have reviewed the Draft Subsequent Environmental Impact Report (DSEIR) for the North Bayshore Master Plan Project (NBMPP, Project) and submit the following comments.

1) Project Description

In our Scoping Comments on the NOP, we asked for the Vision for North Bayshore (described on page 5 of the North Bayshore Precise Plan[1], NBPP) to be expressed fully to include "innovation and sustainability" as well as "the protection of habitat." We ask again for all elements of the North Bayshore vision to be reflected in the Project Description section.

2) Approval by Responsible Agencies

The project is immediately adjacent to areas that provide habitat for special-status species (including but not limited to San Francisco Common Yellowthroat at the Charleston Retention Basin and Burrowing owls and Congdon's tarplant at Shoreline Park). The project also contains the largest heron/egret rookery in the south bay (at Shorebird Way). The California Department of Fish and Wildlife (CDFW) is a Trustee Agency responsible for protecting migratory and nesting birds under California Fish and Game Code and their mandate includes projects and activities that may cause abandonment and/or loss of reproductive efforts through disturbance. Is permitting by CDFW required for project elements in the vicinity of the Charleston Retention Basin, the rookery of Shorebird Way, and Amphitheater Parkway / Shoreline Park?

- Please add the California Department Fish and Wildlife (CDFW) to Table 2.6-1: Required Approval.

3) Utilities

Several new 12 kilovolt (kV) distribution lines are expected to extend from the PG&E's Ames Substation

[1] North Bayshore Precise Plan https://www.mountainview.gov/civicax/filebank/blobdload.aspx?BlobID=29702

to the NBMPP area (Section 2.3.5). Bird collision with power lines is a recognized threat to colonial nesting colonies and bird populations[2], and the risk is greater in the vicinity of water features (such as Stevens Creek) and for larger birds (such as herons and egrets).

- Can construction of new distribution lines that cross Stevens Creek be placed underground and under bridges?
- If undergrounding is found infeasible, please request that PG&E use markers to make the wires more visible to flying birds. A variety of line marking devices, including hanging markers, coils, and aviation marker balls, are commercially available.
- The Project utility upgrades, including distribution lines and supporting facilities, should not create electrocution hazards to raptors[3].

4) <u>Private District Utilities System Option; District Central Plant (DCP)</u>

The DCP is proposed East of 1201 Charleston and potentially could integrate into the building (2.3.5.2). The DCP includes chillers, heat pumps, distribution pumps, cooling towers and air blowers as well as independent backups.

- We are concerned with noise and lighting that this infrastructure and its operations may introduce to the area between Stevens Creek and the heron/egret rookery. Light is especially concerning due to state requirements for industrial facilities. Please describe potential noise and lighting to be used at the DCP, and provide mitigation, including:
    - Use of fixtures with Correlated Color Temperature no more than 2700 Kelvin
    - Use of manual switch for work that is performed at night so that all-night lighting can be minimized.
    - Please consider Section 10, Artificial Light at Night, below.
- The Water Reuse Facility is expected to meet disinfected tertiary recycled water standards as described under Title 22 of the California Code of Regulations. The recycled water would be used for non-potable water demands on-site including toilet flushing, cooling, and irrigation.
    - Can recycled water uses include sustaining permanent and seasonal wetlands at the Charleston Retention Basin and the Eco Gem during dry spells?.

5) <u>Green Building and Emissions Reduction Features (Section 2.3.7)</u>

The groundwater level at North Bayshore, especially in the Shorebird area, is high enough to sustain the wetlands of the Charleston Retention Basin and vegetation around the basin with no irrigation at all. In areas of high water level, native vegetation which is not drought tolerant should be permitted because it allows a more biodiverse ecosystem to thrive with minor, if any, irrigation needs after establishment. Planting drought tolerant vegetation to satisfy Green Building Standards in locations where implementation of the standards is not needed should not be required or encouraged.

- Are there areas within the NBMPP area where the groundwater level is high enough to support vegetation that is not drought tolerant, for example, the eco-gem area?
- On page 29, under Energy Efficient Design, promises "Energy modeling in early design phases to optimize **wall-to-wall ratios**, thermal performance, and exterior shading." Is the intention to model **window-to-wall ratios**?

6) <u>Parking Structures</u>

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[2] https://www.aplic.org/Collisions.php. For guidance, download APLIC's "*Reducing Avian Collisions with Power Lines: State of the Art in 2012.*"

[3] https://www.aplic.org/APPs

In our NOP scoping comments, we asked "Please include one alternative scenario with reduced parking… This alternative should also analyze the impact of mitigation strategies that increase the pedestrian, micro-mobility and bicycle capacity, including using Green Streets potentially within the entire North Bayshore Precise Plan area."

The NBMPP does not offer a Reduced Parking Alternative. Instead, five parking structures are planned to accommodate ±7,274 cars (Table 2.3-5). This adds to existing and planned parking under future buildings, parking structures currently under construction, and existing parking structures. While all new parking structures are of concern, we are especially concerned with the parking structure at Subarea AM1 (Amphitheater).

The NBPP envisioned the vast parking spaces of North Bayshore becoming open space and the area becoming less car-centric. But with so many cars accommodated at North Bayshore, this vision may not be implemented as intently and purposely as we hoped.

- Please provide the footprint of 1) existing and 2) planned parking structures in North Bayshore, in acres.
- Please consider using feasible strategies like parking cash-out[4] which Stanford, Lockheed, and Genentech[5] used to avoid building additional parking lots and to reduce automobile use. Stanford may be the best example because it operates under a traffic cap[6]. Traffic caps work if enforced (for example, using pavement sensors that count vehicles throughput) and controlled (via pricing[7]) and feedback systems, such as increasing pricing and fines for exceeding the cap).
- Prior to building each parking structure, please study overall parking demand to evaluate how multi-modal behaviors evolve, and ensure that the added parking is indeed needed.

At the Alta/Huff Parking Structure, Google created a dynamic structure that can accommodate change of use in the future - from parking cars to housing people. This flexibility of re-purpose should be the model for all parking structures:

- New parking structures should be built to allow future re-purposing such as housing.
- New parking structures should be built so as to be able to respond immediately to crisis needs (shelter during major weather events, shelter post earthquake).

6.1. Amphitheater Parking Structure (AM1)

The Amphitheater Parking Structure (AM1) has not been studied in the North Bayshore Precise Plan. It has been previously required to accommodate parking needs for the Charleston East project, but since that time the Alta/Huff Parking Structure has been built, and parking at the Google Landings project is under construction.

- Please consider removing the AM1 structure from the NBMPP or provide an alternative location(s) for parking in North Bayshore. As suggested above, putting a price on parking and a vehicle cap can go a long way towards reducing the need for parking. Such measures should be considered as an alternative to building this structure, especially at this scope and at this location.

[4] http://www.aqmd.gov/docs/default-source/transportation/supplemental-documents/ca_parking_cash-out_program_an_informational_guide_for_employers_2021.pdf?sfvrsn=6

[5] https://www.greenbiz.com/article/how-genentech-used-parking-lot-fund-its-employee-commuter-shuttle

[6] https://transportation.stanford.edu/about/stanford-and-general-use-permit-faq

[7] https://mtc.ca.gov/planning/transportation/driving-congestion-environment/parking-curb-management

Significant Impacts on Burrowing Owls

We are greatly concerned that the parking structure at AM1 will have a significant impact on Burrowing owls locally and regionally. A comment letter from the Department of Fish and Wildlife (April 6, 2022) also highlights the potential of impacts to Burrowing owls.

The Burrowing owl population in the south Bay Area has suffered a significant decline and the breeding population is at a risk of extirpation. In the past four years, the county's Burrowing owl population has been sustained by deliberate conservation actions implemented primarily by the Santa Clara Valley Habitat Agency in an effort to accomplish the requirements of this adopted Valley Habitat Plan.[8]

The City of Mountain View has been engaged in conservation and monitoring efforts at Shoreline Park for decades and has been implementing a Burrowing Owl Conservation Plan since 1998. This plan was updated in 2012 with the adoption of the Burrowing Owl Preservation Plan[9] (BOPP). The BOPP incorporated historical mitigation areas, stipulated Population and Habitat Goals, and designated additional areas (preserves) where owl habitat (for foraging and for breeding) is to be maintained to support wintering and nesting owls. The historical mitigations (Figure 1, from BOPP page 80) involve legal commitments to the California Department of Fish and Wildlife, and must be retained in perpetuity. Vista slope includes mitigation areas, including a mitigation site on the south-west corner of AM1. Vista slope has consistently been used by wintering and by nesting Burrowing owls over the years[10].

The City of Mountain View is an active participant in the Conservation Actions that are funded in part by the Habitat Agency. Shoreline Park has been one of only two locations where intervention actions by the Habitat Agency, including overwintering of fledglings and supplemental feeding, have been successful (Figure 2). Impacts to the success of Burrowing owls of Shoreline Park can potentially hamper recovery efforts in the south Bay Area and conflict with the adopted Santa Clara Valley Habitat Conservation Plan/ Natural Communities Conservation Plan.

[8] https://scv-habitatagency.org/DocumentCenter/View/1691/06

[9] http://www.elkhornsloughctp.org/uploads/files/1408724962Mountain%20View%20Burrowing%20owl%20management%20plan.pdf

[10] Shoreline Burrowing owls Annual Monitoring reports, 1998-2021.

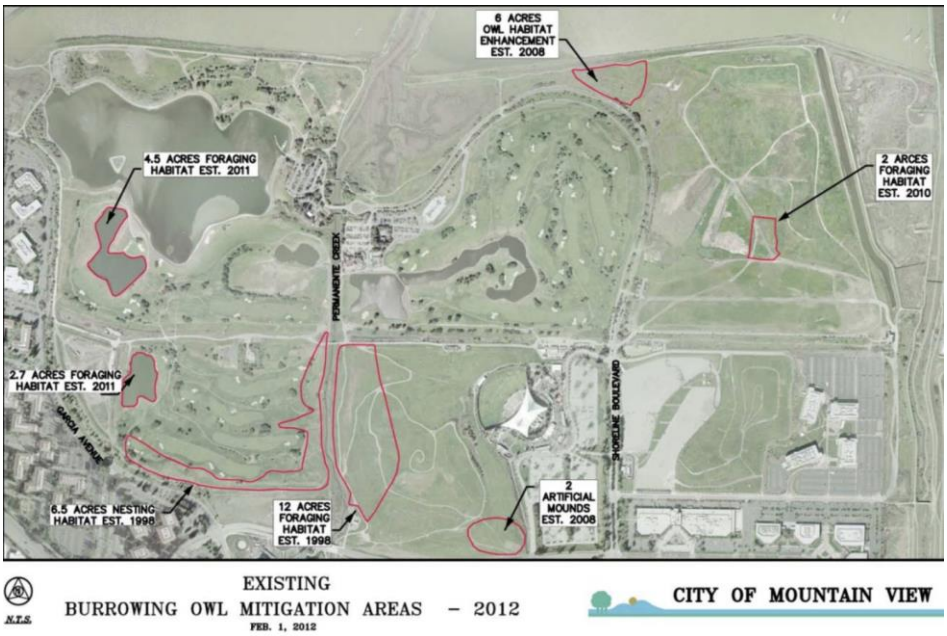

Figure 1. Burrowing owl Mitigation Areas

SANTA CLARA VALLEY
HABITAT AGENCY

City of Gilroy
City of Morgan Hill
City of San José
County of Santa Clara
Santa Clara Valley Water District
Santa Clara Valley
Transportation Authority

Shoreline in Mountain View

Annual Burrowing Owl Survey Results 1998 - 2022

6

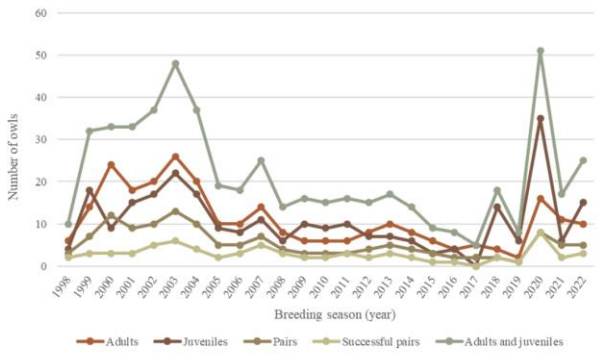

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FIGURE 2. Burrowing owl population trends at Shoreline Park[11], showing the success and importance of recent intervention actions (2018-2021)

The BOPP (2012) provides:, “Under the California Endangered Species Act, the Burrowing owl is a State Species of Special Concern based on both localized and State-wide population declines as well as losses

[11] https://scv-habitatagency.org/DocumentCenter/View/1691/06

of suitable habitat (CDFG, 1995). Under California Fish and Game Code, Section 1802, the CDFG is the agency manager and trustee of fish and wildlife resources and their habitat." The BOPP states, "this document also provides procedures for meeting wildlife laws and regulations without the City having to consult CDFG on every action taken at the Park that has the potential to harm Burrowing owls." The Plan describes 10 Owl Management Actions, including "Action 9. Employ a full-time biologist with owl expertise."

- Have the procedures for meeting wildlife laws and regulations been followed?
- Has the city's Burrowing owl biologist been given the opportunity to participate in the design and mitigations of the parking structure at AM1? Has the biologist approved the proposed mitigations to ensure that procedures for meeting wildlife laws and regulations are met without the City having to consult CDFG?
- If the biologist has issued an opinion or a report pertaining to the design and mitigation of parking at AM1, please include these documents in the Final EIR for public and agency review.

To protect the Burrowing owls of Shoreline Park, the North Bayshore Precise Plan designated a buffer (Burrowing Owls Habitat Overlay Zone, HOZ) where buildings are not permitted within 250-ft of Burrowing owl habitat, and no net increase in impervious surface can occur. No buildings taller than 55 feet can be constructed within 100 feet of any HOZ boundary. There are additional stipulations regarding lighting, perching, pesticide use etc..

The 2017 NBPP EIR did not evaluate the construction of a parking garage outside of the Precise Plan area on Subarea AM1. The NBMPP proposes that the Parking Structure at AM1 will maintain the same 250-ft buffer that is required for development in the Precise Plan area, and comply with the measures listed in Chapter 5.1 Habitat Overlay Zone, Standard 2 of the Precise Plan regarding outdoor lighting, constructing perch deterrents, avoidance during construction, and the limitation of rodenticide use. We appreciate these measures, but maintain that these measures do not suffice to reduce impacts to a less than significant level.

As we understand it, the SDEIR makes two assumptions that lead to the findings that the impact is "Same Impact as Approved Project; Less than Significant Impact":

1) Assumption 1: The edge of the potentially suitable Burrowing owl habitat is analogous to the baseline of the Burrowing Owl HOZ, and so mitigation can be similar.
2) Assumption 2: The developed/landscaped habitat in AM1 is of relatively low value to wildlife (including Burrowing owls).

We disagree with both assumptions.

There is a wide road (Amphitheater Parkway) that separates Burrowing owl habitat from the areas studied in the NBPP. It also provides, as we show below, Burrowing owl habitat. In contrast with the NBPP Study Area, AM1 is immediately adjacent to Vista slope and a designated mitigation site. The development and operations could therefore have impacts beyond those that were studied in 2017, including loss of habitat onsite, increased recreational activity on Vista Slope, hazards related to the anticipated increase in vehicle traffic, potential introduction of dogs and cats, and lighting in and around the structure. In the precarious situation of the owl population of the south bay, a loss of one nest, even one owl, during the nesting season can lead to the extirpation of the species in the South Bay Area.
Subarea AM1 is described in footnote 54 "*The developed/landscaped habitat in AM1 is of relatively low value to wildlife, but provides nesting and foraging opportunities for some urban-adapted species of*

birds." This description neglects to mention that Burrowing owls may also forage at the site. The footnote shows that the parking lot supports Burrowing owl prey species such as mice, lizards, and small birds. Burrowing owls are known to forage and even nest in parking lots. In "Studies of Western Birds 1:218–226, 2008, Species Accounts (pages 218-226) (attached), the description of this California Species of Special Status includes, "developed environments pose a substantial risk to Burrowing owls from mortality caused by traffic (Klute et al. 2003, D. K. Rosenberg et al. unpubl. data). Owls nesting along roadsides or parking lots are at greatest risk, although owls foraged along roads over 1 km from the nest burrow (Gervais et al. 2003)." Burrowing owls have also been observed foraging in parking lots in North Bayshore[7].

The observation in the DSEIR footnote 54 that "*California ground squirrels and their burrows are common in the ruderal grassland margins of the parcel, as well as on the adjacent grasslands at Shoreline Park"* further substantiates the value of this site for burrowing owls. Overwintering or breeding Burrowing owls likely forage here, and potentially use ground squirrel burrows. The AM1 site is important to the preservation of Burrowing owls, and building here should be recognized as a significant impact and avoided, or adequately mitigated.

- Please discuss the impacts to Burrowing owls, including loss of habitat onsite, lighting, increased recreational activity on Vista slope, hazards related to the anticipated increase in vehicle traffic, potential introduction of dogs and cats, and construction-related activities.
- Please consider a regional context for the discussion of impacts to Burrowing owls and include:
    - Cumulative impacts on Burrowing owls. Please include the Moffett Park Specific Plan in Sunnyvale and development and maintenance activities in Moffett Park.
    - The role of Shoreline Park in the recovery efforts by the Santa Clara Valley Habitat Agency.

We believe that avoidance of the impacts by not building this structure is the best alternative. It was not part of the MPSP, and can be eliminated from the NBMPP. If avoidance is not feasible, the following mitigations should be added to the mitigations and standards offered in the DSEIR in order to reduce significant impacts to owls at Shoreline Park and regionally, and to the success of the Santa Clara Valley Habitat Plan.

- Plant grasses and shrubs in the 250-ft buffer to provide foraging for Burrowing owls.
- Ensure there is no-net-loss of impervious area/habitat.
- Install a green roof, seeded to provide grassy foraging habitat.
- Avoid any lighting or spillover light into the 250-ft HOZ. Lighting in the parking structure should not be visible from Vista slope.
- Fencing is needed to stop people from creating social trails to access Vista slope. Design and fencing should direct people to the official trails that provide signs and guidance (such as no dogs, day-use only).
- Additional Mitigation measures should craft best management guidance and requirements based upon the following:
    - Mountain View's BOPP in consultation with the City's Burrowing Owl Biologist,
    - CDFW Staff Report on Burrowing Owl Mitigation (2012) and consultation with the California Department of Fish and Game,
    - Mitigation measures for Burrowing Owls from the Santa Clara Valley Habitat Plan.[12]

[12] https://www.scv-habitatagency.org/178/Santa-Clara-Valley-Habitat-Plan

7) Egret Rookery, Shorebirds Wilds and Eco -gem Area

The terminus of Charleston Rd./Shorebird Way is home to the largest egret and heron rookery in the South Bay. The rookery is recognized in the NBPP which states, "This rookery is regionally significant as one of the largest egret colonies in the South Bay and is an important natural resource." In recent years, nesting birds in this area included Snowy Egrets, Great Egrets, Black-crowned night herons, White-tailed kites, Western bluebirds, Red-shouldered hawks and Red-tailed hawks (Matthew Dodder, SCVAS, personal Communications).

The use of 1201 Charleston for meeting/event space and outdoor activities in the Shorebirds Wilds and Eco-gem Area could introduce disturbance to nesting birds. The NBPP describes "passive" uses without defining what activities may or may not be permitted, or how these activities may accommodate nesting birds without disruption.

Mitigation measures to protect nesting birds from operations-related activities and disturbance should be specified for the lifetime of the project.

- Please develop Standards, Guidelines and Protocols to ensure that noisy or light-generating events, events that attract predators and/or other potential disturbances (especially outdoor activities) are evaluated by the City's Biologist if they are scheduled to occur during the nesting season.
- In the letter from CDFW, the agency requests that the SEIR include building height and location alternatives that reduce environmental impacts such as not locating tall buildings near biologically sensitive areas. We ask that any facade that faces the egret rookery/Shorebirds wilds, the eco-gem and the retention basin implement bird-safety measures (including glazing above 60-ft).
- Please develop a Tree Preservation Plan for the trees in the Egret rookery HOZ.
    - This plan should identify important trees to preserve. This should specifically include the London plane trees that are traditionally used by the egrets and the redwoods across Shorebird Way (including the redwood in which a White-tailed kite has been nesting).
    - The plan should specify maintenance requirements, importantly including irrigation with water with no salt content.

These mitigations aim to reduce the aesthetic impacts of loss of trees and canopy, and the risk that the London Plane trees die due to over-fertilization and high salt content by recycled water augmenting the bird excrement, or that the redwood trees die due to high salt content in recycled water). Both of these outcomes are known to occur if these trees are irrigated with high salt content water. If protective measures are not taken to ensure that the trees thrive, the trees of the egret colony may perish - a potentially significant impact to the largest heron/egret rookery in the South Bay area.

8) Potential Loss of Trees

The loss of trees and canopy, and mitigations for such loss, are of great public interest in Mountain View. In 2022, the City has prioritized Biodiversity as a strategic goal, and within this goal, a new Urban Forest Master Plan is being developed. The new Plan, with associated code changes, is likely to be completed within two years and change the existing, inadequate regulations for the protection of trees.

COA BIO-2.1, "Tree Mitigation and Preservation Plan" defers the preparation of a Tree Mitigation Plan and at the same time grandfathers in existing tree mitigation requirements for decades to come. However, in light of the ecological sensitivity of North Bayshore, note the following.

- It is important that future projects implement the new policies and ordinances that are developed to protect biodiversity and the environment, including requirements for mitigation for the loss of trees. The existing code regarding trees should not be static and grandfathered in. An update to the NBMPP should be required when the tree ordinance is updated.
- Identification of locations where replacement trees will be planted (so the city does not end up with in-lieu funds but no viable planting locations) is important, including potential planting locations outside the boundary of North Bayshore.
- Please identify redwood trees/groves to preserve similar to Landings projects.
- In addition, please see our previous comment regarding the development of a Tree Preservation Plan for the trees in the Egret rookery HOZ (Section 7). This plan should be incorporated into the Tree Mitigation and Preservation Plan and include directions for maintenance and preservation of the London Plane and redwood trees that comprise the rookery so the trees are retained and maintained in good health. Trimming guidelines are also needed, and a plan to continue supplying water of low-salt content. This is because irrigation of redwoods in North Bayshore with recycled water of high salt content has led to a rapid decline in the health of the trees. London Plane trees are more resistant to salinity, but fertilization by egret droppings augmented by irrigation with water of high salinity may impact the health of these trees adversely.

9) Cumulative Impacts Analysis

Why has the cumulative Impact analysis not addressed Google's Bayview Campus, Caribbean campus and the City of Sunnyvale's Moffett Park Specific Plan? These projects are located in close proximity to the NBMPP (a biking/walking distance) along the Bay. These projects and plans introduce millions of square feet of office space and thousands of hotel rooms and housing units. The implementation of the Moffett Park Specific Plan is expected to coincide with the development of the NBMPP. All these projects have a Google nexus, and all may have cumulative impacts on Biological Resources, air quality, traffic and other environmental resources. We encourage the City to analyze the cumulative impacts of these additional projects.

10) Artificial Light at Night

In the time since the NBPP was adopted, scientific evidence and understanding of the devastating impacts of Artificial Light At Night (ALAN), especially in the blue band of the spectrum, has grown substantially. We now know much more about impacts of ALAN to the environment and to human health, and we have a better understanding of how to mitigate the impacts[13]. The Artificial Light at Night Research Literature Database includes many recent (2018-2023) scientific studies[14] that focus on the harmful impacts of LED lighting to species, ecosystems and human health, impacts that were not known, and could not have been discovered, when the NBPP was approved in 2017. The primary lesson that emerges from these studies is that ALAN must be minimized.

This upcoming update to City code, and the proliferation of new scientific evidence, justifies a re-evaluation of the NBPP standards and strengthening the existing requirements by the following.

- Eliminating minimum requirements for lighting from the NBPP and the NBMPP. Lighting for all

[13] https://www.darksky.org/artificial-light-at-night-state-of-the-science-2022-report/; Artificial Light at Night: State of the Science 2022 International Dark-Sky Association DOI: 10.5281/zenodo.6903500 (attached)
[14] https://www.zotero.org/groups/2913367/alan_db

human needs can be achieved without setting minimums.

- Turning off all outdoor lights at 10PM.
- Ensuring that Correlated Color Temperature should not exceed 2700 Kelvin (with potential exception to vibrant social activity centers).
- Including as Standards and Guidelines the best practices that the International Dark-sky Association (IDA) provides in its Board Policy on the Application of the Lighting Principles document[15] (June 24, 2021). This policy provides guidance for implementing the Five Principles for Responsible Outdoor Lighting[16] that are offered as mitigation for the significant impacts of ALAN on the environment. These guidelines include the following among other recommendations.
    - The spectral content, or color, of light should be limited to only what is necessary for the task. Because of the disproportionate impact on the nighttime environment, particular attention should be paid to reducing the total emissions of short-wavelength or "blue" light (defined for the purposes of this resolution between the wavelengths of 380 nm and 520 nm) through light source spectrum management[17].
    - To minimize negative environmental impacts, IDA recommends using lamps rated at 2200K CCT[18] , Phosphor-Converted Amber LED, or some filtered LED.
    - When higher than 2200K CCT is necessary to meet lighting objectives, keep the total emission of blue light into the environment as low as reasonably possible through low intensities, careful targeting, and reduced operating times.
    - Near sensitive sites, such as conservation areas, sensitive wildlife habitat, ecological reserves, parks, astronomical observatories, or stargazing sites, IDA recommends that lighting installations use 0% blue light and a narrower spectrum of emission.
    - Critically sensitive environments should be kept naturally dark.
- Tall buildings that emit internal light at night can divert bird migration patterns and increase bird collisions.[19] Any buildings that face ecologically sensitive areas should include window coverings that can be drawn at night to reduce visibility of light from surrounding areas. We are especially concerned with the lighting of parking garages, particularly the proposed garage on Amphitheater Parkway.

11) Hydrology

Have impacts of the Project to the hydrology of the Charleston Retention Basin been analyzed? Please ensure that the wetland is not deprived of water.

We thank you for the opportunity to provide comments,

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[15] https://www.darksky.org/wp-content/uploads/bsk-pdf-manager/2021/08/BOARD-policy-application-of-light-FINAL-June-24-2021.docx.pdf

[16] https://www.darksky.org/our-work/lighting/lighting-principles/

[17] Outdoor light emission in the ultraviolet portion of the spectrum (below 380 nm) should also be avoided as it often has deleterious consequences for wildlife while providing no benefit or human utility. https://www.darksky.org/our-work/lighting/values-centered-outdoor-lighting/

[18] There is no widespread agreement on a more relevant metric than CCT for spectrum evaluation until one is developed. In the interim, CCT may be used as a placeholder, although it should be verified that the source emits no more than 8% blue light emissions

[19] https://esajournals.onlinelibrary.wiley.com/doi/abs/10.1002/fee.2029?af=R and https://www.pnas.org/doi/full/10.1073/pnas.2101666118

Susan DesJardin
Bay Alive Committee Chair
Sierra Club Loma Prieta Chapter

Matthew Dodder
Executive Director
Santa Clara Valley Audubon Society

Alice Kaufman
Policy and Advocacy Director
Green Foothills

Letter L

TO: City of Mountain View, Community Development Department
ATTN: Diana Pancholi, Principal Planner
500 Castro Street, PO Box 7540
Mountain View, CA 94039-7540

February 6, 2023

Dear Mrs. Pancholi,

I'm writing today to comment on the Amended North Bayshore Precise Plan (NBPP), Draft Environmental Impact Report (DEIR). In particular, I'd like to comment on the indirect impact on Mountain View schools – both the Mountain View Whisman School District (MVWSD) and the Mountain View Los Altos (MVLA) High School District – responsible for educating the future children coming from this large, new proposed community. As a former MVWSD board member (2016-2020), I see this as a wonderful opportunity for the City of Mountain View, the Developer, and the 2 school districts to work together to serve the future students generated from the proposed development while also considering the broader picture factoring in all future growth in the school impact analysis and school site needs. I realize the City cannot impose school related fees on developers, but the current school impacts are grossly underestimated and the findings are not aligned with real world facts. There are numerous other projects, both approved and in process, that will also bring additional pupils to our schools well ahead of the NBPP development. These numbers do not appear to be factored into the school site impacts. Neither MVWSD nor MVLA has the monetary resources to purchase new land to house the sheer magnitude of all future growth in the city, when all existing and approved developments are factored in. Land costs were roughly $15 million and acre over 3 years ago and even with the State of California paying for ½ of the land costs, our districts simply cannot afford the remaining costs for both land and construction with their current revenue streams.

One potential and logical avenue to explore, to alleviate the pressure and of either new land and/or facilities from Mountain View's school districts, would be to faithfully, fairly,

and more equitably renegotiate the Shoreline Community Redevelopment Area Tax Increment set to expire in June 2023. The current allocation to MVWSD alone is a mere 38% of what the normal tax base would be in any other part of the city. Renegotiating to a more representative rate could allow both districts to set aside funds for school site modifications, facilities expansion, potential lease lapses (as income would no longer be needed) and possibly the purchase of additional land before the NBPP students arrive, as well as help both district's serve these students once they populate classrooms. Without such revenue, existing student services would decline for all Mountain View students. Ideally, with a development of this size, a walkable elementary school within the NBPP community is what is needed, as all of MVWSD's kids can currently walk and bike to nearby schools, an opportunity all Mountain View residents should be afforded. Schools within communities foster relationships, build healthy connections, improve mental health, and serve as focal gathering spaces for after-hours events and open space use.

Thank you for your time and consideration of my comments on the DEIR. I respectfully request a more adequate representation of the full impact on Mountain View's schools of a development of this size, and encourage the thoughtful consideration of all possible, creative, and collaborative solutions to the vision of creating an entirely new neighborhood in our beautiful city while also supporting schools to equitably educate our children near where they live.

Respectfully,

Tamara Wilson

Letter M

City of Mountain View
Diana Pancholi, Project Manager
500 Castro Street
Mountain View, CA 94041

February 6, 2023

Dear Ms. Pancholi,

This document serves as the response by The Friends of Mountain View Parks to the Amended North Bayshore Precise Plan (NBPP) Draft Environmental Impact Report (DEIR). I have reviewed the report and provide the following comments concerning the adequacy of the findings relating to the direct and indirect impacts to parks, open space, the Shoreline Regional Wildlife Area, and the overall quality of life in the proposed North Bayshore development.

The proposed project including up to 7,000 residential units is estimated to generate approximately 12,250 new residents resulting in a parkland requirement of 36.8 acres to meet the City's target of three (3) acres per 1,000 residents. DEIR at page 324-325.

The project Master Plan proposes a total of 30.5 acres of parks and open space with 18.9 acres of unimproved land dedicated to the City of Mountain View and 11.7 areas provided as POPA open space which would be improved and maintained by the applicant in perpetuity. DEIR at Section 2.3.2.

The applicant would pay in lieu fees for the remaining 6.2 acres. DEIR at page 331.

Section 41.5 of the City Code states that "The public interest, convenience, health, welfare and safety require that three (3) acres of property for each one thousand (1,000) persons residing in the city be devoted to public parks and recreational facilities. Section 41.3(c) of the City Code further provides that "[i]f there is no public park or recreation facility designated or required in whole or in part within the proposed residential development, which meets the requirements set forth herein, the owner and/or developer shall be required to pay a fee in lieu of land dedication equal to the value of the land as determined by Secs. 41.5 through 41.9 of this chapter.". "The fees collected pursuant to this chapter are to be used only for the purpose of providing park or recreational facilities to serve the residential development from which fees are collected in accordance with the service area requirement in Table 41.3 of this chapter." Section 41.3(e).

However, a plan for how the in lieu fees based on the value of the 6.2 acres of land will be used to mitigate the impact of the approximately 12,250 new residents in the proposed North Bayshore development has not been set forth in the DEIR. The DEIR fails to provide any plan for how the in lieu fees will be spent or articulate a nexus between the use of the funds and mitigating the impact of the residential development. "[T]o be adequate the payment of fees must be tied to a functioning mitigation program." (*California Native Plant Society v. County of El Dorado* (2009) 170 Cal.App.4th 1026, 1055); "To be adequate, these mitigation fees ... must be part of a reasonable plan of actual mitigation that the relevant agency commits itself to implementing." (*Id.*, quoting *Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, 1188.) "For an in-lieu fee system to satisfy the duty to mitigate, either that

system must be evaluated by CEQA (two tier approval for later, more specific, projects) or the in-lieu fees or other mitigation must be evaluated on a project-specific basis." (*Id.*)

In addition to the 7,000 residential dwelling units, the proposed North Bayshore development further includes 3.1 million square feet of office space of which 1.3 million square feet is new office space and 1.8 million square feet is existing office space to be developed, 224,000 of retail space, and 525 hotel rooms. Notice of Preparation of a Draft Subsequent Impact Report for the North Bayshore Master Plan Project, City of Mountain View dated February 28, 2022.

The employees, the shoppers, and the visitors to the office buildings, stores, restaurants, and hotels will use the parks and open space. But the DEIR makes no provision for the impacts of these non-residential developments on parks and open space. The cumulative impact of not only those living in the proposed NBBS development but also the employees and visitors to the area should be taken into consideration when determining the appropriate acreage of parks and open space and in developing mitigation strategies that accomplish the objectives of fostering a vibrant neighborhood and community in North Bayshore.

General Plan Policy POS 1.2 is to "Require new development to provide park and recreation facilities". This policy is not limited to residential development. The new commercial and office developments should be required to provide park and recreation facilities in addition to the parks being created for the new residential development.

Furthermore, it is critical that adequate park and recreational facilities be provided for all those who live, work, and visit the development to ensure that the viability of the Shoreline Regional Wildlife Area as a wildlife habitat is preserved. If adequate park and recreational facilities are not provided for these new visitors and residents, they will inevitably make their way to more sensitive wildlife habitat areas as they seek out the open space not otherwise adequately provided by the project.

For at least these reasons, I recommend that the City and the proponents of the proposed North Bayshore project provide additional park and open space as part of their project, and that the City delay the approval of the North Bayshore Master Plan and the DEIR to address the concerns raised in this letter.

Sincerely,

/William R. Lambert/

The Friends of Mountain View Parks
William R. Lambert, Officer
[redacted]

cc: Mountain View City Council
Kimbra McCarthy, Manager, City of Mountain View

Draft Subsequent Environmental Impact Report

North Bayshore Master Plan

SCH No.: 2022020712

Prepared by

City of Mountain View

In Consultation with

50 YEARS EST. 1972 DAVID J. POWERS & ASSOCIATES, INC. ENVIRONMENTAL CONSULTANTS & PLANNERS

December 2022

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SUMMARY

The City of Mountain View, as the Lead Agency, has prepared this Draft Subsequent Environmental Impact Report (EIR) for the North Bayshore Master Plan in compliance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines.

As the CEQA Lead Agency for this project, the City of Mountain View is required to consider the information in the EIR along with any other available information in deciding whether to approve the project. The basic requirements for an EIR include discussions of the environmental setting, significant environmental impacts (including growth-inducing impacts and cumulative impacts), mitigation measures, and alternatives. It is not the intent of an EIR to recommend either approval or denial of a project.

This EIR tiers from the certified 2017 North Bayshore Precise Plan Final Subsequent EIR (2017 EIR, SCH #2013082088) and Mountain View 2030 General Plan EIR (SCH #2011012069), both of which are specifically incorporated by reference into this EIR.

Summary of the Project

The approximately 151-acre project site is generally located to the north of U.S. Highway 101 (US 101), west of Stevens Creek, south of Charleston Road, and east of Alta Avenue, within the Shorebird, Joaquin, and Pear Complete Neighborhood Character Areas of the Precise Plan. The project site is currently developed with 69 office, light industrial, and retail buildings totaling approximately 1,853,703 square feet, as well as landscaping and surface parking lots. The project proposes to demolish 68 of the existing 69 buildings and construct up to 7,000 residential dwelling units, up to 3,145,897 million square feet of office space (including 1,303,250 square feet of net new office space and 1,842,647 square feet of existing office space to be redeveloped), up to 244,000 square feet of retail uses, up to of 55,000 square feet of community facilities, up to 525 hotel rooms, up to six above-ground parking structures, and a 2,000 square foot Police Operations Station. The project would also dedicate 18.9 acres of public open space and construct 11.7 acres of Privately Owned Publicly Accessible (POPA) open space. The project would also include new vehicular, bicycle, and pedestrian circulation. As a project option, the applicant could develop a private district utility systems with an approximately 130,000 square-foot District Central Plant (DCP) and system of underground distribution/collection lines to serve the buildings within the Master Plan with wastewater, recycled water, thermal energy (heating and cooling), electric power via a microgrid, and/or pneumatic waste collection. A more detailed project description is provided in Section 2.3 Project Description.

Summary of Significant Impacts and Mitigation Measures

This section summarizes (1) new significant impacts and mitigation measures identified for the project, which were not previously disclosed in the 2017 EIR (identified as MM), and (2) impacts and mitigation measures previously disclosed in the 2017 EIR that are applicable to the project (identified as 2017 EIR MM). The impacts and mitigation measures refer to the project (which assumes standard municipal utilities), the project with District Utilities System Option (which assumes a private district utility system would be constructed as a project design option), or Both Options.

A detailed discussion of impacts and mitigation measures is provided in Sections 3.0 New Significant Environmental Effects and 4.0 Previously Identified Effects of this EIR.

Significant Impact	Mitigation Measures
Impact AQ-1: Both Project Options: The project (under either option) would conflict with or obstruct implementation of the applicable air quality plan by resulting in construction NO_x emissions, operational ROG, NO_x, and PM_{10} emissions, and health risks (primarily due to construction emissions) in excess of BAAQMD thresholds. **(New Impact [Significant and Unavoidable Impact with Mitigation Incorporated])** **Impact AQ-2: Both Project Options:** The project (under either option) would 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. **(New Impact [Significant and Unavoidable Impact with Mitigation Incorporated])** **Impact AQ-3: Both Project Options:** The project (under either option) would expose sensitive receptors to substantial pollutant concentrations. **(New Impact [Significant and Unavoidable Impact with Mitigation**	**2017 EIR MM AQ-2.1[1]: Both Project Options:** Measures to reduce diesel particulate matter (DPM) and PM_{10} from construction shall be implemented to ensure that short-term health impacts to nearby sensitive receptors are avoided. 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: • 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. Dewatering effluent extracted from the site may be utilized for watering all exposed surfaces, if found to meet VOC and Fuel General Permit NPDES permit requirements pursuant to the Site Management Plan required per Precise Plan EIR MM HAZ-3.1 in Section 5.8 Hazards and Hazardous Materials. • 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

[1] This mitigation measure has been revised to reflect the updated BAAQMD best management practices identified in the updated 2017 BAAQMD CEQA Air Quality Guidelines and additional recommendations from BAAQMD.

Significant Impact	Mitigation Measures
Incorporated]) **Impact AQ-4: Project with District Utilities Systems Option:** The project with District Utilities Systems Option would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. **(New Impact [Less than Significant Impact with Mitigation Incorporated])** **Impact AQ-C: Both Project Options:** The project (under either option) would result in a cumulatively considerable contribution to a cumulatively significant air quality impact. **(New Impact [Significant and Unavoidable Cumulative Impact with Mitigation Incorporated])**	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 measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. • All construction equipment shall be maintained and properly 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

Significant Impact	Mitigation Measures
	disturbed areas as soon as possible and watered appropriately until vegetation is established. Dewatering effluent extracted from the site may be utilized for watering all exposed surfaces, if found to meet VOC and Fuel General Permit NPDES permit requirements pursuant to the Site Management Plan required per Precise Plan EIR MM HAZ-3.1 in Section 5.8 Hazards and Hazardous Materials. • 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. **2017 EIR MM AQ-2.2: Both Project Options:** The following additional measures to reduce exhaust emissions from large construction projects shall be implemented: • The developer or contractor shall provide a plan for approval by the City or BAAQMD demonstrating that the heavy-duty (>50 horsepower) off-road vehicles to be used in the construction project, including owned, leased, and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NO_x reduction and 45 percent particulate reduction compared to the most recent CARB fleet average for the year 2011. • Clear signage at all construction sites will be posted indicating that diesel equipment standing idle for more than five minutes shall be turned off. This would include trucks waiting to deliver or receive soil, aggregate, or other bulk materials. Rotating drum concrete trucks could keep their engines running continuously as long as they were onsite or adjacent to the construction site. • The contractor shall install temporary electrical service whenever possible to avoid the need for

Significant Impact	Mitigation Measures
	independently powered equipment (e.g., compressors). • Properly tune and maintain equipment for low emissions. **2017 EIR MM AQ-3.1: Both Project Options:** Construction health risk assessments shall be required on a project-by-project basis, either through screening or refined modeling, to identify impacts and, if necessary, include effective mitigation measures to reduce exposure and significant risks to health, based upon BAAQMD-recommended thresholds for TACs (e.g., 10 in one million cancer cases). Reduction in health risk can be accomplished through, though is not limited to, the following measures: • Construction equipment selection; • Use of alternative fuels, engine retrofits, and added exhaust devices; • Modify construction schedule; and • Implementation of BAAQMD Basic and/or Additional Construction Mitigation Measures for control of fugitive dust. **2017 EIR MM AQ-4.1: Both Project Options:** The following measures shall be utilized in site planning and building designs to reduce TAC and $PM_{2.5}$ exposure where new sensitive receptors are located within 650 feet of US 101: • Future development under the Precise Plan that includes sensitive receptors (such as residences, schools, hospitals, daycare centers, or retirement homes) located within 650 feet of US 101, local roadways, and stationary sources shall require site-specific analysis to quantify the level of TAC and $PM_{2.5}$ exposure. This analysis shall be conducted following procedures outlined by BAAQMD. If the site-specific analysis reveals significant exposures, such as cancer risk greater than 10 in one million acute or chronic hazards with a Hazard Index greater than 1.0, or annual $PM_{2.5}$ exposures greater than 0.3 $\mu g/m^3$, or a significant cumulative health risk in terms of excess cancer risk greater than 100 in one million, acute or chronic hazards with a Hazard Index greater than 10.0, or annual $PM_{2.5}$ exposures greater than 0.8 $\mu g/m^3$, additional measures such as those detailed below shall be employed to reduce the risk to below

Significant Impact	Mitigation Measures
	the threshold. If this is not possible, the sensitive receptors shall be relocated. • Future developments that would include TAC sources would be evaluated through the CEQA process or BAAQMD permit process to ensure that they do not cause a significant health risk in terms of excess cancer risk greater than 10 in one million, acute or chronic hazards with a Hazard Index greater than 1.0, or annual $PM_{2.5}$ exposures greater than 0.3 $\mu g/m^3$, or a significant cumulative health risk in terms of excess cancer risk greater than 100 in one million, acute or chronic hazards with a Hazard Index greater than 10.0, or annual $PM_{2.5}$ exposures greater than 0.8 $\mu g/m^3$ • For significant cancer risk exposure, as defined by BAAQMD, indoor air filtration systems shall be installed to effectively reduce particulate levels to a less than significant level. Project sponsors shall submit performance specifications and design details to demonstrate that lifetime residential exposures would result in less than significant cancer risks (less than 10 in one million chances or 100 in one million for cumulative sources), Hazard Index or $PM_{2.5}$ concentration. • Air filtration systems installed shall be rated MERV-13 or higher and a maintenance plan for the air filtration system shall be implemented. • Trees and/or vegetation shall be planted between sensitive receptors and pollution sources, if feasible. Tree species that are best suited to trapping particulate matter shall be planted, including the following: Pine (Pinus nigra var. maritime), Cypress (X Cupressocyparis leylandii), Hybrid poplar (Populus deltoids X trichocarpa), and Redwood (Sequoia sempervirens). • Sites shall be designed to locate sensitive receptors as far as feasible from any freeways, roadways, refineries, diesel generators, distribution centers, and rail lines. • Operable windows, balconies, and building air intakes shall be located as far away from these sources as feasible. If near a distribution center, residents shall not be located immediately adjacent to a loading dock or where trucks concentrate to deliver goods.

	MM AQ-1.1: Both Project Options: The project (under either option) shall implement the following measures during all phases of construction: • On-road heavy-duty trucks used for construction shall be zero emissions or meet the current most stringent emissions standard, if feasible and commercially available. • 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 NO_x and PM (PM_{10} and $PM_{2.5}$), if feasible, otherwise, o If use of Tier 4 equipment is not available, alternatively use equipment that meets U.S. EPA emission standards for Tier 2 or 3 engines and include particulate matter emissions control equivalent to CARB Level 3 verifiable diesel emission control devices that altogether achieve an 85-percent reduction in particulate matter exhaust in comparison to uncontrolled equipment; alternatively (or in combination). The project applicant shall provide to the City for review and approval documentation showing that engines that comply with Tier 4 Final off-road emission standards are not commercially available for the specific off-road equipment necessary during construction. For purposes of this mitigation measure, "commercially available" shall take into consideration the following factors: (i) potential significant delays to critical-path timing of construction and (ii) the geographic proximity to the project site of Tier 4 Final equipment. o Use of alternatively fueled equipment with lower NO_x emissions that meet the NO_x and PM reduction requirements above. • Use electric portable equipment such as aerial lifts, air compressors, cement mortar mixers, concrete/industrial saws, cranes, and welders. Portable equipment shall be powered by grid electricity or alternative fuels (i.e., not diesel) instead of by diesel generators. • Provide line power to the site during the early phases of construction to minimize the use of diesel- or gas-powered equipment. • Diesel engines, whether for off road equipment or on road vehicles, shall not be left idling for more than two minutes, except as provided in exceptions to the

Significant Impact	Mitigation Measures
	applicable state regulations (e.g., traffic conditions, safe operating conditions). The construction sites shall have posted legible and visible signs in designated queuing areas and at the construction site to clearly notify operators of idling limit. • Use low volatile organic compound or VOC (i.e., ROG) coatings, that are below current BAAQMD requirements (i.e., Regulation 8, Rule 3: Architectural Coatings), for at least 80 percent of all residential and nonresidential interior paints and 80 percent of exterior paints. This includes all architectural coatings applied during both construction and reapplications throughout the project's operational lifetime. At least 80 percent of coatings applied must meet a "super-compliant" VOC standard of less than 10 grams of VOC per liter of paint. For reapplication of coatings during the project's operational lifetime, the Declaration of Covenants, Conditions, and Restrictions shall contain a stipulation for low VOC coatings to be used. Examples of "super-compliant" coatings are contained in the South Coast Air Quality Management District's website.[2] • The City shall review the above measures every two years to ensure these measures incorporate the latest guidance and tools available to mitigate the identified impacts as recommended by BAAQMD project construction and introduction of new land uses would occur over 14 years or further into the future where newer measures and measures that are not considered feasible now would be available to further reduce emissions. These could include greater use of zero-emission construction and stationary equipment and more incentives to support zero emission vehicles. New updated mitigations if identified as part of the two year assessment would be implemented with every new building construction approved as part of the Master Plan project from that point onwards

[2] South Coast Air Quality Management District. "Super-Compliant Architectural Coatings." Accessed December 7, 2022. http://www.aqmd.gov/home/rules-compliance/compliance/vocs/architectural-coatings/super-compliant-coatings.

	MM AQ-1.2: Both Project Options: Permanent stationary emergency generators installed on-site shall have engines that meet or exceed U.S. EPA Tier 4 standards for NO_x and particulate matter emissions. **MM AQ-4.1: Project with District Utilities System Option:** The project applicant shall develop and implement an odor control plan that addresses plant design issues to control odors, identifies operating and maintenance procedures to prevent odors, and includes a corrective action plan to respond to upset conditions and odor complaints. The odor control plan shall describe the design elements and best management practices built into the facility, including the following: • Ventilation of the system using carbon absorption, biofiltration, ammonia scrubbers, or other effective means to treat exhausted air from the enclosed facility; • Odor proofing of refuse containers used to store and transport grit and screenings or biosolids; and • Injection of chemicals to control hydrogen sulfide. The plan shall describe procedures to address upset conditions caused by equipment failures, power outages, flow control, or treatment issues, as well as odor complaints. Procedures would include investigating and identifying the source of the odor/odor complaint and corrective actions could include installing specific odor control technologies (e.g., odor control units) or adjusting plant operations (e.g., by adding ferrous chloride injections). The plan shall be reviewed and approved by the Public Works Director (or the Director's Designee) and BAAQMD prior to issuance of building permits for the DCP. In the event the facility receives confirmed complaints related to five separate incidents per year averaged over a three-year period, pursuant to BAAQMD CEQA Guidelines, the plant shall revise the odor control plan and resubmit it to the City for review and approval. If implementation of additional measures to control odors described in the plan does not lessen the complaints to less than five per year, the plant shall cease operations. All wastewater generated by the project shall be directed to the municipal wastewater system, and subsequent environmental review shall be required to assess the impacts of continued operations of the facility. Post a publicly visible sign with the telephone number and person to contact regarding odor complaints. This person shall respond and take corrective action within 48 hours. The Air

Significant Impact	Mitigation Measures
	District's phone number shall also be visible to ensure compliance with applicable regulations. A log of odor complaints and procedures implemented to respond to complaints shall be maintained by the operator and provided to the City upon request.
Impact BIO-1: Both Project Options: The project (under either option) 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. **[New Impact (Less than Significant Impact with Mitigation Incorporated)]** **Impact BIO-C: Both Project Options:** The project (under either option) would not result in a cumulatively considerable contribution to a cumulatively significant biological resources impact. **[New Cumulative Impact (Less than Significant Cumulative Impact with Mitigation Incorporated)]**	**MM BIO-1.1: Both Project Options:** Within two years prior to disturbance of ruderal habitat for construction of the Shoreline Amphitheatre parking structure, a qualified biologist shall conduct a survey for Congdon's tarplant during the appropriate season (e.g., late summer and fall), at a time when the species is detectable at nearby reference sites. The survey shall cover all areas within, and within 50 feet of, the construction area for the parking structure. If Congdon's tarplant is found in the survey area, the applicant shall comply with North Bayshore Precise Plan Landscape Design Standard 4 to protect and manage Congdon's tarplant. Management measures would be developed in coordination with the California Department of Fish and Wildlife, and may include establishment of a new population or enhancement of existing populations at Shoreline Park (in coordination with the City of Mountain View). **MM BIO-1.2: Both Project Options:** Nonnative milkweeds shall not be included in Master Plan landscaping. Although native milkweeds are encouraged in landscaping, they shall not be irrigated after August to allow those plants to senesce so that monarchs do not lay eggs on those plants too late in fall, and so that no suitable hostplants are present in late fall that might encourage monarchs to attempt winter breeding instead of migrating to coastal aggregation sites. **MM BIO-1.3: Both Project Options:** Within two weeks prior to any clearing, construction, or maintenance in landscaped areas that provide milkweeds that have not completely senesced, a qualified biologist shall survey those milkweed plants for monarch butterfly eggs, larvae, or pupae. If the plants do not support monarch eggs, larvae, or pupae, the qualified biologist shall remove those plants immediately (during the survey) to prevent monarchs from laying eggs between the time of the survey and initiation of impacts. If any eggs, larvae, or pupae are detected within the survey area, then impacts to the plants supporting those individuals shall be delayed until the emergence of those individual butterflies as adults. If such a delay is infeasible, the applicant shall coordinate with the U.S. Fish and Wildlife Service (USFWS) regarding recommendations. For example, larvae could be

Significant Impact	Mitigation Measures
	relocated to milkweeds outside the impact area, if those milkweeds are not already occupied by monarch eggs or larvae. Alternatively, monarch butterflies could be raised in captivity and released (with USFWS approval).
Impact GHG-2: Both Project Options: The project (under either option) would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. **(New Impact [Significant and Unavoidable Impact])**	Same mitigation measures as discussed above for Impact AQ-1 through AQ-C.
Impact GHG-C: Both Project Options: The project (under either option) would result in a cumulatively considerable contribution to a cumulatively significant GHG emissions impact. **(New Impact [Significant and Unavoidable Cumulative Impact])**	Same mitigation measures as discussed above for Impact AQ-1 through AQ-C.
Impact HAZ-2: Both Project Options: The project (under either option) 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. **(Same Impact as Approved Project [Less than Significant Impact with Mitigation Incorporated])**	**2017 EIR MM HAZ-3.1: Both Project Options:** If a future project is located in an area for which an overseeing regulatory agency (e.g., US EPA, California Department of Toxic Substances Control [DTSC], San Francisco Bay Regional Water Quality Control Board [Water Board] or DEH) has determined that mitigation or other site management measures are required prior to future development, the project applicant shall coordinate development activities with the overseeing regulatory agency and adhere to the project-specific development requirements. **2017 EIR MM HAZ-3.3:**[3] **Both Project Options:** Prior to the start of any construction activity on properties with known contaminants of concern (COC) exceeding the lower of the then-current DTSC, Water Board or US EPA residential vapor intrusion screening levels, the project applicant shall submit a Vapor Intrusion Control Evaluation to the City and the designated regulatory oversight agency for review and approval which consists of the following: • An Air Monitoring Plan, which would assess the exposure of future on-site construction workers and neighboring occupants adjoining the site to COCs; this

[3] This mitigation measure has been revised from the 2017 EIR to provide clarity on the requirements.

Significant Impact	Mitigation Measures
	plan shall specify measures to be implemented if COC concentrations exceed threshold values. • A determination as to whether or not vapor intrusion controls are required to be designed and implemented into the project's construction. If vapor intrusion controls are required, the Vapor Intrusion Controls Evaluation shall detail the specific proposed controls, which shall comprise of project components designed specifically for vapor intrusion control (e.g., a sub-slab vapor barrier and/or ventilation system) and/or project components designed primarily for other purposes, which may also mitigate potential vapor intrusion (e.g., waterproofing systems or parking level ventilation). The Vapor Intrusion Controls Evaluation shall also summarize any anticipated operations and maintenance requirements for the planned vapor intrusion controls, if applicable, as well as a summary of planned activities to evaluate the performance of the planned vapor intrusion controls, such as post-construction indoor air sampling. • If required by the regulatory agency, specific evaluation documents, including but not limited to the following, shall be submitted to the City and the oversight agency for review and approval: o Vapor Intrusion Control Completion Report documenting installation of the vapor control measures identified in the Vapor Intrusion Control Evaluation, including plans and specifications, and shall include results of post-construction indoor air sampling and system commissioning, where applicable. o Long-Term Operations, Maintenance, and Monitoring Plan, which shall describe actions to be taken following construction to maintain and monitor selected remedial measures. **2017 EIR MM HAZ-3.4: Both Project Options:** Prior to the start of any construction activity on properties with known COC exceeding the lower of the then-current DTSC, Water Board or US EPA residential screening levels, the project applicant shall coordinate work activities with the oversight agency and Responsible Parties (as designated by the oversight agency), including identifying conditions that could affect the implementation and monitoring of the approved remedy.

Significant Impact	Mitigation Measures
	2017 EIR MM HAZ-3.5: Both Project Options:[4] At future project sites identified as being impacted or potentially impacted during the property-specific Phase I ESA or subsequent studies, a Site Management Plan (SMP) shall be prepared prior to development activities to establish management practices for handling contaminated soil, soil vapor, or other materials during construction. The SMP shall be prepared by an Environmental Professional and be submitted to the overseeing regulatory agency for review and approval prior to construction. The project applicant shall provide the oversight agency's written approval of the SMP to the City or confirmation from the oversight agency that their review is not required. The SMP for the property shall include the following activities: • Property control procedures to control the flow of personnel, vehicles and materials in and out of the property. • Monitoring of vapors (if VOCs are determined to be a COC) during the removal of the underground utilities as well as any other underground features. An Environmental Professional shall be present to observe soil conditions, monitor vapors with a hand held meter and low level VOC detector, as appropriate, and determine if additional soil, soil gas, and air sampling should be performed. Protocols and procedures shall be presented for determining when soil sampling and analytical testing will be performed. If additional sampling is performed, a report documenting sampling activities (with site plans and analytical data) shall be provided to the oversight agency. • Minimization of dust generation, storm water runoff and off-property tracking of soil. • Minimization of airborne dust during demolition activities. • Management of property risks during earthwork activities in areas where impacted soil, soil vapor and/or ground water are present or suspected. Worker training requirements, health and safety measures and soil handling procedures shall be described. • Decontamination to be implemented by the Contractor to reduce the potential for construction equipment and

[4] This mitigation measure has been revised from the 2017 EIR to provide clarity on the requirements.

Significant Impact	Mitigation Measures
	vehicles to release contaminated soil onto public roadways or other off-property transfer. • Perimeter air monitoring at the property during any activity that substantially disturbs the property soil (e.g., mass grading, foundation construction, excavation or utility trenching). This monitoring shall be used to document the effectiveness of required dust and vapor control measures. • Contingency measures for previously unidentified buried structures, wells, debris, or areas of impacted soil that could be encountered during property development activities. • Characterization and profiling of soil suspected of being contaminated so that appropriate disposal or reuse alternatives can be implemented. All soil excavated and transported from the property shall be appropriated disposed at a permitted facility. • Segregation of "clean" and "impacted" soil stockpiles. • Evaluation and documentation of the quality of soil imported to the property. • Soil containing chemicals exceeding the lower of the then-current DTSC, Water Board or US EPA residential screening levels or typical background concentrations of metals shall not be accepted. • Monitoring of excavations and trenches for the potential presence of VOC vapors (if a COC). • Evaluation of the on-property soil conditions to determine if they will adversely affect the integrity of below ground utility lines and/or structures (e.g., the potential for corrosion). • Measures to reduce potential soil vapor and ground water migration through trench backfill and utility conduits (if soil and/or ground water are contaminated). Such measures shall include placement of low-permeability backfill "plugs" at specified intervals on-property and at all locations where utility trenches extend off-property. In addition, utility conduits that are placed below ground water shall be installed with watertight fittings to reduce the potential for ground water to migrate into conduits. • If the property is known to have COCs with the potential for mobilization, a Civil Engineer shall design the bottom and sides of vegetated swales and

Significant Impact	Mitigation Measures
	water retention ponds to be lined with a minimum 30 mil[5] heavy duty plastic to help prevent infiltration. • If deep foundation systems are proposed, the foundations shall incorporate measures to help reduce the potential for the downward migration of contaminated ground water (if present). • Methods to mitigate the potential for vapor intrusion of VOC vapors (if present) into the planned structures. • For construction activity that involves below ground work (e.g., mass grading, foundation construction, excavating or utility trenching), information regarding property risk management procedures (e.g., a copy of the SMP) shall be provided to the contractors for their review, and each contractor should provide such information to its subcontractors. • If excavation dewatering is required, protocols shall be prepared to evaluate water quality and discharge/disposal alternatives; the pumped water shall not be used for on-property dust control or any other on property use if contaminated. If long-term dewatering is required, the means and methods to extract, treat and dispose ground water also shall be presented and shall include treating/discharging ground water to the sanitary sewer under a Publicly Owned Treatment Works (POTW) permit or treating /discharging ground water to the storm drain system pursuant to a California Regional Water Quality Control Board - San Francisco Bay Region (Water Board) NPDES permit. If dewatering activities may impact known ground water contaminant plumes in the vicinity of the property, the oversight agency responsible for the remediation of these contaminant releases shall be notified of planned activities. • The project applicant's Environmental Professional shall assist in the implementation of the SMP for the property and shall, at a minimum, perform part-time observation services during demolition, excavation, grading and trenching activities. Upon completion of construction activities that significantly disturb the soil, the Environmental Professional shall prepare a report documenting compliance with the SMP; this report shall be submitted to the City and to the oversight agency (if the property is under regulatory oversight - which would require the Project Applicant

[5] A mil is a measurement that equals one-thousandth of an inch, or 0.001 inch. One mil also equals 0.0254 millimeter.

Significant Impact	Mitigation Measures
	to provide the oversight agency's written approval of the SMP Completion Report to the City or confirmation that the oversight agency's review is not required). **2017 EIR MM HAZ-3.6: Both Project Options:** Leaving contaminated soil with COC above residential screening levels in place or re- using it on future project sites shall require an oversight agency's written approval; the written approval shall be provided to the City. At a minimum, if contaminated soil is left in-place, a deed restriction or land use covenant shall detail the location of these soils. This document shall include a surveyed map of these impacted soils; shall restrict future excavation in these areas; and shall require future excavation be conducted in these areas only upon written approval by an oversight agency. **2017 EIR MM HAZ-3.7: Both Project Options:** Any soil, soil vapor and/or ground water remediation of a future project site during development activities shall require written approval by an oversight agency and shall meet all applicable federal, state and local laws, regulations and requirements. **2017 EIR MM HAZ-3.8:**[6] **Both Project Option:** Due to the North Bayshore Precise Plan area's proximity to US-101, soil sampling and analytical testing on a future site adjacent to US-101 for lead shall be performed (due to historical leaded gasoline use). If lead is detected above the lower of the then-current DTSC, Water Board or US EPA residential screening levels, it shall be appropriately managed under regulatory agency oversight. **2017 EIR MM HAZ-3.9: Both Project Options:** Unless the Phase I ESA documents that a specific project site was historically not used for agricultural purposes, soil sampling and laboratory analyses shall be performed to evaluate the residual pesticide concentrations, if any, and potential health risks to future occupants and construction workers. **2017 EIR MM HAZ-3.10: Both Project Options:** Soil exported from future project sites within the Precise Plan area shall be analyzed for COCs amongst other chemicals as required by the receiving facility.

[6] This mitigation measure has been revised from the 2017 EIR to provide clarity on the requirements.

Significant Impact	Mitigation Measures
	2017 EIR MM HAZ-3.11: Both Project Options: The project applicant shall require the construction General Contractor to prepare a Health and Safety Plan (HSP) establishing appropriate protocols for working at the property. Workers conducting property earthwork activities in contaminated areas shall complete 40-hour HAZWOPER training course (29 CFR 1910.120). The General Contractor shall be responsible for the health and safety of their employees as well as for compliance with all applicable federal, state, and local laws and guidelines. **2017 EIR MM HAZ-3.12: Both Project Options:** Groundwater monitoring wells and remediation system components located on future project sites within the Precise Plan area shall be protected during construction. Upon written approval from the overseeing regulatory agency, the wells could be destroyed under permit from the Santa Clara Water District prior to mass grading activities. Relocation of the wells may be required. The locations of future ground water monitoring wells and other remediation infrastructure, if any, shall be incorporated into the development plans. **2017 EIR MM HAZ-3.13: Both Project Options:** If future project sites are under active regulatory agency oversight, the project applicant and subsequent owners and occupants shall provide access to the sites, including ongoing access to monitoring wells for monitoring and sampling purposes, and cooperate with the oversight agency and Responsible Parties during implementation of any subsequent investigation or remediation, if required. In addition, if vapor intrusion poses a human health risk, the project applicant and subsequent property owners and occupants shall provide access for future indoor air vapor monitoring activities and shall not interfere with the implementation of remedies required by the oversight agency. **2017 EIR MM HAZ-3.14: Both Project Options:** For future sites that are subject to activity and use limitations (AULs), such as institutional (legal or regulatory restrictions on a property's use such as deed restrictions) and engineering (physical mechanisms that restrict property access or use) controls, compliance will be maintained.

Significant Impact	Mitigation Measures
	2017 EIR MM HAZ-3.15: Both Project Options: At future sites where hazardous materials are used or stored, a permit may be required for facility closure (i.e., demolition, removal, or abandonment) of any facility or portion of a facility. The project applicant shall contact the Mountain View Fire Department and County Department of Environmental Health to determine facility closure requirements prior to building demolition or change in property use.
Impact NOI-2: Both Project Options: The project (under either option) would not result in generation of excessive groundborne vibration or groundborne noise levels. **(Same Impact as Approved Project [Less than Significant Impact with Mitigation Incorporated])**	**2017 EIR MM NOI-4.1: Both Project Options:** Avoid impact pile driving where possible. Drilled piles cause lower vibration levels where geological conditions permit their use. **2017 EIR MM NOI-4.2: Both Project Options:** Avoid using vibratory rollers and tampers near sensitive areas**.** **2017 EIR MM NOI-4.3: Both Project Options:** In areas where project construction is anticipated to include vibration-generating activities, such as pile driving, in close proximity to existing structures, site-specific vibration studies shall be conducted to determine the area of impact and to present appropriate mitigation measures that may include the following: • Identification of sites that would include vibration compaction activities such as pile driving and have the potential to generate ground-borne vibration, and the sensitivity of nearby structures to ground-borne vibration. Vibration limits shall be applied to all vibration-sensitive structures located within 200 feet of the project. A qualified structural engineer shall conduct this task. • Development of a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions. • Construction contingencies shall be identified for when vibration levels approached the limits. • At a minimum, vibration monitoring shall be conducted during initial demolition activities and during pile driving activities. Monitoring results may

Significant Impact	Mitigation Measures
	indicate the need for more or less intensive measurements. • When vibration levels approach limits, suspend construction and implement contingencies to either lower vibration levels or secure the affected structures. • Conduct post-survey on structures where either monitoring has indicated high levels or complaints of damage has been made. Make appropriate repairs or compensation where damage has occurred as a result of construction activities.

Summary of Project Alternatives

CEQA requires that an EIR identify alternatives to a project as it is proposed. The CEQA Guidelines specify that the EIR should identify alternatives which "would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project." The purpose of the alternatives analysis is to determine whether there are alternatives of design, scope, or location which would substantially lessen the significant impacts, even if those alternatives "impede to some degree the attainment of the project objectives" or are more expensive (CEQA Guidelines Section 15126.6).

While CEQA does not require that alternatives must be capable of meeting all of the project objectives, their ability to meet most of the objectives is considered relevant to their consideration. The project objectives are identified in Section 2.5 Project Objectives of this EIR. The EIR considered four alternatives but rejected them for further analysis. A summary of the three project alternatives considered and evaluated in this EIR is provided below. Refer to Section 8.0 Alternatives for the full discussion of each alternative.

No Project, No New Development Alternative

The CEQA Guidelines specifically require consideration of a "No Project" Alternative. The purpose of including a No Project Alternative is to allow decision makers to compare the impacts of approving the project with the impacts of not approving the project. The CEQA Guidelines specifically advise that the No Project Alternative shall address both the existing conditions and "what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services" (Section 15126.6(e)(2).

Under the No Project, No New Development Alternative, the project site would remain as it is today. Under existing conditions, the site is developed with 69 buildings totaling approximately 1,853,703 square feet of office, light industrial, and retail uses. The No Project, No New Development Alternative would avoid the project's impacts (under either option) but would not meet any of the project objectives or Precise Plan guiding principles.

Mitigated 11 Percent Reduced Development Alternative

The purpose of the Mitigated 11 Percent Reduced Development Alternative is to avoid the project's significant and unavoidable construction NO_x emissions impact with the incorporation of the air quality mitigation measures identified for the project (under either option). The Mitigated 11 Percent Reduced Development Alternative assumes approximately 2.8 million square feet of office uses, 6,230 residential units, 217,000 square feet of retail uses, 49,000 square feet of community uses, and 27.4 acres of park land. This alternative would reduce the project's significant and unavoidable construction NO_x impact (Impact AQ-1) to a less than significant level (for year 2024 only) with mitigation, and result in the same or similar (though lesser) impacts to all other environmental resource areas as the project under either option. This alternative partially meets all of the project objectives but to a lesser extent and meets only some of the Precise Plan principles.

Mitigated 39 Percent Reduced Development Alternative

The purpose of the Mitigated 39 Percent Reduced Development Alternative is to avoid the project's significant and unavoidable construction NO_x emissions impact, health risk (cancer and annual $PM_{2.5}$) impact, and operational NO_x and PM_{10} emissions impact with the incorporation of the air quality mitigation measures identified for the project (under either option). The Mitigated 39 Percent Reduced Development Alternative assumes approximately 1.9 million square feet of office uses, 4,270 residential units, 148,840 square feet of ground floor retail space, 33,500 square feet of community uses, and 18.6 acres of park land. This alternative would reduce the project's significant and unavoidable construction NO_x impact (Impact AQ-1), health risk impact (Impact AQ-1), and operational NO_x and PM_{10} impact (Impact AQ-1) to a less than significant level with mitigation, and result in the same or similar (though lesser) impacts regarding operational ROG (Impact AQ-1) and all other environmental resource areas as the project under either option. This alternative would not meet project objectives 4 or 5. It could meet project objectives 3 and 7 but to a lesser extent than the project under either option, and it could meet project objectives 6 and 8. This option would not meet the majority of the Precise Plan principles.

Environmentally Superior Alternative

The CEQA Guidelines state that an EIR shall identify an environmentally superior alternative. As described in Section 8.0 Alternatives, the environmentally superior alternative to the proposed project is the No Project, No New Development Alternative because all of the project's significant environmental impacts would be avoided. In addition to the No Project, No New Development Alternative, the Mitigated 39 Percent Reduced Development Alternative would be environmentally superior alternative.

Areas of Concern

Environmental concerns expressed thus far from local residents, property owners, organizations, and/or agencies about the project include the following:

- Biological impacts (nesting birds, egrets, trees, wetland habitat)
- Lighting impacts on local wildlife
- Energy efficiency
- Recreational impacts
- Impacts to groundwater resulting from construction dewatering
- Project-generated traffic on roadway and freeway capacity
- Bicycle/Pedestrian as it pertains to transportation impacts
- Required connections to existing utilities infrastructure and needed improvements
- Sea-level rise

SECTION 1.0 INTRODUCTION

1.1 PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT

The City of Mountain View, as the Lead Agency, has prepared this Draft Subsequent Environmental Impact Report (EIR) for the North Bayshore Master Plan in compliance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines.

As described in CEQA Guidelines Section 15121(a), an EIR is an informational document that assesses potential environmental impacts of a proposed project, as well as identifies mitigation measures and alternatives to the proposed project that could reduce or avoid adverse environmental impacts (CEQA Guidelines 15121(a)). As the CEQA Lead Agency for this project, the City of Mountain View is required to consider the information in the EIR along with any other available information in deciding whether to approve the project. The basic requirements for an EIR include discussions of the environmental setting, significant environmental impacts including growth-inducing impacts, cumulative impacts, mitigation measures, and alternatives. It is not the intent of an EIR to recommend either approval or denial of a project.

This EIR is a Subsequent EIR to the certified 2014 North Bayshore Precise Plan Final EIR (2014 EIR, State Clearinghouse [SCH] #2013082088) and 2017 North Bayshore Precise Plan Final Subsequent EIR (2017 EIR, SCH #2013082088). The primary purpose of the North Bayshore Precise Plan (Precise Plan) was to increase the density of development and incorporate a more balanced mix of land uses within the North Bayshore area. The Precise Plan allows for up to 10.4 million square feet of office and R&D development uses, 198,538 square feet of retail/restaurant uses, 26,138 square feet of service uses, and 9,854 residential units.

In accordance with CEQA Guidelines Section 15162(a), when an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
    A. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
    B. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
    C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the

project, but the project proponents decline to adopt the mitigation measure or alternative; or

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

Based on the analysis contained in this EIR, the proposed project's significant air quality impact requires a subsequent EIR.

1.1.1 Tiering of the Environmental Review

This document is a Subsequent EIR to the 2017 EIR and tiers from the 2017 EIR and Mountain View 2030 General Plan EIR (SCH #2011012069) (General Plan EIR). The CEQA Guidelines Section 15152 contains the following information on tiering an environmental document:

(a) "Tiering" refers to using the analysis of general matters contained in a broader EIR (such as one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the EIR or negative declaration solely on the issues specific to the later project.

(b) Agencies are encouraged to tier the environmental analysis which they prepare for separate but related projects including general plans, zoning changes, and development projects. This approach can eliminate repetitive discussions of the same issues and focus the later EIR or negative declaration on the actual issues ripe for decision at each level of environmental review. Tiering is appropriate when the sequence of analysis is from an EIR prepared for a general plan, policy or program to an EIR or negative declaration for another plan, policy or program of lesser scope, or to a site-specific EIR or negative declaration. Tiering does not excuse the lead agency from adequately analyzing reasonably foreseeable significant effects of the project and does not justify deferring such analysis to a later tier EIR or negative declaration. However, the level of detail contained in a first tier EIR need not be greater than that of the program, plan, policy, or ordinance being analyzed.

1.1.2 Focus of the Subsequent EIR

Pursuant to CEQA Guidelines Section 15168(d), this Subsequent EIR focuses on the new effects which had not been considered before in the 2017 EIR and General Plan EIR. The City of Mountain View determined that the project's effects on the following environmental resources were previously addressed and adequately covered in the 2017 EIR and General Plan EIR:

- Aesthetics
- Agriculture and Forest Resources
- Cultural Resources
- Energy
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Tribal Cultural Resources
- Wildfire

That is, the project would not result in new or substantially more severe significant impacts to those resources listed above when compared to those disclosed in the 2017 EIR or General Plan EIR. However, the City of Mountain View found that the project would result in a new significant effect on air quality, biological resources, greenhouse gas emissions, transportation, and utilities and service systems which were not previously disclosed in the 2017 EIR. A discussion of the project's new significant and unavoidable air quality impact, and new less than significant with mitigation biological resources, transportation, and utilities and service systems impacts is included in Section 3.0 New Significant Environmental Effects and a discussion of the project's previously disclosed environmental effects is included in Section 4.0 Previously Identified Effects of this EIR.

1.1.3 Incorporation by Reference

Pursuant to CEQA Guidelines Section 15150, Section 15130(d) and (e), and Section 15168(d)(2), this EIR incorporates by reference the 2017 EIR and General Plan EIR. These documents are available for public review at the Community Development Department at City Hall, located at 500 Castro Street in Mountain View, and at the Public Library, located at 585 Franklin Street in Mountain View.

1.2 EIR PROCESS

1.2.1 Notice of Preparation and Scoping

In accordance with Section 15082 of the CEQA Guidelines, the City of Mountain View prepared a Notice of Preparation (NOP) for this EIR. The NOP was circulated to local, state, and federal agencies on February 28, 2022. The standard 30-day comment period concluded on March 30, 2022. The NOP provided a general description of the proposed project and identified possible environmental impacts that could result from implementation of the project. The City of Mountain View also held a public scoping meeting on March 14, 2022 to discuss the project and solicit public input as to the scope and contents of this EIR. The meeting was held virtually. Appendix B of this EIR includes the NOP and comments received on the NOP.

1.2.2 Draft EIR Public Review and Comment Period

Publication of this Draft EIR will mark the beginning of a 45-day public review period. During this period, the Draft EIR will be available to the public and local, state, and federal agencies for review and comment. Notice of the availability and completion of this Draft EIR will be sent directly to every agency, person, and organization that commented on the NOP and posted on the City's website at www.mountainview.gov/CEQA. Additionally, consistent with Assembly Bill (AB) 819, which requires all CEQA environmental documents to be submitted electronically to the Office of Planning and Research's CEQAnet database, a copy of this Draft EIR will be sent to and available on the CEQAnet Webportal (https://ceqanet.opr.ca.gov/2022020712). Written comments concerning the environmental review contained in this Draft EIR during the 45-day public review period should be sent to:

Diana Pancholi, Principal Planner
Community Development Department
500 Castro Street
Mountain View, CA 94041
Diana.Pancholi@mountainview.gov

1.3 FINAL EIR/RESPONSES TO COMMENTS

Following the conclusion of the 45-day public review period, the City of Mountain View will prepare a Final EIR in conformance with CEQA Guidelines Section 15132. The Final EIR will consist of:

- Revisions to the Draft EIR text, as necessary;
- List of individuals and agencies commenting on the Draft EIR;
- Responses to comments received on the Draft EIR, in accordance with CEQA Guidelines (Section 15088);
- Copies of letters received on the Draft EIR.

Section 15091(a) of the CEQA Guidelines stipulates that no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings. If the lead agency approves a project despite it resulting in significant adverse environmental impacts that cannot be mitigated to a less than significant level, the agency must state the reasons for its action in writing. This Statement of Overriding Considerations must be included in the record of project approval.

1.3.1 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 and available for public inspection 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 15094(g)).

SECTION 2.0 PROJECT INFORMATION

2.1 BACKGROUND

The 2014 EIR and 2017 EIR evaluated the environmental impacts of the North Bayshore Precise Plan. The Precise Plan area is also identified in the Mountain View 2030 General Plan (General Plan) as a change area where increased development is planned to occur.

The Precise Plan was adopted in 2014 and amended in 2017, 2018, 2019, 2020, and 2021. The 2017 Precise Plan consisted of City-initiated revisions to the General Plan and P(39) Precise Plan zoning district to allow residential uses, in addition to office and commercial uses. The Precise Plan was designed to provide a vision and guiding principles, development standards, and design guidelines for the properties in this area, in conformance with the General Plan vision for North Bayshore. Specifically, the 2017 EIR studied up to 10.4 million square feet of office and R&D development uses, 198,538 square feet of retail/restaurant uses, 26,138 square feet of service uses, and 9,854 residential units. The Precise Plan includes a goal of a minimum of 20 percent affordable housing units within the area. The Precise Plan also includes new and enhanced parks, biological restoration, trail corridors, pedestrian/bicycle connections, and public streets. Infrastructure and transportation improvements are also included as part of the Precise Plan. The Precise Plan identifies four character areas, each with distinct building scale, form, and character. The Precise Plan also includes the development of "Complete Neighborhoods," which are envisioned to include a mix of land uses, amenities, and services. The City of Mountain View City Council certified the 2017 EIR and approved the amended Precise Plan project in December 2017. The Precise Plan was further amended in 2018 and 2019 to include amendments related to cannabis businesses. In 2020 the Precise Plan was amended to remain consistent with the City's adopted citywide school strategies, and in 2021, it was further amended to revise the bonus FAR guidelines and update the master plan provisions included in the Precise Plan.

Compared to existing conditions and the approved Precise Plan at that time, the 2017 EIR evaluated a net increase in:

- Approximately 3.7 million square feet of non-residential development (i.e., office, R&D, industrial, services, restaurant, retail, and institutional/recreational uses);
- 9,850 multi-family units; and
- 400 hotel rooms.

Since the certification of the 2017 EIR, the City has approved approximately 2.2 million square feet of non-residential development, 2,157 multi-family units, and 200 hotel rooms. A summary of the net new development evaluated in the 2017 EIR and the net new approved development since the certification of the 2017 EIR is provided in Table 2.1-1.

Table 2.1-1: Summary of Development Evaluated in the 2017 SEIR, Approved and Developed, and Proposed Master Plan

	A	B	C	D	E
	Net New Development Evaluated in the 2017 EIR	**Net New Approved/ Developed Projects Since 2017 EIR***	**Delta between Columns A and B**	**Net New Development by Proposed Master Plan**	**Delta between Columns D and C**
Non-Residential Square Footage					
• Office/R&D/ • Industrial/Services	3,505,042	1,964,608	1,540,434	1,303,250	237,184
• Restaurant/Retail	129,238	95,500	33,738	232,944	-199,206
• Institutional/ Recreational	86,500	98,457	-11,957	55,000	-66,957
Multi-Family Units	9,850	2,517	7,333	7,000	333
Hotel Rooms	400	200	200	525	-325

Note: Net development amounts reflect deductions in square footage for existing uses that would be demolished as a result of redevelopment.

* The amount of net new approved/developed projects do not include the amount of approved development on property within the proposed Master Plan. Those amounts of development are included in Column D.

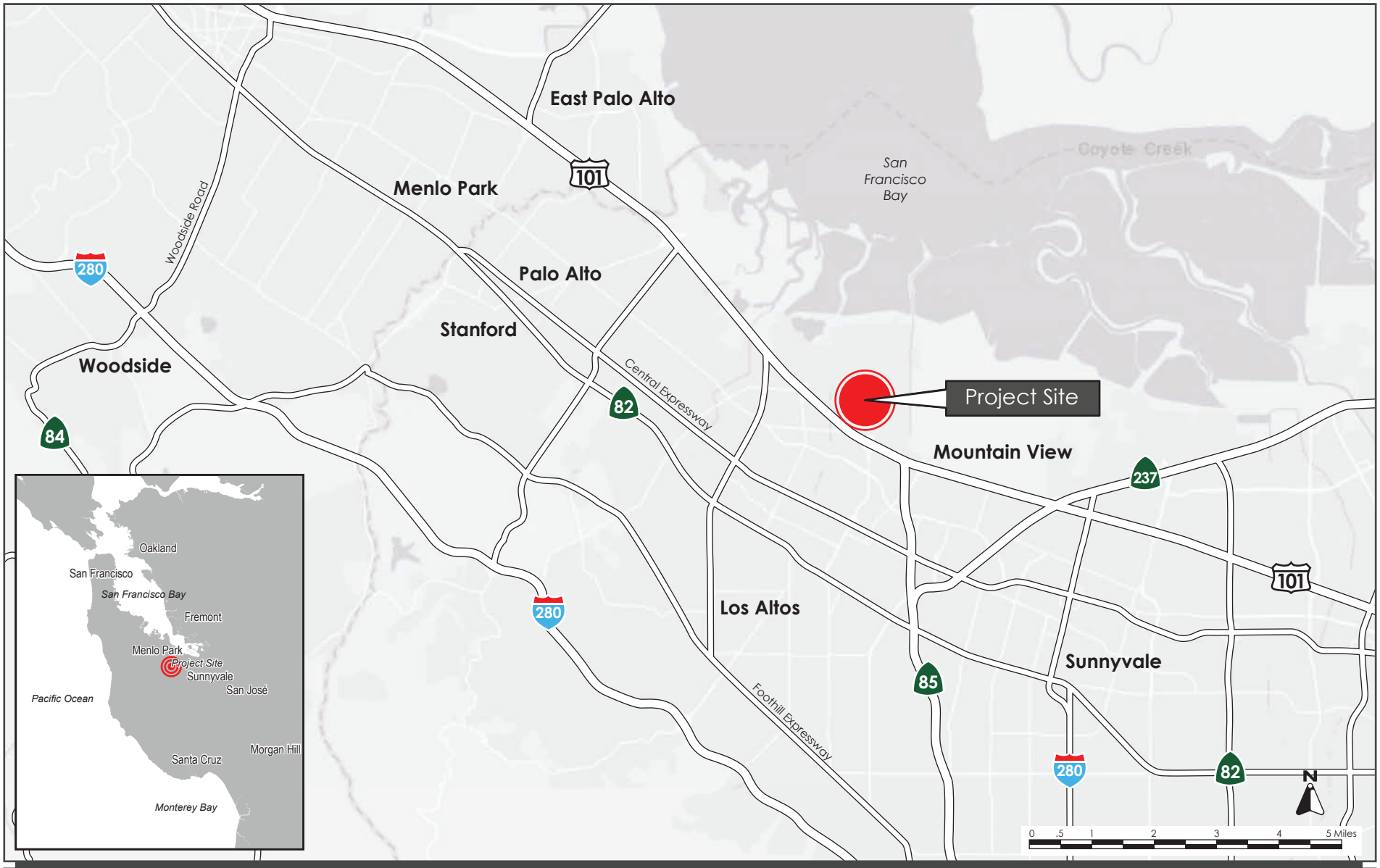
2.2 PROJECT SITE LOCATION

The proposed North Bayshore Master Plan (hereinafter referred to as the "Master Plan" or "project") area is generally located to the north of U.S. Highway 101 (US 101), west of Stevens Creek, south of Charleston Road, and east of Alta Avenue. The Master Plan is within the Shorebird, Joaquin, and Pear Complete Neighborhood Character Areas of the Precise Plan. The project site totals approximately 151acres and consists of 42 parcels (Assessor's Parcel Numbers [APNs]: 116-10-108, 116-10-107, 116-10-105, 116-10-104, 116-10-102, 116-10-101, 116-10-111, 116-10-095, 116-10-089, 116-10-088, 116-10-109, 116-10-084, 116-10-080, 116-02-088, 116-10-079, 116-10-078, 116-10-077, 116-14-072, 116-02-084, 116-02-083, 116-02-054, 116-14-070, 116-02-081, 116-14-066, 116-14-058, 116-13-038, 116-11-039, 116-13-037, 116-11-038, 116-13-034, 116-11-030, 116-13-027, 116-11-028, 116-02-037, 116-11-025, 116-11-024, 116-11-022, 116-11-021, 116-11-012, 116-14-028, 116-14-095, and 116-20-043). APN 116-20-043 is located outside of the Precise Plan boundary.

The project site is currently developed with 69 office, light industrial, and retail buildings totaling approximately 1,853,703 square feet, as well as landscaping and surface parking lots.[7] Most of the project site is bordered by the Stevens Creek Trail to the east, office uses and Shoreline Amphitheatre to the north, office uses to the west, US 101 to the south, and a mobile home park to the southeast.

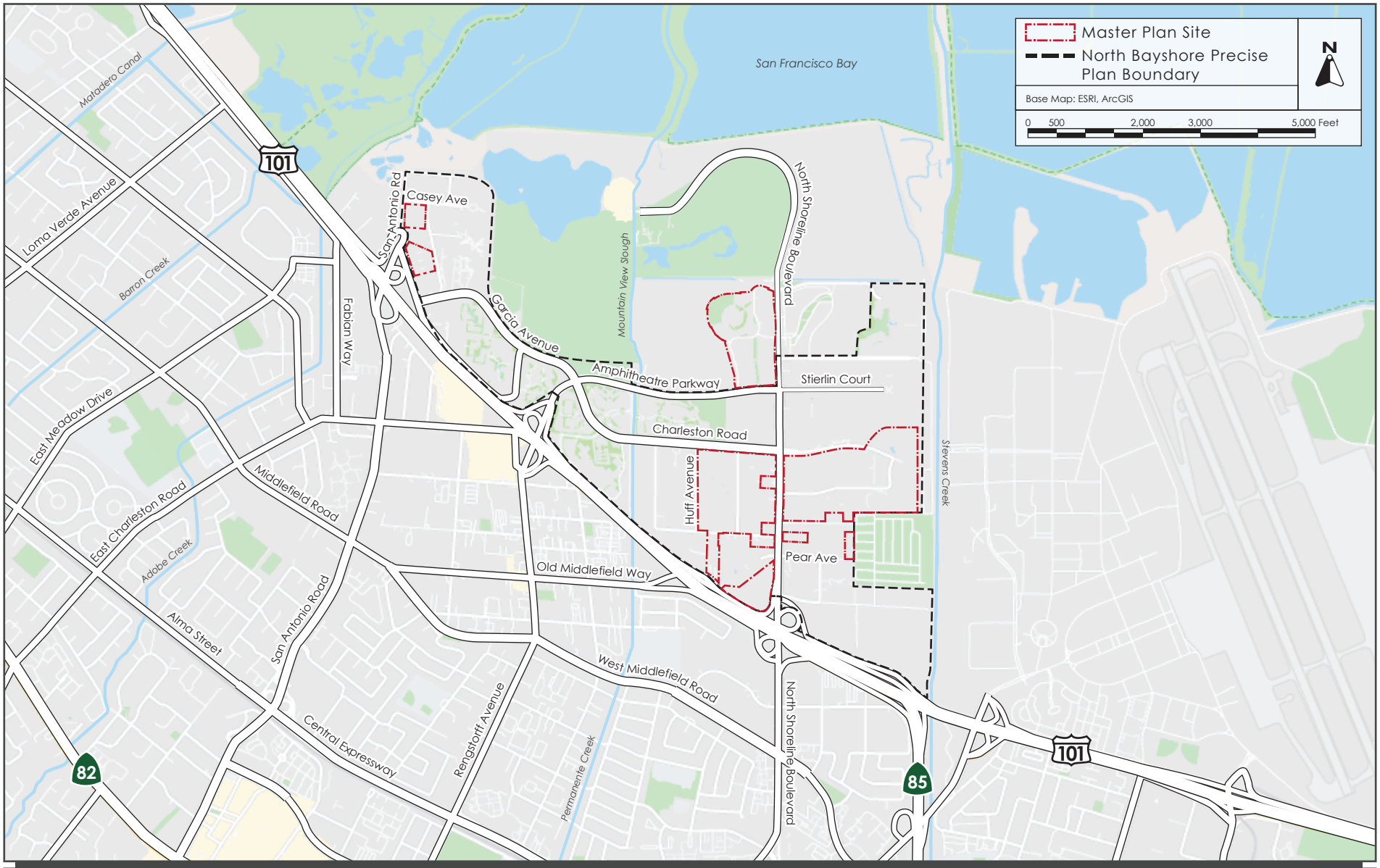
The project includes three locations for district parking that are not within the core area of the project site. One of them is bordered by Shoreline Amphitheatre to the north, open space to the west, and office uses to the south and east. The other two district parking garages on Marine Way are bordered by office and commercial uses in all directions. Regional and vicinity maps of the project site are shown on Figure 2.2-1 and Figure 2.2-2, and an aerial photograph of the project site and surrounding land uses is shown on Figure 2.2-3. Figure 2.2-4 shows the parcels in the Master Plan.

[7] The realignment of Plymouth Street is proposed under a separate project which has undergone a separate environmental review. This realignment would require the demolition of two buildings which are outside of the project area at 1600 and 1616 North Shoreline Boulevard. The allowable floor area for these two parcels would be transferred by the property owner and used as bonus FAR for the proposed Master Plan project. The purchased and transferred square footage is included in the totals utilized as part of this analysis.



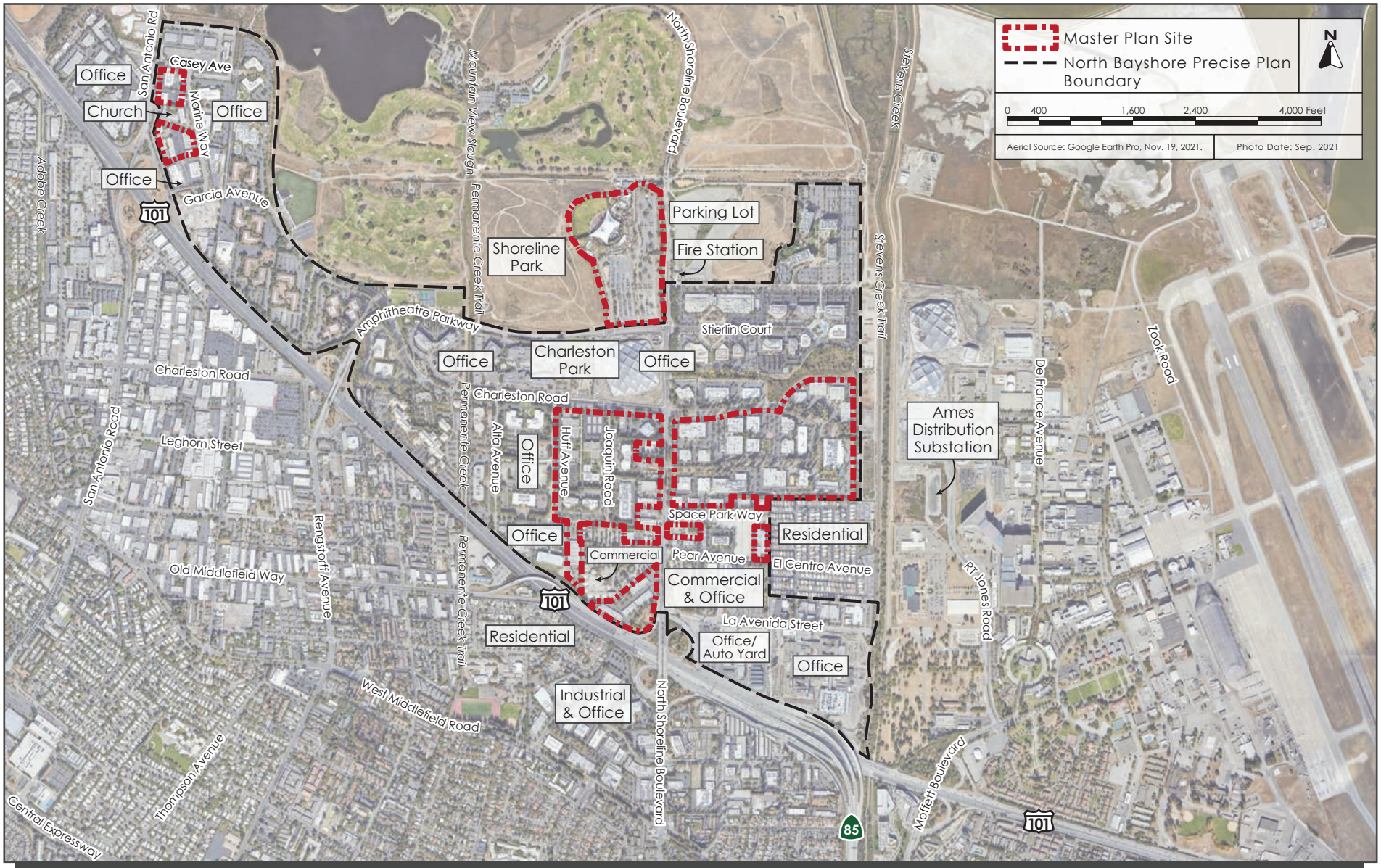
REGIONAL MAP

FIGURE 2.2-1

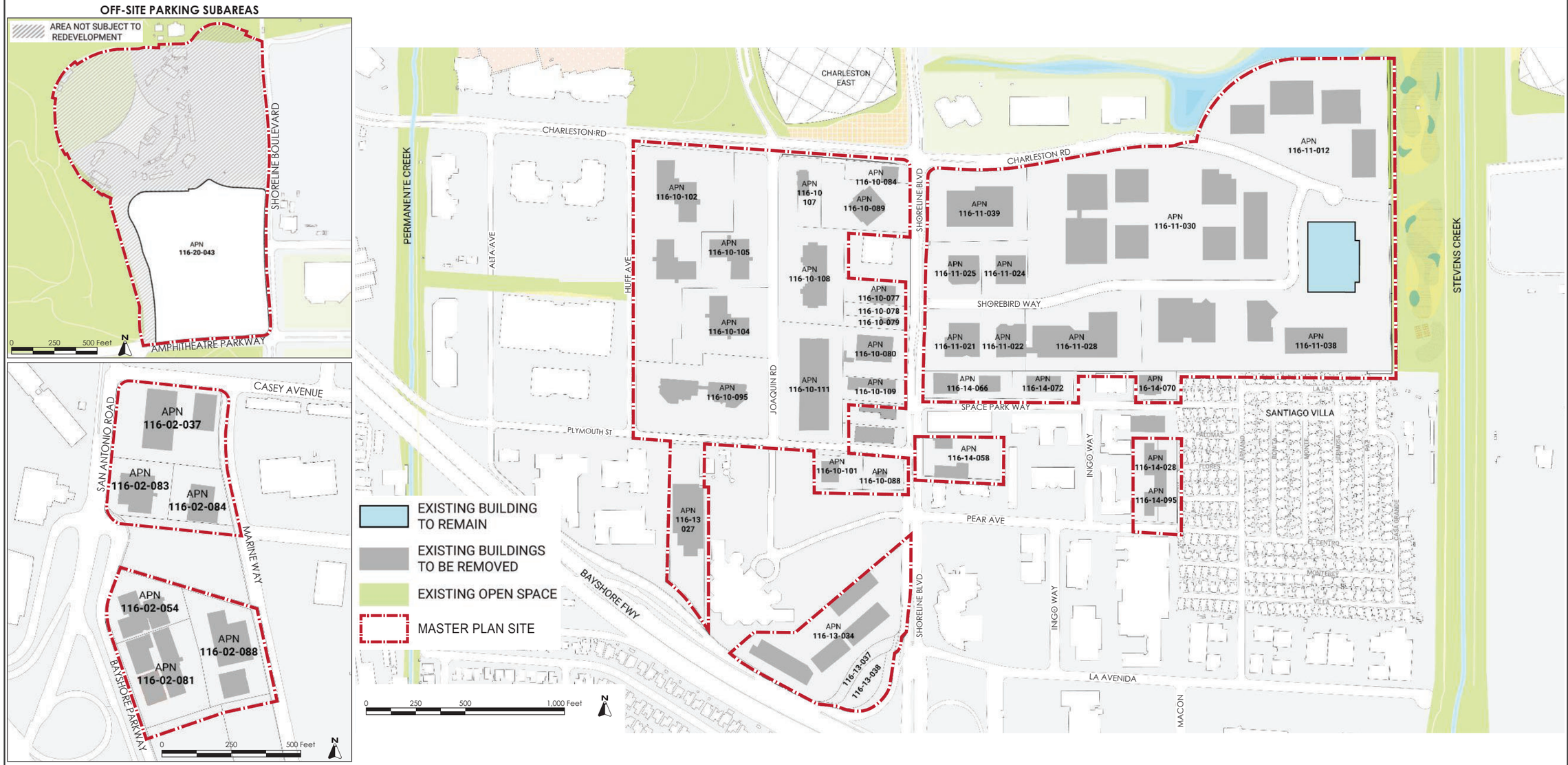


VICINITY MAP

FIGURE 2.2-2



AERIAL PHOTOGRAPH AND SURROUNDING AREA | FIGURE 2.2-3



Source: Google, December 2022.

MASTER PLAN PARCELS (WITH APNS) | FIGURE 2.2-4

2.3 PROJECT DESCRIPTION

The purpose of the proposed Master Plan is to implement the General Plan and Precise Plan vision for North Bayshore as a vibrant mixed-use district with new residential neighborhoods, open spaces, and mobility options. The intent of the Master Plan is to identify the framework of new development, including general building locations, uses, and forms, transportation improvements (including parking), utilities, and public spaces, with phased implementation for a period of up to 30 years as part of a Development Agreement.

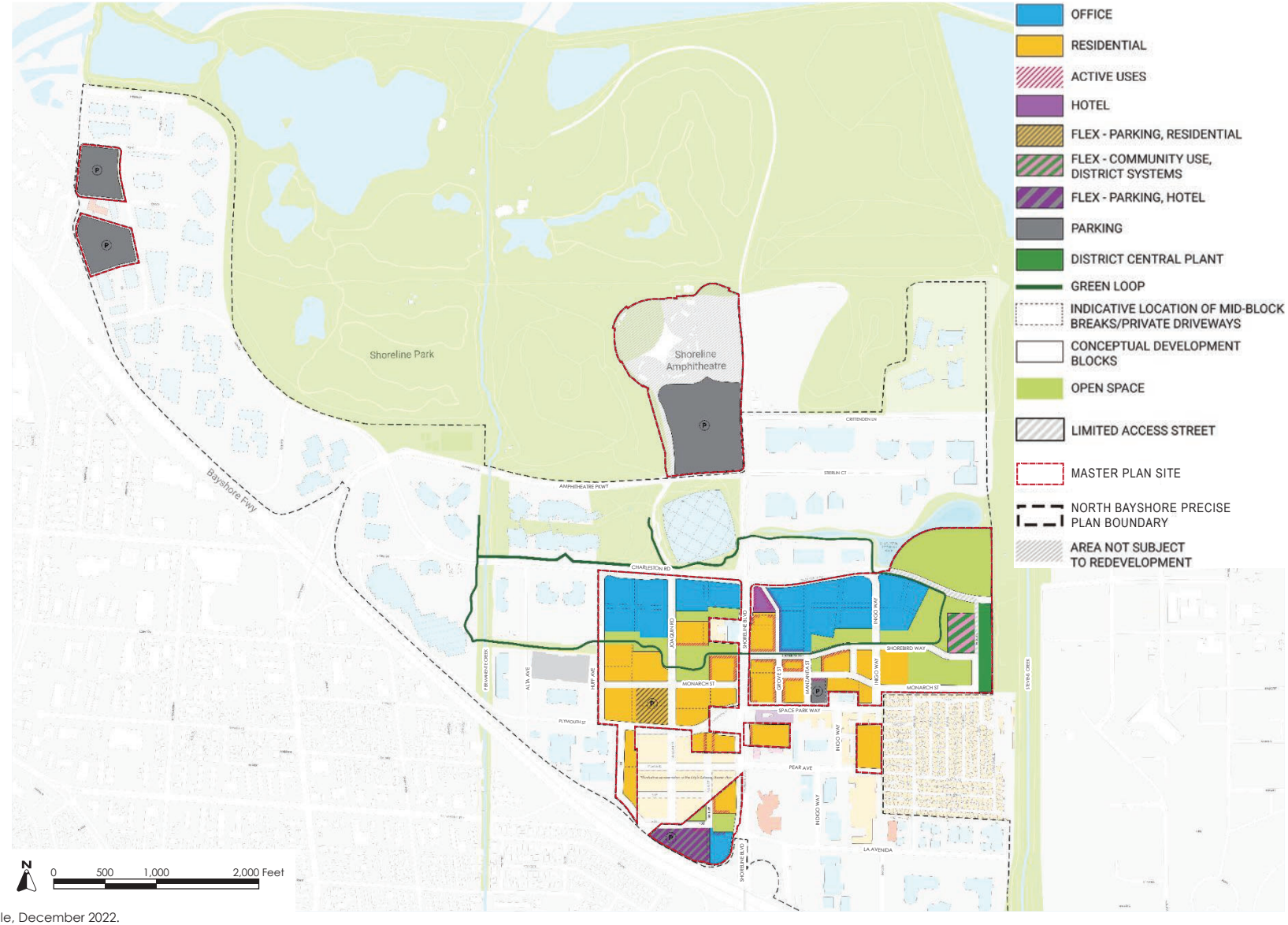
The proposed Master Plan is largely consistent with the development assumptions in the Precise Plan and certified 2017 EIR and would allow for the demolition of 68 of the existing 69 buildings[8] (as well as removal of related surface parking lots and landscaping) to construct:

- Up to 7,000 residential dwelling units (including 20 percent affordable residential units);
- Up to 3,145,897 million square feet of office space (including 1,303,250 square feet of net new office space and 1,842,647 square feet of existing office space to be redeveloped);
- 18.9 acres of public open space and 11.7 acres of Privately Owned Publicly Accessible (POPA) open space;
- Up to 244,000 square feet of retail uses;
- Up to of 55,000 square feet of community facilities;
- Up to 525 hotel rooms;
- A 2,000 square foot Police Operations Station;
- Up to six above-ground parking structures; and
- As an option, a private district utility systems with an approximately 130,000 square-foot District Central Plant (DCP) and underground distribution/collection lines to serve the buildings within the Master Plan with wastewater, recycled water, thermal energy (heating and cooling), electric power via a microgrid, and/or pneumatic waste collection.[9]

The proposed land use plan is shown on Figure 2.3-1.

[8] The building at 1201 Charleston Road would remain under the proposed Master Plan.

[9] If the private utility systems are not developed, the Master Plan development would include conventional utility network connections to the City's wastewater and recycled water systems and Pacific Gas & Electric (PG&E) electricity distribution system. The conventional utility option and private district utility system option are both studied throughout this EIR.



Source: Google, December 2022.

PROPOSED LAND USE PLAN

FIGURE 2.3-1

The amount of net new development proposed in the Master Plan is summarized in Table 2.1-1 above. Compared to the amount of development evaluated in the 2017 EIR and approved and developed projects since the certification of the 2017 EIR, the Master Plan includes 199,206 square feet (154 percent) more of restaurant/retail uses, 66,957 square feet (77 percent) more of institutional/recreational square footage, and 325 (80 percent) more hotel rooms than evaluated in the 2017 EIR (refer to Table 2.1-1).

The Master Plan includes a Vesting Tentative Map and a Development Agreement to vest the Master Plan's development rights over a 30-year period. The primary components of the Master Plan include the following, which are described further in the sections that follow:

- Master Plan Subareas
- Parks and Open Space
- Utilities (including an option for private district utility systems)
- Emergency Generators
- Green Building and Emissions Reduction Features
- Construction Activities and Phasing
- Site Access, Circulation, and Parking
- Transportation Demand Management
- Heritage Trees and Landscaping

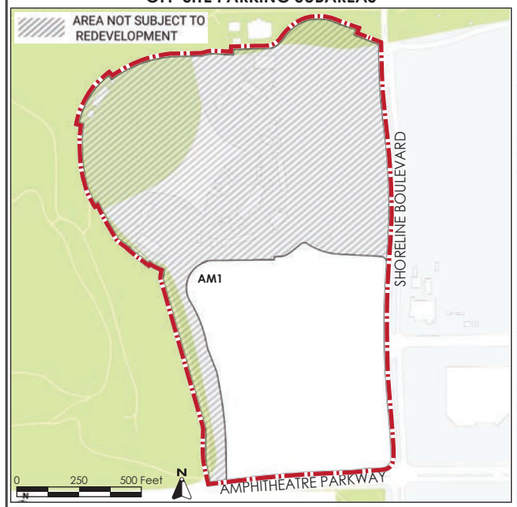
Aspects of the proposed Master Plan that are not included within the adopted Precise Plan and/or studied in the 2017 EIR are construction and operation of:

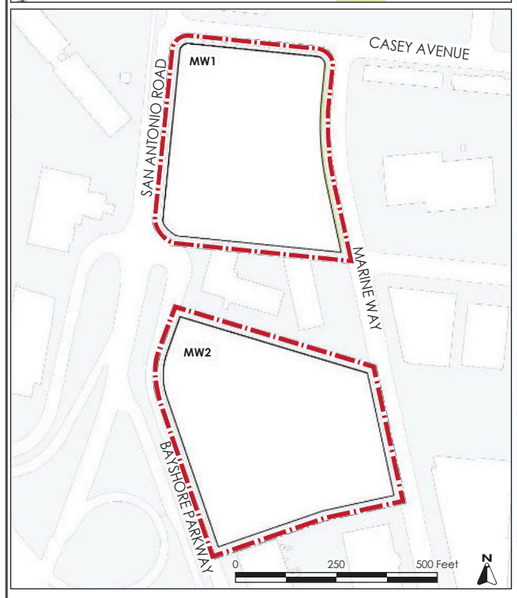
- One above ground parking garage outside of the Precise Plan area (APN: 116-20-043)
- 325 additional hotel rooms
- 199,206 additional square feet of retail space
- 66,957 additional square feet of institutional/recreational space

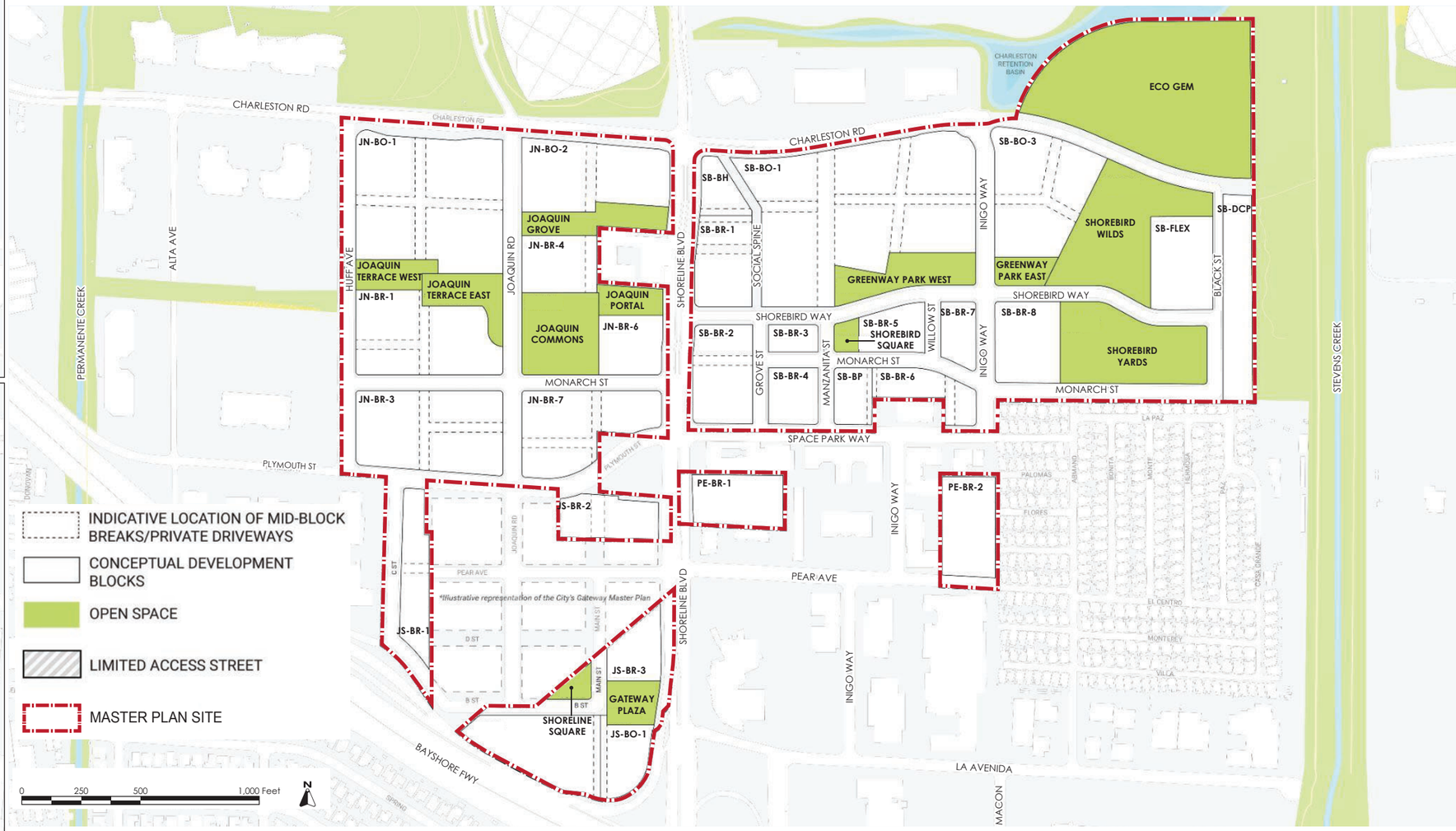
2.3.1 Master Plan Subareas

The project site consists of 37 subareas (refer to Figure 2.3-2). A summary of the proposed uses, square footage/units, and associated parking for each Master Plan subarea is included in Table 2.3-1. The maximum building heights would range from approximately 33 to 160 feet (with certain building elements to exceed the maximum specified height in the Precise Plan, per a variance application). A summary of the total square footage for each use is provided in Table 2.3-1.

