Attachment 1

Compliance Checklist

500 & 550 Ellis Street Project

Prepared by
City of
Mountain View

In Consultation with
DAVID J. POWERS
& ASSOCIATES, INC.
ENVIRONMENTAL CONSULTANTS & PLANNERS

August 2023

INITIAL STUDY OF ENVIRONMENTAL SIGNIFICANCE

PROJECT NAME:	**500 & 550 Ellis Street Project**	FILE NUMBER:
SITE ADDRESS:	500 & 550 Ellis Street	APN: 160-54-025, -016
APPLICANT:	Vance Brown, Inc.	
PROPERTY OWNER:	Vance Brown, Inc. 3197 Park Boulevard Palo Alto, CA 94306	

Previously Certified EIRs:

- East Whisman Precise Plan Final Environmental Impact Report (Precise Plan FEIR) (2019), SCH #: 2017082051

PROJECT DESCRIPTION SUMMARY: The project proposes to demolish two existing office buildings and construct a six-story (up to 89 feet tall), 201-room hotel and a two-story (up to 49 feet tall), approximately 37,611 square-foot office building. An approximately 7,350 square-foot paseo with common outdoor seating would be located between the proposed hotel and office buildings. The proposed uses would share a four-story parking garage with 173 vehicle parking stalls located within the hotel building. An additional 14 surface parking spaces and five short-term parking spaces would also be provided, as well as new landscaping throughout the project site.

ENVIRONMENTAL SETTING: The project site is located in the northern portion of the East Whisman Precise Plan (Precise Plan) area of Mountain View. The approximately 2.16-acre project site is located at the northwest corner of Ellis Street and National Avenue. The project site is currently developed with two, one-story office buildings totaling 32,734 square feet, as well as landscaping and surface parking. The project site is bounded by office buildings to the west and north, Ellis Street to the east, and National Avenue to the south. The project site is designated High-Intensity Office in the City's General Plan and within the High Intensity Employment Character Area of the Precise Plan.

DETERMINATION: This checklist determined that the proposed project would result in either the same or lesser impact than addressed in the certified 2019 Precise Plan FEIR. The project complies with the California Environmental Quality Act (CEQA), since commercial uses at the proposed intensity on the site were analyzed in the Precise Plan FEIR.

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

Prepared by: Ellen Yau, Senior Planner
Community Development Department

Date: August 14, 2023

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

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SECTION 1.0 INTRODUCTION AND PURPOSE

1.1 INTRODUCTION

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

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

1.2 HISTORY OF ENVIRONMENTAL REVIEW AND PROJECT APPROVAL

The Precise Plan FEIR (certified in November 2019) evaluated the environmental impacts of the East Whisman Precise Plan (Precise Plan). The Precise Plan area is identified in the Mountain View 2030 General Plan (General Plan) as the East Whisman Change Area.

The Precise Plan was adopted in November 2019 and consists of City-initiated revisions to the General Plan and zoning ordinance to allow an increase in the intensity of office, commercial, hotel, and residential uses in the Precise Plan area. The Precise Plan provides a vision and guiding principles, development standards, and design guidelines for the properties in this area, in conformance with the General Plan vision for the East Whisman Change Area.

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

SECTION 2.0 PROJECT INFORMATION

2.1 EXISTING SITE CONDITIONS

The approximately 2.16-acre project site is located in the Employment Character Area (North) of the Precise Plan area at 500 and 550 Ellis Street (APN 160-54-025 and 160-54-016), at the northwest corner of Ellis Street and National Avenue. The project site is currently developed with two, one-story office buildings totaling 32,734 square feet, as well as landscaping and surface parking. The project site is bounded by office buildings to the west and north, Ellis Street to the east, and National Avenue to the south.

Regional and vicinity maps of the site are shown in Figure 2.4-1 and Figure 2.4-2, respectively, An aerial photograph of the project site and surrounding area is shown on Figure 2.4-3.

2.2 PROPOSED PROJECT

The project proposes to demolish the two existing office buildings and construct a hotel and an office building. The hotel would be constructed on the southern portion of the project site and the office building would be constructed on the northern portion of the project site. The project would also include a lot merger to create one parcel.

The proposed hotel would be six stories (up to 89 feet) tall with 201 rooms and 173 parking spaces. The core of the first four stories of the hotel building would consist of structured parking with hotel amenities and rooms wrapped around the north, east, and south sides. The remaining upper two stories of the hotel would have hotel rooms only with the roof hosting solar panels and screen mechanical equipment. Hotel amenities would include a fitness center, dining room, bar, meeting facilities, and courtyard patios. The parking garage would be shared between the proposed hotel and office buildings. An additional 14 surface parking spaces would also be provided on-site on the west side of the proposed office building and five short-term parking spaces at the hotel porte cochere for check-in. The proposed office building would be two stories (up to 49 feet) tall and approximately 37,611 square feet. A 660 square-foot patio would be located on the 2nd floor of the south side of the building. An approximately 7,350 square-foot public paseo with common outdoor seating would be located between the proposed hotel and office buildings and new landscaping would be provided throughout the project site. The project would result in a combined floor-to-area ratio (FAR) of 2.20.

The project includes the construction of new curbs, gutters, and sidewalks along Ellis Street and National Avenue. The project would provide eight-foot sidewalks with an additional six feet of landscaping between the sidewalk and vehicle travel lanes along the project frontage on Ellis Street and would provide seven-foot sidewalks along National Avenue along the project frontage with 15 feet of landscaping between the walk zone and vehicle travel lane. Further, a new raised pedestrian crosswalk would be constructed to connect the paseo to the parcel west of the project site. The project would also build a new ADA compliant ramp at the northwest corner of the Ellis Street and National Avenue intersection. The project would connect to a five-inch water line that runs along the western and northern boundary of the project site and a six-inch sanitary sewer line running through the public paseo and connecting to an existing 12-inch sanitary sewer line in Ellis Street. Stormwater on-site would be conveyed through 12-inch storm drain lines throughout the project site and connect to a 54-inch storm drain line in Ellis Street.

The proposed site plan is shown in Figure 2.4-4, elevations of the proposed hotel and office buildings in Figure 2.4-5 through Figure 2.4-8 below.

A maximum height of 100 feet and a "Base" FAR of 1.00 is allowed by the Precise Plan. The Precise Plan allows projects that meet certain requirements to request "Bonus FAR", resulting in a maximum FAR of 2.50. The project is requesting Bonus FAR to develop a maximum building height of 89 feet and at a FAR of 2.20, in exchange for providing community benefits in accordance with the Precise Plan in fee at a value of $464,136 or a comparable improvement.

2.3 GENERAL PLAN AND ZONING DISTRICT

2.3.1 General Plan

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