OFF-SITE PARKING SUBAREAS







Source: Google, December 2022.

MASTER PLAN SUBAREAS | FIGURE 2.3-2

Table 2.3-1: Master Plan Development by Subareas							
Subareas	**Proposed Use(s)**	**Square Feet**	**Units**	**Maximum Building Height (feet)**	**Vehicle Parking Provided**		**Maximum Excavation Depth (feet)**
					Stalls	**Square Feet**	
SB-PO-1	Office	511,259	0	110	118	111,714	8
	Retail	33,711			136		
SB-PO-2	Office	738,156	0	95	139	65,176	8
Greenway Park West	Retail	2,000	0	95	0	0	8
SB-PO-3	Office	390,179	0	80	73	32,483	8
Greenway Park East	Retail	1,000	0	80	0	0	8
SB-PH	Hotel	160,000	0	110	0	0	8
	Retail	16,731					
SB-PR-1	Residential	360,342	366	160	257	139,000	8
	Retail	27,192			80		
SB-PR-2	Residential	486,000	428	160	233	98,000	8
	Retail	39,707					
SB-PR-3	Residential	202,000	211	160	0	0	8
	Retail	18,552					
SB-PR-4	Residential	296,000	297	160	224	77,000	8
	Retail	12,825					
SB-PR-5	Residential	183,000	176	95	162	68,000	8
	Retail	16,732					
SB-PR-6	Residential	223,000	220	95	155	34,000	8
SB-PR-7	Residential	161,000	172	95	73	15,000	8
SB-PR-8	Residential	241,000	215	55	280	117,000	8
SB-FLEX	Community	55,000	0	45	0	0	8
	District Systems, Ancillary Retail	35,000					
SB-DCP	District Systems	95,000	0	45	5	0	8

Table 2.3-1: Master Plan Development by Subareas							
Subareas	**Proposed Use(s)**	**Square Feet**	**Units**	**Maximum Building Height (feet)**	**Vehicle Parking Provided**		**Maximum Excavation Depth (feet)**
					Stalls	**Square Feet**	
SB-PP	Retail	4,550	0	95	495	151,000	8
	Hotel Parking	0			105		
JS-PO-1	Office	250,000	0	140	50	25,000	8
	Retail	3,990					
JS-PR-1	Residential	426,000	409	160	220	54,000	8
JS-PR-2	Residential	284,000	283	160	201	84,000	8
	Retail	10,010					
JS-PR-3	Residential	327,000	318	160	241	107,000	8
	Retail	7,000					
JS-FLEX	Hotel	180,000	0	140	250	332,579	8
	Retail	4,000					
	Office	0			450		
JN-PO-1	Office	770,023	0	95	171	72,478	8
JN-PO-2	Office	486,280	0	110	112	46,497	8
JN-PR-1	Residential	970,000	922	160	688	186,000	8
JN-PR-3	Residential, Parking	953,000	881	160	1,059	404,215	8
JN-PR-4	Residential	367,000	375	160	220	74,000	8
	Retail	7,748					
The Portal	Retail	1,000	0	110	0	0	8
JN-PR-6	Residential	280,000	391	160	182	76,000	8
	Retail	20,655					
JN-PR-7	Residential	809,000	764	160	520	173,000	8
	Retail	6,597					
PE-PR-1	Residential	287,000	341	160	184	77,000	8
	Retail	10,000					

Table 2.3-1: Master Plan Development by Subareas							
Subareas	**Proposed Use(s)**	**Square Feet**	**Units**	**Maximum Building Height (feet)**	**Vehicle Parking Provided**		**Maximum Excavation Depth (feet)**
					Stalls	**Square Feet**	
PE-PR-2	Residential	232,000	231	95	151	63,000	8
MW1	Parking	0	0	80	416	477,411	8
MW2	Parking	0	0	80	474	362,120	8
AM1	Police Operations Station	2,000	0	90	4,584	1,516,800	8
	Parking	0					
Basement (SB-PH, SB-PO-1, SB-PO-2, SB-PR-1)[1]	Office, Residential, Hotel, Retail	0	0	160	800	653,483	30
Basement (SB-PR-2)[1]	Residential, Retail	0	0	160	327	117,008	30
Basement (SB-PR-3, SB-PR-4)[1]	Residential, Retail	0	0	160	331	82,400	30
Basement (SB-PR-5)[1]	Residential, Retail	0	0	95	115	54,416	30
Basement (SB-PR-7)[1]	Residential	0	0	95	112	39,624	30
Basement (SB-PR-8)[1]	Residential	0	0	55	140	94,020	30

[1] Basement parking is not proposed at this time; however, if basement is pursued an equivalent amount of podium parking would be removed in order to maintain a proposed total number of 12,708 parking spaces (see Table 3.3-2 below)

Table 2.3-2: Square Footage of Master Plan Uses	
Master Plan Uses	**Square Feet**
Office	3,145,897
Residential (7,000 units)	7,187,342
Hotel (525 rooms)	340,000
District Central Plant	130,000
Retail	244,000
Community	55,000
Parking (12,708 stalls)	5,377,066

2.3.2 Parks and Open Space

The Master Plan proposes a network of dedicated public space, POPA open space subject to an access covenant, and private open space. Approximately 18.9 acres of unimproved land is proposed to be dedicated to the City.[10] In addition, approximately 11.7 acres of parks and open space would be provided as POPA open space which would be improved and maintained by the applicant (Google) in perpetuity. In total, approximately 20 percent of the project site (i.e., 30.5 of the 151 acres) would be dedicated parkland or POPA. Additional publicly accessible spaces include streets, paths, and other areas that do not qualify as parks. Parkland and open space locations and sizes are detailed in Table 2.3-3 and shown in Figure 2.3-3 below.

Table 2.3-3: Park and Open Space Locations and Size				
Park	**Neighborhood**	**Area (acres)**	**Type**	**Ownership**
Greenway Parks	Shorebird	±2.5	POPA	Google
Eco Gem	Shorebird	±10.8	Dedicated	City
Shorebird Wilds	Shorebird	±4.6	POPA	Google
Shorebird Yard	Shorebird	±4.1	Dedicated	City
Shorebird Square	Shorebird	±0.3	Dedicated	City
The Portal	Joaquin	±0.8	POPA	Google
Joaquin Grove	Joaquin	±1.4	POPA	Google

[10] Subsequent environmental review may be required when the City proposes to develop this dedicated land.

Table 2.3-3: Park and Open Space Locations and Size				
Park	**Neighborhood**	**Area (acres)**	**Type**	**Ownership**
Joaquin Commons	Joaquin	±2.6	Dedicated	City
Joaquin Terrace	Joaquin	±2.2	POPA	Google
Gateway Plaza	Joaquin	±0.9	Dedicated	City
Shoreline Square	Joaquin	±0.3	Dedicated	City
Total acreage		±30.5		

The Precise Plan calls for converting surface parking lots to natural areas and ensuring development limits impacts to wildlife through the implementation of a number of habitat overlay zones (HOZ). With its proximity to the South Bay salt ponds to the northeast, Stevens Creek to the east, and the Charleston Retention Basin on its northern edge, the Master Plan proposes to connect these features while reestablishing natural areas. Accordingly, and in keeping with the Precise Plan, the Egret Rookery HOZ would be integrated into the Master Plan's open space strategy and the Eco Gem and Shorebird Wilds (see Table 2.3-3 and Figure 2.3-3) would provide passive open space and native gardens to support the egret rookery and enhance the natural quality of the surrounding HOZ.

In addition to parks and open space, a network of pedestrian paths and bike trails, expanding on the existing Green Loop, would provide internal connectivity, as well as connections to the broader area, including to the Permanente and Stevens Creek Trails, the Bay Trail, Shoreline Regional Park, Charleston Park, and Santiago Villa. The Master Plan also includes private open space around the office buildings. The private open space areas would consist of required setbacks and landscaping.

2.3.3 Community Facilities

Community facilities would be located at 1201 Charleston Road, an existing building that is being retained as part of the Master Plan. During business hours, the applicant (Google) will utilize the community space area as meeting/event space that could be used for meetings, all day workshops, presentations, or other business events. The space is not intended to be used for large-scale conferences and events (e.g., media events). During certain times outside of business hours (e.g., Monday - Friday, 6:00 p.m. – 9:00 p.m. and weekends from 10:00 a.m. – 5:00 p.m., excluding holidays), the community space could be utilized as community assembly or community center space by local organizations.

Source: Google, December 2022.

PROPOSED PARK AND OPEN SPACE AREAS

FIGURE 2.3-3

2.3.4 Police Operations Station

The parking garage proposed in Subarea AM1 would contain a Police Operations Station, which would include up to 2,000 square feet of workspace and 10 parking stalls that would be reserved for the Mountain View Police Department (MVPD). This Police Operations Station would not be accessible to the public, and would contain:

- Areas for officers to work between calls with access to computers and the City's network;
- A conference room that would hold up to 10 employees for special event planning and preparation;
- A break room with a small kitchenette (refrigerator, microwave, and sink); and
- One gender-neutral restroom.

2.3.5 Utilities

The project proposes to connect to existing utility systems, as described below under the Conventional Utilities heading. As a project option, the applicant is considering development of private district utility systems which would work in tandem with the existing and improved conventional utilities to serve the proposed Master Plan. Under both options, electrical service would be carbon free from 100 percent renewable resources. The project with the conventional utilities is the preferred project option.

It is estimated that the Master Plan area would use a total of approximately 193 million kWh of electricity per year. Approximately 20 percent (or 38.6 million kWh) of the electricity demand within the Master Plan area would be generated on-site by rooftop photovoltaic (PV) panels located on all new buildings within the Master Plan area. The remaining approximately 80 percent of the Master Plan's electricity demand would be served by the existing electricity distribution network. Solar energy generated on site that is not used at the moment it is generated would be stored within on-site battery storage units. The battery units would be located centrally at the DCP and/or adjacent to buildings within the Master Plan area and would be pad-mounted and seismically restrained on the finished grade/floor per manufacturer recommendations and include proper catchment systems designed for protection from coolant leakage and fire. Secondary containment and fire suppression systems would also be installed in compliance with local and state regulations.

Electricity for the Master Plan would be distributed from PG&E's Ames Substation (located east of the Master Plan area across Stevens Creek) at 1800 Wright Avenue. Possible modifications to Ames Substation could be required in order to create a 6-Breaker Ring Configuration and add additional connections into and out of the substation. Construction of the 6-Breaker Ring Configuration (and any other substation modifications) would occur within the Ames Substation property. However, if additional land is needed for the substation modifications, it would likely be on property immediately to the south and west of the existing substation property. Subject to PG&E's final design approval, several new 12 kilovolt (kV) distribution lines would extend to the Master Plan area from the substation. Exact routing and arrangement of overhead and/or underground lines would be determined by PG&E. Distribution lines could be co-located with existing transmission line facilities, depending on feasibility. Distribution lines and supporting facilities would entirely avoid the bed, bank, and channel of Stevens Creek.

Pursuant to Article XII, Section 5, of the California Constitution, the California Public Utilities Commission (CPUC) has exclusive power and authority with respect to "all matters cognate and germane to the regulation of public utilities." The Constitution, moreover, prohibits municipalities from regulating "matters over which the Legislature grants regulating power to the Commission." (Cal. Const., art. XII, § 8.) PG&E's electric facilities are designed, operated, and maintained in accordance with the CPUC's General Order No. 131-D (GO 131-D), which explicitly provides: "Local jurisdictions acting pursuant to local authority are preempted from regulating electric power line projects, distribution lines, substations, or electric facilities constructed by public utilities subject to the CPUC's jurisdiction." (GO 131-D, § XIV.B.) Although local governments do not have the power to regulate activities related to public utilities' electric facilities, the CPUC encourages, and PG&E participates in, cooperative discussions with affected local governments regarding locating such facilities and to address local concerns where feasible. The possible PG&E modifications to the Ames substation are not covered in this EIR and would undergo separate environmental review per GO 131-D.

The two utility options (conventional and private district utility system option) are described in detail below and analyzed throughout this EIR.

2.3.5.1 *Conventional Utilities*

As proposed, utility services to the Master Plan would be provided through a combination of City municipal services (for water, firewater, sanitary sewer, stormwater, and recycled water), PG&E (for electrical infrastructure), and either PG&E or Silicon Valley Clean Energy (for electricity). Development under the project would connect to the City's existing water system, which would provide water for both domestic potable and fire uses. All of the existing sanitary sewer systems within existing roadways would be maintained. The Master Plan would result in a reduction of existing hardscape by approximately eight acres, thereby decreasing stormwater runoff to the existing storm drain network compared to existing conditions. Portions of the existing water, sanitary sewer, and storm drain mains are proposed to be relocated, upsized, and/or realigned between Charleston Road and Shorebird Way to accommodate the new development. Connections to City/public utility services for water, recycled water, stormwater and wastewater would occur at the nearest utility main located in the surrounding streets. Utilities services laterals may need to extend in the new streets to serve the development. Utility mains such as storm drainage, potable water, recycled water, and sanitary sewer would be placed in new public streets constructed as part of the project.

2.3.5.2 *Private District Utilities System Option*

As an option, the project could construct and operate private district utilities systems with underground distribution/collection lines to serve the buildings within the Master Plan with wastewater, recycled water, thermal energy (heating and cooling), pneumatic waste collection, and a potential microgrid controller. The district utilities systems would include two primary components: 1) a DCP and 2) district collection / distribution systems and building connections.

Operation of the DCP would be in addition to continued operation of the City's existing utilities systems because the City must ensure the existing utilities systems can accommodate the proposed development in the event the district utilities system is offline and to plan for citywide service-capacity

needs. Therefore, this EIR evaluates the proposed district utilities system facilities as "additive" to existing planned utility operations, rather than as a replacement for such existing utilities.

These private district utilities system components are described in detail below.

District Central Plant

An approximately 130,000 square-foot DCP may include some or all of the following:

- Water Reuse Facility (WRF) for wastewater treatment and recycled water production
- District heating and cooling system
- Microgrid Controller
- Automatic Waste Collection System (AWCS)

These listed components of the DCP are described below. The DCP would be located on the adjoining site to the east of the retained 1201 Charleston Road building (130,000 square feet) with the possibility to integrate it partially within the retained 1201 Charleston Road building. All chillers, heat pumps, distribution pumps, and cooling towers at the DCP would have an independent backup component to ensure continued operations in the event that one piece of equipment is offline for planned or unplanned maintenance, replacement, or repair.

Water Reuse Facility

The DCP would include a WRF that would have the capacity to treat a maximum daily flow of up to approximately 900,000 gallons of wastewater per day to produce non-potable recycled water.

Wastewater generated by the buildings within the project site would be discharged by pump stations within each building and conveyed via a series of low-pressure sanitary sewer lines within the project site to the proposed WRF. The WRF would only receive wastewater from the development within the Shorebird Complete Neighborhood area of the project site. The proposed sanitary sewer network would rely on a low-pressure sewer system independent from the stormwater and rainwater collection systems to minimize infiltration and inflow issues.

Recycled water produced by the WRF would meet disinfected tertiary recycled water standards as described under Title 22 of the California Code of Regulations by undergoing a multi-step treatment process including screening, primary settling and/or filtration, secondary biological treatment, tertiary filtration, and disinfection to remove solids, pollutants, and harmful pathogens. Recycled water would be used for non-potable water demands on-site including toilet flushing, cooling, and irrigation.

The WRF has the potential to produce more recycled water than needed by the buildings within the project site. Excess recycled water generated at the WRF would be stored in multiple tanks (with a total combined capacity of up to one million gallons).

The WRF would have a backup/makeup supply connection(s) from the City's potable water and/or recycled water systems. The WRF would also have a wastewater discharge connection to the City's sanitary sewer network. During times of lower demand for recycled water or if the district systems were offline for any reason, wastewater generated by the project would be discharged to the City's

municipal sanitary sewer system and treated at the Palo Alto Regional Water Quality Control Plant (PARWQCP).[11]

Residuals produced during on-site wastewater treatment would be managed at the WRF with an Anaerobic Digester (AD) Facility[12], and hauled off-site to a processing facility, as described below.

- **Residuals Processed at an AD Facility** – Residuals generated from the WRF process would be conveyed to an AD Facility located within the DCP. Once in the AD Facility, bacteria decompose organic materials in the absence of air and release methane and carbon dioxide, which are captured to create biogas. Biogas is extracted from the AD Facility and stored in a gas holding tank (with the storage capacity of up to 7,200 cubic feet) prior to pretreatment for use in a microturbine to generate electricity. It is estimated that 50,000 to 100,000 cubic feet per day (or up to 33 million cubic feet per year) of biogas would be generated. The AD Facility would include two 65 kW microturbines that would utilize the biogas to produce 25 to 50 million British thermal unit (Btu) per day (or 7,500 to 15,000 kilowatt hours [kWh] per day) of electricity. Biogas pretreatment typically uses an "iron sponge" to scrub sulfurs and purify the biogas. The waste heat from the microturbine would also be recovered for beneficial reuse in a cogeneration process. The resulting electricity and heat generated would be used on-site. Biogas would be flared only when biogas production is in excess of the capacity of the biogas purification system and/or during the maintenance of the biogas purification or utilization system.

  After the digestion phase is complete (15 to 35 days), the leftover material (digestate) that remains is a nutrient-rich wet mixture, which is typically separated into a solid and a liquid. If separated, the digestate would immediately be dewatered using a centrifuge, belt filter press, screw press, or other similar separation technology. The dewatered digestate would then be loaded into sealed storage containers with odor controls located in the DCP and periodically hauled off-site for use as a fertilizer. The remaining liquid would be returned to the head of the WRF and blended with incoming wastewater for treatment. Alternatively, the digestate can be directly sealed in storage containers (without separating the solids and liquids) and hauled off-site for reuse.

[11] A collaborative utility system for on-site wastewater treatment and recycled water generation is a potential option in the future, if desired by the applicant and the City. A collaborative utility system is not proposed at this time and, therefore, not explicitly evaluated in this EIR. A collaborative utility system would utilize the proposed WRF and public infrastructure for wastewater collection and recycled water distribution, extending the City's existing sanitary sewer and recycled water networks to serve the full project area. The collaborative utility system would require a sewer mining station (pump station and forcemain), which would allow the WRF to scalp wastewater from the City's sanitary sewer network for treatment, and a recycled water pipeline (in addition to the recycled water storage tank and pump station located at the WRF), which would support the blending of treated water into the City's recycled water network for distribution. If a collaborative utility system is proposed in the future, subsequent environmental review would be required.

[12] Biodrying and/or pyrolysis processes could be utilized instead of anaerobic digestion. These processes are not proposed at this time and, therefore, not explicitly evaluated in this EIR. Biodrying is a process that dries biosolids in order to produce Class A organic material, which can be used as a fertilizer or soil amendment, or processed further via pyrolysis to produce biochar (a high-quality, soil amendment that acts as a carbon-sink). Pyrolysis is a process by which organic material decomposes through a thermochemical reaction, with the addition of heat but without any additional oxygen, producing biochar. If biodrying and/or pyrolysis is proposed in the future, subsequent environmental review would be required.

The AD Facility would have the capacity to handle a dry mass loading between 12,000 to 20,000 pounds per day on average. The AD Facility design would allow for continuous operation either by using multiple digesters under an alternating loading (batch) arrangement or via a plug flow reactor regime. The facility is estimated to be 120 x 50 feet with a clear height requirement of 20 feet.

- **Residuals Hauled Off-Site** – As described above, digestate resulting from the AD process (either dewatered or wet) would be stored in sealed containers inside the DCP. The sealed containers would be loaded into dump trucks and regularly hauled to an off-site facility for beneficial reuse or to a landfill for disposal.[13] If residuals from the on-site wastewater treatment do not get processed at the AD Facility, the residuals would be conveyed in an enclosed system directly into septic tanker trucks and hauled daily to an off-site facility for beneficial reuse or to a landfill for disposal.

Appropriate measures and technology solutions would be designed and implemented to ensure objectionable odors generated by the WRF are within regulatory compliance limits and do not impact the public. Odor controls would be designed using the Best Available Control Technology (BACT) and consistent with regulatory requirements. The most odorous processes (resulting in the production of hydrogen sulfide and ammonia) would be enclosed and critically controlled. The project would also include regular monitoring of complaints and reporting on the effectiveness of odor controls to regulatory agencies. Specific BACT solutions may include:

- Active ventilation (foul air blowers) to odor control units (e.g., carbon absorption, biofiltration, or ammonia scrubbers)
- House odorous processes in a ventilated enclosure
- Screenings and grit washed, dewatered, and compacted before being stored in enclosed, odor-proof refuse containers
- Haul any stored residuals off-site at regular intervals
- Ferrous chloride injection for hydrogen sulfide removal

The purpose of BACT measures is to reduce specific pollutant emissions (e.g., precursor organic compounds [POCs], nitrogen oxide [NO_x], sulfur dioxide [SO_x], and carbon monoxide [CO]) during the AD process. In addition to reducing pollutant emissions resulting from the AD process, select BACT measures would also treat the sludge and biogas to remove odorous compounds such as hydrogen sulfide, thereby reducing odors that are released into the atmosphere.

Buildings on-site would be served by the on-site WRF. Plant capacity would be brought online in phases as wastewater production and non-potable water demands increase.

[13] For the purposes of this EIR, it is assumed the residuals would be hauled 80-120 miles to Fairfield or Merced for beneficial reuse (e.g., to the Lystek facility in Fairfield where the residuals would be processed to create fertilizer for agriculture, or to the Synagro wastewater treatment plant in Merced County where the residuals would be composted for land application) or hauled 30 miles to Kirby Canyon Landfill in Morgan Hill for disposal.

District Heating and Cooling System

Heating and cooling for all Master Plan buildings would be provided from the DCP through all-electric generation using a combination of ground source heating and cooling, heat recovery chillers, air source heat pumps, water-cooled chillers, cooling towers, biogas, and thermal energy storage. This mechanical equipment would be located inside the DCP. The equipment required to generate hot and chilled water (heat recovery chillers, water cooled chillers, cooling towers, and air source heat pumps) would be located at the DCP. All equipment would meet or exceed the requirements of California's Title 24 Building Energy Efficiency Standards (Title 2+4, Part 6) regulations and minimum efficiency requirements set forth in ASHRAE Standard 90.1.[14] Thermal storage may also be located at the DCP or combined with fire water storage tanks at individual buildings.

The hot and chilled water produced at the DCP would be distributed to Master Plan buildings via piping that is buried and/or routed through the basements of the Master Plan buildings. This distribution piping would also connect to the ground source system, located within dedicated bores or combined with structural piles under buildings. The proposed geobore system would act as a passive heating and cooling source and provide a means to maximize heat recovery between various building uses, taking advantage of non-coincidental demands.

This combination of production and distribution solutions consolidates the heating and cooling production assets and reduces the total installed production capacity of heating and cooling equipment when compared to a conventional utilities systems scenario. It also increases the reliability of the system through an improved redundancy at the DCP while providing energy efficiency of the heating and cooling systems.

Construction of the geothermal system would include drilling and installation of vertical bores and connection of the manifolds to the distribution system. It is estimated that approximately 6,500 vertical bores would be drilled on-site. Each bore would be six-inches in diameter, spaced 20 feet apart, and drilled approximately 85 to 100 feet below ground surface (bgs). Cooling towers may also be used for heat rejection and located at the DCP. Cooling towers may either be installed on the roof of the DCP building to a height of 45 feet above grade or on the ground to a height of 30 feet above grade.

In addition, the WRF's wastewater treatment equipment and storage tanks would be co-located with the above-described heating and cooling equipment and systems. To increase the performance of district thermal systems, the Master Plan may incorporate heat exchange from the private wastewater treatment processes. Wastewater heat exchange would allow the thermal plant to capture heat present in the wastewater flows or extract heat from stored water after tertiary treatment. In addition, the wastewater treatment process tanks could benefit from the rejection of excess heat from the thermal facilities. The integration of wastewater heat recovery or rejection is intended to improve the Master Plan's overall energy efficiency. Sewer heat recovery could also be implemented in individual buildings, particularly the residential buildings, helping to reduce energy demands at the building-level. Sewer heat recovery preheats incoming water by extracting heat from the higher temperature wastewater flows, before the heat dissipates in the wastewater collection network. If the WRF

[14] American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) 90.1 provides the minimum energy-efficient design and construction requirements for most buildings, except low-rise residential buildings. Source: American Society of Heating, Refrigerating and Air-Conditioning Engineers. "Standard 90.1". Accessed 7/8/2022. https://www.ashrae.org/technical-resources/bookstore/standard-90-1.

wastewater treatment employs biogas reuse via a microturbine, heat generated from the microturbine not required for the WRF operation could be utilized in the district heating network to provide space heating for buildings.

Microgrid System

A microgrid is proposed to serve some or all of the properties within the Master Plan area, utilizing PG&E's new Community Microgrid Enablement Tariff (CMET). In the event of a local grid outage, the CMET allows for the sharing of on-site distributed energy resources (e.g., solar PV and energy storage systems), to energize facilities within the CMET's prescribed boundaries, using PG&E's standard distribution infrastructure to deliver power. A Microgrid Controller—likely to be located at the DCP—would distribute power during the local grid outage under predetermined protocols that are documented in a Microgrid Operating Agreement with PG&E. Irrespective as to whether or not there would be a CMET Microgrid, electric service would be provided by standard PG&E distribution-level service.

Automatic Waste Collection System

Solid waste generated on-site would be collected via an AWCS located within the DCP. The AWCS consists of a main pressurized pneumatic pipe that runs below grade, with cleanouts spaced at regular intervals. Individual buildings would be connected to the main AWCS trunk via below-grade laterals. The computer-controlled pneumatic system would allow for the collection of a variety of solid waste streams via waste inlets distributed within the buildings and at select exterior locations with controlled access. The waste is then transferred through a single pipe that pneumatically pulls the waste to one or more central terminal facilities where each waste stream is deposited into the appropriate container. A roll-off waste collection truck would then arrive at the terminal facility to haul away a full container, while delivering an empty replacement container. These terminal facilities, collectively sized at approximately 7,000 square feet, would be located at ground level in each building served by the system with direct access for waste collection vehicles.

The proposed automated or pneumatic waste collection system must align with the City's existing trash, recycling and organics collection programs. The system's residential buildings would support four primary waste streams: garbage, paper recycling, container recycling, and organics. The system's commercial buildings would support three primary waste streams: garbage, mixed recycling, and organics. The waste streams would remain separate via the automated process that evacuates one stream at a time. The AWCS would not support all types of waste, such as: bulky items, cardboard, e-waste, kitchen grease, and hazardous materials. Therefore, each building would contain residual waste rooms hauled using traditional waste management techniques. The collection system must comply with the City's different requirements for residential and commercial programs including whether the various material streams may be collected in bags or not and acceptable types of bags for each sector.

The project will incorporate into the design back-up infrastructure should the AWCS temporarily fail or become permanently inoperable. In addition to the residual waste rooms, each building utilizing the AWCS will have adequate areas to store traditional waste management collection containers for trash, recycling, and compost.

District Distribution Systems and Building Connections

The Shorebird and Joaquin Complete Neighborhood areas would be served by a consolidated backbone utility corridor that would run underneath the Green Loop and connect laterally to office and residential/mixed use development parcels. This proposed private utility corridor located under privately-owned land would minimize public right-of-way crossings and could include electric power, recycled water, sanitary sewer, waste collection systems, and thermal hydronics.

In order to transport wastewater, recycled water, hot and chilled water, electricity and solid waste to and from each of the buildings and parks on-site, these utility corridors would consist of underground cabling and a series of below ground pipes ranging from eight to 32 inches in diameter that connect and provide service between the buildings and the DCP. Additionally, each building would be fitted with a connection room including the necessary pumping assets (i.e., booster pump), energy transfer equipment for the thermal network (plate heat exchangers providing hydraulic separation between the primary and secondary in-building system), as well as a break tank and backflow preventer for the recycled water supply. Each connection room would also include the relevant metering and control equipment to track overall consumption, perform efficiency monitoring, and enable integrated control. Where required, existing electrical utilities may be relocated or upgraded as deemed necessary by the utility or to accommodate construction or connection to new buildings.

2.3.6 Emergency Generators

The project would include a total of approximately 60 emergency back-up power systems to serve fire and life safety loads. Each building would include a diesel-powered emergency back-up generator. The generators located within the proposed residential buildings would have a power rating of approximately 600 kilowatts (kW) and the generators within the proposed office buildings would have a power rating of approximately 700 kW. For the private District Utility Systems Option only, an additional 1,500 kW generator would be installed for emergency use for the DCP. Diesel fuel for these generators would be stored in double-walled aboveground storage tanks with each generator screened from visibility. It is estimated that up to approximately 30,000 gallons of diesel fuel would be stored for these generators throughout the project site.

2.3.7 Green Building and Emissions Reduction Features

Consistent with the Development Standards and Bonus Floor-Area-Ratio (FAR) Standards for non-residential development projects within the Precise Plan area, the project would meet the Leadership in Energy and Environmental Design (LEED) Platinum standard for new office buildings and minimum 120-point GreenPoint-rated or equivalent standard for residential buildings. In addition to the Green Building standards required by the Precise Plan, the Master Plan would also include the following features:

- **Photovoltaic System:** Approximately 20 percent of the project's electricity demand would be provided by solar power generated on-site from rooftop photovoltaic panels covering 50 percent of roofs as required in the Mountain View Reach Code.
- **All Electric Buildings:** No use of natural gas.
- **Water Efficient Landscaping:** Water efficient irrigation systems would support native, drought tolerant plants compatible with recycled water.

- **Passive Design:** The project would be designed to: 1) achieve carbon reduction, 2) provide high-quality interior environments with daylight, glare control, and thermal comfort, and 3) prepare for future climate conditions where buildings are anticipated to adapt to operating in more extreme heat days by maximizing the LEED Optimize Energy points, which are measured through energy modeling against an ASHRAE 90.1 baseline.[15]
- **Energy Efficient Design:** Energy modeling in early design phases to optimize wall-to-wall ratios, thermal performance, and exterior shading.

If the private District Utilities System Option is implemented, the project would also include the following green building measures:

- **Ground Source Heating/Cooling System:** The project site would include a district thermal system which would provide heating and cooling to the proposed buildings via a closed loop system to optimize efficiency.
- **Water Efficient Building Systems:** Buildings would have efficient fixtures and systems. Additionally, all buildings would be dual-plumbed and be served by recycled water supplies for mechanical operations, irrigation, and toilet flushing.
- **On-Site Wastewater Collection and Water Reuse Facility:** The project would include an on-site WRF, which would collect and treat wastewater generated in the project area and supply recycled water to on-site developments.
- **Energy Efficient Management:** Smart load management and energy storage through use of batteries and geothermal resources.

2.3.8 Construction Activities and Phasing

Construction activities associated with the buildout of the Master Plan would include demolition, site preparation, grading and excavation, building construction, architectural coatings, paving, and installation of landscaping. The buildout of the Master Plan would occur over eight phases and take a total of approximately 14 years to complete. If the District Utilities System option is implemented, the DCP would be built in the first phase with a phased deployment of capacity and associated distribution networks as appropriate. The WRF capacity would be brought online in phases as wastewater production and non-potable water demands increase.

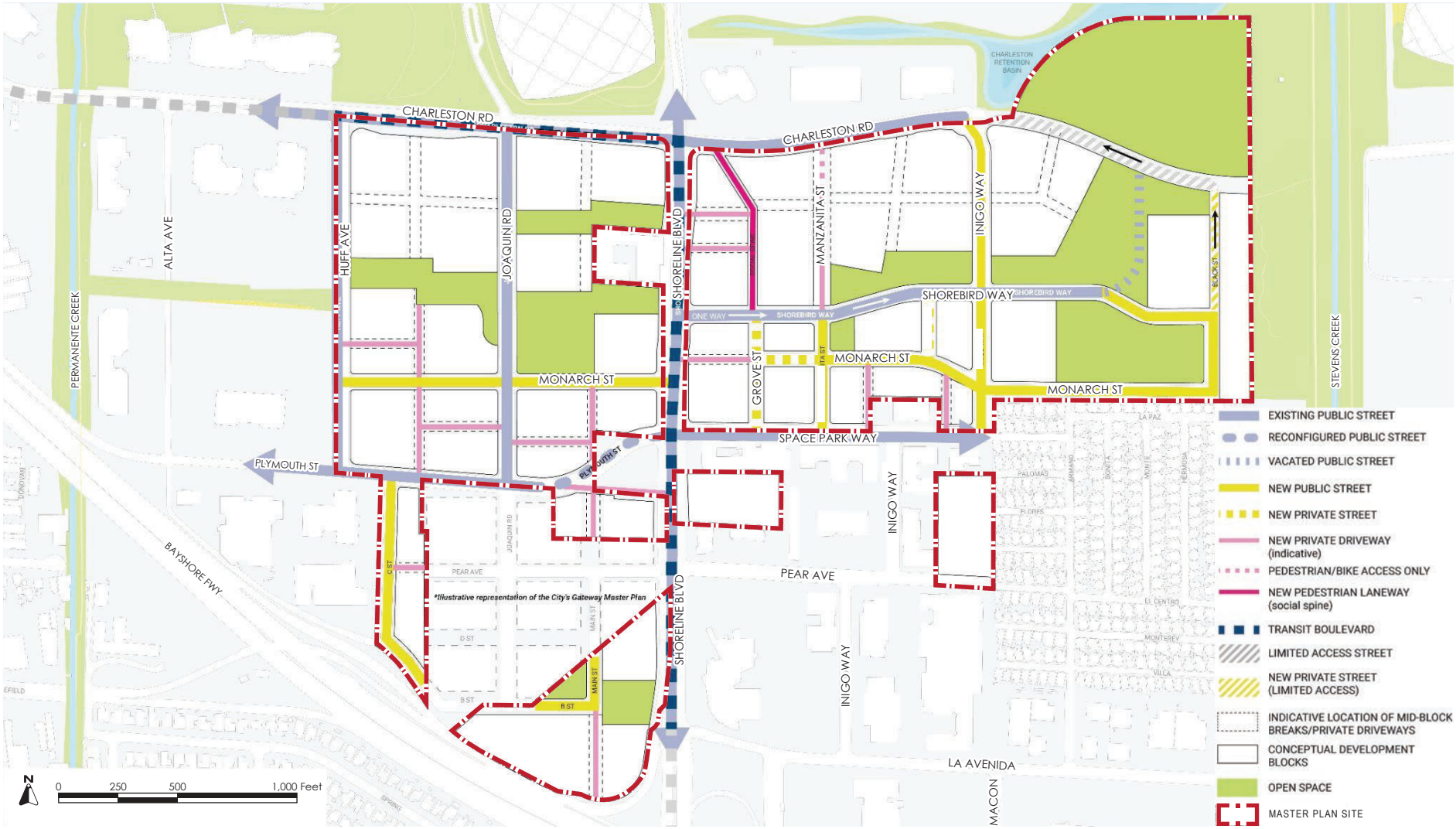
As noted in Table 2.3-1, the maximum depth of excavation required would range from eight to 30 feet bgs for the proposed buildings and 85 to 100 feet bgs for the geothermal bores under the Private District Utilities Systems Option. Approximately 1.03 million cubic yards of soil would be exported from the site to accommodate the proposed below ground parking, building foundations and footings, and utilities. Excess soil would be exported to receiving sites for which the soil meets receiving site acceptance criteria. Receiving sites may include landfills and reuse sites (e.g., other redevelopment or restoration/reclamation projects). A summary of the proposed phasing is detailed in Table 2.3-4 below.

[15] In order to earn LEED Optimize Energy points, the project would run two simulation models showing the energy use of the project. The first simulation would utilize all design and construction requirements listed in ASHRAE 90.1 (Energy Standard for Buildings Except Low-Rise Residential Buildings) to establish an energy use baseline for the proposed buildings. The second simulation would implement improved design techniques to determine how much energy efficiency could be improved. A higher percentage of improvement compared to the baseline design conditions would result in more LEED Optimize Energy points being awarded to the project design.

Table 2.3-4: Construction Phasing			
Phase	**Subareas to be Constructed**	**Estimated Start Date**	**Estimated Completion Date**
1	Shorebird North - SB-PH; SB-PR-1; SB-PO-1; SB-PO-2 (partial); JS-PR-2; PE-PR-1; PE-PR-2; SB-FLEX, SB-DCP; AM1	2024	2027
2	Shorebird South - SB-PR-2; SB-PR-3; SB-PR-4; SB-PR-5; SB-PR-6; SB-PR-7; SB-PR-8; SB-PP	2027	2031
3	Willow - SB-PO-2 (partial)	2027	2030
4	Inigo - SB-PO-3	2030	2033
5	Plymouth - JN-PR-5; JN-PR-6	2030	2033
6	Joaquin East - JN-PO-2; JN-PR-4; JN-PR-7 Marine Way - MW1; MW2	2032	2035
7	Joaquin West -JN-PO-1; JN-PR-1; JN-PR-2; JN-PR-3	2033	2036
8	Shoreline - JS-PR-1; JS-PR-3; JS-PO-1; JS-FLEX	2034	2037

2.3.9 Site Access, Circulation, and Parking

The Master Plan assumes completion of the City's North Bayshore Precise Plan Priority Transportation Projects, including improvements at the US 101/Rengstorff Avenue and US 101/Shoreline Boulevard interchanges and operational improvements along Shoreline Boulevard. The Master Plan also acknowledges a current City Capital Improvement Program (CIP) project that reconfigures part of Plymouth Street to align with the intersection of North Shoreline Boulevard and Space Park Way. Vehicle access to the project site would be provided via North Shoreline Boulevard, Charleston Road, and Amphitheatre Parkway. Overall, the Master Plan assumes buildout of the conceptual Precise Plan roadway network (see Figure 2.3-4) with minor modifications, including a proposed one-way section of Shorebird Avenue east of Shoreline and proposed private streets including Grove Street, Willow Street, Monarch Street between Grove Street and Manzanita Street, and Manzanita Street between Charleston Avenue and Shorebird Avenue. In addition, a series of new neighborhood and service streets would distribute traffic and facilitate circulation throughout the project site. Additional on-site operational and safety improvements would be completed, per the City's Multimodal Transportation Analysis (MTA) for the project. Focused, site-specific assessments (MTAs) may be needed when specific development proposals are submitted. Figure 2.3-4 shows the proposed street network for the project.



Source: Google, December 2022.

PROPOSED STREET NETWORK

FIGURE 2.3-4

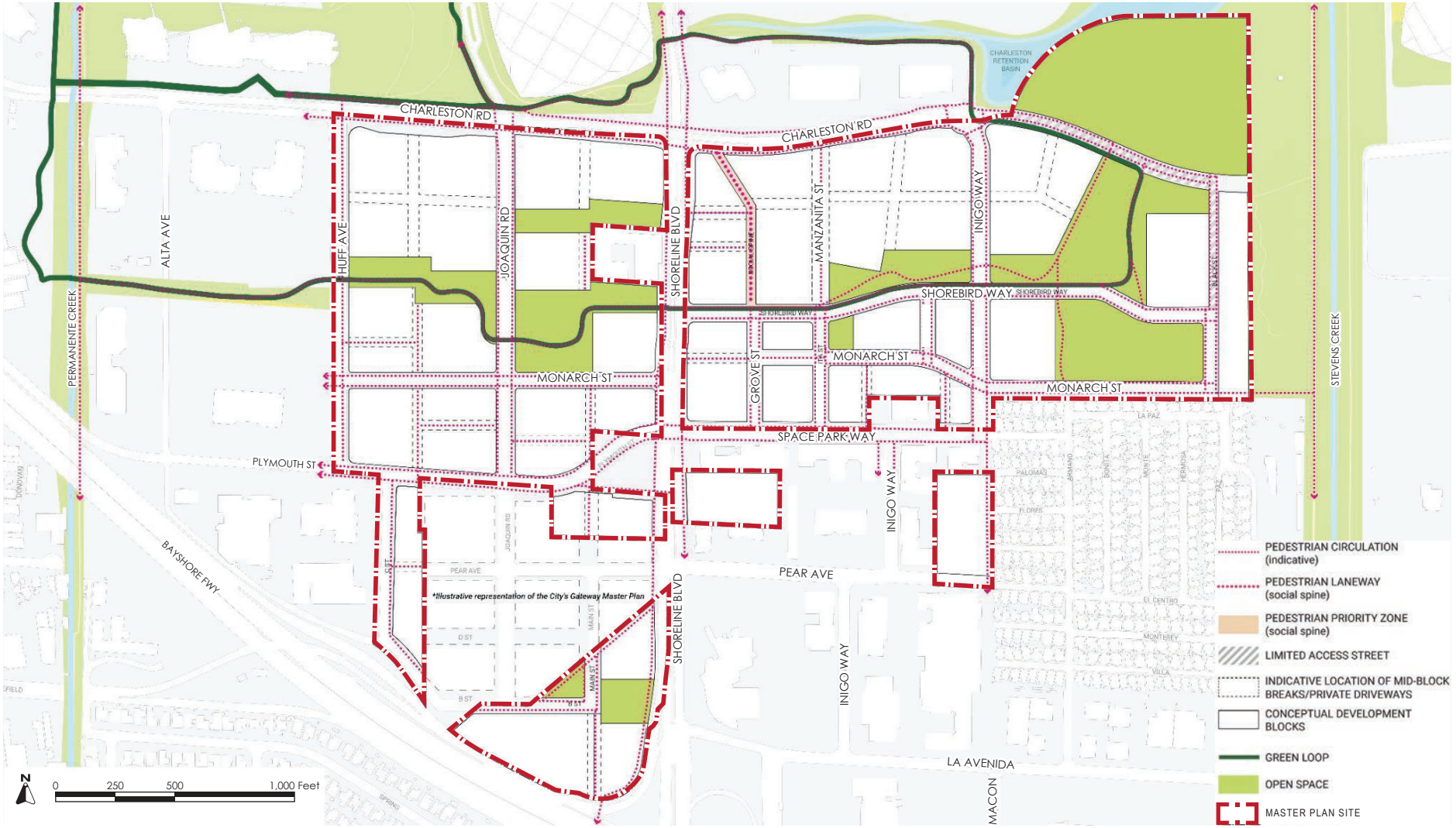
Bicycle and pedestrian access to the project site would be provided via a network of new bicycle paths, trails, and pedestrian ways. A pedestrian priority zone through the Shorebird Complete Neighborhood adjacent to North Shoreline Boulevard would connect Charleston Road to Space Park Way, and ultimately to Shoreline Commons. An off- and on-street bicycle network totaling approximately 3.7 miles is proposed, including 1.7 miles of which would be added to the existing Green Loop (multi-use trail that includes two-way bicycle lanes and a separated pedestrian way). This proposed extension of the Green Loop would connect existing and new trails, paths, and bicycle routes (including the Stevens and Permanente Creek Trails) and would complete the contiguous off-street bicycle and pedestrian route north and south of Charleston Road, and between Stevens Creek and Permanente Creek. The Master Plan also includes two new connections to the Stevens Creek Trail. Figure 2.3-5 and Figure 2.3-6 show the proposed pedestrian and bicycle network, respectively.

Further, as a Community Benefit pursuant to the allocation of 1.3 million square feet of Bonus FAR, the Master Plan would contribute funds toward the completion of the Charleston Transit Corridor (Phases 2 and 3). The Charleston Transit Corridor would turn Charleston Road into a transit corridor that would give priority to bus transit and would provide dedicated cycle tracks along its entire length in order to encourage non-vehicular transportation. The Charleston Transit Corridor is a City project subject to separate CEQA review and permitting.

As part of the goal to reduce vehicle trips into North Bayshore, the proposed office uses would be parked at 2.0 stalls per 1,000 square feet (compared to a maximum allowed parking ratio of 2.7 stalls per 1,000 square feet identified in the Precise Plan) and residential uses would be parked at approximately 0.65 stalls per dwelling unit at full buildout (consistent with the allowable parking maximums per unit in the Precise Plan).

On-site parking would be provided through a combination of on-site and district parking facilities. Limited on-site parking would be provided via surface, podium, and/or basement parking (refer to Table 3.3-1 for breakdown of parking by subarea). District parking would be provided in consolidated structures. The proposed district parking facilities are summarized in Table 2.3-5 below and their locations shown on Figure 2.3-1.

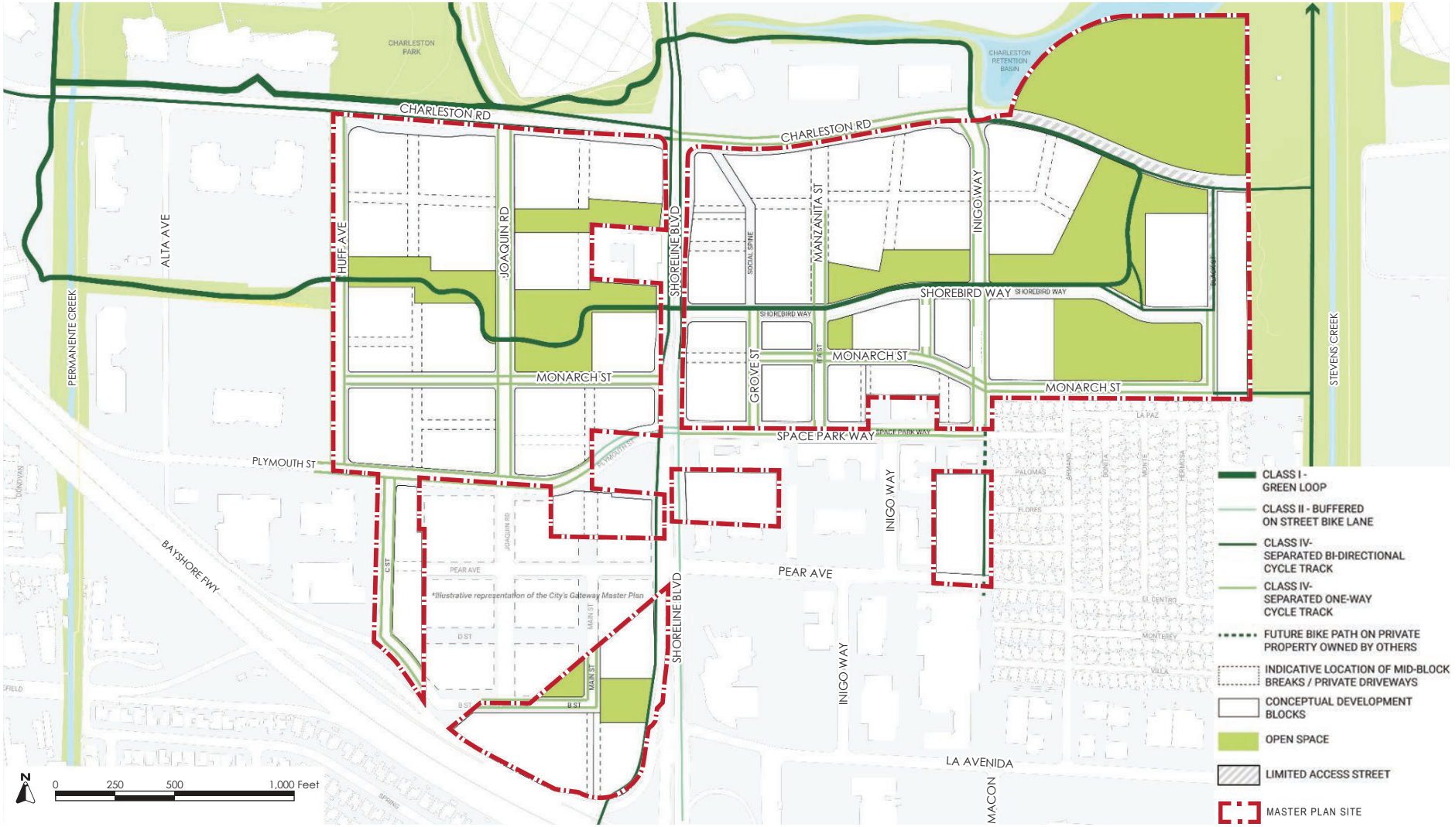
The AM1 parking garage (also referred to as “Amphitheatre parking garage”) would include 240 parking stalls under the control of the City in addition to the 10 stalls that would be reserved for MVPD. This garage would also include a mobility hub to facilitate transfers between travel modes and accommodate mobility options for the “last leg” connection between the garages and ultimate destination in the form of shuttle circulators and active transportation (e.g., shared bikes, scooters, etc.) for those who choose not to walk. The MW1, MW2 parking garages (also referred to as Marine Way parking garages) would also include mobility hubs (or a single shared mobility hub).



Source: Google, December 2022.

PROPOSED PEDESTRIAN NETWORK

FIGURE 2.3-5



Source: Google, December 2022.

PROPOSED BICYCLE NETWORK

FIGURE 2.3-6

Table 2.3-5: Summary of Proposed District Parking Facilities			
Parking Garage	**Subarea Location**	**Use Served**	**Approximate Number of Parking Stalls**
SB-P-1	SB-PP	Hotel, Retail, residential visitor	±600
JN-P-1	JN-PR-3	Hotel, Retail, residential visitor	±500
JS-P-1	JS-Flex	Office, Hotel, Retail, residential visitor	±700
AM1	AM1	Office, public	±4,584
MW1 & MW2	MW1 & MW2	Office	±890
Total			**±7,274**

Several bike and pedestrian network and safety improvements are being installed (including those along Joaquin Road and Shoreline Boulevard as part of the Charleston East project improvements), as well as the Charleston Corridor Transit Improvements, which all would provide improved connections between the proposed district parking facilities and office uses. New short- and long-term bicycle parking facilities would be located throughout the project site, with short-term bike racks designated for visitors and long-term secured bike parking for employees and residents. Short and long-term bicycle parking would be provided within or adjacent to the entrances of each office and residential building and meet or exceed the requirements of the Precise Plan, as detailed in Table 2.3-6 below.

Table 2.3-6: Precise Plan Bicycle Parking Requirements		
Land Use	**Short-Term Parking**	**Long-Term Parking**
Office/Research and Development	1 per 10,000 square feet or minimum of 4 spaces, whichever is greater	1 per 2,000 square feet or minimum of 4 spaces, whichever is greater
Retail/Commercial	1 per 5,000 square feet or minimum of 2 spaces, whichever is greater	1 per 5,000 square feet or minimum of 2 spaces, whichever is greater
Residential	1 per 10 units	1 per unit
Source: City of Mountain View. *North Bayshore Precise Plan*. October 13, 2020. Page181.		

2.3.10 Transportation Demand Management

The proposed Master Plan would implement various Transportation Demand Management (TDM) strategies, consistent with the commercial and residential TDM guidelines in Chapter 6 of the Precise Plan, to shift travel mode and time of day to take advantage of available capacity and reduce congestion. The Master Plan would comply with the district-wide and site-specific trip cap policies. The Master Plan is setting a Single Occupancy Vehicle (SOV) rate goal of 35 percent at buildout for new and existing Google office uses to comply with the gateway trip cap policy. The Master Plan TDM strategies include, but are not limited to:

- Limiting parking supply and/or reducing parking ratios
- Unbundled residential parking and Parking Cash-out
- Expansion of Google's existing TDM program
- Partnering with the Mountain View Transportation Management Association (TMA);
- Providing dedicated parking for commuter shuttle and car-share programs; and
- Bike sharing, bike storage, amenities, and repair stations.

2.3.11 Heritage Trees and Landscaping

The project site[16] contains approximately 3,969 trees[17], 1,806 of which are Heritage trees as defined in the City's Municipal Code.[18] Implementation of the Master Plan would result in the removal of approximately 3,330 existing trees (including 1,509 Heritage trees). The project would plant new trees throughout the site as required by City policies or as otherwise agreed to with the City. Tree species to be planted would be native and include oak and sycamore trees. In addition to new trees, the Master Plan proposes new landscaping consisting of native and/or drought-tolerant plants. The landscaping (including trees) within the project site to the greatest degree possible would be irrigated using recycled water (not potable water) to the extent feasible at full buildout.

[16] The tree strategy described in this document reflects the NBS Master Plan Tree Implementation Plan as submitted to the City of Mountain View on October 11, 2022. As described in the Tree Implementation Plan, tree planting density and species composition of dedicated park land, with potentially the exception of the Eco Gem, is at the City's discretion. For this reason, the "Study Area" described in the Tree Implementation Plan excludes dedicated park land but includes the Eco Gem (see Figure 1 in NBS Master Plan Tree Implementation Plan). Therefore, while there are more trees within the master plan area, there are only 3,969 trees in the Study Area as described in the Tree Implementation Plan.

[17] This total excludes the trees on land that would be dedicated as parkland as part of the proposed project.

[18] Mountain View Municipal Code Chapter 32, Article II defines a "Heritage Tree" as a tree with any of the following characteristics: a tree trunk with a circumference of forty-eight inches or more, measured at fifty-four inches above natural grade. Multi-trunk trees are measured just below the first major trunk fork. Any of the following three species of trees with a circumference of twelve inches or more, measured at fifty-four inches above natural grade: Quercus (oak), Sequoia (redwood), Cedrus (cedar), and groves of trees designated as "heritage" by the City Council. Source: City of Mountain View. *Municipal Code Chapter 32 Article II.* May 24, 2021.

2.4 CONSISTENCY WITH GENERAL PLAN LAND USE AND ZONING DESIGNATION

2.4.1 General Plan

Most of the parcels within the project site are within the Precise Plan area and have General Plan land use designations of *North Bayshore Mixed-Use Center*, *North Bayshore Mixed-Use, High-Intensity Office, and Institutional*. The *North Bayshore Mixed-Use* General Plan land use designation allows for office, commercial, lodging, entertainment, and residential uses. The *North Bayshore Mixed-Use Center* land use designation allows for office, retail and personal services, multi-family residential, lodging, entertainment, parks and plazas. The *High-Intensity Office* designation allows for office and ancillary commercial, light industrial, light manufacturing, start-up businesses, and other commercial and industrial uses. The *Institutional* land use designation allows for civic, public/quasi-public, park and open space uses. A small portion of the Master Plan, located outside of the Precise Plan area (APN: 116-20-043), has a General Plan land use designation of *Institutional*.

The proposed Master Plan land uses would be consistent with the General Plan land use designations and include a mix of office and residential uses in the appropriately designated areas.

2.4.2 Zoning

Most of the project site is zoned P (39) North Bayshore Precise Plan. A small portion of the Master Plan located outside of the Precise Plan area (APN: 116-20-043) is zoned Public Facility (PF). The Precise Plan is organized into four character areas, each with distinct building scale, form, and character. The Precise Plan also identifies Complete Neighborhood areas where residential uses are allowed. Within the Precise Plan, the project site is within the Core, Gateway, General, and Edge Character Areas and within the Shorebird, Joaquin, and Pear Complete Neighborhood Areas. Figure 2.4-1 and Figure 2.4-2 show the relationship between the project site and the Precise Plan boundary, Character Areas, and Complete Neighborhood areas.

The Core Character Area is defined as a mixed-use urban center supporting a broad range of office, residential, retail, restaurant, service, and hotel uses. The Gateway Character Area is similar to the Core Character Area, but it allows more dense non-residential uses. The General Character Area would support mixed-use developments focused on office, R&D, and residential buildings. The Edge Character Area would allow lower-intensity office, R&D, and residential uses that are setback farther from the edges of the Precise Plan to provide more landscaping next to sensitive existing habitat. All Character Areas would allow for district-supporting infrastructure and district systems. The Precise Plan establishes a "base" FAR allowance per Character Area for residential/mixed-use and nonresidential uses, in addition to a maximum FAR. The "base" FAR for the project site varies from 0.45 for nonresidential development to 1.0 for residential/mixed-use development. The maximum FAR allowed ranges from 0.65 to 2.35 for nonresidential development and 1.85 to 4.5 for residential/mixed-use development. Any FAR above the "base" is considered "bonus" FAR and subject to community benefit and green building requirements outlined in the Precise Plan.

The Shorebird Complete Neighborhood envisions a mix of high- to moderate-intensity residential and office buildings with a "campus-like" character. The Joaquin Complete Neighborhood envisions a Gateway area with a mix of retail, entertainment, recreational, office, hotel, and residential uses. The

Pear Complete Neighborhood envisions a cultural hub with art, theater, and institutional uses and a mix of high- to moderate-intensity residential and office buildings. Table 2.4-1 below summarizes the Precise Plan targets and proposed Master Plan development within the Shorebird, Joaquin, and Pear Complete Neighborhoods.

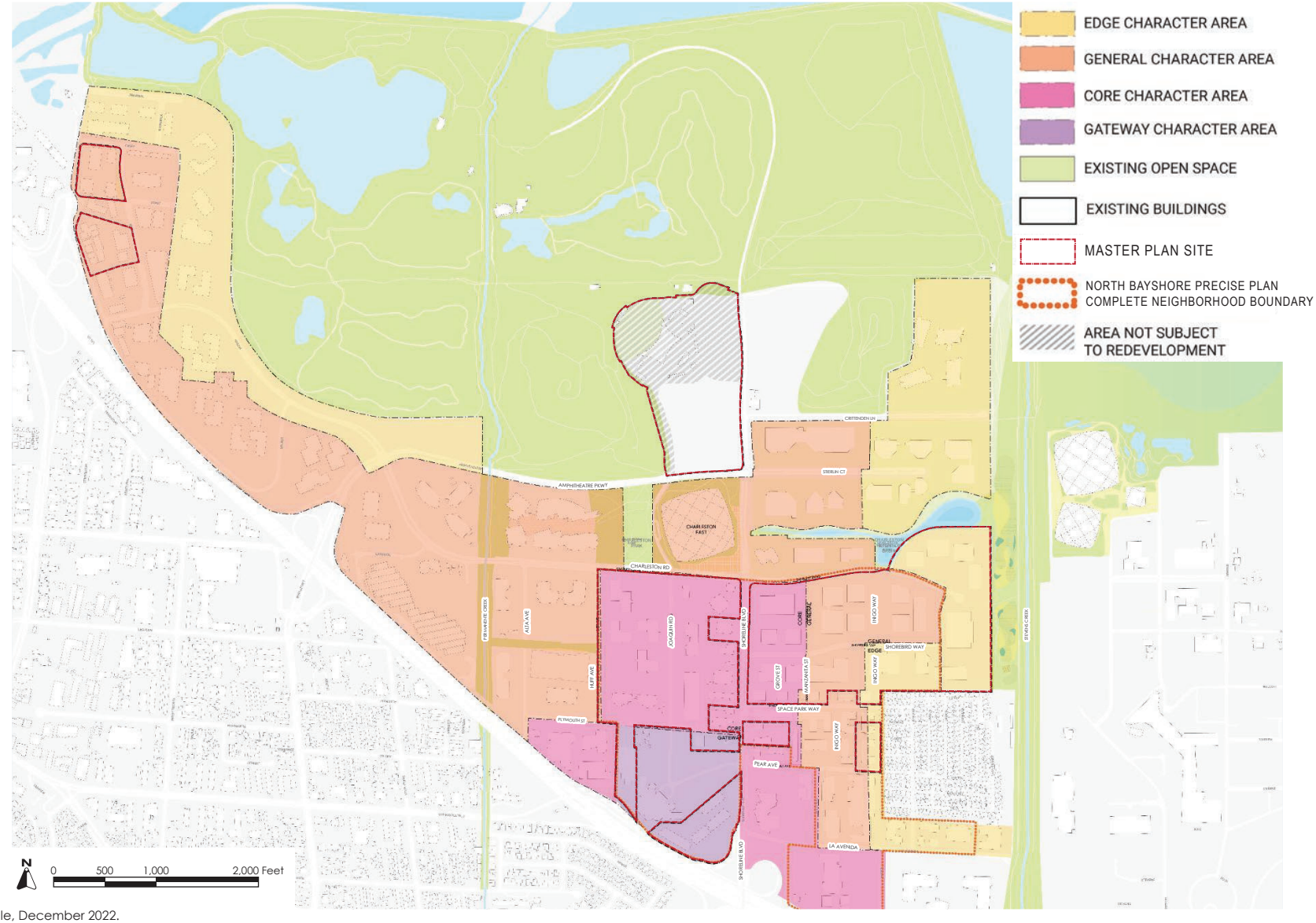
Table 2.4-1: Precise Plan Combined Complete Neighborhood Development Targets and Master Plan Development

	Precise Plan Combined Neighborhood Targets	Master Plan	Master Plan Percentage of Precise Plan Target
Residential Units	9,850	7,000	71%
Affordable Housing	1,970	1,400	71%
Employment	5,000,000 sf	3,145,897 sf	63%
Retail/Entertainment	290,000 sf	244,000 sf	83%
Hotel	400 rooms	525 rooms	131%
Public Open Space (minimum)	1 Community Park, 3 Neighborhood Parks	1 Community Park, 10 Neighborhood Parks	--

While the Master Plan would exceed the target amounts of hotel development for the Complete Neighborhoods (as shown in Table 2.4-1 above), the Master Plan proposes the type and scale of development envisioned in the Precise Plan for the three Complete Neighborhoods and would comply with the applicable standards and guidelines in the Precise Plan. In addition, the City has approved development projects within the Complete Neighborhoods including the following, which contribute to the neighborhood targets identified in Table 2.4-1:

- 2600 Marine Way (Intuit Phase 1 and 2, application no. 436-12-R; 330,500 net new square feet of office space)
- 1625 North Shoreline Boulevard (Shashi Hotel, application no. 502-14-PCZA; 200 room hotel)
- 1625 Plymouth Street (application no. 204-15-PCZA; 224,508 net new square feet of office space)
- 2000 North Shoreline Boulevard (Charleston East, application no. 173-16-PCZA; 595,000 net new square feet of office space and 10,000 net new square feet of restaurant and retail space
- 1045-1085 La Avenida (Microsoft, application no. 313-16-PCZA; 127,980 net new square feet of office space)
- 1255 Pear Avenue (application no. PL-2017-380; 149,270 net new square feet of office space, 10,557 net new square feet of institutional and recreational space, and 635 new multi-family housing units)
- Google Landings (application nos. PL-2018-345 & PL-2018-346; 550,258 net new square feet of office space and 10,500 net new square feet of restaurant and retail space
- 1100 La Avenida Street (application no. PL-2021-071; 100 new affordable multi-family housing units)

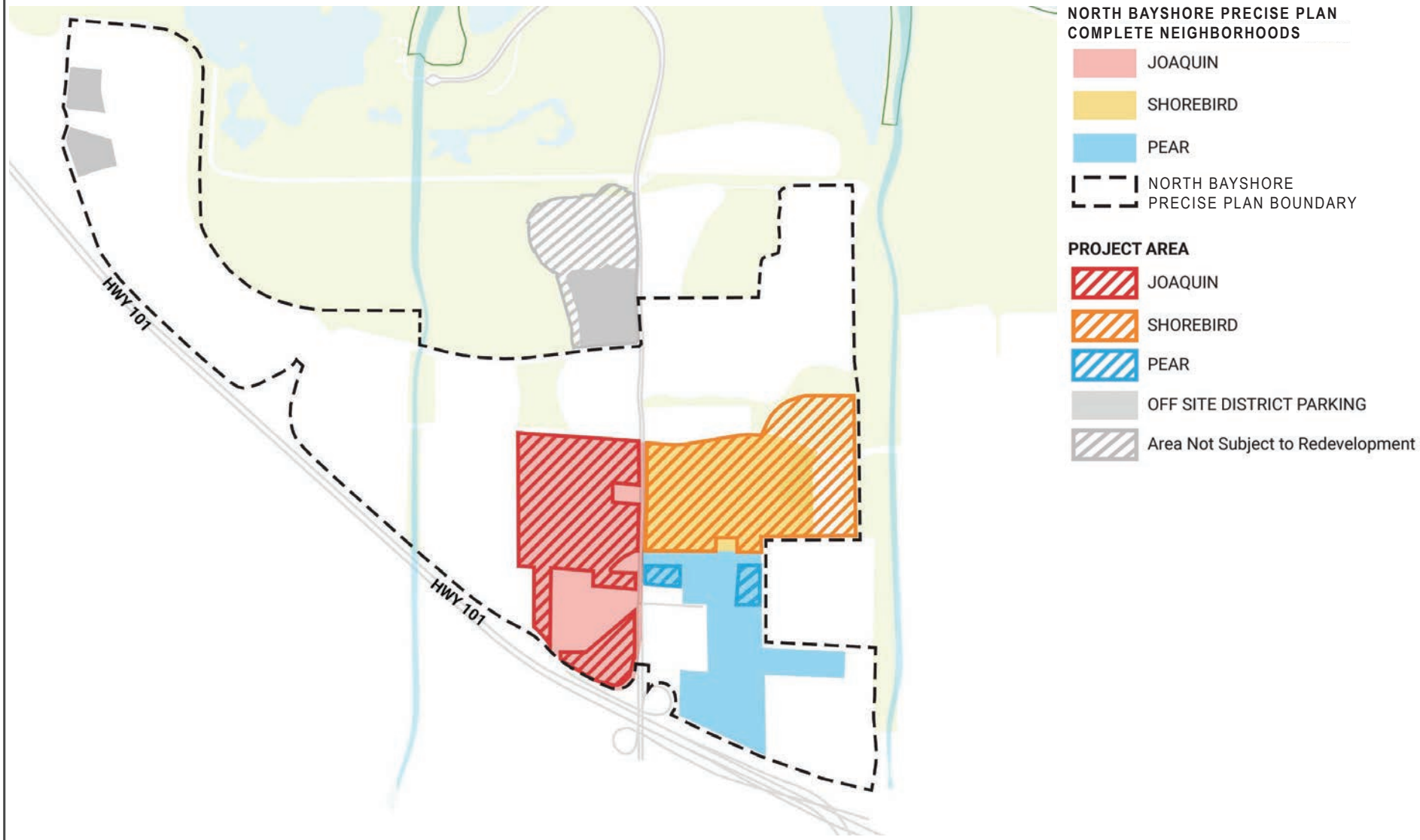
These approved developments are reflected in column B in Table 2.1-1.



Source: Google, December 2022.

NORTH BAYSHORE PRECISE PLAN CHARACTER AREAS

FIGURE 2.4-1



Source: Google, December 2022.

NORTH BAYSHORE PRECISE PLAN COMPLETE NEIGHBORHOODS | FIGURE 2.4-2

2.5 PROJECT OBJECTIVES

Pursuant to CEQA Guidelines Section 15124, the EIR must include a statement of the objectives of the project. The applicant's objectives for the Master Plan are as follows:

1. Support the North Bayshore area's transition into an innovative, sustainable, and complete mixed-use district that protects and stewards natural areas and open space.
2. Provide development/redevelopment that continues to promote the North Bayshore area's role as a major high-technology employment center for start-ups and small businesses, along with larger established companies.
3. Develop the project area with residential uses and office space at an increased density and FAR (consistent with the character area development targets in the North Bayshore Precise Plan) close to major roadways that provide a more efficient use of available land to support transit opportunities.
4. Redevelop the project site with up to approximately 7,000 new residential units to better balance the North Bayshore area's jobs/housing ratio and the City's overall jobs/housing ratio.
5. Provide approximately 3.0 million square feet of office uses consistent with the North Bayshore Precise Plan and 2030 General Plan Policies, including: LUD 3.8: Preserved land use districts. Promote and preserve commercial and industrial districts that support a diversified economic base; LUD 3.1: Land use and transportation. Focus higher land use intensities and densities within a half-mile of public transit service, and along major commute corridors; LUD 9.2: Compatible transit-oriented development. Encourage transit-oriented development that is compatible with surrounding uses and accessible to transit stations; and LUD 14.3: Business attraction. Attract innovative and emerging technology businesses.
6. Implement a robust TDM plan with trip-reduction measures and on-site amenities that promote walking, bicycling, use of shuttles and transit, and other transportation alternatives, consistent with the requirements of the North Bayshore Precise Plan.
7. Provide new open space and public park areas.
8. Support the transformation of North Bayshore into a sustainable community that recaptures and reuses energy, water, and waste resources to the greatest extent possible.

The City's vision for North Bayshore is implemented through the guiding principles in the Precise Plan, listed below. These principles provide a framework for the City's objectives for future development.

1. **Create Complete Neighborhoods.** The Precise Plan will encourage blending residential, commercial, and office uses to create Complete Neighborhoods with services, open space and transportation options for residents and area employees. These Complete Neighborhoods will help improve the jobs-housing balance of the area and City. Each neighborhood includes land use 'target numbers' to help guide their transformation to Complete Neighborhoods. Residential uses should be carefully integrated with existing offices to create active pedestrian neighborhoods.
2. **Create Distinct Areas within North Bayshore.** The vision for North Bayshore includes developing distinct areas, each with their own character and identity. These areas differ in their physical character, form, interfaces with habitat and open space, development intensity and scale, and building massing.

3. **Promote Housing Affordability.** The Precise Plan includes a goal that 20% of new housing units in North Bayshore are affordable. The Precise Plan provides FAR incentives for projects that include affordable housing units. The Precise Plan also encourages smaller units and requires residential units to unbundle parking costs from housing unit costs.
4. **Enhance Ecosystems and Habitat.** Future North Bayshore area development will be designed to respond to the natural environment. The Precise Plan will enhance and protect habitat areas within and adjacent to North Bayshore. Strategies include a Habitat Overlay Zone, bird safe design of buildings, habitat enhancements throughout the area, and incentives to transfer office development from the Edge Area to the Core Area.
5. **Improve Transportation Connections to North Bayshore. Creating** more effective and efficient connections to North Bayshore from Downtown, other areas in Mountain View, NASA Ames, and Highway 101 will be an important Precise Plan outcome. To achieve this goal, the Plan identifies key infrastructure improvements, including new bicycle and pedestrian improvements along Shoreline Boulevard, a reconfigured Charleston Road with transit- only lanes, a transit, bicycle and pedestrian bridge to NASA Ames, and northbound Highway 101 off-ramp onto Shoreline Boulevard. Precise Plan action items also include feasibility studies for a Stevens Creek bridge at Charleston and a Charleston/Highway 101 underpass. These improvements, along with better internal connectivity and expanded programs to reduce the use of single-occupancy vehicles, will allow continued North Bayshore economic growth.
6. **Expand and Improve Public Spaces.** The Precise Plan includes the creation of a diverse network of public and private open spaces. These will likely include plazas and paseos, neighborhood public spaces, linear parks, and a multi-use trail network to allow bicycling and walking throughout the Precise Plan area to natural areas. The Precise Plan promotes a signature, central public open space area to provide a community gathering space for the district.
7. **Create Walkable, Human-Scale Blocks.** To promote bike and pedestrian transportation, the Precise Plan encourages the subdivision of large blocks into a fine-grained network of pedestrian-oriented streets, providing convenient and pleasant walking and biking routes, connecting homes and businesses to transit and services, and generating valuable new addresses for diverse businesses and residences. Furthermore, every street should include safe and attractive sidewalks, enabling pedestrians to walk comfortably throughout North Bayshore.
8. **Concentrate Growth to Support Transit.** Future development will be concentrated in the Gateway and Core Areas since these locations will be within walking distance of the primary public and private transit routes. Focused growth near public transportation will increase ridership, reduce vehicle miles traveled and greenhouse gas emissions, and optimize opportunities for highly sustainable development. Focused development will also support new retail and commercial services.
9. **Make the Area Highly Sustainable.** The General Plan established the North Bayshore area as a model for highly sustainable and innovative development. Environmental sustainability will be implemented by building-, site-, and district-scale improvements. Building and site-level measures will enhance the design and construction of new buildings, while district-level projects will focus on capital improvements and management plans impacting all or portions of North Bayshore. These strategies will also enable the City and North Bayshore to proactively address climate change, sea level rise, and water demand reduction strategies, among other topics.

10. **Promote Transit, Biking and Walking.** The Precise Plan includes a drive-alone rate standard of 45% for office development projects by 2030 in addition to a residential vehicle trip performance standard. Together these standards will help reduce vehicle trips from office and residential development in the area. To support these goals, the Precise Plan also promotes the use of transit, carpools, walking, and biking in the area. From priority pedestrian and bicycle networks to TDM programs, the Precise Plan will make it easier, more comfortable, and more efficient for employees and residents to walk, bike, carpool, or use transit. Businesses should continue to lead the way with innovative vehicle trip reduction strategies.
11. **Construct Buildings that Support Public Areas.** New buildings and building renovations will be carefully designed to shape and define community open space, supporting pedestrian safety and comfort, and connecting to the transportation network. Design strategies will vary by character area but should include creating open areas between buildings and streets that are attractive and usable, locating buildings at or near the sidewalk, enlivening ground floor frontages with welcoming entries and views of interior spaces, reducing vehicular access in favor of pedestrian access, and limiting surface parking between streets and buildings.
12. **Minimize the Potential Consequences of Sea Level Rise.** Sea levels are expected to rise between 8 and 37 inches within the next 50 years. Strategies such as improving levees, upgrading stormwater facilities, and elevating new buildings should be pursued to make North Bayshore more resilient to climate change and associated impacts.
13. **Promote Economic Diversity.** The Precise Plan should encourage and support a diverse economic base to ensure the long-term fiscal health of the area and the City. This should include a mix of large, established high-tech companies, smaller spaces for start-ups, and a range of retail, services, hotels, entertainment, museums, and theaters.
14. **Promote Retail, Entertainment and the Arts.** New and expanded retail, lodging, arts, and entertainment uses should be encouraged in areas near the highest concentrations of housing and jobs and along transit routes. In addition, new buildings should be flexibly designed so ground floor spaces may be used for retail or small start-up businesses.

2.6 USES OF THE EIR

This EIR provides decision makers in the City of Mountain View and the general public with environmental information to use in considering the proposed project. It is intended that this EIR be used for the discretionary approvals necessary to implement the project, as proposed. These discretionary actions may include, but are not limited to, the list below. This list also includes ministerial permits and approvals.

Table 2.6-1: Required Approvals

Agency	Permit/Review Required
City of Mountain View	Discretionary Approvals of: • A Master Plan • A Development Agreement • A Vesting Tentative Map • Planned Community Permits

Table 2.6-1: Required Approvals	
Agency	**Permit/Review Required**
	• Development Review Permits • Heritage Tree Removal Permits • Recycled Water Permits • Site and Architectural Plan Reviews • Provisional Use Permits • Purchase and Sale Agreement Amendment Ministerial Approvals • Demolition Permits • Grading Permits • Building Permits • Public Works Approval for Work within the Right of Way (Excavation Permits) • Fire/Environmental Protection Permits • Dual Plumbing Permit • Offsite Improvement Plans (including work within the right-of-way, Excavation and Encroachment Permits or Agreements) • Industrial discharge permits for discharge of residuals from the on-site water reuse facility • Discharge Permits for discharge of municipal wastewater from the on-site water reuse facility • Sanitary sewer discharge permits for discharge of dewatering water • Closure permits if underground storage tank (UST) removal is required • Approvals of Hazardous Materials Business Plan
BAAQMD	• Permit to construct and authority to operate backup diesel generators, district water reuse facilities, and any other stationary sources of emissions • Job Number (J#) for Asbestos for Demolition/Renovation
California Department of Transportation (Caltrans)	Encroachment Permit if within Caltrans right-of-way
California Public Utilities Commission	Potential approval of elements of proposed microgrid distribution network and on-site generation and storage facilities
California Department of Resources Recycling and Recovery (CalRecycle)	Potential approval of AWCS terminal as a waste transfer station
Federal Aviation Administration (FAA)	Determination of No Hazard and/or execution of a navigation easement as deemed necessary.
Federal Energy Regulatory Commission	Potential approval of elements of proposed microgrid distribution network and on-site generation and storage facilities

Table 2.6-1: Required Approvals	
Agency	**Permit/Review Required**
PG&E	Agreement for the Community Microgrid Program (Project with District Utilities System Option only)
San Francisco Regional Water Quality Control Board (RWQCB)	• Clean Water Act Section 402 National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges associated with construction activity. Notice of Intent for construction activities Stormwater Pollution Prevention Plan (SWPPP) for on-site stormwater management and pollution prevention. • Lead on the permitting process for the on-site water reuse facility and will approve the Title 22 Engineering Report for Recycled Water, including Waste Discharge Requirements. • NPDES VOC and Fuel General Permit for discharge of treated dewatering water, if needed • Potentially required review and approval of planned management of site risks in areas where impacted soil, soil vapor, and/or groundwater are present or suspected
Santa Clara County Department of Environmental Health	Potentially required review and approval of planned management of Site risks in areas where impacted soil, soil vapor, and/or groundwater are present or suspected related to contamination where RWQCB and USEPA do not take oversight.
State Water Resources Control Board - Division of Drinking Water	• Approval for dual plumbed buildings for indoor recycled water use. • Review of Title 22 Engineering Report for Recycled Water treatment stages (filtration and disinfection) for technical compliance
Valley Water	Approvals of proposed geobores. Review and approval may be required if wells are required or if abandoned wells are proposed to be destroyed during construction of the project. Review and issue well construction, relocation, and destruction permits, including soil borings greater than 45 feet in depth.

SECTION 3.0 NEW SIGNIFICANT ENVIRONMENTAL EFFECTS

The proposed project would implement a large portion of the Precise Plan analyzed in the 2017 EIR. Per Section 15162 of the CEQA Guidelines, where an EIR has been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines that substantial changes are proposed in the project which will involve new or more severe impacts; new circumstances involve new or more severe impacts; or new information of substantial importance is available, requiring new analysis or verification.

This section includes a discussion of the additional significant effects of the project on air quality, biological resources, greenhouse gas emissions, and transportation, and utilities and service systems which were not previously disclosed in the 2017 EIR. The discussion for air quality, biological resources, greenhouse gas emission, transportation, and utilities and service systems 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 includes the recommended checklist questions from Appendix G of the CEQA Guidelines to assess impacts. The impact discussions apply to both the project with and without the District Utilities System Option, unless expressly stated otherwise.

- **Project Impacts** – This subsection summarizes the impact conclusions from the 2017 EIR and 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 AIR-1 answers the first checklist question in the Air Quality section. Mitigation measures are also numbered to correspond to the impact they address. For example, MM AIR-1.3 refers to the third mitigation measure for the first impact in the Air Quality section.
- **Cumulative Impacts** – This subsection discusses the project's cumulative impacts. "Cumulative impacts," as defined by CEQA, refer to two or more individual effects, which when combined, compound or increase other environmental impacts. Cumulative impacts may result from individually minor, but collectively significant, effects taking place over a period of time. CEQA Guideline Section 15130 states an EIR should discuss cumulative impacts "when the project's incremental effect is cumulatively considerable." The discussion does not need to be in as great detail as is necessary for project impacts, but is to be "guided by the standards of practicality and reasonableness." The purpose of the cumulative analysis is to allow decision makers to better understand the impacts that might result from approval of past, present, and reasonably foreseeable future projects, in conjunction with the proposed project addressed in this EIR.

  The CEQA Guidelines advise that a discussion of cumulative impacts should reflect both their severity and the likelihood of their occurrence (CEQA Guidelines Section 15130[b]). To

accomplish these two objectives, the analysis should include either a list of past, present, and probable future projects or a summary of projections from an adopted general plan or similar document (CEQA Guidelines Section 15130[b][1]). This EIR uses both approaches. For example, for cumulative air quality impacts, a list of past, present and future projects was used to assess the potential for new cumulative impacts and the project's contribution to existing cumulative air quality impacts. For cumulative transportation impacts, projections from the adopted Precise Plan are used. In addition, the cumulative analysis tiers from the 2017 EIR where applicable.

The analysis must determine whether the project's contribution to any cumulatively significant impact is cumulatively considerable, as defined by CEQA Guideline Section 15065(a)(3). The cumulative impacts discussion for each environmental issue accordingly addresses the following issues: 1) would the effects of all of past, present, and probable future (pending) development result in a significant cumulative impact on the resource in question; and, if that cumulative impact is likely to be significant, and 2) would the contribution from the proposed project to that significant cumulative impact be cumulatively considerable. Pursuant to CEQA Guidelines Section 15130(d) and (e), this EIR incorporates by reference the cumulative analysis in the 2017 EIR.

Table 3.0-1 identifies the pending and approved (but not yet constructed or occupied) projects within 1,000 feet of the project site that were included in the cumulative air quality analysis.

Table 3.0-1: Cumulative Projects List

Name and Location	Description	Distance to Project Site	Status
Gateway Master Plan (Non-Google)	Up to 100,000 square feet of recreational space, 1,786 residential units, and 75,000 square feet of restaurant space.	0.0 miles	Approved
Intuit (Bayshore Parkway) – 2624 Bayshore Parkway	178,600 square feet of office space	1.0 miles	Approved
Microsoft – 1045 La Avenida Street	643,680 square feet of office	0.2 miles	Approved
Charleston East – 2000 North Shoreline Boulevard	595,000 square feet of office and 10,000 square feet of retail space	0.0 miles	Approved
Sobrato – 1255 Pear Avenue	785 residential units and 231,210 square feet of office space	0.0 miles	Approved
1100 La Avenida Affordable Housing	100 residential units	0.1 miles	Approved

Table 3.0-1: Cumulative Projects List			
Name and Location	**Description**	**Distance to Project Site**	**Status**
Google Landings – 2051-2059 Landings Drive	799,482 square feet of office and 10,096 square feet of retail space	0.2 miles	Approved
1001 Shoreline Gateway	203-unit apartment building and 3,000 square feet of ground-floor commercial space, a seven-story, and a 100-condominium-unit residential building, and a six-level office parking structure	0.4 miles	Approved and Under Construction

The impact discussions for all other environmental resources are included in Section 5.0 Previously Identified Effects because no new or substantially more severe impacts associated with those environmental resources were identified beyond those previously analyzed in the 2017 EIR.

3.1 AIR QUALITY

The following discussion is based, in part, on an Air Quality Assessment completed by Illingworth & Rodkin, Inc. dated December 6, 2022. This report is attached to this EIR as Appendix C.

3.1.1 Environmental Setting

The existing air quality setting, including regulatory framework and existing site conditions, has not substantially changed since the certification of the 2017 EIR with the exception of the adoption of the 2017 Clean Air Plan and 2017 Bay Area Air Quality Management District CEQA Air Quality Guidelines (which are described below).

3.1.1.1 *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_3), nitrogen oxides (NO_x), particulate matter (PM), carbon monoxide (CO), sulfur oxides (SO_x), and lead.[19] Criteria pollutants are regulated because they result in health effects. An overview of the sources of criteria pollutants and their associated health are summarized in Table 3.1-1. The most commonly regulated criteria pollutants in the Bay Area are discussed further below.

Table 3.1-1: Health Effects of Air Pollutants

Pollutants	Sources	Primary Effects
Ozone (O_3)	Atmospheric reaction of organic gases with nitrogen oxides in sunlight	• Aggravation of respiratory and cardiovascular diseases • Irritation of eyes • Cardiopulmonary function impairment
Nitrogen Dioxide (NO_2)	Motor vehicle exhaust, high temperature stationary combustion, atmospheric reactions	• Aggravation of respiratory illness • Reduced visibility

[19] 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. For these reasons, these criteria pollutants are not discussed further.

Table 3.1-1: Health Effects of Air Pollutants		
Pollutants	**Sources**	**Primary Effects**
Fine Particulate Matter ($PM_{2.5}$) and Coarse Particulate Matter (PM_{10})	Stationary combustion of solid fuels, construction activities, industrial processes, atmospheric chemical reactions	• Reduced lung function, especially in children • Aggravation of respiratory and cardiorespiratory diseases • Increased cough and chest discomfort • Reduced visibility
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	• Cancer • Chronic eye, lung, or skin irritation • Neurological and reproductive disorders

High O_3 levels are caused by the cumulative emissions of reactive organic gases (ROG) and NO_x. These precursor pollutants react under certain meteorological conditions to form high O_3 levels. Controlling the emissions of these precursor pollutants is the focus of the Bay Area's attempts to reduce O_3 levels. The highest O_3 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_{10}) and fine particulate matter where particles have a diameter of 2.5 micrometers or less ($PM_{2.5}$). Elevated concentrations of PM_{10} and $PM_{2.5}$ 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).[20] Chemicals in diesel exhaust, such as benzene and formaldehyde, have been previously identified as TACs by the California Air Resources Board (CARB).

[20] California Air Resources Board. "Overview: Diesel Exhaust and Health." Accessed December 13, 2021. https://ww2.arb.ca.gov/resources/overview-diesel-exhaust-and-health.

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.

3.1.1.2 *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_3, CO, SO_x, NO_x, and lead.

CARB is the state 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 additional 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_X.

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.[21]

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.

Local

Mountain View 2030 General Plan

The General Plan contains goals and policies to avoid significant impacts to air quality including, but not limited to, the following goals and policies, which are applicable to the proposed project (under either option).

Policy	Description
Infrastructure and Conservation Element	
INC 20.1	**Pollution-reduction.** Discourage mobile and stationary sources of air pollution.
INC 20.3	**Pollution-reduction technologies.** Encourage the use of non-fossil fuels and other pollution-reduction technologies in transportation, machinery and industrial processes.
INC 20.5	**Truck Access.** Plan industrial and commercial development to avoid truck access through residential areas and minimize truck travel on streets designated primarily for residential access by the General Plan.
NC 20.6	**Air quality standards.** Protect the public and construction workers from construction exhaust and particulate emissions.
INC 20.7	**Protect sensitive receptors.** Protect the public from substantial pollutant concentrations.
INC 20.8	**Offensive odors.** Protect residents from offensive odors.
Mobility	
MOB 9.2	**Reduced vehicle miles traveled.** Support development and transportation improvements that help reduce greenhouse gas emissions by reducing per capita vehicle miles traveled.
MOB 9.3	**Low-emission vehicles.** Promote use of fuel-efficient, alternative fuel and low-emission vehicles.

[21] Bay Area Air Quality Management District. *Final 2017 Clean Air Plan.* April 19, 2017. http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans.

North Bayshore Precise Plan

The Precise Plan contains guidelines to avoid significant air quality impacts. The following guidelines are applicable to the proposed project.

Guideline	Description
7.1 Sustainable and Resilient Infrastructure	
7	**Alternative fuels for construction equipment.** Infrastructure projects are encouraged to use construction equipment powered by alternative fuels such as compressed natural gas rather than conventional petroleum or diesel to reduce greenhouse gas emissions.
8	**Electric and hybrid construction equipment.** Infrastructure projects are encouraged to use electric or hybrid-electric construction equipment to reduce greenhouse gas emissions.

3.1.1.3 *Existing Conditions*

The project site is located in Santa Clara County, which is in the San Francisco Bay Area Air Basin. The Bay Area, as a whole, does not meet state or federal ambient air quality standards for ground level O_3, and $PM_{2.5}$, nor does it meet state standards for PM_{10}. The Bay Area is considered in attainment or unclassified for all other pollutants.[22]

The nearest sensitive receptors to the project site are the residences at the Santiago Villa mobile home park, located directly southeast of the project site. Additional residences are located approximately 400 feet southwest of the project site, across U.S. 101. The future residents of the approved (but not yet constructed) 1100 La Avenida and 1255 Pear Avenue residential projects, directly south of the project site, would be considered sensitive receptors when those developments are occupied.

3.1.2 Impact Discussion

For the purpose of determining the significance of the project's impact on air quality, would the project:

1) Conflict with or obstruct implementation of the applicable air quality plan?
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?
3) Expose sensitive receptors to substantial pollutant concentrations?
4) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

As discussed in CEQA Guidelines Section 15064(b), the determination of whether a project may have a significant effect on the environment calls for judgement 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 the best information available for the San Francisco Bay Area Air Basin and conservative in terms of the assessment of health effects associated with O_3 precursors (i.e., ROG and NO_x), particulate matter, and

[22] "Attainment" status for a pollutant means a given air district meets the standard set by the EPA and/or CARB.

TACs. The BAAQMD CEQA Air Quality thresholds used in this analysis are identified in Table 3.1-2 below.

Table 3.1-2: BAAQMD Air Quality Significance Thresholds			
Pollutant	**Construction Thresholds**	**Operation Thresholds**	
	Average Daily Emissions (pounds/day)	**Annual Daily Emissions (pounds/day)**	**Annual Average Emissions (tons/year)**
Criteria Pollutants			
ROG, NO_x	54	54	10
PM_{10}	82 (exhaust)	82	15
$PM_{2.5}$	54 (exhaust)	54	40
CO	Not Applicable	9.0 ppm (eight-hour) or 20.0 ppm (one-hour)	
Fugitive Dust	Dust Control Measures/Best Management Practices	Not Applicable	
Health Risks and Hazards for New Sources (within a 1,000-foot Zone of Influence)			
Health Hazard	Single Source	Combined Cumulative Sources	
Excess Cancer Risk	10 per one million	100 per million	
Incremental Annual $PM_{2.5}$	0.3µg*/m_3	0.8 µg/m_3 (average)	
Note: µg = micrograms			

3.1.2.1 *Project Impacts*

Impact AQ-1: **Both Project Options:** The project (under either option) would conflict with or obstruct implementation of the applicable air quality plan by resulting in construction NO_x emissions, operational ROG, NO_x, and PM_{10} emissions, and health risks (primarily due to construction emissions) in excess of BAAQMD thresholds. **(New Impact [Significant and Unavoidable Impact with Mitigation Incorporated])**

Based on BAAQMD's criteria for determining if a land use plan is consistent with an applicable clean air plan, The 2017 EIR concluded that the Precise Plan would not conflict with the 2010 CAP or interfere with its implementation because the Precise Plan includes implementing policies and measures consistent with the 2010 CAP and would not increase vehicle-miles traveled (VMT) at a rate faster than population growth.[23]

[23] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Pages 152-157.

The BAAQMD CEQA Air Quality Guidelines set forth separate criteria for determining project-level consistency with a clean air plan. In general, a project is considered consistent with a clean air plan if the project:

a) Supports the primary goals of the clean air plan;
b) Includes relevant control measures; and
c) Does not interfere with implementation of the clean air plan control measures.

The project's consistency with the 2017 CAP based on these three criteria is discussed below.

Support of Primary 2017 CAP Goals

As discussed in Section 3.1.1.2, the goals of the 2017 CAP include 1) protecting public health by progressing towards attaining air quality standards and eliminating health risk and 2) protecting the climate. If a project exceeds the BAAQMD thresholds of significance, its emissions are considered to result in significant adverse air quality impacts to the region's existing air quality conditions. Similarly, if the project exceeds the BAAQMD community health risk threshold of significance, the project would result in a community health risk. A project exceeding either of these BAAQMD thresholds is considered to be inconsistent with the 2017 CAP, even if the project meets the CAP goals. An analysis of the project's construction and operational air pollutant emissions is provided below, as well as a discussion of the project's community health risk.

Construction Period Emissions

The 2017 EIR disclosed that future development under the Precise Plan would result in short-term emissions from construction activities.[24] During construction, fugitive dust (the dominant source of PM_{10} and $PM_{2.5}$ emissions) is generated when wheels or blades disturb surface materials. Uncontrolled dust from construction can become a nuisance and potential health hazard to those in the vicinity. Off-road construction equipment is often diesel-powered and can be a substantial source of NO_x emissions, in addition to PM_{10} and $PM_{2.5}$ emissions. Worker commute trips and architectural coatings are dominant sources of ROG emissions.

Fugitive Dust

The 2017 EIR concluded that construction of future development projects under the Precise Plan would result in less than significant impacts from fugitive dust with the implementation mitigation measure MM AQ-2.1.[25]

[24] Ibid. Pages 157-159.
[25] Ibid.

North Bayshore 2017 EIR Mitigation Measure:

2017 EIR MM AQ-2.1[26]: Both Project Options: Measures to reduce diesel particulate matter (DPM) and PM10 from construction shall be implemented to ensure that short-term health impacts to nearby sensitive receptors are avoided. 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:

- 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. Dewatering effluent extracted from the site may be utilized for watering all exposed surfaces, if found to meet VOC and Fuel General Permit NPDES permit requirements pursuant to the Site Management Plan required per Precise Plan EIR MM HAZ-3.1 in Section 5.8 Hazards and Hazardous Materials.
- 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 measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked

[26] This mitigation measure has been revised to reflect the updated BAAQMD best management practices identified in the updated 2017 BAAQMD CEQA Air Quality Guidelines and additional recommendations from BAAQMD.

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. Dewatering effluent extracted from the site may be utilized for watering all exposed surfaces, if found to meet VOC and Fuel General Permit NPDES permit requirements pursuant to the Site Management Plan required per Precise Plan EIR MM HAZ-3.1 in Section 5.8 Hazards and Hazardous Materials.
- 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 project (under either option) would implement the above mitigation measure and, therefore, result in the same less than significant impact for construction fugitive dust as disclosed in the 2017 EIR.

Criteria Air Pollutants

The 2017 EIR concluded construction of future projects under the Precise Plan could exceed BAAQMD thresholds for criteria pollutants and result in a significant impact.[27] In addition to mitigation measure MM AQ-2.1, the 2017 EIR identified mitigation measure MM AQ-2.2 to reduce diesel exhaust emissions to a less than significant level.

[27] Ibid.

North Bayshore 2017 EIR Mitigation Measure:

2017 EIR MM AQ-2.2: The following additional measures to reduce exhaust emissions from large construction projects shall be implemented:

- The developer or contractor shall provide a plan for approval by the City or BAAQMD demonstrating that the heavy-duty (>50 horsepower) off-road vehicles to be used in the construction project, including owned, leased, and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NOX reduction and 45 percent particulate reduction compared to the most recent CARB fleet average for the year 2011.
- Clear signage at all construction sites will be posted indicating that diesel equipment standing idle for more than five minutes shall be turned off. This would include trucks waiting to deliver or receive soil, aggregate, or other bulk materials. Rotating drum concrete trucks could keep their engines running continuously as long as they were onsite or adjacent to the construction site.
- The contractor shall install temporary electrical service whenever possible to avoid the need for independently powered equipment (e.g., compressors).
- Properly tune and maintain equipment for low emissions.

While the 2017 EIR concluded that construction criteria air pollutants would be reduced to a less than significant level with implementation of MM AQ-2.1 and MM AQ-2.2, the analysis was based on plan level review. To further evaluate the air quality impacts of the proposed project, a project-specific air quality analysis was prepared (refer to Appendix C). The following discussion summarizes the findings and conclusions of this project-specific air quality analysis.

The California Emissions Estimator Model (CalEEMod) Version 2020.4.0 and CARB's Emission Factor 2021 (EMFAC2021) model were used to estimate annual emissions from construction activities. Construction emissions were modeled based on equipment list and schedule information provided by the applicant for the project with District Utilities System Option. The construction schedule assumes the project (under either option) would be built over a period of approximately 14 years, or an estimated 3,658 construction workdays. Details about the equipment list, construction schedule, modeling, data inputs, and assumptions are included in Appendix C. Table 3.1-3 shows the estimated daily air emissions from construction of the project with District Utilities System Option. The emissions for the project without the district utilities system are less than shown in Table 3.1-3 since all aspects of the two project options are the same except the option with district utilities system includes additional construction of the DCP, district heating and cooling system, and district distribution system.

Table 3.1-3: Project with District Utilities System Option Daily Unmitigated Construction Period Emissions (Pounds Per Day)				
Year	**ROG**	**NO_x**	**PM_{10} Exhaust**	**$PM_{2.5}$ Exhaust**
2024 (262 workdays)	20.56	**166.70**	8.52	6.61
2025 (261 workdays)	**60.64**	**112.22**	5.97	4.22
2026 (261 workdays)	**118.60**	**55.79**	3.65	2.07
2027 (261 workdays)	**82.93**	**118.22**	7.35	4.98
2028 (262 workdays)	36.32	**70.43**	3.60	2.80
2029 (261 workdays)	32.56	41.86	2.39	1.68
2030 (261 workdays)	35.20	29.91	1.68	0.91
2031 (261 workdays)	**56.11**	16.69	1.35	0.60
2032 (262 workdays)	**56.79**	28.55	1.53	0.96
2033 (261 workdays)	52.02	36.81	2.28	1.29
2034 (261 workdays)	**136.26**	**60.83**	2.81	1.65
2035 (261 workdays)	50.13	20.47	1.79	0.72
2036 (262 workdays)	2.56	10.04	1.12	0.43
2037 (261 workdays)	0.86	3.56	0.44	0.17
BAAQMD Thresholds	*54*	*54*	*82*	*54*
Exceed Thresholds?	**Yes**	**Yes**	No	No

Notes: **Bold** text denotes an exceedance of BAAQMD significance thresholds. The emissions for the project without the district utilities system are less than shown above since all aspects of the two project options are the same except the option with district utilities system includes the construction of the DCP, district heating and cooling system, and district distribution system. While the emissions of the project without the district utilities system would be less than shown above, the emissions would be similar and also exceed the BAAQMD thresholds of significance for ROG and NO_x. Assumes 3,658 construction workdays.

Source: Illingworth & Rodkin, Inc. *Google North Bayshore Master Plan Air Quality Assessment, Mountain View, California.* December 6, 2022.

As shown in Table 3.1-3 above, project construction would exceed BAAQMD significance thresholds for ROG in construction years 2025-2027, 2031-2032, and 2034, and for NO_x emissions in construction years 2024-2028, and 2034. The project (under either option) would implement 2017 EIR mitigation measure MM AQ-2.1 (as revised) and new project mitigation measure MM AQ-1.1 to reduce its construction criteria air pollutant emissions of ROG and NO_x. The project (under either option) shall implement new mitigation measure MM AQ-1.1 instead of the previously identified 2017 EIR mitigation measure MM AQ-2.2 because it is project-specific and more stringent.

New Project Mitigation Measure:

MM AQ-1.1: Both Project Options: The project (under either option) shall implement the following measures during all phases of construction:

- On-road heavy-duty trucks used for construction shall be zero emissions or meet the current most stringent emissions standard, if feasible and commercially available.
- 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 Final emission standards for NO_x and PM (PM_{10} and $PM_{2.5}$), if feasible, otherwise:
    - If Tier 4 Final equipment is not available, alternatively use equipment that meets U.S. EPA emission standards for Tier 2 or 3 engines and include particulate matter emissions control equivalent to CARB Level 3 verifiable diesel emission control devices that altogether achieve an 85-percent reduction in particulate matter exhaust in comparison to uncontrolled equipment; alternatively (or in combination). The project applicant shall provide to the City for review and approval documentation showing that engines that comply with Tier 4 Final off-road emission standards are not commercially available for the specific off-road equipment necessary during construction. For purposes of this mitigation measure, "commercially available" shall take into consideration the following factors: (i) potential significant delays to critical-path timing of construction and (ii) the geographic proximity to the project site of Tier 4 Final equipment.
    - Use of alternatively fueled equipment with lower NO_x emissions that meet the NO_x and PM reduction requirements above.
- Use electric portable equipment such as aerial lifts, air compressors, cement mortar mixers, concrete/industrial saws, cranes, and welders. Portable equipment shall be powered by grid electricity or alternative fuels (i.e., not diesel) instead of by diesel generators.
- Provide line power to the site during the early phases of construction to minimize the use of diesel- or gas-powered equipment.
- Diesel engines, whether for off road equipment or on road vehicles, shall not be left idling for more than two minutes, except as provided in exceptions to the applicable state regulations (e.g., traffic conditions, safe operating conditions). The construction sites shall have posted legible and visible signs in designated queuing areas and at the construction site to clearly notify operators of idling limit.
- Use low volatile organic compound or VOC (i.e., ROG) coatings, that are below current BAAQMD requirements (i.e., Regulation 8, Rule 3: Architectural Coatings), for at least 80 percent of all residential and nonresidential interior paints and 80 percent of exterior paints. This includes all architectural coatings applied during both construction and reapplications throughout the project's operational lifetime. At least 80 percent of coatings

applied must meet a “super-compliant" VOC standard of less than 10 grams of VOC per liter of paint. For reapplication of coatings during the project’s operational lifetime, the Declaration of Covenants, Conditions, and Restrictions shall contain a stipulation for low VOC coatings to be used. Examples of “super-compliant” coatings are contained in the South Coast Air Quality Management District’s website.[28]

- The City shall review the above measures every two years to ensure these measures incorporate the latest guidance and tools available to mitigate the identified impacts as recommended by BAAQMD. The intent is that project will be required to incorporate the most current and stringent requirements adopted by BAAQMD as they evolve over time. Project construction and introduction of new land uses would occur over 14 years or further into the future, and it is possible that newer measures and measures, which are not considered feasible now, would be available to further reduce emissions. These could include greater use of zero-emission construction and stationary equipment and more incentives to support zero emission vehicles. New updated mitigations if identified as part of the two year assessment would be implemented with every new building construction approved as part of the Master Plan project from that point onwards.

With implementation of the 2017 EIR mitigation measure MM AQ-1.1 and new project mitigation measure MM AQ-1.1, modeling indicates that on-site construction ROG emissions would be reduced by 80 percent and NO_x emissions would be reduced by 72 percent, resulting in less than significant impacts for ROG emissions as shown on Table 3.1-4. NO_x emissions, however, would continue to exceed the BAAQMD threshold of 54 pounds per day in the year 2024. For this reason, construction NO_x emissions only in year 2024 from the project (under either option) would be significant and unavoidable. **[New Impact (Significant and Unavoidable Impact with Mitigation Incorporated)]**

[28] South Coast Air Quality Management District. “Super-Compliant Architectural Coatings.” Accessed December 7, 2022. http://www.aqmd.gov/home/rules-compliance/compliance/vocs/architectural-coatings/super-compliant-coatings.

Table 3.1-4: Project with District Utilities System Option Daily Mitigated Construction Period Emissions (Pounds Per Day)				
Year	**ROG**	**NO_x**	**PM_{10} Exhaust**	**$PM_{2.5}$ Exhaust**
2024 (262 workdays)	10.36	**60.98**	2.98	1.45
2025 (261 workdays)	17.88	47.98	2.83	1.30
2026 (261 workdays)	28.80	33.86	2.64	1.11
2027 (261 workdays)	24.88	49.88	3.85	1.71
2028 (262 workdays)	9.56	25.81	1.25	0.61
2029 (261 workdays)	8.60	17.56	1.13	0.51
2030 (261 workdays)	9.28	17.75	1.36	0.60
2031 (261 workdays)	13.18	11.56	1.27	0.51
2032 (262 workdays)	12.97	13.07	1.08	0.51
2033 (261 workdays)	13.32	19.25	1.76	0.77
2034 (261 workdays)	30.73	31.66	2.10	0.94
2035 (261 workdays)	12.78	15.32	1.76	0.68
2036 (262 workdays)	2.36	8.64	1.11	0.42
2037 (261 workdays)	0.84	3.42	0.44	0.17
BAAQMD Thresholds	*54*	*54*	*82*	*54*
Exceed Thresholds?	No	**Yes**	No	No

Notes: **Bold** text denotes an exceedance of BAAQMD significance thresholds. The emissions for the project without the district utilities system are less than shown above since all aspects of the two project options are the same except the option with district utilities system includes the construction of the DCP, district heating and cooling system, and district distribution system. While the emissions of the project without the district utilities system would be less than shown above, the emissions would be similar and exceed the BAAQMD thresholds of significance for ROG and NO_x. Assumes 3,658 construction workdays.

Source: Illingworth & Rodkin, Inc. *Google North Bayshore Master Plan Air Quality Assessment, Mountain View, California.* December 6, 2022.

Operational Period Emissions

The 2017 EIR disclosed the implementation of the Precise Plan would result in long-term pollutant emissions from building operations (including operation of stationary sources like emergency backup diesel generators) and vehicle use.[29] The BAAQMD CEQA Air Quality Guidelines do not have numeric thresholds related to direct and indirect regional criterial air pollutant emissions resulting from plan implementation; rather, BAAQMD only requires emission computations for project-level analysis. For this reason, the 2017 EIR stated future projects under the Precise Plan would be reviewed against BAAQMD project-level operational criteria pollutant thresholds when proposed.

A project is now proposed; therefore, the operational emissions of the project were modeled and compared to BAAQMD thresholds. Operational criteria pollutant emissions associated with the project (under either option) would be generated primarily from vehicles driven by future employees, residents, customers, and vendors to and from the project site and from consumer products. The project (under either option) proposes 61 emergency diesel generators (including 44 600 kW generators for the residential and mixed-use buildings, 16 700 kW generators for office buildings, and one 1,500 kW generators for the DCP). The generators would be tested periodically and would power the buildings in the event of a power failure. It is assumed the generators would operate primarily for testing and maintenance purposes. The project also proposes a DCP with an anaerobic digestor to generate biogas. Details about the modeling assumptions for the DCP are included in Appendix C.

CalEEMod and EMFAC2021 were used to estimate emissions from the project with District Utilities System Option operation assuming full build out of the proposed project. The estimated net annual and daily operational period emissions from the project with District Utilities System Option compared to BAAQMD thresholds of significance are summarized in Table 3.1-5. Existing uses on the project site currently generate operational emissions. These emissions are subtracted from the project's emissions at the earliest date in which the project (under either option) would be constructed and operational (2038) to arrive at the project's net emissions. Any emissions associated with build out later than 2038 would be lower than current emissions due to assumed efficiencies from improved vehicle fuel efficiency, energy efficient appliances, and mechanical systems over time. The emissions for the project without the district utilities system are less than shown in Table 3.1-5 for NO_x, $PM_{2.5}$ and PM_{10} emissions since all aspects of the two project options are the same except the option with district utilities system includes the operation of the DCP, district heating and cooling system, and district distribution system. ROG emissions would be the same as shown in Table 3.1-5 because ROG emissions are primarily from area and mobile sources. The modeling assumptions, data inputs, and results are described further in Appendix C of this EIR.

[29] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Page 159.

Table 3.1-5: Project with District Utilities System Option Operational Period Emissions				
Scenario	**ROG**	**NO_x**	**PM_{10} Exhaust**	**$PM_{2.5}$ Exhaust**
Tons Per Year				
A. 2038 Project Emissions	**88.6**	**41.68**	**28.16**	8.40
B. 2022 Existing Use Emissions	11.30	10.81	7.04	1.93
Net Unmitigated Annual Emissions (A-B)	**77.3**	**30.87**	**21.13**	6.47
Net Mitigated Annual Emissions**	**56.43**	**15.03**	**20.91**	6.27
BAAQMD Thresholds	*10*	*10*	*15*	*10*
Exceed Threshold?	**Yes**	**Yes**	**Yes**	No
Pounds Per Day				
2038 Daily Unmitigated Net Operational Emissions*	**423.84**	**169.17**	**115.76**	35.46
2038 Daily Mitigated Net Operational Emissions*	**381.58**	**122.15**	**114.25**	33.96
BAAQMD Threshold	*54*	*54*	*82*	*54*
Exceed Threshold?	**Yes**	**Yes**	**Yes**	No

Notes: *Assumes 365-day operations

** Assumes implementation of new project mitigation measure MM AQ-1.1.

Bold text denotes an exceedance of BAAQMD significance thresholds. The emissions for the project without the district utilities system are less than shown above since all aspects of the two project options are the same except the option with district utilities system includes the operation of the DCP, district heating and cooling system, and district distribution system. While the emissions of the project without the district utilities system would be less than shown above for NO_x PM_{10}, and $PM_{2.5}$ and the same as shown above, for ROG emissions.

Source: Illingworth & Rodkin, Inc. *Google North Bayshore Master Plan Air Quality Assessment, Mountain View, California.* December 6, 2022.

As shown in Table 3.1-5 above, operational criteria pollutant emissions associated with the proposed project (under either option) would exceed BAAQMD significance thresholds for ROG, NO_x, and PM_{10}. The greatest sources for operational ROG emissions are area emissions (e.g., architectural coatings and consumer product use) and the greatest source for operational NO_x and PM_{10} emissions is project traffic. This is a new, project-specific impact that was not previously disclosed in the 2017 EIR.

To reduce the impact from area ROG emissions from architectural coatings, the project would be required to use super compliant VOC coatings pursuant to new project mitigation measure MM AQ-1.1 above. While it is feasible and enforceable for the City to require super compliant VOC coatings be applied initially, the City cannot ensure that future occupants or tenants would use super compliant VOC coatings during reapplication for the lifetime of the project. In addition, there is no feasible mitigation measure to ensure consumer products (such as inks, coatings, and adhesives) used by future

residents and tenants would be low in VOCs. The project's mobile NO_x and PM_{10} emissions from proposed land uses would be reduced to the maximum extent feasible through the stringent TDM measures proposed by the project as described in Section 3.3.10 Transportation Demand Management. The reduction in mobile NO_x and PM_{10} emissions from implementation of the project's TDM measures is already reflected in the project emissions in Table 3.1-5. Given the comprehensive and aggressive TDM measures proposed, there are no feasible additional measures available to reduce the project's mobile emissions further. A minor source of NO_x and PM emissions are from the project's emergency generators. The project would be required to implement the following new mitigation measure to reduce emissions from this minor source.

New Project Mitigation Measure:

MM AQ-1.2: Both Project Options: Permanent stationary emergency generators installed on-site shall have engines that meet or exceed U.S. EPA Tier 4 Final standards for NO_x and particulate matter emissions.

Implementation of MM AQ-1.2 would reduce NO_x emissions from generators by about 90 percent compared to Tier 2 engines that could be allowed, however, the benefit is minor and ROG, NO_x and PM_{10}. emissions would still exceed BAAQMD thresholds. For these reasons, operational ROG, NO_x, and PM_{10} emissions from the project (under either option) are conservatively assumed to be significant and unavoidable. **(New Impact [Significant and Unavoidable Impact with Mitigation Incorporated])**

Health Effects Associated with Significant Operational ROG, NO_x and PM_{10} Emissions

Emissions of ROG and NO_x from individual sources (such as the project under either option) throughout the Bay Area contribute to high O_3 levels in the region and as stated in Section 3.1.1.3, the project region is in nonattainment for O_3. O_3 is an oxidant that is harmful to public health at high concentrations. O_3, at high levels, can damage the tissues of the lungs and respiratory tract. High concentrations of O_3 irritate the nose, throat, and respiratory system and constrict the airways. O_3 also can aggravate other respiratory conditions such as asthma, bronchitis, and emphysema, causing increased hospital admissions. Repeated exposure to high O_3 levels can make people more susceptible to respiratory infection and lung inflammation and permanently damage lung tissue. O_3 can also have negative cardiovascular impacts, including chronic hardening of the arteries and triggering of heart attacks. Children are most at risk, as they tend to be active and outdoors in the summer, when O_3 levels are highest. Seniors and people with respiratory illnesses are also especially sensitive to O_3's effects. Healthy adults working or exercising outdoors during high O_3 levels can be affected.

Because emissions in one part of the region can impact air quality miles downwind, efforts to reduce O_3 levels focus on reducing emissions of ROG and NO_x throughout the region. The relationship between ROG and NO_x in O_3 formation is complex; the ratio between the precursor pollutants influences how O_3 forms. Modeling suggests that large reductions in ROG and NO_x emissions will be needed to achieve the O_3 reductions required to attain the current health-based ozone standards. A certain amount of O_3 formation occurs naturally, even in the absence of anthropogenic emissions of ROG and NO_x.

CARB reports statistics for O_3 monitoring in the San Francisco Bay Area. Over the last three years in San José,[30] maximum one-hour average O_3 levels are 0.106 parts per million (ppm).[31] Eight-hour maximum O_3 levels over this same period were 0.085 ppm. Both levels exceed the ambient air quality standards of 0.09 ppm for the one-hour standard and 0.070 ppm for the eight-hour period. For measuring compliance with the O_3 NAAQS, CARB reports a 2020 Design Value of 0.060 ppm for the 8-hour standard and 0.086 ppm for the 1-hour standard, which are both below the NAAQS. Throughout the Bay Area, the eight-hour standard was exceeded somewhere within the Air Basin on six days in 2018, nine days in 2019, and nine days in 2020. The eight-hour design value for the standard is reported by CARB as 0.069 ppm. The less restrictive one-hour standard was exceeded on two to six days per year and a state standard designation of 0.10 ppm was assigned to the basin.[32]

Airborne particulate matter concentrations found in the Bay Area are not a single pollutant, but rather is a mixture of many chemical species. It is a complex mixture of solids and aerosols composed of small droplets of liquid, dry solid fragments, and solid cores with liquid coatings. Those with a diameter of 10 microns or less (PM_{10}) are inhalable into the lungs and can induce adverse health effects like coughing, wheezing, asthma attacks, heart attack, and more. These impacts are most likely to affect the elderly and the very young. Emissions of particulate matter in the Bay Area contribute to these effects both in the Bay Area and for miles downwind. While emissions of particulate matter have been reduced in the Bay Area in recent decades, further reduction is necessary to continue the improvements seen in the public health benefits in the Bay Area.

No development project by itself would be sufficient in size to result in regional nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulative adverse air quality impacts and, while its emissions may be individually limited, it could be cumulatively considerable when taken in combination with past, present, and future development projects.[33] The thresholds for criteria air pollutants are based on levels at which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants. Therefore, if a project leads to a significant impact individually, the project would also be considered to contribute significantly to the cumulative impact.

A project-level air quality analysis of criteria air pollutants is based on significance thresholds that were set at emission levels tied to the region's attainment status.[34] Locally, the significance thresholds applied in this EIR are emission levels above which stationary air pollutant sources permitted by the BAAQMD (typically, industrial facilities, refineries, and the like) must offset their emissions through

[30] San Jose station is the closes monitoring station to the project site. Source: BAAQMD. *2021 Air Monitoring Network Plan.* July 1, 2021. Page 17. https://www.baaqmd.gov/~/media/files/technical-services/2020-network-plan-draft-202100526-pdf.pdf?la=en

[31] California Air Resources Board. "iADAM Air Quality Data Statistics (2018-2020), Top 4 Summary: Select Pollutant, Years, & Area." Accessed December 7, 2022. https://www.arb.ca.gov/adam/topfour/topfour1.php/.

[32] Bay Area Air Quality Management District. *Spare the Air Cool the Climate Final 2017 Clean Air Plan*. April 2017. https://www.baaqmd.gov/~/media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a_-proposed-final-cap-vol-1-pdf.pdf?la=en

[33] Bay Area Air Quality Management District. *California Environmental Quality Act Air Quality Guidelines, May 2017*. http://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en.

[34] San Joaquin Valley Air Protection Control District. Application for Leave to File Brief of Amicus Curiae Brief of San Joaquin Valley Unified Air Pollution Control District in Support of Defendant and Respondent, County of Fresno and Real Party In Interest and Respondent, Friant Ranch, L.P. In the Supreme Court of California. Sierra Club, Revive the San Joaquin, and League of Women Voters of Fresno v. County of Fresno, 2014.

purchase of emissions "offsets" from other facilities that have reduced emissions, either through installation of emissions controls or removal of an emissions source. Such offset levels allow for regional development while keeping the cumulative effects of new sources at a level that will not impede attainment of the NAAQS. Therefore, a CEQA air quality analysis of criteria air pollutants is essentially an analysis of regional, cumulative air quality impacts and a given project's contribution to those impacts.

The ambient air quality standards are expressed in terms of the concentrations of individual pollutants within the air. Compliance with the ambient air quality standards indicates that regional air quality can be considered protective of public health, with certain exceptions, it is not readily feasible to calculate an individual project's effect on ambient O_3 concentrations given current environmental science modeling tools. Some pollutants are directly emitted from projects and their effects on ambient air quality can be modeled. An example is carbon monoxide, or CO, which is emitted directly as vehicle exhaust.

O_3, however, is a regional pollutant for which project-specific concentration modeling is not reliable given current air quality modeling limitations. Because of the complexity of ozone formation and given the state of modeling available, it is infeasible to reliably convert specific mass emissions levels (i.e., weight) of NO_x or ROG emitted in a particular area (or by a particular project) to a particular concentration of ozone in that area in a manner that yields meaningful results.[35] Meteorology, the presence of sunlight, seasonal impacts, and other complex chemical factors all combine to determine the ultimate concentration and location of ozone.[36,37] Furthermore, available models are designed to determine regional, population-wide health impacts and cannot accurately quantify ozone-related health impacts caused by NO_x or ROG emissions at the local level or individual project level. Consequently, there is not a reliable way to connect the proposed project's exceedances of NO_x and ROG emissions to increases in ozone concentrations and, thus, meaningfully determine specific human health impacts related to those increases in ozone concentrations.

Project-level mass (weight) emission thresholds have been established for ozone precursors (NO_x and ROG) and other criteria pollutants precisely because it is not possible to readily convert mass emissions at the project-level to pollutant concentrations. As explained by BAAQMD, the CEQA significance thresholds established for the ozone precursors ROG and NO_x were tied to BAAQMD's offset requirements for ozone precursors based on the Bay Area being in non-attainment with the federal ozone standard; this approach is considered appropriate "to prevent further deterioration of ambient air quality and thus has nexus and proportionality to prevention of a regionally cumulative significant impact (e.g. worsened status of non-attainment)."[38] Therefore, attainment can be considered protective of public health, thus providing a strong link between a mass emission threshold and avoidance of health effects. For PM_{10} and $PM_{2.5}$, BAAQMD established CEQA significance thresholds based on the

[35] Ibid.

[36] South Coast Air Quality Management District. Application of the South Coast Air Quality Management District for Leave to File Brief of Amicus Curiae in Support of Neither Party and Brief of Amicus Curiae. In the Supreme Court of California. Sierra Club, Revive the San Joaquin, and League of Women Voters of Fresno v. County of Fresno. 2014

[37] Ibid.

[38] Bay Area Air Quality Management District. *Revised Draft Options and Justification Report: California Environmental Quality Act Thresholds of Significance, October 2009*. Accessed December 7, 2022. http://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/revised-draft-ceqa-thresholds-justification-report-oct-2009.pdf?la=en.

federal New Source Review program for new stationary sources of pollution, which contains stricter thresholds than does BAAQMD's offset program for these pollutants. "These thresholds represent the emission levels above which a project's individual emissions would result in a considerable adverse contribution to the [San Francisco Bay Area Air Basin]'s existing air quality conditions."[39] As with ROG and NO_x discussed above, these thresholds likewise provide a connection between a mass emission threshold and avoidance of health effects.

Nevertheless, the proposed project's ROG, NO_x, and PM_{10} emissions (under either option) that exceed significance thresholds were evaluated to determine whether these emissions would contribute to new or exacerbated air quality violations in the air basin by contributing to more days of ozone exceedance or result in air quality index values that are unhealthy for sensitive groups and other populations. To evaluate the project's effects on O_3 levels in the region, the project's operational ROG, NO_x, and PM_{10} emissions (under either option) were compared to regional emissions that lead to elevated concentrations of O_3 (refer to Table 3.1-6 below).

Table 3.1-6: Comparison of Project Emissions to Air Basin ROG Emissions (tons/day)

Scenario	ROG	NO_x	PM_{10}
Bay Area Air Basin in 2020	203	187	88
Bay Area Air Basin in 2035[1]	200	157	96
Mitigated Project Operation	0.22 (80.94 tons/year)	0.09 (33.10 tons/year)	0.08 (27.89 tons/year)
Percent of Basin in 2035	0.11%	0.046%	0.08%

[1] Closest year of analysis to project operational year of 2038 under either option

Sources: 1) California Air Resources Board. "2016 SIP Emission Projection Data". Accessed October 13, 2022. https://www.arb.ca.gov/app/emsinv/2017/emssumcat.php?_ga=2.50848289.940452654.1638212311-106250637.1504031780 and 2) Illingworth & Rodkin, Inc. *Google North Bayshore Master Plan Air Quality Assessment, Mountain View, California.* December 6, 2022.

As shown from the data in Table 3.1-5, operational emissions from the project (under either option) in 2038 (the soonest year the project would be fully operational) exceed the ROG and NO_x, and PM_{10} single-source thresholds of 54 pounds per day and 82 pounds per day, respectively. As shown in Table 3.1-6, the project's total ROG, NO_x, and PM_{10} emissions represent 0.1 percent, 0.04 percent, and 0.08 percent of the regional inventory, respectively.[40] This is a conservative estimate because the estimated emissions do not reflect the reduction in emissions from future occupants or tenants using super compliant VOC coatings during reapplication for the lifetime of the project (see second to last bullet in new project mitigation measure MM AQ-1.1 above). Therefore, although the project may increase O_3 levels, the increase would be minimal given the scale of the project's ozone precursor emissions, and the health impacts caused by the project's ROG, NO_x, and PM_{10} emissions (under either option) are also likely minimal. Further, given available modeling tools, it is not possible to accurately

[39] Ibid.

[40] 0.19 tons per day (project emissions) / 200 tons per day (air basin emissions in 2035) = 0.00095 or 0.1 percent. 0.06 tons per day (project emissions) / 157 tons per day (air basin emissions in 2035) = 0.00038 or 0.04 percent. 0.09 tons per day (project emissions) / 96 tons per day (air basin emissions in 2035) = 0.00093 or 0.09 percent.

delineate a direct link between the project's O_3 precursor emissions and health effects predicted for the region by BAAQMD resulting from elevated O_3 levels caused by the project.

To further convey the potential community-wide health impacts from the project's ROG and NO_x, and PM_{10} emissions exceeding the BAAQMD thresholds, a comparative example from another project EIR in the South Bay is provided. The Downtown West Mixed-Use master plan development with up to 7.3 million square feet of office uses, 5,900 residential units, 500,000 square feet of commercial uses, 300 hotel rooms, 800 rooms of limited term corporate accommodations, 100,000 square feet of event/conference space, a 130,000 square foot DCP, 100,000 square feet of logistics center uses, 15 acres of parkland/open space, and transportation and parking improvements is estimated to result in a total of 69 tons per year of net new construction and operational ROG emissions, 31 tons per year of NO_x emissions, and 37 tons per year of PM_{10} emissions in 2032 (the soonest year the project would be fully operational).[41] In terms of geographical context, the proposed project is within 11 miles of the Downtown West Mixed-Use Plan project in a location with similar dispersion conditions that are characteristic of the southern Bay Area. The Downtown West Mixed-Use Plan project would generate similar ROG, NO_x, and PM_{10} emissions compared to the project (under either option) evaluated in this EIR. That EIR attempted to model the health effects from ROG, NO_x, and PM_{10} emissions and found approximately 0.03 additional respiratory-related hospital admissions, 0.05 additional mortalities, and less than 0.36 additional asthma-related emergency room visits in the region could be attributed to project-related increases in ambient air concentrations.[42] Due to this nominal increase in incidence of health effects from the increase in emissions from the Downtown West Mixed-Use Plan project, the Downtown West Mixed-Use Plan EIR concluded that project would have a very small impact on community-wide health effects.[43]

The proposed project with District Utilities System Option in this EIR includes approximately 42 percent of the office uses, 119 percent of the residential uses, 49 percent of the commercial/retail uses, 200 percent of the parks/open space uses, 100 percent of the DCP space, 175 percent of the hotel rooms, and none of the corporate accommodations, entertainment, or logistics uses included in the Downtown West Mixed-Use Plan project. Therefore, the proposed project (under either option) operational emissions would result in similar or lesser health effects than the health effects disclosed for the Downtown West Mixed-Use Plan project.

Based on the discussion above, the project (under either option) would not cause measurable increases to regional (ozone) air pollutant levels or health effects associated with the project's ROG, NO_x, or PM_{10} emissions to materially change. The emissions of ROG, NO_x, and PM_{10} are, however, considered significant and unavoidable.

[41] City of San José. *Downtown West Mixed-Use Plan, Draft Environmental Impact Report* (SCH# 2019080493). October 2020. P. 3.1-114.
[42] Ibid. P. 3.1-117.
[43] Ibid. P. 3.1-120.

Community Health Risk

Project impacts related to increased community risk can occur by introducing a new source of TACs with the potential to adversely affect existing sensitive receptors in the project vicinity or by significantly exacerbating existing cumulative TAC impacts. The project (under either option) would introduce new sources of TACs during construction and operation.

As noted in Section 2.3 Project Description, the project (under either option) would be constructed over approximately 14 years in eight overlapping phases. For this reason, the health risk impacts of overlapping project construction and operational emissions are analyzed to represent air quality impacts during earlier phases of construction and during phases of construction when some buildings would be occupied while others are being constructed. The operational emissions are also analyzed separately to represent health risk from the project after construction has been completed.

The 2017 EIR concluded that the health risks to off-site receptors would be mitigated to less than significant levels with implementation of the following mitigation measure.[44]

North Bayshore 2017 EIR Mitigation Measure:

2017 EIR MM AQ-3.1: Both Project Options: Construction health risk assessments shall be required on a project-by-project basis, either through screening or refined modeling, to identify impacts and, if necessary, include effective mitigation measures to reduce exposure and significant risks to health, based upon BAAQMD-recommended thresholds for TACs (e.g., 10 in one million cancer cases). Reduction in health risk can be accomplished through, though is not limited to, the following measures:

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

Overlapping Project Construction and Operation Emissions

Construction equipment and associated heavy-duty truck traffic generates diesel exhaust, which is a known TAC, and would pose a health risk to nearby receptors. The primary health risk impact issues associated with construction emissions are cancer risk and exposure to $PM_{2.5}$. The greatest TAC of concern generated during construction that could lead to cancer risk is DPM, which is used as a surrogate measure of exposure for the mixture of chemicals that make up diesel exhaust as a whole.

The project (under either option) would include operation of stand-by generators powered by diesel engines, microturbines and flare powered by biogas, cooling towers, and would generate traffic consisting of light-duty vehicles, all of which would produce TAC and criteria air pollutant emissions during project operations. Operational emissions of DPM, TACs, $PM_{2.5}$ and PM_{10} from project-

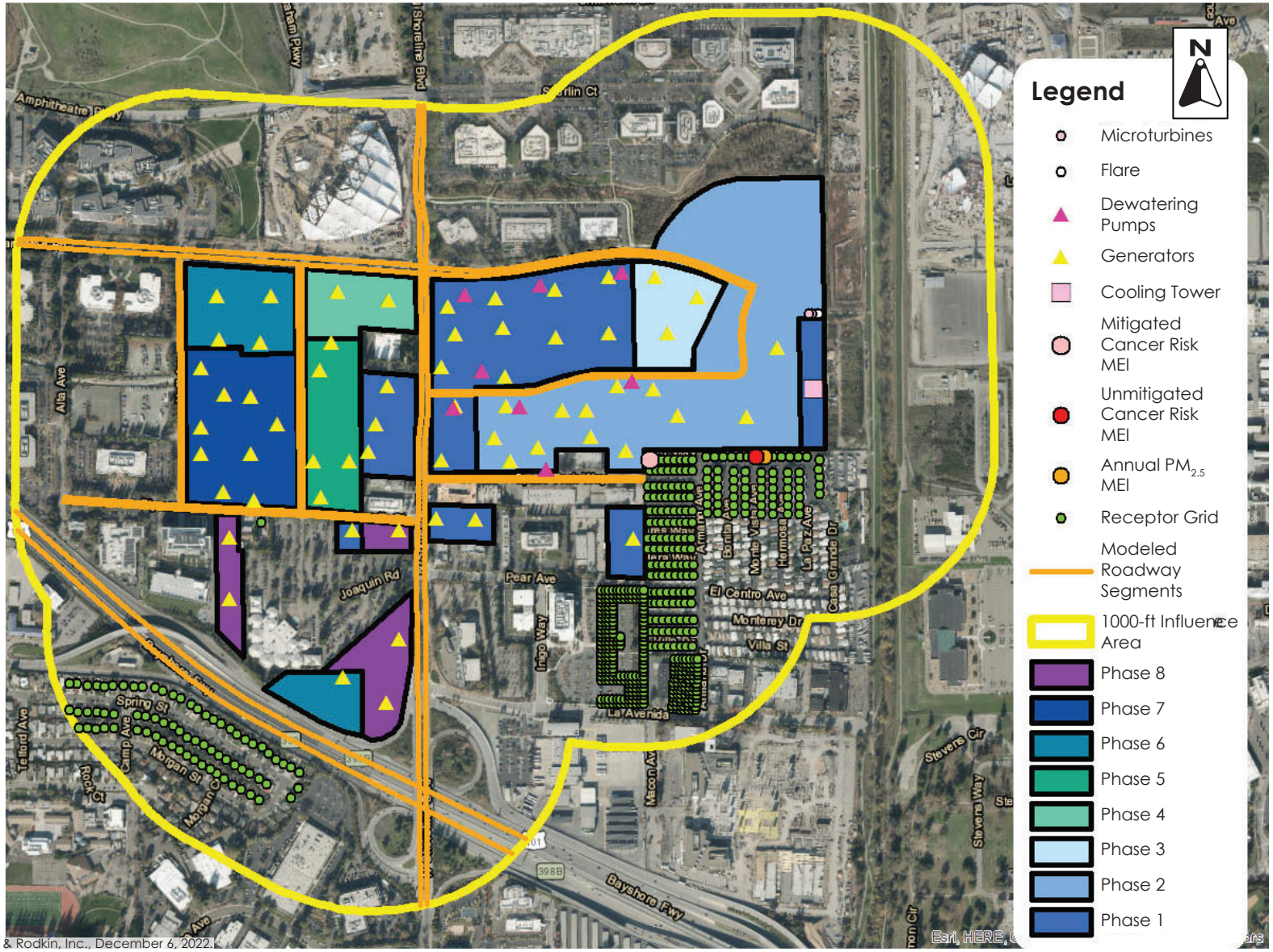
[44] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Pages 160-161.

generated traffic on local roadways and operation of the project were modeled using the U.S. EPA AERMOD dispersion model.

Pursuant to 2017 EIR mitigation measure MM AQ-3.1, a project-specific TAC/health risk quantification was completed (refer to Appendix C). The following discussion summarizes the findings and conclusions of the health risk assessment. The assessment evaluated potential health effects to nearby receptors (within 1,000 feet of the project site) from overlapping construction and operational emissions of DPM and $PM_{2.5}$. For purposes of this analysis, receptors are locations where sensitive populations would be present for extended periods of time including the existing residences at the Santiago Villa mobile home park, located directly southeast of the project site, existing residences southwest of the project site across U.S. 101, and the future residents of the recently approved 1100 La Avenida and 1255 Pear Avenue residential projects, directly south of the project site. A health risk assessment of future residents on the project site is included in Section 3.1.3.

Consistent with the BAAQMD CEQA Air Quality Guidelines, the CalEEMod, U.S. EPA AERMOD, and EMFAC2021 models were used to calculate health risk from the project with District Utilities System Option construction and operational activities (refer to Appendix C for details about model and modeling assumptions). Community health risk impacts are addressed by predicting increased cancer risk, annual $PM_{2.5}$ concentrations, and Hazard Index (HI) for non-cancer-health risks. The maximum modeled annual DPM and $PM_{2.5}$ concentrations were identified at nearby sensitive receptors to find the maximally exposed individual (MEI), or the sensitive receptor that is most impacted by the project's overlapping construction and operational TAC emissions. Results of this assessment indicated that there are two MEIs located in the Santiago Villa mobile home park. Figure 3.1-1 shows the location of off-site receptors, including the MEIs and modeled project traffic. The estimated cancer risks and annual $PM_{2.5}$ concentrations due to construction and operation of the project with District Utilities System Option are summarized in Table 3.1-7 below.

The unmitigated cancer risk and annual $PM_{2.5}$ concentration from overlapping construction and operation of the project without the district utilities system are less than shown in Table 3.1-7 since all aspects of the two project options are the same except the option with district utilities system, which includes the construction and operation of the DCP, district heating and cooling system, and district distribution system. While the unmitigated cancer risk and annual $PM_{2.5}$ concentrations of the project without the district utilities system would be less than shown in Table 3.1-7, the unmitigated cancer risk and annual $PM_{2.5}$ concentrations would be similar and still exceed the BAAQMD thresholds of significance.



Source: Illingworth & Rodkin, Inc., December 6, 2022.

LOCATIONS OF OFF-SITE SENSITIVE RECEPTORS AND MODELED PROJECT TRAFFIC | FIGURE 3.1-1

Table 3.1-7: Project with District Utilities System Option Construction and Operational Community Risk Impacts at the Off-Site Receptors			
Source	**Maximum Excess Cancer Risk (per million)[1]**	**Annual Average $PM_{2.5}$ Concentrations ($\mu g/m_3$)[2]**	**Hazard Index[2]**
Project Construction			
Unmitigated	**96.55**	**1.69**	0.06
Mitigated[3]	9.80	0.49	0.01
Project Operations			
Unmitigated	2.61	0.08	<0.01
Mitigated	3.06	0.05	<0.01
Total Combined Construction and Operational Community Risk			
Unmitigated	**99.16**	**1.69**	0.06
Mitigated	**12.87**	**0.49**	<0.01
BAAQMD Single-Source Threshold	*>10.0*	*>0.3*	*1.0*
Exceeds Threshold?			
Unmitigated	**Yes**	**Yes**	No
Mitigated*	**Yes**	**Yes**	No

Notes: **Bold** text denotes an exceedance of BAAQMD significance thresholds. The health risk for the project without the district utilities system is less than shown above since all aspects of the two project options are the same except the option with district utilities system includes the construction and operation of the DCP, district heating and cooling system, and district distribution system. While the health risk due to the project without the district utilities system would be less than shown above, the emissions would be similar and still exceed the BAAQMD threshold of significance for increased cancer risk.

[1] Maximum assuming third-trimester fetus, infant, child exposure for construction and child/adult exposure during operation for 30-year exposure.

[2] Maximum annual average concentration for any year.

[3] Assumes use of Tier 4 Final equipment pursuant to new project mitigation measure MM AQ-1.1, and implementation of 2017 EIR mitigation measure MM AQ-3.1.

Source: Illingworth & Rodkin, Inc. *Google North Bayshore Master Plan Air Quality Assessment, Mountain View, California.* December 6, 2022.

As shown in Table 3.1-7, the unmitigated cancer risk and annual $PM_{2.5}$ concentrations from overlapping construction and operation of the project with District Utilities System Option at the MEI locations would exceed the single-source thresholds. Implementation of the 2017 EIR mitigation measure MM AQ-2.1 and MM AQ-3.1, and the new project mitigation measures MM AQ-1.1 and MM AQ-1.2 identified above would reduce the project's off-site cancer risk levels by 87 percent to 12.87 excess cancer cases per million at the MEI. The project's annual average $PM_{2.5}$ concentrations would be reduced by 68 percent to 0.49 $\mu g/m^3$ at the MEI. Thus, the project's mitigated risk impacts (under either option) would still exceed the BAAQMD single-source significance thresholds of 10 per million

for cancer risk and 0.3 µg/m3 for $PM_{2.5}$ concentrations at the following MEIs and sensitive receptors located off-site:

- Santiago Villa mobile home park:
  - Single-family homes north of Palomas Way and west of Armand Avenue, and along Space Park Way down to the second row of homes south of Space Park Way;
  - Four single-family homes along the western edge of the Santiago Villa property between El Centro Avenue and Flores Way; and,
- Future dwelling units along the northern boundary of the nearby 1255 Pear Avenue residential development.

The modeling shows the cancer risk and annual $PM_{2.5}$ concentrations at all other sensitive receptors would be reduced below the single-source threshold (refer to Appendix C) with the implementation of the 2017 EIR mitigation measures MM AQ-2.1 and MM AQ-3.1, and new project mitigation measures MM AQ-1.1 and MM AQ-1.2. Since no additional mitigation is feasible to reduce the health risk associated with construction emissions (the primary source of the project's significant health risk impact), the following condition is required that would reduce the health risk associated with interior finishes containing formaldehyde.

Standard Condition of Approval:

COA AQ-1.2: Both Project Options: 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 above discussed community health risk represents the outdoor air at the sensitive receptor locations. The approved 1255 Pear Avenue project would be constructed to meet the current 2019 Title 24 Building Standards, which require air filtration in mechanical ventilation systems for residential buildings use MERV 13 filters or greater; however, the existing single-family homes within the Santiago Villa mobile home park are not required to install MERV 13 filters. It is also possible that there would be additional sensitive receptors exposed to similar health risk from project construction and operation (under either option) due to the length of the Development Agreement for the project (under either option)[45] and the fact the Precise Plan envisions additional residential land uses in the project vicinity at distances less than 1,000 feet to the project site. A properly installed and operated ventilation system with MERV 13 filters achieves an 80-percent reduction of ambient $PM_{2.5}$ concentrations at indoor areas.[46] U.S. EPA studies indicate most people spend 90 percent of their time

[45] As noted in Section 2.3 Project Description, the proposed project under either option would include a Development Agreement to grant implementation of entitlements over a 30-year period.

[46] Bay Area Air Quality Management District. *Planning Healthy Places A Guidebook for Addressing Local Sources of Air Pollutants in Community Planning.* 2016. Pp. 38. http://www.baaqmd.gov/~/media/files/planning-and-research/planning-healthy-places/php_may20_2016-pdf.pdf?la=en

indoors.[47] Assuming exposure to 21 hours of indoor filtered air and three hours of outdoor air, the filtration in the ventilation systems would reduce overall exposure by 70 percent. Taking into account the required MERV 13 filters and their proper installation, operation, and maintenance, as well as the EPA's documented time people spend indoors vs. outdoors, the mitigated cancer risk and annual $PM_{2.5}$ concentrations would be reduced below the significance threshold for sensitive receptors future 1255 Pear Avenue residential project. This less than significant health risk also assumes residents keep their windows closed during construction of the proposed project (under either option). However, neither the applicant nor the City can feasibly implement, require, or guarantee these assumptions through mitigation measures.

In summary, the project (under either option) would result in exposure of sensitive receptors near or on the project site to health risk impacts (primarily due to construction emissions) exceeding BAAQMD thresholds for excess cancer cases and annual $PM_{2.5}$ concentrations. Implementation of 2017 EIR mitigation measures MM AQ-2.1 and MM AQ-3.1, and new project mitigation measures MM AQ-1.1 and MM AQ-1.2 identified under Impact AQ-1 would reduce the health risk (primarily due to construction emissions) but not to a less than significant level. Additional reductions could be achieved with properly installed, operated, and maintained ventilation systems at off-site receptors; however, neither the City nor applicant can feasibly implement, require, or guarantee these through mitigation. For these reasons, the health risk impact (primarily due to construction emissions) is concluded to be significant and unavoidable. This is a new impact not previously disclosed in the 2017 EIR. **(New Impact [Significant and Unavoidable Impact with Mitigation Incorporated])**

Project Operations Only

Once construction of the project (under either option) is complete, sensitive receptors would no longer be subject to the health risk from overlapping project construction and operational emissions. As shown in Table 3.1-7, the maximum cancer risk, annual $PM_{2.5}$ concentrations, and HI from operation of the project (under either option) only would not exceed BAAQMD's significance thresholds at the nearby sensitive receptors. Therefore, operation of the project (under either option) would result in the same less than significant health risk impact as disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

Consistency with 2017 CAP Control Measures

The 2017 CAP includes control measures to reduce GHG emissions. As shown in Table 3.1-8 below, the project would be consistent with the 2017 CAP measures intended to reduce GHG emission by reducing automobile trips, energy and water usage, and waste.

[47] United States Environmental Protection Agency. "Report on the Environment, Indoor Air Quality, What are the trends in indoor air quality and their effects on human health?" Accessed December 8, 2022. https://www.epa.gov/report-environment/indoor-air-quality

Table 3.1-8: Bay Area 2017 Clean Air Plan Applicable Control Measures		
Control Measures	**Description**	**Project Consistency**
Transportation Measures		
Trip Reduction Program	Encourage trip reduction policies and programs in local plans, e.g., general and specific plans. Encourage local governments to require mitigation of vehicle travel as part of new development approval, to develop innovative ways to encourage rideshare, transit, cycling, and walking for work trips.	The project site is proximate to VTA bus and the Mountain View Transportation Management Association shuttle service. The project (under either option) would include new on-street and off-street bicycle and pedestrian improvements and bicycle parking consistent with City requirements. Additionally, the project (under either option) includes a TDM program (refer to Section 2.3.10 Transportation Demand Management for details) consistent with the Precise Plan TDM requirements to reduce vehicle trips and promote alternative modes of travel to single-occupancy vehicle trips. **Therefore, the project is consistent with this measure.**
Bicycle and Pedestrian Access Facilities	Encourage planning for bicycle and pedestrian facilities in local plans, e.g., general and specific plans, fund bike lanes, routes, paths, and bicycle parking facilities.	As noted above, the project (under either option) would include bicycle parking consistent with the City's bicycle parking requirements. The project area has adequate sidewalks, crosswalks, and pedestrian signal heads and the project proposes five new midblock crossings to further enhance the pedestrian environment. **Therefore, the project is consistent with this measure.**
Land Use Strategies	Support implementation of Plan Bay Area, maintain and disseminate information on current climate action plans and other local best practices.	As mentioned above, the project (under either option) would be located in proximity to multiple transit services and would increase the density and diversity of land uses near transit; **therefore, the project is consistent with this measure** (refer to Section 3.3 Transportation for more information).
Building Measures		
Green Buildings	Identify barriers to effective local implementation of CalGreen (Title 24) statewide building energy code; develop solutions to improve implementation/enforcement. Engage with additional partners to target reducing emissions from specific types of buildings.	The project (under either option) would comply with the CalGreen and City's Reach Code requirements, the proposed office buildings would meet the intent of LEED Platinum standards and the proposed residential buildings requesting a Bonus FAR would achieve the equivalent of a GreenPoint rating of 120 points or better, reducing emissions from energy generation and use, and implement a TDM plan to reduce emissions from transportation. **The project (under either option) is consistent with this measure.**

Table 3.1-8: Bay Area 2017 Clean Air Plan Applicable Control Measures		
Control Measures	**Description**	**Project Consistency**
Urban Heat Island Mitigation	Develop and urge adoption of a model ordinance for "cool parking" that promotes the use of cool surface treatments for new parking facilities, as well as existing surface parking lots undergoing resurfacing. Develop and promote adoption of model building code requirements for new construction or reroofing/roofing upgrades for commercial and residential multi-family housing.	No surface parking is proposed for the project (under either option), all parking would be located in parking structures either below-grade, above-grade, or within a building shell. This measure, therefore, is not applicable. The project (under either option) is consistent with the intent of this measure by planting new landscaping and trees and increasing pervious surfaces on-site compared to existing conditions, which would reduce the urban heat island effect. Hardscape materials would also be chosen and designed to reduce heat island effects. **Therefore, the project is consistent with this measure.**
Natural and Working Lands Measure		
Urban Tree Planting	Develop or identify an existing model municipal tree planting ordinance and encourage local governments to adopt such an ordinance. Include tree planting recommendations, the Air District's technical guidance, best management practices for local plans, and CEQA review.	Any trees removed would be required to be replaced in accordance with the City's tree replacement standards. **Therefore, the project (under either option) is consistent with this measure.**
Waste Management Measures		
Recycling and Waste Reduction	Develop or identify and promote model ordinances on community-wide zero waste goals and recycling of construction and demolition materials in commercial and public construction projects.	The project (under either option) would comply with the City's adopted Zero Waste Plan by providing food waste composting facilities for proposed residential and restaurant uses. In addition, the project would comply with the City's Construction and Demolition Diversion Program by recovering or diverting at least 65 percent of construction waste generated by the project from landfills. **Therefore, the project is consistent with this measure.**

In conclusion, the project (under either option) would not conflict with or obstruct implementation of the 2017 CAP control measures and goals; however, the project is found to be inconsistent with the 2017 CAP because the project (under either option) results in significant and unavoidable construction criteria air pollutant (NO_x emissions), operational criteria air pollutant (ROG, NO_x, and PM_{10} emissions), and health risk impacts (primarily due to construction emissions). The significant and unavoidable impacts regarding construction criteria air pollutant (NO_x emissions), operational criteria air pollutant (ROG, NO_x, and PM_{10} emissions), and health risk impacts (primarily due to construction

emissions) are new impacts not previously disclosed in the 2017 EIR. **(New Impact [Significant and Unavoidable Impact with Mitigation Incorporated])**

Impact AQ-2:	**Both Project Options:** The project (under either option) would 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. **(New Impact [Significant and Unavoidable Impact with Mitigation Incorporated])**

As discussed in Section 3.1.1, the Bay Area does not meet state and/or federal ambient air quality standards for ground level O_3, $PM_{2.5,}$ or $PM_{10.}$ High O_3 levels are caused by cumulative emissions of ROG and NO_x. Controlling the emissions of these precursor pollutants would reduce O_3 levels.

Construction Period Emissions

As discussed in detail under Impact AQ-1 above, with the implementation of all feasible mitigation measures (i.e., 2017 mitigation measure MM AQ-2.1 and new mitigation measure MM AQ-1.1), construction of the project (under either option) would result in significant and unavoidable NO_x emissions. **(New Impact [Significant and Unavoidable Impact with Mitigation Incorporated])**

Operational Period Emissions

As discussed in detail under Impact AQ-1 above, with the implementation of all feasible mitigation measures (i.e., new project mitigation measures MM AQ-1.1 and MM AQ-1.2), operation of the project (under either option) would result in significant and unavoidable ROG, NO_x, and PM_{10} emissions. **(New Impact [Significant and Unavoidable Impact with Mitigation Incorporated])**

Impact AQ-3:	**Both Project Options:** The project (under either option) would expose sensitive receptors to substantial pollutant concentrations. **(New Impact [Significant and Unavoidable Impact with Mitigation Incorporated])**

As discussed under Impact AQ-1 above, with the implementation of all feasible mitigation measures (i.e., 2017 EIR mitigation measures MM AQ-2.1 and MM AQ-3.1 and new project mitigation measures MM AQ-1.1 and MM AQ-1.2), the project (under either option) would result in significant health risk (excess cancer cases and annual $PM_{2.5}$) to nearby sensitive receptors. **(New Impact [Significant and Unavoidable Impact with Mitigation Incorporated])**

Impact AQ-4:	**Project:** The project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. **(Same Impact as Approved Project [Less than Significant Impact])**
	Project with District Utilities Systems Option: The project with District Utilities Systems Option would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. **(New Impact [Less than Significant Impact with Mitigation Incorporated])**

Project

Construction Odor Impacts

The 2017 EIR disclosed that future construction activities in the Precise Plan area could result in odorous emissions from diesel exhaust associated with construction equipment and concluded that due to the temporary nature of the emissions and the highly diffuse nature of diesel exhaust, exposure of sensitive receptors to these emissions would be limited and less than significant.[48] The odors resulting from construction activities (under either option) would be consistent with the assumptions in the 2017 EIR. For these reasons, implementation of the project (under either option) would result in same short-term odor impacts as disclosed in the 2017 EIR. **(Same impact as Approved Project [Less than Significant Impact])**

Operational Odor Impacts

The 2017 EIR concluded that implementation of the Precise Plan would not result in significant odor impacts with compliance of General Plan Policy INC 20.8, which requires the City to review development projects for potential odor impacts. Operation of the project (without district utilities) would involve operations of office, residential, retail, community, and open spaces uses, none of which generate odors resulting in adverse effects on a substantial number of people. For this reason, the project (without district utilities) would result in the same operational odor impact as disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

Project with District Utilities System Option

Construction Odor Impacts

The project with District Utilities System Option, would result in the same construction odor impacts as discussed above for the project option. **(Same impact as Approved Project [Less than Significant Impact])**

[48] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Page 169-170.

Operational Odor Impacts

The project with District Utilities System Option would be the same as described above for the project except it also includes the operation of a WRF within the DCP, adjacent to 1201 Charleston Road.

The BAAQMD CEQA Air Quality Guidelines include screening distances for various odor sources to prevent potential land use conflicts. These screening distances identify two miles for wastewater treatment facilities, which is applied to traditional open municipal facilities that have exposed headworks, open-air ponds, and treat large volumes of wastewater. The screening distances would not apply to the proposed WRF as it is proposed to be small, modern, with enclosed systems where exhaust air is treated.[49] Nonetheless, odor issues could occur if there are upset conditions or improper handling of odor-producing solids or wastewater, improper operations, or poor maintenance. The BAAQMD CEQA Air Quality Guidelines state that a significant odor impact would occur if an odor source receives five or more confirmed complaints per year averaged over a three-year period.[50]

The WRF would generate odors from many phases of the treatment process including during anaerobic biological activity, which produces most of the hydrogen sulfide and ammonia type odors that are considered objectionable. Odors can be properly controlled through modern design, appropriate chemical and/or biological treatment, proper ventilation, and facility maintenance. The WRF would be designed to be a completely enclosed system within the DCP. As discussed in Section 2.3.5 Utilities, the proposed wastewater equipment would be equipped with modern technology that minimizes the release of odors and would not include any lagoons, exposed sewage/treatment water, or biosolid piles that would emit odors. The wastewater treatment odors would also be regulated by BAAQMD in the event of odor complaints.

Processes that produce hydrogen sulfide and ammonia are the most objectionably odorous. These processes would be enclosed in the DCP and controlled to minimize odors. Odor controls would be designed using the Best Available Control Technology (BACT) and consistent with regulatory requirements. BACT solutions may include, but are not limited to, the following:

- Installing active ventilation (foul air blowers) to odor control units (e.g., carbon absorption, biofiltration, or ammonia scrubbers);
- Housing odorous processes in a ventilated enclosure;
- Wastewater screenings and grit washed, dewatered, and compacted before being stored in enclosed, odor-proof refuse containers;
- Hauling sealed containers of residuals off-site at regular intervals; and
- Injecting ferrous chloride to remove hydrogen sulfide as needed for odor control at specific wastewater treatment processes.

The project would also include regular monitoring of complaints and reporting on the success of odor controls to regulatory agencies. Proposed residences are located as close as 100 feet of the wastewater treatment plant. Given the proposed use and proximity of residences, the wastewater treatment plant

[49] For reference, the Palo Alto Regional Water Quality Control Plant, which treats wastewater generated in Mountain View, has a treatment capacity of up to 80 million gallons per day. Treatment of this volume of wastewater requires specialized and large-scale equipment, which are not required or proposed for the project (under either option).
[50] BAAQMD. *California Environmental Quality Act Air Quality Guidelines.* May 2017. P. 7-4.

has the potential to cause odors and result in odor complaints. This is a new impact that was not previously identified in the 2017 EIR.

New Project Mitigation Measures:

MM AQ-4.1: **Project with District Utilities System Option:** The project applicant shall develop and implement an odor control plan that addresses plant design issues to control odors, identifies operating and maintenance procedures to prevent odors, and includes a corrective action plan to respond to upset conditions and odor complaints. The odor control plan shall describe the design elements and best management practices built into the facility, including the following:

- Ventilation of the system using carbon absorption, biofiltration, ammonia scrubbers, or other effective means to treat exhausted air from the enclosed facility;
- Odor proofing of refuse containers used to store and transport grit and screenings or biosolids; and
- Injection of chemicals to control hydrogen sulfide.

The plan shall describe procedures to address upset conditions caused by equipment failures, power outages, flow control, or treatment issues, as well as odor complaints. Procedures would include investigating and identifying the source of the odor/odor complaint and corrective actions could include installing specific odor control technologies (e.g., odor control units) or adjusting plant operations (e.g., by adding ferrous chloride injections). The plan shall be reviewed and approved by the Public Works Director (or the Director's Designee) and BAAQMD prior to issuance of building permits for the District Central Plant. In the event the facility receives confirmed complaints related to five separate incidents per year averaged over a three-year period, pursuant to BAAQMD CEQA Guidelines, the plant shall revise the odor control plan and resubmit it to the City for review and approval. If implementation of additional measures to control odors described in the plan does not lessen the complaints to less than five per year, the plant shall cease operations. All wastewater generated by the project shall be directed to the municipal wastewater system, and subsequent environmental review shall be required to assess the impacts of continued operations of the facility.

Post a publicly visible sign with the telephone number and person to contact regarding odor complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations. A log of odor complaints and procedures implemented to respond to complaints shall be maintained by the operator and provided to the City upon request.

Through implementation of new project mitigation measure MM AQ-4.1 and compliance with BAAQMD regulations, the project with District Utilities System Option would limit the discharge of odorous substances and respond to upset conditions and odor complaints with corrective actions, reducing impacts to a less than significant level. This is a new impact not previously disclosed in the 2017 EIR. **(New Impact [Less than Significant Impact with Mitigation Incorporated])**

3.1.2.2 *Cumulative Impacts*

Impact AQ-C:	**Both Project Options:** The project (under either option) would result in a cumulatively considerable contribution to a significant cumulative air quality impact. **(New Impact [Significant and Unavoidable Cumulative Impact with Mitigation Incorporated])**

The geographic area for cumulative air quality impacts is the San Francisco Bay Area Air Basin. Past, present, and future development projects contribute to the region's adverse air quality impacts. By its very nature, air pollution is largely a cumulative impact. In developing thresholds of significance for air pollution, BAAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's air quality conditions.[51] That is, if a project exceeds the BAAQMD significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions.[52]

Implementation of the 2017 CAP

As described above under Impact AQ-1, the project (under either option) would be consistent with the 2017 CAP goals, but would result in significant and unavoidable construction criteria air pollutant (NO_x emissions), operational criteria air pollutant (ROG, NO_x, and PM_{10} emissions), and health risk impacts (primarily due to construction emissions). The project's implementation of the 2017 EIR mitigation measures MM AQ-2.1 and MM AQ-3.1, and new project mitigation measures MM AQ-1.1 and MM AQ-1.2 would reduce these impacts but not to a less than significant level. The project (under either option), therefore, would result in a cumulatively considerable impact to the implementation of the 2017 CAP. **(New Impact [Significant and Unavoidable Impact with Mitigation Incorporated])**

Net Increase in Criteria Pollutants

As discussed under Impact AQ-1, the project (under either option) would exceed the project-level thresholds for construction criteria air pollutants (NO_x emissions) and operational criteria air pollutants (ROG, NO_x, and PM_{10} emissions). Implementation of 2017 EIR mitigation measure MM AQ-2.1 and new project mitigation measures MM AQ-1.1 and MM AQ-1.2 would reduce these impacts; however, not to a less than significant level. The project (under either option), therefore, would result in a cumulatively considerable criteria pollutant impact. **(New Impact [Significant and Unavoidable Impact with Mitigation Incorporated])**

[51] BAAQMD. California Environmental Quality Act Air Quality Guidelines. May 2017. P. 2-1. https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en
[52] Ibid.

Exposure of Sensitive Receptors to Substantial Pollutant Concentrations

The 2017 EIR concluded that cumulative exposure of sensitive receptors to substantial pollutant concentrations associated with implementation of the Precise Plan would be less than significant with preparation of project-specific air quality assessments and implementation 2017 EIR mitigation measures MM AQ-2.1, MM AQ-2.2, MM AQ-3.1, and MM AQ-4.1 to reduce health risks to future sensitive receptors. A cumulative health risk assessment was conducted for the project with District Utilities System Option that evaluated all substantial sources of TACs affecting sensitive receptors located within 1,000 feet of a project site. These sources included rail lines, freeways or highways, busy surface roads, and stationary sources identified by BAAQMD. Table 3.1-9 below summarizes the cumulative health risk impacts at the project MEIs.

Table 3.1-9: Cumulative Health Risk Impacts at the Off-Site MEI

Source	Maximum Cancer Risk (per million)[1]	$PM_{2.5}$ concentration ($\mu g/m^3$)[2]	Hazard Index[2]
Project			
(unmitigated)	99.16	1.69	0.06
(mitigated*)	12.87	0.49	0.01
Traffic Sources	1.55	0.13	<0.01
Stationary Sources	3.05	0.16	0.01
Cumulative Total			
(unmitigated)	**103.76**	**1.98**	0.08
(mitigated*)	17.47	0.78	0.03
BAAQMD Cumulative-Source Threshold	*100*	*0.8*	*10.0*
Exceed Threshold?			
(unmitigated)	**Yes**	**Yes**	No
(mitigated*)	No	No	No

Notes: **Bold** text denotes an exceedance of BAAQMD significance thresholds.

* Mitigated assumes the implementation of 2017 EIR mitigation measures MM AQ-2.1 and MM AQ-3.1, and new project mitigation measures MM AQ-1.1 and MM AQ-1.2 under Impact AQ-1.

[1] Maximum assuming third-trimester fetus, infant, child exposure for construction and child/adult exposure during operation for 30-year exposure.

[2] Maximum annual concentration for any year,

Source: Illingworth & Rodkin, Inc. *Google North Bayshore Master Plan Air Quality Assessment, Mountain View, California.* December 6, 2022.

As shown in Table 3.1-9, the cumulative health risk (specifically excess cancer risk and annual $PM_{2.5}$ concentration) is less than significant with the project's implementation of 2017 EIR mitigation measures MM AQ-2.1 and MM AQ-3.1 and new project mitigation measures MM AQ-1.1 and MM AQ-1.2. The Hazard Index is below the cumulative threshold of significance. **[New Impact (Less than Significant Cumulative Impact with Mitigation Incorporated)]**

Odor

The project would redevelop a site currently developed with light industrial, office, and retail uses into a mixed-use neighborhood including office, residential, retail, community uses, and open space/parks. The project (under either option) would not result in odor impacts with the implementation of mitigation measure MM AQ-4.1 for the project with District Utilities Systems Option only. There are no other sources of substantial odors in the Precise Plan area that, when combined with the project (under either option), would result in significant cumulative odor impacts. For these reasons, the project (under either option) would not result in significant cumulative odor impacts. **[Same Impact as Approved Project (Less than Significant Cumulative Impact)]**

3.1.3 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 the City of Mountain View requires health risk assessments for new residential developments near sources of air pollution pursuant to General Plan Policies INC 20.6 and INC 20.7, and the following 2017 EIR mitigation measure:

2017 EIR MM AQ-4.1: Both Project Options: The following measures shall be utilized in site planning and building designs to reduce TAC and $PM_{2.5}$ exposure where new sensitive receptors are located within 650 feet of US 101:

- Future development under the Precise Plan that includes sensitive receptors (such as residences, schools, hospitals, daycare centers, or retirement homes) located within 650 feet of US 101, local roadways, and stationary sources shall require site-specific analysis to quantify the level of TAC and $PM_{2.5}$ exposure. This analysis shall be conducted following procedures outlined by BAAQMD. If the site-specific analysis reveals significant exposures, such as cancer risk greater than 10 in one million acute or chronic hazards with a Hazard Index greater than 1.0, or annual $PM_{2.5}$ exposures greater than 0.3 $\mu g/m^3$, or a significant cumulative health risk in terms of excess cancer risk greater than 100 in one million, acute or chronic hazards with a Hazard Index greater than 10.0, or annual $PM_{2.5}$ exposures greater than 0.8 $\mu g/m^3$, additional measures such as those detailed below shall be employed to reduce the risk to below the threshold. If this is not possible, the sensitive receptors shall be relocated.
- Future developments that would include TAC sources would be evaluated through the CEQA process or BAAQMD permit process to ensure that they do not cause a significant health risk in terms of excess cancer risk greater than 10 in one million, acute or chronic hazards with a Hazard Index greater than 1.0, or annual $PM_{2.5}$ exposures greater than 0.3 $\mu g/m^3$, or a significant cumulative health risk in terms of excess cancer risk greater than 100 in one million, acute or chronic hazards with a Hazard Index greater than 10.0, or annual $PM_{2.5}$ exposures greater than 0.8 $\mu g/m^3$
- For significant cancer risk exposure, as defined by BAAQMD, indoor air filtration systems shall be installed to effectively reduce particulate levels to a

less than significant level. Project sponsors shall submit performance specifications and design details to demonstrate that lifetime residential exposures would result in less than significant cancer risks (less than 10 in one million chances or 100 in one million for cumulative sources), Hazard Index or $PM_{2.5}$ concentration.

- Air filtration systems installed shall be rated MERV-13 or higher and a maintenance plan for the air filtration system shall be implemented.
- Trees and/or vegetation shall be planted between sensitive receptors and pollution sources, if feasible. Tree species that are best suited to trapping particulate matter shall be planted, including the following: Pine (Pinus nigra var. maritime), Cypress (X Cupressocyparis leylandii), Hybrid poplar (Populus deltoids X trichocarpa), and Redwood (Sequoia sempervirens).
- Sites shall be designed to locate sensitive receptors as far as feasible from any freeways, roadways, refineries, diesel generators, distribution centers, and rail lines.
- Operable windows, balconies, and building air intakes shall be located as far away from these sources as feasible. If near a distribution center, residents shall not be located immediately adjacent to a loading dock or where trucks concentrate to deliver goods.

The same TAC sources identified to evaluate project impacts under Impact AQ-1 above were used to assess on-site health risks. Details about the on-site health risk modeling, data inputs, and assumptions are included in Appendix C. Table 3.1-10 summarizes the results of the health risk assessment for on-site sensitive receptors and shows project construction and traffic would pose the highest health risks on-site. With the implementation of the 2017 EIR mitigation measure MM AQ-2.1 and new project mitigation measures MM AQ-1.1 and MM AQ-1.2 discussed under Impact AQ-1 above, and compliance with current 2019 Title 24 Building Standards, which require air filtration in mechanical ventilation systems for residential buildings use MERV 13 filters or greater, the on-site health risks would be below the BAAQMD thresholds.

Table 3.1-10: Impacts from Cumulative TAC Sources at the Project Site			
Source	**Maximum Cancer Risk (per million)[1]**	**$PM_{2.5}$ concentration ($\mu g/m^3$)[2]**	**Hazard Index[2]**
Overlapping Project Construction and Operation			
(unmitigated)	**36.71**	**0.67**	0.02
(mitigated*)	**10.37**	**0.60**	0.01
With MERV13	3.11	0.18	<0.01
Cumulative Traffic			
Without MERV13	9.84	**0.96**	0.01
With MERV13	2.95	0.29	<0.01
Cumulative Stationary			
Without MERV13	3.24	0.20	<0.01
With MERV13	0.97	0.06	<0.01
BAAQMD Single-Source Threshold	*10*	*0.3*	*1.0*
Exceed Threshold?			
(unmitigated)	**Yes**	**Yes**	No
(mitigated*)	**Yes**	**Yes**	No
With MERV13	No	No	No
Cumulative Total			
(unmitigated)	49.79	**1.83**	0.04
(mitigated*)	23.45	**1.76**	0.03
With MERV13	7.03	0.53	<0.03
BAAQMD Cumulative Source Threshold	*100*	*0.8*	*10.0*
Exceed Threshold?			
(unmitigated)	No	**Yes**	No
(mitigated*)	No	**Yes**	No
With MERV13	No	No	No

* Mitigated assumes the implementation of the 2017 EIR mitigation measures MM AQ-2.1 and MM AQ-3.1, and new project mitigation measures MM AQ-1.1 and MM AQ-1.2 under Impact AQ-1.

[1] Maximum assuming third-trimester fetus, infant, child exposure for construction and child/adult exposure during operation for 30-year exposure.

[2] Maximum annual concentration for any year.

Source: Illingworth & Rodkin, Inc. *Google North Bayshore Master Plan Air Quality Assessment, Mountain View, California.* December 6, 2022.

3.1.4 Conclusion

	Impact	Same/Similar Impact Analyzed in 2017 EIR	Significance Before Mitigation	Mitigation	Significance After Mitigation
AIR-1:	**Both Project Options:** The project (under either option) would conflict with or obstruct implementation of the applicable air quality plan by resulting in construction criteria air pollutants (NO_x emissions), operational criteria air pollutants (ROG, NO_x, and PM_{10} emissions), and health risks (primarily due to construction emissions) in excess of BAAQMD thresholds.	No	S	2017 EIR MM AQ-2.1, 2017 EIR MM AQ-3.1, MM AQ-1.1, MM AQ-1.2	SU
AIR-2:	**Both Project Options:** The project (under either option) would 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.	No	S	2017 EIR MM AQ-2.1, MM AQ-1.1, MM AQ-1.2	SU
AIR-3:	**Both Project Options:** The project (under either option) would expose sensitive receptors to substantial pollutant concentrations.	No	S	2017 EIR MM AQ-2.1, 2017 EIR MM-3.1, MM AQ-1.1, MM AQ-1.2	SU
AIR-4:	**Project:** The project (under either option) would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.	Yes	LTS	None	LTS
	Project with District Utilities System Option: The project (with District Utilities System Option) would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.	No	S	MM AQ-4.1	LTS

	Impact	Same/Similar Impact Analyzed in 2017 EIR	Significance Before Mitigation	Mitigation	Significance After Mitigation
AQ-C:	**Both Project Options:** The project (under either option) would result in a cumulatively considerable contribution to a significant cumulative air quality impact.	Yes	S	2017 EIR MM AQ-2.1, 2017 EIR MM AQ-3.1, 2017 EIR MM-4.1, MM AQ-1.1, MM AQ-1.2	SU
Abbreviations: S-Significant, LTS – Less than Significant, SU – Significant and Unavoidable					

3.2 BIOLOGICAL RESOURCES

The discussion in this section is based in part on a Biological Resources Confirmation Report prepared by H.T. Harvey & Associates dated January 12, 2022 and subsequently revised on October 21, 2022 and November 22, 2022, a peer review of the Biological Resources Confirmation Report (and subsequently revised versions) by WRA Environmental Consultants dated March 25, 2022, November 2, 2022, and December 2, 2022, and a Tree Inventory Report prepared by HortScience|Bartlett Consulting dated January 17, 2022. These reports are attached to this EIR as Appendix E and Appendix F, respectively.

3.2.1 Environmental Setting

The environmental setting, including the regulatory framework and existing site conditions, have not substantially changed since the certification of the 2017 EIR with the exceptions of the expansion of the egret rookery and the listing of the Monarch Butterfly as a candidate species under the federal Endangered Species Act. These changes are described below.

3.2.1.1 *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.[53] 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 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.

California Native Plant Society

The California Native Plant Society (CNPS) is a non-profit dedicated to conserving California native plants and their natural habitats. The CNPS maintains the California Rare Plant Ranks (CRPRs), which is a ranking system that defines and categorizes the rarity of California plants. The CRPRs assigns ratings to plants on a scale ranging from Rank 4, which contains plants with limited distribution throughout the state, to Rank 1A, which is assigned to plants that are presumed extinct as they have not been collected in the wild for an extended period of time. The rankings can also include a threat rank (0.1. 0.2, and 0.3) which illustrates the degree of threat the plant is facing, with 0.1 being the highest degree of threat.

Regional and Local

Santa Clara Valley Habitat Plan/Natural Community Conservation Plan

The Santa Clara Valley Habitat Plan/Natural Community Conservation Plan (Habitat Plan) covers approximately 520,000 acres, or approximately 62 percent of Santa Clara County. It was developed and adopted through a partnership between Santa Clara County, the Cities of San José, Morgan Hill, and Gilroy, Santa Clara Valley Water District (Valley Water), Santa Clara Valley Transportation Authority (VTA), USFWS, and CDFW. The Habitat Plan is intended to promote the recovery of endangered species and enhance ecological diversity and function, while accommodating planned growth in southern Santa Clara County. The Santa Clara Valley Habitat Agency is responsible for implementing the plan.

[53] United States Department of the Interior. "Memorandum M-37050. The Migratory Bird Treaty Act Does Not Prohibit Incidental Take." Accessed December 7, 2021. https://www.doi.gov/sites/doi.gov/files/uploads/m-37050.pdf.

Local

Mountain View 2030 General Plan

The General Plan contains goals and policies to avoid significant impacts to biological resources. The following policies are applicable to the proposed project (under either option).

Policy	Description
Infrastructure and Conservation Element	
INC 16.1	**Natural areas.** Work with regional agencies to protect and enhance natural areas.
INC 16.3	**Habitat.** Protect and enhance nesting, foraging and other habitat for special-status species and other wildlife.
INC 16.5	**Wetland habitat.** Collaborate with and support regional efforts to restore and protect wetlands, creeks, tidal marshes and open-water habitats adjacent to San Francisco Bay.
INC 16.6	**Built environment habitat.** Integrate biological resources, such as green roofs and native landscaping, into the built environment.
Land Use and Design	
LUD 10.2	**Low-impact development.** Encourage development to minimize or avoid disturbing natural resources and ecologically significant land features.
LUD 15.4	**Wildlife friendly development.** Implement wildlife friendly site planning, building and design strategies.
LUD 16.1	**Protected open space.** Protect and enhance open space and habitat in North Bayshore.
Parks, Open Space and Community Facilities Element	
POS 12.1	**Heritage trees.** Protect trees as an ecological and biological resource.
POS 12.2	**Urban tree canopy.** Increase tree canopy coverage to expand shaded areas, enhance aesthetics and help reduce greenhouse gases.
POS 12.3	**Planter strip.** Require tree planter strips be wide enough to support healthy trees and well-maintained public infrastructure.
POS 12.4	**Drought-tolerant landscaping.** Increase water-efficient, drought-tolerant and native landscaping where appropriate on public and private property.

North Bayshore Precise Plan

The Precise Plan contains standards and guidelines to avoid significant biological impacts. The following standards and guidelines are applicable to the proposed project.

Standard	Description
5.1 Habitat Overlay Zone	
1	**Habitat Overlay Zone (HOZ).** All new construction proposed within the HOZ shall comply with the overlay zone standards. Figure 21 (of the Precise Plan) shows the approximate boundaries of each HOZ. Project applicants shall work with the City to determine the precise edge of habitat from which to measure the edge of the HOZ boundary
2	**Burrowing owl HOZ.** In Shoreline Park immediately north of the Plan Area, the City supports an ongoing burrowing owl monitoring and management program. The following are standards for new construction and renovations designed to protect and enhance the burrowing owl habitat adjacent to the North Bayshore area. a. Overlay District Boundaries. Boundaries shall be 250 feet as measured from the edge of the burrowing owl habitat. b. Building placement in the HOZ. Any new building construction shall not be placed inside the burrowing owl HOZ, except where allowed based on the exceptions described below. c. Impervious surface. New impervious surface shall not be constructed closer to burrowing owl habitat than existing impervious surfaces, and no net increase in impervious surface shall occur within the HOZ. d. Landscape design. To avoid perches for avian predators of burrowing owls and dense woody vegetation that could hide mammalian predators, new landscaping in the HOZ shall be recommended by a qualified biologist familiar with burrowing owl ecology and the City's Burrowing Owl Preservation Plan, and should consist only of herbaceous plants or shrubs that will not exceed a height of 4'. Additionally, the size, location and species of any new or replacement public street tree species within or adjacent to the Burrowing Owl HOZ area shall be recommended by a qualified biologist. e. Low intensity outdoor lighting. Outdoor lighting shall be low intensity (LZ 2) and shall utilize full cutoff fixtures to reduce the amount of light reaching these sensitive habitats. f. Raptor perch deterrents adjacent to burrowing owl habitat. For any new construction in the HOZ, raptor perch deterrents shall be placed on the edges of building roofs or other structures (e.g., light poles or electrical towers) facing the burrowing owl habitat and with a clear view of burrowing owls. g. Construction near burrowing owl habitat. A preconstruction survey for burrowing owls shall be conducted by a qualified biologist according to the latest California Department of Fish and Wildlife protocol prior to any external construction or large-scale/intensive landscaping, involving heavy equipment or loud noise occurring within the HOZ. If nesting burrowing owls are detected, the HOZ should be free from any external construction or large-scale/intensive landscaping, involving heavy equipment or loud noise until the young have fledged and are independent of the adults, or until monitoring by a qualified biologist determines the nest is no longer active. During the non-breeding season, the HOZ should be

Standard	Description
	free from any external construction or large-scale/intensive landscaping, involving heavy equipment or loud noise around active burrows unless the procedures for monitoring burrowing owls during construction, as described by the Santa Clara Valley Habitat Plan, are implemented. h. Rodenticides. No rodenticides will be used within the burrowing owl HOZ. Elsewhere in the Precise Plan area, rodenticide use should be limited to that necessary to protect infrastructure and human health, but otherwise, non-chemical means of rodent management should be used to avoid secondary poisoning of burrowing owls and other raptors
3	**Egret rookery HOZ.** A rookery (or nesting area) of great egrets, snowy egrets, and black-crowned night-herons exists along Shorebird Way. This rookery is regionally significant as one of the largest egret colonies in the South Bay, and is an important natural resource. The following outlines standards for new construction and renovations to protect the rookery. The following standards shall apply unless the rookery has been inactive for a minimum of five years. a. HOZ boundary. The boundary shall be measured from the edge of the rookery. Buffer distances vary depending on the particular condition, as noted in (b) through (f) below. b. Building placement in the HOZ. Any residential building shall not be placed within 300 feet of the rookery, and any new non-residential building shall not be placed within 200 feet of the rookery, except where allowed based on the exceptions described below. c. 1201 Charleston Road. The western building façade and roof of 1201 Charleston Road may not be modified in such a way that would reduce suitability of the rookery site for egrets. This includes adding new entrances, façade improvements, or other similar actions. A qualified biologist shall review any proposed building or site modifications and recommend strategies to the City to ensure there will be no adverse impacts to the egret rookery habitat. d. Landscape design. No vegetation other than turf, low-growing grasses, or other herbaceous plants may be planted within 100 feet of the rookery to minimize cover for mammalian predators and avoid entanglement in shrubs of young egrets that have fallen from nests. e. Low intensity outdoor lighting. Outdoor lighting within 200 feet of the rookery shall be low intensity (LZ 2) and shall utilize full cutoff fixtures to reduce the amount of light reaching these sensitive habitats. f. Construction near the egret colony. No external construction or large-scale/intensive landscaping involving heavy equipment or loud noise shall occur within 200 feet of the rookery during the March 1 to August 31 period unless a survey by a qualified biologist has demonstrated that, after 1 June, egrets have either not nested that year or that all young have fledged and departed the rookery area.
4	**Open water, creeks, and storm drain facilities HOZ.** To protect habitat and preserve water quality, the following outlines standards for areas adjacent to the Coast Casey Forebay, Shoreline Lake, Stevens Creek, the Charleston Retention Basin, Permanente Creek, and the Coast Casey channel. a. HOZ boundary. The buffer distances from each boundary are as follows:

Standard	Description
	i. Coast Casey Forebay. 250 feet as measured from the boundary edge. ii. Charleston Retention Basin. 200 feet for non-residential land uses, and 300 feet for residential uses, as measured from the boundary edge. iii. Stevens Creek. 200 feet as measured from the inner edge of the top of the bank. iv. Permanente Creek and Coast Casey Channel. 150 feet as measured from the inner edge of the top of the bank v. Shoreline Lake. 200 feet as measured from the lake edge. b. Building placement in the HOZ. Residential buildings shall not be placed within 300 feet of the Charleston Retention Basin, and new non-residential buildings shall not be placed within 200 feet of the Charleston Retention Basin, except where allowed based on the exceptions described below. c. Impervious surface. No new impervious surface shall be constructed closer to open water or creek habitat than existing impervious surfaces, and no net increase in impervious surface can occur within the HOZ associated with these areas. d. Bioswales. Bioswales shall be constructed for any new or reconstructed impervious surface draining directly toward creek areas to treat runoff before it enters a creek or open water. e. Landscape design. All woody vegetation planted in the HOZ shall consist of native species or non-natives that provide valuable resources (e.g., food, structure, or cover) for native wildlife. f. Low intensity outdoor lighting. Within the HOZ, outdoor lighting shall be low intensity (LZ 2) and shall utilize full cutoff fixtures to reduce the amount of light reaching these sensitive habitats.
5	**Overlapping HOZ zones.** When HOZ overlay zones overlap, new construction shall meet the most restrictive standards
6	**Conflicting provisions.** The standards outlined in this Chapter apply to new construction in addition to all other applicable Precise Plan requirements. In the event of a conflict between the standards of this Chapter and other Precise Plan provisions, the City shall determine which standards apply.
5.2 Bird Safe Design	
1	**Bird Safe Design Requirements.** All new construction, building additions, and/or building alterations shall adhere to the Bird Safe Design standards in this section.
2	**Façade treatments.** No more than 10% of the surface area of a building's total exterior façade shall have untreated glazing between the ground and 60 feet above ground.35 Examples of bird-friendly glazing treatments include the use of opaque glass, the covering of clear glass surface with patterns, the use of paned glass with fenestration patterns, and the use of external screens over non-reflective glass.
3	**Occupancy sensors.** For non-residential development, occupancy sensors or other switch control devices shall be installed on non-emergency lights. These lights should be programmed to shut off during non-work hours and between 10:00 pm and sunrise.
4	**Funneling of flight paths.** New construction shall avoid the funneling of flight paths along buildings or trees towards a building façade.

Standard	Description
5	**Skyways, walkways, or glass walls.** New construction and building additions shall avoid building glass skyways or walkways, freestanding glass walls, and transparent building corners. New construction and building additions should reduce glass at tops of buildings, especially when incorporating a green roof into the design.
6	**Exceptions to the bird safe design requirements.** The City may waive or reduce any of this chapter's bird safe design requirements based on analysis by a qualified biologist indicating that proposed construction will not pose a collision hazard to birds.
5.3 Nesting Bird Protection	
1	**Pre-activity surveys.** If construction, building additions, building alterations, or removal of trees and shrubs occurs between February 1 and August 31, pre-activity surveys for nesting birds shall be conducted by a qualified biologist. These surveys shall be conducted no more than seven days prior to the initiation of these activities in any given area. During each survey, the biologist shall inspect all potential nesting habitats (e.g., trees, shrubs, and buildings) within the work area; within 300 feet of the work area for raptor nests; and within 100 feet of the work area for nests of non-raptors.
2	**Nest buffers.** If an active nest (i.e., a nest with eggs or young, or any completed raptor nest attended by adults) is found sufficiently close to work areas to be disturbed by these activities, the biologist, in coordination with the California Department of Fish and Wildlife, shall determine the extent of a disturbance-free buffer zone to be established around the nest. Typical buffer zones are 300 feet for raptors and 100 feet for non-raptors. However, the biologist, in consultation with the California Department of Fish and Wildlife, may determine that a reduced buffer is appropriate in some instances. For example, topography, buildings, or vegetation that screen a nest from the work area, or very high existing levels of disturbance (indicating the birds' tolerance to high levels of human activity), may indicate that a reduced buffer is appropriate. No new activities (i.e., work-related activities that were not ongoing when the nest was established) will occur within the buffer as long as the nest is active.
5.4 Landscape Design	
4	**Protect special-status plants.** If special-status plants such as Congdon's tarplant are found on-site, the project applicant shall work with the California Department of Fish and Wildlife to determine the appropriate protocol to survey, protect, and/or manage special-status species.

Guideline	Description
5.1 Habitat Overlay Zone	
1	**Minimize building height near sensitive areas.** No buildings taller than 55 feet should be constructed within 100 feet of any HOZ boundary to provide additional buffer between sensitive resources and taller buildings. This guideline applies to both residential and non-residential development.
5.2 Bird Safe Design	
1	**Bird collision best management practices.** The following are several voluntary best management practices (BMPs) to promote bird safety. a. Collision monitoring. To reduce hazards in high-collision areas, building owners and tenants are encouraged to monitor locations of bird collisions (e.g., based on dead or injured birds or imprints of feathers on windows) and implement "retrofit"

Standard	Description
	measures, such as application of patterns to existing windows or use of internal blinds, where collisions occur. b. Window coverings. Building owners and tenants are encouraged to install window coverings above the ground floor. c. Work station lighting and window coverings. Businesses are encouraged to turn off lighting at employee work stations and draw office window coverings at the end of the day. d. d. Daytime maintenance. Businesses are encouraged to schedule maintenance during the day or to conclude before 10:00 pm.
5.3 Nesting Bird Protection	
1	**Avoidance of the nesting season.** If construction, building additions, building alterations, or removal of trees and shrubs is scheduled to take place outside the nesting season, impacts to protected nesting birds would be avoided. The nesting season for most birds in the North Bayshore area extends from February 1 through August 31. Work activities performed during the September 1 to January 31 period would not be subject to the pre- activity surveys and nest buffers described above.
5.4 Landscape Design	
2	**Preserve native plants.** New construction or landscape renovations should preserve portions of a lot largely occupied by native species.

Mountain View Heritage Tree Preservation Ordinance

Section 32.25 of the City Code contains Heritage tree preservation standards that require maintenance and preservation of Heritage trees, tree removal permits for the removal of Heritage trees, and conditions for preservation during construction or grading activity. Mountain View City Code Chapter 32, Article II defines a "Heritage Tree" as a tree with any of the following characteristics:

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

3.2.1.2 *Existing Conditions*

The below discussion focuses on the changes to existing conditions since the 2017 EIR. Refer to the 2017 EIR and Appendix E for additional details about the current habitat conditions within and adjacent to the Precise Plan and project site.

Habitat

Other than Subarea AM1, which is outside the Precise Plan area (see Figure 2.3-1), the current conditions at the project site are the same as those described in the 2017 EIR. The two primary habitat types on-site are developed/landscaped land uses and small artificial waterbodies. There is a section of Shorebird Way with a landscaped area that is an established egret rookery. The extent of the egret rookery has changed slightly since the certification of the 2017 EIR, otherwise habitat conditions on-site have not changed substantially.

Subarea AM1 is currently developed as a parking lot associated with the Shoreline Amphitheatre. Asphalt covers most of this subarea and scattered landscape trees are present throughout the parking lot. The grade of the parking surface is approximately 30 feet below that of the surrounding land surface. Conditions on Subarea AM1, as well as wildlife use, are generally the same as those described in the 2017 EIR for developed/landscaped habitats.[54]

The project site contains 4,021 trees, including 1,812 Heritage trees as defined in the City's Municipal Code.[55] Of the 4,021 trees on-site, approximately 12 percent are in poor condition, 42 percent are in fair condition, and 46 percent are in good condition. The most common tree species on-site are coast redwood, London plane, sweetgum, Canary island pine, and evergreen ash. The most common tree on-site is the coast redwood, which comprises approximately 21 percent of the trees on-site. The largest tree on-site is a coast redwood with a trunk diameter of 58 inches, it is located in the northeastern portion of the project site.

No sensitive or regulated habitats were present on-site in 2017, and none are currently present. The project site is not located within the adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved habitat conservation plans.

[54] The developed/landscaped habitat in AM1 is of relatively low value to wildlife, but provides nesting and foraging opportunities for some urban-adapted species of birds. Native bird species that were observed on or near this subarea during a site visit include the American crow, Anna's hummingbird, and dark-eyed junco. These species may use the trees or landscape vegetation, or nearby buildings, for nesting. Common urban-adapted mammal species that may occur here include the native raccoon and non-native house mouse. The western fence lizard, a common native reptile, was also observed within landscaped areas. California ground squirrels and their burrows are common in the ruderal grassland margins of the parcel, as well as on the adjacent grasslands at Shoreline Park.

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

Special-Status Species

There are several special-status species that have been documented or have the potential to be found in the surrounding habitat areas, including Stevens Creek, Permanente Creek, the Charleston Retention Basin, and Shoreline Park. The nearest wetland to the project site is the Charleston Retention Basin, located to the north of the project site (specifically north of the Eco Gem subarea). None of the special-status plants or animals considered in the 2017 EIR have undergone substantial changes in distribution or abundance within the Precise Plan area since 2017. A pair of white-tailed kites fledged young in 2019 from a nest in a landscaped area north of Charleston Road, between the north end of the egret rookery and the Charleston Retention Basin; this nest was within the project site boundaries.

Monarch Butterfly

Subsequent to the 2017 EIR, the monarch butterfly was identified as a candidate species under federal Endangered Species Act. The monarch butterfly has historically occurred in the Master Plan region primarily as a migrant, foraging for nectar on flowering plants. Although this species forms large nonbreeding aggregations (i.e., winter roosts) in locations with favorable climatic conditions, primarily along the coast, it has not been known to do so in Santa Clara County. Therefore, no large nonbreeding aggregations would occur in or near the project site. Monarchs lay their eggs on milkweed plants, which then serve as the larval hostplant. Native milkweed occurs at scattered locations in the South Bay, and some monarchs in the region breed on native milkweed. Those milkweed plants typically senesce (i.e., become dried and die) by fall, so under natural conditions, monarchs do not breed in the South Bay in winter (due to the absence of suitable hostplants) or form overwintering aggregations here. However, landscape plantings within the project site have recently incorporated non-native tropical milkweed. That plant species' life cycle, coupled with artificial irrigation of the plants, allows it to serve as a suitable larval hostplant even in winter. During the winter of 2020 to 2021, a breeding population of monarch butterflies was documented using tropical milkweed within the project site along Shorebird Way and Charleston Road. Breeding monarch butterflies of various life stages were also observed in the landscape vegetation along Charleston Way near Shorebird Way during the November 2021, reconnaissance surveys. Therefore, the monarch butterfly is present as a breeder within the project site. No other species whose listing/legal status has changed since 2017 that were not already addressed in the 2017 EIR, occur in the Precise Plan or project site.

Egret Rookery

The egret rookery on Shorebird Way south of Charleston Road is still centered in the same area where it was present in 2017, but it has expanded slightly since then. The 2017 EIR maps the rookery along the east side of Shorebird Way, confined to the area roughly adjacent to and congruent with the front façade of the 1201 Charleston building. At the time of the November 2021 reconnaissance survey, the rookery had expanded northward approximately 75 feet and southward approximately 50 feet into adjacent London plane trees along the axis of the original rookery. Additionally, it had expanded westward into London plane trees on the opposite side of the Shorebird Way, along the corner formed where the street turns westward, with a number of nests now present in trees within approximately 75 feet of the southeast corner of the 1215 Charleston building.

Congdon's Tarplant

There are known occurrences of Congdon's tarplant (a CNPS 1B.1 listed plant) in proximity to the Precise Plan area and the 2017 EIR disclosed that the Precise Plan area includes suitable habitat for Congdon's tarplant. This species has the potential to occur in ruderal grassland areas along the northern edge of the project site where it abuts ruderal/grassland habitat associated with Shoreline Park. Because subarea AM1 includes areas of ruderal grassland, and because it abuts Shoreline Park, Congdon's tarplant could potentially occur on subarea AM1.

Burrowing Owls

An actively breeding population of burrowing owls is present in Shoreline Park, and habitats on Vista Slope, immediately west of subarea AM1, are managed to provide suitable nesting, roosting, and foraging habitat for this species. Marginally suitable burrowing owl foraging and roosting habitat, and possibly nesting habitat, is present on the north, east, and western margins of subarea AM1 in the form of ruderal grassland with abundant ground squirrel burrows. These areas do not provide high-quality owl habitat due to their narrow nature and frequent disturbance, but burrowing owls may occasionally be present on subarea AM1. Burrowing owls are more likely to occur (and more regularly) in the Vista Slope grasslands immediately to the west of AM1. It is possible that up to one pair of white-tailed kites and one pair of loggerhead shrikes could nest in trees or shrubs within or immediately adjacent to subarea AM1.

3.2.2 Impact Discussion

For the purpose of determining the significance of the project's impact on biological resources, 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 CDFW or United States Fish and Wildlife Service (USFWS)?
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?
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?
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?
5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
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?

3.2.2.1 *Project Impacts*

Impact BIO-1:	**Both Project Options:** The project (under either option) 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. **[New Impact (Less than Significant Impact with Mitigation Incorporated)]**

The 2017 EIR found that there are several candidate, sensitive, or special-status species that have habitats adjacent to the Precise Plan area. In order to limit the potential impacts to these species, the Precise Plan implemented Habitat Overlay Zones (HOZs) for burrowing owl habitat, open water, creeks, and storm drain facilities that could be used as potential habitat, and the egret rookery that is within the Precise Plan boundaries. These HOZs create buffers around habitat and potential habitat that implement development and design conditions meant to protect sensitive species and their habitat. In addition to the implementation of HOZs, the Precise Plan instituted Bird Safe Design standards and landscape design standards meant to protect wildlife during the buildout of the Precise Plan. The 2017 EIR concluded that implementation of these policies and the mitigation measures outlined in the 2017 EIR would reduce potential impacts to candidate, sensitive, or special-status species to a less than significant level.

Special-Status Plant Species

The only special-status plant species that was identified in the 2017 EIR was Congdon's tarplant, which is a designated California Rare Plant. The potential impacts to this plant were not fully evaluated in the 2017 EIR, as the only suitable habitat for the plant was outside of the Precise Plan area near Shoreline Amphitheatre and Shoreline Park, or along the perimeter of the northern Precise Plan boundaries. The proposed project (under either option) would construct a district parking garage in the Shoreline Amphitheatre parking lot (Subarea AM1), located outside of the Precise Plan boundary (see Figure 2.3-1). Subarea AM1 contains ruderal grassland along its perimeter that could potentially serve as habitat for Congdon's tarplant. In order to limit any potential impacts to Congdon's tarplant during construction of the parking garage, the project shall implement the following new project mitigation measure.

New Project Mitigation Measure:

MM BIO-1.1: Within two years prior to disturbance of ruderal habitat for construction of the Shoreline Amphitheatre parking structure, a qualified biologist shall conduct a survey for Congdon's tarplant during the appropriate season (e.g., late summer and fall), at a time when the species is detectable at nearby reference sites. The survey shall cover all areas within, and within 50 feet of, the construction area for the parking structure. If Congdon's tarplant is found in the survey area, the applicant shall comply with North Bayshore Precise Plan Landscape Design Standard 4 to protect and manage Congdon's tarplant. Management measures would be developed in coordination with the California Department of Fish and Wildlife, and may include establishment of a new population or enhancement of existing populations at Shoreline Park (in coordination with the City of Mountain View).

With implementation of the above mitigation measure, impacts to Congdon's tarplant would be reduced to a less than significant level by conducting preconstruction surveys and implementing measures to protect and manage Congdon's tarplant if found. **[New Impact (Less than Significant Impact with Mitigation Incorporated)]**

Special-Status Animal Species

Monarch Butterfly

At the time of the 2017 EIR, the monarch butterfly was not considered a special-status species and therefore was not discussed in the 2017 EIR; however, since then, the USFWS has classified the monarch butterfly as a candidate species.[56] Monarch butterflies have been found on the project site in nonnative, tropical milkweeds that are irrigated year-round during portions of the year when the species is typically migrating for winter. The impact of this change in migratory behavior is complex and not fully understood, but could potentially disrupt migration patterns to coastal areas and result in higher winter mortality rates and parasite loads.[57] To reduce these potential impacts, the project shall implement the following new project mitigation measures.

New Project Mitigation Measures:

MM BIO-1.2: Nonnative milkweeds shall not be included in Master Plan landscaping. Although native milkweeds are encouraged in landscaping, they shall not be irrigated after August to allow those plants to senesce so that monarchs do not lay eggs on those plants too late in fall, and so that no suitable hostplants are present in late fall that might encourage monarchs to attempt winter breeding instead of migrating to coastal aggregation sites.

MM BIO-1.3: Within two weeks prior to any clearing, construction, or maintenance in landscaped areas that provide milkweeds that have not completely senesced, a qualified biologist shall survey those milkweed plants for monarch butterfly eggs, larvae, or pupae. If the plants do not support monarch eggs, larvae, or pupae, the qualified biologist shall remove those plants immediately (during the survey) to prevent monarchs from laying eggs between the time of the survey and initiation of impacts. If any eggs, larvae, or pupae are detected within the survey area, then impacts to the plants supporting those individuals shall be delayed until the emergence of those individual butterflies as adults. If such a delay is infeasible, the applicant shall coordinate with the U.S. Fish and Wildlife Service (USFWS) regarding recommendations. For example, larvae could be relocated to milkweeds outside the impact area, if those milkweeds are not already occupied by monarch eggs or larvae. Alternatively, monarch butterflies could be raised in captivity and released (with USFWS approval).

[56] U.S. Fish & Wildlife Service. "Danaus plexippus." Accessed April 22, 2022. Available at: https://www.fws.gov/species/monarch-danaus-plexippus.
[57] H.T. Harvey & Associates. *North Bayshore Framework Master Plan Biological Resources Confirmation Report*. January 12, 2022. Pages 35 & 36.

With implementation of the above mitigation measures, impacts to monarch butterflies would be reduced to a less than significant level by limiting planting of nonnative milkweeds and conducting preconstruction surveys to ensure no monarch butterfly eggs, larvae, or pupae are disturbed. **[New Impact (Less than Significant Impact with Mitigation Incorporated)]**

Burrowing Owls

The 2017 EIR included discussion of the HOZ boundaries for burrowing owl habitat north of the Precise Plan area; however, it did not evaluate the construction of a parking garage outside of the Precise Plan area on Subarea AM1 that would result from implementation of the proposed project. As discussed previously, Subarea AM1 provides ruderal grassland along the perimeter of the site and east of Vista Slope, which is at least marginally suitable foraging, roosting, and possibly nesting habitat for burrowing owls. Although Subarea AM1 was not included in the original Precise Plan area that was evaluated in the 2017 EIR, the edge of this potentially suitable burrowing owl habitat is analogous to the baseline of the Burrowing Owl HOZ. The parking garage would be constructed at least 250 feet from the potentially suitable burrowing owl habitat on the perimeter of Subarea AM1, therefore, the building would not encroach within 250 feet of suitable burrowing owl habitat and would not impact the use of habitat on Vista Slope by burrowing owls that may be present in the area.

Although Subarea AM1 is not within the Precise Plan area, the project would comply with the measures listed in Chapter 5.1 Habitat Overlay Zone, Standard 2 of the Precise Plan regarding outdoor lighting, constructing perch deterrents, avoidance during construction, and the limitation of rodenticide use. Compliance with this standard would reduce impacts to burrowing owls to a less than significant level by including low intensity outdoor lighting, avoiding disruptive construction activities if burrowing owls are nesting in the area, and limiting the use of rodenticide in the area that could result in the secondary poisoning of burrowing owls and other raptors. **(Same Impact as Approved Project [Less than Significant Impact])**

Other Special-Status Species and Nesting Birds

As discussed previously in Section 3.2.1.2, up to one pair of white-tailed kites (a state-listed fully protected species) and one pair of loggerhead shrikes (a state-listed species of special concern) could nest within or immediately adjacent to Subarea AM1. The San Francisco common yellowthroat, a state-listed species of special concern, nests in the Charleston Retention Basin. Peregrine falcons (a state-listed fully protected species) have a low probability of nesting in the project site. The project site features buildings, mature trees, and vegetation that provide foraging and nesting opportunities for a variety of bird species including the aforementioned special-status bird species.

The proposed project would remove 3,330 existing on-site trees (including 1,509 heritage trees) and demolish most of the existing buildings.

The project's impact, including the impacts of developing Subarea AM1 that was not previously evaluated in the 2017 EIR) to the white-tailed kite, loggerhead shrike, and peregrine falcon would be the same less than significant impact disclosed in the 2017 EIR because future development under the proposed project would comply with Precise Plan Nesting Bird Protection Standards (as described in Section 3.2.1.1). In addition, because no more than one pair of shrikes or kites could nest in the area

surrounding Subarea AM1, the proposed district parking garage structure would not result in substantial impacts to those species (e.g., a substantive reduction in regional populations).

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

In compliance with the MBTA and CDFW code and consistent with the 2017 EIR and the standards and guidelines listed in Chapter 5.3 of the Precise Plan, the project (under either option) shall implement the following City standard condition of approval to reduce or avoid construction-related impacts to nesting birds (including raptors) and their nests.

Standard Condition of Approval:

COA BIO-1.1: **Both Project Options: Preconstruction Nesting Bird Survey**: To the extent practicable, vegetation removal and construction activities shall be performed from September 1 through January 31 to avoid the general nesting period for birds. If construction or vegetation removal cannot be performed during this period, preconstruction surveys shall be performed no more than two days prior to construction activities to locate any active nests as follows:

- The applicant shall be responsible for the retention of a qualified biologist to conduct a survey of the project site and surrounding 500 feet for active nests - with particular emphasis on nests of migratory birds - if construction (including site preparation) begins during the bird nesting season, from February 1 through August 31. If active nests are observed on either the project site or the surrounding area, the project 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 will 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 will be necessary to avoid impacts on active bird nests that may be present

With the implementation of the above standard condition of approval and compliance with the standards and guidelines listed in Chapter 5.3 of the Precise Plan, the project (under either option) would result in a less than significant impact to nesting birds. Preconstruction surveys would ensure no nesting birds or nests are located on-site during construction and if they are, then buffer zones would be established around nests during construction consistent with the standards and guidelines listed in Chapter 5.3 of the Precise Plan. The project (under either option) would not result in a new or substantially more severe impact to nesting birds than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

Bird Strike Hazards

Bird Safe Design measures included in the Precise Plan are intended to help diminish the likelihood of building collision fatalities through façade treatments and light pollution reduction. All future development proposed under the Master Plan (including the development of the parking structure on Subarea AM1) would be required to incorporate the following Precise Plan design standards to reduce bird collision risk. Additional details regarding these standards can be found in Chapter 5 of the North Bayshore Precise Plan.

1. **Bird Safe Design Requirements.** All new construction, building additions, and/or building alterations shall adhere to the Bird Safe Design standards in this section.
2. **Façade Treatments.** No more than 10 percent of the surface area of a building's total exterior façade shall have bird-friendly glazing between the ground and 60 feet above ground. Examples of bird-friendly glazing treatments include opaque glass, covering of clear glass surface with patterns, use of paned glass with fenestration patterns, and use of external screens over non-reflective glass.
3. **Occupancy Sensors.** For non-residential development, occupancy sensors or other switch control devices shall be installed on non-emergency lights. These lights should be programmed to shut off during non-work hours and between 10:00 p.m. and sunrise.
4. **Funneling of Flight Paths.** New construction shall avoid funneling of flight paths along buildings or trees towards a building façade.
5. **Skyways, Walkways, or Glass Walls.** New construction and building additions shall avoid building glass skyways or walkways, freestanding glass walls, transparent building corners, or landscaping behind glass (such as in atriums). New construction and building additions should minimize the use of glass at tops of buildings, especially when incorporating a green roof into the design.
6. **Exceptions to the Bird Safe Design Requirements.** The City may waive or reduce any of this chapter's bird safe design requirements based on analysis by a qualified biologist indicating that proposed construction would not pose a collision hazard to birds.

With incorporation of the above standards for bird safe design, the proposed project (under either option) would have a less than significant impact regarding native and migratory bird collisions because the lighting plan for the buildings, including the parking garage structure on Subarea AM1, would minimize artificial night lighting (both on the exterior and interior) through use of occupancy sensors and timers that control the lighting. These features would be incorporated into the final development plans for the project, which would be reviewed by the Planning Division at the time of building permit to ensure proper implementation (consistent with the Precise Plan). The project (under either option) would not result in a new or substantially more severe significant impact regarding bird strike hazards than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

Impact BIO-2:	**Both Project Options:** The project (under either option) 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. **[Same Impact as Approved Project (Less than Significant Impact)]**

The 2017 EIR discussed the potential impacts on the riparian habitat in and adjacent to the Precise Plan area, including Permanente Creek, Coast Casey Drainage Canal, Charleston Retention Basin, and Stevens Creek. The 2017 EIR concluded that adherence to the open water, creeks, and storm drain facilities HOZ conditions in the Precise Plan would reduce the potential impacts on aquatic, open water, and creek habitats to a less than significant level.

The Charleston Retention Basin is adjacent to the northeast portion of the project site; however, a small portion of the riparian vegetation in the Charleston Retention Basin falls within the project site boundaries. Pursuant to the Precise Plan, future development near the Charleston Retention Basin must comply with the open water, creeks, and storm drain facilities HOZ standards established in the Chapter 5 of the Precise Plan, which requires that no new construction be placed inside the HOZ, which is 200 feet for non-residential land uses and 300 feet for residential uses, as measured from the edge of the basin. The project (under either option) would dedicate the parcel of land immediately adjacent to the Charleston Retention Basin to be developed as open space, which would enhance conditions in the basin compared to existing conditions, as the site is currently developed with various structures and impervious surfaces. While the project (under either option) includes office uses across Charleston Road, within 200 feet of the basin, the office development would occur in an area already developed with office uses; therefore, it would not constitute new construction. Since the proposed project (under either option) would comply with the open water, creeks, and storm drain facilities HOZ standards and create new open space adjacent to the Charleston Retention Basin, the project (under either option) would not have an impact on state or federally protected riparian habitat, sensitive natural community, or wetlands. Therefore, the project (under either option) would not result in a new or substantially more severe impact to riparian habitat than disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact BIO-3:	**Both Project Options:** The project (under either option) would not have a substantial adverse effect on state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means. **[Same Impact as Approved Project (Less than Significant Impact)]**

See discussion under checklist question Impact BIO-2 above. The project's adherence (under either option) to the open water, creeks, and storm drain facilities HOZ standards established in Chapter 5 of the Precise Plan would limit any potential impacts to the wetland habitat in the Charleston Retention Basin to a less than significant level. The project (under either option) would not result in a new or substantially more severe impact to state or federally protected wetlands than disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact BIO-4:	**Both Project Options:** The project (under either option) 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. **[Same Impact as Approved Project (Less than Significant Impact)]**

There are no waterways on-site; therefore, the project site does not support the movement of fish. The project site is currently developed and primarily surrounded by existing urban development. For that reason, the project site is not an important area for movement for non-flying wildlife, and it does not contain any high-quality corridors allowing dispersal of such animals through the Precise Plan area.

As discussed in Section 3.2.1.2 Existing Conditions above, the project site contains an egret rookery along Shorebird Way that has an established HOZ to protect the rookery from impacts related to future development. Since the 2017 EIR was certified, the size of that rookery has expanded, which has subsequently changed the location and extent of the egret rookery HOZ. Construction of any new residential development within 300 feet of the rookery is prohibited as part of the Habitat Overlay Zone Standards 3b established in Chapter 5 of the Precise Plan. The expansion of the rookery and extent of the HOZ residential boundary has resulted in an overlap with proposed residential buildings on Shorebird Way that would be constructed as part of the project. The proposed residential buildings would be within approximately 200 feet of the new egret rookery HOZ boundary. While the proposed residential buildings would conflict with Biological Resources Standards 3b and could disturb the egret rookery, given that these birds are already exposed to a high level of human activity and that the land around the rookery would be largely maintained as open space, and it is unlikely that residential activity would adversely affect the rookery.[58] In addition to those factors, any future development under the Master Plan would be required to adhere to all other Precise Plan standards and City regulations regarding construction near habitat areas.

As discussed under Impact BIO-1, the proposed project (under either option) would incorporate standard conditions of approval to protect nesting birds, in order to minimize adverse effects on native and migratory bird species and help diminish the likelihood of building collision fatalities. With incorporation of these standards, the proposed project (under either option) would not result in a new or substantially more severe significant impact on migratory bird movement than disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

[58] H.T. Harvey & Associates. *North Bayshore Framework Master Plan Biological Resources Confirmation Memo*. January 2022. Page 40.

Impact BIO-5:	**Both Project Options:** The project (under either option) would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. **[New Impact (Less than Significant Impact with Mitigation Incorporated)]**

General Plan Policies

The project (under either option) would integrate native and drought-tolerant landscaping (consistent with General Plan Policies INC 16.6 and POS 12.4) and would be required to follow standard conditions of approval to protect nesting birds during construction and comply with Habitat Overlay Zone Standard 2 in Chapter 5 of the Precise Plan to protect burrowing owls (consistent with General Plan Policies INC 16.3 and LUD 15.4). The project (under either option) would also implement new project mitigation measure MM BIO-1.1 to protect the Congdon's tarplant (consistent with General Plan Policy LUD 10.2). In addition, the project (under either option) would locate a majority of its open space on the eastern portion of the project site, which would limit the level of development near Stevens Creek and the Charleston Retention Basin (consistent with General Plan Policies LUD 16.1 and INC 16.5). This would include reserving the Eco Gem Subarea adjacent to the Charleston Retention Basin as dedicated parkland. Consistent with General Plan Policy POS 12.2, the project (under either option) would plant 3,715 replacement trees.

Based on this discussion, the project (under either option) would comply with General Plan policies related to biological resource protection and would not result in a new or substantially more severe significant impact to biological resources due to conflict with General Plan policies than disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**.

Precise Plan Policies

The project (under either option) would plant native plants and tree species that support native wildlife and build biological diversity, consistent with Precise Plan requirements for biological resources. As discussed under Impact BIO-1 above, the project (under either option) would implement new project mitigation measure MM BIO-1.1 to reduce impacts to Congdon's tarplant and apply Precise Plan burrowing owl HOZ standards to the proposed parking structure on Subarea AM1 to reduce impacts to burrowing owls, consistent with Precise Plan Landscape Design Standard 4 and Habitats and Biological Resources Standard 2 Burrowing Owl HOZ, respectively. As discussed under Impact BIO-2, the project (under either option) would comply with the Precise Plan open water, creeks, and storm drain facilities HOZ requirements by placing open space next to the Charleston Retention Basin. As discussed under Impact BIO-4, while the project (under either option) would conflict with Biological Resources Standards 3b egret rookery HOZ, the proposed residential development would be at least 300 feet from the core of the egret rookery and the project (under either option) would result in a less than significant impact as the egrets are already exposed to a high level of human activity and the land around the rookery would be largely maintained as open space to provide a buffer between the rookery and new residential development. Based on these factors, it is unlikely that residential activity would adversely affect the rookery.

Subarea AM1 is not within the Precise Plan boundaries and is therefore not required to comply with the policies that were identified in the 2017 EIR. However, the proposed district parking garage

structure that would be located on Subarea AM1 would comply with all of the identified Precise Plan policies by incorporating bird-safe design features into the parking structure, constructing the structure outside of the burrowing owl HOZ on the western site of Subarea AM1, and complying with the measures outlined in Habitat Overlay Zone Standard 2 in Chapter 5 of the Precise Plan.

The project (under either option), therefore, would comply with Precise Plan policies related to biological resource protection with the implementation of new project mitigation measure MM BIO-1.1. **(New Impact [Less than Significant Impact with Mitigation Incorporated])**

Tree Preservation Ordinance

The proposed project would remove 3,330 existing on-site trees, including 1,509 Heritage trees, from the project site. The project would plant 3,715 new trees. The City of Mountain View regulations require a permit to remove or move any tree over 48-inches in circumference or any *Quercus*, Sequoia, or *Cedrus* over 12-inches in circumference (measured at 54-inch above grade). A City of Mountain View Heritage tree removal permit is required before any Heritage trees are removed. The proposed project (under either option) would implement the following standard City condition of approval.

Standard Condition of Approval:

COA BIO-2.1: **Both Project Options:** The project (under either option) shall implement the following standard condition of approval:

- **Arborist Report.** A qualified arborist shall provide written instructions for the care of the existing tree(s) to remain on-site before, during, and after construction. The report shall also include a detailed plan showing installation of chain link fencing around the dripline to protect these trees and installation of an irrigation drip system and water tie-in for supplemental water during construction. Arborist's reports shall be received by the Planning Division and must be approved prior to issuance of building permits. Prior to occupancy, the arborist shall certify in writing that all tree preservation measures have been implemented. Approved measures from the report shall be included in the building permit drawings.
- **Arborist Inspections.** During demolition activity and upon demolition completion, a qualified arborist shall inspect and verify the measures described in the arborist report are appropriately implemented for construction activity near and around the preserved trees, including the critical root zones. Should it be determined that the root systems are more extensive than previously identified and/or concerns are raised of nearby excavation or construction activities for the project foundation or underground parking garage, the design of the building and/or parking garage may need to be altered to maintain the health of the trees prior to building permit issuance.
- **Monthly Arborist Inspections.** Throughout demolition and construction, a qualified arborist must conduct monthly inspections to ensure tree protection measures and maintenance care are provided. A copy of the inspection letter, including recommendations for modifications to tree care or construction

activity to maintain tree health, shall be provided to the Planning Division at planning.division@mountainview.gov.

- **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.
- **Street Tree Protections.** All designated City street trees to remain are to be protected throughout construction activity with protection measures shown on building permit plans.
- **Tree Protection Measures**. The tree protection measures listed in the project's arborist report 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.

Consistent with the conclusion in the 2017 EIR, the project (under either option) would obtain Heritage Tree Removal permits as needed and implement the above tree replacement and protection measures to reduce impacts to biological resources resulting from a conflict with the City's tree preservation policy to a less than significant level. The project (under either option) would not conflict with the City's tree protection policies or result in a new or substantially more severe significant impact to trees compared to the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact BIO-6:	**Both Project Options:** The project (under either option) 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. **[Same Impact as Approved Project (Less than Significant Impact)]**

The project site is not part of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan. The Habitat Plan is a conservation program to promote the recovery of endangered species in portions of Santa Clara County while accommodating planned development, infrastructure and maintenance activities. The project site, including Subarea AM1, is located outside the Habitat Plan area.

Nitrogen deposition contribution estimates of impacts on serpentine habitat in Santa Clara County were made as a part of the development of the Habitat Plan. The 2017 EIR concluded that the nitrogen emissions (based on existing and future vehicle emissions) that would result from buildout of the Precise Plan were less than cumulatively considerable (given that buildout of the Precise Plan is a small portion of Santa Clara County's overall emissions).[59] The Habitat Plan accounts for the indirect impacts of nitrogen deposition (existing and future) and identifies measures to conserve and manage serpentine areas over the term of the Habitat Plan, such that cumulative impacts to this habitat and associated special-status species would not be significant and adverse. For these reasons, the project (under either option) would not conflict with an adopted habitat conservation plan. Impacts would be consistent with those identified in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

3.2.2.2 *Cumulative Impacts*

Impact BIO-C:	**Both Project Options:** The project (under either option) would not result in a cumulatively considerable contribution to a cumulatively significant biological resources impact. **[New Cumulative Impact (Less than Significant Cumulative Impact with Mitigation Incorporated)]**

The cumulative conditions have not substantially changed since the certification of the 2017 EIR with the exceptions of the expansion of the egret rookery and the listing of the Monarch Butterfly as a candidate species under the federal Endangered Species Act. The geographic area for cumulative biological resources impacts includes the project site and its surrounding area because localized development would affect the same group of biological resources. Pursuant to CEQA Guidelines Section 15130(d) and (e), this EIR incorporates by reference the cumulative analysis in the 2017 EIR. While the Master Plan includes more development within the Precise Plan and on Subarea AM1, that development would result in less than significant cumulative impacts with mitigation implemented because:

- The proposed project (under either option) and other development projects in the area would be subject to federal, state, and local regulations (including the MBTA, Fish and Game Code, and city Municipal Code) which avoid and/or minimize impacts to any special-status species (such as Congdon's tarplant, the Monarch butterfly, burrowing owls, and nesting birds). In addition, the project (under either option) would implement mitigation measures MM BIO-1.1 through MM BIO-1.3 to further reduce any potential impacts to special-status species;
- Development projects in close proximity to the Charleston Retention Basin, including the project, would comply with the open water, creeks, and storm drain facilities HOZ standards established in the Chapter 5 of the Precise Plan to reduce impacts to the Charleston Retention Basin and other nearby riparian and wetland habitat;
- Future development projects, including the proposed project (under either option), would be required to adhere to Precise Plan standards and City regulations regarding construction near habitat areas. In addition, these projects would incorporate the City's standard conditions of

[59] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Pages 222-223.

approval to protect nesting birds and help diminish the likelihood of building collision fatalities to minimize adverse effects on native and migratory bird species;

- The project (under either option) would not conflict with the City's General Plan policies or Precise Plan policies; and
- The project (under either option) would not conflict with the City's Tree Preservation Ordinance or an adopted habitat conservation plan.

For these reasons, the proposed project would not result in a new or substantially more severe significant cumulative impact to biological resources than disclosed in the 2017 EIR with the implementation of the identified mitigation measures. **[New Cumulative Impact (Less than Significant Cumulative Impact with Mitigation Incorporated)]**

3.2.3 Conclusion

	Impact	Same/Similar Impact Analyzed in 2017 EIR	Significance Before Mitigation	Mitigation	Significance After Mitigation
BIO-1:	**Both Project Options:** The project (under either option) 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.	Partially	S	MM BIO-1.1, MM BIO-1.2, MM BIO-1.3	LTS
BIO-2:	**Both Project Options:** The project (under either option) 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.	Yes	LTS	None	N/A
BIO-3:	**Both Project Options:** The project (under either option) would not have a substantial adverse effect on state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means.	Yes	LTS	None	N/A

	Impact	Same/Similar Impact Analyzed in 2017 EIR	Significance Before Mitigation	Mitigation	Significance After Mitigation
BIO-4:	**Both Project Options:** The project (under either option) 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.	Yes	LTS	None	N/A
BIO-5:	**Both Project Options:** The project (under either option) would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	Partially	S	MM BIO-1.1	LTS
BIO-6:	**Both Project Options:** The project (under either option) 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.	Yes	LTS	None	N/A
BIO-C:	**Both Project Options:** The project (under either option) would not result in a cumulatively considerable contribution to a cumulatively significant biological resources impact.	Partially	S	MM BIO-1.1, MM BIO-1.2, MM BIO-1.3	LTS

Abbreviations: LTS = Less than Significant, S = Significant, N/A = Not Applicable

3.3 GREENHOUSE GAS EMISSIONS

3.3.1 Environmental Setting

The existing greenhouse gas (GHG) setting, including regulatory framework and existing site conditions, has not substantially changed since the certification of the 2017 EIR. Subsequent to the certification of the 2017 EIR, Plan Bay Area 2050 was adopted, and the Bay Area Air Quality Management District (BAAQMD) adopted updated GHG thresholds (both of which are discussed below).

3.3.1.1 *Background Information*

Gasses 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_2 equivalents (CO_2e). The most common GHGs are carbon dioxide (CO_2) and water vapor but there are also several others, most importantly methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6). 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_2 and N_2O are byproducts of fossil fuel combustion
- N_2O is associated with agricultural operations such as fertilization of crops
- CH_4 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_6 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 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.

3.3.1.2 *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_2e ($MMTCO_2e$). Based on the emissions reductions directed by SB 32, the annual 2030 statewide target emissions level for California is 260 $MMTCO_2e$.

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 2040. Plan Bay Area 2040 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 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. On April 20, 2022, BAAQMD adopted updated CEQA thresholds for evaluating the significance of GHG impacts from land use projects and plans.

Plan Bay Area 2040/2050

Plan Bay Area 2040 was a long-range transportation, land-use, and housing plan intended to support a growing economy, provide more housing and transportation choices, and reduce transportation-related pollution and GHG emissions in the Bay Area. Plan Bay Area 2040 promoted compact, mixed-use residential and commercial neighborhoods near transit, particularly within identified PDAs.

Plan Bay Area 2050, which was adopted in October 2021 and supersedes Plan Bay Area 2040, 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 PDAs, which are areas generally near existing job centers or frequent transit that are locally identified for housing and job growth. [60]

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.

[60] Association of Bay Area Governments and Metropolitan Transportation Commission. *Plan Bay Area 2050*. October 21, 2021. Page 20.

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 (under either option).

Policy	Description
Mobility	
MOB 9.1	**Greenhouse gas emissions.** Develop cost-effective strategies for reducing greenhouse gas emissions in coordination with the Greenhouse Gas Reduction Program.
MOB 9.2	**Reduced vehicle miles traveled.** Support development and transportation improvements that help reduce greenhouse gas emissions by reducing per capita vehicle miles traveled.
Infrastructure and Conservation	
INC 12.1	**Emissions reduction target.** Maintain a greenhouse gas emissions reduction target.
INC 12.2	**Emissions reduction strategies.** Develop cost-effective strategies for reducing greenhouse gas emissions.
INC 12.3	**Adaptation strategies.** Develop strategies for adapting to climate change in partnership with local and regional agencies.

North Bayshore Precise Plan

The Precise Plan contains standards and guidelines to avoid significant greenhouse gas emission impacts. The following guidelines are applicable to the proposed project.

Guideline	Description
4.5 Materials Management	
2	**Material selection.** Construction materials for all new projects should be certified by third-parties e.g., the Forest Stewardship Council, and selected based on a lifecycle assessment of their embodied energy and/or greenhouse gas emissions.
7.1 Sustainable and Resilient Infrastructure	
1	**Materials lifecycle assessment.** Infrastructure materials should be based on a lifecycle assessment of their embodied energy and / or greenhouse gas emissions.
7	**Alternative fuels for construction equipment.** Infrastructure projects are encouraged to use construction equipment powered by alternative fuels such as compressed natural gas rather than conventional petroleum or diesel to reduce greenhouse gas emissions.
8	**Electric and hybrid construction equipment.** Infrastructure projects are encouraged to use electric or hybrid-electric construction equipment to reduce greenhouse gas emissions.

2030 Greenhouse Gas Reduction Strategy

The City of Mountain View certified the General Plan Program EIR (SCH #2011012069) and adopted the Mountain View 2030 General Plan and 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 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. Since adoption of the GGRP, the state passed SB 32 which updated GHG emissions targets to be 40 percent below the 1990 level 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.

Reach Building Code

In 2019, the Mountain View City Council approved amendments to Chapters 8, 14, and 24 of the City of Mountain View Green Building Code, 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.

3.3.1.3 *Existing Conditions*

Unlike emissions of criteria and toxic air pollutants, which have regional and local impacts, emissions of GHGs have a broader, global impact. Global warming is a process whereby GHGs accumulating in the upper atmosphere contribute to an increase in the temperature of the earth and changes in weather patterns. The Precise Plan area, including most of the project site, is developed primarily with office, light industrial, and R&D uses. Subarea AM1, which is outside of the Precise Plan area, contains surface parking for the Shoreline Amphitheatre. These uses currently generate direct GHG emissions from vehicle trips of employees and visitors, natural gas used for cooking and building heating, operation of stationary equipment (such as back-up generators), and indirect GHG emissions from operational electricity, water use, and other sources. The project site is located within an identified PDA.[61]

[61] Association of Bay Area Governments. Priority Development Areas (Plan Bay Area 2050). July 27, 2020. Accessed June 23, 2022. https://opendata.mtc.ca.gov/datasets/priority-development-areas-plan-bay-area-2050/explore?location=37.388508%2C-122.092765%2C17.42.

3.3.2 Impact Discussion

For the purpose of determining the significance of the project's impact on greenhouse gas emissions, would the project:

1) Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?
2) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs?

3.3.2.1 *Project Impacts*

Impact GHG-1:	**Both Project Options:** The project (under either option) would generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. **(Same Impact as Approved Project [Significant and Unavoidable Impact with Mitigation Incorporated])**

The 2017 EIR concluded that buildout of the Precise Plan would result in approximately 5.4 metric tons (MT) of CO_2e per year per service population, which would exceed the City's established GGRP 2030 threshold of 4.5 MT CO_2e per year per service population and result in a significant and unavoidable operational GHG emissions impact. The 2017 EIR identified the following mitigation measure to reduce the significant, unavoidable GHG emissions resulting from the buildout of the Precise Plan:

North Bayshore 2017 EIR Mitigation Measure:

2017 EIR MM GHG-1.1: Both Project Options: Bonus FAR commercial projects shall prepare an analysis of feasible energy efficiency and renewable energy, materials management, and mobility measures to reduce GHG emissions resulting from the project. Feasible measures shall be incorporated in the building design and/or TDM program. The analysis shall be prepared to the satisfaction of the Community Development Director. Measures to be considered and analyzed by applicants shall include those in the amended North Bayshore Precise Plan, including, but not limited to, the following added measures:

Green Building and Design Materials Management

- **Super-GHGs reduction.**[62] Use low-global warming potential (GWP) refrigerants in new building cooling systems and replacement in existing buildings when renovated.
- **Zero-emission construction equipment (Resource Use).** Existing grid power for electric energy shall be used rather than operating temporary gasoline/diesel powered generators where available. Construction projects shall also increase use

[62] Super-GHGs are defined as compounds with very high global warming potential, such as methane, black carbon, and fluorinated gases.

of electric and renewable fuel powered construction equipment where commercially available.

2017 EIR MM GHG-1.2: Both Project Options: The City shall prepare a list of additional recommendations for effective GHG reductions in Transportation, Energy, and Building Operations that will be based upon adopted recommendations of CARB, BAAQMD, and relevant City policy documents. The recommendations will apply to both residential and commercial projects and are intended to reduce project GHG emissions to the point where they meet the City's adopted GGRP 2030 efficiency threshold. For residential uses in particular, potential GHG reductions relating to transportation will also include a vehicle trip reduction performance standard and/or reduced parking standard. The list of recommendations shall be updated regularly in conjunction with the review of the North Bayshore Precise Plan and/or with updates to the City's GGRP.

The project (under either option) would comply with the above 2017 EIR mitigation measures by using alternative fuels to gasoline/diesel and/or zero emission construction equipment and trucks where feasible (see new project mitigation measure MM AQ-1.1 under Impact AQ-1 in Section 3.1 Air Quality) and implementing TDM strategies, consistent with the commercial and residential TDM guidelines in Chapter 6 of the Precise Plan.

In April 2022, subsequent to the certification of the 2017 EIR, BAAQMD updated its GHG thresholds of significance. Pursuant to the newly adopted BAAQMD thresholds of significance for GHG emissions, a plan must meet the state's goals to reduce emissions to 40 percent below 1990 levels by 2030 and carbon neutrality by 2045 OR be consistent with a local, qualified GHG reduction strategy (i.e., the City's GGRP). The Precise Plan, if evaluated under the updated plan-level BAAQMD GHG thresholds would generate in the same GHG emissions as disclosed in the 2017 EIR and be concluded to result in a significant and unavoidable impact because it is not consistent with the City's GGRP and cannot demonstrate carbon neutrality by 2045. The significant and unavoidable conclusion would be the same as the conclusion in the 2017 EIR.

BAAQMD has different GHG thresholds when evaluating plans verses projects. In summary, 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 VMT below the regional average; and
- Include off-street electric vehicle infrastructure consistent with California Green Building Standards Code (CALGreen) Tier 2 requirements.

The project (under either option) would comply with the City's Reach Code for all electric buildings and would be designed to achieve LEED Platinum standard for new office buildings and minimum 120 point GreenPoint-rated or equivalent standard for residential buildings 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 in proposed buildings and parking garages consistent with the City's Reach Code requirements, which would exceed the

CALGreen Tier 2 requirements.[63] As discussed under Impact EN-1 in Section 5.5 Energy, the project's implementation of BAAQMD BMPs and compliance with existing regulations (CALGreen, Title 24, LEED, Precise Plan Chapter 4, and MVGBC) would result in energy efficiencies. In addition, the project (under either option) would achieve a VMT rate of 15 percent below the regional average (see discussion under Impact TRN-2 in Section 3.3 Transportation). For these reasons, the project (under either option) on its own would meet current, project-level BAAQMD GHG thresholds for a less significant operational GHG emissions impact.

Because the project would result in the same amount of GHG emissions previously disclosed in the 2017 EIR, it would not result in a new or substantially more severe significant operational GHG impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Significant and Unavoidable Impact with Mitigation Incorporated])**

Impact GHG-2:	**Both Project Options:** The project (under either option) would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. **(New Impact [Significant and Unavoidable Impact with Mitigation Incorporated])**

The 2017 EIR concluded that implementation of the Precise Plan would be consistent with the 2017 CAP, Plan Bay Area 2050, and California Transportation Plan 2040 because the Precise Plan would increase development within a PDA identified in Plan Bay Area and include policies and requirements for existing and future development within the Precise Plan area to reduce GHG emissions from building operations and vehicle trips such as:

- A district-wide trip cap;
- A 45 percent single-occupancy vehicle target for commercial office uses;
- TDM requirements for commercial and residential development;
- Requirements for projects requesting Bonus FAR to exceed Title 24 requirements for energy efficiency by 10 percent.

Despite these policies and requirements, it was concluded in the 2017 EIR that implementation of the Precise Plan would exceed the emissions projections and associated carbon-efficiency targets identified in the GGRP. This exceedance represented a conflict with the assumptions in the GGRP and was considered a significant impact.

The proposed project (under either option) is consistent with the Precise Plan; therefore, it is consistent with Plan Bay Area 2050 and California Transportation Plan 2040 for the same reasons disclosed in the 2017 EIR for the Precise Plan. As discussed under Impact AIR-1 in Section 3.1, the project (under either option) is inconsistent with the 2017 CAP with mitigation measures 2017 EIR MM AQ-2.1, 2017 EIR MM AQ-3.1, 2017 EIR MM-4.1, MM AQ-1.1, and MM AQ-1.2 incorporated. The proposed project (under either option) would comply with all Precise Plan, GGRP, and City Reach Code policies related to GHG emissions reductions, by developing all electric buildings that would achieve LEED Platinum standard for new office buildings and minimum 120-point GreenPoint-rated or equivalent

[63] CALGreen Tier 2 requires 20 percent of parking spaces to be electric vehicle charging ready. The City's Reach Code requires every space without a physical electric vehicle charger to be electric vehicle charging ready.

standard for residential buildings. However, the proposed project (under either option) includes more development than evaluated in the 2017 EIR and General Plan EIR and, therefore, it would still exceed the carbon emissions targets identified in the GGRP.

While the impact conclusion is the same level of significance disclosed in the 2017 EIR (i.e., significant and unavoidable), the impact of the project (under either option) is not the same as disclosed in the 2017 EIR. The 2017 EIR concluded significant and unavoidable due to the Precise Plan's inconsistency with the development and emissions assumptions in the GGRP. The proposed project (under either option) results in a significant and unavoidable impact due to its consistency with the development and emissions assumptions in the GGRP as well as its inconsistency with the 2017 CAP. Therefore, this impact is characterized as a new impact. **[New Impact (Significant and Unavoidable Impact with Mitigation Incorporated)]**

3.3.2.2 *Cumulative Impacts*

Impact GHG-C:	**Both Project Options:** The project (under either option) would result in a cumulatively considerable contribution to a cumulatively significant GHG emissions impact. **(New Impact [Significant and Unavoidable Cumulative Impact])**

GHG emissions have a broader, global impact; therefore, if a project results in an individual significant GHG impact, its contribution to a significant cumulative impact would be qualify as considerable. As discussed in Impact GHG-1 and GHG-2 above, the project would result in significant GHG impacts. Therefore, the project (under either option) would have a cumulatively considerable contribution to a significant cumulative GHG emissions impact. While the impact conclusion is the same level of significance disclosed in the 2017 EIR (i.e., significant and unavoidable), the impact for the project (under either option) is based on the project's inconsistency with development and emissions assumptions in the GGRP, as well as its inconsistency with the 2017 CAP. For this reason, this impact is characterized as a new impact. **(New Impact [Significant and Unavoidable Impact])**

3.3.3 Conclusion

	Impact	Same/Similar Impact Analyzed in 2017 EIR	Significance Before Mitigation	Mitigation	Significance After Mitigation
GHG-1:	**Both Project Options:** The project would generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.	Partially	SU	2017 EIR MM GHG-1.1, 2017 EIR MM GHG-1.2, MM AQ-1.1	SU
GHG-2:	**Both Project Options:** The project would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.	Partially	SU	2017 EIR MM AQ-2.1, 2017 EIR MM AQ-3.1, MM AQ-1.1, MM AQ-1.2	SU
GHG-C:	**Both Project Options:** The project would result in a cumulatively considerable contribution to a cumulatively significant GHG emissions impact.	Partially	SU	2017 EIR MM AQ-2.1, 2017 EIR MM AQ-3.1, MM GHG-1.1, 2017 EIR MM GHG-1.2, MM AQ-1.1, MM AQ-1.2	SU

Abbreviations: SU = Significant and Unavoidable, N/A = Not Applicable

3.4 TRANSPORTATION

The discussion in this section is based in part on a Transportation Analysis for Environmental Review prepared by Fehr & Peers dated December 2022. This report is attached to this EIR as Appendix D.

3.4.1 Environmental Setting

3.4.1.1 *Regulatory Framework*

State

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 analysis of VMT in determining the significance of transportation impacts. In short, SB 743 changes the focus of transportation impact analysis in CEQA from measuring impacts to drivers to measuring the impact of driving. Local jurisdictions were required by Governor's Office of Planning and Research (OPR) 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.

Refer to Appendix D for additional background information and explanation on the shift from level of service (LOS) to VMT.

Regional and Local

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. Plan Bay Area 2050 is a joint regional planning document overseen by the MTC and ABAG.[64] It serves as the region's SCS, pursuant to SB 375 and the 2050 RTP (preceded by Plan Bay Area 2040), and integrates four elements (Housing, Economy, Transportation, and Environment) and five guiding principles (affordable, connected, diverse, healthy, and vibrant) to manage GHG emissions and plan for future population growth. Major transit projects included in Plan Bay Area 2050 include a BART extension to San José/Santa Clara, Caltrain electrification, enhanced service along the Amtrak Capitol Corridor, and improvements to local and express bus services.

[64] Metropolitan Transportation Commission. *Plan Bay Area 2050*. 2021. Plan Bay Area 2050 | Plan Bay Areahttp://2040.planbayarea.org/.

Santa Clara Valley Transportation Authority VTP 2040 Plan

In October 2014, VTA adopted the Valley Transportation Plan (VTP) 2040 that describes all major projects and initiatives expected to occur in the next 20 years. It prioritizes complete streets, express lanes, light rail effectiveness upgrades, bus rapid transit, and bicycle/pedestrian improvements. The VTA 2040 Plan includes a package of projects in the North Bayshore Precise Plan area including the electrification of Caltrain, express lane projects along US 101, SR 237 and SR 85, US 101 southbound improvements from San Antonio Road to Rengstorff Avenue, and Permanente Creek Trail grade separation at Charleston Road and extensions of Permanente Creek Trail to Middlefield Road. Refer to Appendix D for additional background on VTP 2040.

Santa Clara Countywide Bike Plan

The Santa Clara Countywide Bicycle Plan's primary goal is to make it easier and safer for people to bike when traveling from one city to the next in Santa Clara County. The plan establishes a network of Cross County Bikeway Corridors that will provide continuous, complete bike connections across the county. The plan also identifies locations where new and improved bicycle connections are needed across freeways, rail lines, and creeks. Lastly, the plan identifies ways to make it easier for people to use their bicycle with transit, including bicycle access to major transit stops, bicycle parking at stops, and bicycle accommodations on board.

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.

Mountain View 2030 General Plan

The General Plan contains goals and policies to avoid significant impacts due to transportation impacts. The following goals and policies are applicable to the proposed project (under either option).

Policy	Description
Land Use and Design	
LUD 9.4	**Enhanced pedestrian activity.** Ensure commercial development enhances pedestrian activity through these strategies: • Encourage the first level of the building to occupy a majority of the lot's frontage, with exceptions for vehicle and pedestrian access • Allow for the development of plazas and dining areas • Encourage the majority of a building's ground floor frontage to provide visibility into the building by incorporating windows and doors • Require that ground floor uses be primarily pedestrian-oriented

Policy	Description
	• Ensure pedestrian safety and access when designing parking areas and drive-through operations • Minimize driveways
LUD 17.1	**Connectivity.** Improve connectivity and integrate transportation services between North Bayshore, Downtown, NASA Ames and other parts of the city.
LUD 17.2	**Transportation Demand Management strategies.** Require development to include and implement Transportation Demand Management strategies.
Mobility	
MOB 1.4	**Street design.** Ensure street design standards allow a variety of public and private roadway widths.
MOB 1.5	**Public accessibility.** Provide traffic calming, especially in neighborhoods and around schools, parks, and gathering places.
MOB 1.6	**Traffic calming.** Provide traffic calming, especially in neighborhoods and around schools, parks, and gathering places.
MOB 2.1	**Broad accessibility.** Improve universal access within private developments and public and transit facilities, programs and services.
MOB 3.1	**Pedestrian network.** Provide a safe and comfortable pedestrian network.
MOB 3.2	**Pedestrian connections.** Increase connectivity through direct and safe pedestrian connections to public amenities, neighborhoods, village centers, and other destinations.
MOB 3.3	**Pedestrian and bicycle crossings.** Enhance pedestrian and bicycle crossings at key locations across physical barriers.
MOB 3.4	**Avoiding street widening.** Preserve and enhance citywide pedestrian connectivity by limiting street widening as a means of improving traffic.
MOB 4.1	**Bicycle network.** Improve facilities and eliminate gaps along the bicycle network to connect destinations across the City.
MOB 4.3	**Public bicycle parking.** Increase the amount of well-maintained, publicly accessible bicycle parking and storage throughout the City.
MOB 4.4	**Bicycle parking standards.** Maintain bicycle parking standards and guidelines for well-sited bicycle parking and storage in private developments to enhance the bicycle network.
MOB 5.5	**Access to transit services.** Support right-of-way design and amenities consistent with local transit goals to facilitate access to transit services and improve transit as a viable alternative to driving.
MOB 7.1	**Parking codes.** Maintain efficient parking standards that consider reduced demand due to development conditions such as transit accessibility.
MOB 7.2	**Off-street parking.** Ensure new off-street parking is properly designed and efficiently used.
MOB 7.3	**Public parking management.** Manage parking so that adequate parking is available for surrounding uses.

Policy	Description
MOB 8.3	**Multimodal transportation monitoring.** Monitor the effectiveness of policies to reduce VMT per service population by establishing transportation mode share targets and periodically comparing travel survey data to established targets.
MOB 9.2	**Reduced vehicle miles traveled.** Support development and transportation improvements that help reduce greenhouse gas emissions by reducing per capita VMT.
MOB 10.3	**Avoiding street widening.** Limit widening of streets as a means of improving traffic and focus instead on operational improvements to preserve community character.
Infrastructure and Conservation	
INC 3.4	**Right-of-way regulations.** Ensure that right-of-way regulations comply with relevant street and highway codes while still prioritizing multimodal transportation in all right-of-way design.
Parks, Open Space and Community Facilities	
POS 2.2	**Connectivity and transit access.** Improve connectivity and transit accessibility to parks.
POS 2.3	**Pedestrian and bicycle access.** Improve pedestrian and bicycle access to parks, and create new connections to parks to minimize pedestrian and bicycle travel distances.

North Bayshore Precise Plan

The Precise Plan contains principles, standards, and guidelines to avoid significant transportation impacts. The Mobility chapter specifies the design of the street system, parking approach, transportation demand management approach, and the role of the TMA. The Mobility chapter identifies the following key transportation policies and metrics:

- Setting a district wide single occupancy vehicle mode share target of 45 percent
- Establishing a district-wide vehicle trip cap
- Implementation of TMA programs
- Eliminating minimum parking requirements and setting parking maximums
- Development of new street typologies and design guidelines for each typology
- Identification of key transportation infrastructure improvements to support SOV target and mode shift
- Development of a complete bicycle network.

The following guidelines and standards from the Mobility Chapter are applicable to the proposed project (under either option).

Standard	Description
3.3.9 Blocks	
6	**Accessibility.** The City shall determine if a new street is to be dedicated as a public street, include easements, or remain as a private street. Wherever possible, new Green Ways shall be publicly accessible.
7	**Alignment.** New streets and greenways shall to the extent possible align with other streets and greenways across existing rights-of-way. Offset alignments shall be avoided.
6.4 Streetscape Design	
5	**Continuous sidewalks.** Continuous sidewalks or equivalent provisions for walking, such as a bicycle- and pedestrian-only path, shall be provided along all streets.
6.6 Bicycle Network	
3	**Bi-directional bicycle lanes.** If space permits, bicycle lanes shall be provided in both directions.
4	**Bicycle lane buffer.** A buffer between the bicycle lane and vehicular traffic lane shall be provided.
5	**On-street parking buffer.** Where on-street parking is permitted, a buffer between the bicycle lane and parking lane shall be provided.
6	**Placement of bicycle lane on streets with on-street parking.** Where on-street parking is permitted, the bike lane should be placed between the parking lane and the travel lane. The recommended bike lane width in these locations is 6 feet.
7	**Facility design on shared streets.** On shared streets, signage and shared lane markings shall alert drivers to the presence of cyclists and the need to share the road.
6.8 Pedestrian Network	
1	**Standards for Gateway and Transit Boulevards.** **a.** Protected crossings. Protected crossings shall be provided no more than 1,800' apart, and typically no more than 750' apart. **b.** Sidewalk on Gateway Boulevards. The pedestrian zone shall be designed per the standards in Table 14 (of the Precise Plan). **c.** Sidewalk on Transit Boulevards. The pedestrian zone shall be designed per the standards in Table 15 (of the Precise Plan). **d.** Sidewalk on Access Streets. The pedestrian zone shall be designed per the standards in Table 16 (of the Precise Plan). **e.** Sidewalk on Neighborhood Streets. The pedestrian zone shall be designed per the standards in Table 17 (of the Precise Plan). **f.** Sidewalk on Service Streets. The pedestrian zone shall be designed per the standards in Table 18 (of the Precise Plan). **g.** Lighting. Continuous, pedestrian-scale lighting shall be provided.
2	**Standards for Green Ways.** **a.** Facility design. Facilities shall be designed per the standards in Table 19.

Standard	Description
	b. Prioritized crossings. At crossing points with major intersections, priority shall be given to bicyclists and pedestrians by providing leading pedestrian interval signals which allow pedestrians and bicyclists to enter the intersection before vehicles. **c.** Curbside parking. Curbside parking shall be restricted within 9 to 15 feet of intersections to improve pedestrian and motorist sight lines.
3	**Crosswalk design.** All new crosswalks and other pedestrian and bicycle safety improvements shall follow the most recent design guidelines by the National Association of City Transportation Officials (NACTO), California Manual on Uniform Traffic Control Devices (CA-MUTCD), and other local guides as the design standards document for crosswalks. The City shall use the most conservative approach if any documents conflict.
6.9 Transit Network	
1	**Bus waiting areas and stop amenities.** At bus stops on Charleston, an additional minimum 12' in sidewalk width shall be included for waiting areas and bus stop amenities. High-quality transit amenities shall be provided at stops along Shoreline Boulevard and Charleston Road. On other streets signage and waiting areas could be outside of the pedestrian through area in the landscape buffer zone. To ensure ADA compliance and ease of passenger access, a concrete bus pad shall be provided at all stops.
2	**Improved bus facilities.** New development projects shall improve bus facilities immediately outside of the property. Such improvements should include new bus shelters, benches, real-time information displays, secure bike parking, trash receptacles and similar improvements.
6.14 Transportation Demand Management – Commercial TDM	
1	**District-wide vehicle trip cap.** New development shall be subject to the District-wide vehicle trip cap as described in Chapter 8, Section 8.3 (of the Precise Plan).
2	**TDM requirements.** All new development or building additions greater than 1,000 square feet shall be subject to the following: a) Project-level vehicle trip cap. All new development or building additions greater than 1,000 square feet shall have an AM peak period vehicle trip cap which will be established assuming a 45% SOV mode share and 10% carpool mode share, unless the applicant can demonstrate their proposed TDM program will likely result in a higher carpool mode share. b) TDM plan. The applicant and/or property owner shall prepare a TDM plan with programs and measures to achieve a 45% SOV employee mode share. c) TDM plan baseline requirements. The TDM plan shall include the following measures and describe how these services will be provided. Some of these programs could be offered by the TMA: i. Priority parking for carpools and vanpool ii. On-site employee transportation coordinator to serve as a liaison between the employer/property owner and the TMA and to oversee the TDM program iii. Bicycle parking and shower and changing facilities as defined by this chapter

Standard	Description
	iv. Shared bicycles, if a bikeshare service is not available in North Bayshore v. Telecommute/flexible work schedule program vi. Guaranteed ride home program vii. Membership in the TMA viii. Carpool matching services ix. Shuttle services to connect employees to local transit services x. Marketing of TDM programs to employees d) Approval of TDM Plan. The applicant shall submit their TDM plan to the City for approval. The City may request additional program measures to ensure the proposed plan will achieve the 45% SOV employee mode share. The City may request an applicant hire a third party to review the TDM plan to determine its efficacy in achieving the mode share requirement. e) Employee Transportation Coordinator. The applicant and/or property owner shall designate an Employee Transportation Coordinator (ETC). The ETC will serve as the point of contact for the TMA and will provide the TMA and City with materials and data showing compliance with TDM and monitoring requirements.
3	**Retail/Commercial TDM exemptions** a. Because retail and other non-office commercial uses generate most of their traffic in off-peak times or the reverse peak direction, they shall not be subject to a specific mode split requirement. b. All new retail/commercial development less than 1,000 square feet or retail/commercial building additions less than 1,000 square feet shall not be required to prepare a TDM Plan.
4	**Small business trip cap exemption.** Any small business with 50 or fewer employees shall be exempt from trip cap standards for additions up to 2,500 square feet.
6.14 Transportation Demand Management – Residential TDM	
1	**TMA membership.** New residential developments shall become TMA members.
2	**Trip cap exception.** Because of the regional traffic benefits provided by housing in the North Bayshore area, residential developments shall be exempt from the area-wide trip cap. Residential developments are still subject to any transportation analysis required by CEQA.
3	**Residential Vehicle Trip Generation.** All new residential developments shall submit a Residential TDM Plan which shall include TDM measures consistent with the North Bayshore Residential TDM Guidelines.
6.15 Transportation Management Association	
1	**North Bayshore TMA.** The TMA shall work with its members and the City to implement the North Bayshore Precise Plan requirements pertaining to trip reduction through transportation demand management strategies. Responsibilities of the TMA shall include, but are not limited to: creating and managing a coordinated, publicly accessible shuttle service for area businesses and residents; assisting TMA members in satisfying Transportation Demand Management (TDM) goals agreed to by its members in their separate agreements

Standard	Description
	with the City of Mountain View, including developing transportation system and demand management strategies.
2	**Participation in the TMA.** All new residential, office/research, and other development projects shall be required to join the TMA and shall ensure that all tenants are TMA members in perpetuity from the date of final inspection or certificate of occupancy. Projects with building additions that are greater than 1,000 square feet may be required by the Zoning Administrator to join the TMA depending on the scope of the project.

Guideline	Description
6.6 Bicycle Network	
1	**Signal phases.** At complex intersections and where separated bicycle facilities are present, cyclists should be provided with their own signal phase to reduce conflicts between cyclists and right-turning vehicles.
2	**Bike facilities at intersections.** Intersection-only bike lanes and 'bike boxes' at intersections with high volumes of cyclists, or at intersections where cyclist left turns may be expected, should be provided.
3	**Bicycle detection mechanisms.** A bicycle detection mechanism should be provided at all major intersections.
4	**Freeway interchange improvements.** The redesign of freeway interchange improvements should consider the movement and needs of cyclists.
5	**Intersection design.** Intersections should be designed to reduce the incidence and severity of collisions between cyclists and other road users.
6	**Pavement treatments.** Colored paving, colored striping, or other treatments should be used to highlight on-street bicycle facilities.
7	**Wayfinding.** Wayfinding for bicyclists should be improved. This could include signage identifying bicycle routes and connections as well as directions to major destinations such as Shoreline Park.
8	**Facility design on Transit Boulevards.** Special design consideration should be given to bicycle facilities on transit boulevards to minimize conflicts between cyclists and pedestrians.
9	**Location of driveways.** Driveways should be minimized to the extent feasible on the primary bike network to minimize conflicts between cyclists and vehicles.
10	**Dimensions of Green Ways.** In areas with higher user volumes, particularly pedestrians, the width should be increased to a minimum of 11 feet and up to 16 feet, if feasible.
11	**Separation of bicyclist from vehicular traffic.** Pavement markings, raised barriers, or other barriers should be used to separate on-street cycle tracks from vehicular traffic.
6.8 Pedestrian Network	
1	**Crosswalk widths.** Crosswalks should be designed to be at least as wide as the sidewalks they connect to, especially at busy intersections.
2	**Sight lines.** Sight lines for pedestrians and motorists should be maintained by ensuring that the approach to the crosswalk is free of obstructions, such as structures or landscaping.

Standard	Description
3	**Visibility of pedestrian crossings.** The visibility of crosswalks should be enhanced through lighting and markings to help alert motorists to the most important crossings and points of potential conflict.
4	**Raised crosswalks.** On low-volume streets, raised crosswalks should be considered to calm traffic and prioritize pedestrian movement.
5	**Pedestrian Amenities.** Hydration stations should be provided along multi-use paths
6	**Parking lot circulation.** Consideration should be given to safe pedestrian circulation when designing parking lots.
6.9 Transit Network	
1	**Design guidelines.** Refer to Table 13 (in the Precise Plan) for Transit Boulevard street design guidelines.

Comprehensive Modal Plan (AccessMV)

The City's Comprehensive Modal Plan (AccessMV) was approved on May 25, 2021 and guides the development of the City's multimodal transportation network. The plan identifies pedestrian quality of service (PQOS) and Bicycle Level of Traffic Stress (BLTS) as metrics for assessing the existing and planned transportation network for all modes and identify needed improvements. Projects that increase the PQOS or BLTS score of a particular roadway would reduce the quality of service of pedestrian and bicycle facilities in the area. PQOS is influenced by a number of factors such as proximity to a variety of destinations and amenities, street connectivity and directness of routes to destinations, presence of a continuous network of pedestrian facilities, motor vehicle traffic speeds, and street widths and intersection conditions. BLTS is influenced by the number of through lanes or street width, posted speed limit or prevailing vehicle speeds, presence or type of bicycle facilities, presence of traffic signals, and the presence of crossing islands.

Mountain View Vision Zero Policy

On December 10, 2019, Mountain View City Council unanimously adopted a Vision Zero Policy to eliminate fatal traffic collisions in Mountain View by 2030. Vision Zero is an integrated set of policies, plans, and programs based on the philosophy that fatal collisions are unacceptable and often preventable.

Mountain View's Vision Zero approach is to eliminate fatal and severe injury traffic collisions among all road users, including those walking, biking, and driving. This approach is working to eliminate fatal traffic collisions by 2030, working to decrease traffic collisions involving fatalities or severe injuries by 50 percent by 2030 from a 2016 baseline of 15 collisions; and working to decrease the three-year annual average number of people killed or severely injured in collisions by 15 percent every three years from a current three-year annual average baseline of 19 people.

City of Mountain View Vehicle Miles Traveled Policy

Since certification of the 2017 EIR, the Mountain View City Council adopted a Vehicle Miles Traveled Policy on June 30, 2020, which replaces LOS with VMT as the metric for determining a significant transportation impact under CEQA consistent with SB 743 and outlines the VMT methods and procedures that apply to land use projects in the City. The City's VMT methods and procedures are outlined in the Multi-Modal Transportation Analysis Handbook. The Handbook includes direction to use the Santa Clara Countywide VMT Evaluation Tool web application, which allows an analyst to conduct baseline VMT screening and VMT reduction analysis for small- to medium-size land use projects.

The proposed project (under either option) is a large project that would modify and increase the office and residential land use supply in North Bayshore, implement an extensive TDM program, and would have a widespread effect on the total VMT within the Precise Plan area and City of Mountain View. This type of project is not an appropriate application for the SCC VMT Tool based on project size. Further, it is anticipated that the new residential and increased employee densities associated with the project would reduce the VMT rates in North Bayshore. Under CEQA, the City has the discretion as to what constitutes a significant environmental impact and can adopt thresholds of significance. Based careful evaluation of the OPR Technical Advisory relative to the North Bayshore setting and substantial evidence documented in Appendix D, the City has determined a large project (such as the project under either option) needs to complete a comprehensive VMT assessment that evaluates the project's effect on total VMT and the project's cumulative effect on boundary VMT, utilizing a significance threshold for total VMT of 15 percent below the existing regional total VMT per service population and a significance threshold for boundary VMT of no change in the cumulative conditions boundary VMT per service population for the region with the region being defined as San Mateo County, Alameda County, and Santa Clara County.

3.4.1.2 *Existing Conditions*

Roadway Network

Regional access to the site is provided by US 101 and State Route (SR) 85. Local access to the site is provided via Shoreline Boulevard, La Avenida, Rengstorff Avenue, San Antonio Road, and Bayshore Parkway. These roadways are briefly described below.

- **US 101** is six lanes in each direction, with two high-occupancy vehicle (HOV) lane in each direction in the vicinity of the project site. US 101 provides access to the project site via full interchanges at Shoreline Boulevard, San Antonio Road, and Rengstorff Avenue.
- **SR 85** is a north-south highway extending between the US 101 interchange in San José to the south and the US 101 interchange in Mountain View to the north. The highway has two mixed-flow lanes plus one HOV lane per direction. Access to the project site from SR 85 is via its interchanges with US 101.
- **Amphitheatre Parkway** is a three-lane, east-west gateway boulevard[65] that extends east from North Shoreline Boulevard/Stierlin Court in the east to Charleston Road/Garcia

[65] Gateway Boulevards are the main automobile entry points and traffic arteries for North Bayshore. Regional auto traffic is accommodated here before being distributed to other streets.

Avenue/Rengstorff Avenue in the west. Two lanes are continuously provided in the westbound direction; only one lane is provided eastbound east of the Permanente Creek Bridge. Amphitheatre Parkway provides direct access to the project site.

- **Shoreline Boulevard** is a four- to six-lane, north-south gateway boulevard with a raised median that extends from El Camino Real in the south to Shoreline Park in the north. Within the project site, North Shoreline Boulevard provides access to US 101.
- **San Antonio Road** is a two- to six-lane, north-south gateway boulevard that extends from Foothill Expressway (within Los Altos) to Terminal Boulevard near Shoreline at Mountain View Regional Park. San Antonio Road provides access to US 101.
- **Rengstorff Avenue** is a four-lane, north-south gateway boulevard that extends from El Camino Real in the south to Charleston Road/Garcia Avenue in the north where it becomes Amphitheatre Parkway. Rengstorff Avenue provides access to US 101 from the project site.
- **Charleston Road** is a four-lane, east-west access street that extends from Amphitheatre Parkway in the west to Stevens Creek Trail in the east. Charleston Road is not a through street east of Charleston Road/Shorebird Way. Charleston Road becomes Garcia Avenue west of Garcia Avenue/Amphitheatre Parkway.
- **Landings Drive** is a two-lane, access street that connects on both ends to Charleston Road.
- **Bayshore Parkway** is a two-lane, north-south access street that runs parallel to US 101 from San Antonio Road to Salado Drive.
- **Alta Avenue** is a two-lane, north-south access street that connects Plymouth Street to Charleston Avenue.
- **Huff Avenue** is a two-lane, north-south neighborhood street that connects Plymouth Street to Charleston Road.
- **Joaquin Road** is a two-lane, north-south neighborhood street that connects Plymouth Street to Charleston Road.
- **Pear Avenue** is a two-lane, east-west neighborhood street that extends from Shoreline Boulevard to El Centro Avenue.
- **Shorebird Way** is a two-lane, primarily east-west neighborhood street that connects North Bayshore Boulevard to Charleston Road.
- **Plymouth Street** is a two-lane, east-west neighborhood street that connects North Shoreline Boulevard to Alta Avenue.
- **Space Park Way** is a two-lane, east-west neighborhood street that extends from Shoreline Boulevard to Armand Drive.
- **La Avenida** is a two- to three-lane east-west neighborhood street that extends from North Bayshore Boulevard to Stevens Creek Trail. La Avenida is a one-way westbound street from North Bayshore Boulevard to Inigo Way and a two-way street from Inigo Way to Stevens Creek Trail.

Existing Transit Facilities

Existing public transit services in the vicinity are provided by VTA and TMA. VTA operates bus services in Santa Clara County and TMA provides free MVgo shuttle service between the Mountain View Transit Center and corporate campuses in the Precise Plan area. The VTA bus routes and MVgo shuttle routes and stops near the project site are shown on Figure 3.4-1.

VTA Bus Service

VTA Route 40 and Orange Line serves the project vicinity with bus stops in each direction on Shoreline Boulevard and Charleston Road. Route 40 also stops at the Mountain View Transit Center, approximately 1.5 miles from the project site. The Mountain View Transit Center provides connections to Caltrain, VTA light rail transit, several VTA bus routes (21, 40, and 52), MV community shuttle, and MVgo shuttle routes.

Mountain View Community Shuttle

The Mountain View Community Shuttle is a free shuttle service with 50 stops within Mountain View operating during the weekdays from 7 a.m. to 7 p.m. and on weekends and holidays between 10 a.m. and 6 p.m. The closest community shuttle stop is located within the project site at the intersection of Shoreline Boulevard and Pear Avenue (weekends only).

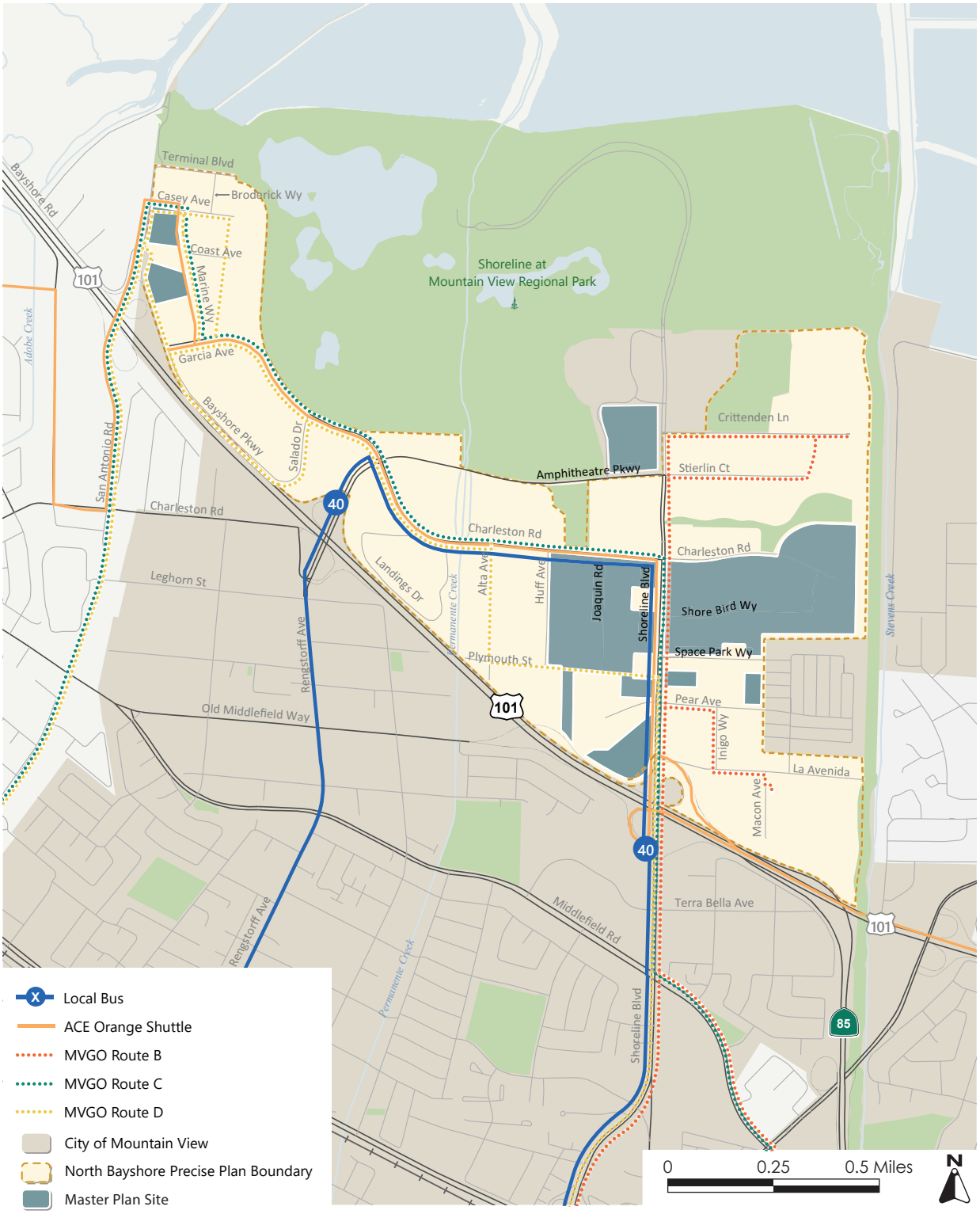
Mountain View Transportation Management Association Shuttles

TMA Shuttles operates the MVgo shuttle system. This shuttle system is provided through the collection of TMA member dues. MVgo operates four shuttle routes that provide service to employment areas from the Mountain View Transit Center. Three routes serve the North Bayshore area, and one route serves the East Whisman area. The shuttles are timed to meet Caltrain arrivals during the a.m. and departures during p.m. commute periods. MVgo shuttle Route B, C, and D provides service to the project area, with multiple stops within the project site.

Existing Bicycle Facilities

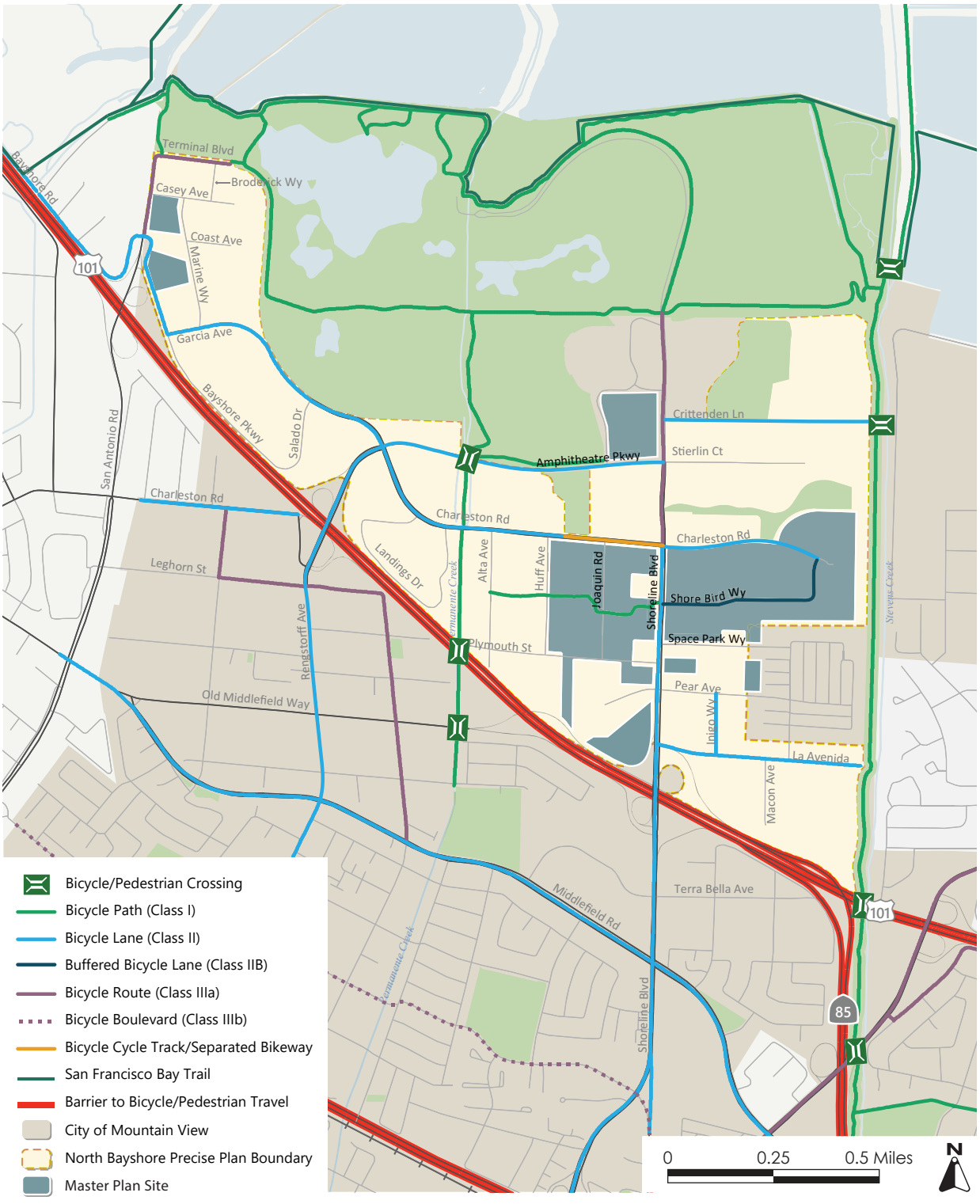
The existing bicycle facilities in the project area are shown in Figure 3.4-2. Stevens Creek Trail and Permanente Creek Trail are two north-south Class I bikeways that run through the project site and connect to the Bay Trail, which is an east-west Class I bikeway north of the project site.[66] Within the project site, Class II Bike lanes exist along Shoreline Boulevard, La Avenida, Inigo Way, Charleston Road/Garcia Avenue, Crittenden Lane, Amphitheatre Parkway, Bayshore Parkway, and Rengstorff Avenue. Class IIIa Bike routes exist along the segment of Shoreline Boulevard north of Charleston Road.

[66] Class I bikeways are shared between pedestrians and bicyclists and separated from motor vehicle traffic. Class II bike lanes are lanes on roadways designated for use by bicycles with special lane markings, pavement legends, and signage. Class IIIa bike routes are signed bike routes where bicyclists share a travel lane with motorists.



Source: Fehr & Peers, 2022.

LOCATION OF EXISTING TRANSIT FACILITIES | FIGURE 3.4-1



Source: Fehr & Peers, 2022.

LOCATION OF EXISTING BICYCLE FACILITIES | FIGURE 3.4-2

Existing Pedestrian Facilities

Pedestrian facilities include sidewalks, curb ramps, crosswalks, and off-street paths. Most streets in the project area have at least a four-foot-wide sidewalk on one or both sides except for Crittenden Lane, Stierlin Court, a segment of Shorebird Way, Macon Avenue, a segment of Pear Avenue, a segment of Landings Drive, and a segment of Bayshore Parkway, a segment of Alta Avenue, San Antonio Road, and a segment of Garcia Avenue. Within the project site, meandering sidewalks buffered from the roadway by landscaping exist along Amphitheatre Parkway, North Shoreline Boulevard, and Charleston Road. Most intersections in the project site have crosswalks with pedestrian signals. The intersection of North Shoreline Boulevard and Space Park Way has no midblock crosswalk across North Shoreline Boulevard. There is a pedestrian bridge across US 101 via the Permanente Creek Trail, which terminates at West Middlefield Road.

Vehicle Miles Traveled

Based on current studies, there is evidence that VMT in California has been increasing rather than decreasing over the past several years prior to the COVID-19 pandemic.[67,68] While the pandemic caused significant reductions in VMT, VMT has continued to rise back towards pre-pandemic levels. This shows the challenge of reducing VMT when background macro-level conditions are contributing to higher VMT generation rates. In addition, transit ridership in Santa Clara County was shown to be declining in pre-pandemic conditions, suggesting that supportive policies at all levels may not be effective at increasing transit ridership and decreasing VMT.[69]

While there are many VMT reduction actions that can influence VMT and emissions, the VMT reduction action's effectiveness depends on its scale (how much VMT the reduction acts on) and its ability to reduce VMT in different VMT reduction programs. Individual site level VMT mitigation actions typically have the smallest effect on VMT reductions because they are applied to new VMT generated by new buildings, while regionwide levels have the greatest effect on VMT reduction. The biggest effects of VMT reduction actions (and resultant emissions reductions) derive from citywide, statewide, or regionwide policies that increase the cost, or reduce the convenience, of using vehicles.

This EIR evaluates the project's impact on VMT pursuant to SB 743 and based on existing conditions. Refer to Appendix D for additional details regarding VMT approach and analysis methods. Existing VMT was estimated using the City's Travel Forecasting Model (Travel Model). Two metrics of VMT are estimated: total VMT and boundary VMT. Total VMT is the sum of the VMT associated with travel from, to, and within a project site. Boundary VMT is total vehicle travel within a defined geographic area or boundary (i.e., San Mateo, Santa Clara, and Alameda counties). Under existing conditions, the City's Travel Model indicates that average Total VMT per service population is 29.95 and the boundary VMT per service population is 17.22.

[67] California Air Resources Board. *2017 Climate Change Scoping Plan Update: The Strategy for Achieving California's 2030 Greenhouse Gas Target.* January 2019.
[68] California Air Resources Board. *Draft 2022 Scoping Plan Update.* May 2022.
[69] Santa Clara Valley Transportation Authority. "Annual Report 2019". Accessed December 8, 2022. https://www.vta.org/sites/default/files/2020-04/AnnualReport2019_Accessible.pdf.

3.4.2 Impact Discussion

For the purpose of determining the significance of the project's impact on transportation, would the project:

1) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian facilities?
2) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?
3) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
4) Result in inadequate emergency access?

3.4.2.1 *Project Impacts*

Impact TRN-1:	**Both Options:** The project (under either option) would not result in a new or substantially more severe significant conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian facilities than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

Roadway Network

The 2017 EIR found that implementation of the Precise Plan (which includes development of the proposed project) would result in LOS deficiencies under existing LOS policies, improvements to address select deficiencies would be implemented, and select deficiencies would be significant and unavoidable.[70] Subsequent to the certification of the 2017 EIR, SB 743 was passed and vehicle congestion and delay (including LOS deficiencies) can no longer constitute a significant impact under CEQA. As such, the project's consistency with the City's LOS policy is not relevant under CEQA. Therefore, separate from CEQA, the City of Mountain View evaluated the proposed project's operational effects (under either option) on the roadway system in a Multimodal Transportation Analysis (MTA). The MTA analyzed non-CEQA transportation issues, including local transportation operations, intersection LOS, and parking. The MTA identified possible improvements to the following intersections to improve LOS and queuing deficiencies in the project area.

- San Antonio Rd/US 101Northbound Ramps
- Rengstorff Ave/US 101 Northbound Ramps
- Rengstorff Ave/ US 101 Southbound Ramps
- Rengstorff Ave/Leghorn St
- Huff Ave/Charleston Rd
- Shoreline Blvd/Charleston Rd
- Huff Ave/Plymouth St

[70] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Pages 404-540.

- Joaquin Rd/Plymouth St
- Shoreline Blvd/Space Park Wy
- Shoreline Blvd/Pear Ave
- Shoreline Blvd/La Avenida-US 101 Northbound Ramps
- Inigo Wy/La Avenida

The City has discretion whether to implement the improvements at the above listed intersections and the relevant question under CEQA is whether those improvements would result in adverse physical changes to the environment. Several of these potential improvements would require additional right-of-way to construct, which could result in the removal of additional trees. Based on preliminary review, no other known environmental resources are present. If the City decides to pursue these improvements, it is assumed implementation of existing regulations and the City's standard conditions of approval and mitigation measures related to construction (such as those discussed throughout this EIR for air quality, nesting birds, cultural resources, geology and soils, hydrology and water quality, hazards and hazardous materials, and noise) would reduce environmental impacts to a less than significant level. At the time improvements are proposed and designed, separate environmental review may be required.

For the purposes of this EIR, to determine the project's consistency with local roadway plans, significant impacts would occur if any part of the project directly or indirectly:

- Disrupts existing facilities;
- Interferes with the implementation of a planned vehicle facility; or
- Creates physical or operational transportation outcomes that conflicts with applicable program, plan, ordinance, or policy.

The project includes the construction of new service streets, modification of existing streets, and construction of new pedestrian/bicycle facilities, which is consistent with the vision, standards, and design requirements of the Precise Plan (Chapter 6 Mobility). Consistent with the Precise Plan, streets would not exceed two lanes of travel in each direction. The project's proposed street improvements address operational conditions for vehicles, improve local circulation, and/or enhance active transportation. The improvements are detailed in Section 2.3.9 Site Access, Circulation, and Parking and include:

- Operational vehicle improvements (such as a vehicle turn lane or increased storage pocket length) that improve vehicle flow.
- Transit-focused improvements that facilitate access to transit stops.
- Local street circulation improvements that provide vehicle access to parking lots or other services (e.g., refuse pick-up, deliveries, emergency access, loading zones, and parking entrances).
- Active transportation improvements that enhance active travel but do not directly allow additional vehicle travel.

Overall, the project's street system (under either option) is consistent with and connects to existing and planned streets that align with the overall goals and policies of the Precise Plan and AccessMV. The project is also consistent with RTP 2050 because it is modifying street facilities to be more pedestrian

and bicycle friendly, implementing a 35 percent SOV mode share target, and building residential land uses in the Precise Plan area to increase internalization of non-residential vehicle trips. The proposed roadway network improvements would also comply with Chapter 27 Streets and Sidewalks of the City Code, as well as meet fire turnaround access per the Fire Code.

In addition to the development of the roadway network consistent with the design standards and guidelines in the Precise Plan, the roadway plan consistency includes an evaluation that compares the North Bayshore gateway volumes under cumulative plus project conditions to the North Bayshore Trip Cap Policy and the North Bayshore Precise Plan trip generation.

The Precise Plan established a North Bayshore District Trip Cap Policy (Trip Cap) (Chapter 6 Section 6.14 and Chapter 8 Section 8.3) that quantifies the physical vehicle capacity of the three main gateways (San Antonio Road, Rengstorff Avenue, and Shoreline Boulevard) and represents the number of vehicles that can be served during the peak morning and evening periods while maintaining reasonable freedom of vehicular movement (i.e., avoiding gridlock conditions on the local streets, gateway interchanges, and freeway system). The absolute number of vehicle standard in the Trip Cap Policy are 8,290 vehicle trips in the morning peak hour and 8,030 vehicle trips in the evening peak hour. Table 3.4-1 below shows the calculated numeric policy targets for each gateway and summarizes the results of the vehicle trip generation under cumulative plus project conditions (under either option) to the Trip Cap Policy during the morning and evening peak hours for each gateway and the three gateways combined. The North Bayshore gateway volumes exceed the North Bayshore Trip Cap Policy targets for the Rengstorff Avenue and Shoreline Boulevard in addition to the total gateways during the morning and evening peak hours. The 2017 EIR disclosed that vehicle trips from buildout of the Precise Plan would exceed the gateway capacities and, therefore, the Trip Cap policy numbers.[71]

Table 3.4-1: North Bayshore Gateway Trip Cap Policy Evaluation

Gateway	Two-Way Morning Peak Hour				Two-Way Evening Peak Hour			
	Volume[1,2]	Trip Target[1,3]	Remaining Trip Target	% of Trip Target Remaining	Volume[1,2]	Trip Target[1,3]	Remaining Trip Target	% of Trip Target Remaining
San Antonio Rd	1,490	1,890	400	21%	1,080	1,830	750	41%
Rengstorff Avenue	4,280	3,290	-990	-30%	4,350	2,440	-1,910	-78%
Shoreline Boulevard	5,040	3,110	-1,930	-62%	5,620	3,760	-1,890	-50%
Total	**10,810**	**8,290**	**-2,520**	**-30%**	**11,080**	**8,030**	**-3,050**	**-38%**

[1] Volumes rounded to the nearest 10.

[2] Volume = The North Bayshore gateway volumes under Cumulative with Project Conditions (Cumulative Conditions with NBPP Growth and the North Bayshore Master Plan Achieving a Modified Site-Specific TDM Policy Goal with a Historical Vacancy Rate).

[3] Target = 2017 NBPP vehicle trip target = two-way peak hour.

Source: Fehr & Peers. *North Bayshore Master Plan: Transportation Analysis*. December 2022.

[71] Ibid. Pages 458-459.

As shown in Table 3.4-2 below, the cumulative plus project condition (under either option) would result in a similar trip generation to what was assumed in the 2017 EIR at full buildout of the Precise Plan. While the cumulative plus project condition (under either option) is estimated to have 270 additional trips in the AM peak hour, the 270 trips are within the five percent day-to-day variation observed at the North Bayshore Gateways.[72]

Thus, the proposed project would not substantially increase the North Bayshore gateway volumes compared to what was studied in the 2017 EIR and would not result a new or substantially more severe conflict with City General Plan or Precise Plan policies related to the roadway system. **(Same Impact as Approved Project [Less than Significant Impact, pursuant to SB 743])**

Table 3.4-2: North Bayshore Master Plan Vehicle Trip Generation Comparison

Trip Generation Estimates	Daily Vehicle Trips[1]	AM Peak Hour[1]			PM Peak Hour[1]		
		In	Out	Total	In	Out	Total
A. 2017 EIR	132,820	7,230	3,310	10,540	4,040	7,340	11,380
B. Cumulative plus Project Conditions	128,710	7,960	2,850	10,810	3,460	7,620	11,080
Net Difference (B-A)	-4,110	730	-460	270	-580	280	-300

[1] Volumes rounded to the nearest 10.

Source: Fehr & Peers. *North Bayshore Master Plan: Transportation Analysis*. December 2022.

Pedestrian and Bicycle Facilities

The 2017 EIR concluded that future development and transportation improvements consistent with the Precise Plan would not conflict with a program plan, ordinance, or policy addressing bicycle lanes, and pedestrian facilities because development under Precise Plan would improve and increase bicycle and pedestrian connectivity throughout the Precise Plan area.[73] For the purposes of this EIR, the project (under either option) would create a significant impact related to the bicycle or pedestrian system if the any part of the proposed project directly or indirectly:

- Disrupts existing bicycle programs or facilities, or pedestrian facilities;
- Interferes with planned bicycle or pedestrian facilities; or
- Creates physical or operational transportation outcomes that conflict with applicable bicycle or pedestrian system plans, guidelines, policies, or standards.

The project (under either option) would generate bicycle and pedestrian trips between the district garages, transit stops, and land uses. As described in Section 2.3 Project Description, the project (under

[72] For several years, the North Bayshore District monitoring has conducted multiday vehicle observations twice a year. The volumes reported in the monitoring report are an average of these multiday observations with two-way peak hour and peak period day-to-day variation of +/- five percent.

[73] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Pages 491-493.

either option) includes a network of new bicycle paths, trails, and pedestrian pathways. A pedestrian priority zone proposed through the Shorebird Complete Neighborhood adjacent to North Shoreline Boulevard would connect Charleston Road to Shorebird Way. An off- and on-street bicycle network totaling approximately 3.7 miles is proposed, and bike shares would be provided near transit stations and as part of multimodal hubs within district parking garages. This proposed network of new bicycle paths, trails, and pedestrian pathways would improve connectivity by providing connections to existing and planned bicycle and pedestrian facilities inside and outside the Precise Plan area and closing gaps in the existing pedestrian and bicycle networks. The proposed improvements would not disrupt any existing or planned bicycle or pedestrian facilities.

The proposed bicycle and pedestrian improvements would be consistent with the planned improvements, standards, and guidelines for pedestrian and bicycle facilities included in the Precise Plan. For this reason, the project (under either option) would not conflict with a pedestrian or bicycle related program, plan, ordinance or policy, and would not result in a new or substantially more severe significant impact as disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

Transit Facilities

The 2017 EIR concluded the Precise Plan would not increase demand of public transit above existing or planned capacity or conflict with transit policies. The 2017 EIR identified significant and unavoidable impacts to transit facilities (Impacts TRANS-4 and C-TRANS-3) due to the increase in transit vehicle delay at congested intersections.[74] The 2017 EIR concluded that additional roadway traffic congestion caused by the build-out of the Precise Plan would affect several transit corridors by increasing travel times and decreasing headway reliability. The Mountain View City Council adopted a Statement of Overriding Considerations for the significant and unavoidable impacts disclosed in the 2017 EIR (including Impacts TRANS-4 and C-TRANS-3). Pursuant to SB 743, congestion and LOS effects are no longer impacts under CEQA. In addition, OPR has issued guidance that when evaluating impacts to multimodal transportation networks, lead agencies generally should not treat the addition of new transit users as an adverse impact.[75] For the purposes of this EIR, the project (under either option) would create a significant impact related to the transit facilities if the project is inconsistent with local transit plans. To determine the proposed project's consistency with local transit plans, significant impacts would occur if any part of the proposed project directly or indirectly:

- Disrupts existing transit services or facilities;
- Interferes with the implementation of a planned transit facility; or
- Creates physical or operational transportation outcomes that conflict with desired conditions expressed in transit policies adopted by Mountain View, Santa Clara County, or VTA for their respective facilities in the study area.

Implementation of the proposed project (under either option) would not result in modifications to the transit network that would disrupt existing transit service. The project includes modification of streets that includes wider sidewalks and enhanced transit stops to accommodate increased transit riders to

[74] Ibid. Pages 489-491.
[75] Governor's Office of Planning and Research. *Technical Advisory on Evaluating Transportation Impacts in CEQA.* December 2018. Page 19.

and from the project site. The project also would not interfere with the planned construction of the Charleston Road transit corridor improvement and Shoreline Boulevard reversible transit lane (both City identified CIPs), both of which are intended to support transit use within the project site.

The VTA operates the bus system in the Precise Plan area and, in partnership with the City and other member agencies, will make service changes over time based on the equitable distribution of the performance measures (i.e., vehicle load, vehicle headways, on-time performance, service availability, and ridership productivity). Consistent with the VTP 2040 (2014), the existing transit circulation would be modified in the future and adjusted periodically based on VTA's latest transit service plan. The proposed changes would not conflict with planned transit facilities and services or conflict with adopted transit plans, guidelines, policies, or standards. Additionally, the proposed project is supportive of the transit use and standards and guidelines in the Mobility chapter of the Precise Plan. For these reasons, the project (under either option) would not conflict with a transit program, plan, ordinance or policy, and would not result in a new or substantially more severe significant transit impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Significant and Unavoidable Impact])**

Impact TRN-2:	**Both Options:** The project (under either option) would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). **(New Impact [Less than Significant Impact])**

At the time the 2017 EIR was prepared, SB 743 and the City's VMT Policy were not adopted. The VMT generated from the buildout of the Precise Plan was calculated for the 2017 EIR and used as an input for the air quality, GHG, and energy analyses. The City's VMT Policy states that projects approved prior to adoption of the City's VMT Policy are considered exempt from the policy. However, because the project (under either option) includes more development than evaluated in the 2017 EIR for the approved Precise Plan project, it is subject to the City's VMT Policy.

As discussed in Section 3.3.1.1, for a project of this size, the City considers a project to have a less than significant VMT impact if the project's total VMT is 15 percent below the existing regional total VMT per service population. As discussed in Section 3.3.1.2, the existing regionwide total VMT per service population is 29.95. As the significance threshold is 15 percent below this average, the corresponding threshold is 25.46 VMT per service population. The project would result in a significant VMT impact if it exceeds this threshold.

The proposed project's land use mix, TDM plan, and 35 percent SOV mode share target were entered into the City's Travel Model to calculate total project-generated VMT. As shown in Table 3.4-3 below, the project's total VMT per service population (under either option) of 25.13 would not exceed the significance threshold of 24.46; thus, the project would result in a less than significant VMT impact. **(New Impact [Less than Significant Impact])**

Table 3.4-3: Total Project-Generated VMT			
	Total VMT	**Service Population**	**VMT per Service Population**
Project (under either option)	634,710	25,260	25.13
Significance Threshold			25.46
Exceed Threshold?			No
Source: Fehr & Peers. *North Bayshore Master Plan: Transportation Analysis*. December 2022.			

Impact TRN-3: **Both Options:** The project (under either option) 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). **(Same Impact as Approved Project [Less than Significant Impact])**

The 2017 EIR concluded that implementation of the Precise Plan would not result in increased hazards due to a geometric design or incompatible land uses because future development would comply with Precise Plan standards for street design.

Site access is described in detail in Section 2.3.9 Site Access, Circulation, and Parking and shown on Figure 2.3-4. Main vehicle access to the project site (under either option) would be provided via North Shoreline Boulevard, Charleston Road, and Amphitheatre Parkway. Overall, the project assumes buildout of the conceptual Precise Plan roadway network (see Figure 2.3-4) with minor modifications, including a proposed one-way section of Shorebird Avenue east of Shoreline and proposed private streets including Grove Street, Willow Street, Monarch Street between Grove Street and Manzanita Street, and Manzanita Street between Charleston Avenue and Shorebird Avenue. In addition, a series of new neighborhood and service streets would distribute traffic and facilitate circulation throughout the project site. The proposed driveways would be required to meet design and sight distance requirements identified in the City's zoning ordinance. All proposed roads would be designed in accordance with Precise Plan and Fire Code requirements (which is also discussed under Impact TRN-1 above). The proposed driveways and roadways under either project option, therefore, would meet all required standards and not create design hazards.

The proposed project (under either option) would be required to implement the following City standard condition of approval to reduce any safety hazards from construction traffic and equipment on the roadway.

Standard Condition of Approval:

COA TRN-3.1: **Both Project Options: Construction Management Plan:** Upon submittal of the initial building permit and all subsequent building permit submittals, the applicant shall provide a construction traffic and parking management plan with the building plans. The plan must be approved prior to the issuance of a building permit, including demolition. The plan must show the following:

1. Truck Route: Truck route (to and from project site) for construction and delivery trucks pursuant to City Code Sections 19.58 and 19.59 and which does not include neighborhood residential streets;
2. Construction Phasing, Equipment, Storage, and Parking: Show and identify construction vehicle and equipment parking area, material storage and lay-down area, sanitation facilities, and construction trailer location for each phase of construction. All construction vehicles, equipment, and trailer shall be located on-site or at a site nearby (not on a public street or public parking) arranged by the permittee/contractor. Construction equipment, materials, or vehicles shall not be stored or parked on public streets or public parking lots, unless approved by the Public Works Director due to special conditions. Construction contractors/workers are required to park on-site or at a private property arranged by the permittee/contractor and shall not be allowed to use neighboring streets for parking/storage; and
3. Sidewalks: Sidewalk closure or narrowing is not allowed during any on-site construction activities.
4. Traffic Control and Detour Plans: Traffic control plans, including detour plans, shall be submitted to the Public Works Department for review and approval and included with building permit plans to the Building Inspection Division for any on-site improvements and/or work related to any phase of the construction management plan that requires temporary roadway closure, lane closure, shoulder closure, and/or bike lane closure. Pedestrian detour plans shall be provided when necessary. Traffic control plans shall be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD). A completed Traffic Control Checklist shall be included with each traffic control plan submittal. A separate Excavation Permit from the Public Works Department may be required prior to issuance of the building permit.

The implementation of the above standard condition of approval would reduce hazards from construction vehicles and equipment by implementing a plan that would manage construction traffic on public roadways.

The project (under either option) proposes office, residential, retail, civic/community uses and open space consistent with the mix of uses envisioned for the area in the Precise Plan. The project (under either option) does not propose a new use or a use that is incompatible with the existing mix of uses in the project vicinity and would implement the above condition of approval to reduce construction-related hazards. For these reasons, the project (under either option) would not increase hazards due to a geometric design feature or incompatible use. **(Same Impact as Approved Project [Less than Significant Impact])**

Impact TRN-4:	The project (under either option) would not result in inadequate emergency access. **(Same Impact as Approved Project [Less than Significant Impact])**

The 2017 EIR concluded that implementation of the Precise Plan would not result in inadequate emergency access because streets would be designed to meet MVFD and City zoning ordinance standards regarding emergency vehicles.

As shown in Figure 2.3-4, emergency vehicles would be able to access the project site from North Shoreline Boulevard, Charleston Road, or Amphitheatre Parkway, all project driveways and service roads, and an emergency fire lane/multi-use path at the east end of Charleston Road in the northeast corner of the project site. In addition, the final site design would be reviewed by the MVFD for consistency with applicable fire department and zoning ordinance standards regarding emergency vehicles. For these reasons, the project (under either option) would not result in inadequate emergency access or a new or substantially more severe significant impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

3.4.2.2 *Cumulative Impacts*

Impact TRN-C:	**Both Options:** The project (under either option) would not result in a cumulatively considerable contribution to a significant cumulative transportation impact. **(New Impact [Less than Significant Cumulative Impact])**

Consistency with Program, Plan, Ordinance, or Policy Addressing the Circulation System

The 2017 EIR concluded that implementation of the Precise Plan (which includes development of the proposed project) would result in significant and unavoidable LOS deficiencies under cumulative conditions; however, as discussed under Impact TRN-1, vehicle congestion and delay can no longer constitute a significant impact under CEQA. As such, the project's consistency with the City's LOS policy is not relevant under CEQA.

The cumulative conditions have not substantially changed since the certification of the 2017 EIR. While the project (under either option) includes slightly more development than evaluated in the 2017 EIR, as discussed under Impact TRN-1, the project would result in the same consistency with programs, plans, ordinances, and/or policies related to the roadway, transit, bicycle, and pedestrian facilities. For this reason, the project (under either option) would not result in a new or substantially more severe significant cumulative impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project)**

Vehicle Miles Traveled

As discussed in Section 3.3.1.1, for a project of this size, the City considers a project to have a less than significant cumulative VMT impact if the project changes the boundary VMT per service population for the region. Therefore, the project would result in a significant cumulative VMT impact if it causes the cumulative regionwide daily boundary VMT per service population to be greater than 17.22 miles.

The change in boundary VMT between the cumulative and cumulative plus project conditions (under either option) shows the combined effect of shifts in VMT due to land use and transportation network changes in the region, shifts in existing traffic to alternate travel routes or modes, and new VMT from additional land use development in the region. As shown in Table 3.4-4 below, boundary VMT per service population under cumulative with project conditions (under either option) is the same as under cumulative conditions; therefore, the project (under either option) would not have a cumulatively considerable contribution to a significant cumulative VMT impact. **(New Impact [Less than Significant Cumulative Impact])**

Table 3.4-4: Boundary VMT Assessment

	Cumulative Condition	Cumulative with Project Condition
Boundary VMT	129,777,430	129,755,020
Service Population	7,535,570	7,535,390
Boundary VMT per Service Population	17.22	17.22
Significance Threshold		17.22
Exceed Threshold?		No

Source: Fehr & Peers. *North Bayshore Master Plan: Transportation Analysis*. December 2022.

Hazards due to Geometric Design Feature or Incompatible Uses

The 2017 EIR concluded the cumulative projects (including the Precise Plan) would not result in a significant cumulative impact related to hazards due to a geometric design feature or incompatible use.[76]

The cumulative conditions have not substantially changed since the certification of the 2017 EIR. The project (under either option), as discussed under Impact TRN-3, would comply with Precise Plan and Fire Code standards and requirements consistent with the assumptions in the 2017 EIR for a less than significant impact. In addition, the project (under either option) would implement a standard condition of approval to reduce construction-related hazards. The project (under either option), therefore, would not result in a new or substantially more severe significant cumulative impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Cumulative Impact])**

Emergency Access

The 2017 EIR concluded the cumulative projects (including the Precise Plan) would not result in a significant cumulative impact due to inadequate emergency access.[77] because streets would be designed to meet MVFD and City zoning ordinance standards regarding emergency vehicles.

[76] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Pages 404-540.
[77] Ibid.

The cumulative conditions have not substantially changed since the certification of the 2017 EIR, with the exception of the project (under either option) including slightly more development than evaluated in the 2017 EIR. As discussed under Impact TRN-4, the proposed project (under either option) would be designed to meet MVFD and City zoning ordinance standards regarding emergency vehicles, consistent with the assumptions in the 2017 EIR for a less than significant impact. Therefore, the project (under either option) would not result in a new or substantially more severe significant cumulative impact in regard to emergency access than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Cumulative Impact])**

3.4.3 Conclusion

	Impact	Same/Similar Impact Analyzed in 2017 EIR	Significance Before Mitigation	Mitigation	Significance After Mitigation
TRN-1:	**Both Project Options:** The project would not result in a new or substantially more severe significant conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian facilities than disclosed in the 2017 EIR.	Yes	LTS pursuant to SB 743	None required pursuant to SB 743	LTS pursuant to SB 743
TRN-2:	**Both Project Options:** The project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).	N/A	LTS	None	N/A
TRN-3:	**Both Project Options:** 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).	Yes	LTS	None	N/A
TRN-4:	**Both Project Options:** The project would not result in inadequate emergency access.	Yes	LTS	None	N/A
TRN-C:	**Both Project Options:** The project would not result in a cumulatively considerable contribution to a significant cumulative transportation impact.	Yes	LTS pursuant to SB 743	None required pursuant to SB 743	LTS pursuant to SB 743
Abbreviations: SU = Significant and Unavoidable, LTS = Less than Significant Impact, N/A = Not Applicable					

3.5 UTILITIES AND SERVICE SYSTEMS

The following discussion is based on a Utility Impact Study (UIS) and a Water Supply Assessment (WSA) completed by Schaaf & Wheeler in December 2022. The UIS and WSA are included as Appendix J and Appendix K, respectively

3.5.1 Environmental Setting

The existing utilities and service systems setting, including regulatory framework and existing site conditions, has not substantially changed since the certification of the 2017 EIR.

3.5.1.1 *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. Subsequent to the certification of the 2017 EIR, 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.

Senate Bill 966

SB 966 required that the state board adopt regulations for risk-based water quality standards for the on-site treatment and reuse of nonpotable water. These regulations allow local jurisdictions to electively establish a program for on-site treated nonpotable water systems that includes the risk-based water quality standards established by the state board. These standards include reduction targets for the removal of pathogens from the treated water, water quality monitoring requirements, reporting requirements, notification and public information requirements, and cross-connection controls. Installation of on-site treated nonpotable water systems is prohibited unless they are regulated under a program established by a local jurisdiction in compliance with the provisions outlined in SB 996.

Senate Bill 610

SB 610 amended state law, effective January 1, 2002, to improve the link between information on water supply availability and certain land use decisions made by cities and counties. SB 610 requires preparation of a WSA containing detailed information regarding water availability to be provided to the decision-makers prior to approval of specified large development projects that also require a General Plan Amendment. This WSA must be included in the administrative record that serves as the evidentiary basis for an approval action by the city or county on such projects. Under SB 610, WSAs must be furnished to local governments for inclusion in any environmental documentation for certain projects subject to CEQA. Pursuant to the California Water Code (Section 10912[a]), projects that require a WSA include any of the following:

- A proposed residential development of more than 500 dwelling units;
- A proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space;
- A proposed commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space;
- A proposed hotel or motel, or both, having more than 500 rooms;
- A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area;
- A mixed-use project that includes one or more of the projects identified in this list; or
- A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500 dwelling unit project.

California Green Building Standards Code

In January 2010, the State of California adopted CALGreen, establishing mandatory green building standards for all buildings in California. The code covers five categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and indoor environmental quality. These standards include the following mandatory set of measures, as well as more rigorous voluntary guidelines, for new construction projects to achieve specific green building performance levels:

- Reducing indoor water use by 20 percent;
- Reducing wastewater by 20 percent;
- Recycling and/or salvaging 50 percent of nonhazardous construction and demolition debris; and
- Providing readily accessible areas for recycling by occupants.

Local

Mountain View 2030 General Plan

The General Plan contains goals and policies to avoid significant impacts to utility and service systems. The following goals and policies are applicable to the proposed project (under either option).

Policy	Description
Infrastructure and Conservation	
INC 1.3	**Utilities for new development.** Ensure adequate utility service levels before approving new development.
INC 1.4	**Existing capital facilities.** Maintain and enhance existing capital facilities in conjunction with capital expansion.
INC 1.5	**Utility service.** Coordinate with all utility providers to ensure safe and adequate utility services.
INC 3.7	**Recycled water separation.** Ensure that expansion of recycled water infrastructure in the public right-of-way with other utilities adheres to separation criteria provided by the California Department of Drinking Water and complies with the City of Mountain View standards.
INC 4.1	**Water supply.** Maintain a reliable water supply.
INC 5.1	**Community awareness.** Raise community awareness about water use efficiency and water conservation.
INC 5.2	**Citywide water conservation.** Reduce water waste and implement water conservation and efficiency measures throughout the city.
INC 5.3	**Water reuse.** Remove barriers and provide guidance for the use of rainwater and graywater as alternative water supplies.
INC 5.4	**Smart water meters.** Encourage water meter technologies that provide water usage feedback to customers.

Policy	Description
INC 5.5	**Landscape efficiency.** Promote water-efficient landscaping including drought-tolerant and native plants, along with efficient irrigation techniques.
INC 5.6	**Indoor efficiency.** Promote the use of water-efficient fixtures and appliances.
INC 5.7	**Leadership in City facilities.** Provide leadership by promoting water use efficiency, water conservation and the use of recycled water at City-owned facilities.
INC 7.2	**Recycled water system.** Expand the use and availability of recycled water throughout the city.
INC 8.4	**Runoff pollution prevention.** 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 8.5	**Site-specific stormwater treatment.** Require post-construction stormwater treatment controls consistent with MRP requirements for both new development and redevelopment projects.
INC 8.7	**Stormwater quality.** Improve the water quality of stormwater and reduce flow quantities.
INC 10.3	**Source reduction.** Encourage and promote source reduction behavior such as utilizing reusable, returnable and repairable goods.
INC 11.1	**Waste diversion and reduction.** Meet or exceed all federal, state and local laws and regulations concerning solid waste diversion and implementation of recycling and source reduction programs.
INC 11.2	**Recycling.** Maintain and expand recycling programs.
INC 11.3	**Composting.** Provide productive reuse or composting services or both for all discarded organic materials in the city, including all food and green waste.
INC 11.4	**Solid waste.** Ensure all municipal solid waste generated within the city is collected, transported and disposed of in a manner that protects public health and safety.
Public Safety	
PSA 3.5	**Peak water supply.** Ensure sufficient peak-load water supply to address fire and emergency response needs when approving new development.

North Bayshore Precise Plan

The Precise Plan contains standards and guidelines to avoid significant utility and service systems impacts. The following guidelines are applicable to the proposed project.

Standard	Description
3.5.4 Access and Utilities Connections	
2	**Utility connections**. New development shall coordinate and incorporate master utility connections.
4.1 Green Building Design	

Standard	Description
1	**Non-residential green building standard.** All new non-residential construction shall meet the intent of LEED BD+C Gold or an alternative green building standard,20 the mandatory CALGreen requirements, and other standards outlined in the Precise Plan.
2	**Non-residential green building FAR bonuses.** The City may permit green building FAR bonuses to new nonresidential construction projects that exceed the green building design requirements in the Land Use and Design Chapter.
3	**Non-residential building additions or alterations.** Non-residential building additions of 1,000 square feet or greater, and/or building alteration with a permit valuation of $200,000 or above, or the most current required permit valuation as determined by the City, shall meet the mandatory CALGreen requirements.
4	**Residential green building standards.** All new residential construction shall meet the City's minimum green building requirements, mandatory CALGreen requirements, and other green building regulations outlined in the Precise Plan.
5	**Residential green building standards for the North Bayshore Density Bonus Program.** All new residential construction participating in the North Bayshore Density Bonus Program shall implement the green building measures specified in Appendix B (of the Precise Plan).
6	**Publicly-financed buildings.** All new publicly-financed buildings and City-funded capital improvement projects over 10,000 square feet shall meet the intent of LEED BD+C Gold and the mandatory CALGreen requirements.
4.3 Water Efficiency and Conservation	
1	**Non-residential indoor water use performance.** New non-residential construction shall meet the baseline indoor water performance standards defined by LEED BD+C prerequisites and mandatory CALGreen requirements. Indoor water use performance standards may be achieved through plumbing fixtures and fixture fittings and/or appliances.
2	**Non-residential outdoor water use performance.** New non-residential construction shall meet the baseline outdoor water performance standards defined by LEED BD+C prerequisites and mandatory CALGreen requirements. Outdoor water use performance standards may be achieved using any combination of efficiency, alternative water sources, and smart scheduling techniques.
3	**Non-residential metering.** New non-residential construction shall meet the mandatory CALGreen requirements for indoor and outdoor water metering.
4	**Irrigation design.** All new construction shall install weather- or soil moisture-based irrigation controllers, per the Mountain View Water Conservation in Landscaping Regulations.
5	**Outdoor landscaping.** All new construction shall comply with the City's Water Conservation in Landscaping Regulations. Habitat restoration projects may be exempt from this standard, following review by the Public Works Director.
6	**Recycled Water Ordinance.** All North Bayshore buildings connected to the recycled water system are required to use recycled water for landscape irrigation. Water features that provide habitat and specific habitat enhancement components of landscaping projects may be exempt, following review by the Public Works Director.

Standard	Description
7	**Use of recycled water for construction.** Where available and subject to City approval, recycled water shall be used during new construction for activities such as road and pad construction and dust control.
8	**Connection to the recycled water system.** When the recycled water system is adjacent to the property, all new construction shall install the infrastructure necessary to connect to the recycled water system. If recycled water is not available, all new construction is required to construct the on-site irrigation to be recycled water conversion ready per the City's standards and to connect to the recycled water system once the system is complete.
9	**Infiltration and inflow elimination.** All new construction in known areas of groundwater infiltration shall provide upgraded pipes from the building to the sanitary sewer system main to help reduce groundwater infiltration and inflow.
10	**Dual-plumbed buildings.** All new construction shall install dual plumbing for potable and recycled water use, per the City's most current codes. Dual-plumbed buildings shall be equipped with potable back-up systems in the event of recycled water outages. [78]
4.4 Stormwater	
1	**Post-construction stormwater controls.** Regulated new construction and redevelopment construction projects, residential and non-residential, shall meet or exceed the stormwater requirements contained under Provision C.3 of the Bay Area MRP.
2	**Retrofitting existing streets to green streets.** Any new development or redevelopment project shall retrofit existing streets with stormwater treatment in accordance with the MRP and the City's Green Infrastructure Plan.
3	**Trash capture.** As determined by the City, all new construction shall include installation of partial and/or full trash capture systems within a portion of the storm drain system.
4.5 Materials Management	
1	**Areas for waste, compost, and recycling.** All new construction shall provide dedicated areas accessible to waste haulers and building occupants for the collection and storage of recycling, compost, and general waste.
2	**Construction waste reduction.** All new construction, additions, and alterations shall recycle or salvage 65% of nonhazardous construction and demolition debris generated at the site.
3	**Containers for recyclables, compostables, and waste.** Separate containers for recyclables, compostables, and waste shall be placed in all indoor and outdoor areas for all uses, including all gathering areas, such as cafeterias and break rooms.
7.3 Sanitary Sewer	
1	**Upgrade timing.** Sewer infrastructure upgrades should occur in advance of transportation and streetscape improvements and in conjunction with other utility upgrades.
2	**Ongoing maintenance and system replacement.** Maintenance and system replacement projects should occur in conjunction with future North Bayshore development.

[78] The City Code has been revised since the certification of the 2017 EIR. Section 8.30.5. of the most current version of City Code states that dual plumbing is only required for commercial buildings larger than 25,000 square feet.

Standard	Description
7.4 Stormwater	
1	**Impervious surface.** During site redevelopment, all new construction is encouraged to reduce the amount of impervious surface on a site.
2	**Vegetated roofs.** All new construction and additions are encouraged to install vegetative roofs to reduce and slow stormwater runoff and to filter pollutants from rainfall.
3	**Design for sea level rise.** Stormwater infrastructure should be designed to accommodate sea level rise and coastal flooding by incorporating system enhancements such as increased drainage system capacity and higher on-site stormwater capture.
7.6 District Energy	
1	**Coordination.** Project developers should work with the City, utilities, and other partners as appropriate to ensure coordinated implementation of district energy that is timely, avoids duplication of infrastructure and services, and ensures adequate space for pipes. Energy generation siting should be included in plans as they are submitted for approval. The project developer is encouraged to begin these discussions in advance of specific development proposals to ensure timely delivery of services.
2	**District energy system authorization.** Projects may include proposals for the design, construction, installation, maintenance, operation, repair, and management of a district energy system in North Bayshore. Approval of energy system projects shall be at the discretion of the Mountain View City Council.
3	**Ownership of district energy system.** Unless otherwise determined by the City, ownership of the property containing a district energy system will remain with the project developer or property owner.
4	**Utility lines and the public right-of-way.** If the City supports approval of a district energy project, utility infrastructure may be installed to cross the public right-of-way or properties under the control of public utilities or other public agencies with consent of the City and / or other controlling agencies, such as PG&E and the Santa Clara Valley Water District, to connect buildings.
7.7 Other District-Scale Infrastructure Opportunities	
1	**Regulatory compliance.** The City has numerous requirements pertaining to stormwater discharge quality, sewer system management plan concurrence, and water and recycled water operation. Any district-scale infrastructure proposals shall conform to existing permit requirements in the area.
2	**Coordination.** The project developer will work with the City, utilities, and other partners as appropriate to ensure the coordinated implementation of district-scale infrastructure that is timely, and ensures that a place for the physical siting of systems is accommodated in plans as they are submitted for approval. The project developer is encouraged to begin these discussions in advance of specific development proposals to ensure timely delivery of services.
3	**District-scale infrastructure authorization.** Projects may propose the design, construction, installation, maintenance, operation, repair, and management of a district-scale system in

Standard	Description
	North Bayshore. Approval of projects shall be at the discretion of the Mountain View City Council and compliant with all applicable regulations.
4	**Ownership of district scale system.** Unless otherwise determined by the City, ownership of the property containing the core components of a district-scale system will remain with the project developer or property owner.
5	**Service lines and the public right-of-way.** If the City supports approval of a district-scale project, the project developer may install infrastructure that crosses the public right-of-way or properties under the control of public utilities or other public agencies with consent of the City and / or other controlling agencies to connect buildings.
6	**Peer review of supporting information.** The City may require a peer review of the project by an independent third-party consultant.

North Bayshore Storm Drain Master Plan

The North Bayshore Storm Drain Master Plan was prepared in 2014 to evaluate the capacity of the storm drain system serving the entire North Bayshore area, which includes the Precise Plan area, and to identify a prioritized plan of capital improvements to reduce the risk of flood, improve system reliability, and reduce operations costs.

Recycled Water Feasibility Study

The City completed an update of the 2014 Recycled Water Feasibility Study in March 2022. The updated Study evaluates the existing recycled water infrastructure in the City, existing base of recycled water users, and the recommendations that were previously made regarding the expansion of the recycled water system. The Study also provides an analysis of potential project alternatives for expanding recycled water infrastructure and presents recommendations on those alternatives and financing opportunities.

3.5.1.2 *Existing Conditions*

Water Supply and Demand

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. Per a 2017 agreement with the SFPUC, the City is allocated a maximum guarantee of 12.46 mgd (13,957 AFY) in water supply. In 2020, the City's water supply production was 84 percent SFPUC, 10 percent Valley Water, two percent groundwater, and four percent recycled water. As of 2020, the City's water demand is 9,856 AFY and City has sufficient supply.[79] When accounting for recent updates to the plumbing code, the UWMP has a projected citywide water demand of 12,058 AFY in 2025 and 14,163 AFY in 2045.[80]

[79] City of Mountain View. *2020 Urban Water Management Plan*. June 2021. Page 34.
[80] Ibid. Page 18.

The existing land uses on the project site have a potable water demand of approximately 238,900 gallons per day (gpd) or 268 AFY.[81] The project site is served by existing water mains along North Shoreline Boulevard, Charleston Road, Shorebird Way, Space Park Way, Plymouth Street, Pear Avenue, Joaquin Road, and Huff Avenue.

Recycled water for the project site is sourced from the PARWQCP and supplied to the City's network via the Palo Alto Pump Station. Recycled water service in the vicinity of the project site is currently provided via existing mains in Huff Avenue, Joaquin Road, Plymouth Street, North Shoreline Boulevard, and Charleston Avenue. The City has a peak supply allocation of 3.0 million gallons per day (mgd) from the PARWQCP and the current demand for recycled water on-site is 70,550 gpd under existing conditions.[82] The existing Peak Hour Demand (PHD) for recycled water within the North Bayshore Pressure Zone is 4.4 mgd, which exceeds the City's contract recycled water supply of 3.0 mgd.[83] The project site is served by existing recycled water mains along North Shoreline Boulevard, Charleston Road, Plymouth Street, Pear Avenue, Joaquin Road, and Huff Avenue.

Water System

Water Storage

The State Water Resources Control Board Division of Drinking Water (DDW) recommends cities to store enough water to meet eight hours of Maximum Day Demand (MDD) in addition to fire flow volume. In order to meet DDW requirements, the City must have storage capacity for 13.97 million gallons (mg) of water. The City's maximum water storage capacity is approximately 17 mg; however, the City currently operates with only the operational active storage of 14.3 mg which provides sufficient storage capacity for current needs.

Hydraulic Conveyance

The water system must meet a minimum allowable pressure level of 40 pound-force per square inch (psi) under the PHD scenario. Mountain View is split into three different pressure zones, and the project site is located in Pressure Zone 1. Under existing conditions, the pressure citywide (i.e., in all three pressure zones) under the PHD scenario meets the performance criteria of 40 psi.

Fire Flow

Based on existing conditions, the fire flow rate required for the fire flow nodes servicing the project site ranges from 1,500 to 3,500 gallons per minute (gpm). Of the 12 existing fire flow nodes in the project area, two fire flow nodes do not meet their respective required fire flow rate and are considered deficient. Although these nodes do not meet their required fire flow rates, the City has the ability to transfer water between pressure zones via pump stations and control valves. Therefore, deficient storage in one zone may be supplemented by excess storage in another zone if necessary. There are several other nodes outside of the project site in Pressure Zone 1 with existing deficiencies that do not meet the required flow rate. Refer to Appendix J for the location of deficient nodes.

[81] Schaaf & Wheeler. *North Bayshore Master Plan Utility Impact Study.* December 16, 2022. Page. 2-7.
[82] Ibid. Page 6-2
[83] Ibid. Page 7-2

Wastewater Treatment and Sanitary Sewer System

Wastewater Treatment

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 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.[84] Compared to the average wastewater flow of previous years (18.4 mgd in 2015 and 22.0 mgd in 2010), the average wastewater flow in 2020 was substantially lower.[85,86]

Sanitary Sewer System

The existing buildings on-site are estimated to generate approximately 57 mg of wastewater per year, or 156,906 gpd. The project site is served by existing sewer mains along North Shoreline Boulevard, Charleston Road, Shorebird Way, Space Park Way, Plymouth Street, Pear Avenue, Joaquin Road, and Huff Avenue.

The performance criteria of the sanitary sewer system is calculated by dividing the maximum flow depth of the sewage by the diameter of the pipe (d/D). Based on the City's standard design guidelines, for pipes with a diameter equal to or less than 12 inches, a d/D performance criteria ratio of 0.50 or less is considered adequate and any ratio higher than that would be considered deficient. Pipes with a diameter greater than 12 inches would have to meet a d/D performance criteria ratio of 0.75 or lower to be considered adequate, and any ratio higher than that would be considered deficient.

Under existing conditions, most of the sewer system along the project flow path meets the City's d/D performance criteria with the exception for one segment which exceeds the d/D performance criteria of 0.50 with a d/D performance criteria of 0.5267. Although this segment exceeds the performance criteria, the pipe is flowing slightly over half-full and is not close to surcharging.

Stormwater Drainage

The storm drainage system that serves the project site is owned and maintained by the City of Mountain View. As discussed in Section 4.7 Hydrology and Water Quality, the Precise Plan area, which most of the project site is a part of, contains an average of 85 percent impervious surfaces.[87] The project site, including Subarea AM1 which is outside of the Precise Plan area, is currently developed and primarily covered in impervious surfaces.

Stormwater runoff from the project site is collected by a municipal storm drain system consisting of storm drain inlets, conveyance pipes (in North Shoreline Boulevard, Charleston Road, Shorebird Way, Space Park Way, Plymouth Street, Pear Avenue, Joaquin Road, and Huff Avenue), culverts, channels

[84] City of Mountain View. *2020 Urban Water Management Plan.* June 2021. P. 31.
[85] City of Mountain View. *2015 Urban Water Management Plan.* June 2016. P. 40.
[86] City of Mountain View. *2010 Urban Water Management Plan.* June 2011. P. 5-10.
[87] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Page 318.

and retention basins. Drainage into the City system generally flows north towards the San Francisco Bay.

Solid Waste

Solid waste, recycling, and composting collection services for residents and businesses in Mountain View are provided by Recology Mountain View. Once collected, solid waste and residential recyclables are transported to the SMaRT Station® in Sunnyvale. Commercial recyclables are processed at GreenWaste Recovery in San Jose. Commercial compostables are transported to Recology's Blossom Valley Organics North composting facility in Vernalis and residential compostables to Recology's South Valley Organics facility in Gilroy. Non-recyclable waste is transported from the SMaRT Station 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.[88]

Electric Power and Telecommunication 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 PG&E and/or SVCE.

3.5.2 Impact Discussion

For the purpose of determining the significance of the project's impact on utilities and service systems, 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?
2) Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?
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?
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?
5) Be noncompliant with federal, state, or local management and reduction statutes and regulations related to solid waste?

[88] Azevedo, Becky. Waste Management Technical Manager. Personal communications. December 27, 2021.

3.5.2.1 *Project Impacts*

Impact UTL-1:	**Project and Project with District Utilities System Option:** 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. **[New Impact (Less than Significant Impact)]**

The analysis in the 2017 EIR determined that the existing water delivery system could not maintain required system pressures and serve the increase in development resulting from implementation of the Precise Plan.[89] In order to meet the minimum pressure criteria during peak hour demand conditions, one additional CIP, in conjunction with CIPs identified in the 2030 General Plan Update UIS (GPUUIS), is required.[90]

Similarly, the analysis in the 2017 EIR determined the addition of flows from buildout of the Precise Plan would cause the existing sewer system to exceed the City's d/D performance criteria.[91] In order to meet the d/D performance criteria, three additional CIPs in conjunction with the CIPs identified as part of the GPUUIS would be required.

In addition, the 2017 EIR found that implementation of the North Bayshore Storm Drain Master Plan and adherence to the identified Precise Plan stormwater management standards and guidelines would address any existing deficiencies in the storm drain system and reduce the potential impacts of future development to a less than significant level.[92]

The conclusions in the 2017 EIR were based on plan level designs and general assumptions about future development patterns within the Precise Plan area. A project-specific UIS was prepared for the project (see Appendix J) that provided more refined modeling and identified additional deficiencies within the City's utility system. The results of the project-specific UIS and additional deficiencies are summarized below.

Project

Water System

The water system is comprised of four components: water storage, hydraulic conveyance, fire flow, and the recycled water system. The project's impacts on these components are discussed below.

[89] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report.* State Clearinghouse #2013082088. March 2017. Pages 556 to 558.
[90] Ibid. Page 556.
[91] Ibid. Pages 559 to 561.
[92] Ibid. Pages 561 to 562.

Water Storage

The DDW requires storage capacity equal to eight hours of maximum day demand plus fire flow storage in each pressure zone, which equates to a total required storage capacity of 13.87 mg in the City under future conditions. With the proposed project (under either option), this required storage capacity would increase to 13.97 mg. The existing maximum active water storage capacity in the City is 17 mg and the City operates with an operational storage of 14.3 mg. Thus, the City has the storage volume available to meet the DDW requirements under existing plus project conditions (under either option). The project (under either option), therefore, would not result in a new or substantially more severe significant impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

Hydraulic Conveyance

Under project conditions, it is assumed that additional planned water mains have been installed in Monarch Street between North Shoreline Boulevard and Huff Avenue, in the southeastern area of the project site, and across US 101. It is assumed the new pipes are eight-inches in diameter except for the pipe along the new Pear Avenue and the piping in Monarch Street, which are assumed to be 12-inches in diameter. The analysis in the UIS concluded that under existing plus project (under either option) conditions, the pressure citywide (i.e., in all three pressure zones) under the PHD scenario would meet the performance criteria of 40 psi and would have a less than significant impact on pressure levels. The project (under either option), therefore, would not result in a new or substantially more severe significant impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

Fire Flow

As discussed in Section 4.5.1.2, the current fire flow rate required for the project site ranges from 1,500 to 3,500 gpm. Two out of the 12 existing fire flow nodes servicing the project site do not meet the required fire flow rate and are considered deficient. In addition, there are several other off-site nodes within Pressure Zone 1 with existing deficiencies. After project implementation, the fire flow rates required for the project site would increase up to 4,000 gpm to accommodate the increase in development density. In addition, after project implementation, one of the existing deficiencies on-site would be resolved, two new deficiencies would be created, and one existing deficiency would slightly worsen. These on-site deficiencies would all be corrected through implementation of the CIPs identified in the GPUUIS. Implementation of the project would also contribute to the existing off-site deficiencies within Pressure Zone 1. However, the project's contribution to those existing off-site deficiencies would be less than two percent and, therefore, considered to have a minimal impact. For these reasons, the project (under either option) would have a less than significant impact on required fire flow rates at the project site and would not result in a new or substantially more severe significant impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

Recycled Water System

As discussed in Section 3.5.1.2, the City has a peak recycled water supply allocation of 3.0 mgd from the PARWQCP and the current demand for recycled water on-site is 70,550 gpd under existing conditions.[93] After project implementation, the demand for recycled water would increase at the project site by 576,674 gpd for a total of 647,224 gpd. In the North Bayshore pressure zone, the pre-project PHD would increase from 4.4 to 9.95 mgd. Based on the currently available maximum supply allocation of 3.0 mgd from the PARWQCP, the treatment plant does not provide sufficient supply allocation capacity to meet existing or existing plus project PHD. To address this issue, the City identified the need for in-system operational storage reservoirs and an additional pump station in the City's Recycled Water Feasibility Study (RWFS) Update, which is currently funded and undergoing planning and design for implementation. Separate environmental review would be required once the reservoirs and pump station are designed.[94] The project would pay the impact fee towards the cost of these planned improvements.

In evaluating the project's impact on the hydraulic performance of the existing recycled water system, it was assumed that the PARWQCP and the City would be able to provide enough recycled water to meet the demand in the PHD scenario with a combination of increased supply and storage capacity and several new eight-inch recycled water mains proposed by the project would be installed to serve the project site.[95] With the construction of these improvements, and other operational changes, the system hydraulics are expected to be able to meet performance criteria system-wide under existing plus project conditions. **(Same Impact as Approved Project [Less than Significant Impact])**

Sanitary Sewer Infrastructure

The existing buildings on-site generate a sewer flow of approximately 57 mg per year (or 156,906 gpd). Under existing conditions, there is only one segment of the sewer system along the project flow path that exceeds the applicable maximum d/D performance criteria of 0.50 with a d/D performance criteria of 0.5267. The estimated sewer flow for the project (under either option) is approximately 367 mg per year (or 1,005,376 gpd), which is an increase of 848,470 gpd compared to existing conditions. The sewer system would not have sufficient capacity downstream of the project site after project implementation, consistent with the findings of the 2017 EIR.

The project's increase in sewer demand would result in additional segments of the sewer system that exceed their respective d/D performance criteria. In addition to the one existing pipe segment that is currently exceeding its performance criteria, eight new pipe segments would exceed the acceptable d/D performance criteria in the post-project scenario. All but three of the pipe segments exceeding their d/D performance criteria were previously recommended for upsizing in either the GPPUUIS or the UIS completed as part of the 2017 EIR. Of the three additionally identified pipes, two pipe segments along Huff Avenue would need to be upsized from eight-inches to 12-inches and one segment along Charleston Road would need to be upsized from 12-inches to 15-inches. The proposed project would pay the impact fee towards these planned improvements and pay its fair-share towards the three additionally identified pipes.

[93] Schaaf & Wheeler. *North Bayshore Master Plan Utility Impact Study.* December 16, 2022. Page 6-2
[94] City of Mountain View. *Recycled Water Feasibility Study*. March 2022. Page 3-9.
[95] Schaaf & Wheeler. *North Bayshore Master Plan Utility Impact Study.* December 16, 2022. Page 7-3

With these recommended improvements, there would be sufficient capacity to support the increased wastewater generated by the project. The environmental impacts associated with construction of the improvements identified in the GPUUIS and the UIS for the 2017 EIR were disclosed in the General Plan EIR and 2017 EIR.[96] The additionally identified improvements are within the project area and would be built in existing roadways and utility rights-of-way in conjunction with the development of each area, and are not expected to impact sensitive habitat areas or result in other environmental impacts, aside from construction-related effects that would be reduced to a less than significant level with the implementation of City standard conditions of approval (including temporary construction noise and air quality impacts and impacts to unknown buried cultural resources); thus, the upsizing of these pipe segments would not cause significant environmental effects. The project, however, would require upsizing of three additional pipes not previously disclosed in the General Plan EIR or 2017 EIR. Thus, this would be considered a new impact. **(New Impact [Less than Significant Impact])**

Stormwater Drainage Infrastructure

As discussed in Section 4.7 Hydrology and Water Quality, most of the project site is within the Precise Plan boundaries, which contains an average of 85 percent impervious surfaces.[97] The only portion of the project site outside of the Precise Plan area, Subarea AM1, is currently developed as surface parking and is primarily covered in impervious surfaces. The project (under either option) would dedicate approximately 18.9 acres of unimproved land to the City and construct approximately 11.7 acres of POPA open space. This would result in approximately 20 percent of the project site (i.e., 30.5 of the 151 acres) being dedicated parkland or POPA which would decrease the amount of impervious surfaces compared to existing conditions by approximately eight acres (or five percent). The decrease in impervious surfaces would proportionally reduce the amount of runoff on-site compared to existing conditions. As a result, the existing storm drain system would continue to accommodate flows from the site (under either option).

The project (under either option) would comply with the Precise Plan stormwater management standards and guidelines by:

- Complying with the General Construction Permit and current MRP;
- Retrofitting existing streets with stormwater treatments in accordance with the MRP and City policy; and
- Reducing the amount of impervious surface on-site.

The project (under either option) would pay impact fees to fund stormwater drainage CIPs identified in the North Bayshore Storm Drain Master Plan.[98] Based on the above discussion, the project (under either option) would not result in a new or substantially more severe significant impact than disclosed in the General Plan EIR or 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

[96] City of Mountain View. *City of Mountain View Draft 2030 General Plan and Greenhouse Gas Reduction Program EIR.* September 2012. P. 528.
[97] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Page 318.
[98] As disclosed in the 2017 EIR, the CIPs will undergo separate environmental review when designed.

Electric Power and Telecommunications Facilities

The project (under either option) would connect to existing telecommunications lines. The project would be 100 percent electric; no natural gas would be used. As such, the project would not require or result in the relocation or construction of new or expanded telecommunications or natural gas facilities.

As discussed in Section 2.3.4.1, electricity for the project site would be distributed from the Ames Substation operated by PG&E and located on the east side of Stevens Creek (see Figure 2.2-3). Possible modifications could be required at the Ames Substation and could include new breaker configurations, inbound and outbound connections, and distribution lines. It is expected that these modifications would occur entirely on the Ames Substation property, except for the distribution lines which would extend to the project site. The routing and configuration of the new distribution lines would be determined at the Planned Community Permit (PCP) stage in coordination with PG&E and would be designed to entirely avoid the bed, bank, and channel of Stevens Creek. The modifications would primarily be constructed at the existing, developed Ames Substation site and the distribution lines would avoid ecologically sensitive areas. The impacts associated with the construction of the improvements when designed would be subject to separate environmental review and would be anticipated to result in less than significant impacts in conformance with existing regulations and implementation of similar measures as the City's standard conditions of approval and mitigation measures discussed in this EIR. The project (under either option), therefore, would not result in a new or substantially more severe significant impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

Project with District Utilities System Option

Water System

Water Storage

Implementation of the project with District Utilities System Option would not alter the amount of water storage infrastructure in the City compared to the project without District Utilities System Option, therefore, the project with District Utilities System Option would result in the same water storage impact discussed above under the project heading. **(Same Impact as Approved Project [Less than Significant Impact])**

Hydraulic Conveyance

Implementation of the project with District Utilities System Option would not alter the hydraulic pressure levels within the City's water system compared to the project without District Utilities System Option, therefore, the project with District Utilities System Option would result in the same hydraulic conveyance impact discussed above under the project heading. **(Same Impact as Approved Project [Less than Significant Impact])**

Fire Flow

Implementation of the project with District Utilities System Option would not alter the fire flow rates available at the project site compared to the project without District Utilities System Option, therefore, the project with District Utilities System Option would result in the same fire flow impact discussed above under the project heading. **(Same Impact as Approved Project [Less than Significant Impact])**

Recycled Water System

As discussed above, the City has a peak recycled water supply allocation of 3.0 mgd from the PARWQCP and the current demand for recycled water on-site is 70,550 gpd under existing conditions. The project with District Utilities System Option includes a WRF that has the capacity to produce up to approximately 435,748 gpd of recycled water when fully operational. After implementation of the project with District Utilities System Option, the demand for recycled water from the PARWQCP would increase at the project site by 140,926 gpd for a total of 211,476 gpd. In the North Bayshore pressure zone, the PHD would increase from 4.4 mgd to 5.76 mgd with the project. Based on the currently available maximum supply allocation of 3.0 mgd from the PARWQCP, the treatment plant does not allocate sufficient supply to meet existing or existing plus project peak hour demands. As discussed above, to provide additional peak hour supply, the City is currently in the process of planning and designing an appropriate storage reservoir and pump station, consistent with the City's RWFS Update. The project would be required to pay the impact fee towards the cost of these planned improvements. In addition, the project proposes to install several new eight-inch recycled water mains to serve the project site. With the construction of these improvements and additional operational changes, the system hydraulics should be able to meet performance criteria system-wide under existing plus project conditions (under either option). **(Same Impact as Approved Project [Less than Significant Impact])**

Sanitary Sewer Infrastructure

Under the District Utilities System Option, the DCP would be operational and would have the capacity to treat a maximum daily flow of up to approximately 900,000 gallons of wastewater per day to produce non-potable recycled water for the project site. While fully operational, the project-specific UIS assumes that an average of approximately 435,748 gallons of wastewater per day would be treated and recycled at the DCP based on the areas of the project site that would have sanitary sewer connections to the DCP.[99] This would result in a sewer flow of 569,628 gpd that would need to be conveyed through the City's sanitary sewer system, which would be a 409,722 gpd increase compared to existing conditions. As a result, the sewer system would not have capacity downstream of the project site.

The increase in sewer demand from the project with District Utilities System Option would result in additional segments of the sewer system that exceed their respective d/D performance criteria compared to existing conditions. In addition to the one existing pipe segment that is currently exceeding its performance criteria, 10 new pipe segments would exceed the acceptable d/D

[99] As discussed in the Project Description, only development in the Shorebird Complete Neighborhood area would have sanitary sewer connections to the DCP.

performance criteria.[100] All but five of the pipe segments exceeding their d/D performance criteria were previously recommended for upsizing in either the GPPUUIS or the UIS completed as part of the 2017 EIR. Of the five additionally identified pipes, two pipe segments along Huff Avenue would need to be upsized from eight-inches to 12-inches, one segment along Charleston Road would need to be upsized from 12-inches to 15-inches, and two segments along Charleston Road would need to be upsized from eight-inches to 15-inches. The proposed project would pay the impact fee towards these planned improvements and its fair-share towards the five additionally identified pipe segment improvements. The environmental impacts associated with construction of the improvements identified in the GPUUIS and the UIS for the 2017 EIR were disclosed in the General Plan EIR and the 2017 EIR.[101] The additional improvements would be built in existing roadways and utility rights-of-way and are not expected to impact sensitive habitat areas or result in other environmental impacts, aside from construction-related effects (including temporary construction noise and air quality impacts and impacts to unknown buried cultural resources); thus, the upsizing of these pipe segments would not cause significant environmental effects beyond what was studied in prior EIRs.

With these recommended improvements, there would be sufficient capacity to support the increased wastewater generated by the project with District Utilities System Option. The project, however, would require upsizing of three additional pipes not previously disclosed in the General Plan EIR or 2017 EIR. Thus, this would be considered a new impact. **(New Impact [Less than Significant Impact])**

Stormwater Drainage Infrastructure

The project's impact to stormwater drainage infrastructure is the same under both options. Refer to the discussion above. **(Same Impact as Approved Project [Less than Significant Impact])**

Electric Power and Telecommunications Facilities

The project with District Utilities System Option would include an AD Facility within the WRF with two 65 kW microturbines that would utilize biogas to generate electricity. The resulting electricity and heat generated through this process would be used on-site. The construction and operational impacts of this are discussed throughout the EIR. The project with District Utilities System Option would require the same modifications to the existing electric infrastructure serving the site as discussed above. In addition to the modifications to the Ames Substation, the project with District Utilities System Option would likely include a Microgrid Controller at the DCP which would have the capability to distribute power during future local grid outages. The possible modifications to the Ames Substation, such as the construction of a new, 6-Breaker Ring Configuration and associated distribution lines, would be constructed within the existing, developed Ames Substation site and the distribution lines would avoid ecologically sensitive areas. The impacts associated with the potential construction of these improvements when designed would be subject to separate environmental review and would be anticipated to result in less than significant impacts in conformance with existing regulations and

[100] Pipe segments 174, 181, 183, and 185 would only exceed their d/D performance criteria in the event that the DCP is offline (i.e. planned or unplanned maintenance, replacement, or repair). The implementation of the CIPs that would upsize the two pipe segments along Charleston Road from eight-inches to 15-inches would prevent these deficiencies from occurring in the event that the DCP is offline.

[101] City of Mountain View. *City of Mountain View Draft 2030 General Plan and Greenhouse Gas Reduction Program EIR.* September 2012. P. 528.

implementation of similar measures as the City's standard conditions of approval and mitigation measures discussed in this EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

Impact UTL-2:	**Both Project Options:** The project (under either option) would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years. **(Same Impact as Approved Project [Less than Significant Impact])**

The 2017 EIR disclosed that normal year water demands would be met by existing supplies, but water supply shortfalls ranging between three percent to 11 percent could be expected in single dry years and five percent to 13 percent in multiple dry years.[102] The 2017 EIR concluded the implementation of the City's water shortage contingency plan would reduce demand to match available supply during years with shortfalls and that shortfalls were likely overestimated because use of recycled water by future development was not accounted for in the UWMP. In addition, the compliance with General Plan Policies INC 5.1 through INC 5.7 and Precise Plan standards and guidelines for water conservation and green building by future development in the Precise Plan would further reduce demand in dry years. For these reasons, the 2017 EIR concluded that implementation of the Precise Plan would not result in significant water supply impacts.

Subsequent to the 2017 EIR, the City adopted an updated UWMP. The 2020 UWMP projects a steady increase in water demand between 2025 and 2045, as shown in Table 3.5-1 below. This current UWMP accounts for the water demand from build out of the Precise Plan and determined that although the City had adequate water supplies to meet demand through 2045 in normal years, there could be potential shortfalls up to 20 percent due to cuts in supply from SFPUC in dry years.[103] To maintain adequate water supply during dry and multiple dry years where there may be shortfalls in supply, the City would institute a mix of voluntary and mandatory conservation measures, with escalating levels of conservation requirements as the shortages in water supply increase. The 2020 UWMP determined that compliance with mandatory conservation measures in the City would ensure that sufficient water supply is maintained in normal, single dry, and multiple dry years.

The project (under either option) would result in a net increase in water demand compared to what was analyzed in the 2017 EIR and 2020 UWMP for the Precise Plan due to the addition of 325 hotel rooms, 199,206 square feet of retail/restaurant space, and 66,957 square feet of institutional/recreational space beyond what was originally anticipated in the Precise Plan area. This additional development would have the equivalent water demand of 1,760 dwelling units, which exceeds the 500 dwelling units criteria in SB 610 for a WSA. Therefore, a WSA was completed for the project to evaluate whether sufficient supply is available to service the increased level of development on-site.

The implementation of the project (under either option) would result in an additional demand of 197 AFY (or 176,020 gpd) compared to what was originally accounted for in the 2017 EIR and 2020 UWMP. This increase in development would result in a 1.4 to 1.7 percent increase in demand over

[102] City of Mountain View. *North Bayshore Precise Plan Final Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. November 2017. Pages 159 and 160.
[103] City of Mountain View. *2020 Urban Water Management Plan*. June 2021. Page ES-7.

what was originally projected in the 2020 UWMP (see Table 3.5-1). Refer to Appendix J for details about the projected supply and demand (with and without the project's net increase in demand).

Table 3.5-1: Mountain View Potable Water Demand, Normal Year (AFY)					
	2025	**2030**	**2035**	**2040**	**2045**
Potable Demand	11,610	12,100	12,616	13,159	13,715
Project Demand Over 2017 EIR Assumptions	197	197	197	197	197
Total Potable Demand	**11,807**	**12,297**	**12,813**	**13,356**	**13,912**
Source: Schaaf & Wheeler. *WSA for the North Bayshore Master Plan.* December 2022. Page. 17.					

As discussed in Section 3.5.1.2, a 2017 agreement with the SFPUC allocates a maximum guarantee of 12.46 mgd (13,957 AFY) in water supply to the City. The analysis in the WSA determined that the City would maintain sufficient supply to accommodate the increase in demand that would result from implementation of the project (under either option) during normal years. The City could face supply shortfalls of up to 20 percent during single and multiple dry years, and as a result, would need to implement conservation measures to reduce demand.

The measures include limiting outdoor water use, encouraging further conservation through outreach programs, and requiring the rapid repair of leaks. These measures are described in the City's Water Shortage Contingency Plan that was included in the 2020 UWMP, and could mitigate shortfalls of over 50 percent. Therefore, the 20 percent demand shortfall projected during single and multiple dry years would be mitigated by the conservation and water use restrictions described in the Contingency Plan. The entire City, including the proposed project (under either option), would be subject to these measures during dry and multiple dry years.

In addition, the project would meet the LEED Platinum standard for new office buildings and a minimum 120-point GreenPoint-rated standard for residential buildings which would involve incorporating landscaping featuring native and low-water use plant species and an irrigation system that is mostly drip irrigation. Additional water efficiency would also be achieved through the use of low water consuming WaterSense labeled fixtures and fittings. These conservation measures would further reduce the actual on-site water demand compared to what is projected in the WSA.

The project (under either option), therefore, would not result in a new or substantially more severe significant impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

Impact UTL-3:	**Both Project Options:** The project (under either option) 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. **(Same Impact as Approved Project [Less than Significant Impact])**

The 2017 EIR concluded the City had sufficient treatment capacity at the PARWQCP to treat flows from the Precise Plan area and no expansion of the treatment plant would be necessary.[104] The 2017 EIR also disclosed that implementation of the PARWQCP Long Range Facilities Plan would address aging equipment, new regulatory requirements, and sustainability.

Project

As discussed in Section 3.5.1.2, the PARWQCP has an average annual treatment capacity of 40 mgd, 15.1 mgd of which is allocated to the City. In 2020, the City sent approximately 6.9 mgd of wastewater to the PARWQCP for treatment.[105] This results in an available capacity of approximately 8.2 mgd for the City for treatment at the PARWQCP. As discussed in Impact UTL-1, the project would generate a net increase of approximately 848,470 gpd (or 0.85 mgd) compared to the existing sewer flow on-site. The incremental increase in sewage sent to the PARWQCP as a result of project implementation would result in a remaining treatment capacity for the City of 7.35 mgd. Based on this information, the PARWQCP would continue to have adequate capacity to treat the existing demand in addition to the increase in wastewater resulting from the proposed project. The project, therefore, would not result in a new or substantially more severe significant impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

Project with District Utilities System Option

The project (under either option) would generate approximately 1,005,376 gpd of sewage. The WRF proposed as part of the project with District Utilities System Option would treat an average of approximately 435,748 gpd of wastewater. The remaining 569,628 gpd (or 0.57 mgd) would need to be treated at the PARWQCP. Compared to existing conditions (where approximately 156,906 gpd is being generated on-site and treated at the PARWQCP) the project with District Utilities System Option would result in a net increase of 412,722 gpd (or 0.41 mgd) compared to existing conditions. As discussed above, there is an available capacity of approximately 8.2 mgd for treatment at the PARWQCP based on the City's average annual treatment allocation and the 2020 average daily flow. With implementation of the project with District Utilities System Option, the City would have a remaining treatment capacity of 7.79 mgd available at the PARWQCP. That is, the PARWQCP would continue to have adequate capacity to treat the existing demand in addition to the increase in wastewater resulting from the project with District Utilities System Option. The project with District Utilities System Option, therefore, would not result in a new or substantially more severe significant impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

[104] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Pages 559 to 561.
[105] Ibid. Page 31.

Impact UTL-4:	**Both Project Options:** 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. **(Same Impact as Approved Project [Less than Significant Impact])**

The 2017 EIR determined that future development under the Precise Plan would comply with state and local regulations including AB 939, CalGreen, General Plan policies, and Precise Plan standards and guidelines to reduce the solid waste impacts to a less than significant level and not result in a substantial increase in waste landfilled at local facilities.[106]

Project

The project (under either option) would not generate solid waste in excess of standards or impair the attainment of solid waste reduction goals by:

- Recycling and/or salvaging for reuse a minimum of 65 percent of the nonhazardous construction and demolition debris resulting from construction activities;
- Diverting and disposing of waste during operation in accordance with the state requirements and General Plan Policies INC-11.1 to INC11.4;
- Providing on-site recycling collection (as required by AB 341 and Precise Plan Chapter 4.5 standards); and
- Providing on-site composting collection (as required by SB 1383 and the City's Mandatory Organic Waste Disposal Reduction Ordinance).

Construction and demolition waste generated by the project and hauled using Recology debris boxes would be recycled at Zanker Material Processing Facility in San Jose. Solid waste generated by the project would be sorted at the SMaRT Station® in Sunnyvale, and any non-recyclable waste 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.[107] Based on the remaining capacity at Kirby Canyon Landfill, the landfill would have sufficient capacity to serve the project.

The project, therefore, would not result in a new or substantially more severe significant impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

Project with District Utilities System Option

The project with District Utilities System Option would comply with the same requirements for recycling and solid waste reductions identified in the 2017 EIR and described above. Under the District Utilities System Option, the WRF would treat wastewater on-site which would produce residuals that would be processed at the AD facility. The digestate resulting from the AD process (either dewatered or wet) would be regularly hauled to either an off-site facility for beneficial reuse or to Kirby Canyon Landfill for disposal. It is estimated the AD facility could generate 10,800 cy of dry residuals a year

[106] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Page 563.
[107] Azevedo, Becky. Waste Management Technical Manager. Personal communications. December 27, 2021.

that could be disposed of at Kirby Canyon Landfill or transported to Fairfield or Merced for beneficial uses. Despite this additional waste, Kirby Canyon Landfill would still maintain sufficient capacity after the implementation of the project. Therefore, the project with District Utilities System Option would not result in a new or more substantially severe impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

Impact UTL-5:	**Both Project Options:** The project would not be noncompliant with federal, state, or local management and reduction statutes and regulations related to solid waste. **(Same Impact as Approved Project [Less than Significant Impact])**

See the discussion under Impact UTL-4 for details regarding the project's compliance (under either option) with federal, state, and local management and reduction statutes and regulations related to solid waste. Waste generated from the operation of the DCP would be managed and disposed of in accordance with the RCRA, as discussed under Impact HAZ-1. Therefore, the project (under either option) would not result in a new or more substantially severe impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

3.5.2.2 *Cumulative Impacts*

Impact UTL-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant utilities and service systems impact. **(New Impact [Less than Significant Cumulative Impact])**

Project

Relocation or Construction of New or Expanded Utilities

Water System

The geographic area for cumulative water system impacts is the City boundaries because the City is responsible for providing water service citywide. Cumulative plus project conditions include buildout of the General Plan (including the Precise Plan CIPs) and the project's proposed development that exceeds the development assumed in the 2017 EIR. The only difference between the cumulative conditions with and without the project (under either option) is that the cumulative conditions with the project (under either option) includes the proposed additional 325 hotel rooms, 199,206 additional square feet of retail space, or 66,957 square feet of institutional/recreational space that were not studied in the 2017 EIR.

- Water Storage - The citywide total for eight hours of MDD plus fire flow storage would increase from 13.87 to 13.97 mg under cumulative plus project conditions (under either option). As described in Section 3.5.1.2, the City has an operational active storage capacity of 14.3 mg (which exceeds the current DDW requirement of 13.87 mg) with the capacity to store up to approximately 17 mg if needed. The City would maintain adequate storage capacity with the slight increase in post-project DDW requirement of 0.1 mg. Therefore, the project (under either option) would have a less than significant cumulative impact on water storage infrastructure. The project (under either option) would not result in a new or more substantially

severe impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

- Hydraulic Conveyance - Under cumulative conditions without the project, the analysis in the UIS found that the system would operate at an adequate pressure level with the exception of several nodes by Shoreline Golf Links that are under the PHD performance criteria of 40 psi. These deficiencies would remain, and no new deficiencies would result from the project under peak-hour conditions. Based on this analysis, the project (under either option) would not have a cumulatively considerable contribution to a significant cumulative impact on pressure levels within the system because the project would not result in any new hydraulic performance deficiencies. The project (under either option) would not result in a new or more substantially severe impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Cumulative Impact])**

- Fire Flow - Under cumulative conditions without the project, the fire flow rate required for the project site would be 3,500 gpm. All of the twelve existing fire flow nodes servicing the site would meet the required fire flow rate; however, there would be several off-site nodes within Pressure Zone 1 with deficiencies. With the project (under either option), the fire flow rates required for the project site would increase to accommodate the proposed development density and would range from 2,750 to 4,000 gpm. After implementation of the project (under either option), a single node on-site would be just under the required flow rate of 4,000 gpm with an available flow rate of 3,936 gpm. This fire-flow deficiency could be addressed by replacing the northern section of pipe from Charleston Avenue to the deficient node with 12-inch main; however, since the shortfall in required fire-flow rate is minor, the deficiency would not warrant additional improvements beyond the previously identified CIPs. In addition, a 50 percent reduction in fire flow rate requirements could be allowed upon approval of an automatic sprinkler system, per California Fire Code Section B105. Development of the project (under either option) would not contribute to any off-site deficiencies. Based on this analysis, the project (under either option) would not have a cumulatively considerable contribution to a significant cumulative impact on required fire flow rates at the project site. The project (under either option) would not result in a new or more substantially severe impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Cumulative Impact])**

- Recycled Water System - The cumulative condition is based on several assumptions regarding the expansion of recycled water infrastructure in the vicinity of the project site. In the cumulative condition, there would be two pressure zones for recycled water, North Bayshore and East Whisman. The project site would be located within the North Bayshore pressure zone, which is assumed to have a dedicated storage reservoir and booster pump station under cumulative conditions, which would result in the operational storage within the pressure zone being able to meet PHD. Under cumulative conditions, the analysis in the UIS determined that the system hydraulics would meet PHD performance criteria system-wide with and without the project (under either option).

Under cumulative conditions, it is assumed that the PARWQCP would increase its supply of recycled water to 8.64 mgd and the demand for recycled water on-site would be 272,450 gpd (or 0.27 mgd) without the project. With the project (under either option), the demand for recycled water would increase at the project site by 374,744 gpd for a total of 647,224 gpd (or 0.65 mgd). In the North Bayshore pressure zone, the cumulative MDD would be 3.7 mgd and the cumulative with project MDD would be 4.72 mgd. The cumulative PHD would be 8.5 mgd and the cumulative with project PHD would be 10.71 mgd. Operational storage in the North Bayshore pressure zone is assumed to make up the difference between the source supply and the PHD. Because the maximum supply from the PARWQCP would increase to 8.64 mgd under cumulative conditions and adequate storage would be constructed, the PARWQCP would have sufficient supply capacity to meet maximum daily demands and PHD under cumulative conditions with the project (under either option). The project, therefore, would not result in a new or substantially more severe significant cumulative impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Cumulative Impact])**

Sanitary Sewer Infrastructure

In the cumulative condition, it is assumed all CIPs recommended in the GPPUUIS and the 2017 EIR UIS are constructed. Under cumulative conditions without the project, there are two segments of the sewer system along the project flow path that exceed the applicable maximum d/D performance criteria of 0.50 with d/D performance criteria of 0.585 and 0.535. The estimated sewer flow for the project is 1,005,376 gpd (approximately 367 million gallons per year), and the sewer system would not meet d/D performance criteria downstream of the project site under cumulative plus project conditions.

The increase in sewer demand from the project under either option would result in additional segments of the sewer system that exceed their respective d/D performance criteria. In addition to the two existing segments exceeding their performance criteria pre-project, six new segments would exceed the acceptable d/D performance criteria. The project would require the realignment of a 15-inch pipe in Inigo Way and the upsizing of three pipe segments in Huff Avenue from eight- to 12-inches, one pipe segment along Charleston Road would need to be upsized from 12- to 15-inches, one pipe segment along Joaquin Road would need to be upsized from 12- to 15-inches, two pipe segments in North Shoreline Boulevard would need to be upsized from eight- to 12-inches, and one pipe segment in Shorebird Way would need to be upsized from eight- to 15-inches. The proposed project under either option would pay the impact fee towards these planned improvements and its fair-share towards the six additionally identified pipes. The environmental impacts associated with CIPs identified in the GPUUIS and the UIS for the 2017 EIR were disclosed in the General Plan EIR and the 2017 EIR. The additional identified improvements would be built in existing roadways and utility rights-of-way and are not expected to impact sensitive habitat areas or result in other environmental impacts, aside from construction-related effects (including temporary construction noise and air quality impacts and impacts to unknown buried cultural resources); thus, the upsizing of these new pipe segments would not cause significant environmental effects.

The project, however, would require upsizing of three additional pipes not previously disclosed in the General Plan EIR or 2017 EIR. Thus, this would be considered a new impact. **(New Impact [Less than Significant Cumulative Impact])**

Stormwater Drainage Infrastructure

The 2017 EIR concluded that future development in the City and surrounding communities must comply with NPDES MRP requirements and stormwater infrastructure would be sized appropriately for each development. As a result, the 2017 EIR concluded implementation of the Precise Plan would not contribute to a significant cumulative impact to the stormwater infrastructure.[108]

The cumulative stormwater drainage infrastructure conditions have not substantially changed since the certification of the 2017 EIR. As discussed under Impact HYD-1 and Impact HYD-3, the project (under either option) would comply with the General Construction Permit and current MRP. Consistent with the findings of the 2017 EIR, as discussed under Impact UTL-1 the project (under either option) would comply with the MRP and City policy requirements and would pay impact fees to fund stormwater drainage CIPs identified in the North Bayshore Storm Drain Master Plan. The project (under either option) would also result in a decrease in impervious surfaces compared to existing conditions. Therefore, the project (under either option) would not have a cumulatively considerable contribution to a significant cumulative impact on stormwater drainage infrastructure. **(Same Impact as Approved Project [Less than Significant Cumulative Impact])**

Electric Power and Telecommunications Facilities

The 2017 EIR determined that while utilities are generally provided or delivered on a local level, they often originate from sources outside of the City and/or as a part of a regional distribution system. Development associated with the Precise Plan could contribute to City-wide or regional impacts associated with the provision of utilities.

The cumulative electric power and telecommunications conditions have not substantially changed since the certification of the 2017 EIR except that the project (under either option) includes more development within the Precise Plan and on Subarea AM1. As discussed under Impact UTL-1, the project (under either option) would connect to existing telecommunications lines and be 100 percent electric. Therefore, the project would not require or result in the relocation or construction of new or expanded telecommunications or natural gas facilities.

In addition, as discussed under Impact EN-3, this incremental increase in development would not result in a substantial increase in demand upon energy resources in relation to projected supplies. Electricity for the project site would be distributed from the Ames Substation operated by PG&E, which could require improvements such as new breaker configurations, inbound and outbound connections, and distribution lines to provide adequate service to the project. Therefore, the project (under either option) would not have a cumulatively considerable contribution to a significant cumulative impact on electric power and telecommunications facilities. **(Same Impact as Approved Project [Less than Significant Cumulative Impact])**

[108] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Page 565.

Water Supply and Demand

The 2017 EIR disclosed that, per the 2015 UWMP, the City's available water supply would be sufficient to meet demands of existing uses and future growth (including the Precise Plan) under a normal year scenario through 2035. During single dry and multiple dry years, the City would implement the water conservation measures identified in the Water Shortage Contingency Plan to ensure sufficient water supplies are maintained. The 2017 EIR concluded that implementation of the Precise Plan would not make a significant cumulative contribution to impacts on water supply, and cumulative water supply impacts would be less than significant.[109]

As discussed under Impact UTL-2, the updated 2020 UWMP and project-specific WSA determined that implementation of the project (under either option) would result in an additional demand of 197 AFY (or 176,020 gpd) compared to what was originally accounted for in the 2017 EIR and 2020 UWMP. The City would maintain sufficient supply during normal years with the incremental increase in demand. The WSA also concluded that the City would maintain sufficient supply through single dry and multiple dry year scenarios with the implementation of conservation measures identified in the City's Water Shortage Contingency Plan, which were previously identified in the 2017 EIR as being required to meet water demand for single and multiple dry years. The project (under either option), therefore, would not result in a new or substantially more severe significant cumulative impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Cumulative Impact])**

Wastewater Treatment Capacity

The 2017 EIR estimated cumulative wastewater generated by the City would be 14.3 mgd, which is more than 80 percent of the City's allocated 15.1 mgd capacity at the PARWQCP. The City is required to conduct an engineering study to define the future needs of the treatment plant (per the RWQCP Basic Agreement with the City of Mountain View and consistent with the PARWQCP Facility Plan) when its service area reaches 80 percent of its contractual capacity rights. The 2017 EIR concluded that preparation of the engineering study and implementation of improvements as part of the PARWQCP Facility Plan would reduce cumulative wastewater impacts to a less than significant level.[110]

The UIS prepared for the project calculated the City would generate 14.28 mgd of wastewater under cumulative plus project (under either option) conditions. This is consistent with the 2017 EIR estimate of 14.3 and would also exceed 80 percent of the City's allotted treatment capacity at the PARWQCP. Thus, the City would be required to prepare an engineering study, consistent with the PARWQCP Basic Agreement with the City of Mountain View and consistent with the PARWQCP Facility Plan. Any recommendations regarding physical improvements to the PARWQCP resulting from this engineering study would be subject to separate environmental review. The project (under either option), therefore, would not result in a new or substantially more severe significant cumulative impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Cumulative Impact])**

[109] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Page 564.
[110] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Page 564.

Solid Waste Landfill Capacity and Waste Reduction

The 2017 EIR concluded that implementation of the Precise Plan, together with the General Plan buildout, would represent an approximately 3.5 percent increase in permitted daily throughput at the Kirby Canyon Landfill. Kirby Canyon Landfill has sufficient capacity to accommodate the surrounding communities' and the City's solid waste disposal needs.[111]

The cumulative solid waste conditions have not substantially changed since the certification of the 2017 EIR. As discussed under Impact UTL-4 and UTL-5, the proposed project (under either option) would comply with the same requirements for recycling and solid waste reductions identified in the 2017 EIR, would not adversely affect the City's compliance with the waste diversion requirements, and would be served by a landfill with sufficient capacity. The project (under either option), therefore, would not result in a new or substantially more severe significant cumulative impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Cumulative Impact])**

Compliance with Solid Waste Regulations

The 2017 EIR concluded that implementation of the Precise Plan would not result in a significant cumulative contribution to impacts on solid waste management.[112] The cumulative solid waste regulatory conditions have not substantially changed since the certification of the 2017 EIR. As discussed previously, while the project includes more development within the Precise Plan and on Subarea AM1, that development would comply with state and local regulations including AB 939, AB 341, SB 1383, CalGreen, General Plan policies (Policies INC-11.1 to INC11.4), and Precise Plan (Chapter 4.5 Materials Management) standards and guidelines to reduce the solid waste impacts. Cumulative projects in the City would be subject to the same state and General Plan policies, therefore, the project (under either option), would not result in a new or substantially more severe significant cumulative impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Cumulative Impact])**

Project with District Utilities System Option

Relocation or Construction of New or Expanded Utilities

Water System

- Water Storage – The project with District Utilities System Option would result in the same cumulative water storage impact discussed above under the project heading. **(Same Impact as Approved Project [Less than Significant Impact])**

- Hydraulic Conveyance – The project with District Utilities System Option would result in the same cumulative hydraulic conveyance impact discussed above under the project heading. **(Same Impact as Approved Project [Less than Significant Cumulative Impact])**

[111] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Page 565.
[112] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Page 565.

- Fire Flow – The project with District Utilities System Option would result in the same cumulative fire flow impact discussed above under the project heading. **(Same Impact as Approved Project [Less than Significant Cumulative Impact])**

- Recycled Water System – As discussed previously, the demand for recycled water on-site would be 272,450 gpd without the project. With implementation of the project with District Utilities System Option, the assumed demand for recycled water at the project site could decrease compared to pre-project demand by 60,974 gpd due to the operation of the WRF on-site, and would result in an average daily demand of 211,476 gpd. Because the demand from the project site would decrease due to the operation of the WRF under cumulative plus project with District Utility System Option conditions compared to what is assumed under cumulative plus project without district utilities systems, the project with District Utilities System Option is also concluded to have a less than significant cumulative impact on recycled water supply. The project with District Utilities System Option, therefore, would not result in a new or substantially more severe significant cumulative impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Cumulative Impact])**

Sanitary Sewer Infrastructure

As discussed in Impact UTL-1, under the District Utilities System Option, the DCP would be fully operational and would have the capacity to treat a maximum daily flow of up to approximately 900,000 gallons of wastewater per day to produce non-potable recycled water for the project site. Based on the number of buildings anticipated to be connected to the DCP, the project-specific UIS assumes that 435,748 gallons of wastewater per day would be treated and recycled at the DCP. This would reduce the overall sewer flow generated by the project to 569,628 gpd.

Despite the decrease in sewer flow from the site with the District Utilities System Option (compared to the site without the district utilities system), additional segments of the sewer system would exceed their respective d/D performance criteria compared to cumulative conditions without the project with District Utility System Option because the increase in development intensity distributed within the project site would put further strain on those pipe segments that are not connected to the DCP. In addition to the two pipe segments that exceed their performance criteria under cumulative conditions without the project with District Utility System Option, five new pipe segments would exceed the acceptable d/D performance criteria with implementation of the project with District Utility System Option.[113] Of the five additionally identified pipe segments, three pipe segments in Huff Avenue would need to be upsized from eight- to 12-inches, one segment along Charleston Road would need to be upsized from 12- to 15-inches, one segment along Joaquin Road would need to be upsized from 12- to 15-inches, and two pipe segments in Charleston Road would need to be upsized from 10- to 12-inches. In addition, the proposed project would realign a 15-inch pipe in the new Inigo Way road and upsize the deficient pipes as part of the project. The proposed project would pay the impact fee towards these planned improvements and its fair-share towards the five additionally identified pipes. The environmental impacts associated with CIPs identified for the two known pipe segment deficiencies

[113] Pipe segments 183, and 185 would only exceed their d/D performance criteria in the event that the DCP is offline (i.e., planned or unplanned maintenance, replacement, or repair). The implementation of the CIPs that would upsize the two pipe segments along Charleston Road from eight-inches to 15-inches would prevent these deficiencies from occurring in the event that the DCP is offline.

were disclosed in the General Plan EIR and the 2017 EIR. The additional identified improvements would be built in existing roadways and utility rights-of-way and are not expected to impact sensitive habitat areas or result in other environmental impacts, aside from construction-related effects (including temporary construction noise and air quality impacts and impacts to unknown buried cultural resources) that would be subject to the previously identified City policies, COAs, mitigation measures, and BMPs; thus, the upsizing and alignment of these pipe segments would not cause significant environmental effects.

With these improvements, there would be sufficient wastewater capacity to support the project with District Utilities System Option. The project, however, would require upsizing of three additional pipes not previously disclosed in the General Plan EIR or 2017 EIR. Thus, this would be considered a new impact. **(New Impact [Less than Significant Cumulative Impact])**

Stormwater Drainage Infrastructure

The project (under either option) would implement the measures required by the General Construction Permit and current MRP, result in a decrease in impervious surfaces compared to existing conditions, and pay impact fees to fund stormwater drainage CIPs. Therefore, the cumulative stormwater drainage impact of the project with District Utilities System Option is the same as described above for the project (without District Utilities System Option). **(Same Impact as Approved Project [Less than Significant Cumulative Impact])**

Electric Power and Telecommunications Facilities

The project (under either option) would not result in a substantial increase in demand upon energy resources in relation to projected supplies, therefore, the cumulative electric power and telecommunications facility impact of the project with District Utilities System Option is the same as described above for the project (without District Utilities System Option). **(Same Impact as Approved Project [Less than Significant Cumulative Impact])**

Water Supply and Demand

As discussed previously, the project (under either option) would result in an additional demand of 197 AFY (or 176,020 gpd) compared to what was originally accounted for in the 2017 EIR and 2020 UWMP. The project-specific WSA concluded that the City would maintain sufficient water supply to meet this increase in demand under either project option, therefore, the cumulative impact of the project with District Utilities System Option on the City's water supply is the same as described above for the project (without District Utilities System Option). **(Same Impact as Approved Project [Less than Significant Cumulative Impact])**

Wastewater Treatment Capacity

Under both project options, the City would be required to conduct an engineering study to define the future needs of the RWQCP when its service area reaches 80 percent of its contractual capacity rights. Preparing this study and implementing the identified recommendations would reduce cumulative wastewater impacts to a less than significant level, therefore, the cumulative wastewater treatment capacity impact of the project with District Utilities System Option is the same as described above for

the project (without District Utilities System Option). **(Same Impact as Approved Project [Less than Significant Cumulative Impact])**

Solid Waste Landfill Capacity and Waste Reduction

Despite the slight potential increase in solid waste generated under the project with District Utilities System Option due to the AD facility, Kirby Canyon Landfill would still maintain sufficient capacity. As discussed previously, the project (under either option) would comply with the same requirements for recycling and solid waste reductions identified in the 2017 EIR and would be served by a landfill with sufficient capacity, therefore, the cumulative impact of the project with District Utilities System Option on solid waste landfill capacity is the same as described above for the project (without District Utilities System Option). **(Same Impact as Approved Project [Less than Significant Cumulative Impact])**

Compliance with Solid Waste Regulations

As discussed previously, the project (under either option) would comply with state and local regulations including AB 939, AB 341, SB 1383, CalGreen, General Plan policies (Policies INC-11.1 to INC11.4), and Precise Plan (Chapter 4.5 Materials Management) standards and guidelines. Therefore, the cumulative impact of the project with District Utilities System Option is the same as described above for the project (without District Utilities System Option). **(Same Impact as Approved Project [Less than Significant Cumulative Impact])**

3.5.3 Conclusion

	Impact	Same/Similar Impact Analyzed in 2017 EIR	Significance Before Mitigation	Mitigation	Significance After Mitigation
UTL-1:	**Both Project Options:** 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.	Yes	LTS	None	N/A

	Impact	Same/Similar Impact Analyzed in 2017 EIR	Significance Before Mitigation	Mitigation	Significance After Mitigation
UTL-2:	**Both Project Options:** 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.	Yes	LTS	None	N/A
UTL-3:	**Both Project Options:** 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.	Yes	LTS	None	N/A
UTL-4:	**Both Project Options:** 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.	Yes	LTS	None	N/A
UTL-5:	**Both Project Options:** The project would not be noncompliant with federal, state, or local management and reduction statutes and regulations related to solid waste.	Yes	LTS	None	N/A
UTL-C:	**Both Project Options:** The project would not result in a cumulatively considerable contribution to a cumulatively significant utilities and service systems impact.	Yes	LTS	None	N/A
Abbreviations: LTS = Less than Significant, N/A = Not Applicable					

SECTION 4.0 PREVIOUSLY IDENTIFIED EFFECTS

The City of Mountain View as the CEQA Lead Agency has determined that, based on the analysis in this section, the impacts of the proposed project on the following environmental factors were adequately addressed in the 2017 EIR and the General Plan EIR. That is, the project would not result in new or substantially more severe impacts for the environmental factors listed below than disclosed in the 2017 EIR and General Plan EIR. The following discussion of the below environmental factors includes the same environmental setting and impact discussion subsections as provided in Section 4.0 for air quality, biological resources, greenhouse gas emissions, transportation, and utilities and service systems.

5.1	Aesthetics	5.9	Mineral Resources
5.2	Agriculture and Forestry Resources	5.10	Noise
5.3	Cultural Resources	5.11	Population and Housing
5.4	Energy	5.12	Public Services
5.5	Geology and Soils	5.13	Recreation
5.6	Hazards and Hazardous Materials	5.14	Tribal Cultural Resources
5.7	Hydrology and Water Quality	5.15	Wildfire
5.8	Land Use and Planning		

4.1 AESTHETICS

4.1.1 Environmental Setting

The environmental setting, including the regulatory framework and existing site conditions, have not substantially changed since the certification of the 2017 EIR.

4.1.1.1 *Regulatory Framework*

State

Senate Bill 743

Senate Bill (SB) 743 was adopted in 2013 and requires lead agencies to use alternatives to level of service (LOS) for evaluating transportation impacts, specifically VMT. SB 743 also included changes to CEQA that apply to transit-oriented developments, as related to aesthetics and parking impacts. Under SB 743, a project's aesthetic impacts will no longer be considered significant impacts on the environment if:

- The project is a residential, mixed-use residential, or employment center project, and
- The project is located on an infill site within a Transit Priority Area (TPA).[114]

SB 743 also clarifies that local governments retain their ability to regulate a project's aesthetics impacts outside of the CEQA process.

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.

[114] An "infill site" is defined as "a lot located within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses." A "transit priority area" is defined as "an area within 0.5 mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program adopted pursuant to Section 450.216 or 450.322 of Title 23 of the Code of Federal Regulations." A "major transit stop" means "a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods." Source: Public Resources Code Section 21009. Accessed December 7, 2021. https://codes.findlaw.com/ca/public-resources-code/prc-sect-21099.html.

Local

Mountain View 2030 General Plan

The General Plan contains goals and policies to avoid significant aesthetic impacts. The following policies are applicable to the proposed project (under either option).

Policy	Description
Land Use Mix, Distribution and Intensity	
LUD 6.1	**Neighborhood character.** Ensure that new development in or near residential neighborhoods is compatible with neighborhood character.
LUD 6.3	**Street presence.** Encourage building facades and frontages that create a presence at the street and along interior pedestrian paseos or pathways.
LUD 9.1	**Height and setback transitions.** Ensure that new development includes sensitive height and setback transitions to adjacent structures and surrounding neighborhoods.
LUD 9.3	**Enhanced public space.** Ensure that development enhances public spaces: • Encourage strong pedestrian-oriented design with visible, accessible entrances and pathways from the street. • Encourage pedestrian-scaled design elements such as stoops, canopies and porches. • Encourages connections to pedestrian and bicycle facilities. • Locate buildings near the edge of the sidewalk. • Encourage design compatibility with surrounding uses. • Locate parking lots to the rear or side of buildings. • Encourage articulation and use of special materials to provide visual interest. • Promote and regulate high-quality sign materials, colors and design that are compatible with site and building design. • Encourage attractive water-efficient landscaping on the ground level.
LUD 9.5	**View preservation.** Preserve significant views throughout the community.
LUD 9.6	**Light and glare.** Minimize light and glare from new development.
LUD 16.5	**Protected views.** Protect views by including open areas between tall buildings.

North Bayshore Precise Plan

The Precise Plan contains standards and guidelines to avoid significant aesthetic impacts. Chapter 3: Land Use and Design of the Precise Plan includes development standards and guidelines regarding physical character, form, building height, frontage requirements, and other topics that regulate the visual quality of projects in the area. The following standards and guidelines from Chapter 3 are applicable to the proposed project.

Standard	Description
3.3.5 Building Height and Massing	
5	**High-rise residential building forms.** Building masses greater than 95 feet in height shall meet the following requirements to preserve views and exposure to light and air:

Standard	Description
	• No facades shall be greater than 190 feet in length. • No floor plate shall be greater than 16,000 square feet in area
6	**High-rise residential building spacing.** High-rise residential building masses greater than 95' in height shall be spaced no less than 175 feet apart to minimize shadowing of streets, open space, and other residential units. This distance shall be measured by a 175 feet circular offset from the building perimeter at its outermost points on the building form, as shown on Figure 12 (of the Precise Plan).
7	**View and shadow study.** Proposed projects with building elements greater than 95' in height shall submit a view and shadow study. This study shall include information, including but not limited to, 3D massing models, digital simulations, or other methods, that evaluate both building shadows and impacts to views of mountain ranges surrounding the City. The view study shall provide views from several public locations in North Bayshore, including, but not limited to, Shoreline Park, Charleston Park, Charleston Retention Basin, Stevens Creek trail, Vista Slope, and the North Shoreline Boulevard corridor.
4.6 Outdoor Lighting	
1	**Light pollution.** Illumination levels for all new construction shall meet the standards outlined by Title 24 and / or the "Light Pollution" credit as defined by the current LEED for BD+C rating system, whichever is more stringent.
2	**Outdoor Lighting.** For all new construction and additions, outdoor luminaires shall be energy efficient fixtures controlled by motion sensors and incorporate cut-off controls and outdoor lighting controls.

Guideline	Description
3.3.5 Building Height and Massing	
4	**Preserving views.** Upper stories should be designed to preserve significant views to surrounding mountains and the bay as viewed from public streets.
4.6 Outdoor Lighting	
1	**Inward Lighting.** For new construction and additions, all lighting adjacent to Shoreline Park, Permanente Creek, Stevens Creek, the Coast Casey Forebay, and the Charleston Retention Basin should be designed and oriented so lighting projects inward toward the Precise Plan area, minimizing light trespass into adjacent natural areas.

City of Mountain View Municipal Code

The City Zoning Ordinance (Chapter 36 of the Municipal Code) sets forth specific design guidelines, building design and landscaping standards, architectural features, sign regulations, and open space and setback requirements. The Zoning Ordinance also outlines the development review process that both residential and non-residential projects must go through to ensure consistency and compliance with City regulations. The Zoning Administrator makes recommendations to the City Council for larger development projects and makes final decisions for permits and variances, and the Development Review Committee reviews the architecture and site design of new development and improvements and provides project applicants with appropriate design comments. This design review process allows the City to provide feedback and guidance to limit aesthetic impacts from development projects and

ensure that the architecture and urban design of new developments would maintain the City's visual environment and quality.

4.1.1.2 *Existing Conditions*

Scenic Highways

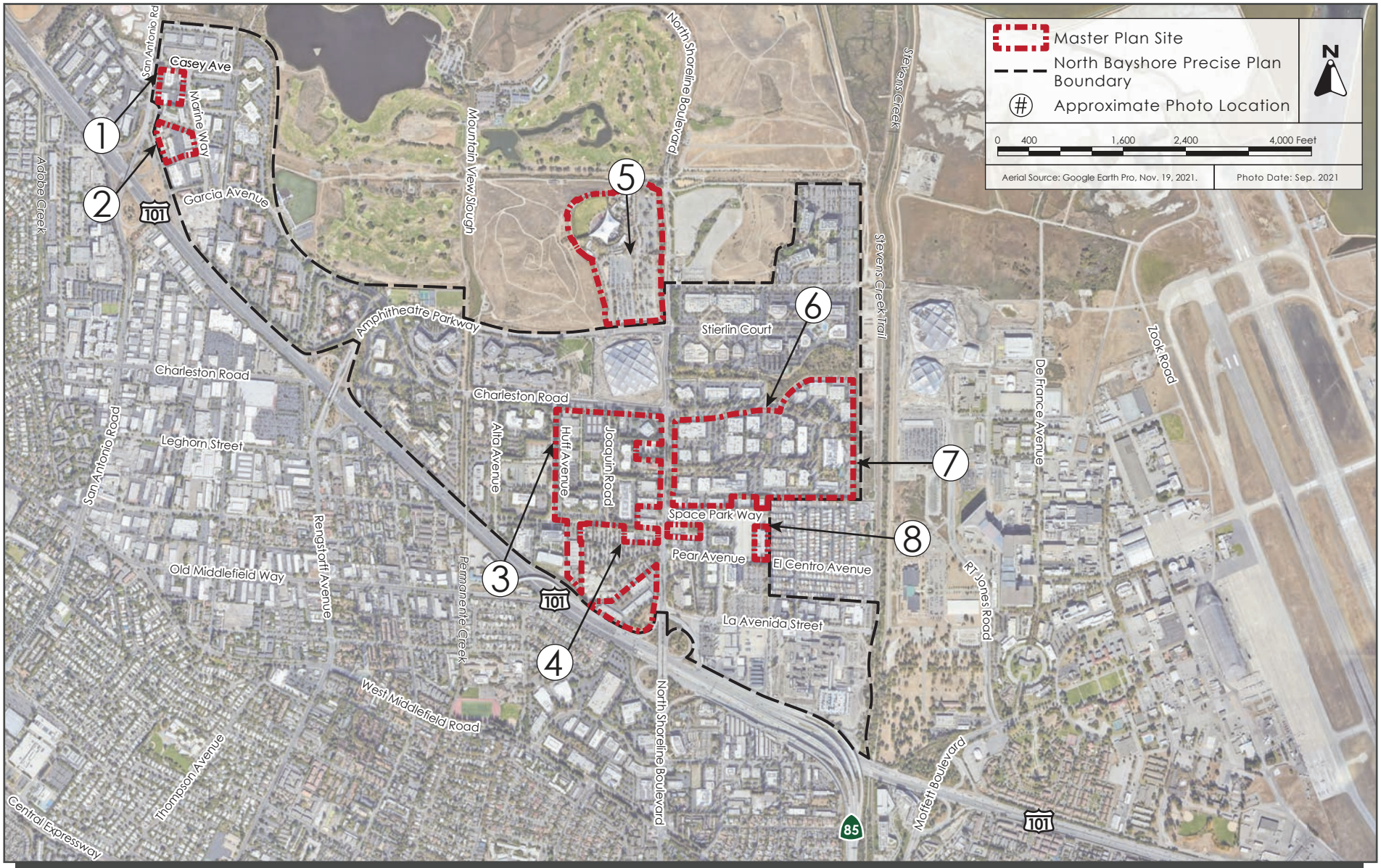
There are no state-designated scenic highways in Mountain View. There is only one state-designated scenic highway in Santa Clara County: SR 9 from the Santa Cruz County line to the Los Gatos City limit. Eligible state scenic highways (not officially designated) include: SR 17 from the Santa Cruz County line to SR 9, SR 35 from Santa Cruz County line to SR 9, Interstate 280 (I-280) from the San Mateo County line to SR 17, and the entire length of SR 152 within the County. The nearest officially designated scenic highway is the segment of I-280 beginning at the San Mateo County line, which is approximately 6.15 miles east of the project site.[115]

Project Site

The project site is not within a TPA, pursuant to SB 743. The approximately 151-acre project site is located within the larger approximately 650-acre Precise Plan area. As described in Section 3.0 Project Information and shown in Figure 3.2-2, the project site is not all contiguous and is primarily located in the southeast portion of the Precise Plan area. Most of the project area is bordered by Charleston Road to the north, Stevens Creek and a mobile home park to the east, Pear Avenue and US 101 to the south, and Huff Avenue to the west. North Shoreline Boulevard runs in a north-south direction through the center of the core area of the project site. The proposed district parking sites are located to the north and northwest of the core project area. The two district parking sites in the northwest corner of the Precise Plan are bordered by San Antonio Road and US 101 to the west, Casey Avenue to the north, Marine Way to the East and office buildings to the south. The third proposed district parking site is located outside of the Precise Plan area and is bordered by Shoreline Amphitheatre to the north, North Shoreline Boulevard to the east, Amphitheatre Parkway to the south, and Shoreline Park to the west.

The project site is currently developed with 69 office, light industrial, and retail buildings totaling approximately 1,853,703 square feet, as well as landscaping and surface parking lots. Most of the existing buildings in the core project area are a mix of older and more modern one- to five-story office buildings surrounded by landscaping and surface parking lots. The older buildings are typically one- to two-stories tall with primarily stucco or concrete facades. The newer office buildings are more contemporary in style (with glass expanses and metal details) and are up to five stories tall. The buildings typically have large front and side setbacks that consist of surface parking and landscaped areas. Landscaping is found along the perimeter of the buildings, within the parking lots, and along the footpaths that provide pedestrian access between the buildings. Views of the project site are shown in Figure 4.1-1 below.

[115] Caltrans. "California State Scenic Highway System Map." Accessed February 10, 2022. https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa.



PHOTOS OF THE PROJECT SITE

FIGURE 4.1-1

Photo 1: View from the northeast corner of the San Antonio Road and Bayshore Parkway intersection looking east towards the project site.

Photo 2: View from the eastern boundary of Subarea MW-PP-2 looking north.

PHOTOS 1 & 2

Photo 3: View from Joaquin Road looking east at the existing Green Loop segment that runs through the project site.

Photo 4: View from the southwest portion of the project site on Plymouth Avenue looking north.

Photo 5: View from the northern boundary of Subarea SA-P-1 looking southwest.

Photo 6: View from the northeast corner of the North Shoreline Boulevard and Charleston Road intersection looking east.

Photo 7: View looking northeast at the Shorebird Egret Rookery located on Shorebird Way.

Photo 8: View from Space Park Way looking south towards Subarea PE-PR-2.

The project site contains 4,021 trees, including 1,812 Heritage trees as defined in the City's Municipal Code.[116] Of the 4,021 trees on-site, approximately 12 percent are in poor condition, 42 percent are in fair condition, and 46 percent are in good condition. The most common tree species on-site are coast redwood, London plane, sweetgum, Canary island pine, and evergreen ash. The most common tree on-site is the coast redwood, which comprises approximately 21 percent of the trees on-site. The largest tree on-site is a coast redwood with a trunk diameter of 58 inches, it is located in the northeastern portion of the project site.

The district parking site that is outside of the Precise Plan area, Subarea AM1 is currently a surface parking lot for the Shoreline Amphitheatre. The surface parking area is bordered on three sides by landscaped embankments, and there are streetlights and landscaping throughout the parking lot. The two district parking sites in the northwest portion of the Precise Plan area currently contain one- to two-story office buildings with surface parking and landscaping. Existing sources of light within and adjacent to the project site include streetlights, indoor lighting, and outdoor security lighting, as well as lighting from vehicles traveling on roadways.

4.1.2 Impact Discussion

For the purpose of determining the significance of the project's impact on aesthetics, except as provided in Public Resources Code Section 21099, would the project:

1) Have a substantial adverse effect on a scenic vista?
2) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
3) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings?[117] If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

[116] Mountain View Municipal Code Chapter 32, Article II defines a "Heritage Tree" as a tree with any of the following characteristics: a tree trunk with a circumference of forty-eight inches or more, measured at fifty-four inches above natural grade. Multi-trunk trees are measured just below the first major trunk fork. Any of the following three species of trees with a circumference of twelve inches or more, measured at fifty-four inches above natural grade: Quercus (oak), Sequoia (redwood), Cedrus (cedar), and groves of trees designated as "heritage" by the City Council.
[117] Public views are those that are experienced from publicly accessible vantage points.

4.1.2.1 *Project Impacts*

Impact AES-1:	**Both Project Options:** The project (under either option) would not have a substantial adverse effect on a scenic vista. **[Same Impact as Approved Project (Less than Significant Impact)]**

The 2017 EIR concluded that implementation of General Plan Policy LUD 9.5 and 16.5 would ensure that there would be less than significant impacts on significant viewsheds in the Precise Plan area.[118] These policies require the preservation of significant views in the community and the inclusion of open areas between tall buildings in the North Bayshore area to protect views. Additionally, the 2017 EIR found that these General Plan policies coupled with Chapter 3: Land Use and Design of the Precise Plan provided adequate development standards to reduce any impacts to scenic vistas and resources to a less than significant level.[119]

The topography and location of the project site limits the number of expansive views of scenic resources that are visible from the project area. The primary scenic resource visible from the project site is the Santa Cruz Mountain Range which is partially visible to the south and west from certain locations in the project site. Views of the Santa Cruz Mountains are obstructed by existing landscaping and development throughout most of the project site.

Implementation of the Master Plan (under either option) would result in an increase in the height and intensity of development in the area. Any future development under the Master Plan (under either option) would be required to adhere to the same City policies identified in the 2017 EIR, which are General Plan Policies LUD 9.5 and 16.5, which protect scenic views in the community by requiring the preservation of significant views and the inclusion of open areas between tall buildings in the North Bayshore area. The Master Plan (under either option) would also be required to adhere to the design standard requirements in Chapter 3 of the Precise Plan including Development Standard 7, which requires a view and shadow study for any buildings greater than 95 feet in height in order to assess the impact that those buildings would have on scenic views from public spaces or properties. The project (under either option) would construct 36 buildings that meet this threshold, and detailed studies would be required when specific development is proposed to ensure that buildings would not have significant impacts on scenic vistas. Design Guideline 4 of the Precise Plan would require the upper stories of new structures to be designed to preserve significant views of the surrounding mountains from public streets.

The development of the district parking garage at Subarea AM1 is located outside of the Precise plan area and would be up to 90 feet tall, or approximately 67 feet tall measured from street level (Subarea AM1 is lower than the street level). The Santa Cruz Mountain Range is not visible from the vicinity of Subarea AM1. Subarea AM1 is slightly lower than surrounding parcels, therefore, development of the proposed district parking garage would not substantially obstruct the view of the Santa Cruz Mountain Range from sites located north of Subarea AM1 such as the Amphitheatre or Golf Course. Therefore, development of the parking garage at AM1 would not significantly impact a scenic vista.

[118] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Pages 135 to 136.
[119] Ibid.

Future development under the Master Plan (under either option) would comply with the above General Plan and Precise Plan policies; therefore, the project would not result in a new or substantially more severe significant impact on scenic vistas than disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact AES-2:	**Both Project Options:** The project (under either option) would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. **[Same Impact as Approved Project (Less than Significant Impact)]**

The 2017 EIR concluded that since there are no state-designated scenic highways in the Precise Plan area and no portions of the Precise Plan area encompass the viewshed of a state scenic highway, there would be no adverse impacts to any scenic resources within a state scenic highway.[120]

As discussed in Section 4.1.1.2, there are no state-designated scenic highways in Mountain View and the nearest designated scenic highway is the segment of I-280 beginning at the San Mateo County line, which is approximately 6.15 miles west of the project site.

The project site, including Subarea AM1 that is located outside of the Precise Plan area, is not visible from that segment of state-designated scenic highway, so there would be no adverse impact on the viewshed from the highway. The project (under either option) would not result in a new or substantially more severe significant impact to scenic resources within a state scenic highway than disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact AES-3:	**Both Project Options:** The project (under either option**)** would not conflict with applicable zoning and other regulations governing scenic quality. **[Same Impact as Approved Project (Less than Significant Impact)]**

The 2017 EIR concluded that implementation of the Precise Plan would not substantially degrade the existing visual quality of the site and its surroundings because the Precise Plan is in an urbanized area and future development would comply with all applicable General Plan policies (specifically General Plan Policies LUD 6.3, LUD 9.1, LUD 9.3, LUD 9.5, LUD 9.6, and LUD 16.5) and Chapter 3 of the Precise Plan (including Section 3.3.5 Building Height and Massing). Additionally, the City's development review process would ensure that the architecture and urban design of future development would not degrade the existing visual character or quality of the site and its surroundings.

All future development proposed under the Master Plan (including the development of the parking structure on Subarea AM1) would comply with the same General Plan policies and be subject to the City's design review process. In addition, future development within the Precise Plan boundaries would comply with Chapter 3 of the Precise Plan. For these reasons, the project (under either option) would not result in a new or more substantially severe significant impact than disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

[120] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Page 135.

Impact AES-4:	**Both Project Options:** The project (under either option**)** would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. **[Same Impact as Approved Project (Less than Significant Impact)]**

The 2017 EIR concluded that adherence to General Plan Policy LUD 9.6, outdoor lighting standards and guidelines in Precise Plan Section 4.6 Outdoor Lighting, and the standards and guidelines in Precise Plan Section 5.2 Bird Safe Design would result in a less than significant level of light and glare resulting from future developments. The development standards and guidelines for outdoor lighting in Section 4.6 of the Precise Plan require developments to adhere to the more stringent illumination level standards of the LEED BD+C rating system or California Title 24 Building Energy Efficiency Standards, comply with outdoor lighting standards, and utilize lighting that is oriented away from sensitive natural areas within and adjacent to the Precise Plan area.121 The 2017 EIR also found that compliance with the Bird Safe Design Standards and Guidelines found in Chapter 5 of the Precise Plan would reduce impacts associated with light and glare by requiring window coverings and façade treatments that would reduce light pollution.

The project, including development on Subarea AM1, would adhere to the same policies, standards, and guidelines discussed above would reduce light pollution and limit the amount of light and glare which could affect day or nighttime views in the area. Therefore, implementation of the proposed project (under either option) would not result in a new or more substantially severe significant impact regarding light and glare than disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

4.1.2.2 *Cumulative Impacts*

Impact AES-C:	**Both Project Options:** The project (under either option) would not result in a cumulatively considerable contribution to a significant cumulative aesthetics impact. **[Same Impact as Approved Project (Less than Significant Cumulative Impact)]**

The 2017 EIR determined that cumulative projects within Mountain View or nearby cities would be subject to the design guidelines, lighting standards, and signage regulations of their respective jurisdictions and implementation of these measures and requirements would minimize or reduce cumulative visual impacts associated with community or urban design to a less than significant level.[122] The cumulative conditions have not substantially changed since the certification of the 2017 EIR. While the Master Plan includes more development within the Precise Plan and on Subarea AM1, that development would:

- Be urban infill and would be consistent with the surrounding urban environment;
- Not substantially alter views from local scenic ridgeways;

[121] Leadership in Energy and Environmental Design for Building Design and Construction

[122] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Page 139.

- Not obstruct views of scenic resources such as scenic waterways, Santa Cruz Mountains, and scenic ridgeways; and
- Comply with the same regulations (e.g., design guidelines, and lighting standards) identified in the 2017 EIR to reduce cumulative aesthetic impacts to a less than significant level.

Therefore, the project would not result in a new or substantially more severe significant cumulative aesthetics impact. **[Same Impact as Approved Project (Less than Significant Cumulative Impact)]**

4.1.3 Conclusion

	Impact	Same/Similar Impact Analyzed 2017 EIR	Significance Before Mitigation	Mitigation	Significance After Mitigation
AES-1:	**Both Project Options:** The project (under either option) would not have a substantial adverse effect on a scenic vista.	Yes	LTS	None	N/A
AES-2:	**Both Project Options:** The project (under either option) would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.	Yes	LTS	None	N/A
AES-3:	**Both Project Options:** The project (under either option) would not conflict with applicable zoning and other regulations governing scenic quality.	Yes	LTS	None	N/A
AES-4:	**Both Project Options:** The project (under either option) would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.	Yes	LTS	None	N/A
AES-C:	**Both Project Options:** The project (under either option) would not result in a cumulatively considerable contribution to a significant cumulative aesthetics impact.	Yes	LTS	None	N/A
Abbreviations: LTS = Less than Significant, N/A = Not Applicable					

4.2 AGRICULTURE AND FORESTRY RESOURCES

4.2.1 Environmental Setting

The environmental setting, including the regulatory framework and existing site conditions, have not substantially changed since the certification of the 2017 EIR.

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 identified as 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.[123] 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.[124]

[123] 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)).
[124] California Department of Forestry and Fire Protection. "Fire and Resource Assessment Program." Accessed December 7, 2021. http://frap.fire.ca.gov/.

4.2.1.2 *Existing Conditions*

According to the Santa Clara County Important Farmland 2018 map, the project site is designated as Urban and Built-Up Land, meaning the land contains a building density of at least six units per ten-acre parcel or is used for industrial or commercial purposes, golf courses, landfills, airports, or other utilities.[125] The project site is not currently used for agricultural or forestry uses and has General Plan land use designations of North Bayshore Mixed-Use, Mixed-Use Center (North Bayshore), and High Intensity Office. Most of the project site is zoned North Bayshore Precise Plan (P-39), with the exception of Subarea AM1 which is zoned PF: Public Facility. The project site is currently developed primarily with commercial and office buildings, surface parking, and landscaping. Adjacent surrounding sites to the Master Plan subareas are generally developed with urban uses with the exception of a site (APN: 116-11-031) located east of SB-PCUP. This site is designated as Other Land[126] in the Santa Clara County Important Farmland map, Regional Park in the General Plan, and zoned A: Agriculture. The site is currently owned by PG&E and used as a temporary nursery site and storage area for vehicles.

4.2.2 Impact Discussion

For the purpose of determining the significance of the project's impact on agriculture and forestry resources, would the project:

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?
2) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
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))?
4) Result in a loss of forest land or conversion of forest land to non-forest use?
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?

[125] California Department of Conservation. "California Important Farmland Finder." Accessed December 7, 2021. https://maps.conservation.ca.gov/DLRP/CIFF/

[126] Other land is defined as land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than forty acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

4.2.2.1 *Project Impacts*

The 2017 EIR did not include an analysis of potential agriculture and forestry resources impacts, as the implementation of the Precise Plan would not impact those resources. This is exemplified in the discussion below.

Impact AG-1:	**Both Project Options:** The project (under either option) 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. **(Same Impact as Approved Project [No Impact])**

As discussed in Section 4.2.1.2, the project site is designated as Urban and Built-Up Land in the Santa Clara County Important Farmland 2018 map. None of the parcels within the project site are designated as farmland pursuant to FMMP maps. Therefore, implementation of the project (under either option) would not convert farmland to non-agricultural uses. **(Same Impact as Approved Project [No Impact])**

Impact AG-2:	**Both Project Options:** The project (under either option) would not conflict with existing zoning for agricultural use, or a Williamson Act contract. **(Same Impact as Approved Project [No Impact])**

The project site is not used or zoned for agricultural use, nor is the project site subject to a Williamson Act contract. For these reasons, implementation of the project (under either option) would not conflict with zoning for agricultural use or a Williamson Act contract. **(Same Impact as Approved Project [No Impact])**

Impact AG-3:	**Both Project Options:** The project (under either option) would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. **(Same Impact as Approved Project [No Impact])**

As discussed in Section 4.2.1.2 above, the project site is zoned North Bayshore Precise Plan (P-39) and PF: Public Facility. The Master Plan proposes future development consistent with the existing zoning. Therefore, implementation of the project (under either option) would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. **(Same Impact as Approved Project [No Impact])**

Impact AG-4:	**Both Project Options:** The project (under either option) would not result in a loss of forest land or conversion of forest land to non-forest use. **(Same Impact as Approved Project [No Impact])**

The project site is not used as forest land or located adjacent to forest land. The project (under either option) would, therefore, not result in a loss of forest land or a conversion of forest land to non-forest use. **(Same Impact as Approved Project [No Impact])**

Impact AG-5:	**Both Project Options:** The project (under either option) 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. **(Same Impact as Approved Project [No Impact])**

As discussed under Impact AG-1 through Impact AG-4, the project site and most of the surrounding sites are developed and designated and zoned for urban uses. There is one site adjacent to the east of SB-PCUP that is zoned A: Agriculture and is partially used as a tree nursery. It is currently isolated and surrounded by urban development and the project would not change this existing circumstance. For these reasons, the project (under either option) would not result in the conversion of farmland or forest land to a non-agricultural or non-forest use. **(Same Impact as Approved Project [No Impact])**

4.2.2.2 *Cumulative Impacts*

Impact AG-C:	**Both Project Options:** The project (under either option) would not result in a cumulatively considerable contribution to a cumulatively significant agricultural and forestry resources impact. **(Same Impact as Approved Project [No Cumulative Impact])**

The implementation of the project (under either option) would not impact agricultural, forestry, and/or timberland; therefore, implementation of the project would not contribute to a cumulative impact to those resources (see discussions under Impact AG-1 through Impact AG-5 above). (**Same Impact as Approved Project [No Cumulative Impact])**

4.2.3 Conclusion

	Impact	Same/Similar Impact Analyzed in 2017 EIR	Significance Before Mitigation	Mitigation	Significance After Mitigation
AG-1:	**Both Project Options:** The project (under either option) 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.	Yes	NI	None	N/A
AG-2:	**Both Project Options:** The project (under either option) would not conflict with existing zoning for agricultural use, or a Williamson Act contract.	Yes	NI	None	N/A
AG-3:	**Both Project Options:** The project (under either option) would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production.	Yes	NI	None	N/A
AG-4:	**Both Project Options:** The project (under either option) would not result in a loss of forest land or conversion of forest land to non-forest use.	Yes	NI	None	N/A
AG-5:	**Both Project Options:** The project (under either option) 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.	Yes	NI	None	N/A

	Impact	Same/Similar Impact Analyzed in 2017 EIR	Significance Before Mitigation	Mitigation	Significance After Mitigation
AG-C:	**Both Project Options:** The project (under either option) would not result in a cumulatively considerable contribution to a cumulatively significant agricultural and forestry resources impact.	Yes	NI	None	N/A

Abbreviations: NI = No Impact, N/A = Not Applicable

4.3 CULTURAL RESOURCES

4.3.1 Environmental Setting

The discussion in this section is based in part on a Historic Resource Evaluation prepared by TreanorHL in March 2022, attached to this document as Appendix G, and a Cultural Resources Literature Review prepared by Archaeological/Historical Consultants in November 2022.

4.3.1.1 *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.[127]

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.

[127] California Office of Historic Preservation. "CEQA Guidelines Section 15064.5(a)(3) and California Office of Historic Preservation Technical Assistance Series #6." Accessed April 25, 2022. http://www.ohp.parks.ca.gov/pages/1069/files/technical%20assistance%20bulletin%206%202011%20update.pdf.

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 Section 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

Mountain View 2030 General Plan

The General Plan contains goals and policies to avoid significant impacts to cultural resources. The following policies are applicable to the proposed project (under either option).

Policy	Description
Land Use and Design	
LUD 11.1	**Historical preservation.** Support the preservation and restoration of structures and cultural resources listed in the Mountain View Register of Historic Resources, the California Register of Historic Places or National Register of Historic Places.
LUD 11.5	**Archaeological and paleontological site protection.** Require all new development to meet state codes regarding the identification and protection of archaeological and paleontological deposits.
LUD 11.6	**Human remains.** Require all new development to meet state codes regarding the identification and protection of human remains.

City of Mountain View Zoning Ordinance

The City's Zoning Ordinance is in Chapter 36, Article 16 of the City Code and consists of land use regulations, based on policies of the General Plan, that have been enacted in order to promote the public health, safety, morals, comfort and general welfare throughout the City of Mountain View.
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 Mountain View Register has similar criteria for listing as the State of California Register and consists of historic resources that meet one or more of the following criterion (refer to Division 15, Section 36.54.65):

1. 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;
2. Is the site of a significant historic event in the City's past;
3. 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;
4. Has yielded, or may be likely to yield, information important to the City's prehistory or history.

4.3.1.2 *Existing Conditions*

Historic Resources

According to the 2017 EIR, there are no known historic resources within the Precise Plan area.[128] None of the historic resources identified in the 2017 EIR were located within the boundaries of the project site, including Subarea AM1 which is located outside of the Precise Plan area. The 2017 EIR identified the Henry A. Rengstorff House as the nearest historic residence that is listed on the National Register of Historic Places, California Register, and City Register of Historic Resources. It is located within Shoreline Park at 3070 North Shoreline Boulevard, approximately 0.75 mile north of the project site. The 2017 EIR stated that the Rengstorff House was originally located at 1737 Stierlin Court, which is adjacent to the project site, but it was relocated to the Shoreline Park in the 1980's. A more recent record search completed at the Northwest Information Center (NWIC) determined that the Rengstorff House was not originally located at 1737 Stierlin Court, but was instead originally located on the east side of North Bayshore Boulevard between Space Park Way and Shorebird Way, which is inside the project area. The 2017 EIR determined that the vicinities of houses constructed in the late 19th and early 20th century, including the Rengstorff House, have a moderate to high potential to contain historic-era subsurface archaeological deposits.

[128] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Pages 232.

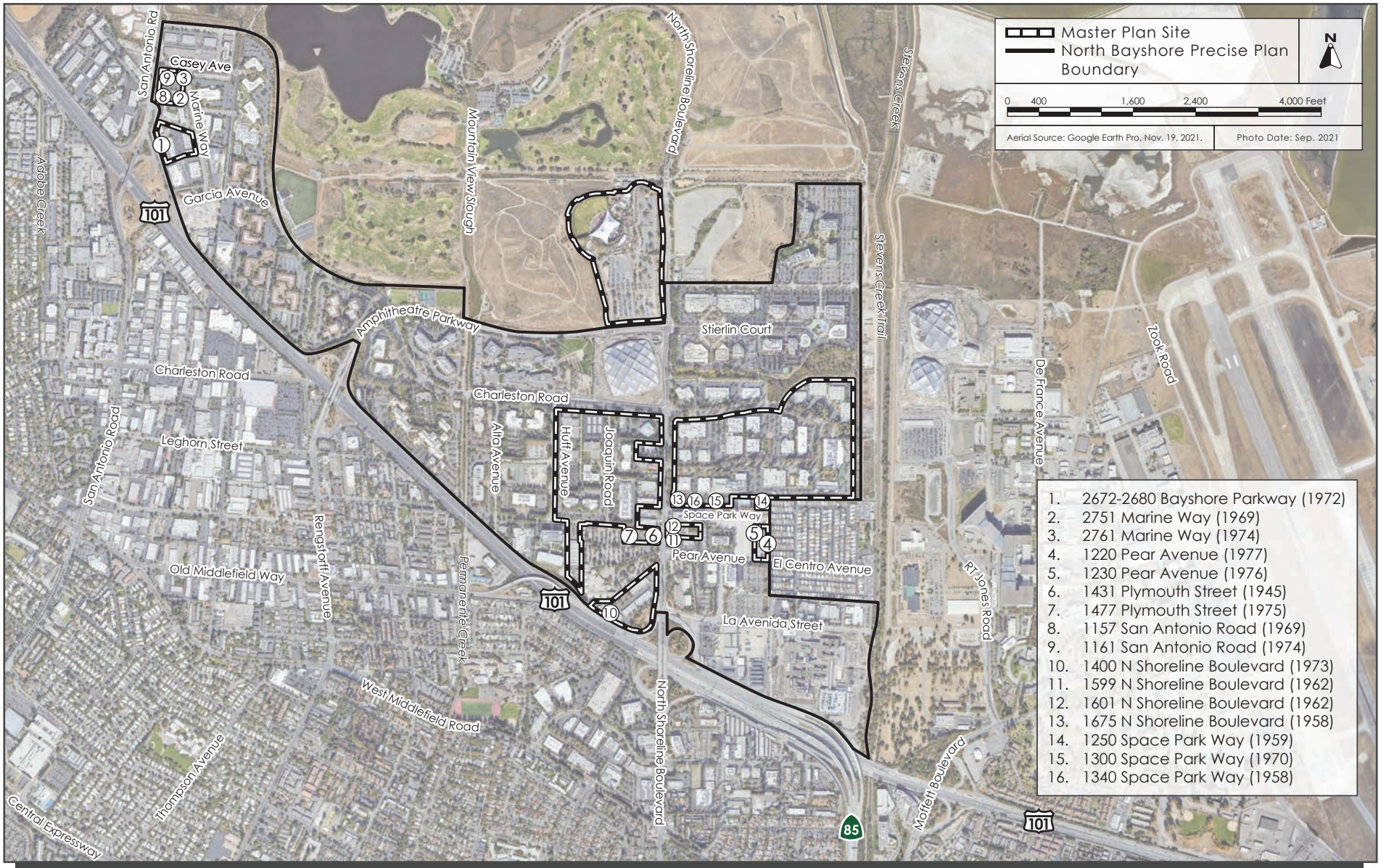
The project site is currently developed with 69 office, light industrial, and retail buildings. These on-site structures were constructed between the mid-1940s and the early 2000s. Of the 69 buildings on-site, the following 16 are 45 years or older[129] (refer to Figure 4.3-1) for the location of these buildings).

1	2672-2680 Bayshore Parkway (1972)	9	1161 San Antonio Road (1974)
2	2751 Marine Way (1969)	10	1400 N Shoreline Boulevard (1973)
3	2761 Marine Way (1974)	11	1599 N Shoreline Boulevard (1962)
4	1220 Pear Avenue (1977)	12	1601 N Shoreline Boulevard (1962)
5	1230 Pear Avenue (1976)	13	1675 N Shoreline Boulevard (1958)
6	1431 Plymouth Drive (1945)	14	1250 Space Park Way (1959)
7	1477 Plymouth Street (1975)	15	1300 Space Park Way (1970)
8	1157 San Antonio Road (1969)	16	1340 Space Park Way (1958)

According to a Historic Resource Evaluation completed for the 16 buildings, none of the evaluated structures within the project site are eligible for listing on the City of Mountain View Register of Historic Resources, the CRHR, or the NRHP.[130] Most of the evaluated buildings were constructed in the 1960s and 1970s and are reminiscent of the Midcentury Modern and Modern architectural style, which was typical for suburban office parks of that era. Despite the construction of these buildings occurring during the period of time where the region became known as Silicon Valley, the buildings do not possess any greater historical significance that would set them apart from other suburban office parks in the area.

As discussed in Section 4.3.1.1, the CRHR and NRHP have similar sets of criteria for determining the potential historical significance for a property. The evaluated buildings were not found to have been associated with historically significant events or persons, therefore, the buildings are not considered eligible for listing on the NRHP, CRHR, and Mountain View Registers under Criterion 1 or 2. As stated previously, most of the buildings are examples of the Midcentury Modern and Modern architectural style, and they were not the works of a master architect nor do they demonstrate high artistic values. Therefore, the buildings are not considered eligible for listing on the NRHP, CRHR, and Mountain View Registers under Criterion 3. The buildings have not and are unlikely to yield any important historical information, therefore, the buildings are not considered eligible for listing on the NRHP, CRHR, and Mountain View Registers under Criterion 4. Based on this discussion, there are no structures on-site that could be eligible for listing on the NRHP, CRHR, and Mountain View Registers and no integrity analysis is required.

[129] Per the National Historic Preservation Act, properties 50 years or older meet the minimum age requirement for potential eligibility as historic resources. Due to the duration of project construction, structures that are 45 years old when this EIR was prepared were included because they could meet the minimum age requirement for potential eligibility during the up-to 30-year buildout of the project.
[130] TreanorHL. *North Bayshore Framework Master Plan, Mountain View, CA – Historic Resource Evaluation*. March 2022.



LOCATION OF BUILDINGS 45 YEARS OR OLDER | FIGURE 4.3-1

Archaeological Resources

There are no known archaeological resources that have been identified in the Precise Plan area, including the project site.[131] One Native American (pre-historic period) archaeological deposit was located in 1978 to the east of the Precise Plan area, directly adjacent to the North Rengstorff Avenue/Amphitheater Parkway US 101 interchange ramp. This deposit consisted of the remains of clam and oyster shells. Subsequent inspections and testing in 2007 and 2008 resulted in the finding of no additional archaeological resources.

Areas that are near natural water sources (e.g., riparian corridors and tidal marshland) would generally be considered highly sensitive for prehistoric archaeological deposits and human remains. Most of the project site is within approximately two miles of the San Francisco Bay, approximately 0.2 mile east of Permanente Creek, and approximately 0.06 mile west of Stevens Creek. The 2017 EIR concluded that there is a low potential for the discovery of prehistoric archaeological resources in the developed areas of the Precise Plan, including the project site.

4.3.2 Impact Discussion

For the purpose of determining the significance of the project's impact on cultural resources, would the project:

1) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?
2) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?
3) Disturb any human remains, including those interred outside of dedicated cemeteries?

4.3.2.1 *Project Impacts*

Impact CUL-1:	**Both Project Options:** The project (under either option) would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5. **[Same Impact as Approved Project (Less than Significant Impact)]**

As discussed in Section 4.3.1.2, there are no historic resources in the Precise Plan area listed in the NRHP, CRHR, or City Register of Historic Resources. There are 16 buildings on-site that are a minimum of 45 years old and have the potential to be considered a historic resource during buildout of the project. These structures were evaluated and none of the evaluated structures met the criteria to be listed on the NRHP, CRHR, or City Register of Historic Resources. The nearest historic structure to the project site is the Henry A. Rengstorff House, located approximately 0.75 mile north at 3070 North Shoreline Boulevard. The project (under either option) does not have the potential to impact this off-site historic resource. Based on this discussion, the project (under either option) would not result in a significant impact on historic resources. This is the same impact disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

[131] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Pages 232.

Impact CUL-2:	**Both Project Options:** The project (under either option) would not cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5. **[Same Impact as Approved Project (Less than Significant Impact)]**

As discussed in Section 4.3.1.2, it is unlikely that buried historic or prehistoric buried archaeological and paleontological resources are present on the site given its location and state of existing development on-site. However, the 2017 EIR acknowledged that these resources could be encountered during excavation, construction, or infrastructure improvements for the project given the site's proximity to freshwater sources and the previous discovery of an archaeological resource near the US 101 and North Rengstorff Avenue interchange.

In compliance with General Plan Policies LU-11.5 and LU-11.6, and consistent with the 2017 EIR, the project (under either option) would implement the City's standard condition of approval related to the discovery of pre-historic or historic period archaeological resources and human remains, should they be encountered on-site.

Standard Condition of Approval:

COA CUL-2.1: **Both Project Options: Cultural Sensitivity Training**. As requested 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.

Both Project Options: Native American Archaeological Monitor. A Native American archaeological monitor shall be present for all ground-disturbing activities throughout the project construction process.

Both Project Options: Discovery of Archaeological and Tribal Cultural Resources. If indigenous or historic-era archaeological resources are encountered during construction activities, all activity within 100 feet of the find shall cease and the find shall be flagged for avoidance. The City and a qualified archaeologist, defined as one meeting the U.S. Secretary of the Interior's Professional Qualifications Standards for Archaeology, and a Native American representative shall be immediately informed of the discovery. The qualified archaeologist and the Native American representative shall inspect the find within 24 hours of discovery and notify the City of their initial assessment. Indigenous archaeological materials might include obsidian and chert-flaked stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil (midden) containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, hand stones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. Historic-era materials might include building or structure footings and walls, and deposits of metal, glass, and/or ceramic refuse. If the find is determined to be potentially significant, the archaeologist, in consultation with the Native American representative, will

develop a treatment plan that could include site avoidance, capping, or data recovery.

Both Project Options: Discovery of Human Remains. In the event of the discovery of human remains during construction or demolition, there shall be no further excavation or disturbance of the site within a 50-foot radius of the location of such discovery, or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his/her authority, he/she shall notify the NAHC, which shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this state law, then the landowner shall reinter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.

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

Compliance with the above condition of approval would reduce impacts to archaeological and human remains to a less than significant level by establishing protocol to implement in the event that cultural resources are discovered, including a work stoppage, the development of a treatment plan, and coordination with representatives from the relevant Native American tribe(s). The 2017 EIR concluded that future development in compliance with the above condition of approval would result in less than significant impacts to archaeological resources. The project would result in the same impact as disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact CUL-3:	**Both Project Options:** The project (under either option) would not disturb any human remains, including those interred outside of formal cemeteries. **[Same Impact as Approved Project (Less than Significant Impact)]**

See discussion under Impact CUL-2. The project (under either option) would implement the standard condition of approval COA CUL-2.1 and result in the same less than significant impact to human remains as disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

4.3.2.2 *Cumulative Impacts*

Impact CUL-C:	**Both Project Options:** The project (under either option) would not result in a cumulatively considerable contribution to a cumulatively significant cultural resources impact. **[Same Impact as Approved Project (Less than Significant Cumulative Impact)]**

The cumulative cultural resources conditions have not substantially changed since the certification of the 2017 EIR. Subarea AM1 is not part of the Precise Plan area; however, it was reviewed as part of the archaeological literature review for the 2017 EIR and it is not listed on any historic registries. It is currently developed as a surface parking lot.

Historic Resources

The 2017 EIR concluded that since there were no historic resources in the Precise Plan area, implementation of the Precise Plan would not contribute to a significant cumulative impact to historic resources. As discussed under Impact CUL-1, the project site does not include historic resources. For this reason, the project (under either option) would result in the same cumulative impact to historic resources as disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Cumulative Impact)]**

Archaeological Resources and Human Remains

The 2017 EIR concluded that all cumulative projects within Mountain View or neighboring cities would be required to implement conditions of approval or mitigation measures that would avoid impacts to prehistoric resources or reduce them to a less than significant level. As discussed under Impact CUL-2, the City's standard condition of approval include measures to limit impacts to these resources should any previously undiscovered archaeological resources or human remains be discovered on-site. For this reason, the project (under either option) would result in the same cumulative impact to archaeological resources and human remains as disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Cumulative Impact)]**

4.3.3 Conclusion

	Impact	Same/Similar Impact Analyzed in 2017 EIR	Significance Before Mitigation	Mitigation	Significance After Mitigation
CUL-1:	**Both Project Options:** The project (under either option) would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5.	Yes	LTS	None	N/A
CUL-2:	**Both Project Options:** The project (under either option) would not cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5.	Yes	LTS	None	N/A
CUL-3:	**Both Project Options:** The project (under either option) would not disturb any human remains, including those interred outside of dedicated cemeteries.	Yes	LTS	None	N/A
CUL-C:	**Both Project Options:** The project (under either option) would not result in a cumulatively considerable contribution to a cumulatively significant cultural resources impact.	Yes	LTS	None	N/A

Abbreviations: LTS = Less than Significant, N/A = Not Applicable

4.4 ENERGY

4.4.1 Environmental Setting

4.4.1.1 *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_2 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.[132] Compliance with Title 24 is mandatory at the time new building permits are issued by city and county governments.[133]

[132] California Building Standards Commission. "California Building Standards Code." Accessed July 1, 2022. https://www.dgs.ca.gov/BSC/Codes#@ViewBag.JumpTo.

[133] California Energy Commission (CEC). "2019 Building Energy Efficiency Standards." Accessed July 1, 2022. https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2019-building-energy-efficiency.

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 and Advanced Clean Cars II 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.[134] On November 30, 2022, the Advanced Clean Cars II program was approved and filed with the Secretary of State. This update to the program requires that all new passenger cars, trucks, and SUVs sold in California be zero emissions by 2035.[135]

Local

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 (under either option).

Policy	Description
Land Use and Design	
LUD-10.5	**Building energy efficiency.** Incorporate energy-efficient design features and materials into new and remodeled buildings.
LUD 15.2	**Sustainable development focus.** Require sustainable site planning, building and design strategies.

North Bayshore Precise Plan

Development in the Precise Plan area can qualify for bonus FAR through the North Bayshore Density Bonus Program by meeting certain minimum green building performance standards such as installing Energy Star Appliances, installing energy submeters, and reducing energy use compared to existing structures. Appendix B of the Precise Plan outlines these standards for residential buildings and Appendix C of the Precise Plan outlines these standards for non-residential buildings. The Precise Plan contains standards and guidelines to avoid significant energy impacts. The following standards and guidelines are applicable to the proposed project (under either option).

[134] California Air Resources Board. "The Advanced Clean Cars Program." Accessed July 1, 2022. https://www.arb.ca.gov/msprog/acc/acc.htm.

[135] California Air Resources Board. "Advanced Clean Cars II." Accessed December 6, 2022. https://ww2.arb.ca.gov/our-work/programs/advanced-clean-cars-program/advanced-clean-cars-ii.

Standard	Description
4.1 Green Building Design	
1	**Non-residential green building standard.** All new non-residential construction shall meet the intent of LEEDBD+C Gold or an alternative green building standard, the mandatory CALGreen requirements, and other standards outlined in the Precise Plan.
4	**Residential green building standards.** All new residential construction shall meet the City's minimum green building requirements, mandatory CALGreen requirements, and other green building regulations outlined in the Precise Plan.
5	**Residential green building standards for the North Bayshore Density Bonus Program.** All new residential construction participating in the North Bayshore Density Bonus Program shall implement the green building measures specified in Appendix B (of the NBPP).
4.2 Energy Efficiency and Renewable Energy	
1	**Non-residential energy performance.** New non-residential construction shall meet the minimum energy performance standards as defined by LEED BD+C prerequisites and mandatory CALGreen requirements.
2	**Non-residential energy monitoring.** To support energy management and identify opportunities for energy savings, new non-residential construction shall provide submeters or equivalent combinations of sensors to record energy use data (electricity, natural gas, etc.) for each major energy system in the building
3	**Solar ready buildings.** All new construction shall be designed to be solar ready, which includes provision of a solar zone and infrastructure such as solar panel standoffs and conduit

2030 Greenhouse Gas Reduction Strategy

The City of Mountain View certified the General Plan Program EIR (SCH #2011012069) and adopted the Mountain View 2030 General Plan and 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. 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.

Mountain View Green Building 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.[136] 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. For non-residential projects proposing buildings between 5,000 and 25,000 square feet,

[136] City of Mountain View. *Mountain View Green Building Code*. 2019. Accessed September 19, 2022. https://www.mountainview.gov/depts/comdev/building/construction/2019_mountain_view_green_building_and_reach_codes.asp

the MVGBC requires those buildings meet the intent of LEED Certified and mandatory CalGreen requirements. For buildings over 25,000 square feet, the MVGBC requires those buildings meet the intent of LEED Silver and 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.

4.4.1.2 *Existing Conditions*

Total energy usage in California was approximately 6,956 trillion British thermal units (Btu) in the year 2020, the most recent year for which this data was available.[137] Out of the 50 states, California is ranked second in total energy consumption and 49th in energy consumption per capita. The breakdown by sector was approximately 21 percent (1,507.7 trillion Btu) for residential uses, 19.6 percent (1,358.3 trillion Btu) for commercial uses, 24.6 percent (1,701.2 trillion Btu) for industrial uses, and 34 percent (2,355.5 trillion Btu) for transportation.[138] 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 2019 was consumed primarily by the commercial sector (76 percent), followed by the residential sector consuming 24 percent. In 2019, a total of approximately 16,664 gigawatt hours (GWh) of electricity was consumed in Santa Clara County

The community-owned Silicon Valley Clean Energy (SVCE) is the electricity provider for the City of Mountain View.[139] SVCE sources the electricity and 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 considered 100 percent GHG-emission free. The existing development on-site uses approximately 26.8 GWh of electricity annually.

[137] United States Energy Information Administration. "State Profile and Energy Estimates, 2020." Accessed June 30, 2022. https://www.eia.gov/state/?sid=CA#tabs-2.
[138] Ibid.
[139] Silicon Valley Clean Energy. "Frequently Asked Questions." Accessed June 30, 2022. https://www.svcleanenergy.org/faqs.

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.[140] In 2020, California used 2,144 trillion Btu of natural gas.[141] In 2020, Santa Clara County used less than one percent of the state's total consumption of natural gas.[142] The existing development on-site uses approximately 27 million kBtu of natural gas annually.

Fuel for Motor Vehicles

In 2019, 15.4 billion gallons of gasoline were sold in California.[143] 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 2021.[144] 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 March 2020 to require all cars and light duty trucks achieve an overall industry average fuel economy of 40.4 mpg by model year 2026. [145,146] The existing land uses on-site consume approximately 1.3 million gallons of fuel annually.

4.4.2 Impact Discussion

For the purpose of determining the significance of the project's impact on energy, 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?
2) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?
3) Result in a substantial increase in demand upon energy resources in relation to projected supplies?

[140] California Gas and Electric Utilities. *2021 Supplemental California Gas Report.* Accessed June 30, 2022. https://www.socalgas.com/sites/default/files/2020-10/2020_California_Gas_Report_Joint_Utility_Biennial_Comprehensive_Filing.pdf.
[141] United States Energy Information Administration. "Natural Gas Consumptions Estimates, 2020." Accessed June 30, 2022. https://www.eia.gov/state/seds/data.php?incfile=/state/seds/sep_fuel/html/fuel_use_ng.html&sid=US&sid=CA.
[142] California Energy Commission. "Natural Gas Consumption by County." Accessed July 1, 2022. http://ecdms.energy.ca.gov/gasbycounty.aspx.
[143] California Department of Tax and Fee Administration. "Net Taxable Gasoline Gallons." Accessed July 1, 2022. https://www.cdtfa.ca.gov/dataportal/dataset.htm?url=VehicleTaxableFuelDist.
[144] United States Environmental Protection Agency. "The 2021 EPA Automotive Trends Report." November 2021. https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=P1013L1O.pdf.
[145] United States Department of Energy. *Energy Independence & Security Act of 2007.* Accessed July 1, 2022. http://www.afdc.energy.gov/laws/eisa.
[146] Public Law 110–140—December 19, 2007. *Energy Independence & Security Act of 2007.* Accessed July 1, 2022. http://www.gpo.gov/fdsys/pkg/PLAW-110publ140/pdf/PLAW-110publ140.pdf.

4.4.2.1 *Project Impacts*

Impact EN-1:	**Both Project Options:** The project (under either option) would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. **[Same Impact as Approved Project (Less than Significant Impact)]**

The 2017 EIR concluded that construction and operation of development under the Precise Plan would not result in a significant impact due to wasteful, inefficient, or unnecessary consumption of energy or wasteful use of energy resources because:

- Construction processes are generally designed to be efficient to avoid excess monetary costs,
- Development would occur in an urbanized area with access to major roadways, construction supplies, and workers,
- Standard BAAQMD BMPs (such as those identified in Section 4.1 Air Quality) would be implemented to restrict construction equipment idling times and prohibit unnecessary idling,
- The project would comply with Precise Plan Section 4.5 Standard 2 (Construction Waste Reduction) and Guidelines 2, 3, and 4 (Material Selection, Regional Materials, and Reused Materials) which require that projects recycle and/or salvage for reuse a minimum of 65 percent of nonhazardous construction and demolition waste, use regionally sourced materials, use reused materials, and use construction materials that are certified by third-parties and selected based on a lifecycle assessment of their embodied energy.[147]

The 2017 EIR explained that operation of uses in the Precise Plan area would not result in a significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources because projects would meet:

- MVGBC requirements
- CalGreen and LEED requirements
- Precise Plan green building regulations outlined in Chapter 4
- Precise Plan Density Bonus Program green building requirements in Appendices B and C of the Precise Plan

Projects that comply with the above regulations would meet or exceed Title 24 energy efficiency standards.[148] In addition, the Precise Plan and the City's GGRP require projects to implement TDM plans to reduce trips (thereby reducing energy used for vehicle trips).

While the project (under either option) includes more development than evaluated in the 2017 EIR (i.e., a parking garage on subarea AM1, 325 additional hotel rooms, 199,206 additional square feet of retail space, and 66,957 additional square feet of institutional/recreational space), the construction and

[147] City of Mountain View. *North Bayshore Precise Plan: Draft Subsequent Environmental Impact Report*. State Clearinghouse Number 2013082088. March 2017. Page 247.
[148] Ibid. Page 248.

operation of the proposed uses would be consistent with the assumptions above from the 2017 EIR to not result in wasteful, inefficient, or unnecessary consumption of energy resources. The project (under either option), therefore, would not result in a new or substantially more severe significant impact regarding the consumption of energy resources than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

Impact EN-2:	**Both Project Options:** The project (under either option) would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. **(Same Impact as Approved Project [Less than Significant Impact])**

The 2017 EIR concluded compliance with the City's standard conditions of approval and Precise Plan standards and guidelines promoted renewable energy and energy efficiency.[149] The project (under either option) would be consistent with state and local plans for renewable energy and energy efficiency by:

- Obtaining 100 percent GHG-emission free electricity from SVCE (consistent with the state's RPS program and SB 350);
- Constructing in accordance with Title 24, CALGreen, and MVGBC;
- Having the office buildings meet LEED Platinum green building standards (consistent with the requirements in Precise Plan Appendix C and General Plan Policies LUD 10.5 and 15.2);
- Having residential buildings achieve the equivalent of a GreenPoint rating of 120 points or better (consistent with Standard 5 in Chapter 4.1 of the Precise Plan, Appendix B of the Precise Plan, and General Plan Policies LUD 10.5 and 15.2);
- Having all new buildings be 100 percent electric (consistent with the City's Reach Code amendments); and
- Implementing a TDM plan (consistent with Chapter 6.14 of the Precise Plan).

In addition, the project (under either option) would comply with the mandatory measures identified in the City's GGRP, as discussed in detail in Section 3.3 Greenhouse Gas Emissions.

Based on the above discussion, the proposed project (under either option) would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. **(Same Impact as Approved Project [Less than Significant Impact])**

[149] Ibid. Page 249.

Impact EN-3:	**Both Project Options:** The project (under either option) would not result in a substantial increase in demand upon energy resources in relation to projected supplies. **(Same Impact as Approved Project [Less than Significant Impact])**

Table 4.4-1 summarizes the estimated energy demand disclosed in the 2017 EIR from buildout of the Precise Plan. The 2017 EIR concluded the Precise Plan's energy demand was not a substantial increase relative to the County's, state's, and/or nation's overall demand and projected supplies.[150]

Table 4.4-1: 2017 EIR Precise Plan Energy Demand

Electricity (kWh)	Natural Gas (kBtu)	Gasoline (gallons)
88,423,197	157,516,649	69,723

Most of the development proposed by the project (under either option) was evaluated in the 2017 EIR. The project (under either option) includes additional development not previously accounted for in the 2017 EIR (i.e., a parking garage on subarea AM1, 325 additional hotel rooms, 199,206 additional square feet of retail space, and 66,957 additional square feet of institutional/recreational space). The project's estimated energy use is summarized in Table 4.4-2.

Table 4.4-2: Project Net Increase in Energy Use

	Electricity (kWh)	Natural Gas (kBtu)	Gasoline (gallons)[1]
Project (without District Utility Systems Option)			
A. Proposed Uses	162,234,620	0	24,986
B. Existing Uses	26,816,750	27,016,450	1,295,234
Net Increase (A-B)	*135,417,870*	*-27,016,450*	*-1,270,248*
Project with District Utilities Systems Option			
A. Proposed Uses	166,077,420	0	24,986
B. Existing Uses	26,816,750	27,016,450	1,295,234
Net Increase (A-B)	*139,260,670*	*-27,016,450*	*-1,270,248*

[1] The estimated gasoline demand is based on the estimated annual VMT. The annual VMT for the existing conditions is 32,898,956 miles and 634,710 miles for the project. An average fuel economy of 25.4 miles per gallon was assumed.

The project includes a District Utilities System Option, which furthers the applicant's corporate sustainability goals. Energy demand from construction and operation of the proposed buildings would remain the same under either project option. The operation of the DCP would be in addition to continued operation of the City's existing utilities systems, as there is no assumed reduction of municipal utility capacity due to the addition of the DCP. Because the City must ensure the existing utilities systems can accommodate the proposed development on the site in the event the DCP is offline,

[150] Ibid. Page 245 and 246.

the City must be prepared to service this site if needed. Therefore, this analysis evaluates the proposed DCP facilities as "additive" on the existing municipal utility operations.

As shown in Table 4.4-2, on-site electricity demand would increase and natural gas and gasoline demand would decrease compared to existing conditions with implementation of the project (under either option). This is due to the replacement of existing electric/natural gas-powered buildings with new all electric buildings designed consistent with the City's Reach Code standards, improvements in fuel efficiency for vehicles in 2040, and implementation of the project's proposed TDM program (see Section 2.5.10).[151]

The energy demand of just the additional development not previously accounted for in the 2017 EIR (i.e., a parking garage on subarea AM1, 325 additional hotel rooms, 199,206 additional square feet of retail space, and 66,957 additional square feet of institutional/recreational space) would result in an incremental increase compared to the estimated energy demand from the buildout of the Precise Plan disclosed in the 2017 EIR and energy supplies would not result in a substantial increase in demand upon energy resources in relation to projected supplies discussed in Section 4.4.1.2. **(Same Impact as Approved Project [Less than Significant Impact])**

4.4.2.2 *Cumulative Impacts*

Impact EN-C:	**Both Project Options:** The project (under either option) would not result in a cumulatively considerable contribution to a cumulatively significant energy impact. **(Less than Significant Cumulative Impact)**

Energy is a cumulative resource. The geographic area for cumulative energy impacts is the state. Past, present, and future development projects contribute to the state's energy impacts. If the project is determined to have a significant energy impact, it is concluded that the impact is a cumulative impact. As discussed in more detail under Impact EN-1, Impact EN-2, and Impact EN-3, the project (under either option would not result in a significant energy impact because:

- The construction processes are designed to be efficient;
- The project site is located in an urban area proximate to roadways, construction supplies, and construction workers;
- The project shall comply with City standard conditions of approval that would reduce equipment idling;
- A minimum of 65 percent of nonhazardous construction and demolition waste would be recycled and/or salvaged;
- The project would be constructed in accordance with the MVGBC, Title 24, and CALGreen;
- The project would implement a TDM program (consistent with Chapter 6.14 of the Precise Plan);
- The project site is served by existing transit, bicycle, and pedestrian facilities;
- The office buildings would be constructed to LEED Platinum green building standards; and

[151] Per City Code Chapters 8, 14, and 24, all new construction buildings are required to be electric. Natural gas may be used for commercial spaces with specialized equipment that cannot operate with electric service (e.g., a restaurant with a pizza oven) subject to City approval.

- The residential buildings would be constructed to achieve the equivalent of a GreenPoint rating of 120 points.

Based on the above discussion, the project (under either option) would not result in a new or substantially more severe significant cumulative energy impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Cumulative Impact])**

4.4.3 Conclusion

	Impact	Same/Similar Impact Analyzed in 2017 EIR	Significance Before Mitigation	Mitigation	Significance After Mitigation
EN-1:	**Both Project Options:** 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.	Yes	LTS	None	N/A
EN-2:	**Both Project Options:** The project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.	Yes	LTS	None	N/A
EN-3:	**Both Project Options:** The project would not result in a substantial increase in demand upon energy resources in relation to projected supplies.	Yes	LTS	None	N/A
EN-C:	**Both Project Options:** The project would not result in a cumulatively considerable contribution to a cumulatively significant energy impact.	Yes	LTS	None	N/A
Abbreviations: LTS = Less than Significant, N/A = Not Applicable					

4.5 GEOLOGY AND SOILS

The following discussion is based, in part, on geotechnical investigations performed by ENGEO Incorporated, Cornerstone Earth Group, and ENGEOTECH, Inc. These reports are attached as Appendix H.

4.5.1 Environmental Setting

The environmental setting, including the regulatory framework and existing site conditions, have not substantially changed since the certification of the 2017 EIR.

4.5.1.1 *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 California Building Standards Code (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

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 (under either option).

Policy	Description
Public Safety	
PSA 4.2	**Natural disasters.** Minimize impacts of natural disasters.
PSA 5.1	**New development.** Ensure new development addresses seismically induced geologic hazards.
PSA 5.2	**Alquist-Priolo zones.** Development shall comply with the Alquist-Priolo Earthquake Fault Zoning Act.
PSA 5.4	**Utility design.** Ensure new underground facilities, particularly water and natural gas lines, are designed to meet current seismic standards.
Infrastructure and Conservation	
INC 2.3	**Emergency-prepared infrastructure design.** Require the use of available technologies and earthquake-resistant materials in the design and construction of all infrastructure projects, whether constructed by the City or others.

Mountain View Municipal 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's Code of Ordinances. The City's Building Inspection Division, which is part of the Community Development Department, is responsible for reviewing plans, issuing building permits, and conducting field inspections. Geotechnical investigation reports, as required by the CBC, would be reviewed by the City's Building Inspection Division prior

to issuance of building permits to ensure compliance. Based on the CBC, Mountain View requires geotechnical reports as conditions of approval for projects in the City.

4.5.1.2 *Existing Conditions*

Regional Geology

The project site is located in the Santa Clara Valley, an alluvial basin bounded by the Santa Cruz Mountains to the west, the Diablo Range to the east, and the San Francisco Bay to the north. The Valley was formed when sediments derived from both mountain ranges were exposed by tectonic uplift and regression of the inland sea which previously inundated the area. The Upper Quaternary sediments that comprise most of this basin consist of up to 1,000 feet of poorly sorted gravel, sand, and clay which were deposited in alluvial fan and deltaic deposit.

On-Site Geology

Soils

The project site is generally underlain by stiff to hard clays closest to the surface, with various layers of medium dense clayey sands and stiff clay composing the sub-surface layers. Expansive soils shrink and swell as a result of moisture changes. These changes can cause heaving and cracking of slabs-on-grade, pavements, and structures founded on shallow foundations. The surficial soils present in the area had plasticity index scores ranging from 12 to 41, indicating a moderate to very high expansion potential throughout the project site.[152, 153, 154]

Site Topography

The project site is relatively flat with some areas graded slightly for draining, 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 on the project site ranges from 13 to 21 feet above mean sea level.

Groundwater

The City of Mountain View overlies the Santa Clara Subbasin (DWR Basin 2-9.02), a groundwater subbasin that is 297 square miles in area. Approximately three percent of Mountain View's drinking water comes from local groundwater supply, while the rest is supplemented by water purchases from Valley Water and the SFPUC. Valley Water conducts an artificial groundwater recharge program that involves releasing locally conserved or imported water to in-stream and off-stream facilities to augment groundwater supplies in the Santa Clara groundwater basin.

[152] Cornerstone Earth Group. *Preliminary Geotechnical Investigation: Shorebird Way Corporate Campus*. August 11, 2017.
[153] Cornerstone Earth Group. *Geotechnical Investigation: 1400 North Shoreline Campus*. March 28, 2014.
[154] ENGEO. *Preliminary Geotechnical Report: Google North Bayshore*. November 27, 2019.

Soil borings were performed at depths ranging from 30 feet bgs to 108 feet bgs in select areas of the project site (specifically those areas within the Shorebird and Joaquin Complete Neighborhoods). Based on the soil borings and other subsurface investigation, groundwater levels on-site have been measured between three and 14 feet below ground surface, which is indicative of a relatively high water table in the area (see Appendix H for additional details regarding the depth and location of the soil borings on-site). Groundwater levels on-site may vary depending on seasonal precipitation, irrigation practices, and other climate conditions.

Seismic and Seismic-Related Hazards

Earthquake Faults

The project site is located within the seismically active San Francisco Bay region and within the general vicinity of three known major active faults. These faults are the San Andreas Fault, eight miles to the west; Calaveras Fault, 14 miles to the east; and Hayward Fault, 10 miles to the northeast. The project site is not located within a designated Alquist-Priolo Earthquake Fault Zone or a Santa Clara County Fault Hazard Zone.[155, 156]

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 located within a State of California liquefaction hazard zone, as well as a County Liquefaction Hazard Zone.[157]

Other Geologic Hazards

The project site is not located within a Santa Clara County Geologic Hazard Zone for compressible soil, landslides, or fault rupture.[158]

Paleontological Resources

Geologic units of Holocene age are generally not considered sensitive for paleontological resources, because biological remains younger than 10,000 years are not usually considered fossils. These sediments have low potential to yield fossil resources or to contain significant nonrenewable paleontological resources.[159] These recent sediments, however, may overlie older Pleistocene sediments with high potential to contain paleontological resources. Pleistocene sediments, often found at depths of greater than 10 feet below the ground surface, have yielded the fossil remains of plants and extinct terrestrial vertebrates.

[155] CA Department of Conservation. *California Earthquake Hazards Zone.* Webmap. Accessed November 23, 2021. https://maps.conservation.ca.gov/cgs/EQZApp/app/
[156] Santa Clara County. *Geologic Hazards Zones. Maps 2 and 10*. October 2012.
[157] California Geological Survey. Earthquake Zones of Required Investigation. Map. Accessed November 23, 2021. https://maps.conservation.ca.gov/cgs/informationwarehouse/regulatorymaps/
[158] Ibid.
[159] United States Department of the Interior. Potential Fossil Yield Classification System. July 2016. Accessed November 24, 2021. https://www.blm.gov/sites/blm.gov/files/uploads/IM2016-124_att1.pdf

There have been no recorded fossils discovered within the City of Mountain View; however, two fossils have been discovered within two miles of the City's sphere of influence. Geologic formations within Mountain View indicate that the project site could have moderate paleontological sensitivity.[160]

4.5.2 Impact Discussion

For the purpose of determining the significance of the project's impact on geology and soils, 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)?
    - Strong seismic ground shaking?
    - Seismic-related ground failure, including liquefaction?
    - Landslides?
2) Result in substantial soil erosion or the loss of topsoil?
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?
4) Be located on expansive soil, as defined in the current California Building Code, creating substantial direct or indirect risks to life or property?
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?
6) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?

[160] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Pages 232.

4.5.2.1 *Project Impacts*

Impact GEO-1:	**Both Project Options:** The project (under either option) 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. **[Same Impact as Approved Project (Less than Significant Impact)]**

As disclosed in the 2017 EIR, the project site is located in a seismically active region, and as such, strong to severe ground shaking would be expected during the lifetime of the proposed project. The project site is not located within the Alquist-Priolo special study zone on the California Geological Survey fault zone map. The nearest active fault zones in the project vicinity are the San Andreas Fault, Calaveras Fault, and Hayward Fault. While no active faults are known to cross the project site (therefore fault rupture is not anticipated to occur), ground shaking on-site could damage structures and threaten future occupants of the proposed development. Additionally, consistent with the conclusions of the 2017 EIR, the project site is located in a liquefaction hazard area. Due to the relatively flat topography of the site and the lack of steep grades in the surrounding areas, the project would not be subject to substantial slope instability or landslide related hazards.

The 2017 EIR concluded that future development would not result in significant seismic or seismic-related hazards (including strong seismic ground shaking and liquefaction) by being designed and constructed in accordance with CBC requirements and General Plan policies PSA 4.2, PSA 5.1, PSA 5.2, PSA 5.3, PSA 5.4, and INC 2.3, as well as complying with the following standard condition of approval.[161]

Standard Condition of Approval:

COA GEO-1.1: **Both Project Options: Geotechnical Report:** The applicant shall have a design level geotechnical investigation prepared which includes recommendations to address and mitigate geologic hazards in accordance with the specifications of California Geological Survey Special Publication 117, Guidelines for Evaluating and Mitigating Seismic Hazards, and the requirements of the Seismic Hazards Mapping Act. The report shall be submitted to the City prior to the issuance of building permits, and the recommendations made in the geotechnical report shall be implemented as part of the project. Recommendations may include considerations for design of permanent below-grade walls to resist static lateral earth pressures, lateral pressures caused by seismic activity, and traffic loads; method for back draining walls to prevent the buildup of hydrostatic pressure; considerations for design of excavation shoring system; excavation monitoring; and seismic design. Additionally, recommendations shall include measures (e.g.,

[161] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Page 257.

shoring walls, waterproofing, and below grade hydraulic barriers[162]) to minimize the amount of dewatering required during construction and prevent substantial impacts to aquifers or existing wells. Specific recommendations contained in the geotechnical report prepared for the project shall be implemented to the satisfaction of the City of Mountain View Building Inspection Division.

The project (under either option and the district parking garage proposed on Subarea AM1 outside the Precise Plan area) would comply with the same CBC requirements, General Plan policies, and condition of approval identified above. The project's compliance with these requirements would ensure proper design, engineering, and construction to minimize impacts from seismic and seismic-related hazards (including liquefaction and later spreading) to acceptable levels. The project (under either option), therefore, would not result in a new or substantially more severe significant impact than disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact GEO-2:	**Both Project Options:** The project (under either option) would not result in substantial soil erosion or the loss of topsoil. **[Same Impact as Approved Project (Less than Significant Impact)]**

Consistent with the 2017 EIR's conclusions, due to the site and surrounding area's flat topography, the project (under either option) would not be subject to substantial erosion. Therefore, the project (under either option) would not expose people or structures to significant erosion-related hazards. In addition, the project (under either option) would be required to implement standard conditions of approval to ensure erosion would not occur during construction and operation of the project, as described in detail in Section 4.7 Hydrology and Water Quality. For these reasons the proposed project (under either option) would not result in a new or substantially more severe significant soil erosion impact than disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact GEO-3:	**Both Project Options:** The project (under either option) 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. **[Same Impact as Approved Project (Less than Significant Impact)]**

Given the proximity of seismically active faults, seismic ground shaking could result in liquefaction and liquefaction-induced lateral spreading or differential settlement at the project site. Specifically in regard to the eastern side of the project site in proximity to the Charleston Retention Basin on the north side of Charleston Road and Stevens Creek along the eastern side of the project site, there is a low to moderate potential for seismically induced lateral spreading.[163] Implementation of the standard condition of approval discussed under Impact GEO-1 would reduce the impacts of seismic-related hazards (including liquefaction and later spreading) to a less than significant level.

[162] Below-grade hydraulic barriers, once inserted, restrict groundwater intrusion from elsewhere into the project site, thereby, limiting the amount of groundwater that needs to be removed to only that groundwater that existed on-site at the time the hydraulic barrier was inserted.
[163] Cornerstone Earth Group. *Preliminary Geotechnical Investigation: Shorebird Way Corporate Campus.* Page 7 and 8. August 11, 2017.

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 4.7 Hydrology and Water Quality, the project would require temporary groundwater dewatering during construction. Based on similar projects with basements in the Precise Plan area and scaled to the size of the proposed project, it is estimated that groundwater would be extracted at a maximum rate of approximately 2,000 to 2,900 gallons per minute, or 2.88 to 4.18 million gallons per day, during construction until building foundations are completed. This rate, however, would be anticipated to decrease following initial drawdown (i.e., following the first several weeks of dewatering) of the groundwater table to a lower, equilibrium dewatering rate. This lower equilibrium dewatering rate is anticipated to be one-third to one-half of the maximum rate between 650 and 1,450 gallons per minute, or 0.94 to 2.09 million gallons per day. Post-construction dewatering is not anticipated.[164,165] The standard condition of approval above (COA GEO-1.1) includes evaluation and implementation of measures to minimize dewatering during construction, which would prevent subsidence from the temporary construction dewatering. No permanent dewatering is required for the project. For these reasons, the project (under either option) is expected to have a less than significant impact on subsidence.

Furthermore, consistent with the 2017 EIR, the project site does not contain steep slopes subject to landslide potential.

Based on the above discussion, the project (under either option) would not result in a new or substantially more severe significant impact than disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact GEO-4:	**Both Project Options:** The project (under either option) would be located on expansive soil, as defined in the current California Building Code; however, it would not create substantial direct or indirect risks to life or property. **[Same Impact as Approved Project (Less than Significant Impact)]**

The 2017 EIR concluded that adherence to the CBC, General Plan Policies PSA 4.2, PSA 5.1, PSA 5.2, PSA 5.3, PSA 5.4, INC 2.3, and standard conditions of approval (i.e., COA GEO-1.1) would reduce impacts from expansive soils to a less than significant level.

Soils on-site have moderate to very high expansion potential. The project (under either option), including the proposed district parking garage on Subarea AM1 outside of the Precise Plan area, would conform to the same regulations identified in the 2017 EIR to minimize impacts from expansive soil through proper design, engineering, and construction practices. The project (under either option), therefore, would not result in a new or substantially more severe significant impact than disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

[164] Google. *North Bayshore Master Plan Dewatering Memo*. February 25, 2022.
[165] Google. *North Bayshore Master Plan: Additional Dewatering Information*. October 19, 2022.

Impact GEO-5:	**Both Project Options:** The project (under either option) 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. **[Same Impact as Approved Project (Less than Significant Impact)]**

Project

The project site is located within an urbanized area of Mountain View where sewers are available to dispose of wastewater from the project site. The project would connect to the City's existing sanitary sewer system and would not need to support septic tanks or alternative wastewater disposal systems. This is the same impact disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Project with District Utilities System Option

The project with District Utilities System Option includes a DCP, which includes a WRF that would have the capacity to treat a maximum daily flow of approximately 900,000 gallons of wastewater a day. The WRF is intended to treat all of the proposed project's wastewater. The design-level geotechnical report for the project required as a condition of approval (see COA GEO-1.1 under Impact GEO-1), would evaluate the DCP and identify recommendations to ensure on-site soils conditions are adequate to support the development. No leach pits or percolation fields are proposed. Therefore, the project with District Utilities System Option would not result in soils impacts due to the installation of septic tanks or alternative wastewater disposal systems. The project (under either option), therefore, would not result in a new or substantially more severe significant impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

Impact GEO-6:	**Both Project Options:** The project (under either option) would not directly or indirectly destroy a unique paleontological resource or site or unique geological feature. **[Same Impact as Approved Project (Less than Significant Impact)]**

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 2017 EIR included the following standard condition of approval to reduce impacts to unknown paleontological resources to a less than significant level.

Standard Condition of Approval:

COA GEO-6.1: **Both Project Options: 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.

The project (under either option) would implement the above standard condition. 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. This is the same impact as disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

4.5.2.2 *Cumulative Impacts*

Impact GEO-C:	**Both Project Options:** The project (under either option) would not result in a cumulatively considerable contribution to a cumulatively significant geology and soils impact**. [Same Impact as Approved Project (Less than Significant Cumulative Impact)]**

The 2017 EIR concluded that cumulative projects would implement the same conditions of approval, mitigation measures, and consistency with State Building Code that would avoid impacts from geology and soils hazards, and reduce them to a less than significant level. These projects would also be subject to federal, state, city, or county laws for building and construction in seismic hazard areas. The cumulative geology and soil geographic area, conditions, and impacts analyzed in the 2017 EIR do not change with the proposed project (under either option). For this reason, the project (under either option) would not result in a new or substantially more severe significant cumulative geology and soils impact than disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Cumulative Impact)]**

4.5.3 Conclusion

	Impact	Same/Similar Impact Analyzed in 2017 EIR	Significance Before Mitigation	Mitigation	Significance After Mitigation
GEO-1:	**Both Project Options:** 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.	Yes	LTS	None	N/A
GEO-2:	**Both Project Options:** The project would not result in substantial soil erosion or the loss of topsoil.	Yes	LTS	None	N/A
GEO-3:	**Both Project Options:** 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.	Yes	LTS	None	N/A
GEO-4:	**Both Project Options:** 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.	Yes	LTS	None	N/A

	Impact	Same/Similar Impact Analyzed in 2017 EIR	Significance Before Mitigation	Mitigation	Significance After Mitigation
GEO-5:	**Project only:** 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.	Yes	LTS	None	N/A
	Project with District Utilities System Option: 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.	Yes	LTS	None	N/A
GEO-6:	**Both Project Options:** The project would not directly or indirectly destroy a unique paleontological resource or site or unique geological feature.	Yes	LTS	None	N/A
GEO-C:	**Both Project Options:** The project would not result in a cumulatively considerable contribution to a cumulatively significant geology and soils impact.	Yes	LTS	None	N/A
Abbreviations: LTS = Less than Significant, N/A = Not Applicable					

4.6 HAZARDS AND HAZARDOUS MATERIALS

The following discussion is based, in part, on hazards and hazardous materials reports completed by Elevate Environmental dated December 10, 2021 and Farallon Consulting, LLC dated April 21, 2022. These reports are included in Appendix I.

4.6.1 Environmental Setting

The environmental setting, including the regulatory framework and existing site conditions, have not substantially changed since the certification of the 2017 EIR.

4.6.1.1 *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 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.[166]

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

[166] United States Environmental Protection Agency. "Superfund: CERCLA Overview." Accessed May 26, 2022. https://www.epa.gov/superfund/superfund-cercla-overview.

the EPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program.[167]

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).[168]

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 phased out use of friable asbestos products between 1973 and 1978. 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.

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

[167] United States Environmental Protection Agency. "Summary of the Resource Conservation and Recovery Act." Accessed May 26, 2022 https://www.epa.gov/laws-regulations/summary-resource-conservation-and-recovery-act.
[168] California Environmental Protection Agency. "Cortese List Data Resources." Accessed May 26, 2022. https://calepa.ca.gov/sitecleanup/corteselist/.

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.

Regional and Local

Municipal Regional Permit Provision C.12.f

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 NPDES Permit (MRP) by the San Francisco Bay Regional Water Quality Control Board (RWQCB) on November 19, 2015, Provision C.12.f requires that permittees develop an assessment methodology for applicable structures planned for demolition to ensure PCBs do not enter municipal storm drain systems.[169] As of July 2019, all applicants proposing full demolition of a building are required to submit a PCB Screening Assessment Applicant Package prior to obtaining a demolition permit. Buildings constructed or remodeled between 1950 and 1980 may contain PCBs in building materials. Implementation of this requirement is required in the San Francisco Bay Regional Stormwater NPDES Permit (Order No. r2-2015-0049, Permit No. CAS612008).[170]

The RWQCB has drafted a renewed MRP for the San Francisco Bay Region, which was adopted by the Water Board on May 11, 2022. Any new development submitted to the City after its effective date will be subject to the regulations under the renewed MRP.[171]

Moffett Federal Airfield Comprehensive Land Use Plan

The project site is approximately 0.78 mile west 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.[172] 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.

[169] California Regional Water Quality Control Board. *San Francisco Bay Region Municipal Regional Stormwater NPDES Permit.* November 2015.
[170] City of Mountain View. "Environmental Protection." Accessed November 18, 2021. https://www.mountainview.gov/depts/fire/environment/protection.asp
[171] California Water Boards, San Francisco Bay, Stormwater Municipal Regional Stormwater NPDES Permit Reissuance: https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/stormwater/. Accessed on April 8, 2022.
[172] 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.

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 (under either option).

Policy	Description
Public Safety	
PSA 3.1	**Minimized losses.** Minimize property damage, injuries and loss of life from fire.
PSA 3.2	**Protection from hazardous materials.** Prevent injuries and environmental contamination due to the uncontrolled release of hazardous materials through enforcement of fire and life safety codes and prevention.
PSA 3.3	**Development review.** Implement development review procedures that encourage effective identification and remediation of contamination and protection of public and environmental health and safety.
PSA 3.4	**Oversight agencies.** Work with local, state and federal oversight agencies to encourage remediation of contamination and protection of public and environmental health and safety.
PSA 4.1	**Emergency response plan.** Maintain and update the City's emergency response plans.
Infrastructure and Conservation	
INC 2.1	**Emergency preparedness.** Ensure that the City is well-prepared for natural and human-induced disasters and emergencies.
INC 18.1	**Contamination prevention.** Protect human and environmental health from environmental contamination.
INC 18.2	**Contamination clean-up.** Cooperate with local, state, and federal agencies that oversee environmental contamination and clean-up activities.
Land Use and Design	
LUD 2.5	**Moffett Federal Airfield.** Encourage compatible land uses within the Airport Influence Area for Moffett Federal Airfield as part of Santa Clara County's Comprehensive Land Use Plan.

Policy	Description
LUD 3.10	**Zoning standards for sensitive uses.** Allow sensitive uses such as childcare in the North Bayshore and East Whisman Change Areas with measures to protect those uses from hazardous materials used by surrounding businesses.
Mobility	
MOB 10.1	**Efficient automobile infrastructure.** Strive to maximize the efficiency of existing automobile infrastructure and manage major streets to discourage cut-through traffic on neighborhood streets.
MOB 10.2	**Reduced travel demand.** Promote effective TDM programs for existing and new development.
MOB 10.4	**Emergency response.** Monitor emergency response times and review emergency response time standards.

North Bayshore Precise Plan

The Precise Plan contains standards and guidelines to avoid significant hazard and hazardous materials impacts. The following guidelines and standards are applicable to the proposed project.

Standard	Description
3.3.2 Land Uses	
4	**Prohibited uses.** Extremely hazardous material users as defined in the City Code are prohibited, except for exempt permitted materials.
3.3.5 Building Height and Massing	
4	**Moffett Field Comprehensive Land Use Plan Height Limits.** All new buildings shall conform to the height limits established by the Moffett Field Comprehensive Land Use Plan. Specifically, maximum building heights shall not exceed 182 feet AMSL (Above Mean Sea Level). Proposed projects must also obtain a No Hazard determination from the FAA (Federal Aviation Agency).

4.6.1.2 *Existing Conditions*

The 2017 EIR identified several hazardous conditions in the Precise Plan area including a history of agricultural uses that may have involved the use of pesticides, historical spills and leaks of hazardous materials from companies working in the area, the presence of ACMs and lead-based paint in older buildings, proximity to contaminated groundwater plumes, and proximity to Moffett Federal Airfield.

On-Site Sources of Contamination

Prior to being developed with office, commercial, and industrial buildings throughout the mid-1900's, the project area (and many surrounding areas throughout the region) was used for agricultural purposes. Table 4.6-1 identifies known or suspected contaminants by each parcel that comprises the site based on site investigations. As shown in Table 4.6-1, 40 of the 42 tax parcels that comprise the project area either have residual pesticides exceeding the environmental screening levels (ESL) present in the soil

or have a history on-site of agricultural uses which indicates the likely presence of residual pesticides on-site.

Table 4.6-1 also shows several parcels within the project site have a history of tenants storing, using, and disposing of hazardous materials as part of industrial uses on-site. These hazardous materials range from solvents, halogenated organic compounds, compressed gasses, corrosive liquids, combustible liquids, laboratory waste, flammable liquids, acids, bases, flammable solvents, and lubricants among other materials. As part of on-site investigations included in Appendix I, soil, groundwater, and soil vapor sampling was performed at select locations. Levels of contaminants detected above ESLs are notated in Table 4.6-1.

Off-Site Sources of Contamination

As discussed in the 2017 EIR, there are seven Superfund sites within one mile of the Precise Plan area. Contaminated groundwater plumes are present within the Precise Plan area including the following two groundwater plumes. A third plume, the Middlefield-Ellis-Whisman (MEW) Plume is located east of the site and is not within the Precise Plan area. See Figure 4.6-1 for the estimated extent of nearby contaminated groundwater plumes. The potential for contaminants from these plumes to impact parcels within the project site are indicated in Table 4.6-1:.

Teledyne and Spectra-Physics (TSP) Sites

The Teledyne semiconductor manufacturing facility, located approximately 500 feet south of the project site at 1300 Terra Bella Avenue, has been in operation since 1962. In 1982, Teledyne reported an underground solvent storage tank had been leaking solvents into the soil and groundwater. The Spectra-Physics electronics and gas laser manufacturing facility, located approximately 0.32 mile south of the project site at 1250 West Middlefield Road, has been in operation since 1961. Their operational activities led to VOCs being released into the soil and groundwater near the facility. The Teledyne and Spectra-Physics Plume was created when those sources of contamination combined in the groundwater and migrated north of the original contamination sites. This plume has spread into the Precise Plan area and is estimated to have contaminated the soil and groundwater under the western half of the project site.

Montwood Site

Similar to the TSP sites described above, the Montwood Plume originated south of US 101 and spread north under the Precise Plan area. Contaminants in the plume consist primarily of Trichloroethylene (TCE), which is a VOC. The estimated extent of the plume does not reach the project site; however, it does extend to parcels adjacent to the project site.

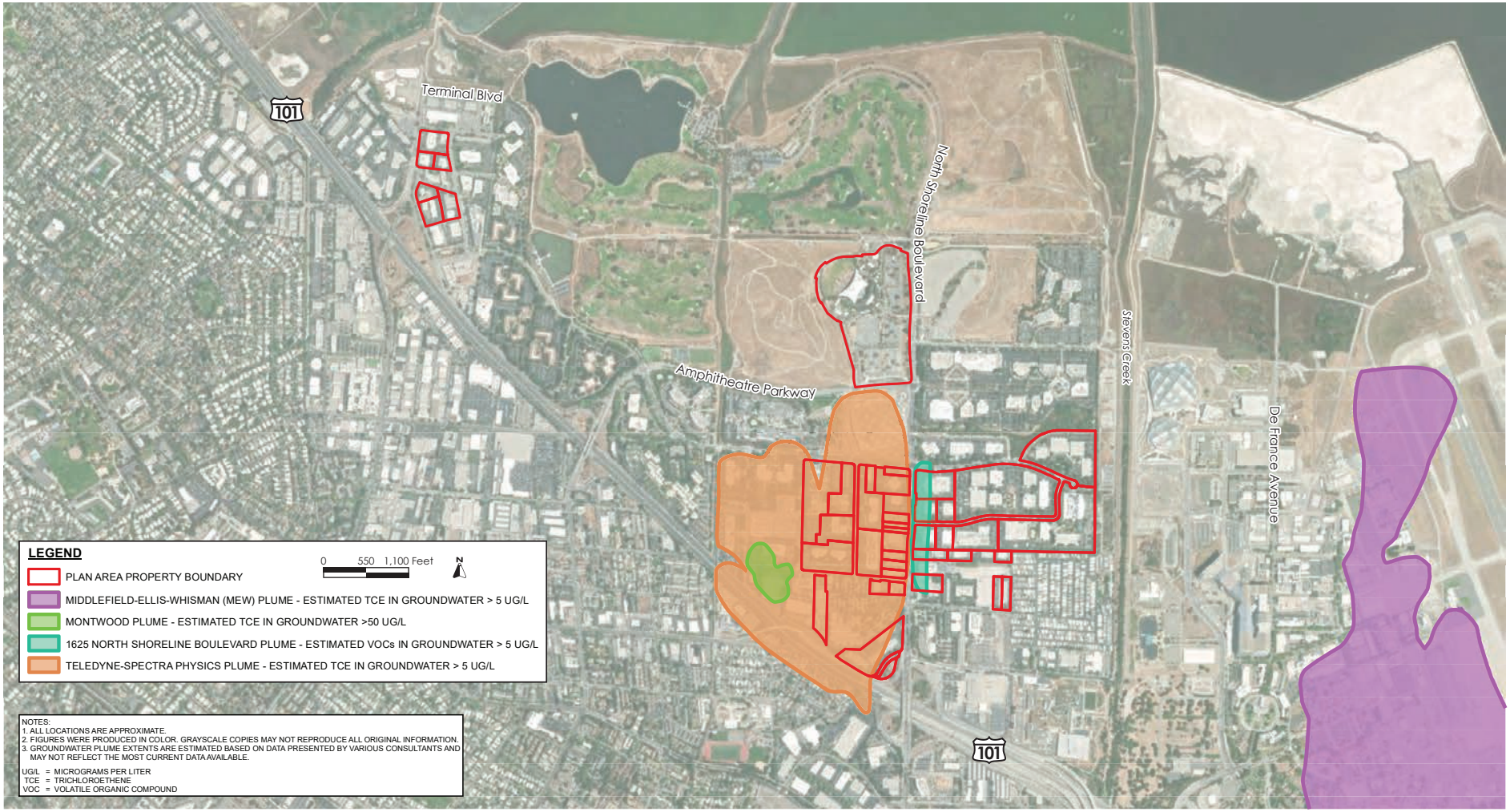
1625 North Shoreline Boulevard Site

In 2016, an array of VOCs were found in groundwater samples that exceeded the established ESLs in the area around 1625 North Shoreline Boulevard, which is within the Precise Plan area. The contaminated groundwater plume has since spread under multiple Master Plan parcels along North Shoreline Boulevard.

Table 4.6-1: Known or Suspected Contaminants by APN																		
APN	Antimony	Arsenic	Asbestos Containing Materials	Barium	Chromium	Cobalt	Contaminants in Groundwater	Contaminants in Soil Vapor	Freon 113	Generation of Hazardous Waste	Lead	Molybdenum	Nickel	Nitrite	Pesticides	Petroleum Hydrocarbons	Selenium	Vanadium	Volatile Organic Compounds (VOCs)[1]
116-02-037				X		X	X	X				X			X				X
-054		*	X				X						*		/			X	X
-081		*	X				X			H			*		/	X		X	X
-083	*	*					X	X	X				*		/			X	X
-084	*	*					X			H			*		/			*	X
-088	*	*	X				X						*		X	X			X
116-10-077		*		X			X	/		C			*		/			*	X
-078							X	/							/				X
-079			X				X	/		C					/				X
-080							X	/							/				X
-084							X								/				X
-085		*			*		X			C			*		/			*	X
-088							X												X
-089		*			*		X						*		/			*	X
-095		*					X	X							/			*	X
-097		*		X			X	/		H C			*		X			*	X
-101		*					X								/			*	X
-102		*		*			X	X		H	*		*		/			*	X
-104		*		X			X			H					/			*	X
-105		*					X	X							/			*	X
-107		*					X						*		/			*	X
-108		*		*			X	X		H			*		/			*	X
116-11-012		*		X			X	X		H C					X			*	X

Table 4.6-1: Known or Suspected Contaminants by APN																		
APN	Antimony	Arsenic	Asbestos Containing Materials	Barium	Chromium	Cobalt	Contaminants in Groundwater	Contaminants in Soil Vapor	Freon 113	Generation of Hazardous Waste	Lead	Molybdenum	Nickel	Nitrite	Pesticides	Petroleum Hydrocarbons	Selenium	Vanadium	Volatile Organic Compounds (VOCs)[1]
-021		*					X	X		H			*		/			*	X
-022		*					X			H					/			*	X
-024							X			H					/	X			X
-025		*					X	X		C			*		/	X		*	X
-028		*					X	X		H			*		/	X		*	X
-030		*					X	X		H					/			*	X
-038		*		*			X	X		H			*		/	X	*	*	X
-039		*					X	X					*		/	X		*	X
116-13-027							X	X		H					/				X
-034							X	X		H C					X				X
-037							X								/				X
-038							X								/				X
116-14-028		*		X			X			H						X		*	X
-058		*					X	X		H			*		/			*	X
-066		*					X	X							/	X		*	X
-070		*					X	X		H					/			*	X
-072		*					X	X		H					/	X		*	X
-095		*		X			X	X		H			*		/	X		*	X
116-20-043							X							X	/	X		X	X

Table 4.6-1: Known or Suspected Contaminants by APN																		
APN	Antimony	Arsenic	Asbestos Containing Materials	Barium	Chromium	Cobalt	Contaminants in Groundwater	Contaminants in Soil Vapor	Freon 113	Generation of Hazardous Waste	Lead	Molybdenum	Nickel	Nitrite	Pesticides	Petroleum Hydrocarbons	Selenium	Vanadium	Volatile Organic Compounds (VOCs)[1]
1. Volatile Organic Compounds detected may include: T-1,2-Dichloroethylene (DCE), Cis-1,2-Dichloroethylene (DCE), Trichloroethylene (TCE), Chloroform, Benzene, Perchloroethylene (PCE), Vinyl Chloride, Ethylbenzene, 1,1-Dichloroethane (DCA) 1,2-Dichloroethane (DCA), Chloromethane, Freon 11, 1,1-Trichloroethane (TCA), Phenol, and/or Bromodichloromethane X = Contaminant or condition has been recorded on-site / = Potential contamination based on site use history or the measured presence of contaminants on nearby properties H = Historic tenant on-site generated and/or disposed of hazardous waste. C = Current tenant generates and/or disposes hazardous waste * = Concentrations exceed ESLs, but are within the estimated range of regional background concentrations in the soil																		



Source: Farallon Consulting, April 19, 2022.

GROUNDWATER PLUMES IN THE PROJECT VICINITY

FIGURE 4.6-1

Other Hazards

Asbestos-Containing Materials

As discussed in the 2017 EIR, buildings constructed prior to 1978 may have ACMs and lead-based paint present in the building materials. The asbestos containing materials could include materials such as roofs, tiling, and insulation. The Phase I Environmental Site Assessments conducted for the project site identified several parcels where those types of building materials were identified. Table 4.6-1 identifies which parcels within the project site could contain ACMs.

Moffett Federal Airfield

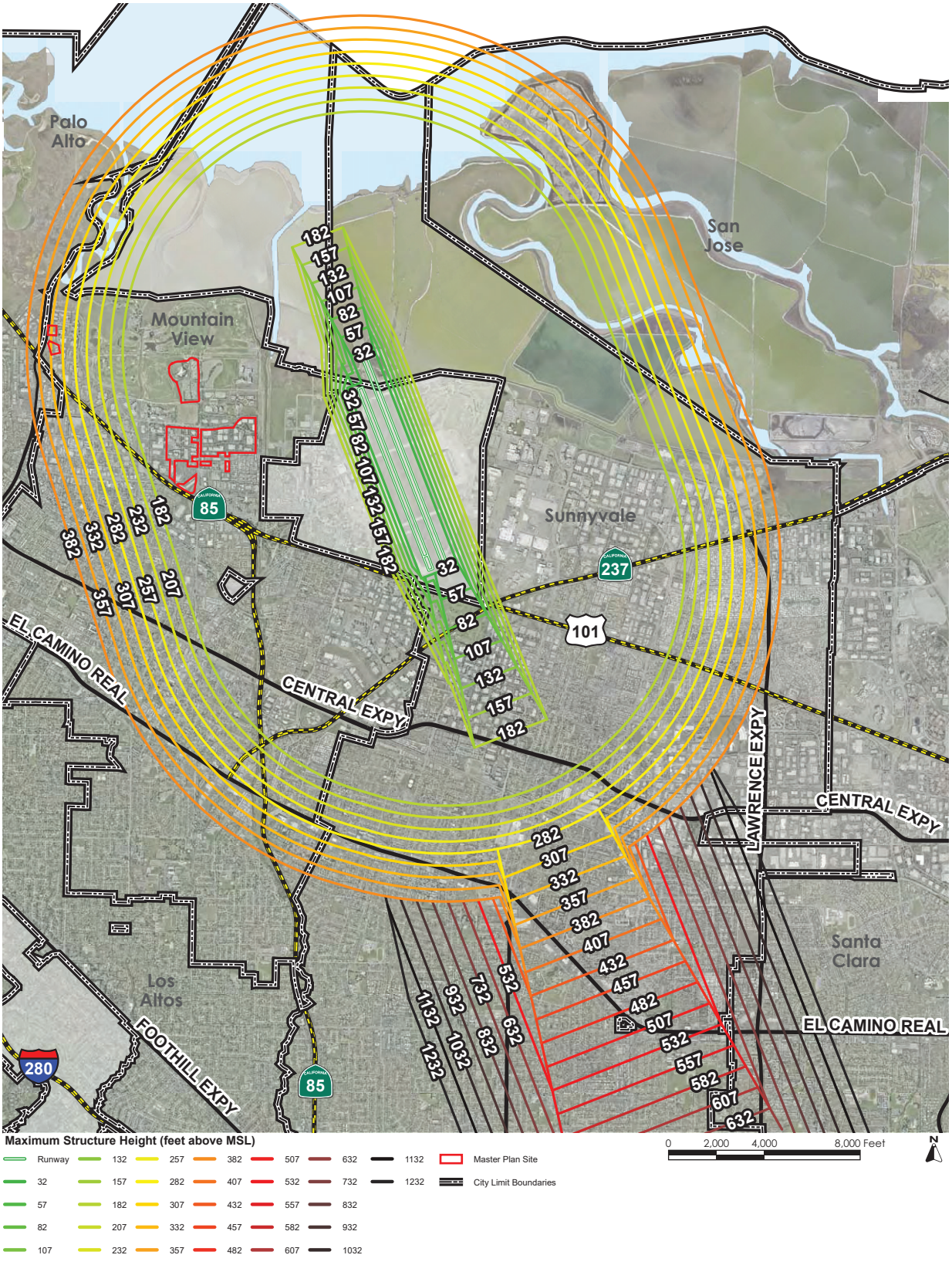
The project site is approximately 0.78 mile west of the Moffett Federal Airfield, which is the closest airport to the site. Most of the project site is within the AIA, except for the Marine Way district parking sites which are outside of the AIA. The central portion of the project site is within the mapped Part 77 182-foot above mean sea level (amsl) horizontal surface for Moffett Federal Airfield. The Marine Way district parking sites are between the Part 77 332- and 382-foot amsl horizontal surfaces.[173] The elevation of the project site ranges from zero- to 26-feet amsl. The site is not within any of the Airfield's Safety Zones or Noise Contours. See Figure 4.6-2 for additional details.

Wildfire Hazards

As discussed in Section 4.15 Wildfire, the project site is not located in any local or state responsibility fire hazard areas and is not classified as a very high fire hazard severity zone.[174]

[173] Santa Clara County Airport Land Use Commission. November 18, 2016. *Comprehensive Land Use Plan: Moffett Federal Airfield.* Accessed November 16, 2021. https://plandev.sccgov.org/sites/g/files/exjcpb941/files/ALUC_NUQ_CLUP.pdf

[174] California Department of Forestry and Fire Protection. FHSZ Viewer. Accessed February 15, 2022. https://egis.fire.ca.gov/FHSZ/



Source: Santa Clara County Planning Office.

MOFFETT FEDERAL AIRFIELD FAR PART 77 SURFACES | FIGURE 4.6-2

4.6.2 Impact Discussion

For the purpose of determining the significance of the project's impact on hazards and hazardous materials, would the project:

1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
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?
3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
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?
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?
6) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
7) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

4.6.2.1 *Project Impacts*

Impact HAZ-1:	**Both Project Options:** The project (under either option) would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. **(Same Impact as Approved Project [Less than Significant Impact])**

Project

The 2017 EIR concluded that, with compliance with federal, state, local requirements, General Plan Policies PSA 3.2 and PSA 3.3, and Precise Plan Standard 4, future development would not create a significant hazard to the public or environment through routine transport, use, or disposal of hazardous materials.[175] The conditions in and around the project site have not changed substantially since the certification of the 2017 EIR and the project proposes land uses consistent with those identified for the site and previously analyzed in the 2017 EIR. The proposed uses would have limited quantities of commercial cleaning and maintenance chemicals. The proposed residential, office, restaurant/retail, hotel, recreational, and institutional uses would not routinely transport, use, or dispose of substantial amounts of hazardous materials. No extremely hazardous material users as defined by the City Code are proposed, consistent with Precise Plan Standard 4.

[175] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Pages 297-298.

The project would include a diesel-powered emergency back-up generator at each building. The project would include a total of 60 emergency back-up power systems to serve fire and life safety loads in the case of emergency power loss. These would include 43 generators with a power rating of approximately 600 kW in the residential and mixed-use buildings, and 17 generators with a power rating of approximately 700 kW in the office buildings throughout the project area. It is estimated that up to approximately 30,000 gallons of diesel fuel would be stored for these generators throughout the project area.[176] Diesel fuel for these generators would be stored in double-walled aboveground storage tanks.

For these reasons, the project's proposed residential, restaurant/retail, hotel, institutional, and recreational uses would not result in a new or substantially more severe significant impact than disclosed in the 2017 EIR. Hazardous materials impacts from redeveloping the project site are discussed under Impact HAZ-2. **(Same Impact as Approved Project [Less than Significant Impact])**

Project with District Utilities System Option

The project with District Utilities System Option would result in the same impact as described above for the project without a district utilities system, as the district utility systems option would include the equipment and hazardous materials identified above, with the addition of a DCP including an on-site WRF that would use, store, and generate hazardous materials.

Water Reuse Facility

The WRF would treat wastewater using a multi-step process outlined in Title 22 of the California Code of Regulations that utilizes mechanical, biological, and chemical treatments to generate disinfected tertiary recycled water. Operation of the WRF would require the transport, use, storage and disposal of chemicals to treat the wastewater, control offensive odors, and clean the necessary equipment. These could include citric acid, sodium hypochlorite, methanol, sodium bicarbonate, polymers, and ferric chloride. These chemicals would be stored in 10- to 55-gallon drums within the DCP.[177]

Ozone (O_3) is often used in water disinfection processes for recycled water as O_3 molecules combine with other materials in water, making it easier to extract the unwanted materials from the water.[178] Because O_3 is highly reactive and short-lived, O_3 must be generated close to where it is intended to be used. Thus, O_3 generation equipment and the associated chemicals may be required to ensure that O_3 is available for use at the proposed wastewater treatment plant.[179] O_3 generated on-site would be injected into the water, creating bubbles and off-gasses. Any remaining O_3 in off-gasses should be destroyed before it is released into the atmosphere. If O_3 is used in the on-site wastewater treatment facility, any unused O_3 off-gasses would be required to be sent to an integrated O_3 destruction unit within the WRF to be recycled.[180]

[176] Elevate Environmental Consulting. *Chemical Use Summary for the North Bayshore Master Plan District Systems in Mountain View, California.* December 10, 2021.
[177] Ibid.
[178] United States Environmental Protection Agency. *Wastewater Technology Fact Sheet, Ozone Disinfection.* September 1999. https://www3.epa.gov/npdes/pubs/ozon.pdf
[179] Elevate Environmental Consulting. *Chemical Use Summary for the North Bayshore Master Plan District Systems in Mountain View, California.* December 10, 2021.
[180] Ibid.

Any residual solids that would be produced at the WRF would be sent to the anaerobic digester at the DCP to be broken down by bacteria. This process would release methane and carbon dioxide which would be captured to create biogas. The leftover digestate would be dewatered, and the remaining solid material would be sealed and transported off-site to be used as fertilizer or disposed of appropriately. The separated liquid would be returned to the WRF to be mixed with incoming wastewater for treatment.

Emergency Generator

In addition to the emergency generators that would be located at each building, under the project with District Utilities System Option, the DCP would contain one emergency generator with a power rating of approximately 1,500 kW. Diesel fuel for this generator would be stored in double-walled aboveground storage tanks and it is estimated that up to approximately 30,000 gallons of diesel would be stored on-site for all generators within the project site.

District Heating and Cooling System

The project with the District Utilities System Option would utilize a centralized heating and cooling system that would be located at the DCP. The DCP would house all chillers, heat pumps, distribution pumps, and cooling towers. As discussed in Section 2.3.5, the cooling towers would either be installed on the roof of the DCP building or on the ground level adjacent to the building. The district heating and cooling system would take the heated and chilled water and route it throughout the project site via underground piping. This geothermal system would involve the drilling of grids of geothermal piles under each building footprint to depths of approximately 85- to 100-feet bgs. A total of approximately 6,500 vertical bores would be required to service the project site.

Operation of this system would require the transportation, storage, use, and disposal of water treatment chemicals that would be used to inhibit the formation of scale and corrosion, and to inhibit the growth of microorganisms such as bacteria, fungi, and algae. These chemicals could include a microbiocide containing dibromocyanoacetamide, a biocide of liquid bromine and sodium bromosulfamate, a liquid scale and corrosion inhibitor containing etidronic acid and phosphonic acid, and a liquid isothiazole based biocide.[181] These chemicals would be stored in accordance with all relevant state and local regulations in drums ranging from 10 to 55 gallons in size.

Microgrid

As discussed in Section 2.3.5, a portion of the energy demand for the project would be generated by rooftop photovoltaic panels that would be located on all buildings within the project site. The solar energy generated on-site by these panels would be stored in on-site battery storage units that would either be located centrally at the DCP or adjacent to individual buildings within the project site. These batteries would be pad-mounted and seismically restrained on the finished grade/floor and would include proper catchment systems designed for protection from coolant leakage and fire. Approximately 26 battery storage units would be installed as part of this microgrid.

Each battery would contain approximately 145 gallons of a coolant that would be comprised of a half ethylene glycol and half water solution. It is estimated that approximately 3,770 gallons of coolant

[181] Ibid.

solution would be stored on-site for the batteries. Each battery would also contain 16.8 pounds of a refrigerant (1,1,1,2-tetrafluoroethane or another appropriate refrigerant) that would be sealed within a closed-loop refrigeration subsystem with a compressor and pressure release valve. It is estimated that a total of 437 pounds of refrigerant would be stored on-site. Each battery would require electrolyte fluid that would consist of a volatile hydrocarbon-based liquid and a dissolved lithium salt, such as lithium hexafluorophosphate, that would be stored within the individual battery cells.[182]

These battery storage units would be equipped with systems that identify internal leaks or overheating and automatically shut down the units to prevent potential environmental contamination. The battery systems would be stored in secure IP66 waterproof cabinet enclosures that would provide protection against environmental, chemical, and physical exposures. Secondary containment and fire suppression systems would also be installed in compliance with local and state regulations and plans for these measures would be reviewed by the Mountain View Fire Department (MVFD) prior to the issuance of building permits.

The transport, storage, use and disposal of these chemicals would be conducted in accordance with local, state, and federal laws and regulations including Cal/OSHA regulations for construction activities, RCRA requirements for disposal of solid waste and hazardous materials, and TSCA requirements for reporting, record-keeping, and testing related to chemical substances and/or mixtures. Operation in accordance with local, state, and federal laws would ensure that the transport, storage, use and disposal of chemicals associated with the District Utilities System Option would not create a significant hazard to the public or environment. **(Same Impact as Approved Project [Less than Significant Impact])**

Impact HAZ-2:	**Both Project Options:** The project (under either option) 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. **(Same Impact as Approved Project [Less than Significant Impact with Mitigation Incorporated])**

The 2017 EIR found that several sites within the Precise Plan area were on hazardous materials lists compiled pursuant to Government Code Section 65962.5, had a history of groundwater and soil contamination with solvents/VOCs, petroleum hydrocarbons, pesticides, metals, and other materials related to the industrial and agricultural activities, and could contain hazardous materials in the building materials. Based on that discussion, the 2017 EIR found that construction workers, future residents and employees, and the general public could be exposed to hazardous materials which would result in a potentially significant impact. The 2017 EIR concluded that adherence to General Plan Policies INC 18.1, INC 18.2, PSA 3.4, City standard conditions of approval, and 15 mitigation measures (see 2017 EIR MM HAZ-3.1 to MM HAZ-3.15) would reduce that risk to a less than significant level.

[182] Ibid.

On-Site Soil and Groundwater Contamination

As discussed in Section 4.6.1.2 and summarized in Table 4.6-1, there are a range of contaminants present or potentially present within the soil, groundwater, and soil vapor throughout the project area. These site conditions are consistent with the conditions disclosed in the 2017 EIR. Some of these contaminants were measured at concentrations exceeding their respective residential ESL, and others are within the regional background concentrations.[183] The below City standard condition of approval and 2017 EIR mitigation measures would be implemented by the proposed project (under either option).[184]

Standard Condition of Approval:

COA HAZ-1.1: **Both Project Options: Discovery of Contaminated Soils.** If contaminated soils are discovered, the applicant will ensure the contractor employs engineering controls and Best Management Practices (BMPs) to minimize human exposure to potential contaminants. Engineering controls and construction BMPs will include, but not be limited to, the following: (a) contractor employees working on-site will be certified in OSHA's 40-hour Hazardous Waste Operations and Emergency Response (HAZWOPER) training; (b) the contractor will stockpile soil during redevelopment activities to allow for proper characterization and evaluation of disposal options; (c) the contractor will monitor area around construction site for fugitive vapor emissions with appropriate field screening instrumentation; (d) the contractor will water/mist soil as it is being excavated and loaded onto transportation trucks; (e) the contractor will place any stockpiled soil in areas shielded from prevailing winds and/or cover stockpiles with appropriate sheeting; and (f) the contractor will cover the bottom of excavated areas with sheeting when work is not being performed.

Both Project Options: Toxic Assessment. A toxic assessment report shall be prepared and submitted as part of the building permit submittal. The applicant must demonstrate that hazardous materials do not exist on the site or that construction activities and the proposed use of this site are approved by environmental oversight agency(ies) with jurisdiction (e.g., the City Fire Department [Fire and Environmental Protection Division], State Department of Health Services, California Department of Toxic Substances Control [DTSC], San Francisco Bay Regional Water Quality Control Board [Water Board], Santa Clara County Department of Environmental, and any Federal agency such as US EPA). No building permits will be issued until each agency and/or department with

[183] Due to the widespread presence of certain contaminants in soils throughout the region, sampling results found to be consistent with regional background conditions indicate contaminant concentrations are not unique to the site and cannot be attributed to a specific release.

[184] 2017 EIR MM HAZ-3.2 only applies to sites that are not within an area covered by 2017 EIR MM HAZ-3.1. All portions of the project site are covered by 2017 EIR MM HAZ-3.1, therefore 2017 EIR MM HAZ-3.2 would not apply to any of the parcels on-site and it was omitted from this list.

jurisdiction has approved of the site activities or confirmed they have no requirements.

Both Project Options: Site Management Plan. Prepare a Site Management Plan (SMP) for soil, soil vapor, and groundwater for review and approval by the City as well as the overseeing environmental oversight agency (e.g., State Department of Health Services, California Department of Toxic Substances Control [DTSC], San Francisco Bay Regional Water Quality Control Board [Water Board], Santa Clara County Department of Environmental, and any Federal agency such as US EPA) or obtain concurrence from the environmental oversight agency that no review is required. Proof of approval or actions for site work required by the environmental oversight agency must be provided to the Building Inspection Division prior to issuance of any demolition or building permits.

North Bayshore 2017 EIR Mitigation Measures:

2017 EIR MM HAZ-3.1: Both Project Options: If a future project is located in an area for which an overseeing regulatory agency (e.g., US EPA, California Department of Toxic Substances Control [DTSC], San Francisco Bay Regional Water Quality Control Board [Water Board] or DEH) has determined that mitigation or other site management measures are required prior to future development, the project applicant shall coordinate development activities with the overseeing regulatory agency and adhere to the project-specific development requirements.

2017 EIR MM HAZ-3.3:[185] **Both Project Options:** Prior to the start of any construction activity on properties with known contaminants of concern (COC) exceeding the lower of the then-current DTSC, Water Board or US EPA residential vapor intrusion screening levels, the project applicant shall submit a Vapor Intrusion Control Evaluation to the City and the designated regulatory oversight agency for review and approval which consists of the following:

- An Air Monitoring Plan, which would assess the exposure of future on-site construction workers and neighboring occupants adjoining the site to COCs; this plan shall specify measures to be implemented if COC concentrations exceed threshold values.
- A determination as to whether or not vapor intrusion controls are required to be designed and implemented into the project's construction. If vapor intrusion controls are required, the Vapor Intrusion Controls Evaluation shall detail the specific proposed controls, which shall comprise of project components designed specifically for vapor intrusion control (e.g., a sub-slab vapor barrier and/or ventilation system) and/or project components designed primarily for other purposes, which may also mitigate potential vapor intrusion (e.g., waterproofing systems or parking level ventilation). The Vapor Intrusion Controls Evaluation shall also summarize any anticipated operations and maintenance requirements for the planned vapor

[185] This mitigation measure has been revised from the 2017 EIR to provide clarity on the requirements.

intrusion controls, if applicable, as well as a summary of planned activities to evaluate the performance of the planned vapor intrusion controls, such as post-construction indoor air sampling.

If required by the regulatory agency, specific evaluation documents, including but not limited to the following, shall be submitted to the City and the oversight agency for review and approval:

- Vapor Intrusion Control Completion Report documenting installation of the vapor control measures identified in the Vapor Intrusion Control Evaluation, including plans and specifications, and shall include results of post-construction indoor air sampling and system commissioning, where applicable.
- Long-Term Operations, Maintenance, and Monitoring Plan, which shall describe actions to be taken following construction to maintain and monitor selected remedial measures.

2017 EIR MM HAZ-3.4: Both Project Options: Prior to the start of any construction activity on properties with known COC exceeding the lower of the then-current DTSC, Water Board or US EPA residential screening levels, the project applicant shall coordinate work activities with the oversight agency and Responsible Parties (as designated by the oversight agency), including identifying conditions that could affect the implementation and monitoring of the approved remedy.

2017 EIR MM HAZ-3.5: Both Project Options:[186] At future project sites identified as being impacted or potentially impacted during the property-specific Phase I ESA or subsequent studies, a Site Management Plan (SMP) shall be prepared prior to development activities to establish management practices for handling contaminated soil, soil vapor, or other materials during construction. The SMP shall be prepared by an Environmental Professional and be submitted to the overseeing regulatory agency for review and approval prior to construction. The project applicant shall provide the oversight agency's written approval of the SMP to the City or confirmation from the oversight agency that their review is not required. The SMP for the property shall include the following activities:

- Property control procedures to control the flow of personnel, vehicles and materials in and out of the property.
- Monitoring of vapors (if VOCs are determined to be a COC) during the removal of the underground utilities as well as any other underground features. An Environmental Professional shall be present to observe soil conditions, monitor vapors with a hand held meter and low level VOC detector, as appropriate, and determine if additional soil, soil gas, and air sampling should be performed. Protocols and procedures shall be presented for determining when soil sampling and analytical testing will be performed. If additional sampling is performed, a report documenting

[186] This mitigation measure has been revised from the 2017 EIR to provide clarity on the requirements.

sampling activities (with site plans and analytical data) shall be provided to the oversight agency.

- Minimization of dust generation, storm water runoff and off-property tracking of soil.
- Minimization of airborne dust during demolition activities.
- Management of property risks during earthwork activities in areas where impacted soil, soil vapor and/or ground water are present or suspected. Worker training requirements, health and safety measures and soil handling procedures shall be described.
- Decontamination to be implemented by the Contractor to reduce the potential for construction equipment and vehicles to release contaminated soil onto public roadways or other off-property transfer.
- Perimeter air monitoring at the property during any activity that substantially disturbs the property soil (e.g., mass grading, foundation construction, excavation or utility trenching). This monitoring shall be used to document the effectiveness of required dust and vapor control measures.
- Contingency measures for previously unidentified buried structures, wells, debris, or areas of impacted soil that could be encountered during property development activities.
- Characterization and profiling of soil suspected of being contaminated so that appropriate disposal or reuse alternatives can be implemented. All soil excavated and transported from the property shall be appropriated disposed at a permitted facility.
- Segregation of "clean" and "impacted" soil stockpiles.
- Evaluation and documentation of the quality of soil imported to the property.
- Soil containing chemicals exceeding the lower of the then-current DTSC, Water Board or US EPA residential screening levels or typical background concentrations of metals shall not be accepted.
- Monitoring of excavations and trenches for the potential presence of VOC vapors (if a COC).
- Evaluation of the on-property soil conditions to determine if they will adversely affect the integrity of below ground utility lines and/or structures (e.g., the potential for corrosion).
- Measures to reduce potential soil vapor and ground water migration through trench backfill and utility conduits (if soil and/or ground water are contaminated). Such measures shall include placement of low-permeability backfill "plugs" at specified intervals on-property and at all locations where utility trenches extend off-property. In addition, utility conduits that are placed below ground water shall be installed with watertight fittings to reduce the potential for ground water to migrate into conduits.
- If the property is known to have COCs with the potential for mobilization, a Civil Engineer shall design the bottom and sides of vegetated swales and

water retention ponds to be lined with a minimum 30 mil[187] heavy duty plastic to help prevent infiltration.

- If deep foundation systems are proposed, the foundations shall incorporate measures to help reduce the potential for the downward migration of contaminated ground water (if present).
- Methods to mitigate the potential for vapor intrusion of VOC vapors (if present) into the planned structures.
- For construction activity that involves below ground work (e.g., mass grading, foundation construction, excavating or utility trenching), information regarding property risk management procedures (e.g., a copy of the SMP) shall be provided to the contractors for their review, and each contractor should provide such information to its subcontractors.
- If excavation dewatering is required, protocols shall be prepared to evaluate water quality and discharge/disposal alternatives; the pumped water shall not be used for on-property dust control or any other on property use if contaminated. If long-term dewatering is required, the means and methods to extract, treat and dispose ground water also shall be presented and shall include treating/discharging ground water to the sanitary sewer under a Publicly Owned Treatment Works (POTW) permit or treating /discharging ground water to the storm drain system pursuant to a California Regional Water Quality Control Board - San Francisco Bay Region (Water Board) NPDES permit. If dewatering activities may impact known ground water contaminant plumes in the vicinity of the property, the oversight agency responsible for the remediation of these contaminant releases shall be notified of planned activities.
- The project applicant's Environmental Professional shall assist in the implementation of the SMP for the property and shall, at a minimum, perform part-time observation services during demolition, excavation, grading and trenching activities. Upon completion of construction activities that significantly disturb the soil, the Environmental Professional shall prepare a report documenting compliance with the SMP; this report shall be submitted to the City and to the oversight agency (if the property is under regulatory oversight - which would require the Project Applicant to provide the oversight agency's written approval of the SMP Completion Report to the City or confirmation that the oversight agency's review is not required).

2017 EIR MM HAZ-3.6: Both Project Options: Leaving contaminated soil with COC above residential screening levels in place or re- using it on future project sites shall require an oversight agency's written approval; the written approval shall be provided to the City. At a minimum, if contaminated soil is left in-place, a deed restriction or land use covenant shall detail the location of these soils. This document shall include a surveyed map of these impacted soils; shall restrict future

[187] A mil is a measurement that equals one-thousandth of an inch, or 0.001 inch. One mil also equals 0.0254 millimeter.

excavation in these areas; and shall require future excavation be conducted in these areas only upon written approval by an oversight agency.

2017 EIR MM HAZ-3.7: Both Project Options: Any soil, soil vapor and/or ground water remediation of a future project site during development activities shall require written approval by an oversight agency and shall meet all applicable federal, state and local laws, regulations and requirements.

2017 EIR MM HAZ-3.8:[188] **Both Project Option:** Due to the North Bayshore Precise Plan area's proximity to US-101, soil sampling and analytical testing on a future site adjacent to US-101 for lead shall be performed (due to historical leaded gasoline use). If lead is detected above the lower of the then-current DTSC, Water Board or US EPA residential screening levels, it shall be appropriately managed under regulatory agency oversight.

2017 EIR MM HAZ-3.9: Both Project Options: Unless the Phase I ESA documents that a specific project site was historically not used for agricultural purposes, soil sampling and laboratory analyses shall be performed to evaluate the residual pesticide concentrations, if any, and potential health risks to future occupants and construction workers.

2017 EIR MM HAZ-3.10: Both Project Options: Soil exported from future project sites within the Precise Plan area shall be analyzed for COCs amongst other chemicals as required by the receiving facility.

2017 EIR MM HAZ-3.11: Both Project Options: The project applicant shall require the construction General Contractor to prepare a Health and Safety Plan (HSP) establishing appropriate protocols for working at the property. Workers conducting property earthwork activities in contaminated areas shall complete 40-hour HAZWOPER training course (29 CFR 1910.120). The General Contractor shall be responsible for the health and safety of their employees as wells as for compliance with all applicable federal, state, and local laws and guidelines.

2017 EIR MM HAZ-3.12: Both Project Options: Groundwater monitoring wells and remediation system components located on future project sites within the Precise Plan area shall be protected during construction. Upon written approval from the overseeing regulatory agency, the wells could be destroyed under permit from the Santa Clara Water District prior to mass grading activities. Relocation of the wells may be required. The locations of future ground water monitoring wells and other remediation infrastructure, if any, shall be incorporated into the development plans.

[188] This mitigation measure has been revised from the 2017 EIR to provide clarity on the requirements.

2017 EIR MM HAZ-3.13: Both Project Options: If future project sites are under active regulatory agency oversight, the project applicant and subsequent owners and occupants shall provide access to the sites, including ongoing access to monitoring wells for monitoring and sampling purposes, and cooperate with the oversight agency and Responsible Parties during implementation of any subsequent investigation or remediation, if required. In addition, if vapor intrusion poses a human health risk, the project applicant and subsequent property owners and occupants shall provide access for future indoor air vapor monitoring activities and shall not interfere with the implementation of remedies required by the oversight agency.

2017 EIR MM HAZ-3.14: Both Project Options: For future sites that are subject to activity and use limitations (AULs), such as institutional (legal or regulatory restrictions on a property's use such as deed restrictions) and engineering (physical mechanisms that restrict property access or use) controls, compliance will be maintained.

2017 EIR MM HAZ-3.15: Both Project Options: At future sites where hazardous materials are used or stored, a permit may be required for facility closure (i.e., demolition, removal, or abandonment) of any facility or portion of a facility. The project applicant shall contact the Mountain View Fire Department and County Department of Environmental Health to determine facility closure requirements prior to building demolition or change in property use.

There are 42 parcels that comprise the project site (see Figure 2.2-4), and the 2017 EIR mitigation measures required vary from parcel to parcel. For parcel-specific mitigation measures, see Table 4.6-2 below.

The project (under either option) would implement the same mitigation measures (as applicable) identified in the 2017 EIR. With implementation of the mitigation measures listed above, the project would be consistent with General Plan Policies INC 18.1, INC 18.2, and PSA 3.4 and impacts associated with hazardous materials would be less than significant because contaminated soil, groundwater, and soil vapor would be identified, characterized, managed, monitored, remediated, and mitigated (as appropriate) under regulatory oversight (as applicable). **(Same Impact as Approved Project [Less than Significant Impact with Mitigation Incorporated])**

Table 4.6-2: Identification of 2017 EIR Mitigation Measures by APN															
APN	2017 EIR MM HAZ-														
	3.1	3.2	3.3	3.4	3.5	3.6	3.7	3.8	3.9	3.10	3.11	3.12	3.13	3.14	3.15
116-02-037	*		*	*	*	#	*			*	*	*	*		
-054	*		*	*	*	*	*		*	*	*				
-081	*		*	*	*	*	*		*	*	*				
-083	*		*	*	*	#	*			*	*	*			
-084	*		#	*	*	#	*			*	*				
-088	*		*	*	*	*	*		*	*	*				
116-10-077	*		*	*	*	*	*		*	*	*		*		*
-078	*		*	*	*	*	*	*	#	*	*	*	*		
-079	*		*	*	*	*	*		*	*	*		*		*
-080	*		*	*	*	*	*		*	*	*		*		*
-084	*		*	*	*	*	*		*	*	*		*		
-085	*		*	*	*	*	*		*	*	*		*		*
-088	*		*	*	*	*	*		*	*	*		*		
-089	*		*	*	*	*	*		*	*	*		*		
-095	*		*	*	*	*	*		*	*	*	*	*		*
-097	*		*	*	*	*	*		*	*	*	*	*		*
-101	*		*	*	*	*	*		*	*	*		*		
-102	*		*	*	*	*	*		*	*	*	*	*		
-104	*		*	*	*	*	*		*	*	*	*	*		*
-105	*		*	*	*	*	*		*	*	*	*	*		
-107	*		*	*	*	*	*		*	*	*		*		
-108	*		*	*	*	*	*		*	*	*	*	*		
116-11-012	*		*	*	*	*	*		*	*	*				*
-021	*		*	*	*	*	*		*	*	*		*		
-022	*		*	*	*	*	*		*	*	*		*		*
-024	*		*	*	*	*	*		*	*	*	*	*		*
-025	*		*	*	*	*	*		*	*	*		*		*
-028	*		*	*	*	*	*		*	*	*		*		
-030	*		*	*	*	*	*		*	*	*	*	*		*
-038	*		*	*	*	*	*		*	*	*		*		*
-039	*		*	*	*	*	*		*	*	*		*		
116-13-027	*		*	*	*	*	*	*	*	*	*	*	*	*	*
-034	*		*	*	*	*	*	*	*	*	*		*		*

Table 4.6-2: Identification of 2017 EIR Mitigation Measures by APN															
APN	2017 EIR MM HAZ-														
	3.1	3.2	3.3	3.4	3.5	3.6	3.7	3.8	3.9	3.10	3.11	3.12	3.13	3.14	3.15
-037	*		*	*	*	*	*	*	*	*	*		*		
-038	*		*	*	*	*	*	*	*	*	*		*		
116-14-028	*		*	*	*	*	*		*	*	*		*		
-058	*		*	*	*	*	*		*	*	*		*		*
-066	*		*	*	*	*	*		*	*	*	*	*		
-070	*		*	*	*	*	*		*	*	*		*		
-072	*		*	*	*	*	*		*	*	*	*	*		
-095	*		*	*	*	*	*		*	*	*	*	*		
116-20-043	*		*	*	*	*	*		*	*	*	*	*		
* = Mitigation Measure Likely Applies # = Could Not Determine if Mitigation Measure Applies APN = Santa Clara County Assessor Parcel Number Blank Cell = Mitigation Measure Does Not Apply															

Polychlorinated Biphenyls

In accordance with MRP requirements, a screening assessment must be completed prior to the demolition of any buildings constructed before 1981. Implementation of the City standard condition of approval below would ensure compliance with this requirement and reduce the risk of PCB contamination to a less than significant level.

Standard Condition of Approval:

COA HAZ-1.2: **Both Project Options: Building Demolition PCB Control.** Nonwood-frame buildings constructed before 1981 that will be completely demolished are required to conduct representative sampling of priority building materials that may contain polychlorinated biphenyls (PCBs). If sample results of one or more priority building materials show PCBs concentrations ≥50 ppm, the applicant is required to follow applicable Federal and State notification and abatement requirements prior to demolition of the building. Submit a completed "Polychlorinated Biphenyls Screening Assessment Applicant Package" with the building demolition plans for the project. A demolition permit will not be issued until the completed "PCBs Screening Assessment Applicant Package" is submitted and approved by the City Fire and Environmental Protection Division (FEPD). Applicants are required to comply with applicable Federal and State regulations regarding notification and abatement of PCBs-containing materials. Contact the City's FEPD at 650-903-6378 to obtain a copy of the "PCBs Screening Assessment Applicant Package" and related guidance and information.

Asbestos Containing Materials

The 2017 EIR identified a less than significant impact from development and redevelopment of sites with existing buildings which may contain ACMs and lead-based paint with compliance with local, state, and federal laws including Cal/OSHA regulations for testing and abatement of ACMs and lead-based paint, and NESHAP requirements for removal of these materials.

As shown in Table 4.6-1:, several existing buildings within the project area contain ACMs or have lead-based paint present on-site. The project (under either option) would comply with the same regulations identified in the 2017 EIR (including Cal/OSHA regulations and NESHAP requirements) through implementation of the below City standard condition of approval (COA HAZ-1.3).

Standard Condition of Approval:

COA HAZ-1.3: **Both Project Options: Hazardous Materials Contamination.** To reduce the potential for construction workers and adjacent uses to encounter hazardous materials contamination from asbestos-containing materials (ACM) and lead-based paint, the following measures are to be included in the project:

a. In conformance with local, State, and Federal laws, an asbestos building survey and a lead-based paint survey shall be completed by a qualified professional to determine the presence of ACMs and/or lead-based paint on the structures proposed for demolition. The surveys shall be completed prior to demolition work beginning on the structures.
b. A registered asbestos abatement contractor shall be retained to remove and dispose of all potentially friable ACMs, in accordance with the National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines, prior to building demolition that may disturb the materials. All construction activities shall be undertaken in accordance with Cal/OSHA standards, contained in Title 8 of the California Code of Regulations (CCR), Section 1529, to protect workers from exposure to asbestos. Materials containing more than 1% asbestos are also subject to Bay Area Air Quality Management District (BAAQMD) regulations.

During demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, CCR 1532.1, including employee training, employee air monitoring, and dust control. Any debris or soil containing lead-based paint or coatings shall be disposed of at landfills that meet acceptance criteria for the waste being disposed.

The project (under either option), with the implementation of standard condition of approval COA HAZ-1.3, would reduce the impacts from ACMs and lead-based paints by determining the extent of asbestos contamination prior to building demolition and site grading, and handling and disposing of those materials in a manner that minimizes human exposure. For these reasons, the project would not result in a new or substantially more severe significant impact from ACMs and lead-based paint than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

Project with District Utilities System Option

The project with the District Utilities System Option would result in the same less than significant impacts with the implementation of the applicable 2017 EIR mitigation measures and standard conditions of approval, as described above for the project without District Utilities System Option. Unlike the project, the project with District Utilities System Option would also include construction of a DCP, district heating and cooling system, and geothermal system. Grading and excavation for the proposed DCP and district heating and cooling system would result in the same potential hazards to the public and the environment related to impacted soil, groundwater, and soil vapor on-site as discussed above for the project. Construction of the geothermal system would require drilling up to 6,500 bores approximately 80 to 100 feet bgs.

As discussed in Section 4.7 Hydrology and Water Quality, the project area is underlain by an upper aquifer that extends approximately 80 feet bgs, then an aquitard that extends another 70 feet bgs, and finally an artesian aquifer that begins at approximately 150 feet bgs.[189] As discussed in Section 4.6.1.2, there are several contaminated groundwater plumes that have spread throughout the shallow water-bearing zone within the project area. Therefore, drilling for the geothermal bores would extend through the near surface aquifer and into a portion of the deeper aquifer. The geothermal bores would be drilled using techniques and materials, such as installing permanent conductor casing, that would prevent cross-contamination of aquifers as approved under permit issued by the Santa Clara Valley Water District. For this reason, the District Utilities System Option would not result in any significant hazards to the public or the environment through reasonably foreseeable upset and accident conditions. Therefore, the project with District Utilities System Option would not result in a new or substantially more severe significant impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact with Mitigation Incorporated])**

Impact HAZ-3:	**Both Project Options:** The project (under either option) 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. **(Same Impact as Approved Project [Less than Significant Impact])**

The nearest school to the Precise Plan area is Crittenden Middle School, which is located approximately 0.2 mile southwest of the project site. The 2017 EIR concluded that, compliance with federal, state, and local requirements, General Plan Policies PSA 3.2 and PSA 3.3, and adherence to City standard conditions of approval would reduce the potential for risks to existing or proposed schools to a less than significant level. The conditions in and around the project site have not changed substantially since the certification of the 2017 EIR and the project proposes land uses consistent with those identified for the site and previously analyzed in the 2017 EIR.

As discussed in Impact HAZ-1, the project (under either option) in compliance with existing regulations would not significantly impact the public or environment (including occupants of Crittenden Middle School). The project with District Utilities System Option would store and handle all hazardous materials in compliance with federal, state, and local regulations. Based on this discussion, the project (under either option) would reduce the potential for hazardous materials impacts

[189] Elevate Environmental Consultants, Inc. *Geothermal Pile Environmental Memo for the North Bayshore Master Plan Development*. December 10, 2021.

to nearby schools to a less than significant level, consistent with the findings of the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

Impact HAZ-4:	**Both Project Options:** The project (under either option) is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; however, with implementation of mitigation measures, standard conditions of approval, and compliance with existing regulations, it would not create a significant hazard to the public or the environment. **(Less than Significant Impact with Mitigation Incorporated)**

As noted in Impact HAZ-2, the project site is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. As discussed under Impact HAZ-2, the proposed project (under either option) would not create a significant hazard to the public or environment with implementation of the 2017 EIR mitigation measures and standard conditions of approval COA HAZ-1.1, HAZ -1.2, and HAZ-1.3. This is the same impact as disclosed in the 2017 EIR.[190] **(Same Impact as Approved Project [Less than Significant Impact with Mitigation Incorporated])**

Impact HAZ-5:	**Both Project Options:** The project (under either option) would 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. However, the project would not result in a safety hazard or excessive noise for people residing or working in the project area. **(Same Impact as Approved Project [Less than Significant Impact])**

The 2017 EIR found that implementation of the Precise Plan may result in new development exceeding the height restrictions of FAR Part 77 for Moffett Federal Airfield. The 2017 EIR concluded that compliance with FAA requirements (primarily preparation of an aeronautical study by the FAA for new development or redevelopment projects that exceed the height limits), and adherence to General Plan Policy LUD-2.5 (which requires the City to evaluate land uses and development for consistency with safety, height, noise, and related policies of the CLUP for Moffett Federal Airfield), would minimize the potential for new development to create significant hazards to navigable airspace.[191]

Moffett Federal Airfield Comprehensive Land Use Plan

As discussed in Section 4.6.1.2, Moffett Federal Airfield is located approximately 0.78 mile east of the project site boundary. Most of the project area is within Moffett Federal Airfield's AIA, with the exception of the Marine Way district parking sites.

[190] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Pages 299 to 308 .
[191] Ibid. Page 308.

The portions of the project site within the AIA would be subject to review by the Airport Land Use Commission (ALUC). The CLUP focuses on the three areas of ALUC's responsibility: (1) aircraft noise, (2) the safety of persons on the ground and in aircraft, and (3) the control of objects in navigable airspace. The project's relationship (under either option) to these three areas are described below.

- **Aircraft Noise** – The project site is not located within the Airfield's 65 dBA noise contour. The noise and land use compatibility of the project is discussed in greater detail in Section 4.10 Noise.
- **Safety of Persons on the Ground and in Aircraft** – The CLUP has safety restriction areas categorized in six safety restriction zones to minimize the number of people exposed to potential aircraft accidents in the vicinity of the Airfield by imposing density and use limitations within these zones. These zones include the (1) Runway Protection Zone, (2) Inner Safety Zone, (3) Turning Safety Zone, (4) Outer Safety Zone, (5) Sideline Safety Zone, and (6) Traffic Safety Zone. The project site is not located within any of the safety restriction zones identified by the CLUP.
- **Objects in Navigable Airspace** – Maximum structure heights in the vicinity of the Airfield are identified in the CLUP to protect the public safety, health, and welfare by ensuring that aircraft can safely fly in the airspace around an airport. The CLUP uses the FAR Part 77 Surfaces to enforce height limitations. The project's consistency with FAR Part 77 is discussed below.

Federal Aviation Regulations Part 77

The central portion of the project site is within the mapped Part 77 182-foot amsl horizontal surface for Moffett Federal Airfield. The Marine Way district parking Subareas are between the Part 77 332- and 382-foot amsl horizontal surfaces. The elevation from across the project site ranges from zero to 26 feet amsl, and the proposed project (under either option) would result in buildings with a maximum height that would range from 45 to 160 feet above grade. Future development under the proposed project (under either option) could introduce potential sources of hazards to airfield operations with equipment or structures that exceed FAR Part 77 surfaces. The project (under either option) would be designed to comply with the 182-foot amsl height threshold and, depending on the amsl of the building location, may be required to consult with the FAA and obtain a "Determination of No Hazard" or "Determination of a No Hazard with Conditions." Future development could also require tall construction equipment, such as cranes that exceed the Part 77 horizontal surfaces. This construction equipment would be subject to the same regulations, and consultation with the FAA to obtain a "Determination of No Hazard" or "Determination of No Hazard with Conditions" would be required for construction equipment that exceeds the Part 77 horizontal surfaces.

The proposed project (under either option) would comply with FAA notification requirements, the Moffett Federal Airfield CLUP, and applicable General Plan policies and actions identified for development within the Precise Plan. Additionally, as discussed in detail in Section 4.10 Noise, the noise levels generated by the proposed land uses on-site (under either option) would be acceptable for the uses proposed in relation to the Moffett CLUP. Based on this discussion, the proposed development (under either option) would not expose people to safety hazards or excessive noise from Airfield operations. Therefore, the project (under either option) would not result in a new or substantially more severe significant impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

Impact HAZ-6:	**Both Project Options:** The project (under either option) would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. **(Same Impact as Approved Project [Less than Significant Impact])**

The 2017 EIR concluded that implementation of the Precise Plan would not impair or interfere with an adopted Mountain View emergency response or evacuation plan due to the project's implementation of a TDM program that would reduce the level of congestion on the surrounding roads, and consistency with General Plan Policies MOB 10.1, MOB 10.2, and MOB 10.4.[192]

The project (under either option and including the development of Subarea AM1 located outside of the Precise Plan area) would implement a TDM plan that exceeds the Precise Plan requirements. Specifically, the project (under either option) proposes to have a lower SOV rate than required by the Precise Plan (i.e., the project proposes 35 percent of project trips be single-occupancy vehicle trips compared to the Precise Plan requirement of a 45 percent SOV rate). In addition, the project (under either option) includes a police operations station as part of the district parking garage located on Subarea AM1. This police operations station would help improve emergency response times to the project area. In addition, construction and operation of the proposed project would not interfere with planned evacuation routes out of the project area. As such, the project would not impair implementation of or physically interfere with the City's adopted emergency response or evacuation plans. Therefore, the project (under either option) would not result in a new or substantially more severe significant impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

Impact HAZ-7:	**Both Project Options:** The project (under either option) would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. **(Same Impact as Approved Project [Less than Significant Impact])**

The 2017 EIR concluded there are no Fire Hazard Severity Zones for State responsibility areas or Very High Fire Hazard Severity Zones for local responsibility areas within or adjacent to the City of Mountain View, therefore, implementation of the Precise Plan would result in less than significant impact regarding wildland fire hazards.[193]

As discussed in Section 4.15 Wildfire, on-site conditions have not changed. The site is not located in a fire hazard zone. **(Same Impact as Approved Project [Less than Significant Impact])**

[192] Ibid. Pages 308 to 309.
[193] Ibid. Page 309.

4.6.2.2 *Cumulative Impacts*

Impact HAZ-C:	**Both Project Options:** The project (under either option) would not result in a cumulatively considerable contribution to a cumulatively significant hazards and hazardous materials impact. **(Same Impact as Approved Project [Less than Significant Cumulative Impact])**

The 2017 EIR described cumulative projects possibly being located on properties where hazardous materials may have been stored, used, and/or transported. These hazardous materials (such as gasoline, oil, propane, and various chemicals in manufacturing) may have been stored on these sites in aboveground or underground tanks. Storage tanks can leak, often resulting in soil and/or groundwater contamination. If groundwater is affected, it can impact properties downgradient of the spill. Cumulative projects could also be located on sites that were used for agricultural purposes in the past and chemicals such as pesticides and fertilizers may have been used. The use of these chemicals on agricultural properties can result in widespread residual soil contamination. In addition, development of some of the sites would require demolition of existing buildings that may contain ACMs and/or lead-based paint. Demolition of these structures could expose construction workers or other persons in the vicinity to harmful levels of asbestos or lead.

Based on the above described conditions, which are present on most cumulative project sites to varying degrees, the 2017 EIR concluded that cumulative projects would result in a less than significant cumulative impact because future development would be subject to federal, state, and local regulations controlling the handling and disposal of hazardous materials. In addition, cumulative projects would be subject to mitigation measures similar to those identified in the 2017 EIR and City standard conditions of approval related to hazardous materials.

The cumulative conditions have not substantially changed since the certification of the 2017 EIR. While the Master Plan includes more development within the Precise Plan and on Subarea AM1, that development would result in less than significant cumulative impacts with mitigation implemented because:

- Contaminated soils would be excavated and transported to appropriate landfills or treated on-site if chemical releases have occurred in the cumulative scenario;
- Remediation and ongoing groundwater sampling would be conducted both on the site and on surrounding downgradient properties if groundwater is affected; and
- Surveys would be conducted to determine the extent of asbestos and lead paint contamination prior to building demolition and site grading and, if present, such substances would be handled and disposed of in a manner that minimizes human exposure.

For these reasons, the proposed project would not have a cumulatively considerable contribution to a significant cumulative hazardous materials impact. **(Same Impact as Approved Project [Less than Significant Cumulative Impact])**

4.6.3 Conclusion

	Impact	Same/Similar Impact Analyzed in 2017 EIR	Significance Before Mitigation	Mitigation	Significance After Mitigation
HAZ-1:	**Both Project Options:** The project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.	Yes	LTS	None	N/A
HAZ-2:	**Both Project Options:** 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.	Yes	S	2017 EIR MM HAZ-3.1, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 3.10, 3.11, 3.12, 3.13, 3.14, 3.15	LTS
HAZ-3:	**Both Project Options:** 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.	Yes	LTS	None	N/A
HAZ-4:	**Both Project Options:** 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.	Yes	S	2017 EIR MM HAZ-3.1, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 3.10, 3.11, 3.12, 3.13, 3.14, 3.15	LTS

	Impact	Same/Similar Impact Analyzed in 2017 EIR	Significance Before Mitigation	Mitigation	Significance After Mitigation
HAZ-5:	**Both Project Options:** 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.	Yes	LTS	None	N/A
HAZ-6:	**Both Project Options:** The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	Yes	LTS	None	N/A
HAZ-7:	**Both Project Options:** The project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.	Yes	LTS	None	N/A
HAZ-C:	**Both Project Options:** The project would not result in a cumulatively considerable contribution to a cumulatively significant hazards and hazardous materials impact.	Yes	LTS	None	N/A
Abbreviations: LTS = Less than Significant, S = Significant, N/A = Not Applicable					

4.7 HYDROLOGY AND WATER QUALITY

4.7.1 Environmental Setting

The environmental setting, including the regulatory framework and existing site conditions, have not substantially changed since the certification of the 2017 EIR.

4.7.1.1 *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 EPA and the SWRCB have been developed to fulfill the requirements of this legislation. EPA regulations include the 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 SWRCB's website.[194]

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). For projects disturbing one acre or more of soil, a Notice of Intent (NOI) must be filed with the RWQCB by the project sponsor, and a SWPPP must be prepared by a qualified professional prior to commencement of construction and filed with the RWQCB by the project sponsor. 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.

[194] California State Water Resources Control Board. "2020-2022 California Integrated Report (Clean Water Act Section 303(d) List and 305(b) Report)." May 11, 2022. Accessed September 2, 2022. https://www.waterboards.ca.gov/water_issues/programs/water_quality_assessment/2020_2022_integrated_report.html.

Regional and Local

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 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 2015 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.[195] Under Provision C.3 of the MRP, new and redevelopment projects that create or replace 10,000 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 they do not meet the minimized size threshold, increase impervious surface over pre-project conditions, drain into tidally influenced areas or directly into the Bay, or drain into hardened channels, or if they are infill projects in subwatersheds or catchment areas that are greater than or equal to 65 percent impervious.

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.[196] 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. Buildings

[195] MRP Number CAS612008

[196] San Francisco Bay Regional Water Quality Control Board. *Municipal Regional Stormwater Permit, Provision C.12.* November 19, 2015.

constructed between 1955 and 1978 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 protection agency for Santa Clara County. Valley Water also provides stream stewardship and is the wholesale water supplier throughout the county, which includes the groundwater recharge program. Permits for well construction and destruction, including borings 45 feet or deeper, are required under Valley Water's Well Ordinance 90-1. Under Valley Water's Water Resources Protection Ordinance, projects within Valley Water property or easements are required to obtain encroachment permits.

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 Valley Water'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.[197]

Construction Dewatering Waste Discharge Requirements

Each of the RWQCBs regulate construction dewatering discharges to storm drains or surface waters within its Region under the NPDES program and Waste Discharge Requirements.

Local

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 (under either option).

[197] Valley Water. *2021 Groundwater Management Plan, Santa Clara and Llagas Subbasin*. November 2021.

Policy	Description
Infrastructure and Conservation Element	
INC 8.1	**Citywide stormwater system.** Maintain the stormwater system in good condition.
INC 8.2	**National Pollutant Discharge Elimination System Permit.** Comply with requirements in the Municipal Regional Stormwater National Pollutant Discharge Elimination System Permit.
INC 8.4	**Runoff pollution prevention.** 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 8.5	**Site-specific stormwater treatment.** Require post-construction stormwater treatment controls consistent with MRP requirements for both new development and redevelopment projects.
INC 8.6	**Green streets.** Seek opportunities to develop green streets and sustainable streetscapes that minimize stormwater runoff, using techniques such as on-street bio-swales, bio-retention, permeable pavement or other innovative approaches.
INC 8.7	**Stormwater quality.** Improve the water quality of stormwater and reduce flow quantities.
INC 17.2	**Natural hydrology in watersheds.** Promote an ecologically sensitive approach to flood protection, encouraging natural hydrology and preserving habitat and ecology within watercourses.
INC 17.3	**Floodway preservation.** Preserve floodways as a natural flood control mechanism.
Land Use and Design	
LUD 8.7	**Sustainable streets.** Encourage sustainable streets that include drought tolerant landscaping, natural stormwater treatment areas and other sustainable features.

North Bayshore Precise Plan

The Precise Plan contains standards and guidelines to avoid significant hydrology and water impacts. The following guidelines and standards are applicable to the proposed project.

Standard	Description
4.4 Stormwater	
1	**Post-construction stormwater controls.** Regulated new construction and redevelopment construction projects, residential and non-residential, shall meet or exceed the stormwater requirements contained under Provision C.3 of the Bay Area MRP.
2	**Retrofitting existing streets to green streets.** Any new development or redevelopment project shall retrofit existing streets with stormwater treatment in accordance with the MRP and the City's Green Infrastructure Plan.
3	**Trash capture.** As determined by the City, all new construction shall include installation of partial and/or full trash capture systems within a portion of the storm drain system.
4	**Vehicle washing**. For businesses that conduct vehicle washing services, including fleet bus washing, wash water shall be collected and shall not be allowed to enter the storm drain system.

Guideline	Description
3.2 Complete Neighborhoods	
3	**Sustainability.** New public open spaces should be designed to incorporate best practices in sustainability, including water use and conservation, stormwater management, landscaping, and planting.
3.3.11 Parking Access and Design	
3	**Storm water management.** Parking areas should manage rainwater on-site with designs such as swales that encourage infiltration.
4.3 Water Efficiency and Conservation	
1	**Rainwater harvesting.** To reduce the volume and peak flows of stormwater entering the stormwater system and reduce the amount of potable water used for non-potable uses, all buildings are encouraged to collect and use rainwater.
4.4 Stormwater	
1	**Impervious surface.** During site redevelopment, all new construction is encouraged to reduce the amount of impervious surface on a site.
2	**Vegetated roofs.** All new construction and additions are encouraged to install vegetative roofs to reduce and slow stormwater runoff and to filter pollutants from rainfall.
3	**Design for sea level rise.** Stormwater infrastructure should be designed to accommodate sea level rise and coastal flooding by incorporating system enhancements such as increased drainage system capacity and higher on-site stormwater capture.
6.4 Streetscape Design	
4	**Stormwater features.** Rainwater and stormwater features can be designed as amenities and remain highly visible within public areas. The City Engineer will have final authorization to allow any stormwater features in public areas.

Shoreline Regional Park Community Sea Level Rise Study: Feasibility Report and Capital Improvement Program,

The City of Mountain View completed the Shoreline Regional Park Community Sea Level Rise Study: Feasibility Report and Capital Improvement Program in December 2012. The study provides an overview of the vulnerability of the Shoreline area (including the Precise Plan) to sea level rise, proposed projects to provide long-term flood protection, and estimates of future funding needed to implement these projects. The two scenarios evaluated in the Study were eight inches of sea level rise between 2000 and 2067 and 31 inches of sea level rise between 2000 and 2067.

Mountain View Municipal Code

Chapter 8, Article VIII of the City Code outlines construction standards for development in special flood hazard zones. These standards require the lowest floor, including basements, in new construction to be elevated to the base flood elevation, be flood-proofed by making walls below the base flood level watertight, and have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. The applicable requirements of the City Code for construction in a flood zone will be required of projects as conditions of project approval.

North Bayshore Storm Drain Master Plan

The North Bayshore Storm Drain Master Plan was prepared in 2014 to evaluate the capacity of the storm drain system serving the entire North Bayshore area, which includes the Precise Plan area, and to identify a prioritized plan of capital improvements to reduce the risk of flood, improve system reliability, and reduce operations costs.

4.7.1.2 *Existing Conditions*

Stormwater Drainage

Most of the project site is located between Stevens Creek and Permanente Creek. Stevens Creek is located approximately 320 feet east of the project site and Permanente Creek is located approximately 0.20 mile west of the core project area. Both Stevens Creek and Permanente Creek flow into the San Francisco Bay estuary, which is approximately one mile north of the project site.

Stormwater runoff from impervious surfaces within the project site is collected by a municipal storm drain system consisting 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. Stormwater runoff from the project site is primarily conveyed to Permanente Creek, Stevens Creek, or the Palo Alto Flood Basin by gravity flow or by pumping.

The Precise Plan area, which most of the project site is a part of, contains an average of 85 percent impervious surfaces.[198] Subarea AM1, which is outside of the Precise Plan area, is currently developed as surface parking for Shoreline Amphitheatre. Most of Subarea AM1 is covered in impervious surfaces with impervious landscaped areas around the perimeter of the Subarea and through the center of the site. The project site is approximately 85 percent (or 128 acres) impervious.

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 directly within the project site, Stevens Creek and Permanente Creek are proximate. Stevens Creek is on the 2022 Clean Water Act Section 303(d) list due to impairment from toxicity, trash, and pesticide (Diazinon) pollution from unknown sources. Permanente Creek is also on the list due to impairment from toxicity, trash, metallic (Selenium), and pesticide (Diazinon) pollution. The California Water Board is in the process of examining the current status of impairment for the 2024 California Integrated report.

[198] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Page 318.

Groundwater

The Precise Plan area (which includes most of the project site) and Subarea AM1 overlay the Santa Clara subbasin, a 297 square-mile groundwater subbasin which extends from the northern border of Santa Clara County to the groundwater divide near the town of Morgan Hill. The Santa Clara groundwater basin provides municipal, domestic, industrial, and agricultural water supply to the area. Valley Water conducts an artificial groundwater recharge program that entails releasing locally conserved or imported water to in-stream and off-stream infiltration facilities. As a result of the recharge programs, as well a reduced reliance on groundwater pumping and the importation of surface water from the Hetch Hetchy Aqueduct and South Bay Aqueduct, groundwater levels have reached historically high levels in recent years. Groundwater recharge and conservation is recognized as being critically important to water resource sustainability in Santa Clara County, as future water shortages can reduce reliability of external sources and challenge the ability of Valley Water to supply water for the varied interests within its jurisdiction.

Valley Water's GWMP for the Santa Clara and Llagas subbasins (recently updated in 2021), describes its comprehensive groundwater management framework including objectives and strategies, programs and activities to support those objectives, and outcome measures to gauge performance. The GWMP is the guiding document for how Valley Water will ensure groundwater basins within its jurisdiction are managed sustainably. The Santa Clara subbasin has not been identified as a groundwater basin in a state of overdraft.

Groundwater levels on the project site have been measured between three and 14 feet below ground surface which is indicative of a relatively high-water table in the area. Groundwater levels on-site may vary depending on seasonal precipitation, irrigation practices, and other climate conditions as discussed in Section 4.5.1.2 Geology and Soils.

Flooding

The project site is located within several different flood zones as identified by the FEMA FIRM. Most of the project site located east of North Shoreline Boulevard within the Shorebird and Pear Neighborhoods is located in Zone X and noted as an area with reduced flood risk due to the presence of a levee and a one percent annual chance of flood discharge contained in structure. The portion of the project site west of North Shoreline Boulevard within the Joaquin Neighborhood is located in Zone X and noted as an area with 0.2 percent chance of flood hazard or a one percent chance of flooding with an average depth of less than one foot. The northern portion of the Eco Gem parcel and Subareas MW-PP1 and MW2 are in Zone AE, which is a Special Flood Hazard Area and noted as being subject to base flood elevations of 11 feet. Subarea AM1 is located in Zone A, which is defined as areas with a one percent annual chance of flooding and 26 percent chance of flooding over the life of a 30-year mortgage. Subarea AM1 is noted as an area without a mapped base flood elevation.[199]

[199] Federal Emergency Management Agency. Flood Insurance Rate Map. Community Panel Nos. 06085C0037H & 06085C0036H. Effective Date May 18, 2009.

Seiches and Tsunamis

As discussed in the 2017 EIR, the Precise Plan area is not located in an area subject to tsunamis or seiches.[200] Subarea AM1 is located outside of the Precise Plan area; however, it is not subject to tsunamis or seiches as a damaging seiche has not been recorded in the San Francisco Bay Area as far as records indicate.[201] Subarea AM1 and the rest of the project site are not within a tsunami hazard area, however; the proximity of the site to San Francisco Bay and both Stevens Creek and Permanente Creek means that inundation areas would be proximate.[202]

Sea Level Rise

The elevation throughout the project site ranges from 13 to 21 feet above mean sea level. Based on the elevation and proximity to San Francisco Bay, portions of the project site north of Shorebird Way would be at risk of inundation without implementation of any identified CIPs from the 2017 EIR.

4.7.2 Impact Discussion

For the purpose of determining the significance of the project's impact on hydrology and water quality, would the project:

1) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
2) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
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:
    - 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?
4) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
5) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

[200] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Page 325.
[201] City of Mountain View. *City of Mountain View Draft 2030 General Plan and Greenhouse Gas Reduction Program EIR*. September 2012.
[202] California Department of Conservation. *2021 California Tsunami Maps and Data.* Accessed January 10, 2022. https://www.conservation.ca.gov/cgs/tsunami/maps.

4.7.2.1 *Project Impacts*

Impact HYD-1:	**Both Project Options:** The project (under either option) would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. **[Same Impact as Approved Project (Less than Significant Impact)]**

The 2017 EIR determined that compliance with City conditions of approval based on RWQCB requirements, General Construction Permit, Precise Plan standards and guidelines, and the MRP would ensure future project construction and post-construction runoff would not result in substantial sources of polluted runoff and impacts would be less than significant.[203]

Consistent with the 2017 EIR, the project (under either option and including development of AM1 outside the Precise Plan area) would comply with the aforementioned requirements, which include the below standard condition of approval.

Standard Condition of Approval:

COA HYD-1.1: **Both Project Options: Stormwater Treatment (C.3):** This project will 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

Both Project Options: Hydromodification Management: Postconstruction stormwater runoff shall drain to approved permanent Hydromodification Management (HM) controls to mitigate increases in peak runoff flow and increased runoff volume. Projects that will decrease impervious surface area in comparison to the pre-project condition are not subject to the HM requirement. Information related to this requirement, including the exemption criteria, is included in the City's document entitled, "Hydromodification Management Plan Guidelines for Development Projects," and the Santa Clara Valley Urban Runoff Pollution

[203] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report. State Clearinghouse #2013082088.* March 2017. Pages 325-330.

Prevention Program's manual entitled, "C.3 Stormwater Handbook: Guidance for Implementing Stormwater Requirements for New and Redevelopment Projects." The City's "Hydromodification Management Plan Guidelines for Development Projects" manual requires applicants to submit a Stormwater Management Plan, including information such as the type, location, and sizing requirements of the controls that will be installed. Include the Stormwater Management Plan with the building plan submittal. Property owners of projects that include stormwater controls constructed in accordance with this condition are required to enter into a formal recorded self-inspection and maintenance agreement with the City.

Both Project Options: 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

Both Project Options: Landscape Design: Landscape design shall minimize runoff and promote surface filtration. Examples include: (a) no steep slopes exceeding 10%; (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 will be used in the building plan submittal.

Both Project Options: 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 irrigation 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 will be used in the building plan submittal.

Both Project Options: 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 the outdoor storage area.

Both Project Options: Parking Garages: For multiple-level parking garages, interior levels shall be connected to an approved wastewater treatment system discharging to the sanitary sewer.

Both Project Options: Private Storm Drain Inlet Stenciling: For residential subdivisions with private streets, storm drain inlets shall be labeled in accordance with the City's storm drain inlet label program ("No Dumping, Flows to Bay").

The project's compliance (under either option) with the General Construction Permit, MRP, Precise Plan standards and guidelines, and above standard condition of approval would reduce water quality impacts to a less than significant level by limiting stormwater runoff and implementing control measures to reduce pollutants in any stormwater discharged from the project site. Therefore, the project (under either option) would not result in a new or substantially more severe significant impact than disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact HYD-2:	**Both Project Options:** The project (under either option) would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. **[Same Impact as Approved Project (Less than Significant Impact)]**

The 2017 EIR determined that new development under the Precise Plan would not substantially decrease groundwater supplies because new land uses would not extract groundwater for irrigation or other purposes. The 2017 EIR also concluded temporary dewatering during construction activities would not result in the extraction of quantities that would deplete groundwater aquifers.[204] In addition, development of the Precise Plan would likely reduce the overall amount of impervious surfaces in the Precise Plan area, as the Precise Plan requires a 25 percent minimum open areas or landscaping for new residential development, which is greater than the amount of pervious surfaces currently in the area.[205] The implementation of the Precise Plan, therefore, would facilitate greater percolation of stormwater compared to existing conditions.

The City of Mountain View, including the entire project site, lies entirely within the confined zone of the Santa Clara Groundwater Basin and is not located within a designated groundwater recharge area.[206] The principal aquifer zone that Valley Water pumps drinking water from generally occurs at depths below 150 feet bgs, and shallow groundwater within 150 feet of the ground surface is not typically used for the region's water supply.[207] Between 2010 and 2019, Valley Water pumped an average of 24.4 billion gallons of groundwater per year (75,000 AFY).[208]

As discussed in Section 4.7.1.2, groundwater levels on-site have been measured between three to 14 feet bgs. The project (under either option) would require excavation to a maximum depth of 50 feet bgs for building foundations and utility connections. Additionally, the project with the District Utilities System Option would drill down approximately 110 feet bgs for installation of geobores, passing through two layers of underground aquifers. Construction activities, particularly for structures with

[204] Ibid. Page 336.
[205] Ibid. Page 331
[206] Valley Water. 2021 Groundwater Management Plan, Santa Clara and Llagas Subbasins. November 2021. Page 2-1.
[207] Ibid. Page 2-3.
[208] Ibid. Page 4-9.

below grade parking levels, would require temporary construction dewatering. Based on similar projects with basements in the Precise Plan area and scaled to the size of the proposed project, it is estimated that groundwater would be extracted at a maximum rate of approximately 2,000 to 2,900 gallons per minute, or 2.88 to 4.18 million gallons per day, during construction until building foundations are completed. This rate, however, would be anticipated to decrease following initial drawdown (i.e., following the first several weeks of dewatering) of the groundwater table to a lower, equilibrium dewatering rate. This lower equilibrium dewatering rate is anticipated to be one-third to one-half of the maximum rate between 650 and 1,450 gallons per minute, or 0.94 to 2.09 million gallons per day. The project would implement COA GEO-1.1 to minimize the volume of groundwater removed during project construction and ensure construction dewatering does not substantially decrease groundwater supplies. The project, (under either option) would not require permanent dewatering.[209,210]

The dewatering that would occur on-site during construction activities would be limited to depths of 50 feet bgs, which is within the shallow groundwater zone that is not typically used for groundwater supply by Valley Water. In addition, the amount of water estimated to be pumped during dewatering activities would comprise a minor percentage of the total amount of water pumped each year by Valley Water from principal aquifer zones. Consistent with the findings of the 2017 EIR, this dewatering would be temporary and would not deplete groundwater aquifers.

Furthermore, as noted in Section 4.6 Hazards and Hazardous Materials and disclosed in the 2017 EIR, there are a range of contaminants present or potentially present within the soil, groundwater, and soil vapor throughout the project site. Potentially polluted dewatered groundwater would be dealt with as part of the SMP required in Precise Plan MM HAZ-3.5. The SMP would be prepared by an Environmental Professional and submitted to the overseeing regulatory agency for review and approval prior to the beginning of construction on-site. Protocols established in the SMP would prevent the potentially polluted dewatered groundwater from being reused on-site as a dust control measure. If dewatering activities would impact known ground water contaminant plumes on-site, the oversight agency responsible for the remediation of these contaminant releases would be notified in advance.

Additionally, the project (under either option) would not permanently deplete groundwater supplies or interfere with groundwater recharge because the project options would not directly use groundwater and the site does not contribute to recharge. Thus, the project (under either option) would not result in new or substantially increased impacts than those described in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

[209] Google. *North Bayshore Master Plan Dewatering Memo*. February 25, 2022.
[210] Google. *North Bayshore Master Plan: Additional Dewatering Information*. October 19, 2022.

Impact HYD-3:	**Both Project Options:** The project (under either option) 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. **[Same Impact as Approved Project Less than Significant Impact)]**

The 2017 EIR determined that the implementation of the Precise Plan would not exceed the capacity of the existing storm drain system. In addition, implementation of the Precise Plan would likely result in an increase in pervious surface area compared to existing conditions, further reducing any impacts on the drainage system.[211] Future development within the Precise Plan area would be reviewed for consistency with Precise Plan standards and guidelines, to minimize runoff to a less than significant level.

The project would not alter the course of a waterway. The project site is approximately 85 percent (or 128 acres) impervious. As discussed under Impact HYD-2, the project would dedicate approximately 20 percent of the site (i.e., 30.5 of the 151 acres) as parkland which would decrease impervious surfaces compared to existing conditions. With a decrease of surface runoff, the existing storm drain system would continue to accommodate flows from the site. As a result, the project would not substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site, create runoff that would exceed the capacity of existing or planned drainage systems, or provide substantial additional sources of polluted runoff. In addition, as discussed under Impact HYD-1, the project would comply with applicable regulations, Precise Plan standards and guidelines, and conditions of approval to reduce erosion, siltation, and water quality impacts to less than significant. Because the project would decrease impervious surface area and is not located in a susceptible area, the project site is not subject to a hydromodification management plan (HMP).[212]

By decreasing the amount of impervious surfaces on-site and complying with existing regulations, Precise Plan standards and guidelines, and conditions of approval identified in the 2017 EIR and under Impact HYD-1, the project (under either option) would have a less than significant impact, consistent with the findings of the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

[211] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Pages 330-333.
[212] Santa Clara Valley Urban Runoff Pollution Prevention Program. HMP Applicability Map: City of Mountain View. November 2010.
Available at: https://scvurppp.org/wp-content/uploads/2019/08/Mountain_View_HMP_Map.pdf.

Impact HYD-4:	**Both Project Options:** The project (under either option) would not risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones. **[Same Impact as Approved Project (Less than Significant Impact)]**

As discussed in Section 4.7.1.2, the project site is not subject to inundation by seiches or tsunamis. Select areas of the project site are subject to flooding. As discussed further in Section 4.6 Hazards and Hazardous Materials, the battery systems that would be stored throughout the project site and would be stored in secure IP66 waterproof cabinet enclosures that would provide protection against environmental, chemical, and physical exposures. This would prevent any potential release of pollutants due to project inundation from flooding or sea level rise. The MVFD requires any facility storing large quantities of any hazardous materials to prepare a Hazardous Materials Business Plan program (HMBP). The project with District Utilities System Option would be required to prepare and implement a HMBP approved by MVFD which includes a contingency plan that describes the facility's response procedures in the event of a hazardous materials release. With implementation of the HMBP and compliance with City and FEMA regulations regarding development in special flood hazard areas, the project (under either option) would not result in a release of pollutants from flooding. Therefore, the project (under either option) would not result in a new or substantially more severe significant impact than disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact HYD-5:	**Both Project Options:** The project (under either option) would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. **[Same Impact as Approved Project (Less than Significant Impact)]**

The 2021 GWMP by Valley Water establishes recharge facilities, recycled water systems, and conservation strategies to proactively manage groundwater and surface water resources within its jurisdiction. Natural recharge of the groundwater basin occurs along the margins and southern portion of the subbasin where high lateral and vertical permeability allow surface water to infiltrate the aquifers. Percolation of precipitation and other surface water within recharge areas replenishes groundwater and contributes to the recharge of principal aquifers. There are no recharge facilities, pump plants, or drinking water treatment plants in the project site.[213]

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 (under either option) would comply with the MRP requirement to install LID treatment controls to treat stormwater runoff.

As discussed under Impact HYD-2, the project would require temporary dewatering during construction activities. This dewatering would pump shallow groundwater on-site at depths of up to 50 feet bgs. As discussed previously, this dewatering would not pump groundwater from any principal aquifer zones that are typically used for drinking water supplies. In addition, the amount of dewatering

[213] Santa Clara Valley Water District. *Groundwater Management Plan.* November 2021. Page 2-1.

required for the project (under either option) is estimated to comprise a small percentage of the average amount of groundwater pumped by Valley Water each year. For these reasons, the project (under either option) would not conflict with water quality control plans or sustainable groundwater management plans. **[Same Impact as Approved Project (Less than Significant Impact)]**

4.7.2.2 *Cumulative Impacts*

Impact HYD-C:	**Both Project Options:** The project (under either option) would not result in a cumulatively considerable contribution to a cumulatively significant hydrology and water quality impact. **[Same Impact as Approved Project (Less than Significant Cumulative Impact)]**

The cumulative conditions have not substantially changed since the certification of the 2017 EIR. While the Master Plan includes more development within the Precise Plan and on Subarea AM1, that development would:

- Result in an increase in pervious surfaces on-site which would reduce the volume of runoff generated on-site compared to existing conditions;
- Comply with the General Construction Permit and/or MRP requirements, Precise Plan standards and guidelines, and conditions of approval discussed under Impact HYD-1;
- Prepare a HMBP that would be reviewed by the MVFD if large quantities of any hazardous materials would be stored on-site; and
- Not permanently deplete groundwater supplies or interfere with groundwater recharge.

Therefore, the project (under either option) would not result in a new or substantially more severe significant cumulative hydrology and water quality impact than disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Cumulative Impact)]**

4.7.2.3 *Non-CEQA Impacts*

The 2017 EIR found that several portions of the Precise Plan area were within the 100-year flood zone and could be at risk of inundation due to flood hazards in the future. The 2017 EIR concluded that compliance with the City's Flood Hazard Ordinance as described in Chapter 8 of the City Code, FEMA regulations, and standard conditions of approval would reduce flooding effects. Several portions of the Precise Plan were identified in the 2017 EIR as being at risk of inundation from sea level rise under existing conditions. The 2017 EIR determined that implementation of the identified CIPs and requiring that the building finish floor elevations be at least 11.3 feet above mean sea level would reduce the risk of inundation throughout the Precise Plan area.

As discussed in Section 4.7.1.2 Existing Conditions, the project site is located within several different flood zones as identified by the FEMA, including several areas that are within special flood hazard areas. In addition, several portions of the project site, particularly the areas north of Shorebird Way, could be vulnerable to inundation from future sea level rise. Most of the project site is not located in an identified FEMA 100-year flood hazard zone; however, a portion of the Eco Gem parcel and Subareas MW1 and MW2 are located in Zone AE, and Subarea AM1 is located in Zone A. Consistent

with the 2017 EIR, development within a 100-year flood zone would comply with the City's Flood Hazard Ordinance and FEMA requirements, which is ensured through the below standard condition of approval.

Standard Condition of Approval:

COA HYD-6.1: **Both Project Options: AE Flood Zone:** The site is located within Special Flood Hazard Zone AE 11, and the building and site designs must comply with the drainage and flood control requirements of the City Code. The applicant shall obtain a Flood Development Permit from the Public Works Department prior to issuance of a building permit, including foundation work. It is recommended this permit be obtained before the design of the building plans is complete in order to avoid potential redesign of the building.

Grading Requirements: For sites located within a special flood hazard zone, the grading or site plan must show the elevation of the finished pad, lowest floor, highest adjacent grade for Flood Zone AO, and base flood elevation for Flood Zone AE. All elevations must be referenced to a City elevation benchmark. The benchmark number, description, elevation, and datum year shall be noted on the grading plan.

Substantial Improvement: The existing building is located within a Special Flood Hazard Zone. Prior to submitting plans to the Building Inspection Division to improve the existing building, the applicant shall submit a completed substantial improvement worksheet to the Public Works Department for review and approval. The substantial improvement worksheet is used to determine whether or not the value of the new improvements exceed 50% of the value of the existing structure, where the value of the existing structure must be depreciated for the age of the structure. If the applicant's building improvements exceed 50% of the value of the existing building, the applicant must elevate the existing and new building improvements above the base flood elevation and above the City's minimum elevation requirements in accordance with the City's drainage and flood control requirements in the City Code and with requirements of FEMA. The applicant must obtain a Flood Development Permit before submitting any building plans to the Building Inspection Division. For more information on flood requirements, please see the City's Drainage and Flood Control Ordinance and FEMA's Technical Bulletin 1, Openings in Foundation Walls (2008), and Technical Bulletin 2, Flood-Resistant Material Requirements (2008).

4.7.3 Conclusion

	Impact	Same/Similar Impact Analyzed in 2017 EIR	Significance Before Mitigation	Mitigation	Significance After Mitigation
HYD-1:	**Both Project Options:** The project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.	Yes	LTS	None	N/A
HYD-2:	**Both Project Options:** 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.	Yes	LTS	None	N/A
HYD-3:	**Both Project Options:** 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.	Yes	LTS	None	N/A
HYD-4:	**Both Project Options:** The project would not risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones.	Yes	LTS	None	N/A

	Impact	Same/Similar Impact Analyzed in 2017 EIR	Significance Before Mitigation	Mitigation	Significance After Mitigation
HYD-5:	**Both Project Options:** The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.	Yes	LTS	None	N/A
HYD-C:	**Both Project Options:** The project would not result in a cumulatively considerable contribution to a cumulatively significant hydrology and water quality impact.	Yes	LTS	None	N/A
Abbreviations: LTS = Less than Significant, N/A = Not Applicable					

4.8 LAND USE AND PLANNING

4.8.1 Environmental Setting

The environmental setting, including the regulatory framework and existing site conditions, for land use has not substantially changed since the certification of the 2017 EIR.

4.8.1.1 *Regulatory Framework*

Regional and Local

Moffett Federal Airfield Comprehensive Land Use Plan

The Moffett Federal Airfield 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.[214] The CLUP is also intended to ensure that surrounding new land uses do not affect airfield operations. The CLUP identifies the Airfield's 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.

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 (under either option).

Policy	Description
Land Use and Design	
LUD 2.5	**Moffett Federal Airfield.** Encourage compatible land uses within the Airport Influence Area for Moffett Federal Airfield as part of Santa Clara County's Comprehensive Land Use Plan.
LUD 3.1	**Land use and transportation.** Focus higher land use intensities and densities within a half-mile of public transit service, and along major commute corridors.
LUD 3.2	**Mix of land uses.** Encourage a mix of land uses, housing types, retail and public amenities and public neighborhood open spaces accessible to the community.
LUD 3.4	**Land use conflict.** Minimize conflicts between different land uses
LUD 3.8	**Preserved land use districts.** Promote and preserve commercial and industrial districts that support a diversified economic base.
LUD 15.2	**Sustainable development focus.** Require sustainable site planning, building, and design strategies.
LUD 15.3	**Highly sustainable development.** Encourage new and significantly rehabilitated development to include innovative measures for highly sustainable development.

[214] Santa Clara County Airport Land Use Commission. *Moffett Federal Airfield Comprehensive Land Use Plan.* November 2, 2016.

Policy	Description
LUD 15.4	**Wildlife friendly development.** Implement wildlife friendly site planning, building and design strategies.
LUD 16.1	**Protected open space.** Protect and enhance open space and habitat in North Bayshore.
LUD 16.2	**Mix of uses.** Promote the North Bayshore Area as a vibrant mix of residential, commercial, service and entertainment uses through the North Bayshore Precise Plan.
LUD 16.3	**Business-class hotel.** Encourage the development of a business-class hotel and conference center.
LUD 16.6	**Open space amenities.** Encourage development to include open space amenities, plazas and parks that are accessible to the surrounding transit, bicycle, and pedestrian network.
LUD 16.7	**Gateway development.** Support the creation of a gateway development with a diverse mix of uses near Highway 101 and North Shoreline Boulevard.

North Bayshore Precise Plan

The Precise Plan encompasses an approximately 650-acre area in the City of Mountain View that is generally bounded by US 101 to the south, Mountain View Regional Park to the north, Stevens Creek to the east and Palo Alto to the west. The Precise Plan was designed to provide a vision and guiding principles, development standards, and design guidelines for the properties in this area, in conformance with the General Plan vision for North Bayshore. The Precise Plan identifies four character areas, each with distinct building scale, form, and character. The Precise Plan also includes the development of "Complete Neighborhoods," which are envisioned to include a mix of land uses, amenities, and services.

The Precise Plan includes development standards and design criteria that have been adopted to function along with the standards in the Municipal Code to limit land use conflicts and provide for compatibility with surrounding properties and neighborhoods. Standards are requirements that must be followed by project applicants, unless an exception to a standard is otherwise noted. Guidelines are the City's expectations for how site, building, and infrastructure design and improvements should be designed. Projects should demonstrate how they address each guideline, however there is flexibility in how projects meet each guideline depending on project specific design and location. The Precise Plan includes standards and design guidelines for the following Complete Neighborhood Areas and Character Areas:

Complete Neighborhood Areas

- Joaquin
- Shorebird
- Pear
- Outside Area

Character Areas

- Gateway
- Core
- General
- Edge

Each character area supports a range of employment activities, residential uses and the principal components of the Environmental Sustainability Framework. The character areas differ in their physical character, interfaces with habitat and open space, and building intensity and scale. For

example, Edge Character Area provides a transition between the more intensive development in the Core and General Character Areas and nearby sensitive areas by allowing lower development intensities than the rest of North.

These Complete Neighborhoods overlay the Precise Plan's four existing Character Areas, and include a mix of land uses and amenities. The Complete Neighborhood areas are planned around walkable access to transit, open space, and services. The Precise Plan's standards and guidelines for uses in these areas help existing uses transition to complete, pedestrian-oriented neighborhoods over time.

The Precise Plan contains standards and guidelines to avoid significant land use and planning impacts. The following standards are applicable to the proposed project.

Standard	Description
3.3.2 Land Uses	
1	**Allowable land uses.** Allowable land uses for each character area are listed in Table 3 (of the Precise Plan).
2	**Residential uses.** Residential uses are only allowed within Complete Neighborhood areas as shown in Figure 4 (of the Precise Plan).
3	**Prohibited residential forms and uses.** Single-family residential, duplex, small-lot single-family, townhouse and rowhouse building types are prohibited in North Bayshore. Townhouse/rowhouse unit types may be permitted if the building design includes units above these unit types.

4.8.1.2 *Existing Conditions*

Most of the project site is designated as High Intensity Office, Institutional, Mixed-Use Center (North Bayshore), and North Bayshore Mixed-Use in the City's General Plan and zoned P(39) Planned Community/North Bayshore Precise Plan. Subarea AM1, located outside of the Precise Plan area, has a General Plan land use designation of Institutional and is zoned Public Facility (PF). The project site is currently developed with 69 office, light industrial, and retail buildings. Surrounding land uses include a bicycle and pedestrian trail (Stevens Creek Trail) to the east, Most of the project site is bordered by the Stevens Creek Trail to the east, office uses and an institutional use (Shoreline Amphitheatre) to the north, office uses to the west, US 101 to the south, and a residential neighborhood to the southeast (see Figure 2.2-3). The project includes three locations for district parking that are not within the core area of the Master Plan. Subarea AM1 is bordered by an institutional use (Shoreline Amphitheatre to the north, open space to the west, and office uses to the south and east. The other two district parking garages (Subarea MW1 and MW2) are bordered by office and commercial uses in all directions.

4.8.2 Impact Discussion

For the purpose of determining the significance of the project's impact on land use and planning, would the project:

1) Physically divide an established community?
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?

4.8.2.1 *Project Impacts*

Impact LU-1:	**Both Project Options:** The project (under either option) would not physically divide an established community. **[Same Impact as Approved Project (Less than Significant Impact)]**

The 2017 EIR concluded that implementation of the Precise Plan consistent with the Character Area and Complete Neighborhood Area standards and guidelines would not physically divide an established community.

The project (under either option) is located in the Gateway, Core, General, and Edge Character Areas and the Joaquin, Shorebird, and Pear Complete Neighborhood Areas and would comply with applicable Precise Plan standards and guidelines for those Areas and neighborhoods. For these reasons, the project (under either option) would result in the same less than significant impact as disclosed in the 2017 EIR.

Development of Subarea AM1 is outside of the Precise Plan area and would not divide an established community because this area is currently a surface parking lot and because it would be developed with a parking garage that would serve the existing and proposed land uses and would be designed to facilitate connectivity to the surrounding land uses.

The proposed street network (under either option) (see Figure 2.3-4) includes a combination of new public and private roadways that would provide connections to the surrounding neighborhoods. Additionally, the project (under either option) would construct a network of bicycle and pedestrian trails throughout the site to complete the Green Loop trail, improve access along Permanente and Stevens Creek, and provide pathways for pedestrians throughout the Precise Plan area. The proposed roadways and bicycle and pedestrian facilities would be reviewed during the Planned Community Permit and Development Review Permit processes to ensure compliance with City circulation and design requirements. The proposed streets and bicycle and pedestrian facilities would create integrated and cohesive neighborhoods and facilitate community connectivity. This is the same impact as disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact LU-2:	**Both Project Options:** The project (under either option) 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. **[Same Impact as Approved Project (Less than Significant Impact)]**

The 2017 EIR concluded that the Precise Plan incorporates standards and guidelines to minimize environmental impacts and would be consistent with local and regional land use plans, policies, and regulations.[215] The 2017 EIR concluded that the Precise Plan was also consistent with the Moffett Federal Airfield CLUP. The project's consistency with these land use and development assumptions are discussed in detail below.

General Plan and North Bayshore Precise Plan

The project site is designated High Intensity Office, Institutional, Mixed-Use Center (North Bayshore), and North Bayshore Mixed-Use in the City's General Plan. The General Plan High-Intensity Office designation supports major commercial operations, such as corporations, financial and administrative offices, high-technology industries, and other scientific facilities, as well as supporting retail and other service uses. The General Plan Mixed-Use Center (North Bayshore) designation supports office, retail, personal services, lodging, entertainment, and multi-family residential uses. The North Bayshore Mixed-Used designation promotes a mix of offices, retail, entertainment, multi-family residential, lodging, and small businesses along the North Bayshore Boulevard corridor. Subarea AM1 is designated as Institutional in the General Plan. The project (under either option) would redevelop the site with a mix of office, multi-family residential, retail, civic/community uses, and parkland/open space consistent with the General Plan land use designations.

Zoning Ordinance

As noted in Section 2.4 Consistency with General Plan Designation and Zoning District, the project site is zoned P(39) Planned Community/North Bayshore Precise Plan and Public Facilities (PF). Most of the proposed development would occur in the Edge, Gateway, Core, and General Character Areas of the Precise Plan. Each of these Character Area designations have different guidelines and standards for scale, form, and character that work in conjunction to create Complete Neighborhoods. The maximum base building height allowed on-site for non-residential development ranges from 80 to 140 feet and the maximum base building height for residential development ranges from 55 to 160 feet depending on the Character Area in which the building is located. The "base" FAR for the site varies from 0.45 for non-residential development to 1.0 for residential/mixed-use development. The maximum FAR allowed ranges from 0.65 to 2.35 for non-residential development and 1.85 to 4.5 for residential/mixed-use development.

The project (under either option) would redevelop the site with a mix of office, multi-family residential, retail, civic/community uses, and parkland/open space. The proposed land uses are consistent with the

[215] The 2017 EIR acknowledged that the Precise Plan proposed amendments to both the General Plan and the Zoning Ordinance, which, by definition, made the Precise Plan inconsistent with those plans and ordinances until the amendments were adopted. Following the adoption of the amendments to the Zoning Ordinance and General Plan in December 2017, the Precise Plan was made consistent with both the General Plan and Zoning Ordinance.

type of development envisioned in the Precise Plan for the Edge, Gateway, Core, and General Character Areas and would comply with applicable Precise Plan design standards. Any FAR above the "base" is considered "bonus" FAR and subject to community benefit, housing affordability, and green building requirements as outlined in the Precise Plan. The project (under either option) would be allocated 1.3 million square feet of "bonus" FAR in return for community benefits such as contributing to the funding of the Charleston Transit Corridor and dedicating 20 percent of the new residential units as affordable housing units. The project is proposing to use "bonus" FAR for both residential and non-residential development as permitted in the Precise Plan. Thus, the project (under either option) would be consistent with the development standards for the site under the North Bayshore Precise Plan zoning district.

Moffett Field CLUP

The 2017 EIR concluded that development allowed under the Precise Plan would not conflict with the Moffett Field CLUP. The project's consistency (under either option) with the CLUP is discussed in Section 4.7 Hazards and Hazardous Materials and Section 4.10 Noise. Those sections concluded the impact to be less than significant because the project (under either option) would comply with FAA notification requirements and applicable General Plan policies and actions. For these reasons, the project (under either option) would not conflict with airport operations at Moffett Federal Airfield.

Based on this discussion, the project (under either option) 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. This is the same impact as disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

4.8.2.2 *Cumulative Impacts*

Impact LU-C:	**Both Project Options:** The project (under either option) would not result in a cumulatively considerable contribution to a cumulatively significant land use and planning impact. **(Less than Significant Cumulative Impact)**

The cumulative conditions have not substantially changed since the certification of the 2017 EIR. While the Master Plan includes more development within the Precise Plan and on Subarea AM1, that development would:

- Be a planned development that would not result in the physical division of established communities;
- Comply with General Plan goals, policies, and action statements that require appropriate buffers, edges, and transition areas between land uses, minimizing land use compatibility issues that might result in physical environmental impacts; and
- Be consistent with Precise Plan standards and guidelines.

For these reasons, the proposed project (under either option) would not result in a new or substantially more severe significant cumulative land use and planning impact than disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Cumulative Impact)]**

4.8.3 Conclusion

	Impact	Same/Similar Impact Analyzed in 2017 EIR	Significance Before Mitigation	Mitigation	Significance After Mitigation
LU-1:	**Both Project Options:** The proposed project would not physically divide an existing community.	Yes	LTS	None	N/A
LU-2:	**Both Project Options:** The proposed 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 n environmental effect.	Yes	LTS	None	N/A
LU-C:	**Both Project Options:** The proposed project in combination with other cumulative projects would not result in a significant cumulative land use impact.	Yes	LTS	None	N/A
Abbreviations: LTS = Less than Significant, N/A = Not Applicable					

4.9 MINERAL RESOURCES

4.9.1 Environmental Setting

An analysis of mineral resources impacts associated with implementation of the Precise Plan was included in the Geology and Soils Section of the 2017 EIR. The environmental setting, including the regulatory framework and existing site conditions, for mineral resources has not substantially changed since the certification of the 2017 EIR.

4.9.1.1 *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.

4.9.1.2 *Existing Conditions*

Based on mapping by the California Division of Mines and Geology, as well as the California Department of Conservation, there have been no mineral or aggregate sources of statewide importance identified within the Mountain View city limits.[216]

4.9.2 Impact Discussion

For the purpose of determining the significance of the project's impact on mineral resources, would the project:

1) Result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state?
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?

[216] Melvin C. Stinson, Michael W. Manson and John J. Plappert. *Mineral Land Classification: Aggregate Materials in the San Francisco Monterey Bay Area: Classification of Aggregate Resource Areas: South San Francisco Bay Production – Consumption Region*. 1987.

4.9.2.1 *Project Impacts*

Impact MIN-1:	**Both Project Options:** The project (under either option) 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. **[Same Impact as Approved Project (No Impact)]**

As discussed in Section 4.9.1.2, there are no minerals or aggregate resources of statewide importance located within Mountain View (including the project site). Implementation of the project (under either option), therefore, would not result in an impact to mineral resources. This would be consistent with the findings of the 2017 EIR. **[Same Impact as Approved Project (No Impact)]**

Impact MIN-2:	**Both Project Options:** The project (under either option) 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. **[Same Impact as Approved Project (No Impact)]**

The 2017 EIR concluded that there are no minerals or aggregate resources of statewide importance located within Mountain View (including the project site).[217] Implementation of the project (under either option), therefore, would not result in an impact to mineral resources. **[Same Impact as Approved Project (No Impact)]**

4.9.2.2 *Cumulative Impacts*

Impact MIN-C:	**Both Project Options:** The project (under either option) would not result in a cumulatively considerable contribution to a cumulatively significant mineral resources impact. **[Same Impact as Approved Project (No Cumulative Impact)]**

Since there are no minerals or aggregate resources of statewide importance located in Mountain View, implementation of the project (under either option), combined with other cumulative projects, would not contribute to a cumulative impact to mineral resources. **[Same Impact as Approved Project (No Cumulative Impact)]**

[217] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report. State Clearinghouse #2013082088.* March 2017. Page 256.

4.9.3 Conclusion

	Impact	Same/Similar Impact Analyzed in 2017 EIR	Significance Before Mitigation	Mitigation	Significance After Mitigation
MIN-1:	**Both Project Options:** 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.	Yes	NI	None	N/A
MIN-2:	**Both Project Options:** 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.	Yes	NI	None	N/A
MIN-C:	**Both Project Options:** The project would not result in a cumulatively considerable contribution to a cumulatively significant mineral resources impact.	Yes	NI	None	N/A

Abbreviations: NI = No Impact, N/A = Not Applicable

4.10 NOISE

4.10.1 Environmental Setting

The environmental setting, including the regulatory framework and existing site conditions, for noise and vibration has not substantially changed since the certification of the 2017 EIR.

4.10.1.1 *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.[218] 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.

[218] L_{eq} is a measurement of average energy level intensity of noise over a given period of time. Day-Night Level (DNL) 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}.

4.10.1.2 *Regulatory Framework*

Federal

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 4.10-1 below. These criteria can be applied to development projects in jurisdictions that lack vibration impact standards.

Table 4.10-1: Groundborne Vibration Impact Criteria

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

Source: Federal Transit Administration. *Transit Noise and Vibration Assessment Manual.* September 2018.

State and Local

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 L_{dn}/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.

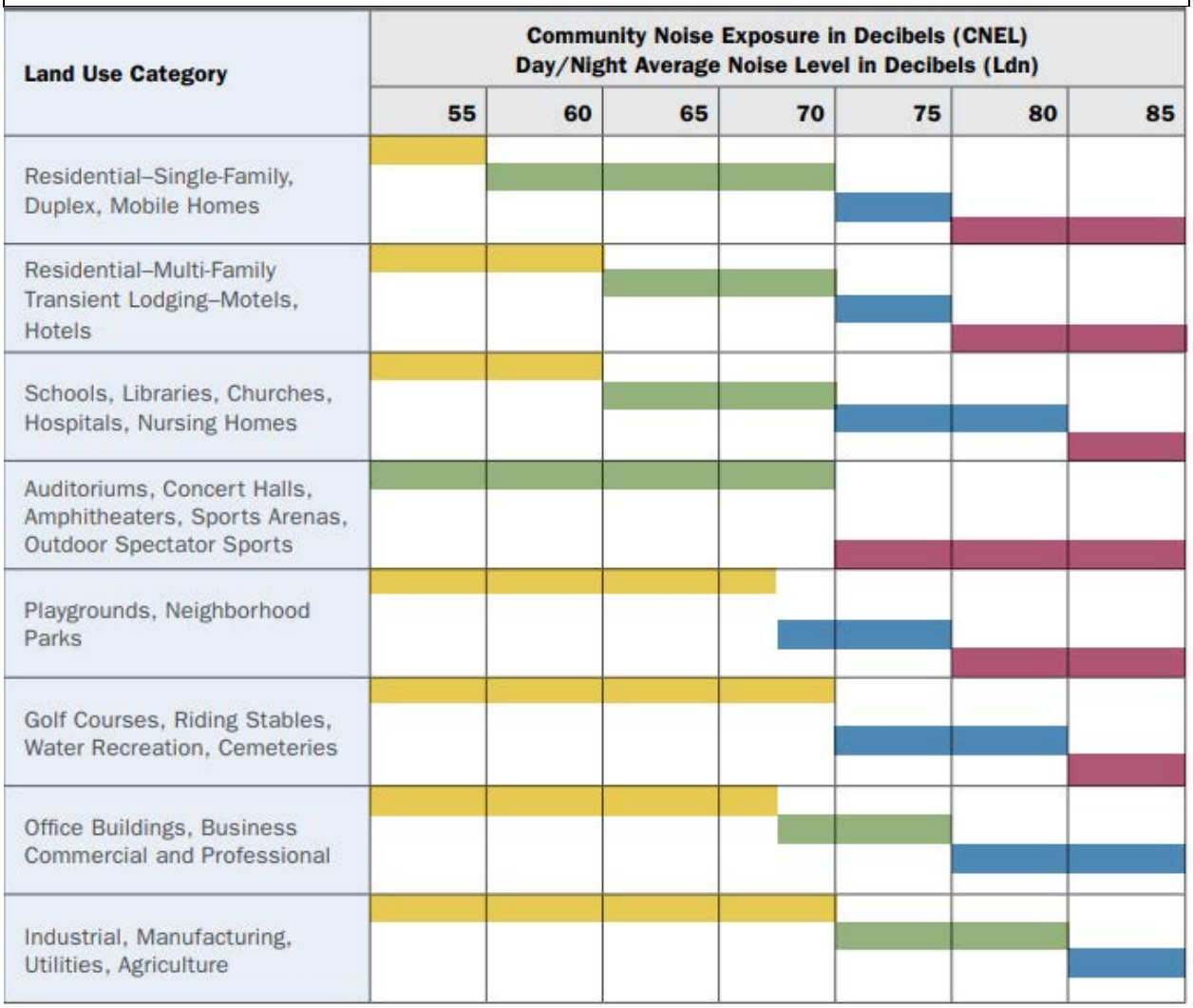
California Green Building Standards Code

For commercial uses, CalGreen (Section 5.507.4.1 and 5.507.4.2) requires that wall and roof-ceiling assemblies exposed to the adjacent roadways have a composite STC rating of at least 50 or a composite OITC rating of no less than 40, with exterior windows of a minimum STC of 40 or OITC of 30 when the commercial property falls within the 65 dBA L_{dn} or greater noise contour for a freeway or expressway, railroad, or industrial or stationary noise source. The state requires interior noise levels to be maintained at 50 dBA $L_{eq(1\text{-}hr)}$ or less during hours of operation at a proposed commercial use.

Mountain View 2030 General Plan

The General Plan includes noise compatibility guidelines for various land uses. For reference, these guidelines are provided in Table 4.10-2 below.

Table 4.10-2: General Plan Land Use Compatibility Guidelines



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.

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

Policy	Description
Noise	
NOI 1.1	**Land use compatibility.** Use the Outdoor Noise Environment Guidelines as a guide for planning and development decisions.
NOI 1.2	**Noise-sensitive land uses.** 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: • New single-family developments shall maintain a standard of 65 dBA L_{dn} for exterior noise in private outdoor active use areas. • New multi-family residential developments shall maintain a standard of 65 dBA L_{dn} for private and community outdoor recreation use areas. Noise standards do not apply to private decks and balconies in multi-family residential developments • Interior noise levels shall not exceed 45 dBA L_{dn} in all new single-family and multi-family residential units. • 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.
NOI 1.3	**Exceeding acceptable noise thresholds.** 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	**Site planning.** 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	**Major roadways.** Reduce the noise impacts from major arterials and freeways.
NOI 1.6	**Sensitive uses.** Minimize noise impacts on noise-sensitive land uses, such as residential uses, schools, hospitals and child-care facilities.
NOI 1.7	**Stationary sources.** Restrict noise levels from stationary sources through enforcement of the Noise Ordinance.
NOI 1.8	**Moffett Federal Airfield.** Support efforts to minimize noise impacts from Moffett Federal Airfield in coordination with Santa Clara County's Comprehensive Land Use Plan.

Mountain View Municipal Code

The City of Mountain View addresses noise regulations and goals in the Zoning Ordinance of the Municipal Code. These regulations help protect the community from exposure to excessive noise and also specify how noise is measured and regulated. Noise is also regulated through project conditions of approval. The Mountain View Police Department and 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 of the Municipal 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 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 will 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.

Moffett Federal Airfield Comprehensive Land Use Plan

The project site is approximately 0.78 mile west of the Moffett Federal Airfield; which is the closest airport to the site. The Moffett Federal Airfield 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.[219] The CLUP includes noise exposure maps and guidelines intended to minimize the public's exposure to excessive noise and safety hazards. The CLUP also identifies the 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. The Santa Clara County ALUC has jurisdiction over new land uses in the vicinity of airports, and establishes 65 dBA CNEL as the maximum allowable noise level considered compatible with residential uses. Recommendations made by the ALUC are advisory in nature to the local jurisdictions, not mandatory.

[219] Santa Clara County Airport Land Use Commission. *Moffett Federal Airfield Comprehensive Land Use Plan.* November 18, 2016.

4.10.1.3 *Existing Conditions*

The existing noise environment in the project area results primarily from vehicular traffic along freeway and roadways (including US 101, North Shoreline Boulevard, Charleston Road, and Amphitheatre Parkway), and aircraft associated with Moffett Federal Airfield. The project site, including Subarea AM1 which is outside of the Precise Plan boundaries, is located outside of the 65 dBA CNEL noise contour for the Moffett Federal Airfield (refer to Figure 4.10-1). The nearest sensitive receptors are the Santiago Villa mobile home park (located south of subarea SB-PR-8 and the Shorebird Yards, and adjacent to the east of PE-PR-2), the Shashi Hotel at the corner of North Shoreline Boulevard and Spacepark Way (adjacent to the north of Subarea PE-PR-1), and a single-family residence at 1024 Alta Avenue, located approximately 725 feet west of the Joaquin Courts subarea of the Master Plan (refer to Figure 2.3-2).

4.10.2 Impact Discussion

For the purpose of determining the significance of the project's impact on noise, 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?
2) Generation of excessive groundborne vibration or groundborne noise levels?
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?

Source: Santa Clara County Airport Land Use Commission.

MOFFETT FEDERAL AIRFIELD 2022 NOISE CONTOURS | FIGURE 4.10-1

4.10.2.1 *Project Impacts*

Impact NOI-1:	**Both Project Options:** The project (under either option) 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. **(Same Impact as Approved Project [Less than Significant Impact])**

As described in the 2017 EIR, a significant noise impact would be identified if the project would generate a substantial temporary or permanent noise level increase over ambient noise levels at existing noise-sensitive receptors surrounding the project site and that would exceed ambient noise standards presented in the General Plan or Municipal Code at existing noise-sensitive receptors surrounding the project site. The following thresholds are used to determine if the project would result in a significant noise impact.

- A significant temporary noise impact would be identified if the hourly average noise levels exceed 60 dBA L_{eq}, and the ambient by at least five dBA L_{eq}, for a period of more than one year at adjacent residential land uses.
- A significant permanent noise level increase would occur if project-generated traffic would result in: a) a noise level increase of five dBA L_{dn} or greater, with a future noise level of less than 60 dBA L_{dn}, or b) a noise level increase of three dBA L_{dn} or greater, with a future noise level of 60 dBA L_{dn} or greater.
- A significant noise impact would be identified if the project would expose persons to or generate noise levels that would exceed applicable noise standards presented in the General Plan.

Construction Noise

The 2017 EIR concluded that buildout of the Precise Plan would have a less than significant construction noise impact with adherence to City Code requirements and standard conditions of approval.[220] Chapter 8 City Code requirements include:

- No construction activity shall commence prior to 7:00 a.m., nor continue later than 6:00 p.m., Monday through Friday, nor shall any work be permitted on Saturday or Sunday or holidays unless prior written approval is granted by the building official. The term "construction activity" shall include any physical activity on the construction site or in the staging area, including the delivery of materials. In approving modified hours, the building official may specifically designate and/or limit the activities permitted during the modified hours.
- At any time before commencement of or during construction activity, the building official may modify the permitted hours of construction upon twenty-four (24) hours written notice to the contractor, applicant, developer or owner. The building official can reduce the hours of construction activity below the 7:00 a.m. to 6:00 p.m. time frame or increase the allowable hours.

[220] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Pages 368 through 371.

- If the hours of construction activity are modified, then the general contractor, applicant, developer or owner shall erect a sign at a prominent location on the construction site to advise subcontractors and material suppliers of the working hours. The contractor, owner or applicant shall immediately produce upon request any written order or permit from the building official pursuant to this section upon the request of any member of the public, the police or city staff.

In addition, projects within the Precise Plan area would be required to implement the following standard condition of approval, as identified in the 2017 EIR.

Standard Condition of Approval:

COA NOI-1.1: **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 practical 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; and (e) shroud or shield impact tools and use electric-powered rather than diesel-powered construction equipment.

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

Pile Driving Noise Reduction: The following measures shall be incorporated into construction plans and contractor specifications if pile driving is proposed: (a) multiple pile drivers shall be considered to expedite construction. Although noise levels generated by multiple pile drivers would be higher than the noise generated by a single pile driver, the total duration of pile driving would be reduced; and (b) temporary noise control blanket barriers shall shroud pile drivers or be erected in a manner to shield the foundation pile holes as a standard construction noise control technique. Predrilling reduces the number of blows required to seat the pile.

In compliance with City Code requirements and the above standard condition or approval, the project (under either option) would have a less than significant construction noise impact on adjacent sensitive receptors. Therefore, the project (under either option) would not result in a new or substantially more

severe significant impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

Traffic Noise

The future traffic noise from buildout of the Precise Plan was modeled for the 2017 EIR. Traffic noise increases above existing levels from Precise Plan-generated traffic would be zero to one dBA L_{dn} or less at noise sensitive receptors within or outside the Precise Plan area and concluded to be less than significant.[221]

As shown in Table 4.10-3, the total average daily trips and peak hour trips for cumulative plus project conditions are similar to the amount of trips for the buildout of the Precise Plan studied in the 2017 EIR.

Table 4.10-3: Projected Daily and Peak Hour Trips Compared to 2017 EIR

	Average Daily Trips	AM Peak Hour Total	PM Peak Hour Total
2017 EIR (Precise Plan Buildout)	132,820	10,540	11,380
Cumulative Plus Project (under either option) Conditions	128,710	10,810	11,080

The cumulative plus project trips are under the total average daily and PM peak hour trips studied in the 2017 EIR and slightly greater in the AM peak hour by 270. This slight difference in cumulative plus project trips would not result in a new or substantially more severe significant impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

Mechanical Equipment Noise

The 2017 EIR concluded that mechanical noise from future development would be less than significant in compliance with General Plan Policy NOI-1.7 and the below standard condition of approval which restricts noise levels from stationary sources through enforcement of the Noise Ordinance.[222]

Standard Conditions of Approval:

COA NOI-1.1: **Mechanical Equipment:** The noise emitted by any mechanical equipment shall not exceed a level of 55 dBA during the day (between 7:00 a.m. and 10:00 p.m.) or 50 dBA during the night (between 10:00 p.m. to 7:00 a.m.) as measured at residential land uses.

[221] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Pages 366 and 367.
[222] Ibid. Pages 367 and 368.

The proposed project (under either option) would include mechanical systems (i.e., HVAC, exhaust fans, intake ventilation, air source heat pumps, and cooling towers) on portions of the roof tops of the proposed buildings. Under the project with District Utility System Option only, most mechanical equipment would be located inside the DCP. The 2017 EIR includes the standard condition of approval listed above to reduce potential noise impacts from mechanical equipment.

The project (under either option) would comply with General Plan Policy NOI-1.7 and implement the above standard condition of approval. The project (under either option) would not result in a significant impact from mechanical equipment noise at residential land uses because mechanical equipment would be selected to meet the exterior noise level standards at nearby residential uses. Therefore, the project (under either option) would not result in a new or substantially more severe significant impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

Impact NOI-2:	**Both Project Options:** The project (under either option) would not result in generation of excessive groundborne vibration or groundborne noise levels. **(Same Impact as Approved Project [Less than Significant Impact with Mitigation Incorporated])**

The 2017 EIR determined that construction activities associated with development allowed under the Precise Plan would generate vibration from operation of heavy equipment and impact tools (e.g., jackhammers, hoe rams) and identified a less than significant vibration noise impact with implementation of mitigation measure MM NOI-4.1 through MM NOI-4.3.

North Bayshore 2017 EIR Mitigation Measure:

2017 EIR MM NOI-4.1: Both Project Options: Avoid impact pile driving where possible. Drilled piles cause lower vibration levels where geological conditions permit their use.

2017 EIR MM NOI-4.2: Both Project Options: Avoid using vibratory rollers and tampers near sensitive areas**.**

2017 EIR MM NOI-4.3: Both Project Options: In areas where project construction is anticipated to include vibration-generating activities, such as pile driving, in close proximity to existing structures, site-specific vibration studies shall be conducted to determine the area of impact and to present appropriate mitigation measures that may include the following:

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

vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions.

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

Project construction activities (under either option) would generate vibration from operation of heavy equipment and impact tools, like described in the 2017 EIR. The project (under either option) would implement 2017 EIR MM NOI-4.1 through MM NOI-4.3 to reduce construction vibration impacts to a less than significant level by avoiding pile driving, locating vibration compaction activities away from vibration sensitive structures, monitoring vibration effects, and making appropriate repairs or providing compensation if damage occurs. Based on this discussion, the project (under either option) would not result in a new or substantially more severe significant impact than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact with Mitigation Incorporated])**

Impact NOI-3:	**Both Project Options:** The project site is not located within the vicinity of an airport land use plan or airport. The project (under either option) would not expose people residing or working in the project area to excessive noise levels. **(Same Impact as Approved Project [Less than Significant Impact])**

Th nearest airport to the project site is Moffett Federal Airfield. The 2017 EIR concluded that the Precise Plan area is located outside of the noise contours for the Moffett Federal Airfield and, therefore, future development allowed under the Precise Plan would not expose people residing or working in the Precise Plan area to excessive noise levels.[223] The project site, including AM1 outside of the Precise Plan boundaries, is located outside of the noise contours of the Moffett Federal Airfield, therefore, the proposed project (under either option) would not expose people residing or working in the project area to excessive noise levels. **(Same Impact as Approved Project [Less than Significant Impact])**

[223] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Page 376.

4.10.2.1 *Cumulative Impacts*

Impact NOI-C:	**Both Project Options:** The project would not result in a cumulatively considerable contribution to a cumulatively significant noise impact. **[Same Impact as Approved Project (Less than Significant Cumulative Impact)]**

Construction

The 2017 EIR concluded that buildout of the Precise Plan would have a less than significant construction noise impact with adherence to City Code requirements and standard conditions of approval.[224] The cumulative noise conditions have not substantially changed since the certification of the 2017 EIR. The geographic area for cumulative construction noise impacts includes sites within 500 feet of the project site. There are several projects located adjacent to the project site (see Table 3.0-1) that are approved, but not yet under construction. The buildout of the project (under either option) would occur over eight phases and take a total of approximately 14 years to complete. It is likely that construction of the proposed project and construction of adjacent cumulative projects would overlap. Specifically, the Microsoft project (located at 1045 La Avenida Street), Sobrato project (located at 1255 Pear Avenue), and the 1100 La Avenida Affordable Housing project are all located near the Santiago Villa mobile home park (located south of subarea SB-PR-8 and the Shorebird Yards, and adjacent to the east of PE-PR-2), a sensitive receptor. All these cumulative projects (including the project under either option), would be required to adhere to City Code requirements and standard conditions of approval (which are discussed under Impact NOI-1). For these reasons, the cumulative projects would not result in a significant cumulative construction noise impact. **[Same Impact as Approved Project (Less than Significant Cumulative Impact)]**

Operational

The cumulative operational noise conditions have not substantially changed since the certification of the 2017 EIR. The 2017 EIR concluded that the cumulative traffic noise increase from buildout of the Precise Plan would be zero to one dBA L_{dn} or less at noise sensitive receptors within or outside the Precise Plan area and concluded the impact to be less than significant.[225]

As shown in Table 4.10-3 under Impact NOI-1, the total average daily trips and peak hour trips for cumulative plus project conditions are similar to the number of trips for the buildout of the Precise Plan studied in the 2017 EIR. As a result, the project (under either option) would result in a similar less than significant traffic noise increases as disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Cumulative Impact)]**

[224] Ibid. Page 377.
[225] Ibid. Pages 377

4.10.2.2 *Non-CEQA impacts*

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 the 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

As established by General Plan Policy NOI-1.2, exterior noise environments at private and community outdoor recreation use areas should be maintained at or below 65 dBA L_{dn} to be considered acceptable by the City of Mountain View. The noise standards do not apply to private decks and balconies in multi-family residential developments such as those proposed by the project (under either option). According to the 2017 EIR, noise produced by vehicular traffic along roadways in the Precise Plan area would expose future residential land uses to levels above the 65 dBA Ldn exterior compatibility threshold.[226]

Consistent with the 2017 EIR, as part of the City's building permit review process, a qualified acoustical specialist shall prepare a detailed analysis of exterior noise levels at outdoor recreational areas and construction drawings would confirm measures have been taken to achieve the City's exterior noise standards for community outdoor recreation use areas.

Future Interior Noise Environment

Residential Uses

General Plan Policy NOI 1.2 and the CBC's interior noise level standard of 45 dBA L_{dn} apply to the residential portion of the project (under either option). Interior noise levels would vary depending upon the design of the buildings (relative window area to wall area) and the selected construction materials and methods. Where exterior noise levels exceed 60 dBA L_{dn}, forced-air mechanical ventilation systems are normally required. Where exterior noise levels exceed 70 dBA L_{dn}, special sound rated construction systems are normally required.

According to the 2017 EIR, noise levels in the project vicinity would be approximately 65 to 75 dBA L_{dn}. Standard construction materials for commercial uses would provide at least 20 to 25 dBA of noise reduction in interior spaces.

In order to ensure the interior noise standards are met on-site, the project (under either option) would implement the below standard condition of approval.

[226] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Page 373.

Standard Condition of Approval:

COA NOI-2.2: **Both Project Options: Site Specific Building Acoustical Analysis.** A qualified acoustical consultant will review final site plans, building elevations, and floor plans prior to construction to calculate expected interior noise levels as required by State noise regulations. Project-specific acoustical analyses are required by the California Building Code to confirm that the design results in interior noise levels reduced to 45 dB(A)Ldn or lower. The specific determination of what noise insulation treatments are necessary will be completed on a unit-by-unit basis. Results of the analysis, including the description of the necessary noise control treatments, will be submitted to the City along with the building plans and approved prior to issuance of a building permit. Building sound insulation requirements will include the provision of forced-air mechanical ventilation for all residential units as recommended by the qualified acoustical consultant, so that windows can be kept closed at the occupant's discretion to control noise. Special building techniques (e.g., sound-rated windows and building facade treatments) will be implemented as recommended by the qualified acoustical consultant to maintain interior noise levels at or below acceptable levels. These treatments will include, but are not limited to, sound-rated windows and doors, sound-rated wall construction, acoustical caulking, protected ventilation openings, etc.

Commercial Uses

As mentioned under Impact NOI-3 above, the CalGreen Code requires that interior noise levels be maintained at 50 dBA $L_{eq(1\text{-}hr)}$ or less during hours of operation at the proposed commercial uses. As mentioned above, noise levels in the project vicinity would be approximately 65 to 75 dBA L_{dn}. Standard construction materials for commercial uses would provide at least 20 to 25 dBA of noise reduction in interior spaces. The inclusion of adequate forced-air mechanical ventilation systems is normally required so windows may be kept closed at the occupant's discretion. The standard construction materials in combination with forced-air mechanical ventilation would satisfy the daytime threshold of 50 dBA $L_{eq(1\text{-}hr)}$.

4.10.3 Conclusion

	Impact	Same/Similar Impact Analyzed in 2017 EIR	Significance Before Mitigation	Mitigation	Significance After Mitigation
NOI-1:	**Both Project Options:** The project (under either option) 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.	Yes	LTS	None	N/A
NOI-2:	**Both Project Options:** The project (under either option) would not result in generation of excessive groundborne vibration or groundborne noise levels.	Yes	S	2017 EIR MM NOI-4.1 through MM NOI-4.3	LTS
NOI-3:	**Both Project Options:** The project (under either option) would not expose people residing or working in the project area to excessive noise levels.	Yes	LTS	None	N/A
NOI-C:	**Both Project Options:** The project (under either option) would not result in cumulatively considerable noise or vibration impacts.	Yes	LTS	None	N/A
Abbreviations: LTS = Less than Significant, S = Significant, N/A = Not Applicable					

4.11 POPULATION AND HOUSING

4.11.1 Environmental Setting

The environmental setting, including the regulatory framework and existing site conditions, have not substantially changed since the certification of the 2017 EIR.

4.11.1.1 *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.[227] The City of Mountain View Housing Element and related land use policies were last updated in 2014. The City is currently preparing an update to the Housing Element.

Regional and Local

Plan Bay Area 2050

In October 2021, subsequent to the certification of the 2017 EIR, Plan Bay Area 2050 was adopted. Plan Bay Area 2050 supersedes Plan Bay Area 2040, which was in place at the time the 2017 EIR was prepared. 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 PDAs. PDAs are areas generally near existing job centers or frequent transit that are locally identified for housing and job growth.[228]

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

[227] California Department of Housing and Community Development. "Regional Housing Needs Allocation and Housing Elements" Accessed September 24, 2021. https://abag.ca.gov/our-work/housing/rhna-regional-housing-needs-allocation.

[228] Association of Bay Area Governments and Metropolitan Transportation Commission. *Plan Bay Area 2050*. October 21, 2021. Page 20.

technical overview of the of the growth forecasts and land use models upon which Plan Bay Area 2050 is based.

4.11.1.2 *Existing Conditions*

There are no residential units on the project site. The Santiago Villa Mobile Home Park is not in the Precise Plan, but it is directly adjacent to the eastern border of the Precise Plan area. There are approximately 362 dwelling units within the Santiago Villa Mobile Home Park.

4.11.2 Impact Discussion

For the purpose of determining the significance of the project's impact on population and housing, 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)?
2) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

4.11.2.1 *Project Impacts*

Impact POP-1:	**Both Project Options:** The project (under either option) 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). **[Same Impact as Approved Project (Less than Significant Impact)]**

Implementation of the Precise Plan would result in a total of 38,910 employees and 9,850 dwelling units at full buildout in 2030.[229] This would exceed the growth projections for the area identified in the General Plan at the time the 2017 EIR was prepared; however, the 2017 EIR concluded that the growth would be located in an identified Change Area of the City and would be consistent with General Plan goals and policies related to providing housing in urban areas near employment centers.

The project (under either option) is consistent with the development and growth assumptions in the 2017 EIR for the Precise Plan except the project includes 325 additional hotel rooms, 199,206 square feet of additional restaurant/retail uses, and 66,957 square feet of additional institutional/recreational uses.

[229] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Pages 383 to 384.

These additional uses would result in 1,038 additional jobs that were not evaluated in the 2017 EIR.[230] The 1,038 additional jobs represent a 7.4 percent increase in the total number of jobs anticipated from the buildout of the Precise Plan. These additional jobs would change the City's projected in 2030 jobs/housing ratio from 1.57 (in 2030) to 1.61. Given the nominal percent increase in overall jobs from the buildout of the Precise Plan and the slight change to the City's jobs/housing ratio, the project's additional growth that was not previously evaluated in the 2017 EIR would not result in a new or substantially more severe significant impact than disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact POP-2:	**Both Project Options:** The project (under either option) would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. **[Same Impact as Approved Project (Less than Significant Impact)]**

The project site does not contain housing; therefore, the project (under either option) would not displace existing residents or housing, and would have a less than significant impact, consistent with the findings of the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

4.11.2.2 *Cumulative Impacts*

Impact POP-C:	**Both Project Options:** The project (under either option) would not result in a cumulatively considerable contribution to a cumulatively significant population and housing impact. **[Same Impact as Approved Project (Less than Significant Impact)]**

The geographic area for cumulative population and housing impacts is the City boundaries, and can be extended further to Santa Clara County and the San Francisco Bay region. Past, present, and pending development projects contribute to the City's, County's, and region's population and housing impact.

As discussed under Impact POP-1, although the resident population growth associated with the proposed project is accounted for in the growth projections of the Precise Plan, the employment growth is slightly higher than what was previously analyzed in the 2017 EIR due to the addition of commercial square footage that was beyond the previously studied total. While the project (under either option) includes more development within the Precise Plan, that development would be generally consistent with the intent, policies, and assumptions from the 2030 General Plan and result in a nominal percent increase in overall jobs compared to what was studied in the 2017 EIR.

In addition, as the geographic area increases to the County and region, the project's increase in residential units and jobs/employees would be even less. For these reasons, implementation of the project would not have a cumulatively considerable contribution to a significant cumulative population and housing impact. **[Same Impact as Approved Project (Less than Significant Cumulative Impact)]**

[230] The number of employees was estimated assuming approximately 2.67 employees per 1,000 square feet of retail uses, approximately 6.55 employees per 1,000 square feet of restaurant uses, and approximately 0.4 employees per room for hotel uses.

4.11.3 Conclusion

	Impact	Same/Similar Impact Analyzed in 2017 EIR	Significance Before Mitigation	Mitigation	Significance After Mitigation
POP-1:	**Both Project Options:** 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)	Yes	LTS	None	N/A
POP-2:	**Both Project Options:** The project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.	Yes	LTS	None	N/A
POP-C:	**Both Project Options:** The project would not result in a cumulatively considerable contribution to a cumulatively significant population and housing impact.	Yes	LTS	None	N/A
Abbreviations: LTS = Less than Significant, N/A = Not Applicable					

4.12 PUBLIC SERVICES

4.12.1 Environmental Setting

The environmental setting, including the regulatory framework and existing site conditions, have not substantially changed since the certification of the 2017 EIR.

4.12.1.1 *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.

California Education Code Section 17620(a)

Section 17620(a) of the California Education Code establishes that the governing board of any school district is authorized to levy a fee, charge, dedication, or other requirement against any construction within the boundaries of the district in order to assist with the funding of the construction or reconstruction of school facilities. These fees can be levied against commercial, industrial, and residential development.

Local

Mountain View 2030 General Plan

The General Plan contains goals and policies to avoid significant impacts due to public services impacts. The following goals and policies are applicable to the proposed project (under either option).

Policy	Description
Public Safety	
PSA 1.1	**Adequate staffing.** Maintain adequate police and fire staffing, performance levels and facilities to serve the needs for the community.
PSA 2.7	**Police service levels and facilities.** Ensure Mountain View Police Department service levels and facilities meet demands from new growth and development.
PSA 3.1	**Minimized losses.** Minimize property damage, injuries and loss of life from fire.
Parks, Open Space and Community Facilities	
POS 1.1	**Additional parkland.** Expand park and open space resources to meet current City standards for open acreage and population in each neighborhood.
POS 1.2	**Recreation facilities in new residential developments.** Require new development to provide park and recreation facilities.
POS 5.2	**Schools and open space.** Collaborate with the school district on new school development and intensification to accommodate population growth while preserving and protecting public parks and playgrounds.
MOB 10.4	**Emergency response.** Monitor emergency response times and where necessary consider appropriate measures to maintain emergency response time standards. Measures to ensure provisions of adequate response times may include the expanded use of emergency vehicle signal preemption, evacuation route modifications, or the construction of new facilities (e.g., fire stations).

North Bayshore Precise Plan

The Precise Plan contains standards and guidelines to avoid significant public services impacts. The following guidelines and policies are applicable to the proposed project.

Guidelines	Description
Public Open Space	
1	**Open space development.** The Plan's new open spaces should be coordinated with private development projects and planned infrastructure improvements
2	**Connected open spaces.** New public open spaces should be accessible from and located within a comfortable walking and biking distance of residents and workers. Open spaces should be located along bikeways or greenways

Guidelines	Description
3	**Sustainability.** New public open spaces should be designed to incorporate best practices in sustainability, including water use and conservation, stormwater management, landscaping, and planting.

Policies	Description
3.4.5 Local School Policies	
1	**Open space development.** The Plan's new open spaces should be coordinated with private development projects and planned infrastructure improvements
2	**Transfer of Development Rights (TDR).** The City has previously authorized a Transfer of Development Rights (TDR) program that allows the sale of development rights from a school site to property owners/developers for use at another property in the City. The TDR program seeks to allow new school sites in the City to transfer unused development rights to parcels within certain areas, and to allow the receiving sites to use TDR to apply for development projects that would otherwise exceed the maximum FAR. Repeating this process may provide additional resources by which a school district can acquire land.
3	**Shared Facilities.** The City may continue to provide Park Land Dedication In-Lieu Fee funding support for acquisition of school land and other partnerships with local school districts on sharing of open space at school sites.
4	**Funding for Schools.** The Shoreline Community shall work with the Mountain View Whisman School District and the Mountain View Los Altos Union High School District to allocate revenue related to the growth in assessed value due to new residential development within the Community pursuant to/in accordance with the annual tax allocation for each school district, through mutually agreed to and legally binding agreements.

Mountain View Municipal Code

Chapter 41 of the City Code contains a Park Land Dedication Ordinance, which sets requirements for parkland dedication or in-lieu fees. The City requires developers to dedicate at least three acres of parkland 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, POPA open space within a residential development site for parkland credit, reducing the land or in-lieu fee obligation generated by the development.

4.12.1.2 *Existing Conditions*

Fire Protection Services

Fire protection to the project site is provided by the Mountain View Fire Department (MVFD), which serves a population of approximately 82,739 and an area of 12 square miles. The MVFD provides fire suppression, emergency medical services (EMS), technical rescue response, hazardous materials response, hazard prevention and education, hazardous material storage inspection, regulation of waste and urban runoff water and disaster preparedness services. In fiscal year 2020/2021, out of 8,512

emergency calls made to the MVFD, 6,003 of the calls were for EMS and 445 were for fire.[231] The MVFD has an established response time of six minutes for all EMS (i.e. those requiring a code-3 response) from the time units are dispatched to a call (County EMS Policy 304).

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 may provide assistance to MVFD in whatever capacity was needed, if they have capacity available.

Station Five is closest to the project site. Station five is located at 2195 North Shoreline Boulevard, approximately 0.3 miles north of the core project site. The MVFD reviews applications for new projects to ensure that they comply with the City's current fire codes and standards.

Police Protection Services

Police protection to the project site is provided by the MVPD, which consists of authorized staff of 181 full-time, part-time, and limited-period personnel.[232] Officers patrolling the area are dispatched from police headquarters, located at 1000 Villa Street, approximately 1.2 miles south 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. Priority E calls are of higher importance, because they are often associated with violent crime incidents. 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 School District (MVWSD) and Mountain View-Los Altos Union High School District (MVLASD). The MVWSD serves grades kindergarten through eighth grade and the MVLAS services high-school age students. Students generated by the project would attend Monta Loma Elementary School located at 460 Thompson Avenue (approximately one mile southwest of the core project site), Crittenden Middle School located at 1701 Rock Street (approximately 0.2-mile southwest of the core project site), and Mountain View High School located at 3535 Truman Avenue (approximately four miles south of the core project site).

Table 4.12-1 shows the existing school capacities at Monta Loma Elementary School, Crittenden Middle School, and Mountain View High School. As shown in the table, Monta Loma Elementary School and Crittenden Middle School both have capacity for additional students. Although Mountain View High School's enrollment is currently over-capacity, the school is accommodating the additional students through the use of portable buildings while more permanent classroom facilities are constructed.

[231] Mountain View Fire Department. Fire Department Annual Report, Fiscal Year 2020-21. Accessed February 14, 2022. https://www.mountainview.gov/depts/fire/about/report.asp

[232] Mountain View Police Department. 2020 Annual Report. Accessed September 24, 2021. https://www.mountainview.gov/civicax/filebank/blobdload.aspx?blobid=36134

Table 4.12-1: 2021 to 2022 School Enrollment and Capacity		
School	**Current Enrollment**	**Existing Capacity**
Monta Loma Elementary School[1]	271	460
Crittenden Middle School[1]	532	1,008
Mountain View High School[2]	2,316	1,546

[1] MVWSD. *Level I Developer Fee Study*. Appendix E. May 5, 2022. Accessed August 3, 2022.

[2] Aguilar, Irene. Assistant to the Associate Superintendent-Business Services, Mountain View Los Altos High School District. Personal Communication. July 7, 2022.

Parks and Open Space

The City of Mountain View currently owns or manages approximately 993 acres of parks and open space facilities, including 22 urban parks and the Stevens Creek Trail. The urban parks are divided among 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).[233] The City also maintains 10 parks under joint-use agreements with local school districts. The closest park to the project site is Charleston Park, which is adjacent to the project boundary on the north side of Charleston Road.

Libraries

The Mountain View Public Library, located at 585 Franklin Street, is the City's only library. It is located approximately 1.57 miles southwest of the project site.

4.12.2 Impact Discussion

For the purpose of determining the significance of the project's impact on public services, 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?
2) Police protection?
3) Schools?
4) Parks?
5) Other public facilities?

[233] City of Mountain View. 2014 Parks and Open Space Plan. Accessed February 14, 2022. https://www.mountainview.gov/civicax/filebank/blobdload.aspx?BlobID=14762

4.12.2.1 *Project Impacts*

Impact PS-1:	**Both Project Options:** The project (under either option) 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. **[Same Impact as Approved Project (Less than Significant Impact)]**

Implementation of the Precise Plan would increase the demand for fire protection services and additional fire equipment and personnel will be required to meet the City's adopted response time standard. In order to determine the level of additional resources required, MVFD will complete a study to determine emergency response needs in the Precise Plan area.[234] The 2017 EIR concluded that this study and adherence to General Plan Policies PSA 1.1 and PSA 3.1 would reduce the impact to fire services to a less than significant level and would not result in the need to expand or construct new fire facilities.[235] This finding was based on the Station Five building design and site layout that included an apparatus bay large enough to support a second engine company and space to add dormitory rooms for additional personnel. The project (under either option) is consistent with the development and growth assumptions in the 2017 EIR except the project includes 325 additional hotel rooms, 199,206 square feet of additional restaurant/retail uses, and 66,957 square feet of additional institutional/recreational uses.

As discussed in Section 4.11 Population and Housing, this amount of additional employment does not represent a substantial increase in growth compared to what was evaluated in the 2017 EIR. This increase in growth would not require the construction or expansion of fire protection and EMS response facilities and resources beyond what was anticipated when Station Five was planned.

In addition, the proposed project (under either option) would comply with General Plan Policy PSA 3.1 by being constructed to current Fire Code standards to increase fire safety overall and reviewed by the MVFD for compliance with the City's current fire codes and standards. To further assist with meeting response time standards with the potential for traffic congestion in the area, the City of Mountain View will consider the modernization of traffic signals using technologies that provide for signal pre-emption or adjustable signal timing to support emergency response vehicles. Therefore, the proposed project would not result in a new or substantially more severe significant impact on fire protection services than disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

[234] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Pages 395.
[235] Ibid.

Impact PS-2:	**Both Project Options:** The project (under either option) 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. **[Same Impact as Approved Project (Less than Significant Impact)]**

The 2017 EIR concluded that the increase in housing units resulting from the implementation of the Precise Plan would likely result in the City designating the Precise Plan area as its own beat, which would require an additional eight to 10 officers.[236] A new police beat north of US 101 could assist with response times. The 2017 EIR disclosed that in-lieu of a police substation, a point of operation for officers to utilize in the North Bayshore area may be considered. The 2017 EIR concluded that future development in conformance with current codes and adherence to General Plan Policies PSA 1.1, PSA 2.1, and PSA 2.3 would reduce the impact to police services to a less than significant level.

The project (under either option) would comply with General Plan Policies PSA 1.1, PSA 2.1, and PSA 2.3 by constructing a police operations station within the proposed district parking garage located on Subarea AM1. The operations station would include work areas with computers that have access to the City's network, a conference room, and a break room, consistent with the assumptions in the 2017 EIR. This police operations station would help the MVPD maintain adequate response times to the Precise Plan area and manage special events. The environmental impacts of this operations station are evaluated throughout this EIR. In addition, the project (under either option) would be reviewed by MVPD at the Planned Community Permit or building permit stage to ensure that safety features such as adequate lighting for pathways and entry points, along with adequate visibility into the properties are incorporated into the site design. This would minimize the opportunity for criminal activity, which would reduce potential impacts to response times. For these reasons, the project (under either option) would have result in the same less than significant impact disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact PS-3:	**Both Project Options:** The project (under either option) 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. **[Same Impact as Approved Project (Less than Significant Impact)]**

The 2017 EIR disclosed that MVWSD and MVLASD would not have the capacity at existing schools to incorporate the increase in students that would result from the implementation of the Precise Plan. The 2017 EIR concluded, pursuant to California Government Code Section 65996, the future

[236] Ibid. Page 396.

residential projects within the Precise Plan area would pay school impact fees to offset and adequately mitigate any potential impacts to schools to a less than significant level.[237]

The project (under either option) includes up to 7,000 residential units (1,400 of which would be affordable), which would generate approximately 12,250 residents. It is estimated that the project (under either option) would generate 1,471 elementary and middle school students and 700 high school students for a total of 2,171 new students.[238] The estimated project generated students would materialize over time with the project's 14-year buildout. The proposed residential units and their associated project generated students were accounted for in the 2017 EIR analysis. As discussed in Section 4.12.1.2, both Monta Loma Elementary School and Crittenden Middle School have existing capacity based on current enrollment numbers and would be able to accommodate the project's estimated 1,471 elementary and middle school students. Therefore, the addition of new students as the project is gradually built-out would not require the expansion of those schools. As of the end of the 2021 to 2022 school year, Mountain View High School is over capacity by 770 students. The school currently utilizes portable classrooms in addition to permanent education facilities to accommodate the additional students.[239] The construction of permanent classroom facilities is underway through Measure E bond program funding and has undergone separate environmental review.[240] After completion of construction, Mountain View High School would have a capacity of 2,379 students. Despite this increase in capacity, there would not be sufficient capacity to accommodate the estimated 700 high school students anticipated from the project. Based on current enrollment, Mountain View High School would be 637 students over capacity.

The State Legislature provided authority for school districts to assess impact fees for both residential and nonresidential development projects. Those fees, as authorized under Education Code Section 17620(a) and Government Code Section 65995(b), are collected by municipalities at the time building permits are issued and conveyed to the affected school district in accordance with a defined fee structure. The Legislature has declared that the payment of those fees constitutes full mitigation for the impacts generated by new development.

Consistent with Government Code 65996 and the 2017 EIR, the project (under either option) would pay state-mandated school impact fees to the Mountain View Whisman School District and Mountain View Los Alto High School District to offset impacts to local schools, reducing impacts to a less than significant level. Therefore, the project (under either option) would result in the same impact to schools as disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

[237] Ibid. Page 398.

[238] Based on the following student generation rates: Elementary and middle school students per market-rate multi-family unit: 0.124 (0.555 per below market-rate unit) Source: Mountain View Whisman School District. *Level I Developer Fee Study*. Appendix E. May 5, 2022. Accessed August 3, 2022.
High school students per market-rate multi-family unit = 0.047 (0.312 per below market-rate unit) Source: Mountain View/Los Altos Union High School District. Level 1 Developer Fee Study. July 27, 2020. Table 1

[239] Aguilar, Irene. Assistant to the Associate Superintendent-Business Services, Mountain View Los Altos High School District. Personal Communication. July 7, 2022.

[240] Mountain View/Los Altos Union High School District. *Draft Mitigated Negative Declaration - Mountain View High School Expansion Project (SCH Number 2011092006)*. November 2018. Page 10.

Impact PS-4:	**Both Project Options:** The project (under either option) 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. **[Same Impact as Approved Project (Less than Significant Impact)]**

The 2017 EIR disclosed that although the North Bayshore area has a large amount of existing park space, additional park (and recreation) space could be required to serve the Precise Plan residents. The 2017 EIR concluded that the impacts associated with the increase in demand for parks and recreational facilities would be reduced to a less than significant impact by requiring compliance with the Quimby Act (California Government Code, Section 66477) and the Park Land Dedication or Fees In Lieu Thereof Ordinance (Chapter 41 of the City Code), which require developers to dedicate park space and/or pay an in-lieu fee to offset demand.[241]

The proposed project (under either option) would include a total of 30.5-acres of open space, including 11.7 acres of POPA open space to be developed under the project (under either option) and 18.9 acres of parkland dedicated to the City for development of future parks at a later date (see Figure 2.3-3). The 30.5 acres of parkland included in the project would offset the demand for recreational facilities by future employees and residents living and working on-site. Per the City's Park Land Dedication or Fees In Lieu Thereof Ordinance, the project would be required to provide 36.8-acres of open space to meet the City's three acres per 1,000 residents ratio. As mentioned above, the project proposes 30.5-acres of open space; therefore, the project would be required to pay in-lieu fees for the remaining 6.2-acres. Project-related impacts from construction of on-site parks are discussed further in Section 4.13 Recreation below and are concluded to be less than significant, which is consistent with the findings of the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact PS-5:	**Both Project Options:** The project (under either option) 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. **[Same Impact as Approved Project (Less than Significant Impact)]**

The 2017 EIR concluded that the growth projected in the Precise Plan would not trigger the City to build or operate a new library in the Precise Plan area.[242] Implementation of the Precise Plan would result in a total of 38,910 employees and 9,850 dwelling units at full buildout in 2030.[243] The project (under either option) is consistent with the development and growth assumptions in the 2017 EIR for

[241] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Page 400.
[242] Ibid.
[243] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Pages 383 to 384.

the Precise Plan except the project includes 325 additional hotel rooms, 199,206 square feet of additional restaurant/retail uses, and 66,957 square feet of additional institutional/recreational uses.

These additional uses would result in additional jobs, hotel visitors, and recreational users that were not accounted for in the 2017 EIR (as discussed in Section 4.11 Population and Housing). The single library in the City currently serves the existing population of 82,739, and the additional employees and visitors beyond what was accounted for in the 2017 EIR would account for a minor portion of the library's visitors. Therefore, the nominal increase in employees and visitors in the City would not result in a new or more substantially severe impact than disclosed in the 2017 EIR that would necessitate the construction of additional library facilities in the City. **[Same Impact as Approved Project (Less than Significant Impact)]**

4.12.2.2 *Cumulative Impacts*

Impact PS-C:	**Both Project Options:** The project (under either option) would not result in a cumulatively considerable contribution to a cumulatively significant public services impact. **[Same Impact as Approved Project (Less than Significant Cumulative Impact)]**

As discussed in the 2017 EIR, cumulative projects in Mountain View and Sunnyvale may require provision of public services, including fire and police services, schools, and recreational facilities. The cumulative conditions have not substantially changed since the certification of the 2017 EIR. While the Master Plan includes more development within the Precise Plan and on Subarea AM1, that development would:

- Be constructed within the existing service areas of the MVFD and MVPD;
- Be constructed to current Fire Code standards and be reviewed by the MVFD for compliance with the City's current fire codes and standards;
- Be reviewed by MVPD to ensure safety features are incorporated to minimize the opportunity for criminal activity;
- Pay the appropriate school impact fees to the Mountain View Whisman School District and Mountain View Los Alto High School District in accordance with California Government Code Section 65996; and
- Comply with the Quimby Act (California Government Code, Section 66477) and the Park Land Dedication Ordinance in Chapter 41 of the City Code.

Therefore, the project (under either option) and the associated increase in employment, hotel visitors, and recreational users beyond what was studied in the 2017 EIR would not result in a cumulatively considerable contribution to a cumulatively significant public services impact. This is the same cumulative impact identified in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Cumulative Impact)]**

4.12.3 Conclusion

	Impact	Same/Similar Impact Analyzed in 2017 EIR	Significance Before Mitigation	Mitigation	Significance After Mitigation
PS-1:	**Both Project Options:** 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.	Yes	LTS	None	N/A
PS-2:	**Both Project Options:** 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.	Yes	LTS	None	N/A
PS-3:	**Both Project Options:** 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.	Yes	LTS	None	N/A

	Impact	Same/Similar Impact Analyzed in 2017 EIR	Significance Before Mitigation	Mitigation	Significance After Mitigation
PS-4:	**Both Project Options:** 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.	Yes	LTS	None	N/A
PS-5:	**Both Project Options:** 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.	Yes	LTS	None	N/A
PS-C:	**Both Project Options:** The project would not result in a cumulatively considerable contribution to a cumulatively significant public services impact.	Yes	LTS	None	N/A
Abbreviations: LTS = Less than Significant, N/A = Not Applicable					

4.13 RECREATION

4.13.1 Environmental Setting

The existing recreational setting, including regulatory framework, has not substantially changed since the certification of the 2017 EIR.

4.13.1.1 *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.

Regional & Local

Santa Clara County Countywide Trails Master Plan Update

The Santa Clara County Countywide Trails Master Plan Update is a regional trails plan approved by the Santa Clara County Board of Supervisors in November 1995.[244] It provides a framework for implementing the County's vision of providing a contiguous trail network that connects cities to one another, cities to the county's regional open space resources, County parks to other County parks, and the northern and southern urbanized regions of the County. The plan identifies regional trail routes, sub-regional trail routes, connector trail routes, and historic trails.

Mountain View 2030 General Plan

The General Plan contains goals and policies to avoid significant impacts due to recreation impacts. The following goals and policies are applicable to the proposed project (under either option).

Policy	Description
Parks, Open Space and Community Facilities	
POS 1.1	**Additional parkland.** Expand park and open space resources to meet current City standards for open acreage and population in each neighborhood.
POS 1.2	**Recreation facilities in new residential developments.** Require new development to provide park and recreation facilities.
POS 2.6	**Diverse park amenities.** Design parks to address a range of activities for diverse populations.

[244] Santa Clara County Board of Supervisors. *Santa Clara County Countywide Trails Master Plan Update.* November 14, 1995.

Policy	Description
POS 4.2	**Park design.** Implement high-quality park amenities and design.
POS 6.1	**Citywide network of pathways.** Develop a citywide network of pedestrian and bicycle pathways to connect neighborhoods, employment centers, open space resources and major destinations within the city.

North Bayshore Precise Plan

The Precise Plan contains standards and guidelines to avoid significant recreation impacts. The following guidelines are applicable to the proposed project.

Guidelines	Description
Public Open Space	
1	**Open space development.** The Plan's new open spaces should be coordinated with private development projects and planned infrastructure improvements
2	**Connected open spaces.** New public open spaces should be accessible from and located within a comfortable walking and biking distance of residents and workers. Open spaces should be located along bikeways or greenways
3	**Sustainability.** New public open spaces should be designed to incorporate best practices in sustainability, including water use and conservation, stormwater management, landscaping, and planting.

Mountain View Municipal Code

Chapter 41 of the City's Municipal Code contains a Park Land Dedication Ordinance, which sets requirements for parkland dedication or in-lieu fees. The City requires developers to dedicate at least three acres of parkland 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 parkland credit, reducing the land or in-lieu fee obligation generated by the development.

4.13.1.2 *Existing Conditions*

As discussed under Section 4.12 Public Services, the City of Mountain View currently owns or manages approximately 993 acres of parks and open space facilities, including 22 urban parks and the Stevens Creek Trail.[245] The City also maintains 10 parks under joint-use agreements with local school districts. The Precise Plan area itself contains approximately 32 acres of parks and open space, including Charleston Park, Shoreline Athletic Fields, and Garfield Park. The nearby recreational facilities to the project site include Charleston Park, Shoreline Athletic Fields, Permanente Creek Trail, Stevens Creek Trail, and Shoreline At Mountain View park.

[245] City of Mountain View. 2014 Parks and Open Space Plan. Accessed January 6, 2022. https://www.mountainview.gov/civicax/filebank/blobdload.aspx?BlobID=14762

4.13.2 Impact Discussion

For the purpose of determining the significance of the project's impact on recreation:

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?
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?

4.13.2.1 *Project Impacts*

Impact REC-1:	**Both Project Options:** The project (under either option) 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. **[Same Impact as Approved Project (Less than Significant Impact)]**

The park and open space vision for the Precise Plan area includes a conceptual central open space, several neighborhood parks, a system of linear parks, and a series of trails and pathways that connect habitat areas and recreational spaces. Each Complete Neighborhood Area would have a minimum of one neighborhood park.

The 2017 EIR concluded that future development in compliance with the Park Land Dedication or Fees In Lieu Thereof Ordinance (Chapter 41 of the City Code) would not result in significant impacts to park or recreational facilities.[246] Per the City's Park Land Dedication or Fees In Lieu Thereof Ordinance, the project (under either option) would be required to provide 36.8-acres of open space to meet the City's three acres per 1,000 residents ratio. The project (under either option) would comply with the Park Land Dedication or Fees In Lieu Thereof Ordinance by providing a total of 30.5-acres of open space, including 11.7 acres of POPA open space to be developed under the project and 18.9 acres dedicated to the City for development future parks at a later date, and paying in lieu fees for the remaining 6.2-acres. The compliance of the project (under either option) with the Park Land Dedication or Fees In Lieu Thereof Ordinance would offset the demand for recreational facilities by project employees and residents living and working on-site. The project (under either option) would result in the same less than significant impact to parks and recreational facilities as disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

[246] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Page 400.

Impact REC-2:	**Both Project Options:** The project (under either option) would not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. **[Same Impact as Approved Project (Less than Significant Impact)]**

The proposed project (under either option) would construct 11.7 acres of POPA open space. The environmental impacts associated with development of this POPA open space are discussed throughout this EIR. The project (under either option) would dedicate 18.9 acres to the City for future development of City parks. Future development on the dedicated land would be subject to separate environmental review. The development of the POPA open space would not result in any new or substantially more severe significant impacts than disclosed in the 2017 EIR. The project (under either option) would result in new impacts pertaining to construction and operational criteria air pollutants and community health risk; however, these new impacts are attributed to the residential, office, retail, hotel, parking, and district utility system. The development of the 30.5 acres of open space, as described in Section 2.3.2, would not alone result in new impacts not previously disclosed in the 2017 EIR. Subsequent project-level environmental review may be required for these 18.9 acres of dedicated parkland when proposed for development. Therefore, the project (under either option) would not result in a new or substantially more severe significant impact than disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

4.13.2.2 *Cumulative Impacts*

Impact REC-C:	**Both Project Options:** The project (under either option) would not result in a cumulatively considerable contribution to a cumulatively significant recreation impact. **[Same Impact as Approved Project (Less than Significant Cumulative Impact)]**

As discussed in Section 4.12 Public Services, the 2017 EIR disclosed that although the North Bayshore area has a large amount of existing park space, additional park (and recreation) space could be required to serve the Precise Plan residents. The 2017 EIR concluded that the impacts associated with the increase in demand for parks and recreational facilities would be reduced to a less than significant impact through compliance with the Quimby Act (California Government Code, Section 66477) and the Park Land Dedication or Fees In Lieu Thereof Ordinance (Chapter 41 of the City Code), which require developers to dedicate park space and/or pay an in-lieu fee to offset demand.[247]

As discussed under Impact REC-1 above, the project (under either option) would comply with the Park Land Dedication or Fees In Lieu Thereof Ordinance by providing a total of 30.5-acres of open space and paying in lieu fees. The compliance of the project (under either option) with the Park Land Dedication or Fees In Lieu Thereof Ordinance would offset the demand for recreational facilities generated by the project, and any future projects in the vicinity would be subject to the same requirements outlined in Chapter 41 of the City Code. Therefore, the project (under either option) would not result in a cumulatively considerable contribution to a significant cumulative recreation impact. **[Same Impact as Approved Project (Less than Significant Cumulative Impact)]**

[247] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Page 400.

4.13.3 Conclusion

	Impact	Same/Similar Impact Analyzed in 2017 EIR	Significance Before Mitigation	Mitigation	Significance After Mitigation
REC-1:	**Both Project Options:** 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.	Yes	LTS	None	N/A
REC-2:	**Both Project Options:** The project would not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.	Yes	LTS	None	N/A
REC-C:	**Both Project Options:** The project would not result in a cumulatively considerable contribution to a cumulatively significant recreation impact.	Yes	LTS	None	N/A
Abbreviations: LTS = Less than Significant, N/A = Not Applicable					

4.14 TRIBAL CULTURAL RESOURCES

4.14.1 Environmental Setting

The environmental setting, including the regulatory framework and existing site conditions, for tribal cultural resources has not substantially changed since the certification of the 2017 EIR.

4.14.1.1 *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 California Register of Historic Resources, 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.

4.14.1.2 *Existing Conditions*

On May 28, 2021, Tamien Nation requested notification from the City of all non-exempt projects within the City of Mountain View. The tribal representatives for the Tamien Nation were sent the Notice of Preparation for the proposed project on February 28, 2022. Consultation was requested by Tamien Nation on March 1, 2022. City staff reached out to Tamien Nation via email and phone for consultation. The City received no response to its outreach efforts from Tamien Nation. The City has made a good faith effort to engage in tribal consultation with the Tamien Nation by sending several emails and leaving multiple phone messages. The City sent a final email on August 1, 2022 to notify Tamien Nation that the City was a) including cultural sensitivity training and Native American archaeological monitoring as project conditions of approval (which were previously requested by Tamien Nation during consultation on other projects) and b) concluding tribal consultation. In addition, the City completed a Sacred Lands File Search for the site (including Subarea AM1 located outside the Precise Plan area) on November 17, 2022. No known TCRs were identified on the project site through the file search (or consultation with Tamien Nation).

4.14.2 Impact Discussion

For the purpose of determining the significance of the project's impact on TCRs, would the project cause a substantial adverse change in the significance of a TCR, 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)?
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.

4.14.2.1 *Project Impacts*

Impact TCR-1:	**Project and Project with District Utilities System Option:** The project (under either option) 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). **(Same Impact as Approved Project [Less than Significant Impact])**

For the 2017 EIR, Native American tribes were consulted, and no Native American cultural resources (such as TCRs) were identified within or near the Precise Plan Area. The 2017 EIR concluded that development in the Precise Plan area (which includes most of the project) would result in less than significant impacts to TCRs, as there were no identified TCRs within or near the Precise Plan area.[248]

As noted in Section 4.14.1, no known TCRs are located on-site. As discussed in Section 4.3 Cultural Resources under Impact CUL-2, the project (under either option) would implement the same conditions of approval as identified in the 2017 EIR for cultural resources.

The project would implement the conditions of approval outlined in COA CUL-2.1 to reduce potential impacts to TCRs to a less than significant level should they be identified during ground disturbing activities by providing cultural sensitivity training to the construction crews on-site, retaining a Native American archaeological monitor on-site to observe ground-disturbing activities, and establishing procedures to protect resources in the event they are discovered. The project (under either option), therefore, would not result in new or substantially more severe significant impacts than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

[248] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Pages 233 and 237.

Impact TCR-2:	**Project and Project with District Utilities System Option:** The project (under either option) 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. **(Same Impact as Approved Project [Less than Significant Impact])**

Refer to discussion under Impact TCR-1. The project (under either option) would not result in new or substantially more severe significant impacts than disclosed in the 2017 EIR. **(Same Impact as Approved Project [Less than Significant Impact])**

4.14.2.2 *Cumulative Impacts*

Impact TCR-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant tribal cultural resources impact. **Same Impact as Approved Project [Less than Significant Cumulative Impact])**

The 2017 EIR concluded that all cumulative projects within Mountain View or neighboring cities would be required to implement conditions of approval or mitigation measures that would avoid impacts to cultural resources (including TCRs) or reduce them to a less than significant level. The project (under either option) would implement conditions of approval COA CUL-2 and COA TCR-1.1 to reduce impacts to TCRs to a less than significant level. For this reason, the project (under either option) would not result in a new or substantially more severe significant cumulative impact to tribal cultural resources than disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Cumulative Impact)]**

4.14.3 Conclusion

	Impact	Same/Similar Impact Analyzed in 2017 EIR	Significance Before Mitigation	Mitigation	Significance After Mitigation
TCR-1:	**Both Project Options:** 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).	Yes	LTS	None	N/A
TCR-2:	**Both Project Options:** 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.	Yes	LTS	None	N/A
TCR-C:	**Both Project Options:** The project would not result in a cumulatively considerable contribution to a cumulatively significant tribal cultural resources impact.	Yes	LTS	None	N/A
Abbreviations: LTS = Less than Significant, N/A = Not Applicable					

4.15 WILDFIRE

4.15.1 Environmental Setting

The environmental setting, including the regulatory framework and existing site conditions, for wildfire has not substantially changed since the certification of the 2017 EIR.

4.15.1.1 *Existing Conditions*

The project site is not classified as a very high fire hazard severity zone.[249]

4.15.2 Impact Discussion

For the purpose of determining the significance of the project's impact on wildfire, 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?
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?
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?
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?

4.15.2.1 *Project Impacts*

The 2017 EIR concluded that there are no Fire Hazard Severity Zones for state responsibility areas or Very High Fire Hazard Severity Zones for local responsibility areas that have been identified within or adjacent to the North Bayshore Precise Plan area.[250] 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 (under either option) would not result in significant wildfire impacts. This would be consistent with the findings of the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

4.15.2.2 *Cumulative Impacts*

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 (under either option) would not contribute to a significant cumulative wildfire impact. **[Same Impact as Approved Project (Less than Significant Cumulative Impact)]**

[249] California Department of Forestry and Fire Protection. FHSZ Viewer. Accessed February 15, 2022. https://egis.fire.ca.gov/FHSZ/

[250] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Page 296.

4.15.3 Conclusion

	Impact	Same/Similar Impact Analyzed in 2017 EIR	Significance Before Mitigation	Mitigation	Significance After Mitigation
WLD-1:	**Both Project Options:** The project (under either option) would not result in significant wildfire impacts.	Yes	LTS	None	N/A
WLD-C:	**Both Project Options:** The project (under either option) would not result in significant cumulative wildfire impacts.	Yes	LTS	None	N/A
Abbreviations: LTS = Less than Significant, N/A = Not Applicable					

SECTION 5.0 GROWTH-INDUCING IMPACTS

Impact GRO-1:	The project would not foster or stimulate significant economic or population growth in the surrounding environment. **[Same Impact as Approved Project (Less than Significant Growth Inducing Impact)]**

Pursuant to the CEQA Guidelines, a project is considered to be growth inducing if it would "foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment" (Section 15126.2[e]). This section of the EIR is intended to evaluate the impacts of such growth in the surrounding environment. Examples of projects likely to have significant growth inducing impacts include removing obstacles to population growth, for example extending or expanding infrastructure beyond what is needed to serve the project. Other examples of growth inducement include increases in population that may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects.

The Growth-Inducing impact analysis from the 2017 EIR is hereby incorporated by reference. The 2017 2017 EIR concluded implementation of the Precise Plan would not significantly induce growth for the following reasons:

- The proposed residential development in the Precise Plan is intended to reduce development pressure for housing elsewhere in Mountain View and nearby cities. This growth would occur within a developed area of Mountain View and the Precise Plan is consistent with General Plan goals for focused and sustainable growth by supporting the intensification of development in an urbanized area that is currently served by existing roads, transit, utilities, and public services;
- Although the Precise Plan has the potential to incrementally increase economic pressure and contribute to rising rents and housing prices, the additional residential development in Mountain View and other nearby cities would generally be in accordance with the General Plans of those cities, and would occur primarily within the developed, urban service areas, as outlined in local and regional plans; and
- The Precise Plan would not open undeveloped land to further growth or provide expanded utility capacity that would be available to serve future unplanned development. The Precise Plan would not encourage or facilitate other activities that would cause significant environmental effects. Instead, it would facilitate the reuse and intensification of office/light industrial land in an existing urban setting, consistent with goals and policies the City's General Plan.[251]

The number of residential units and the amount of office square footage proposed by the project (under either option) is consistent with the totals studied in the 2017 EIR. As discussed throughout this document, the project (under either option) would develop an additional 199,206 square feet more of restaurant/retail uses, an additional 66,957 square feet of institutional/recreational uses, and 325 more hotel rooms than were evaluated in the 2017 EIR. In addition, the project would develop Subarea AM1,

[251] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Page 568-570.

which is outside of the Precise Plan boundaries and was not evaluated in the 2017 EIR with a parking garage.

Although the project (under either option) includes more development than what was studied in the 2017 EIR, the project, including the development of AM1 which is outside of the Precise Plan area, would remain consistent with the visions, standards, guidelines, policies, and the intent of the Precise Plan and General Plan and would be located in an urbanized area served by existing infrastructure and services. The parking structure on AM1 would be designed to serve the new employees and visitors generated by the proposed project and would not include a surplus of parking stalls that could facilitate additional growth in the area. Similarly, the construction and operation of the DCP in the project with District Utilities System Option would serve the project site and would not serve surrounding areas in a way that would induce growth. Therefore, the project (under either option) would not result in a new or more severe growth-inducing impact than disclosed in the 2017 EIR. **[Same Impact as Approved Project (Less than Significant Growth Inducing Impact)]**

SECTION 6.0 SIGNIFICANT AND IRREVERSIBLE ENVIRONMENTAL CHANGES

Pursuant to CEQA Guidelines Section 15126.2(d), an EIR must identify significant irreversible environmental changes that would be caused by the proposed project being analyzed. Significant irreversible changes include the 1) irreversible use of nonrenewable resources, 2) commitment of future generations to similar use, 3) irreversible damage resulting from environmental accidents associated with the project and 4) irretrievable commitments of resources.

6.1 IRREVERSIBLE USE AND IRRETRIEVABLE COMMITMENTS OF NONRENEWABLE RESOURCES

As discussed in the 2017 EIR, implementation of the Precise Plan would require the use and consumption of nonrenewable resources during construction and operation of future development projects.[252] Nonrenewable resources used would include fossil fuels, metals, concrete, plastics, and water. Renewable resources, such as lumber and energy from renewable sources (e.g., solar and wind), would also be used. The Precise Plan includes standards and guidelines that support sustainable energy consumption through efficiency, conservation, and the increased use of renewable energy sources. The Precise Plan also encourages the use of third-party certified building materials that are selected based on their embodied energy and GHG emissions.

The project would comply with the City's Reach Code requirements for all electric building operations, rooftop solar panels, and electric vehicle infrastructure. The project site would receive electricity from SVCE, which provides electricity from 100 percent GHG-emission free sources. The project would also implement a TDM plan designed to reduce residential and nonresidential vehicle trips, meet the intent of LEED Platinum standards on all proposed non-residential buildings, and achieve the equivalent of a GreenPoint rating of 120 points or better for proposed residential buildings.

Although the project would result in the development of additional restaurant/retail, institutional, and recreational square footage and hotel rooms that were not accounted for in the 2017 EIR, that development would occur in infill locations and comply with the same standards, guidelines, and regulations described in the 2017 EIR to support sustainability. The project with District Utilities System Option would include the construction of a new private district utilities system that is intended to maximize the efficiency of energy and water resources on-site and deliver energy and wet utilities to project buildings. Therefore, as similarly concluded in the 2017 EIR, although the project would result in the consumption of nonrenewable resources, it would result in the construction and operation of more sustainable development.

[252] City of Mountain View. *North Bayshore Precise Plan Draft Subsequent Environmental Impact Report*. State Clearinghouse #2013082088. March 2017. Page 571-572.

6.2 COMMITMENT OF FUTURE GENERATIONS TO SIMILAR USES

The 2017 EIR concluded that because the Precise Plan area was already predominantly developed with office, industrial, commercial, and residential uses, implementation of the Precise Plan would result in the intensification of existing development in a way that would benefit the City and region by providing sustainably-developed and well-planned commercial and residential development within an existing urban area.[253]

The redevelopment and intensification of most of the project site was accounted for in the 2017 EIR, with the exception of Subarea AM1. The redevelopment of Subarea AM1 and the additional development proposed by the project (under either option) (i.e., 199,206 square feet more of restaurant/retail uses, 66,957 square feet more of institutional/recreational uses, and 325 more hotel rooms) would also benefit the City and region by being sustainably-developed and part of a master planned development.

6.3 IRREVERSIBLE DAMAGE FROM ENVIRONMENTAL ACCIDENTS

The 2017 EIR identified irreversible environmental changes that included potential degradation of existing biological and cultural features, loss of aesthetic integrity, major hazardous waste release, and installation of utility and roadway infrastructure. The 2017 EIR concluded that the mitigation measures outlined in the document would reduce all such irreversible or nearly irreversible effects to less than significant levels.

As discussed throughout this document, the project (including the development on Subarea AM1 and the additional development beyond what was anticipated in the 2017 EIR) would be required to implement the same conditions and mitigation measures identified in the 2017 EIR. Implementation of these measures, in addition to the newly identified conditions of approval and mitigation measures, would reduce any potential irreversible or nearly irreversible environmental changes to a less than significant level.

[253] Ibid. Page 571.

SECTION 7.0 SIGNIFICANT AND UNAVOIDABLE IMPACTS

As discussed in Section 3.1 Air Quality and 3.3 Greenhouse Gas Emissions, the project would result in new significant and unavoidable impacts related to construction NO_x emissions, operational ROG, NO_x, and PM_{10} emissions, and health risks (primarily due to construction emissions).

- **Impact AQ-1: Both Project Options:** The project (under either option) would conflict with or obstruct implementation of the applicable air quality plan by resulting in construction NO_x emissions, operational ROG, NO_x, and PM_{10} emissions, and health risks (primarily due to construction emissions) in excess of BAAQMD thresholds **(New Impact [Significant and Unavoidable Impact with Mitigation Incorporated])**
- **Impact AQ-2: Both Project Options:** The project (under either option) would 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. **(New Impact [Significant and Unavoidable Impact with Mitigation Incorporated])**
- **Impact AQ-3: Both Project Options:** The project (under either option) would expose sensitive receptors to substantial pollutant concentrations. **(New Impact [Significant and Unavoidable Impact with Mitigation Incorporated])**
- **Impact GHG-2: Both Project Options:** The project (under either option) would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. **(New Impact [Significant and Unavoidable Impact])**
- **Impact GHG-C: Both Project Options:** The project (under either option) would result in a cumulatively considerable contribution to a cumulatively significant GHG emissions impact. **(New Impact [Significant and Unavoidable Cumulative Impact])**

SECTION 8.0 ALTERNATIVES

CEQA requires that an EIR identify alternatives to a project as it is proposed. The CEQA Guidelines specify the EIR should identify alternatives which "would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project." The purpose of the alternatives discussion is to determine whether there are alternatives of design, scope, or location which would substantially lessen the significant impacts, even if those alternatives "impede to some degree the attainment of the project objectives" or are more expensive (CEQA Guidelines Section 15126.6).

In order to comply with the purposes of CEQA, it is important to identify alternatives that reduce the significant impacts anticipated to occur if the project is implemented and try to meet as many of the project's objectives as possible. The CEQA Guidelines emphasize a commonsense approach – the alternatives should be reasonable, "foster informed decision making and public participation," and focus on alternatives that avoid or substantially lessen the significant impacts. The range of alternatives selected for analysis is governed by the "rule of reason" which requires the EIR to discuss only those alternatives necessary to permit a reasoned choice. An EIR is not required to consider alternatives which are infeasible.

The three critical factors to consider in selecting and evaluating alternatives are, therefore: (1) the significant impacts from the proposed project which could be reduced or avoided by an alternative, (2) the project objectives, and (3) the feasibility of the alternatives available. These factors are discussed below.

8.1 FACTORS IN SELECTING AND EVALUATING ALTERNATIVES

8.1.1 Significant Impacts of the Project

As explained above, the CEQA Guidelines state an alternatives analysis in an EIR should be limited to alternatives that are feasible and would avoid or substantially lessen any of the significant effects of the project and achieve most of the basic project objectives. In addition to those identified in the Precise Plan EIR, the project would result in new, significant and unavoidable impacts due to a) construction NO_x emissions, b) operational ROG, NO_x, and PM_{10} emissions, and c) health risks (primarily due to construction emissions), which have been identified in the EIR as the following:

- **Impact AQ-1: Both Project Options:** The project (under either option) would conflict with or obstruct implementation of the applicable air quality plan by resulting in construction NO_x emissions, operational ROG, NO_x, and PM_{10} emissions, and health risks (primarily due to construction emissions) in excess of BAAQMD thresholds. **(New Impact [Significant and Unavoidable Impact with Mitigation Incorporated])**
- **Impact AQ-2: Both Project Options:** The project (under either option) would result in a cumulatively considerable net increase of criteria pollutants during operation for which the project region is non-attainment under an applicable federal or state ambient air quality standard. **(New Impact [Significant and Unavoidable Impact with Mitigation Incorporated])**

- **Impact AQ-3: Both Project Options:** The project (under either option) would expose sensitive receptors to substantial pollutant concentrations in excess of BAAQMD thresholds during construction. **(New Impact [Significant and Unavoidable Impact with Mitigation Incorporated])**
- **Impact AQ-C: Both Project Options:** The project (under either option) would result in a cumulatively considerable contribution to a cumulatively significant air quality impact. **(New Impact [Significant and Unavoidable Impact with Mitigation Incorporated])**
- **Impact GHG-2: Both Project Options:** The project (under either option) would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. **(New Impact [Significant and Unavoidable Impact with Mitigation Incorporated])**
- **Impact GHG-C: Both Project Options:** The project (under either option) would result in a cumulatively considerable contribution to a cumulatively significant GHG emissions impact. **(New Impact [Significant and Unavoidable Cumulative Impact])**

8.1.2 Project Objectives

Pursuant to CEQA Guidelines Section 15124, the EIR must include a statement of objectives sought by the proposed project. While CEQA does not require that alternatives must be capable of meeting all of the project objectives, their ability to meet most of the basic objectives is considered relevant to their consideration. As identified in Section 2.5 Project Objectives, the applicant's objectives for the project are as follows:

1. Support the North Bayshore area's transition into an innovative, sustainable, and complete mixed-use district that protects and stewards natural areas and open space.
2. Provide development/redevelopment that continues to promote the North Bayshore area's role as a major high-technology employment center for start-ups and small businesses, along with larger established companies.
3. Develop the project area with residential uses and office space at an increased density and FAR (consistent with the character area development targets in the North Bayshore Precise Plan) close to major roadways that provide a more efficient use of available land to support transit opportunities.
4. Redevelop the project site with up to approximately 7,000 new residential units to better balance the North Bayshore area's jobs/housing ratio and the City's overall jobs/housing ratio.
5. Provide approximately 3.0 million square feet of office uses consistent with the North Bayshore Precise Plan and 2030 General Plan Policies, including: LUD 3.8: Preserved land use districts. Promote and preserve commercial and industrial districts that support a diversified economic base; LUD 3.1: Land use and transportation. Focus higher land use intensities and densities within a half-mile of public transit service, and along major commute corridors; LUD 9.2: Compatible transit-oriented development. Encourage transit-oriented development that is compatible with surrounding uses and accessible to transit stations; and LUD 14.3: Business attraction. Attract innovative and emerging technology businesses.
6. Implement a robust TDM plan with trip-reduction measures and on-site amenities that promote walking, bicycling, use of shuttles and transit, and other transportation alternatives, consistent with the requirements of the North Bayshore Precise Plan.
7. Provide new open space and public park areas.

8. Support the transformation of North Bayshore into a sustainable community that recaptures and reuses energy, water, and waste resources to the greatest extent possible.

8.1.3 Alignment with Precise Plan Guiding Principles

The City's vision for North Bayshore is implemented through the guiding principles in the Precise Plan, listed below. These principles provide a framework for the City's objectives for future development. To provide additional context, each alternative discussed below is evaluated against the Precise Plan's guiding principles.

1. **Create Complete Neighborhoods.** The Precise Plan will encourage blending residential, commercial, and office uses to create Complete Neighborhoods with services, open space and transportation options for residents and area employees. These Complete Neighborhoods will help improve the jobs-housing balance of the area and City. Each neighborhood includes land use 'target numbers' to help guide their transformation to Complete Neighborhoods. Residential uses should be carefully integrated with existing offices to create active pedestrian neighborhoods.
2. **Create Distinct Areas within North Bayshore.** The vision for North Bayshore includes developing distinct areas, each with their own character and identity. These areas differ in their physical character, form, interfaces with habitat and open space, development intensity and scale, and building massing.
3. **Promote Housing Affordability.** The Precise Plan includes a goal that 20% of new housing units in North Bayshore are affordable. The Precise Plan provides FAR incentives for projects that include affordable housing units. The Precise Plan also encourages smaller units and requires residential units to unbundle parking costs from housing unit costs.
4. **Enhance Ecosystems and Habitat.** Future North Bayshore area development will be designed to respond to the natural environment. The Precise Plan will enhance and protect habitat areas within and adjacent to North Bayshore. Strategies include a Habitat Overlay Zone, bird safe design of buildings, habitat enhancements throughout the area, and incentives to transfer office development from the Edge Area to the Core Area.
5. **Improve Transportation Connections to North Bayshore.** Creating more effective and efficient connections to North Bayshore from Downtown, other areas in Mountain View, NASA Ames, and Highway 101 will be an important Precise Plan outcome. To achieve this goal, the Plan identifies key infrastructure improvements, including new bicycle and pedestrian improvements along Shoreline Boulevard, a reconfigured Charleston Road with transit- only lanes, a transit, bicycle and pedestrian bridge to NASA Ames, and northbound Highway 101 off-ramp onto Shoreline Boulevard. Precise Plan action items also include feasibility studies for a Stevens Creek bridge at Charleston and a Charleston/Highway 101 underpass. These improvements, along with better internal connectivity and expanded programs to reduce the use of single-occupancy vehicles, will allow continued North Bayshore economic growth.
6. **Expand and Improve Public Spaces.** The Precise Plan includes the creation of a diverse network of public and private open spaces. These will likely include plazas and paseos, neighborhood public spaces, linear parks, and a multi-use trail network to allow bicycling and walking throughout the Precise Plan area to natural areas. The Precise Plan promotes a signature, central public open space area to provide a community gathering space for the district.

7. **Create Walkable, Human-Scale Blocks.** To promote bike and pedestrian transportation, the Precise Plan encourages the subdivision of large blocks into a fine-grained network of pedestrian-oriented streets, providing convenient and pleasant walking and biking routes, connecting homes and businesses to transit and services, and generating valuable new addresses for diverse businesses and residences. Furthermore, every street should include safe and attractive sidewalks, enabling pedestrians to walk comfortably throughout North Bayshore.
8. **Concentrate Growth to Support Transit.** Future development will be concentrated in the Gateway and Core Areas since these locations will be within walking distance of the primary public and private transit routes. Focused growth near public transportation will increase ridership, reduce vehicle miles traveled and greenhouse gas emissions, and optimize opportunities for highly sustainable development. Focused development will also support new retail and commercial services.
9. **Make the Area Highly Sustainable.** The General Plan established the North Bayshore area as a model for highly sustainable and innovative development. Environmental sustainability will be implemented by building-, site-, and district-scale improvements. Building and site-level measures will enhance the design and construction of new buildings, while district-level projects will focus on capital improvements and management plans impacting all or portions of North Bayshore. These strategies will also enable the City and North Bayshore to proactively address climate change, sea level rise, and water demand reduction strategies, among other topics.
10. **Promote Transit, Biking and Walking.** The Precise Plan includes a drive-alone rate standard of 45% for office development projects by 2030 in addition to a residential vehicle trip performance standard. Together these standards will help reduce vehicle trips from office and residential development in the area. To support these goals, the Precise Plan also promotes the use of transit, carpools, walking, and biking in the area. From priority pedestrian and bicycle networks to TDM programs, the Precise Plan will make it easier, more comfortable, and more efficient for employees and residents to walk, bike, carpool, or use transit. Businesses should continue to lead the way with innovative vehicle trip reduction strategies.
11. **Construct Buildings that Support Public Areas.** New buildings and building renovations will be carefully designed to shape and define community open space, supporting pedestrian safety and comfort, and connecting to the transportation network. Design strategies will vary by character area but should include creating open areas between buildings and streets that are attractive and usable, locating buildings at or near the sidewalk, enlivening ground floor frontages with welcoming entries and views of interior spaces, reducing vehicular access in favor of pedestrian access, and limiting surface parking between streets and buildings.
12. **Minimize the Potential Consequences of Sea Level Rise.** Sea levels are expected to rise between 8 and 37 inches within the next 50 years. Strategies such as improving levees, upgrading stormwater facilities, and elevating new buildings should be pursued to make North Bayshore more resilient to climate change and associated impacts.
13. **Promote Economic Diversity.** The Precise Plan should encourage and support a diverse economic base to ensure the long-term fiscal health of the area and the City. This should include a mix of large, established high-tech companies, smaller spaces for start-ups, and a range of retail, services, hotels, entertainment, museums, and theaters.
14. **Promote Retail, Entertainment and the Arts.** New and expanded retail, lodging, arts, and entertainment uses should be encouraged in areas near the highest concentrations of housing

and jobs and along transit routes. In addition, new buildings should be flexibly designed so ground floor spaces may be used for retail or small start-up businesses.

8.1.4 Feasibility of Alternatives

CEQA, the CEQA Guidelines, and case law interpreting CEQA and the CEQA Guidelines have found that feasibility can be based on a wide range of factors and influences. The CEQA Guidelines state that such factors can include (but are not limited to) the suitability of an alternate site, economic viability, availability of infrastructure, consistency with a general plan or with other plans or regulatory limitations, jurisdictional boundaries, and whether the project proponent can "reasonably acquire, control, or otherwise have access to the alternative site (Section 15126.6[f][1]).

8.2 PROJECT ALTERNATIVES

The project proposes to implement a large portion of the City's adopted Precise Plan, which prescribes the land uses to be developed within the Plan. Therefore, decisions regarding the appropriate land use types and densities in this location have recently been made by the City. Because this EIR tiers off the prior certified 2017 EIR, the alternatives analysis completed for the Precise Plan, is hereby incorporated by reference.

8.2.1 Project Alternatives Considered But Rejected From Further Analysis

8.2.1.1 *Location Alternative*

Pursuant to CEQA Guidelines Section 15126.6(a), an EIR shall describe a range of reasonable alternatives to the project, or to the location of the project. An alternative site may be considered when impacts of the project might be avoided or substantially lessened, and the project proponent can feasibly attain control of the site. Only alternative locations that would avoid or substantially lessen any of the impacts of the project and meet most of the basic project objectives need to be considered for inclusion in the EIR (CEQA Guidelines Sections 15126.6[f] and 15126.6[f][2][A]).

An alternative location for the project would need to:

- Avoid or substantially lessen the project's significant construction NO_x, operational ROG, NO_x, and PM_{10} emissions, and health risks (primarily due to construction emissions) impacts;
- Be of similar size as the project site (approximately 150-acres) and be able to accommodate the project's buildout, density, and mix of uses;
- Served by available infrastructure (including transportation and utilities);
- Have the appropriate General Plan designation that would allow for high intensity commercial office, residential, retail, and community uses at an intensity over 1.0 FAR; and
- Be, or able to be, under control of the applicant.

In consideration of an alternative location in an EIR, the CEQA Guidelines advise the key question is "whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location."[254] Any project of similar size and intensity as the proposed project (under either option) within the City of Mountain View would have similar construction and

[254] CEQA Guidelines Section 15126.6(f)(2)(A)

operational air pollutant emissions and, therefore, result in the same significant and unavoidable construction NO_x and operation ROG, NO_x, and PM_{10} impacts as the project (under either option). Additionally, if the applicant were to gain control over a site that did meet the above listed characteristics, development of the project (under either option) on this alternative site would likely result in similar or more construction health risk impacts to nearby sensitive receptors. Therefore, an alternative infill location in Mountain View of this size and nature does not exist and would not substantially lessen the project's identified significant and unavoidable impacts.

Case law interpreting CEQA Guidelines Section 15126.6(a), supports the conclusion that an EIR need not include a potentially feasible alternative location in every instance, based on the rule of reason and considerations of feasibility.[255]

For the reasons described above, an alternative site was not considered further.

8.2.1.2 *Alternative Site Design, Smaller Project Site Alternative*

As discussed in Section 3.1 Air Quality, the project site is adjacent to existing residences and project emissions, primarily those from construction activities, would expose those residents to TAC emissions in excess of BAAQMD health risk thresholds. Health risk impacts are due, in part, to the proximity of sensitive receptors to construction activities. Therefore, an alternative site design and smaller project site alternative were considered in order to avoid the project's significant and unavoidable health risk impact.

Generally, project construction activities would result in less than significant health risks to sensitive receptors located 1,000 feet or greater from construction activities. However, as shown in Figure 3.1-1, a large portion of the northeastern part of the project site is located within a 1,000-foot radius of the Santiago Villa mobile home park. No rearrangement of land uses or development of the same amount of uses on a smaller portion of the project site located 1,000 feet from the Santiago Villa mobile home park site is feasible because the development would exceed Precise Plan development guidelines, and be inconsistent with Precise Plan principles 1, 2, and 7. For these reasons, an alternative site design or smaller project site alternative were not considered further.

8.2.1.3 *No Project, Redevelopment Alternative*

The No Project, Redevelopment Alternative assumes that if the proposed project were not approved, the site could be redeveloped at the base FAR allowed by the Precise Plan. The site is currently developed at a FAR similar to the allowed base FAR, therefore, this alternative essentially would be the redevelopment of the site with the same or similar land uses and density. It is not economically feasible for a developer to demolish existing uses, only to rebuild them at the same or similar density, particularly at the size and scale of the project and site. For these reasons, the No Project, Redevelopment Alternative was not considered further. [256,257]

[255] California Native Plant Society v City of Santa Cruz (2009) and Mira Mar Mobile Community v City of Oceanside (2004)
[256] Seifel Consulting, Inc. *Mountain View Gateway Master Plan Economic Feasibility Update*. November 19, 2021.
[257] City of Mountain View. *Gateway Master Plan City Council Staff Report*. November 5, 2019.

8.2.1.4 *Mitigated 86 Percent Reduced Development*

It is estimated that the project (under either option) would need to be reduced by 86 percent in order to reduce the project's significant and unavoidable air quality impacts to a less than significant level with the implementation of the same mitigation measures required of the project. An 86 percent reduction in development proposed by the project equates to approximately 434,000 square feet of office space, 980 residential units, 74 hotel rooms, 34,160 square feet of retail uses, and 7,700 square feet of community uses. This alternative was considered but rejected because it would not meet the basic project objectives of providing high-density development (objectives 3, 4, 5) Similar to the discussion under 9.2.1.3 above, the Mitigated 86 Percent Reduced Development Alternative would also not likely be economically viable, particularly given the size and scale of the site and the costs associated with redevelopment. The Mitigated 86 Percent Reduced Development Alternative would also not meet the Precise Plan framework principles of concentrating high-density growth to create a sustainable walkable/bikeable/ alternative transportation/transit-oriented complete neighborhoods with focused economic diversity (principles 1, 8, 9, 10, and 13).

8.2.2 Selected Alternatives

The selected alternatives for analysis are the No Project, No New Development Alternative and Reduced Development Alternatives. A breakdown of the development assumptions for each of the selected alternatives is provided in Table 8.2-1 below. A summary comparison of the mitigated environmental impacts of the project (under either option) and the project alternatives is provided in Table 8.2-3 at the end of this section.

Table 8.2-1: Summary of Development Assumptions for the Project and Project Alternatives

	Project (under either option)[1]	Project Alternatives		
		No Project, No New Development	Mitigated 11% Reduced Development	Mitigated 39% Reduced Development
Light Industrial (million square feet)	0	1.8	0	0
Office (million square feet)	3.1		2.8	1.9
Residential (units)	7,000	0	6,230	4,270
Hotel (rooms)	525	0	467	320
Retail (square feet)	244,000	11,056	217,000	148,840
Community (square feet)	55,000	0	49,000	33,550
Park/open space (acres)	30.5	0	27.1	18.6

[1] The project with District Utilities System Option includes a DCP not reflected as a land use in the table.

[2] Park sizes are estimated for the purposes of this discussion. Community benefits and impact requirements and fees would be recalculated based on the ultimate development square footages and residential unit types ultimately approved. Parkland specifically would be provided as a combination of land and impact fees.

8.2.2.1 *No Project, No New Development Alternative*

The CEQA Guidelines specifically require consideration of a "No Project" Alternative. The purpose of including a No Project Alternative is to allow decision makers to compare the impacts of approving the project versus the impacts of not approving the project. The CEQA Guidelines specifically advise the No Project Alternative shall address both the existing conditions and "what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services" (Section 15126.6(e)(2). Under the No Project Alternative, therefore, the project site could remain as it is today or the site could be redeveloped with uses consistent with the existing Precise Plan and General Plan land use designation. For this reason, there are two logical No Project alternatives: 1) a No Project, No New Development Alternative (which is described below) and 2) a No Project, Redevelopment Alternative (which was described above in Section 8.2.1.3 and rejected).

Under the No Project, No New Development Alternative, the project site would remain as it is today. Under existing conditions, the site is developed with 69 buildings totaling approximately 1,853,703 square feet of office, light industrial, and retail uses.

Comparison of Environmental Impacts

The No Project, No New Development Alternative would avoid the project's significant and unavoidable air quality impacts related to construction and operational criteria air pollutant emissions and health risks (primarily due to construction emissions), as well as avoid all other impacts disclosed in Section 4.0 Previously Identified Effects because it would not change existing conditions (see Table 8.2-3).

Consistency with Precise Plan Principles

The No Project, No New Development Alternative would not meet any of the Precise Plan's guiding principles because it would not redevelop the site consistent with the Precise Plan.

Relationship to Project Objectives

The No Project, No New Development Alternative would not meet any of the project objectives because it would not redevelop the site consistent with the Precise Plan vision with a high-density mix of uses (including residential) and open space/parkland (objectives 1 through 5, and 7). In addition, the uses would not implement a robust TDM plan (objective 6) or include a district utility system (objective 8).

Conclusion

The No Project, No New Development Alternative would avoid the project's impacts (under either option) but would not meet any of the project objectives or Precise Plan guiding principles that call for development of a high-density, alternative transportation/transit-oriented complete neighborhood with a variety of land uses.

8.2.2.2 *Reduced Development Alternatives*

The project (under either option) results in significant and unavoidable air quality impacts due to construction emissions (i.e., construction NO_x emissions and health risk) and operational criteria air pollutant emissions (i.e., ROG, NO_x, and PM_{10}). While construction air quality impacts are annual impacts based on the intensity of construction equipment use at the project site (in that, construction emissions may vary slightly depending on the time of year and overall schedule) a simple way to reduce construction and operational air pollutant emissions is to reduce the amount of construction and development. Table 8.2-2 below shows the approximate percent reduction in development required to result in a less than significant impact with mitigation incorporated (i.e., the same mitigation required of the project under either option).

Table 8.2-2: Approximate Percent Reduction in Development Required to Avoid Significant and Unavoidable Construction and Operational Air Quality Impacts

Construction-Related Impacts			
	NO_x (2024 only)	**Cancer Risk**	**Annual $PM_{2.5}$**
Approximate % Reduction	11	22	39
Approximate Corresponding Amount of Development	Office: 2.8 msf Residential: 6,230 du Hotel: 467 rooms Retail: 217,000 sf Community: 49,000 sf	Office: 2.4 msf Residential: 5,460 du Hotel: 410 rooms Retail: 190,000 sf Community: 43,000 sf	Office: 1.9 msf Residential: 4,270 du Hotel: 320 rooms Retail: 148,840 sf Community: 33,550 sf
Operation-Related Impacts			
	ROG	**NO_x**	**PM_{10}**
Approximate % Reduction	86	55	28
Approximate Corresponding Amount of Development	Office: 434,000 sf Residential: 980 du Hotel: 74 rooms Retail: 34,160 sf Community: 7,700 sf	Office: 1.4 msf Residential: 3,150 du Hotel: 236 rooms Retail: 109,800 sf Community: 24,750 sf	Office: 2.2 msf Residential: 5,040 du Hotel: 378 rooms Retail: 176,000 sf Community: 40,000 sf

The following discussion does not evaluate each of the identified percent reductions in the table above but evaluates a representative analysis on the following:

- Mitigated 11 Percent Reduced Development Alternative
- Mitigated 39 Percent Reduced Development Alternative

As discussed in Section 8.2.1.4, an 86 Percent Reduced Development Alternative was considered but rejected given that it would not meet the basic project objectives of providing high-density development (objectives 3, 4, 5) and would not meet the Precise Plan principles of concentrating high-

density growth to create a sustainable, alternative transportation/transit-oriented complete neighborhood with focused economic diversity (principles 1, 8, 9, 10, and 13).

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Comparison of Environmental Impacts

- **Mitigated 11 Percent Reduced Development Alternative -** This alternative would reduce the project's significant and unavoidable construction NO_x impact to a less than significant level for only one year (2024) with implementation of the same mitigation identified for the project (Impact AQ-1). This alternative would result in similar significant and unavoidable construction health risk (Impact AQ-1) and operational ROG, NO_x, and PM_{10} (Impact AQ-1) impacts as the project under either option. This alternative would result in similar VMT impacts as the project under either option because the amount of development and the service population would be reduced proportionally and result in the same VMT rate. This alternative would result in similar energy, project-generated traffic noise, population and housing, public services, and utilities and services impacts as the project under either option though to a lesser degree because this alternative would have less development (thereby generating less vehicle trips and population). All other impacts (aesthetics, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use, and recreation) would be the similar to the project given this alternative would result in development of the same site.

- **Mitigated 39 Percent Reduced Development Alternative** – This alternative would reduce the project's significant and unavoidable construction NO_x impact (Impact AQ-1), health risk (cancer and annual $PM_{2.5}$) impact (Impact AQ-1), and operational NO_x and PM_{10} (Impact AQ-1) to a less than significant level with implementation of the same mitigation identified for the project. This alternative would result in similar VMT impacts as the project under either option because the amount of development and the service population would be reduced proportionally and result in the same VMT rate. This alternative would result in similar operational ROG, energy, project-generated traffic noise, population and housing, public services, and utilities and services impacts as the project under either option though to a lesser degree because this alternative would have less development (thereby generating less emissions, vehicle trips, and population). All other impacts (aesthetics, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use, and recreation) would be the same as the project given this alternative would result in redevelopment of the same site.

Consistency with Precise Plan Principles

- **Mitigated 11 Percent Reduced Development Alternative** – This alternative does not fully deliver high-density, alternative transportation/transit-oriented development to the levels contemplated in the Precise Plan. An 11 percent reduction in development would result in less development overall in North Bayshore. This would hamper the associated development of transit connections due to less concentration of density (Precise Plan principles 5 and 8) and would result in less affordable housing (Precise Plan principle 3). This alternative would also result in an equivalent reduction in area funding for parks, open space, infrastructure, and supportive retail and service uses called for in the Precise Plan (Precise Plan principles 6, 9, 13, and 14).

- **Mitigated 39 Percent Reduced Development Alternative** – A 39 percent reduction in development would not meet the project objectives and Precise Plan (stainability, density, infrastructure and transit) goals to the same degree as the project. This alternative would not result in a development which meets the precise plan's land use targets intended to create Complete Neighborhoods. Reduced project would not produce density (and the development fees and required improvements it facilitates) required to promote housing affordability, improve transportation connections, expand and improve public spaces, concentrate growth to support transit, and promote alternative modes of transportation.

Relationship to Project Objectives

- **Mitigated 11 Percent Reduced Development Alternative** – This alternative could meet project objectives but not to the same extent as the proposed project (under either option). For example, objective 4 is to provide approximately 7,000 new residential units. This alternative includes 6,230 residential units (whereas the project proposes 7,000 under either option). Objective 5 is to provide approximately 3.0 million square feet of office uses and this alternative includes 2.8 million square feet of office uses (whereas the project proposes 3.1 million square feet under either option). Objective 7 is to provide new open space and public park areas and this alternative would provide 27.1 (whereas the project proposes 30.5 acres under either option).

- **Mitigated 39 Percent Reduced Development Alternative –** This alternative would not meet project objectives 4 or 5 of providing approximately 7,000 residential units and 3.0 million square feet of office uses. The alternative would include 4,270 residential units and 1.9 million square feet of office uses. This alternative could meet project objectives 1 and 2 of redeveloping the site with a mix of uses including employment uses. The alternative could meet project objective 3 but not to the same extent as the project because it would not be as dense and therefore not as efficient of use of land. This alternative could provide a robust TDM program and provide new open space and public parks. Under this alternative, approximately 18.6 acres of open space/park land would be provided, which is less than the 30.5 acres proposed by the project (under either option). This alternative could also provide a district utility system, consistent with objective 8.

Conclusion

- **Mitigated 11 Percent Reduced Development Alternative** – This alternative would reduce the project's significant and unavoidable construction NO_x impact (Impact AQ-1) to a less than significant level (for year 2024 only) with mitigation, and result in the same or similar (though lesser) impacts to all other environmental resource areas as the project under either option. This alternative partially meets all of the project objectives but to a lesser extent and meets only some of the Precise Plan principles.

- **Mitigated 39 Percent Reduced Development Alternative –** This alternative would reduce the project's significant and unavoidable construction NO_x impact (Impact AQ-1), health risk impact (Impact AQ-1), and operational NO_x and PM_{10} impact (Impact AQ-1) to a less than significant level with mitigation, and result in the same or similar (though lesser) impacts

regarding operational ROG (Impact AQ-1) and all other environmental resource areas as the project under either option. This alternative would not meet project objectives 4 or 5. It could meet project objectives 3 and 7 but to a lesser extent than the project under either option, and it could meet project objectives 6 and 8. This option would not meet the majority of the Precise Plan principles.

8.2.2.3 *Environmentally Superior Alternative*

The CEQA Guidelines state that an EIR shall identify an environmentally superior alternative. Based on the discussion of project alternatives, the environmentally superior alternative to the project is the No Project, No New Development Alternative because it would avoid all of the project's significant environmental impacts. CEQA Guidelines Section 15126.6(e)(2) states that "if the environmentally superior alternative is the No Project Alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives." Therefore, in addition to the No Project, No New Development Alternative, the Mitigated 39 Percent Reduced Development Alternative would be the environmentally superior alternative.

Table 8.2-3: Comparison of Impacts Between the Project and Project Alternatives				
Impacts	**Proposed Project**	**No Project, No New Alternative**	**Mitigated Reduced Development Alternative**	
			11%	**39%**
Aesthetics	LTS	**NI**	LTS	LTS
Air Quality				
• Impact AQ-1 Construction NO_x	SU	**NI**	**LTS**	**LTS**
• Impact AQ-1 Health Risk				
o Cancer Risk	SU	**NI**	**SU**	**LTS**
o $PM_{2.5}$	SU	**NI**	**SU**	**LTS**
• Impact AQ-1 Operational Criteria Air Pollutants				
o ROG	SU	**NI**	**SU**	**SU**
o NO_x and PM_{10}	SU	**NI**	**SU**	**LTS**
Biological Resources	LTS	**NI**	LTS	LTS
Cultural Resources	LTS	**NI**	LTS	LTS
Energy	LTS	**NI**	**LTS**	**LTS**
Geology and Soils	LTS	**NI**	LTS	LTS
Greenhouse Gas Emissions	SU*	**NI**	SU	SU
Hazards and Hazardous Materials	LTS	**NI**	LTS	LTS
Hydrology and Water Quality	LTS	**NI**	LTS	LTS
Land Use	LTS	**NI**	LTS	LTS
Noise	LTS	**NI**	**LTS**	**LTS**
Population and Housing	LTS	**NI**	**LTS**	**LTS**
Public Services	LTS	**NI**	**LTS**	**LTS**
Recreation	LTS	**NI**	LTS	LTS
Transportation/Traffic	LTS**	**NI**	LTS	LTS
Tribal Cultural Resources	LTS	**NI**	LTS	LTS
Utilities and Service Systems	LTS	**NI**	**LTS**	**LTS**
Meets All Project Objectives?	Yes	No	Yes, but to a lesser extent than the project	Partially

Table 8.2-3: Comparison of Impacts Between the Project and Project Alternatives				
Impacts	**Proposed Project**	**No Project, No New Alternative**	**Mitigated Reduced Development Alternative**	
			11%	**39%**
Notes: * The significant and unavoidable GHG impact was identified in the 2017 EIR. Alternatives to reduce this effect were evaluated in the 2017 EIR, therefore, no additional alternatives to reduce GHG emissions are required to be evaluated. ** The 2017 EIR concluded that the Precise Plan would result in significant, unavoidable impacts related to LOS deficiencies and vehicle congestion. Subsequent to the certification of the 2017 EIR, SB 743 was adopted. Pursuant to SB 743, LOS and vehicle congestion are no longer impacts under CEQA. Therefore, this impact is characterized as LTS in this EIR.				

SECTION 9.0 REFERENCES

The analysis in this Environmental Impact Report is based on the professional judgement and expertise of the environmental specialists preparing this document, based upon review of the site, surrounding conditions, site plans, and the following references:

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Personal Communication

Aguilar, Irene. Assistant to the Associate Superintendent-Business Services, Mountain View Los Altos High School District.

Azevedo, Becky. Waste Management Technical Manager.

SECTION 10.0 LEAD AGENCY AND CONSULTANTS

10.1 LEAD AGENCY

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Diana Pancholi, Principal Planner
John Schwarz, Contract Environmental Planner

10.2 CONSULTANTS

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Tyler Rogers, Project Manager
Nick Towstopiat, Associate Project Manager

Archaeological/Historical Consultants
Cultural Resources Consultants
Dan Shoup, Principal

Cornerstone Earth Group
Geotechnical Consultants
Dahn Tran, Senior Principal Engineer
John Dye, Principal Engineer
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Schaaf & Wheeler
Utilities Impact Analysis & Water Supply Assessment
Leif Coponen, Vice President
Brett Crews, Assistant Engineer

TreanorHL
Historic Evaluation
Kimberly Butt, Principal

WRA, Inc.
Biological Peer Review
Justin Semion, Principal and Technical Services Director
Scott Batiuk, Plant Biologist

SECTION 11.0 ACRONYMS AND ABBREVIATIONS

AB	Assembly Bill
ABAG	Association of Bay Area Governments
ACM	Asbestos-containing materials
AD	Anaerobic Digester
ADD	Average Daily Demand
AFY	Acre feet per year
AIA	Airport Influence Area
ALUC	Airport Land Use Commission
AMSL	Above Mean Sea Level
APN	Assessor's Parcel Number
AULs	Activity and Use Limitations
AWCS	Automatic Waste Collection System
BAAQMD	Bay Area Air Quality Management District
BACT	Best Available Control Technology
bgs	Below Ground Surface
BLTS	Bicycle Level of Traffic Stress
BMP	Best Management Practice
Btu	British thermal unit
2017 CAP	2017 Clean Air Plan
CARB	California Air Resources Board
CBC	California Building Standards Code
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CIP	Capital Improvement Projects
CLUP	Comprehensive Land Use Plan
CMET	Community Microgrid Enablement Tariff
CMP	Congestion Management Program
CNEL	Community Equivalent Noise Level
CNPS	California Native Plant Society

COA	Condition of Approval
COC	Contaminants of Concern
CPUC	California Public Utilities Commission
CRHR	California Register of Historical Resources
CRPR	California Rare Plant Ranks
dB	Decibel
dBA	A-weighted Decibel
DCP	District Central Plant
DDW	State Water Resources Control Board Division of Drinking Water
DEH	Santa Clara County Department of Environmental Health
DNL	Day-Night Level
DPM	Diesel Particulate Matter
DTSC	Department of Toxic Substances Control
EIR	Environmental Impact Report
2017 EIR	2017 North Bayshore Precise Plan Final Subsequent EIR
EPA	Environmental Protection Agency
ESL	Environmental Screening Level
ETC	Employee Transportation Coordinator
FAA	Federal Aviation Administration
FAR	Floor Area Ratio
FAR Part 77	Federal Aviation Regulations, Part 77
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Maps
FTA	Federal Transit Administration
GHG	Greenhouse Gas
General Plan	City of Mountain View 2030 General Plan
GGRP	Mountain View 2030 General Plan and Greenhouse Gas Reduction Program
Gpd	Gallon per day
Gpm	Gallons per minute
GPUUIS	2030 General Plan Update Utility Impact Study
GWh	Gigawatt hours
GWMP	2021 Groundwater Management Plan
GWP	Global Warming Potential

HM	Hydromodification Management
HMBP	Hazardous Materials Business Plan
HMP	Hydromodification Management Plan
HOV	High-Occupancy Vehicle
HOZ	Habitat Overlay Zone
HSP	Health and Safety Plan
kV	Kilovolt
kW	Kilowatt
kWh	Kilowatt hour
LEED	Leadership in Energy and Environmental Design
Leq	Noise Equivalent Level
LID	Low Impact Development
LOS	Level of Service
LTA	Local Transportation Analysis
MBTA	Migratory Bird Treaty Act
MDD	Maximum Day Demand
MDD+FF	Maximum Day Demand with Fire Flow
MEW	Middlefield-Ellis-Whisman
MG	Million gallons
MGD	Million Gallons per Day
mpg	Miles per Gallon
MRP	Municipal Regional Stormwater National Pollutant Discharge Elimination System Permit
MT	Metric Tons
MTA	Multimodal Transportation Analysis
MTC	Metropolitan Transportation Commission
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
MVWSD	Mountain View Whisman School District
NAHC	Native American Heritage Commission
NCP	National Contingency Plan

NHPA	National Historic Preservation Act of 1966
NOD	Notice of Determination
NOI	Notice of Intent
NOP	Notice of Preparation
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
PARWQCP	Palo Alto Regional Water Quality Control Plant
PCBS	Polychlorinated Biphenyls
PDA	Priority Development Area
PG&E	Pacific Gas & Electric
PHD	Peak Hour Demand
PQOS	Pedestrian Quality of Service
Precise Plan	North Bayshore Precise Plan
PM	Particulate Matter
POPA	Privately Owned Publicly Accessible
PPV	Peak Particle Velocity
psi	Pound-force per square inch
RHNA	Regional Housing Needs Allocation
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCH	State Clearinghouse
SFHA	Special Flood Hazard Areas
SFPUC	San Francisco Public Utilities Commission
SMP	Site Management Plan
SOV	Single Occupancy Vehicle
SR	State Route
SVCE	Silicon Valley Clean Energy
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	Toxic Air Contaminants
TCR	Tribal Cultural Resources
TDM	Transportation Demand Management
TDR	Transfer of Development Rights

TMA	Mountain View Transportation Management Association
TPA	Transit Priority Area
TSP	Teledyne and Spectra-Physics
UIS	Utility Impact Study
USFWS	United States Fish and Wildlife Service
UWMP	Urban Water Management Plan
Valley Water	Santa Clara Valley Water District
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compound
VTA	Valley Transportation Authority
WRF	Water Reuse Facility
WSA	Water Supply Assessment

City of Mountain View

ERRATA

North Bayshore Master Plan
Subsequent Environmental Impact Report (SCH No. 2022020712)
June 1, 2023

BACKGROUND AND PURPOSE OF ERRATA

The Draft Subsequent Environmental Impact Report (Draft SEIR) for the North Bayshore Master Plan was published for public review on December 21, 2022. The public review period ended on February 6, 2023. A total of 13 comment letters were received, some of which resulted in minor text revisions to the Draft SEIR. A Final SEIR which included these comments, formal responses, and text revisions to the Draft SEIR was circulated on April 11, 2023. The purpose of this errata document to the SEIR is to: (1) correct minor typographical and grammatical errors; (2) include clarifications and additional text as to two mitigation measures identified in the Draft EIR; (3) add reference to a condition of approval related to air quality impacts after recent consultation with the Bay Area Air Quality Management District; and (4) correct the amount of park space required under the City's Park Land Dedication Ordinance; (5) revise terminology in the burrowing owl condition of approval after publication of the Final SEIR; and (6) a revision to correct a typo under vehicle miles traveled analysis in the Draft SEIR identified after publication of the Final SEIR.

CEQA Guidelines Section 15088.5 requires that a lead agency recirculate an EIR when:

(a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this Section, the term "information" can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation includes, for example, a disclosure showing that:

(1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

(2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.

(3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.

(4) The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

(b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.

(c) If the revision is limited to a few chapters or portions of the EIR, the lead agency need only recirculate the chapters or portions that have been modified.

(d) Recirculation of an EIR requires notice pursuant to Section 15087, and consultation pursuant to Section 15086.

(e) A decision not to recirculate an EIR must be supported by substantial evidence in the administrative record.

(f) The lead agency shall evaluate and respond to comments as provided in Section 15088. Recirculating an EIR can result in the lead agency receiving more than one set of comments from reviewers. The following are two ways in which the lead agency may identify the set of comments to which it will respond. This dual approach avoids confusion over whether the lead agency must respond to comments which are duplicates or which are no longer pertinent due to revisions to the EIR. In no case shall the lead agency fail to respond to pertinent comments on significant environmental issues.

As shown below, the following revisions to the SEIR would not alter the analysis or conclusions of the SEIR. The following changes are intended to correct an omission in the SEIR and clarifies the existing analysis. Therefore, modifications are not substantial new information and recirculation of the SEIR is not required under CEQA Guidelines.

DRAFT SEIR TEXT REVISIONS

Below are text revisions to Draft SEIR subsequent to the publication of the Final EIR, dated April 2023, that make insignificant modifications (e.g., minor typographical and grammatical

edits) and clarify and amplify the existing text and discussion. Revised or new language is underlined. All deletions are shown with a ~~line through the text~~.

Pages vi and 57 **REVISE** the following text to the first paragraph of Mitigation Measure 2017 EIR MM AQ-2.1:

2017 EIR MM AQ-2.1: Both Project Options: Measures to reduce diesel particulate matter (DPM) and PM_{10} from construction shall be implemented to ensure that short-term health impacts to nearby sensitive receptors are avoided. 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 document and ensure implementation of the below dust control measures. Emission reduction measures shall include, at a minimum, the following measures:

Pages xi and 61 **REVISE** and **ADD** the following (underlined) text to the Mitigation Measure MM AQ-1.1:

MM AQ-1.1: Both Project Options: The project (under either option) shall implement the following measures during all phases of construction:

- On-road medium- and heavy-duty trucks and off-road equipment and aggregate handling equipment used for construction shall be zero emissions, as certified by the California Air Resources Board, or meet the current most stringent emissions standard, if feasible and commercially available. Where not feasible and commercially unavailable, ensure heavy-duty or medium-duty diesel-fueled trucks are manufactured within the last eight years.

- 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 Final emission standards for NO_x and PM (PM_{10} and $PM_{2.5}$), if feasible; otherwise:

  — If Tier 4 Final equipment is not available, alternatively use equipment that meets U.S. EPA emission standards for Tier 2 or 3 engines and include particulate matter emissions control equivalent to CARB Level 3 verifiable diesel emission control devices that altogether achieve an 85% reduction in particulate matter exhaust in comparison to uncontrolled equipment; alternatively (or in combination). The project applicant shall provide to the City for review and approval documentation showing that engines that comply with Tier 4 Final off-road emission standards are not commercially available for the specific off-road equipment necessary during construction. For purposes of this mitigation measure, "commercially available" shall take into

consideration the following factors: (i) potential significant delays to critical-path timing of construction; and (ii) the geographic proximity to the project site of Tier 4 Final equipment.

— Use of alternatively fueled equipment with lower NO_x emissions that meet the NO_x and PM reduction requirements above.

- Use electric portable equipment such as aerial lifts, air compressors, cement mortar mixers, concrete/industrial saws, cranes, and welders. Portable equipment shall be powered by grid electricity or alternative fuels (i.e., not diesel) instead of by diesel generators.

- Provide line power to the site during the early phases of construction to minimize the use of diesel- or gas-powered equipment and access to charging infrastructure for zero-emission construction vehicles where applicable.

- The project shall implement a program that incentivizes construction workers to carpool, use EVs, or use public transit to commute to and from the project site. This program may include, but not be limited to, the following features, as feasible: providing a shuttle service to and from the Mountain View Caltrain station; preferential parking to carpool vehicles, vanpool vehicles, and EVs; and scheduling work shifts to be compatible with the schedules of local transit services.

- Diesel engines, whether for off-road equipment or on-road vehicles, shall not be left idling for more than two minutes, except as provided in exceptions to the applicable State regulations (e.g., traffic conditions, safe operating conditions). The construction sites shall have posted legible and visible signs in designated queuing areas and at the construction site to clearly notify operators of the idling limit.

- Use low-volatile organic compound or VOC (i.e., ROG) coatings, that are below current BAAQMD requirements (i.e., Regulation 8, Rule 3: Architectural Coatings), for at least 80% of all residential and nonresidential interior paints and 80% of exterior paints. This includes all architectural coatings applied during both construction and reapplications throughout the project's operational lifetime. At least 80% of coatings applied must meet a "super-compliant" VOC standard of less than 10 grams of VOC per liter of paint. For reapplication of coatings during the project's operational lifetime, the Declaration of Covenants, Conditions, and Restrictions shall contain a stipulation for low-VOC coatings to be used. Examples of "super-compliant"

coatings are contained in the South Coast Air Quality Management District's website.[1]

- The City shall review the above measures every two years to ensure these measures incorporate the latest guidance and tools available to mitigate the identified impacts as recommended by BAAQMD. The intent is that the project will be required to incorporate the most current and stringent requirements adopted by BAAQMD as they evolve over time. Project construction and introduction of new land uses would occur over 14 years or further into the future, and it is possible that newer measures and measures, which are not considered feasible now, would be available to further reduce emissions. These could include greater use of zero-emission construction and stationary equipment and more incentives to support zero-emission vehicles. New updated mitigations if identified as part of the two-year assessment would be implemented with every new building construction approved as part of the Master Plan project from that point onward.

Page 36 **REVISE** the text in the first row, second column of Table 2.3-5 as follows:

Table 2.3-5: Summary of Proposed District Parking Facilities

Parking Garage	Subarea Location	Use Served	Approximate Number of Parking Stalls
SB-P-1	~~SB-PP~~SB-BR-6	Hotel, Retail, residential visitor	±600

Page 75 **REVISE** the standard condition of approval numbering as follows:

COA AQ-1.~~2~~1: Both Project Options: 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).

[1] South Coast Air Quality Management District. "Super-Compliant Architectural Coatings." Accessed December 7, 2022. http://www.aqmd.gov/home/rules-compliance/compliance/vocs/architectural-coatings/super-compliant-coatings.

Page 76 **ADD** the following text to the end of the first paragraph:

The following condition of approval is required by the City of the project to facilitate and potentially further reduce health risk impacts to the existing residences within the Santiago Villa mobile home park.

Condition of Approval

COA AQ-1.~~1~~2: Both Project Options: At the onset of construction in the Master Plan area (Phase 1/ Phase 2), the applicant shall provide all the existing residents of the Santiago Villa Mobile Home Park a one-time offer of $350 to purchase MERV-13 or higher rated air filters. The applicant shall notify existing residents of this offer as part of the applicant's preconstruction outreach and notification program.

Page 103 **REVISE** the second paragraph under the Other Special-Status Species and Nesting Birds heading as follows:

The proposed project would remove ~~3,330~~ 2,895 existing on-site trees (including ~~1,509~~ 1,660 Heritage trees) and demolish most of the existing buildings.

Page 103 **REVISE** the text in COA BIO-1.1 as follows:

COA BIO-1.1: **Both Project Options:** A habitat confirmation ~~survey~~ assessment for burrowing owls must be conducted and submitted for review with any Planned Community Permit (PCP) requests for development of parking structure at Subarea SA-BP-1. This assessment shall confirm the presence/absence of individual owls on the SA-BP-1 property at the time of PCP review, and this assessment shall also evaluate whether the suitability of the SA-BP-1 property as burrowing owl nesting or foraging habitat has changed since the preparation of the EIR. The assessment shall cover all areas within the construction area for the parking structure and Burrowing Owl Preservation Plan (BOPP) boundaries. Based on the results of the habitat ~~survey~~ assessment, the applicant shall comply with Chapter 5.1, Habitat Overlay Zone, of the Precise Plan, the BOPP, and the habitat assessment guidelines found in the CDFW Staff Report on Burrowing Owl Mitigation, 2012. Management measures would be developed by the City in ~~coordination~~ consultation with the California Department of Fish and Wildlife and may include establishment of new nesting or foraging habitat, enhancement of existing habitat or passive relocation of burrowing owls. This confirmation assessment would be in addition to the Preconstruction Nesting Bird Survey requirement as per the standard condition of approval prior to construction activities on-site.

Page 104 **REVISE** the standard condition of approval numbering as follows:

COA BIO-1.~~1~~2: **Both Project Options: Preconstruction Nesting Bird Survey**: To the extent practicable, vegetation removal and construction activities shall be performed from September 1 through January 31 to avoid the general nesting period for birds. If construction or vegetation removal cannot be performed during this period, preconstruction surveys shall be performed no more than two days prior to construction activities to locate any active nests as follows:

Draft SEIR, Page 144 **REVISE** the last sentence of the last paragraph under Impact TRN-2 as follows:

As shown in Table 3.4 3 below, the project's total VMT per service population (under either option) of 25.13 would not exceed the significance threshold of ~~24.46~~25.46; thus, the project would result in a less than significant VMT impact. **(New Impact [Less than Significant Impact])**

Page 326 **REVISE** the last sentence of the paragraph under Impact PS-C before the bullet points as follows:

While the Master Plan includes more development within the Precise Plan and on Subarea ~~AM1~~SA-BP-1 consisting of a parking garage and police substation which would improve public services in the area, that development would:

Page 325 **REVISE** the text in the third and fourth sentences of the second paragraph as follows:

Per the City's Park Land Dedication or Fees In Lieu Thereof Ordinance, the project would be required to provide ~~36.8~~35.7 acres of open space to meet the City's three acres per 1,000 residents ratio. As mentioned above, the project proposes ~~30.5~~26.1-acres of open space; therefore, the project would be required to pay in-lieu fees for the remaining ~~6.2~~9.6-acres.

Page 331 **REVISE** the text in second and third sentence of the second paragraph as follows:

Per the City's Park Land Dedication or Fees In Lieu Thereof Ordinance, the project (under either option) would be required to provide ~~36.8~~35.7-acres of open space to meet the City's three acres per 1,000 residents ratio. The project (under either option) would comply with the Park Land Dedication or Fees In Lieu Thereof Ordinance by providing a total of ~~30.5~~26.1-acres of open space, including 11.~~7~~3 acres of POPA open space to be developed under the project and ~~18.9~~ 14.8 acres dedicated to the City for development future parks at a later date, and paying in lieu fees for the remaining ~~6.2~~9.6-acres.

CONCLUSION

Recirculation of the Draft SEIR for the project is not required pursuant to CEQA. The above text revisions are minor and do not represent substantial new information or result in changes to the analysis or findings of the Draft SEIR. The text revisions to Mitigation Measures 2017 EIR MM AQ-1.1 and MM AQ-2.1 are consistent with what was discussed and disclosed in the Draft SEIR analysis and provide further clarification and understanding on how the mitigation measure is to be implemented. The addition of Condition of Approval COA AQ-1.1 was added to facilitate and potentially further reduce the health risk impacts to existing residences within the Santiago Villa mobile home park. COA AQ-1.1 does not change the air quality analysis or conclusions discussed and disclosed in the Draft SEIR. The project applicant has agreed to implement Mitigation Measures 2017 EIR MM AQ-1.1 and MM AQ-2.1 as revised and Condition of Approval COA AQ-1.1. The terminology was revised in Condition of Approval COA BIO-1.1 to clarify the intent and requirements of the condition and the applicant has agreed to implement COA BIO-1.1 as revised.[2] The other text revisions are minor typographical and grammatical edits (e.g., corrections to the subarea label, COA numbering, tree numbers, VMT threshold, and park space required) are insignificant modifications to the Draft SEIR text that do not change the analysis or conclusions discussed and disclosed in the Draft SEIR.

In conformance with Section 15121 of the CEQA Guidelines, the Draft SEIR, technical appendices and reports, Final SEIR, together with the information contained in this Errata are intended to inform the decision-makers and the public of the environmental effects of the North Bayshore Master Plan project.

[2] Condition of Approval COA BIO-1.1 was added to the Draft SEIR as a text revision in the Final EIR to further reduce the potential less than significant impacts to burrowing owls during construction of the proposed parking garage at Subarea SA-BP-1. The addition of COA BIO-1.1 does not change the burrowing owl analysis or conclusions discussed and disclosed in the Draft SEIR.

EXHIBIT B

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

FOR THE

NORTH BAYSHORE MASTER PLAN PROJECT SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

City of Mountain View

MAY 2023

DP/2/CDD
807-04-21-23ExhB

SECTION 1: INTRODUCTION

1.1 Statutory Requirements for Findings

To support a decision on a project for which an Environmental Impact Report (EIR), or Subsequent EIR (SEIR), is prepared, the lead or responsible agency must prepare written findings of fact (Findings) for each significant effect on the environment identified in the EIR (Public Resources Code Section 21081). The City of Mountain View, as the lead agency, has prepared these Findings for the North Bayshore Master Plan (Project), generally located north of the U.S. 101 freeway bounded by Charleston Road to the north, Stevens Creek to the east, Space Park Way to the south, and Huff Avenue to the west, on portions of the Gateway Master Plan area located at the northwest corner of Shoreline Boulevard and the U.S. 101 freeway northbound on-ramp and six parcels between San Antonio Road and Marine Way in the P(39) (North Bayshore) Precise Plan, on a portion of the Shoreline Amphitheatre parcel north of Amphitheatre Parkway outside the North Bayshore Precise Plan area. The Findings must be adopted by the Mountain View City Council, which the City Council hereby elects to do as detailed more fully herein.

Section 15091(a) of the California Environmental Quality Act (CEQA) Guidelines state that:

"(a) No public agency shall approve or carry out a project for which a EIR has been certified which identifies one or more significant environmental effects of the Project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

(1) Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the final EIR.

(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

(3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or Project alternatives identified in the final EIR."

In short, the California Environmental Quality Act (CEQA) requires that the lead agency adopt mitigation measures or alternatives, where feasible, to avoid or mitigate significant environmental impacts that would otherwise occur with implementation of a project. For those significant effects that cannot be mitigated to a less-than-significant level, the public

agency is required to find that specific overriding economic, legal, social, technological, or other benefits of the Project outweigh the significant effects on the environment.[i] CEQA Guidelines Section 15093 states:

> "If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

1.2 Record of Proceedings

For purposes of CEQA and the findings set forth herein, the record of proceedings for the City's decision on the Project consists of: (a) matters of common knowledge to the City, including, but not limited to, Federal, State, and local laws and regulations; and (b) the following documents which are in the custody of the City:

- Notice of Preparation and all other public notices issued by the City in conjunction with the Project (See Appendix B of the Draft SEIR for the Notice of Preparation);

- The Public Review Draft SEIR and supporting documentation prepared for the Project (Draft SEIR published in December 2022 and all attached Appendices), and all documents cited, incorporated by reference, or referred to therein;

- All written and verbal comments and documents submitted to the City by agencies, organizations, and members of the public on the Project and the SEIR (before, during, and after the close of the public comment period up through the close of the public testimony portion of the City Council's public hearing on the Project);

- The Project's Mitigation, Monitoring, and Reporting Program (MMRP), which incorporates the North Bayshore Precise Plan Subsequent EIR MMRP as Appendix A to the Project MMRP;

- The Public Review Final SEIR/Response to Comments Document and supporting documentation prepared for the Project (Final SEIR published in April 2023), and all decisions, determinations, documents cited, incorporated by reference, or referenced to therein;

- All findings and resolutions adopted by the City in connection with the Project, and all documents cited, incorporated by reference, referred to therein;

- All locally adopted land use plans and ordinances, including, without limitation, General Plan, Precise Plan and ordinances, master plan and implementation plan

[i] Public Resources Code Section 21081(b).

together with environmental review documents, findings, mitigation monitoring and reporting programs, and other documentation relevant to planned growth in the area, such as the City of Mountain View 2030 General Plan and Greenhouse Gas Reduction Program adopted by the City Council on July 10, 2012 and the City's Climate Action Plan (Climate Protection Roadmap adopted in 2015);

- The City of Mountain View 2030 General Plan and Greenhouse Gas Reduction Program Environmental Impact Report (SCH No. 2011012069), including all appendices attached thereto, certified by the Mountain View City Council on July 10, 2012, and all findings, decisions, determinations, and resolutions adopted by the City in connection with the General Plan EIR;

- The City of Mountain View North Bayshore Precise Plan Final Subsequent Environmental Impact Report (SCH No. 2013082088), including all appendices attached thereto, certified by the Mountain View City Council on December 12, 2017 (the "2017 SEIR"), and all findings, decisions, determinations, and resolutions adopted by the City in connection with the 2017 SEIR;

- All staff reports, presentation materials, and other documents prepared by the City with respect to the Final SEIR and the Project, and any minutes or verbatim transcripts of all information and Study Sessions, workshops, public meetings, and public hearings held by the City in connection with the Project; and

- Any other materials required to be in the record of proceedings by Public Resources Code Section 21167.6, Subdivision (e).

The location and custodian of the documents and other materials that constitute the record of proceedings are:

City of Mountain View
Community Development Director
500 Castro Street
Mountain View, CA 94041
Contact: Diana Pancholi, Principal Planner, 650-903-6306

1.3 Incorporation by Reference

The Final SEIR is hereby incorporated into these Findings in its entirety. Without limitation, this incorporation is intended to elaborate on the comparative analysis of alternatives, the basis for determining the significance of impacts, the scope and nature of mitigation measures, and the reasons for approving the Project despite the conclusion regarding associated significant and unavoidable adverse impacts.

1.4 Findings

The Findings set forth herein are based on substantial evidence contained in the Record of Proceedings, including, without limitation, the Final SEIR, including relevant technical studies, reports, and evaluations supporting the Final SEIR's analysis. As previously stated, the Draft SEIR (including, without limitation, all appendices attached thereto) addresses the potential effects on the environment that are associated with the Project as required under CEQA, and the Final SEIR and written response to the public comments received on the Draft SEIR and minor text and graphic revisions to the Draft SEIR. See Section 1.2 above for information regarding the location and custodian of the documents that comprise the Record of Proceedings.

SECTION 2: PROJECT BACKGROUND AND OVERVIEW

This section provides a brief description of the Project, lists the objectives of the proposed Project, lists the Precise Plan Guiding Principles, and lists the Project alternatives evaluated in the Draft SEIR.

2.1 Brief Project Description

The proposed Master Plan would allow for the demolition of 68 of the existing 69 buildings (as well as removal of related surface parking lots and landscaping) to construct:

- Up to 7,000 residential dwelling units (including 15% affordable residential units);
- Up to 3,145,897 square feet of office space (including 1,303,250 square feet of net new office space and 1,842,647 square feet of existing office space to be redeveloped);
- 14.6 acres of public open space and 11.3 acres of Privately Owned/Publicly Accessible (POPA) open space;
- Up to 244,000 square feet of retail uses;
- Up to of 55,000 square feet of community facilities;
- Up to 525 hotel rooms;
- A 2,000 square foot Police Operations Station;
- Up to six aboveground parking structures; and
- As an option, a private district utilities systems with an approximately 130,000 square-foot District Central Plant (DCP) and underground distribution/collection lines to serve the buildings within the Master Plan with wastewater, recycled water, thermal energy (heating and cooling), electric power via a microgrid, and/or pneumatic waste collection.

A more detailed Project description is provided in Section 2.0 of the Draft SEIR.

2.2 Project Objectives

The stated objectives of the Master Plan Project include the following:

1. Support the North Bayshore Area's transition into an innovative, sustainable, and complete mixed-use district that protects and stewards natural areas and open space.

2. Provide development/redevelopment that continues to promote the North Bayshore Area's role as a major high-technology employment center for start-ups and small businesses, along with larger established companies.

3. Develop the Project area with residential uses and office space at an increased density and FAR (consistent with the character area development targets in the North Bayshore Precise Plan) close to major roadways that provide a more efficient use of available land to support transit opportunities.

4. Redevelop the Project site with up to approximately 7,000 new residential units to better balance the North Bayshore Area's jobs/housing ratio and the City's overall jobs/housing ratio.

5. Provide approximately 3 million square feet of office uses consistent with the North Bayshore Precise Plan and 2030 General Plan Policies, including:

    - **LUD 3.8: Preserved land use districts.** Promote and preserve commercial and industrial districts that support a diversified economic base;

    - **LUD 3.1: Land use and transportation.** Focus higher land use intensities and densities within one-half-mile of public transit service, and along major commute corridors;

    - **LUD 9.2: Compatible transit-oriented development.** Encourage transit-oriented development that is compatible with surrounding uses and accessible to transit stations; and

    - **LUD 14.3: Business attraction.** Attract innovative and emerging technology businesses.

6. Implement a robust TDM plan with trip-reduction measures and on-site amenities that promote walking, bicycling, use of shuttles and transit, and other transportation alternatives, consistent with the requirements of the North Bayshore Precise Plan.

7. Provide new open space and public park areas.

8. Support the transformation of North Bayshore into a sustainable community that recaptures and reuses energy, water, and waste resources to the greatest extent possible.

2.3 Precise Plan Guiding Principles

To provide additional context, each alternative discussed in the SEIR was evaluated against the Precise Plan's Guiding Principles, which support and establish the vision for growth in the plan area and are used as a reference point for stakeholders and decision-makers in evaluating projects. These principles include:

1. Create Complete Neighborhoods
2. Create Distinct Areas within North Bayshore
3. Promote Housing Affordability
4. Enhance Ecosystems and Habitat
5. Improve Transportation Connections to North Bayshore
6. Expand and Improve Public Spaces
7. Create Walkable, Human-Scale Blocks
8. Concentrate Growth to Support Transit
9. Make the Area Highly Sustainable
10. Promote Transit, Biking, and Walking
11. Construct Buildings that Support Public Areas
12. Minimize the Potential Consequences of Sea Level Rise
13. Promote Economic Diversity
14. Promote Retail, Entertainment, and the Arts

2.4 Alternatives

This SEIR is a Subsequent EIR to the 2017 Precise Plan SEIR (SCH No. 2013082088) and tiers from the 2017 SEIR and the Mountain View 2030 General Plan EIR (SCH No. 2011012069) (General Plan EIR) and is incorporated here by reference. Because this SEIR tiers off the prior certified 2017 SEIR, the alternatives analysis completed for the Precise Plan, is incorporated in the Draft SEIR by reference.

The Draft SEIR considered seven Project alternatives. Four of these alternatives (Location; Alternative Site Design, Smaller Project Site; No Project Redevelopment; and Mitigated 86% Reduced Development) were not further considered because of infeasibility, ability of the alternative(s) to reduce the impacts further, or meet the Precise Plan and City's vision for the area. Based on the Project objectives and anticipated environmental consequences, and pursuant to Section 15126.6 of the CEQA Guidelines, the following Project alternatives were selected for analysis:

- **No Project, No New Development Alternative:** The Project would not be built, and the site would remain in its existing condition with 1,853,703 square feet of office, light industrial, and retail uses.

- **Mitigated 11% Reduced Development Alternative:** This alternative assumes a 11% reduction in all proposed development to avoid the Project's significant and unavoidable construction NO_x impacts to a less than significant level for only one year (2024) with incorporation of air quality mitigation measures, resulting in 2.8 million square feet of office, 6,230 residential units, 467 hotel rooms, 217,000 square feet of retail, and 49,000 square feet of community space.

- **Mitigated 39% Reduced Development Alternative:** This alternative assumes a 39% reduction in all proposed development to avoid some of the Project's significant and unavoidable impacts. This alternative would reduce the Project's significant and unavoidable construction NO_x impact (Impact AQ-1), health risk (cancer and annual $PM_{2.5}$) impact (Impact AQ-1), and operational NO_x and PM_{10} (Impact AQ1) to a less than significant level with implementation of the same mitigation identified for the Project, resulting in 434,000 square feet of office, 980 residential units, 74 hotel rooms, 34,160 square feet of retail, and 7,700 square feet of community space.

A more detailed description of these alternatives, and required findings, are set forth in Section 5: Feasibility of Project Alternatives, of this Exhibit B. The detailed description of the alternatives is also provided in Section 8.0 of the Draft SEIR.

SECTION 3: EFFECTS DETERMINED TO BE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

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

- **Air Quality:** Impact AQ-4 regarding generation of odors
- **Biological Resources:** Impacts BIO-1 and BIO-C regarding special-status species
- **Hazardous Materials:** Impact HAZ-2 regarding exposure to hazardous materials
- **Noise and Vibration:** Impact NOI-2 regarding ground-borne vibration

The Final SEIR includes analysis of the Project (with standard City utilities connections) and Project with District Utilities System Option (with private district utilities connections), so each impact and mitigation measure (MM) identifies if it applies to both Project options or just one Project option. The environmental impacts listed above would be reduced to less-than-significant levels through the incorporation of City standard conditions of approval and mitigation measures into the Project. The mitigation measures are listed under each of the impacts below and are included in a MMRP, which has been prepared separately from these findings (Citation 4).

NOTE: As described in Section 4.1, Air Quality, of the Draft SEIR, the Air Quality analysis covers several different topics and pollutant types, including consistency with plans, modeling for various criteria pollutants, and health risk assessments, which are evaluated for both Project construction as well as operation. These are often discussed together, but are measured and analyzed differently. Because some of the technical results under each Air Quality impact heading were found to be less than significant with mitigation incorporated, and some were found to be significant and unavoidable even with mitigation, several of the Air Quality topics are discussed in both Section 3 and Section 4 of this Statement of Findings.

3.1 Air Quality

Impact AQ-4: Project with District Utilities Systems Option: The Project with District Utilities Systems Option would have the potential to result in other emissions (such as those leading to odors). However, with implementation of the identified mitigation, this impact would be reduced to a less than significant level.

MM AQ-4.1: Project with District Utilities System Option: The Project applicant shall develop and implement an odor control plan that addresses plant design issues to control odors, identifies operating and maintenance procedures to prevent odors, and includes a corrective action plan to respond to upset conditions and odor complaints. The odor control plan shall describe the design elements and best management practices built into the facility, including the following:

- Ventilation of the system using carbon absorption, biofiltration, ammonia scrubbers, or other effective means to treat exhausted air from the enclosed facility;

- Odor proofing of refuse containers used to store and transport grit and screenings or biosolids; and

- Injection of chemicals to control hydrogen sulfide.

The plan shall describe procedures to address upset conditions caused by equipment failures, power outages, flow control, or treatment issues, as well as odor complaints. Procedures shall include investigating and identifying the source of the odor/odor complaint and corrective actions could include installing specific odor control technologies (e.g., odor control units) or adjusting plant operations (e.g., by adding ferrous chloride injections). The plan shall be reviewed and approved by the Public Works Director (or designee) and BAAQMD prior to issuance of building permits for the District Control Plant (DCP). In the event the facility receives confirmed complaints related to five separate incidents per year averaged over a three-year period, pursuant to BAAQMD CEQA Guidelines, the plant shall revise the odor control plan and resubmit it to the City for review and approval. If implementation of additional measures to control odors described in the plan does not lessen the complaints to less than five per year, the plant shall cease operations, and all wastewater generated by the Project shall be directed to the municipal wastewater system. In this case, subsequent environmental review shall be required to assess the impacts of continued operations of the facility.

Post a publicly visible sign with the telephone number and person to contact regarding odor complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations. A log of odor complaints and procedures implemented to respond to complaints shall be maintained by the operator and provided to the City upon request.

Findings

Through implementation of mitigation measure MM AQ-4.1 and compliance with BAAQMD regulations, the Project with District Utilities System Option would limit the discharge of odorous substances and respond to upset conditions and odor complaints with corrective actions, reducing impacts to a less than significant level.

As described herein, the above mitigation measure has been incorporated into the Project with District Utilities System Option that avoid or reduce this significant impact to a less-than-significant level. The City of Mountain View hereby finds that implementation of the mitigation measure described above is feasible and is hereby adopted and incorporated into the Project with District Utilities System Option as a condition of approval. Accordingly, changes or alterations have been required or incorporated into the Project with District Utilities System Option which avoid or substantially lessen the significant effects as identified in the Final SEIR and adoption of the mitigation measure set forth above will reduce the significant effect to a less-than-significant level. Adoption of the condition of approval will effectively make the mitigation measure part of the Project with District Utilities System Option.

3.2 Biological Resources

Impact BIO-1: Both Project Options: The Project (under either option) would have a substantial adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS. However, with implementation of the identified mitigation, this impact would be reduced to a less than significant level.

Congdon's Tarplant

MM BIO-1.1: Both Project Options: Within two years prior to disturbance of ruderal habitat for construction of the Shoreline Amphitheatre parking structure, a qualified biologist shall conduct a survey for Congdon's tarplant during the appropriate season (e.g., late summer and fall), at a time when the species is detectable at nearby reference sites. The survey shall cover all areas within, and within 50' of, the construction area for the parking structure. If Congdon's tarplant is found in the survey area, the applicant shall comply with North Bayshore Precise Plan Landscape Design Standard 4 to protect and manage Congdon's tarplant. Management measures would be developed in coordination with the California Department of Fish and Wildlife, and may include establishment of a new population or enhancement of existing populations at Shoreline at Mountain View (in coordination with the City of Mountain View).

Monarch Butterfly

MM BIO-1.2: Both Project Options: Nonnative milkweeds shall not be included in Master Plan landscaping. Although native milkweeds are encouraged in landscaping, they shall not be irrigated after August to allow those plants to senesce so that monarch butterflies do not lay eggs on those plants too late in fall and so that no suitable host plants are present in late fall that might encourage monarch butterflies to attempt winter breeding instead of migrating to coastal aggregation sites.

MM BIO-1.3: Both Project Options: Within two weeks prior to any clearing, construction, or maintenance in landscaped areas that provide milkweeds that have not completely senesced, a qualified biologist shall survey those milkweed plants for monarch butterfly eggs, larvae, or pupae. If the plants do not support monarch eggs, larvae, or pupae, the qualified biologist shall remove those plants immediately (during the survey) to prevent monarch butterflies from laying eggs between the time of the survey and initiation of impacts. If any eggs, larvae, or pupae are detected within the survey area, then impacts to the plants supporting those individuals shall be delayed until the emergence of those individual butterflies as adults. If such a delay is infeasible, the applicant shall coordinate with the U.S. Fish and Wildlife Service (USFWS) regarding recommendations and implement USFWS recommendations. For example, larvae could be relocated to milkweeds outside the impact area, if those milkweeds are not already occupied by

monarch eggs or larvae. Alternatively, monarch butterflies could be raised in captivity and released (with USFWS approval).

Findings

Through implementation of Mitigation Measures MM BIO-1.1, MM BIO-1.2, and MM BIO-1.3, the Project (under either option) would not have a substantial adverse effect, either directly or through habitat modifications, on Congdon's tarplant by conducting preconstruction surveys and implementing measures to protect and manage Congdon's tarplant if found or monarch butterflies by limiting planting of nonnative milkweeds and conducting preconstruction surveys to ensure no monarch butterfly eggs, larvae, or pupae are disturbed.

As described herein, the above mitigation measures have been incorporated into the Project (under either option) to avoid or reduce this significant impact to a less-than-significant level. The City of Mountain View hereby finds that implementation of the mitigation measures described above are feasible, and they are hereby adopted and incorporated into the Project (under either option) as conditions of approval for the Project (under either option). Accordingly, changes or alterations have been required or incorporated into the Project (under either option) which avoid or substantially lessen the significant effects as identified in the Final SEIR and adoption of the mitigation measure set forth above will reduce the significant effect to a less-than-significant level. Adoption of the conditions of approval will effectively make the mitigation measures part of the Project.

Impact BIO-C: Both Project Options: The Project (under either option) would result in a cumulatively considerable contribution to a cumulatively significant biological resources impact. However, with implementation of the identified mitigation, this impact would be reduced to a less than significant level.

Refer to **MM BIO-1.1, MM BIO-1.2**, and **MM BIO-1.3**.

Findings

Through implementation of Mitigation Measures MM BIO-1.1, MM BIO-1.2, and MM BIO-1.3, the Project (under either option) would not result in a cumulatively considerable contribution to a cumulatively significant biological resources impact by conducting preconstruction surveys and implementing measures to protect and manage Congdon's tarplant if found and limiting planting of nonnative milkweeds and conducting preconstruction surveys to ensure no monarch butterfly eggs, larvae, or pupae are disturbed. These measures will mitigate the Project's impacts and will offset any cumulative contribution to biological resources impacts.

As described herein, the above mitigation measures have been incorporated into the Project (under either option) to avoid or reduce this significant impact to a less-than-significant level. The City of Mountain View hereby finds that implementation of the mitigation measures

described above are feasible, and they are hereby adopted and incorporated into the Project (under either option) as conditions of approval for the Project (under either option). Accordingly, changes or alterations have been required or incorporated into the Project (under either option) which avoid or substantially lessen the significant effects as identified in the Final SEIR and adoption of the mitigation measure set forth above will reduce the significant effect to a less-than-significant level. Adoption of the conditions of approval will effectively make the mitigation measure part of the Project (under either option).

3.3 Hazards and Hazardous Materials

Impact HAZ-2: Both Project Options: The Project (under either option) would 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. However, with implementation of the identified mitigation, this impact would be reduced to a less than significant level.

2017 EIR MM HAZ-3.1: Both Project Options: If a future project is located in an area for which an overseeing regulatory agency (e.g., U.S. EPA, California Department of Toxic Substances Control [DTSC], San Francisco Bay Regional Water Quality Control Board [Water Board] or DEH) has determined that mitigation or other site management measures are required prior to future development, the Project applicant shall coordinate development activities with the overseeing regulatory agency and adhere to the Project-specific development requirements.

2017 EIR MM HAZ-3.3: Both Project Options: Prior to the start of any construction activity on properties with known contaminants of concern (COC) exceeding the lower of the then-current DTSC, Water Board or U.S. EPA residential vapor intrusion screening levels, the Project applicant shall submit a Vapor Intrusion Control Evaluation to the City and the designated regulatory oversight agency for review and approval which consists of the following:

- An Air Monitoring Plan, which would assess the exposure of future on-site construction workers and neighboring occupants adjoining the site to COCs; this plan shall specify measures to be implemented if COC concentrations exceed threshold values.

- A determination as to whether or not vapor intrusion controls are required to be designed and implemented into the Project's construction. If vapor intrusion controls are required, the Vapor Intrusion Controls Evaluation shall detail the specific proposed controls, which shall include Project components designed specifically for vapor intrusion control (e.g., a subslab vapor barrier and/or ventilation system) and/or Project components designed primarily for other purposes, which may also mitigate potential vapor intrusion (e.g., waterproofing

systems or parking level ventilation). The Vapor Intrusion Controls Evaluation shall also summarize any anticipated operations and maintenance requirements for the planned vapor intrusion controls, if applicable, as well as a summary of planned activities to evaluate the performance of the planned vapor intrusion controls, such as postconstruction indoor air sampling.

- If required by the regulatory agency, specific evaluation documents, including but not limited to the following, shall be submitted to the City and the oversight agency for review and approval:

  — Vapor Intrusion Control Completion Report documenting installation of the vapor control measures identified in the Vapor Intrusion Control Evaluation, including plans and specifications, and shall include results of post-construction indoor air sampling and system commissioning, where applicable.

  — Long-Term Operations, Maintenance, and Monitoring Plan, which shall describe actions to be taken following construction to maintain and monitor selected remedial measures.

2017 EIR MM HAZ-3.4: Both Project Options: Prior to the start of any construction activity on properties with known COC exceeding the lower of the then-current DTSC, Water Board or US EPA residential screening levels, the Project applicant shall coordinate work activities with the oversight agency and Responsible Parties (as designated by the oversight agency), including identifying conditions that could affect the implementation and monitoring of the approved remedy.

2017 EIR MM HAZ-3.5: Both Project Options: At future Project sites identified as being impacted or potentially impacted during the property-specific Phase I ESA or subsequent studies, a Site Management Plan (SMP) shall be prepared prior to development activities to establish management practices for handling contaminated soil, soil vapor, or other materials during construction. The SMP shall be prepared by an Environmental Professional and be submitted to the overseeing regulatory agency for review and approval prior to construction. The Project applicant shall provide the oversight agency's written approval of the SMP to the City or confirmation from the oversight agency that their review is not required. The SMP for the property shall include the following activities:

- Property control procedures to control the flow of personnel, vehicles and materials in and out of the property.

- Monitoring of vapors (if VOCs are determined to be a COC) during the removal of the underground utilities as well as any other underground features. An Environmental Professional shall be present to observe soil conditions, monitor

vapors with a hand held meter and low level VOC detector, as appropriate, and determine if additional soil, soil gas, and air sampling should be performed. Protocols and procedures shall be presented for determining when soil sampling and analytical testing will be performed. If additional sampling is performed, a report documenting sampling activities (with site plans and analytical data) shall be provided to the oversight agency.

- Minimization of dust generation, storm water runoff, and off-property tracking of soil.

- Minimization of airborne dust during demolition activities.

- Management of property risks during earthwork activities in areas where impacted soil, soil vapor and/or groundwater are present or suspected. Worker training requirements, health and safety measures, and soil handling procedures shall be described.

- Decontamination to be implemented by the Contractor to reduce the potential for construction equipment and vehicles to release contaminated soil onto public roadways or other off-property transfer.

- Perimeter air monitoring at the property during any activity that substantially disturbs the property soil (e.g., mass grading, foundation construction, excavation or utility trenching). This monitoring shall be used to document the effectiveness of required dust and vapor control measures.

- Contingency measures for previously unidentified buried structures, wells, debris, or areas of impacted soil that could be encountered during property development activities.

- Characterization and profiling of soil suspected of being contaminated so that appropriate disposal or reuse alternatives can be implemented. All soil excavated and transported from the property shall be appropriated disposed at a permitted facility.

- Segregation of “clean” and “impacted” soil stockpiles.

- Evaluation and documentation of the quality of soil imported to the property.

- Soil containing chemicals exceeding the lower of the then-current DTSC, Water Board or U.S. EPA residential screening levels or typical background concentrations of metals shall not be accepted.

- Monitoring of excavations and trenches for the potential presence of VOC vapors (if a COC).

- Evaluation of the on-property soil conditions to determine if they will adversely affect the integrity of below ground utility lines and/or structures (e.g., the potential for corrosion).

- Measures to reduce potential soil vapor and groundwater migration through trench backfill and utility conduits (if soil and/or groundwater are contaminated). Such measures shall include placement of low-permeability backfill "plugs" at specified intervals on-property and at all locations where utility trenches extend off-property. In addition, utility conduits that are placed below groundwater shall be installed with watertight fittings to reduce the potential for groundwater to migrate into conduits.

- If the property is known to have COCs with the potential for mobilization, a Civil Engineer shall design the bottom and sides of vegetated swales and water retention ponds to be lined with a minimum 30 mil heavy-duty plastic to help prevent infiltration.

- If deep foundation systems are proposed, the foundations shall incorporate measures to help reduce the potential for the downward migration of contaminated groundwater (if present).

- Methods to mitigate the potential for vapor intrusion of VOC vapors (if present) into the planned structures.

- For construction activity that involves below ground work (e.g., mass grading, foundation construction, excavating or utility trenching), information regarding property risk management procedures (e.g., a copy of the SMP) shall be provided to the contractors for their review, and each contractor should provide such information to its subcontractors.

- If excavation dewatering is required, protocols shall be prepared to evaluate water quality and discharge/disposal alternatives; the pumped water shall not be used for on-property dust control or any other on property use if contaminated. If long-term dewatering is required, the means and methods to extract, treat, and dispose groundwater also shall be presented and shall include treating/discharging groundwater to the sanitary sewer under a Publicly Owned Treatment Works (POTW) permit or treating/discharging groundwater to the storm drain system pursuant to a California Regional Water Quality Control Board—San Francisco Bay Region (Water Board) NPDES permit. If dewatering activities may impact known groundwater contaminant plumes in the vicinity of the property, the oversight

agency responsible for the remediation of these contaminant releases shall be notified of planned activities.

- The Project applicant's Environmental Professional shall assist in the implementation of the SMP for the property and shall, at a minimum, perform part-time observation services during demolition, excavation, grading, and trenching activities. Upon completion of construction activities that significantly disturb the soil, the Environmental Professional shall prepare a report documenting compliance with the SMP; this report shall be submitted to the City and to the oversight agency (if the property is under regulatory oversight—which would require the Project Applicant to provide the oversight agency's written approval of the SMP Completion Report to the City or confirmation that the oversight agency's review is not required).

2017 EIR MM HAZ-3.6: Both Project Options: Leaving contaminated soil with COC above residential screening levels in place or reusing it on future Project sites shall require an oversight agency's written approval; the written approval shall be provided to the City. At a minimum, if contaminated soil is left in-place, a deed restriction or land use covenant shall detail the location of these soils. This document shall include a surveyed map of these impacted soils; shall restrict future excavation in these areas; and shall require future excavation be conducted in these areas only upon written approval by an oversight agency.

2017 EIR MM HAZ-3.7: Both Project Options: Any soil, soil vapor and/or groundwater remediation of a future Project site during development activities shall require written approval by an oversight agency and shall meet all applicable Federal, State, and local laws, regulations, and requirements.

2017 EIR MM HAZ-3.8: Both Project Option: Due to the North Bayshore Precise Plan area's proximity to US-101, soil sampling and analytical testing on a future site adjacent to U.S. 101 for lead shall be performed (due to historical leaded gasoline use). If lead is detected above the lower of the then-current DTSC, Water Board or U.S. EPA residential screening levels, it shall be appropriately managed under regulatory agency oversight.

2017 EIR MM HAZ-3.9: Both Project Options: Unless the Phase I ESA documents that a specific Project site was historically not used for agricultural purposes, soil sampling and laboratory analyses shall be performed to evaluate the residual pesticide concentrations, if any, and potential health risks to future occupants and construction workers.

2017 EIR MM HAZ-3.10: Both Project Options: Soil exported from future Project sites within the Precise Plan area shall be analyzed for COCs amongst other chemicals as required by the receiving facility.

2017 EIR MM HAZ-3.11: Both Project Options: The Project applicant shall require the construction General Contractor to prepare a Health and Safety Plan (HSP) establishing appropriate protocols for working at the property. Workers conducting property earthwork activities in contaminated areas shall complete 40-hour HAZWOPER training course (29 CFR 1910.120). The General Contractor shall be responsible for the health and safety of their employees as well as for compliance with all applicable federal, state, and local laws and guidelines.

2017 EIR MM HAZ-3.12: Both Project Options: Groundwater monitoring wells and remediation system components located on future Project sites within the Precise Plan area shall be protected during construction. Upon written approval from the overseeing regulatory agency, the wells could be destroyed under permit from the Santa Clara Valley Water District prior to mass grading activities. Relocation of the wells may be required. The locations of future groundwater monitoring wells and other remediation infrastructure, if any, shall be incorporated into the development plans.

2017 EIR MM HAZ-3.13: Both Project Options: If future Project sites are under active regulatory agency oversight, the Project applicant and subsequent owners and occupants shall provide access to the sites, including ongoing access to monitoring wells for monitoring and sampling purposes, and cooperate with the oversight agency and Responsible Parties during implementation of any subsequent investigation or remediation, if required. In addition, if vapor intrusion poses a human health risk, the Project applicant and subsequent property owners and occupants shall provide access for future indoor air vapor monitoring activities and shall not interfere with the implementation of remedies required by the oversight agency.

2017 EIR MM HAZ-3.14: Both Project Options: For future sites that are subject to activity and use limitations (AULs), such as institutional (legal or regulatory restrictions on a property's use such as deed restrictions) and engineering (physical mechanisms that restrict property access or use) controls, compliance will be maintained.

2017 EIR MM HAZ-3.15: Both Project Options: At future sites where hazardous materials are used or stored, a permit may be required for facility closure (i.e., demolition, removal, or abandonment) of any facility or portion of a facility. The Project applicant shall contact the Mountain View Fire Department and County Department of Environmental Health to determine facility closure requirements prior to building demolition or change in property use.

Findings

Pursuant to 2017 EIR mitigation measures, the Project (under either option) shall implement the applicable mitigation measures (2017 EIR MM HAZ-3.1 and MM HAZ-3.3 through MM HAZ-3.15) for each parcel (see Table 4.6-2 of the Draft SEIR). With implementation of 2017 EIR MM HAZ-3.1 and MM HAZ-3.3 through MM HAZ-3.15 as applicable per Table 4.6-2 of the Draft SEIR, the

Project (under either option) impacts associated with hazardous materials would be less than significant because contaminated soil, groundwater, and soil vapor would be identified, characterized, managed, monitored, remediated, and mitigated (as appropriate) under regulatory oversight (as applicable). The impact is, therefore, considered less than significant with mitigation incorporated.

As described herein, the above mitigation measure has been incorporated into the Project (under either option) that avoid or reduce this significant impact to a less-than-significant level. The City of Mountain View hereby finds that implementation of the mitigation measures described above are feasible, and they are hereby adopted and incorporated into the Project (under either option) as conditions of approval for the Project (under either option). Accordingly, changes or alterations have been required or incorporated into the Project which avoid or substantially lessen the significant effects as identified in the Final SEIR and adoption of the mitigation measure set forth above will reduce the significant effect to a less-than-significant level. Adoption of the conditions of approval will effectively make the mitigation measures part of the Project (under either option).

3.4 Noise

Impact NOI-2: Both Project Options: The Project (under either option) would result in generation of excessive ground-borne vibration or ground-borne noise levels. However, with implementation of the identified mitigation measures, this impact would be reduced to a less than significant level.

- **2017 EIR MM NOI-4.1: Both Project Options:** Avoid impact pile driving where possible. Drilled piles cause lower vibration levels where geological conditions permit their use.

- **2017 EIR MM NOI-4.2: Both Project Options:** Avoid using vibratory rollers and tampers near sensitive areas.

- **2017 EIR MM NOI-4.3: Both Project Options:** In areas where Project construction is anticipated to include vibration-generating activities, such as pile driving, in close proximity to existing structures, site-specific vibration studies shall be conducted to determine the area of impact and to present appropriate mitigation measures that may include the following:

  — Identification of sites that would include vibration compaction activities such as pile driving and have the potential to generate ground-borne vibration, and the sensitivity of nearby structures to ground-borne vibration. Vibration limits shall be applied to all vibration-sensitive structures located within 200’ of the Project. A qualified structural engineer shall conduct this task.

— Development of a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions.

— Construction contingencies shall be identified for when vibration levels approached the limits.

— At a minimum, vibration monitoring shall be conducted during initial demolition activities and during pile driving activities. Monitoring results may indicate the need for more or less intensive measurements.

— When vibration levels approach limits, suspend construction and implement contingencies to either lower vibration levels or secure the affected structures.

— Conduct post-survey on structures where either monitoring has indicated high levels or complaints of damage has been made. Make appropriate repairs or compensation where damage has occurred as a result of construction activities.

Findings

With the incorporation of 2017 EIR MM NOI-4.1, 2017 EIR MM NOI-4.2, and 2017 EIR MM NOI-4.3, the Project (under either option) would result in a less-than-significant vibration impact by avoiding pile driving, locating vibration compaction activities away from vibration sensitive structures, monitoring vibration effects, and making appropriate repairs or providing compensation if damage occurs.

As described herein, the above mitigation measure has been incorporated into the Project (under either option) that avoid or reduce this significant impact to a less-than-significant level. The City of Mountain View hereby finds that implementation of the mitigation measures described above is feasible, and these mitigation measures are hereby adopted and incorporated into the Project (under either option) as conditions of approval for the Project (under either option). Accordingly, changes or alterations have been required or incorporated into the Project (under either option) which avoid or substantially lessen the significant effects as identified in the Final SEIR and adoption of the mitigation measure set forth above will reduce the significant effect to a less-than-significant level. Adoption of the conditions of approval will effectively make the mitigation measures part of the Project (under either option).

SECTION 4: SIGNIFICANT EFFECTS THAT CANNOT BE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

A significant unavoidable impact is an impact that cannot be mitigated to a less than significant level if the Project (under either option) is implemented. Except for the impacts described below, all significant impacts associated with the proposed Project (under either option) would be reduced to a less than significant level with incorporation of mitigation measures identified in the Final SEIR. The Project (under either option) would result in the following significant unavoidable impacts:

4.1 Air Quality

Impact AQ-1: Both Project Options: The Project (under either option) would conflict with or obstruct implementation of the applicable air quality plan by resulting in construction NO_x emissions, operational ROG, NO_x, and PM_{10} emissions and health risks (primarily due to construction emissions) in excess of Bay Area Air Quality Management District (BAAQMD) thresholds and exposing sensitive receptors to substantial pollutant concentrations.

2017 EIR MM AQ-2.1: Both Project Options: Measures to reduce diesel particulate matter (DPM) and PM_{10} from construction shall be implemented to ensure that short-term health impacts to nearby sensitive receptors are avoided. 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 document and ensure implementation of the below dust control measures. Emission reduction measures shall include, at a minimum, the following measures:

- 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. Dewatering effluent extracted from the site may be utilized for watering all exposed surfaces, if found to meet VOC and Fuel General Permit NPDES permit requirements pursuant to the Site Management Plan required per Precise Plan EIR MM HAZ-3.1 in Section 5.8 Hazards and Hazardous Materials.

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

- All construction equipment shall be maintained and properly 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% 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. Dewatering effluent extracted from the site may be utilized for watering all exposed surfaces, if found to meet VOC and Fuel General Permit NPDES permit requirements pursuant to the Site Management Plan required per Precise Plan EIR MM HAZ-3.1 in Section 5.8 Hazards and Hazardous Materials.

- 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' from public paved roads shall be treated with 6" to 12" 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 1%.

2017 EIR MM AQ-3.1: Both Project Options: Construction health risk assessments shall be required on a project-by-project basis, either through screening or refined modeling, to identify impacts and, if necessary, include effective mitigation measures to reduce exposure and significant risks to health, based upon BAAQMD-recommended thresholds for TACs (e.g., 10 in 1 million cancer cases). Reduction in health risk can be accomplished through, though is not limited to, the following measures:

- Construction equipment selection;

- Use of alternative fuels, engine retrofits, and added exhaust devices;

- Modify construction schedule; and

- Implementation of BAAQMD Basic and/or Additional Construction Mitigation Measures for control of fugitive dust.

2017 EIR MM AQ-4.1: Both Project Options: The following measures shall be utilized in site planning and building designs to reduce TAC and $PM_{2.5}$ exposure where new sensitive receptors are located within 650' of U.S. 101:

- Future development under the Precise Plan that includes sensitive receptors (such as residences, schools, hospitals, daycare centers, or retirement homes) located within 650' of U.S. 101, local roadways, and stationary sources shall require site-specific analysis to quantify the level of TAC and $PM_{2.5}$ exposure. This analysis shall be conducted following procedures outlined by BAAQMD. If the site-specific analysis reveals significant exposures, such as cancer risk greater than 10 in 1 million acute or chronic hazards with a Hazard Index greater than 1.0, or annual $PM_{2.5}$ exposures greater than 0.3 $\mu g/m^3$, or a significant cumulative health risk in terms of excess cancer risk greater than 100 in 1 million, acute or chronic hazards with a Hazard Index greater than 10.0, or annual PM2.5 exposures greater than 0.8 $\mu g/m^3$, additional measures such as those detailed below shall be employed to reduce the risk to below the threshold. If this is not possible, the sensitive receptors shall be relocated.

- Future developments that would include TAC sources would be evaluated through the CEQA process or BAAQMD permit process to ensure that they do not cause a significant health risk in terms of excess cancer risk greater than 10 in 1 million, acute or chronic hazards with a Hazard Index greater than 1.0, or annual PM2.5 exposures greater than 0.3 $\mu g/m^3$, or a significant cumulative health risk in terms of excess cancer risk greater than 100 in 1 million, acute or chronic hazards with a Hazard Index greater than 10.0, or annual PM2.5 exposures greater than 0.8 $\mu g/m^3$.

- For significant cancer risk exposure, as defined by BAAQMD, indoor air filtration systems shall be installed to effectively reduce particulate levels to a less than significant level. Project sponsors shall submit performance specifications and design details to demonstrate that lifetime residential exposures would result in less than significant cancer risks (less than 10 in 1 million chances or 100 in 1 million for cumulative sources), Hazard Index or $PM_{2.5}$ concentration.

- Air filtration systems installed shall be rated MERV-13 or higher and a maintenance plan for the air filtration system shall be implemented.

- Trees and/or vegetation shall be planted between sensitive receptors and pollution sources, if feasible. Tree species that are best suited to trapping particulate matter shall be planted, including the following: Pine (Pinus nigra var. maritime), Cypress (*X Cupressocyparis leylandii*), Hybrid poplar (*Populus deltoids X trichocarpa*), and Redwood (*Sequoia sempervirens*).

- Sites shall be designed to locate sensitive receptors as far as feasible from any freeways, roadways, refineries, diesel generators, distribution centers, and rail lines.

- Operable windows, balconies, and building air intakes shall be located as far away from these sources as feasible. If near a distribution center, residents shall not be located immediately adjacent to a loading dock or where trucks concentrate to deliver goods.

MM AQ-1.1: Both Project Options: The Project (under either option) shall implement the following measures during all phases of construction:

- On-road <u>medium- and</u> heavy-duty trucks <u>and off-road equipment and aggregate handling equipment used for construction</u> shall be zero emissions, <u>as certified by the California Air Resources Board,</u> or meet the current most stringent emissions standard, if feasible and commercially available. <u>Where not feasible, ensure heavy-duty or medium-duty diesel-fueled trucks are manufactured within the last eight years.</u>

- 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 NO_x and PM (PM_{10} and $PM_{2.5}$), if feasible; otherwise:

— If use of Tier 4 equipment is not available, alternatively use equipment that meets U.S. EPA emission standards for Tier 2 or 3 engines and include particulate matter emissions control equivalent to CARB Level 3 verifiable diesel emission control devices that altogether achieve an 85% reduction in particulate matter exhaust in comparison to uncontrolled equipment; alternatively (or in combination). The Project applicant shall provide to the City for review and approval documentation showing that engines that comply with Tier 4 Final off-road emission standards are not commercially available for the specific off-road equipment necessary during construction. For purposes of this mitigation measure, "commercially available" shall take into consideration the following factors: (i) potential significant delays to critical-path timing of construction and (ii) the geographic proximity to the Project site of Tier 4 Final equipment.

— Use of alternatively fueled equipment with lower NO_x emissions that meet the NO_x and PM reduction requirements above.

- Use electric portable equipment such as aerial lifts, air compressors, cement mortar mixers, concrete/industrial saws, cranes, and welders. Portable equipment shall be powered by grid electricity or alternative fuels (i.e., not diesel) instead of by diesel generators.

- Provide line power to the site during the early phases of construction to minimize the use of diesel- or gas-powered equipment and access to charging and fueling infrastructure for zero emission construction vehicles where applicable.

- The project shall implement a program that incentivizes construction workers to carpool, use EVs, or use public transit to commute to and from the project site. This program may include, but not limited to, the following features, as feasible: providing a shuttle service to and from the Mountain View Caltrain station; preferential parking to carpool vehicles, vanpool vehicles, and EVs; and scheduling work shifts to be compatible with the schedules of local transit services.

- Diesel engines, whether for off road equipment or on road vehicles, shall not be left idling for more than two minutes, except as provided in exceptions to the applicable State regulations (e.g., traffic conditions, safe operating conditions). The construction sites shall have posted legible and visible signs in designated queuing areas and at the construction site to clearly notify operators of idling limit.

- Use low volatile organic compound or VOC (i.e., ROG) coatings, that are below current BAAQMD requirements (i.e., Regulation 8, Rule 3: Architectural Coatings), for at least 80% of all residential and nonresidential interior paints and 80% of exterior paints. This includes all architectural coatings applied during both construction and reapplications throughout the Project's operational lifetime. At least 80% of coatings applied must meet a "super-compliant" VOC standard of less than 10 grams of VOC per liter of paint. For

reapplication of coatings during the Project's operational lifetime, the Declaration of Covenants, Conditions, and Restrictions shall contain a stipulation for low VOC coatings to be used. Examples of "super-compliant" coatings are contained in the South Coast Air Quality Management District's website.

- The City shall review the above measures every two years to ensure these measures incorporate the latest guidance and tools available to mitigate the identified impacts as recommended by BAAQMD Project construction and introduction of new land uses would occur over 14 years or further into the future where newer measures and measures that are not considered feasible now would be available to further reduce emissions. These could include greater use of zero-emission construction and stationary equipment and more incentives to support zero emission vehicles. New updated mitigations if identified as part of the two year assessment would be implemented with every new building construction approved as part of the Master Plan Project from that point onwards.

MM AQ-1.2: Both Project Options: Permanent stationary emergency generators installed on-site shall have engines that meet or exceed U.S. EPA Tier 4 standards for NO_x and particulate matter emissions.

Findings

Criteria Air Pollutant Emissions—The 2017 EIR disclosed that implementation of the Precise Plan would result in short-term and long-term pollutant emissions from building construction and operations (including operation of stationary sources like emergency backup diesel generators) and vehicle use. The BAAQMD CEQA Air Quality Guidelines do not have numeric thresholds related to direct and indirect regional criterial air pollutant emissions resulting from plan implementation; rather, BAAQMD only requires emission computations for Project-level analysis. Therefore, the construction and operational emissions of the Project (under either option) were modeled and compared to BAAQMD thresholds. Operational criteria pollutant emissions associated with the Project (under either option) would be generated primarily from vehicles driven by future employees, residents, customers, and vendors to and from the Project site and from consumer products.

Because of the different modeling requirements for a specific project versus a plan, the construction and operational criteria pollutant emissions associated with the proposed Project (under either option) would exceed BAAQMD significance thresholds for construction NO_x and operational ROG, NO_x, and PM_{10}.

Community Health Risk—In addition, the Project (under either option) would exceed BAAQMD project-level thresholds for health risk. Therefore, while the Project (under either option) would not conflict with or obstruct implementation of the 2017 Clean Air Plan (CAP) control measures and goals, the Project (under either option) is found to be inconsistent with the 2017 CAP based on the Project (under either option) exceeding BAAQMD project-level thresholds and resulting in significant, unavoidable (with the above mitigation incorporated) construction (NO_x) and

operational criteria air pollutant (ROG, NO_x, and PM_{10}) emissions and health risk impacts (primarily due to construction emissions).

As described herein, mitigation measures have been incorporated into the Project (under either option) that reduce this significant impact. The City of Mountain View hereby finds that implementation of the mitigation measures described above are feasible, and they are hereby adopted and incorporated into the Project (under either option) as conditions of approval for the Project (under either option). Accordingly, changes or alterations have been required or incorporated into the Project (under either option) which substantially lessen the significant effects as identified in the Final EIR and adoption of the mitigation measure set forth above will reduce the significant effect; however, not to a less than significant level. Adoption of the conditions of approval will effectively make the mitigation measures part of the Project.

Impact AQ-2: Both Project Options: The Project (under either option) would result in a cumulatively considerable net increase of construction (NO_x) and operational (ROG, NO_x, and PM_{10}) criteria pollutants for which the Project region is non-attainment under an applicable federal or state ambient air quality standard.

Refer to **2017 EIR MM AQ-2.1**, **MM AQ-1.1, and MM AQ-1.2**.

Findings

The Bay Area does not meet State and/or Federal ambient air quality standards for ground level ozone, fine particulate matter ($PM_{2.5}$), or coarse particulate matter (PM_{10}). High ozone levels are caused by cumulative emissions of ROG and nitrogen oxides (NO_x). Construction period criteria pollutant emissions associated with the Project (under either option) were modeled and emissions were found to be below the BAAQMD significance threshold with the implementation of the above mitigation measures, with the exception of NO_x. Construction NO_x emissions, with implementation of the above mitigation measures, would exceed BAAQMD thresholds in the first year of Project construction (under either option). Operational ROG, NO_x, and PM_{10} criteria pollutant emissions associated with the proposed Project (under either option) would exceed BAAQMD significance thresholds. While it is feasible and enforceable for the City to require super compliant VOC coatings be applied initially (as required by the above Mitigation Measure MM AQ-1.1), the City cannot ensure that future occupants or tenants would use super-compliant VOC coatings during reapplication for the lifetime of the Project (under either option). In addition, there is no feasible mitigation measure to ensure consumer products (such as inks, coatings, and adhesives) used by future residents and tenants would be low in VOCs. Therefore, the Project's operational ROG emissions would be significant and unavoidable. Operational NO_x and PM_{10} emissions are primarily from vehicle trips generated by the Project (under either option). The Project (under either option) includes a comprehensive and aggressive Transportation Demand Management Program and no further feasible mitigation measures to reduce vehicle emissions are available. Therefore, the Project's operational NO_x and PM_{10} emissions (under either option) would be significant and unavoidable.

Impact AQ-3: Both Project Options: The Project (under either option) would expose sensitive receptors to substantial pollutant concentrations.

Refer to **2017 EIR MM AQ-2.1**, **2017 EIR MM AQ-3.1, MM AQ-1.1, and MM AQ-1.2**.

Findings

The Project (under either option) would result in exposure of sensitive receptors near the Project site to TAC emissions in excess of BAAQMD risk thresholds for excess cancer cases and annual $PM_{2.5}$ concentrations primarily from construction emissions. Modeling completed found implementation of City standard condition of approval and mitigation measures 2017 EIR MM AQ-2.1, 2017 EIR MM AQ-2.2, 2017 EIR MM AQ-3.1, MM AQ-1.1, and MM AQ-1.2 would reduce the health risk, but not to a less than significant level; therefore, the impact is significant and unavoidable.

As described herein, mitigation measures have been incorporated into the Project (under either option) that reduce this significant impact. The City of Mountain View hereby finds that implementation of the mitigation measures described above are feasible, and they are hereby adopted and incorporated into the Project (under either option) as conditions of approval for the Project (under either option). Accordingly, changes or alterations have been required or incorporated into the Project (under either option) which substantially lessen the significant effects as identified in the Final EIR and adoption of the mitigation measure set forth above will reduce the significant effect; however, not to a less than significant level. Adoption of the conditions of approval will effectively make the mitigation measures part of the Project (under either option).

Impact AQ-C: Both Project Options: The Project (under either option) would result in a cumulatively considerable contribution to a cumulatively significant air quality impact in regard to the implementation of the 2017 CAP and net increase in criteria pollutants.

Refer to **2017 EIR MM AQ-2.1**, **2017 EIR MM AQ-3.1, MM AQ-1.1, and MM AQ-1.2**.

Findings

By its very nature, air pollution is largely a cumulative impact. In developing thresholds of significance for air pollution, BAAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's air quality conditions. That is, if a project exceeds the BAAQMD significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions.

Implementation of the 2017 CAP—As described above under Impact AQ-1, the Project (under either option) would be consistent with the 2017 CAP goals, but would result in significant,

unavoidable construction NOx emissions, operational ROG, NO_x, and PM_{10} emissions, and health risks (primarily due to construction emissions). The Project's implementation (under either option) of City standard conditions of approval, 2017 EIR MM AQ-2.1, 2017 EIR MM AQ-2.2, 2017 EIR MM AQ-3.1, MM AQ-1.1, and MM AQ-1.2 would reduce these impacts but not to a less than significant level (as detailed under the findings for Impact AQ-1, Impact AQ-2, and Impact AQ-3 above). The Project (under either option), therefore, would result in a cumulatively considerable impact to the implementation of the 2017 CAP.

Net Increase in Criteria Pollutants—As discussed under Impact AQ-1, the Project (under either option) would result in significant, unavoidable NO_x emissions during construction and ROG, NO_x, and PM_{10} emissions during operations. Implementation of mitigation measures 2017 EIR MM AQ-2.1, 2017 EIR MM AQ-2.2, 2017 EIR MM AQ-3.1, MM AQ-1.1, and MM AQ-1.2 would reduce this impact; however, not to a less than significant level as detailed under the findings for Impact AQ-2 above. The Project (under either option), therefore, would result in a cumulatively considerable criteria pollutant impact.

As described herein, mitigation measures have been incorporated into the Project (under either option) that reduce this significant impact. The City of Mountain View hereby finds that implementation of the mitigation measures described above are feasible, and they are hereby adopted and incorporated into the Project (under either option) as conditions of approval for the Project (under either option). Accordingly, changes or alterations have been required or incorporated into the Project (under either option) which substantially lessen the significant effects as identified in the Final EIR and adoption of the mitigation measure set forth above will reduce the significant effect; however, not to a less than significant level. Adoption of the conditions of approval will effectively make the mitigation measures part of the Project (under either option).

4.2 Greenhouse Gas Emissions

Impact GHG-2: Both Project Options: The Project (under either option) would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs in regard to the 2017 CAP and City Greenhouse Gas Reduction Program (GGRP) by resulting in construction NO_x emissions, operational ROG, NO_x, and PM_{10} emissions, and health risks (primarily due to construction emissions) in excess of Bay Area Air Quality Management District (BAAQMD) thresholds and exceeding the development and GHG emissions assumptions in the GGRP.

Refer to **2017 EIR MM AQ-2.1**, **MM AQ-1.1, and MM AQ-1.2**.

Findings

The 2017 EIR concluded that implementation of the Precise Plan would be consistent with the 2017 CAP, Plan Bay Area 2050, and California Transportation Plan 2040. The Project (under either option) is consistent with the Precise Plan; therefore, it is consistent with Plan Bay Area 2050 and

California Transportation Plan 2040 for the same reasons disclosed in the 2017 EIR for the Precise Plan. The Project (under either option) is inconsistent with the 2017 CAP because it would exceed BAAQMD significance thresholds for construction NO_x, operational ROG, NO_x, and PM_{10} emissions, and health risk and would be inconsistent with the GGRP because the Project development and resulting emissions are greater than what was assumed in the City's GGRP (as well as the 2017 EIR). Therefore, the Project (under either option) would result in a new significant and unavoidable impact.

As described herein, mitigation measures have been incorporated into the Project (under either option) that reduce this significant impact. The City of Mountain View hereby finds that implementation of the mitigation measures described above are feasible, and they are hereby adopted and incorporated into the Project (under either option) as conditions of approval for the Project (under either option). Accordingly, changes or alterations have been required or incorporated into the Project (under either option) which substantially lessen the significant effects as identified in the Final EIR and adoption of the mitigation measure set forth above will reduce the significant effect; however, not to a less than significant level. Adoption of the conditions of approval will effectively make the mitigation measures part of the Project (under either option).

Impact GHG-C: Both Project Options: The Project (under either option) would result in a cumulatively considerable contribution to a cumulatively significant GHG emissions impact by being inconsistent with the 2017 CAP and GGRP.

Refer to **2017 EIR MM AQ-2.1**, **MM AQ-1.1, and MM AQ-1.2**.

Findings

GHG emissions have a broader, global impact; therefore, if a Project results in an individual significant GHG impact, its contribution to a significant cumulative impact would be qualify as considerable. As discussed above under Impact GHG-2, the Project (under either option) would result in a significant GHG impact by conflicting with the 2017 CAP and GGRP. Therefore, the Project (under either option) would have a cumulatively considerable contribution to a significant cumulative GHG emissions impact.

As described herein, mitigation measures have been incorporated into the Project (under either option) that reduce this significant impact. The City of Mountain View hereby finds that implementation of the mitigation measures described above are feasible, and they are hereby adopted and incorporated into the Project (under either option) as conditions of approval for the Project (under either option). Accordingly, changes or alterations have been required or incorporated into the Project (under either option) which substantially lessen the significant effects as identified in the Final EIR and adoption of the mitigation measure set forth above will reduce the significant effect; however, not to a less than significant level. Adoption of the

conditions of approval will effectively make the mitigation measure part of the Project (under either option).

SECTION 5: FEASIBILITY OF ALTERNATIVES TO THE PROPOSED PROJECT

The Draft SEIR included seven project alternatives. Four of these alternatives (Location Alternative; Alternative Site Design, Smaller Project Site; No Project Redevelopment; and Mitigated 86% Reduced Development) were considered but screened out from further evaluation because of infeasibility and inability of the alternative(s) to avoid or reduce the impacts further or meet the Precise Plan and City's vision for the area, as further described in Section 8.2.1 of the Draft SEIR. Therefore, the SEIR evaluated three Alternatives (No New Development, Reduced Development—11%, and Reduced Development—39%) for further analysis.

The City hereby concludes that the Final SEIR evaluated a reasonable range of potentially feasible alternatives to the proposed Project (under either option) so as to foster informed public participation and informed decision-making. For the reasons set forth in the Final EIR and summarized below, and in other relevant evidence in the Record of Proceedings, the City hereby rejects each of the alternatives and approves the Project.

The basis for rejecting each of these Alternatives is summarized below and detailed more fully in the Final SEIR (see Section 9.0 of the Draft SEIR) and other relevant materials in the Record of Proceedings.

5.1 No Project, No New Development Alternative

Under the No Project, No New Development Alternative, the Project site would remain as it is today. Under existing conditions, the site is developed with a total of approximately 1,853,703 square feet of office, light industrial, and retail uses.

Findings

Given no new development under this alternative, it would avoid the Project's significant, unavoidable air quality and GHG impacts related to construction NO_x, operational ROG, NO_x, and PM_{10} emissions, and health risks (primarily due to construction emissions), as well as avoid all other impacts because it would not change existing conditions.

The No Project, No New Development Alternative is rejected as infeasible because it would not meet any of the Project objectives. This alternative would not redevelop the site consistent with the Precise Plan vision with a high-density mix of uses (including residential) and open space/park land (Objectives 1 through 5, and 7). In addition, the uses would not implement a robust TDM plan (Objective 6) or include a district utilities system (Objective 8). This alternative would not meet any of the Precise Plan's guiding principles because it would not redevelop the site consistent with the Precise Plan. Because this alternative would not include housing, it would also not assist the City in meeting its RHNA for new housing.

5.2 Mitigated 11% Reduced Development Alternative

The purpose of the Mitigated 11% Reduced Development Alternative is to avoid the Project's significant and unavoidable construction NOx emissions impacts with the incorporation of the air quality mitigation measures identified for the Project (under either option). To reduce the Project's NOx emissions during construction, the overall development would have to be reduced by approximately 11% to achieve less than significant impacts with mitigation incorporated. This alternative, therefore, assumes approximately 2.8 million square feet of office uses, 6,230 residential units, 467 hotel rooms, 217,000 square feet of retail uses, 49,000 square feet of community/civic uses and 23.4 acres of parks and open space.

Findings

The Mitigated 11% Reduced Development Alternative would avoid the Project's significant, unavoidable construction NO_x impact with incorporation of the same mitigation measures identified for the Project (under either option). This alternative would result in similar significant and unavoidable construction health risk (Impact AQ-1) and operational ROG, NO_x, and PM_{10} (Impact AQ-1) impacts as the Project under either option. This alternative would result in similar VMT impacts as the Project under either option because the amount of development and the service population would be reduced proportionally and result in the same VMT rate. This alternative would result in similar energy, Project-generated traffic noise, population and housing, public services, and utilities and services impacts as the Project under either option though to a lesser degree because this alternative would have less development (thereby generating less vehicle trips and population). All other impacts (aesthetics, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use, and recreation) would be the similar to the Project given this alternative would result in development of the same site.

This alternative aligns with several Precise Plan Principles as it promotes a new mixed-use neighborhood with residential, commercial, retail, and open space uses in greater intensities near transit. However, not to the same extent as the proposed Project (under either option). For example, Project Objective 4 is to provide approximately 7,000 new residential units. This alternative includes 6,230 residential units (whereas the Project proposes 7,000 under either option). Therefore, this alternative would assist the City in meeting its RHNA for new housing to a lesser extent than the proposed Project. Objective 5 is to provide approximately 3.0 million square feet of office uses and this alternative includes 2.8 million square feet of office uses (whereas the Project proposes 3.1 million square feet under either option). Objective 7 is to provide new open space and public park areas and this alternative would provide 23.4 acres (whereas the Project proposes 26.3 acres under either option).

This alternative does not fully deliver high-density, alternative transportation/transit-oriented development to the levels contemplated in the Precise Plan. An 11% reduction in development

would result in less development overall in North Bayshore. This would hamper the associated development of transit connections due to less concentration of density (Precise Plan Principles 5 and 8) and would result in less affordable housing (Precise Plan Principle 3). This alternative would also result in an equivalent reduction in area funding for parks, open space, infrastructure, and supportive retail and service uses called for in the Precise Plan (Precise Plan Principles 6, 9, 13, and 14). Additionally, because this alternative would develop a mix of uses onsite, it could include community benefits, although to a lesser extent than the Project as community benefits are based upon total development proposed.

This alternative is hereby rejected as infeasible because it does not meet the Project objectives or the policy goals of the Precise Plan as well as the proposed Project. It is also inconsistent with the General Plan Housing Element's obligation and policy to facilitate meeting the City's RHNA goal.

5.3 Mitigated 39% Reduced Development Alternative

The purpose of the 39% Reduced Development Alternative is to avoid the Project's significant and unavoidable construction NO_x emissions, operational NO_x and PM_{10} emissions, and health risk (cancer and annual $PM_{2.5}$) impacts with the incorporation of the air quality mitigation measures identified for the Project (under either option). To reduce the Project's construction NO_x emissions, operational NO_x and PM_{10} emissions, and TAC emissions during construction and operation, the overall development would have to be reduced by approximately 39%. This alternative, therefore, assumes approximately 1.9 million square feet of office uses, 4,270 residential units, 320 hotel rooms, 148,840 square feet of ground floor retail space, 33,550 square feet of community/civic uses, and 16 acres of parks and open space.

Findings

The 39% Reduced Development Alternative would reduce the Project's significant and unavoidable construction NO_x impact, health risk (cancer and annual $PM_{2.5}$) impact, and operational NO_x and PM_{10} to a less than significant level with incorporation of the same mitigation measures identified for the Project (under either option). This alternative would result in similar VMT impacts as the Project under either option because the amount of development and the service population would be reduced proportionally and result in the same VMT rate. This alternative would result in similar operational ROG, energy, Project-generated traffic noise, population and housing, public services, and utilities and services impacts as the Project under either option though to a lesser degree because this alternative would have less development (thereby generating less emissions, vehicle trips, and population). All other impacts (aesthetics, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use, and recreation) would be the same as the Project given this alternative would result in redevelopment of the same site.

The 39% Reduced Development Alternative would not meet Project Objectives 4 or 5 of providing approximately 7,000 residential units and 3 million square feet of office uses. The alternative would include 4,270 residential units and 1.9 million square feet of office uses. This alternative could meet Project Objectives 1 and 2 of redeveloping the site with a mix of uses, including employment uses. The alternative could meet Project Objective 3, but not to the same extent as the Project, because it would not be as dense and therefore not as efficient of use of land. This alternative could provide a robust TDM program and provide new open space and public parks. Under this alternative, approximately 16 acres of open space/park land would be provided, which is less than the 26.3 acres proposed by the Project (under either option). This alternative could also provide a district utilities system, consistent with Objective 8.

A 39% reduction in development would not meet the Precise Plan (stainability, density, infrastructure, and transit) goals to the same degree as the Project (under either option). This alternative would not result in a development which meets the Precise Plan's land use targets intended to create Complete Neighborhoods. This Project would alternative would assist the City in meeting its RHNA for new housing to a substantially lesser extent than the proposed Project or the 11% reduced development alternative. A reduced Project would not produce density (and the development fees and required improvements it facilitates) required to promote housing affordability, improve transportation connections, expand and improve public spaces, concentrate growth to support transit, and promote alternative modes of transportation.

This alternative is hereby rejected as infeasible because it does not meet most of the Project objectives and does not further the vision and goals of the Precise Plan to the same degree as the proposed Project. It is also inconsistent with the General Plan Housing Element's obligation and policy to facilitate meeting the City's RHNA goal.

5.4 Environmentally Superior Alternative(s)

CEQA Guidelines Section 15126.6 (e)(2) states that an EIR shall identify an environmentally superior alternative. If the environmentally superior alternative is the "No Project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

Based on the discussion of Project alternatives, the environmentally superior alternative to the Project is the No Project, No New Development Alternative because it would avoid all of the Project's significant environmental impacts. Among the other alternatives, the Mitigated 39% Reduced Development Alternative would be an environmentally superior alternative because it would avoid one or more of the Project's significant, unavoidable impacts (construction NO_x emissions, health risk [cancer and annual PM2.5] impact, and/or operational NO_x and PM10 emissions), and result in lesser impacts to other resource areas compared to the Project (under either option).

SECTION 6: STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a Project against its unavoidable risks when determining whether to approve a project. If the specific economic, legal, social, technological or other benefits of the Project (under either option) outweigh the unavoidable adverse environmental effects, those effects may be considered acceptable. CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are not avoided or substantially lessened. Those reasons must be based on substantial evidence in the Final EIR or elsewhere in the administrative record.

The Final SEIR and the CEQA Findings of Fact conclude that implementing the North Bayshore Master Plan will result in certain significant impacts to the environment that cannot be avoided or substantially lessened with the application of feasible mitigation measures or feasible alternatives. A Statement of Overriding Considerations is therefore necessary to comply with CEQA, Public Resources Code, Section 21081, and the State CEQA Guidelines, Section 15093. The significant and unavoidable impacts and the benefits related to the Project are:

- **Air Quality: Conflict with Air Quality Plan (Impact AQ-1, Impact AQ-C)**—The Project (under either option) would conflict with or obstruct implementation of the applicable air quality plan by resulting in construction NO_x emissions, operational ROG, NO_x, and PM_{10} emissions, and health risks (primarily due to construction emissions) in excess of Bay Area Air Quality Management District (BAAQMD) thresholds.

- **Air Quality: Increase of Any Criteria Pollutant (Impact AQ-1, Impact AQ-2, and Impact AQ-C)**—The Project (under either option) would result in a cumulatively considerable net increase of construction (NO_x) and operational (ROG, NO_x, and PM_{10}) criteria pollutants for which the Project region is nonattainment under an applicable federal or state ambient air quality standard.

- **Air Quality: Exposure to Substantial Pollutant Concentrations (Impact AQ-1, Impact AQ-3, and Impact AQ-C)**—The Project (under either option) would expose sensitive receptors to substantial pollutant concentrations.

- **Greenhouse Gas Emissions: Conflict with GHG Plan (Impact GHG-2 and Impact GHG-C)**—The Project (under either option) would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs in regard to the 2017 CAP and GGRP.

The City further specifically finds that the significant unavoidable impacts are outweighed by the proposed Project's benefits and are acceptable in light of the benefits of the Project (under either option), based on the findings below:

- The City has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the Project (under either option), as described above.

- All Mitigation Measures recommended in the Final EIR have been incorporated into the Project (under either option) and will be implemented through the MMRP, incorporated by reference herein.

- In accordance with CEQA Guidelines Section 15093, the City has, in determining whether or not to approve the Project, balanced the economic, legal, social, technological, and other benefits, including region-wide or statewide environmental benefits of the Project (under either option) against these unavoidable environmental risks, and has found that the benefits of the Project (under either option) outweigh the unavoidable adverse environmental effects. The following statements specify the reasons why, in the City's judgment, the benefits of the Project (under either option) outweigh its unavoidable environmental risks. The City also finds that any one of the following reasons for approval cited below is sufficient to justify approval of the Project (under either option). Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City will stand by its determination that each individual reason is sufficient. The substantial evidence supporting the City's Findings and the benefits described below can be found in the Record of Proceedings.

The City of Mountain View finds that the North Bayshore Master Plan Project (under either option) has benefits that outweigh the significant, unavoidable impacts identified above. The benefits of the Project (under either option) are:

6.1 Economic Benefits

- The Project would develop the area with residential and office uses at an increased density and FAR near major roadways, providing a more efficient use of available land and improved pedestrian and bicycle network. The Project would redevelop an underutilized site with a greater land-use intensity of office development, residential, and retail that supports business growth in the City.

- The Project would include a high-quality office development, attracting regional enterprises to or retaining existing enterprises in the City.

- The Project would implement the North Bayshore Precise Plan (NBPP or the Precise Plan) and specifically implement the City's vision for creating complete neighborhoods in the North Bayshore Area.

- The Project would provide for beneficial, City revenue-generating infill in support of the City's long-term fiscal health, including offsetting any increased City staffing needs generated by population growth.

- The Project would advance the vision of the NBPP by providing sustainable, economically diverse uses.

- The Project would generate revenue for the City through increased property tax revenue and Community Benefit Contribution from the Project.

- Development of the Project would create new jobs.

6.2 Social Benefits

- The Project would lead to the redevelopment of an underutilized site served by existing transportation and utility infrastructure.

- The Project would increase housing supply in the City, which further improves the jobs-housing imbalance and would contribute housing units to facilitate the City's meeting its RHNA for the new RHNA cycle starting in 2023.

- The Project would expand and enhance recreational open space options within the City by providing series of connected new public parks and publicly accessible open space linking to existing natural assets along Stevens and Permanente Creeks, Shoreline at Mountain View regional park, Charleston Retention Basin, and Charleston Park.

- The Project would also meet the City's General Plan land use goals and policies which promote pedestrian and bicycle connections to services and employers by creating on-site pedestrian and bicycle amenities.

- The Project would provide support future active uses in the City through their public benefit program, which will further available neighborhood-serving uses to residents, workers, and visitors in the area.

- The Project would improve the overall aesthetic and visual quality of the NBPP area and support connectivity of natural elements throughout the Master Plan Area.

- The Project would extend Citywide pedestrian and bicycle pathways to connect neighborhoods, open space resources, and major destinations within the City and into the adjoining areas.

Regionwide or Statewide Environmental Benefits

- The Project would promote compact growth by increasing job opportunities at a location near existing transportation and utility infrastructure with the goal of reducing the region's overall greenhouse gas emissions and VMT by focusing development near transit and infrastructure with a TDM program.

The City Council has carefully weighed these impacts and benefits and finds that the benefits of implementing the Project (under either option) outweigh the above significant and unavoidable environmental impacts.

The City Council finds that each of the above specific economic, legal, social, technological, environmental, and other considerations and benefits of the North Bayshore Master Plan (under either option), separately and independently, outweigh the unavoidable adverse environmental effects of the Project, and each one is an overriding consideration independently warranting Project approval. The Council finds that the significant unavoidable impacts of the Project (under either option) are overridden by each of these individual considerations, standing alone. The significant unavoidable environmental effects remaining after adoption of mitigation measures are considered acceptable in light of these significant benefits of the North Bayshore Master Plan (under either option), as described in this Statement of Overriding Considerations.

SECTION 7: CONCLUSION; NO RECIRCULATION OF THE FINAL EIR IS REQUIRED

> An EIR is adequate as long as it provides specific response to all specific questions about significant environmental issues, and as long as the EIR, as a whole, reflects a good faith effort at full disclosure. "Recirculation is not required where the new information added to an EIR merely clarifies or amplifies or makes insignificant modification in an adequate EIR." (CEQA Guidelines Section 15088.5(b))

Per CEQA Guidelines Section 15088.5(a), new information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect on the Project (under either option) or a feasible way to mitigate or avoid such an effect that the Project's proponents have declined to implement. "Significant new information" requiring recirculation includes, for example, a disclosure showing:

(1) A new significant environmental impact that would result from the Project (or any alternative) or from a new mitigation measure proposed to be implemented.

(2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact toa level of insignificance.

(3) A feasible Project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the Project, but the Project's proponents decline to adopt it.

(4) The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

The City finds the SEIR is not inadequate nor did any of the commenters disclose any new "significant information" as defined by CEQA that would require recirculation of the SEIR. No new significant or substantially more severe environmental impacts have been identified that would result from the Project (under either option) or from an alternative or a new mitigation measure proposed as part of the Project (under either option). Moreover, no new feasible mitigation measures or alternatives have been identified that are considerably different from others previously analyzed and would clearly lessen the significant environmental impacts of the Project (under either option) that the City and the applicant have declined to implement. All of the responses to comments contained in this Final SEIR merely provide information that clarifies and amplifies the evaluation of impacts contained in the Draft SEIR.

Pursuant to CEQA Guidelines Section 15091(a), based on the foregoing Findings of Fact and the information contained in the record, the City Council has made one or more of the following findings with respect to each of the significant effects of the Project (under either option):

(1) Changes or alterations have been required in, or incorporated into, the Project, which avoid or substantially lessen the significant effects as identified in the final EIR.

(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by sch other agency.

(3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or Project alternatives identified in the final SEIR.

CITATIONS

1. City of Mountain View. *North Bayshore Precise Plan Final Subsequent Environmental Impact Report.* State Clearinghouse No. 2013082088. November 2017.

2. City of Mountain View. *Draft Subsequent Environmental Impact Report for the North Bayshore Master Plan Project.* State Clearinghouse No. 2022020712. December 2022.

3. City of Mountain View. 2022. *Final Environmental Impact Report for the North Bayshore Master Plan Project.* State Clearinghouse No. 2022020712. April 2023.

4. City of Mountain View. *Mitigation Monitoring and Reporting Program for the North Bayshore Master Plan Project.* April 2023.

City of Mountain View

MITIGATION MONITORING & REPORTING PROGRAM
North Bayshore Master Plan Project
State Clearinghouse No. 2022020712

This MMRP identifies the new project-specific mitigation measures and revised 2017 North Bayshore Precise Plan mitigation measures required of the project. The project is also subject to the mitigation measures identified in the 2017 MMRP enclosed as Appendix A.

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance and Oversight of Implementation	Timing of Compliance
PROJECT-SPECIFIC MITIGATION MEASURES				
Air Quality Impacts				
Impact AQ-1: Both Project Options: The project (under either option) would conflict with or obstruct implementation of the applicable air quality plan by resulting in construction NO_x emissions, operational ROG, NO_x, and PM_{10} emissions, and health risks (primarily due to construction emissions) in excess of BAAQMD thresholds even with the implementation of mitigation. **(New Impact [Significant and Unavoidable Impact with Mitigation Incorporated])**	**2017 EIR MM AQ-2.1[1]: Both Project Options:** Measures to reduce diesel particulate matter (DPM) and PM_{10} from construction shall be implemented to ensure that short-term health impacts to nearby senssitive receptors are avoided. 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 document and ensure implementation of the below dust control measures. Emission reduction measures shall include, at a minimum, the following measures: • 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	Project applicant and any contractors implementing the project	All mitigation measures shall be printed on all construction documents, contracts, and project plans. Oversight of implementation by City of Mountain View Chief Building Official and Fire Marshal (or their designees).	Prior to issuance of grading and demolition permits, if used during construction, and prior to issuance of building permits, if permanent installation.

[1] The 2017 EIR mitigation measure has been revised to reflect the updated BAAQMD best management practices identified in the updated 2017 BAAQMD CEQA Air Quality Guidelines and additional recommendations from BAAQMD.

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance and Oversight of Implementation	Timing of Compliance
	day in order to maintain adequate soil moisture for dust control. Dewatering effluent extracted from the site may be utilized for watering all exposed surfaces, if found to meet VOC and Fuel General Permit NPDES permit requirements pursuant to the Site Management Plan required per Precise Plan EIR MM HAZ-3.1. • 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 measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. • All construction equipment shall be maintained and properly tuned in accordance with manufacturer's			

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance and Oversight of Implementation	Timing of Compliance
	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% 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. Dewatering effluent extracted from the site may be utilized for watering all exposed surfaces, if found to meet VOC and Fuel General Permit NPDES permit requirements pursuant to the Site Management Plan required per Precise Plan EIR MM HAZ-3.1. • 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' from public paved roads shall be treated with 6" to			

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance and Oversight of Implementation	Timing of Compliance
	12" 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 1%. **MM AQ-1.1: Both Project Options:** The project (under either option) shall implement the following measures during all phases of construction: • On-road medium- and heavy-duty trucks and off-road equipment and aggregate handling equipment used for construction shall be zero emissions, as certified by the California Air Resources Board, or meet the current most stringent emissions standard, if feasible and commercially available. Where not feasible, ensure heavy-duty and medium-duty diesel-fueled trucks are manufactured within the last eight years. • 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 NO_x and PM (PM_{10} and $PM_{2.5}$), if feasible; otherwise, — If use of Tier 4 equipment is not available, alternatively use equipment that meets U.S. EPA emission standards for Tier 2 or 3 engines and include particulate matter emissions control equivalent to CARB Level 3 verifiable diesel emission control devices that altogether achieve an 85% reduction in particulate matter exhaust in comparison to uncontrolled equipment; alternatively (or in combination). The project applicant shall provide to the City for review and approval documentation showing that engines that comply with Tier 4 Final off-road emission			

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance and Oversight of Implementation	Timing of Compliance
	standards are not commercially available for the specific off-road equipment necessary during construction. For purposes of this mitigation measure, "commercially available" shall take into consideration the following factors: (i) potential significant delays to critical-path timing of construction and (ii) the geographic proximity to the project site of Tier 4 Final equipment. — Use of alternatively fueled equipment with lower NO_x emissions that meet the NO_x and PM reduction requirements above. • Use electric portable equipment such as aerial lifts, air compressors, cement mortar mixers, concrete/industrial saws, cranes, and welders. Portable equipment shall be powered by grid electricity or alternative fuels (i.e., not diesel) instead of by diesel generators. • Provide line power to the site during the early phases of construction to minimize the use of diesel- or gas-powered equipment and access to charging and fueling infrastructure for zero emission construction vehicles where applicable. • The project shall implement a program that incentivizes construction workers to carpool, use EVs, or use public transit to commute to and from the project site. This program may include, but not limited to, the following features, as feasible: providing a shuttle service to and from the Mountain View Caltrain station; preferential parking to carpool vehicles, vanpool vehicles, and EVs; and scheduling work shifts to be compatible with the schedules of local transit services. • Diesel engines, whether for off road equipment or on-road vehicles, shall not be left idling for more than two minutes, except as provided in exceptions to the applicable State regulations (e.g., traffic conditions, safe operating conditions). The construction sites shall have			

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance and Oversight of Implementation	Timing of Compliance
	posted legible and visible signs in designated queuing areas and at the construction site to clearly notify operators of idling limit.			
	• Use low volatile organic compound or VOC (i.e., ROG) coatings, that are below current BAAQMD requirements (i.e., Regulation 8, Rule 3: Architectural Coatings), for at least 80% of all residential and nonresidential interior paints and 80% of exterior paints. This includes all architectural coatings applied during both construction and reapplications throughout the project's operational lifetime. At least 80% of coatings applied must meet a "super-compliant" VOC standard of less than 10 grams of VOC per liter of paint. For reapplication of coatings during the project's operational lifetime, the Declaration of Covenants, Conditions, and Restrictions shall contain a stipulation for low VOC coatings to be used. Examples of "super-compliant" coatings are contained in the South Coast Air Quality Management District's website.[2]	Project applicant and any contractors implementing the project	All mitigation measures shall be printed on all construction documents, contracts, and project plans. Stipulation for low VOC coatings for reapplication during the project's operational lifetime shall be printed in the Declaration of Covenants, Conditions, and Restrictions. Oversight of implementation by City of Mountain View Chief Building Official and Fire Marshall (or their Designees).	Prior to issuance of grading and demolition permits, if used during construction, and prior to issuance of building permits, if permanent installation. At the time of reapplication of coatings.
	• The City shall review on a biannual basis the measures above to ensure that these incorporate feasible measures recommended by BAAQMD. Project construction and introduction of new land uses would occur over 14 years or further into the future where newer measures and measures that are not considered feasible now would be available to further reduce emissions. These could include greater use of zero-	Project applicant	All mitigation measures shall be reviewed and updated as needed and printed on all construction documents, contracts, and project plans.	Prior to issuance of grading and demolition permits, if used during construction, and prior to issuance of building permits, if permanent

[2] South Coast Air Quality Management District. "Super-Compliant Architectural Coatings." Accessed December 7, 2022. http://www.aqmd.gov/home/rules-compliance/compliance/vocs/architectural-coatings/super-compliant-coatings.

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance and Oversight of Implementation	Timing of Compliance
	emission construction and stationary equipment and more incentives to support zero emission vehicles. **MM AQ-1.2: Both Project Options:** Permanent stationary emergency generators installed on-site shall have engines that meet or exceed U.S. EPA Tier 4 standards for NO_x and particulate matter emissions. Refer to 2017 MMRP for 2017 EIR MM-3.1.	Project applicant	All mitigation measures shall be printed on all construction documents, contracts, and project plans. Oversight of implementation by City of Mountain View Chief Building Official and Fire Marshal (or their designees).	installation. Prior to issuance of building permits.
Impact AQ-2: Both Project Options: The project (under either option) would result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable Federal or State ambient air quality standard even with the implementation of mitigation. **(New Impact [Significant, Unavoidable Impact with Mitigation Incorporated])**	Refer to 2017 EIR MM AQ-2.1, MM AQ-1.1, and MM AQ-1.2 above.			

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance and Oversight of Implementation	Timing of Compliance
Impact AQ-3: Both Project Options: The project (under either option) would expose sensitive receptors to substantial pollutant concentrations even with the implementation of mitigation. **(New Impact [Significant, Unavoidable Impact with Mitigation Incorporated])**	Refer to 2017 EIR MM AQ-2.1, MM AQ-1.1, and MM AQ-1.2 above. Refer to 2017 MMRP for 2017 EIR MM-3.1.			
Impact AQ-4: Project with District Utilities System Option: The project with District Utilities Systems Option would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people with the implementation of mitigation. **(New Impact [Less than Significant Impact with Mitigation Incorporated])**	**MM AQ-4.1: Project with District Utilities System Option:** The project applicant shall develop and implement an odor control plan that addresses plant design issues to control odors, identifies operating and maintenance procedures to prevent odors, and includes a corrective action plan to respond to upset conditions and odor complaints. The odor control plan shall describe the design elements and best management practices built into the facility, including the following: • Ventilation of the system using carbon absorption, biofiltration, ammonia scrubbers, or other effective means to treat exhausted air from the enclosed facility; • Odorproofing of refuse containers used to store and transport grit and screenings or biosolids; and • Injection of chemicals to control hydrogen sulfide. The plan shall describe procedures to address upset conditions caused by equipment failures, power outages, flow control, or treatment issues, as well as odor complaints. Procedures would include investigating and identifying the source of the odor/odor complaint and corrective actions could include installing specific odor control technologies (e.g., odor control units) or adjusting plant operations (e.g., by adding ferrous chloride injections). The plan shall be reviewed and approved by the	Project applicant	Mitigation measure shall be printed on project plans. Odor control plan submitted to the City and BAAQMD. Posting of notification sign on-site. Maintenance of odor complaint log and corresponding responses by operator. Oversight of implementation by City of Mountain View Public Works Director and Community Development Director (or their designees) and BAAQMD.	Prior to issuance of building permits for the District Central Plant. Ongoing during project operations.

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance and Oversight of Implementation	Timing of Compliance
	Public Works Director (or the Director's designee) and BAAQMD prior to issuance of building permits for the DCP. In the event the facility receives confirmed complaints related to five separate incidents per year averaged over a three-year period, pursuant to BAAQMD CEQA Guidelines, the plant shall revise the odor control plan and resubmit it to the City for review and approval. If implementation of additional measures to control odors described in the plan does not lessen the complaints to less than five per year, the plant shall cease operations. All wastewater generated by the project shall be directed to the municipal wastewater system, and subsequent environmental review shall be required to assess the impacts of continued operations of the facility. Post a publicly visible sign with the telephone number and person to contact regarding odor complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations. A log of odor complaints and procedures implemented to respond to complaints shall be maintained by the operator and provided to the City upon request.			
Impact AQ-C: Both Project Options: The project (under either option) would result in a cumulatively considerable contribution to a significant cumulative air quality impact even with the implementation of mitigation. **(New Impact [Significant, Unavoidable Cumulative Impact with Mitigation Incorporated])**	Refer to 2017 EIR MM AQ-2.1, MM AQ-1.1, and MM AQ-1.2 above. Refer to 2017 MMRP for 2017 EIR MM AQ-3.1.			

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance and Oversight of Implementation	Timing of Compliance
Biological Resources Impacts				
Impact BIO-1: Both Project Options: The project (under either option) 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 with the implementation of mitigation. **[New Impact (Less than Significant Impact with Mitigation Incorporated)]**	**MM BIO-1.1: Both Project Options:** Within two years prior to disturbance of ruderal habitat for construction of the Shoreline Amphitheatre parking structure, a qualified biologist shall conduct a survey for Congdon's tarplant during the appropriate season (e.g., late summer and fall), at a time when the species is detectable at nearby reference sites. The survey shall cover all areas within, and within 50' of, the construction area for the parking structure. If Congdon's tarplant is found in the survey area, the applicant shall comply with North Bayshore Precise Plan Landscape Design Standard 4 to protect and manage Congdon's tarplant. Management measures would be developed in coordination with the California Department of Fish and Wildlife, and may include establishment of a new population or enhancement of existing populations at Shoreline at Mountain View regional park (in coordination with the City of Mountain View).	Project applicant	All mitigation measures shall be printed on all construction documents, contracts, and project plans. A qualified biologist shall conduct a survey for Congdon's tarplant. Coordination with California Department of Fish and Wildlife if deemed necessary. Oversight of implementation by City of Mountain View Community Development Director (or their Designees).	Within two years prior to issuance of grading or demolition permits for the Amphitheatre parking structure.
	MM BIO-1.2: Both Project Options: Nonnative milkweeds shall not be included in Master Plan landscaping. Although native milkweeds are encouraged in landscaping, they shall not be irrigated after August to allow those plants to senesce so that monarch butterflies do not lay eggs on those plants too late in fall, and so that no suitable hostplants are present in late fall that might encourage monarch butterflies to attempt winter breeding instead of migrating to coastal aggregation sites.	Project applicant	Mitigation shall be printed on all construction documents, contracts, and project plans, as well as Declaration of Covenants, Conditions, and Restrictions. Nonnative milkweeds shall not be included in Master Plan landscaping palettes. Native milkweed plants shall not be irrigated after August.	Prior to issuance of building permits. On-going during project operations.

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance and Oversight of Implementation	Timing of Compliance
			Oversight of implementation by City of Mountain View Community Development Director (or designees).	
	MM BIO-1.3: Both Project Options: Within two weeks prior to any clearing, construction, or maintenance in landscaped areas that provide milkweeds that have not completely senesced, a qualified biologist shall survey those milkweed plants for monarch butterfly eggs, larvae, or pupae. If the plants do not support monarch butterfly eggs, larvae, or pupae, the qualified biologist shall remove those plants immediately (during the survey) to prevent monarch butterflies from laying eggs between the time of the survey and initiation of impacts. If any eggs, larvae, or pupae are detected within the survey area, then impacts to the plants supporting those individuals shall be delayed until the emergence of those individual butterflies as adults. If such a delay is infeasible, the applicant shall coordinate with the U.S. Fish and Wildlife Service (USFWS) regarding recommendations. For example, larvae could be relocated to milkweeds outside the impact area, if those milkweeds are not already occupied by monarch butterfly eggs or larvae. Alternatively, monarch butterflies could be raised in captivity and released (with USFWS approval).	Project applicant	Mitigation measures shall be printed on all construction documents, contracts, and project plans. A qualified biologist shall conduct a survey for monarch butterfly eggs, larvae, or pupae and coordinate with U.S. Fish and Wildlife Service if deemed necessary. Oversight of implementation by City of Mountain View Community Development Director (or Designees).	Prior to issuance of grading or demolition permits. Within two weeks prior to any clearing, construction, or maintenance in landscaped areas with milkweed plants present.
Impact BIO-5: Both Project Options: The project (under either option) would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. **[(New Impact [Less than Significant Impact with Mitigation Incorporated])**	Refer to MM BIO-1.1 above.			

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance and Oversight of Implementation	Timing of Compliance
Impact BIO-C: Both Project Options: The project (under either option) would not result in a cumulatively considerable contribution to a significant cumulative biological resources impact with the implementation of mitigation. **[New Cumulative Impact (Less than Significant Cumulative Impact with Mitigation Incorporated)]**	Refer to, MM BIO-1.1, -1.2, and -1.3 above.			
Greenhouse Gas Emissions Impacts				
Impact GHG-1: Both Project Options: The project (under either option) would generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. **(Same Impact as Approved Project [Significant Unavoidable Impact with Mitigation Incorporated])**	Refer to MM AQ-1.1 above. Refer to 2017 MMRP for 2017 EIR MM GHG-1.1 and 2017 EIR MM GHG-1.2.			
Impact GHG-2: Both Project Options: The project (under either option) would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs even with the implementation of mitigation. **(New Impact [Significant Unavoidable Impact with Mitigation Incorporated])**	Refer to 2017 EIR MM AQ-2.1, MM AQ-1.1, and MM AQ-1.2 above. Refer to 2017 MMRP for 2017 EIR MM AQ-3.1.			

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance and Oversight of Implementation	Timing of Compliance
Impact GHG-C: Both Project Options: The project (under either option) would result in a cumulatively considerable contribution to a cumulatively significant GHG emissions impact even with the implementation of mitigation. **(New Impact [Significant Unavoidable Cumulative Impact])**	Refer to 2017 EIR MM AQ-2.1, MM AQ-1.1, and MM AQ-1.2 above. Refer to 2017 MMRP for 2017 EIR MM AQ-3.1, 2017 EIR MM GHG-1.1, and 2017 EIR MM GHG-1.2.			
Hazards and Hazardous Materials Impacts				
Impact HAZ-2: Both Project Options: The project (under either option) 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 with the implementation of mitigation. **(Same Impact as Approved Project [Less than Significant Impact with Mitigation Incorporated])**	**2017 EIR MM HAZ-3.3:**[3] **Both Project Options:** Prior to the start of any construction activity on properties with known contaminants of concern (COC) exceeding the lower of the then-current DTSC, Water Board or US EPA residential vapor intrusion screening levels, the project applicant shall submit a Vapor Intrusion Control Evaluation to the City and the designated regulatory oversight agency for review and approval which consists of the following: • An Air Monitoring Plan, which would assess the exposure of future on-site construction workers and neighboring occupants adjoining the site to COCs; this plan shall specify measures to be implemented if COC concentrations exceed threshold values. • A determination as to whether or not vapor intrusion controls are required to be designed and implemented into the project's construction. If vapor intrusion controls are required, the Vapor Intrusion Controls Evaluation shall detail the specific proposed controls, which shall comprise of project components designed	Project applicant and any contractors implementing the project.	Mitigation measure shall be printed on all construction documents, contracts, and project plans. Oversight of implementation by the City's Community Development Department, and regulatory oversight agency as applicable.	Prior to the issuance of grading or building permits.

[3] This mitigation measure has been revised from the 2017 North Bayshore Precise Plan MMRP to provide clarity on the requirements. This measure supersedes the 2017 MMRP measure.

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance and Oversight of Implementation	Timing of Compliance
	specifically for vapor intrusion control (e.g., a subslab vapor barrier and/or ventilation system) and/or project components designed primarily for other purposes, which may also mitigate potential vapor intrusion (e.g., waterproofing systems or parking level ventilation). The Vapor Intrusion Controls Evaluation shall also summarize any anticipated operations and maintenance requirements for the planned vapor intrusion controls, if applicable, as well as a summary of planned activities to evaluate the performance of the planned vapor intrusion controls, such as postconstruction indoor air sampling. • If required by the regulatory agency, specific evaluation documents, including but not limited to the following, shall be submitted to the City and the oversight agency for review and approval: — Vapor Intrusion Control Completion Report documenting installation of the vapor control measures identified in the Vapor Intrusion Control Evaluation, including plans and specifications, and shall include results of postconstruction indoor air sampling and system commissioning, where applicable. — Long-Term Operations, Maintenance, and Monitoring Plan, which shall describe actions to be taken following construction to maintain and monitor selected remedial measures.			
	2017 EIR MM HAZ-3.5: Both Project Options:[4] At future project sites identified as being impacted or potentially impacted during the property-specific Phase I ESA or subsequent studies, a Site Management Plan (SMP) shall be prepared prior to development activities to establish	Project applicant and any contractors implementing the project.	Mitigation measure shall be printed on all construction documents, contracts, and project plans prior to issuance of permits.	Prior to issuance of grading and demolition permits.

[4] This mitigation measure has been revised from the 2017 North Bayshore Precise Plan MMRP to provide clarity on the requirements. This measure supersedes the 2017 MMRP measure.

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance and Oversight of Implementation	Timing of Compliance
	management practices for handling contaminated soil, soil vapor, or other materials during construction. The SMP shall be prepared by an Environmental Professional and be submitted to the overseeing regulatory agency for review and approval prior to construction. The project applicant shall provide the oversight agency's written approval of the SMP to the City or confirmation from the oversight agency that their review is not required. The SMP for the property shall include the following activities: • Property control procedures to control the flow of personnel, vehicles and materials in and out of the property. • Monitoring of vapors (if VOCs are determined to be a COC) during the removal of the underground utilities as well as any other underground features. An Environmental Professional shall be present to observe soil conditions, monitor vapors with a hand held meter and low level VOC detector, as appropriate, and determine if additional soil, soil gas, and air sampling should be performed. Protocols and procedures shall be presented for determining when soil sampling and analytical testing will be performed. If additional sampling is performed, a report documenting sampling activities (with site plans and analytical data) shall be provided to the oversight agency. • Minimization of dust generation, stormwater runoff and off-property tracking of soil. • Minimization of airborne dust during demolition activities. • Management of property risks during earthwork activities in areas where impacted soil, soil vapor and/or groundwater are present or suspected. Worker training requirements, health and safety measures and soil handling procedures shall be described.		SMP shall be submitted to the regulatory oversight agency for review and approval (if required), and documentation of the regulatory agency's approval (or confirmation no approval is required) shall be provided to the City. Oversight of implementation by the City's Community Development Department, and regulatory oversight agency.	

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance and Oversight of Implementation	Timing of Compliance
	• Decontamination to be implemented by the Contractor to reduce the potential for construction equipment and vehicles to release contaminated soil onto public roadways or other off-property transfer. • Perimeter air monitoring at the property during any activity that substantially disturbs the property soil (e.g., mass grading, foundation construction, excavation or utility trenching). This monitoring shall be used to document the effectiveness of required dust and vapor control measures. • Contingency measures for previously unidentified buried structures, wells, debris, or areas of impacted soil that could be encountered during property development activities. • Characterization and profiling of soil suspected of being contaminated so that appropriate disposal or reuse alternatives can be implemented. All soil excavated and transported from the property shall be appropriated disposed at a permitted facility. • Segregation of "clean" and "impacted" soil stockpiles. • Evaluation and documentation of the quality of soil imported to the property. • Soil containing chemicals exceeding the lower of the then-current DTSC, Water Board, or U.S. EPA residential screening levels or typical background concentrations of metals shall not be accepted. • Monitoring of excavations and trenches for the potential presence of VOC vapors (if a COC). • Evaluation of the on-property soil conditions to determine if they will adversely affect the integrity of below ground utility lines and/or structures (e.g., the potential for corrosion). • Measures to reduce potential soil vapor and groundwater migration through trench backfill and			

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance and Oversight of Implementation	Timing of Compliance
	utility conduits (if soil and/or groundwater are contaminated). Such measures shall include placement of low-permeability backfill "plugs" at specified intervals on-property and at all locations where utility trenches extend off-property. In addition, utility conduits that are placed below groundwater shall be installed with watertight fittings to reduce the potential for groundwater to migrate into conduits. • If the property is known to have COCs with the potential for mobilization, a Civil Engineer shall design the bottom and sides of vegetated swales and water retention ponds to be lined with a minimum 30 mil[5] heavy duty plastic to help prevent infiltration. • If deep foundation systems are proposed, the foundations shall incorporate measures to help reduce the potential for the downward migration of contaminated groundwater (if present). • Methods to mitigate the potential for vapor intrusion of VOC vapors (if present) into the planned structures. • For construction activity that involves below ground work (e.g., mass grading, foundation construction, excavating or utility trenching), information regarding property risk management procedures (e.g., a copy of the SMP) shall be provided to the contractors for their review, and each contractor should provide such information to its subcontractors. • If excavation dewatering is required, protocols shall be prepared to evaluate water quality and discharge/disposal alternatives; the pumped water shall not be used for on-property dust control or any other on property use if contaminated. If long-term dewatering is required, the means and methods to			

[5] A mil is a measurement that equals one-thousandth of an inch, or 0.001". One mil also equals 0.0254 millimeter.

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance and Oversight of Implementation	Timing of Compliance
	extract, treat and dispose groundwater also shall be presented and shall include treating/discharging groundwater to the sanitary sewer under a Publicly Owned Treatment Works (POTW) permit or treating/ discharging groundwater to the storm drain system pursuant to a California Regional Water Quality Control Board—San Francisco Bay Region (Water Board) NPDES permit. If dewatering activities may impact known groundwater contaminant plumes in the vicinity of the property, the oversight agency responsible for the remediation of these contaminant releases shall be notified of planned activities. • The project applicant's Environmental Professional shall assist in the implementation of the SMP for the property and shall, at a minimum, perform part-time observation services during demolition, excavation, grading and trenching activities. Upon completion of construction activities that significantly disturb the soil, the Environmental Professional shall prepare a report documenting compliance with the SMP; this report shall be submitted to the City and to the oversight agency (if the property is under regulatory oversight - which would require the Project Applicant to provide the oversight agency's written approval of the SMP Completion Report to the City or confirmation that the oversight agency's review is not required).			
	2017 EIR MM HAZ-3.8:[6] **Both Project Options:** Due to the North Bayshore Precise Plan area's proximity to U.S. 101, soil sampling and analytical testing on a future site adjacent to U.S. 101 for lead shall be performed (due to historical leaded gasoline use). If lead is detected above the lower of the then-current DTSC, Water Board or U.S. EPA residential	Project applicant and any contractors implementing the project.	Mitigation measures shall be printed on all construction documents, contracts, and project plans. Oversight of implementation by	Prior to the approval of grading, demolition, and building permits

[6] This mitigation measure has been revised from the 2017 North Bayshore Precise Plan MMRP to provide clarity on the requirements.

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance and Oversight of Implementation	Timing of Compliance
	screening levels, it shall be appropriately managed under regulatory agency oversight. Refer to 2017 MMRP for 2017 EIR MM HAZ-3.1, 3.4, 3.6, 3.7, 3.9, 3.10, 3.11, 3.12, 3.13, 3.14, and 3.15		the City's Community Development Department, and regulatory agency as applicable.	

SOURCE: City of Mountain View. *North Bayshore Master Plan Project Draft Environmental Impact Report*. SCH No. 2022020712. December 2022.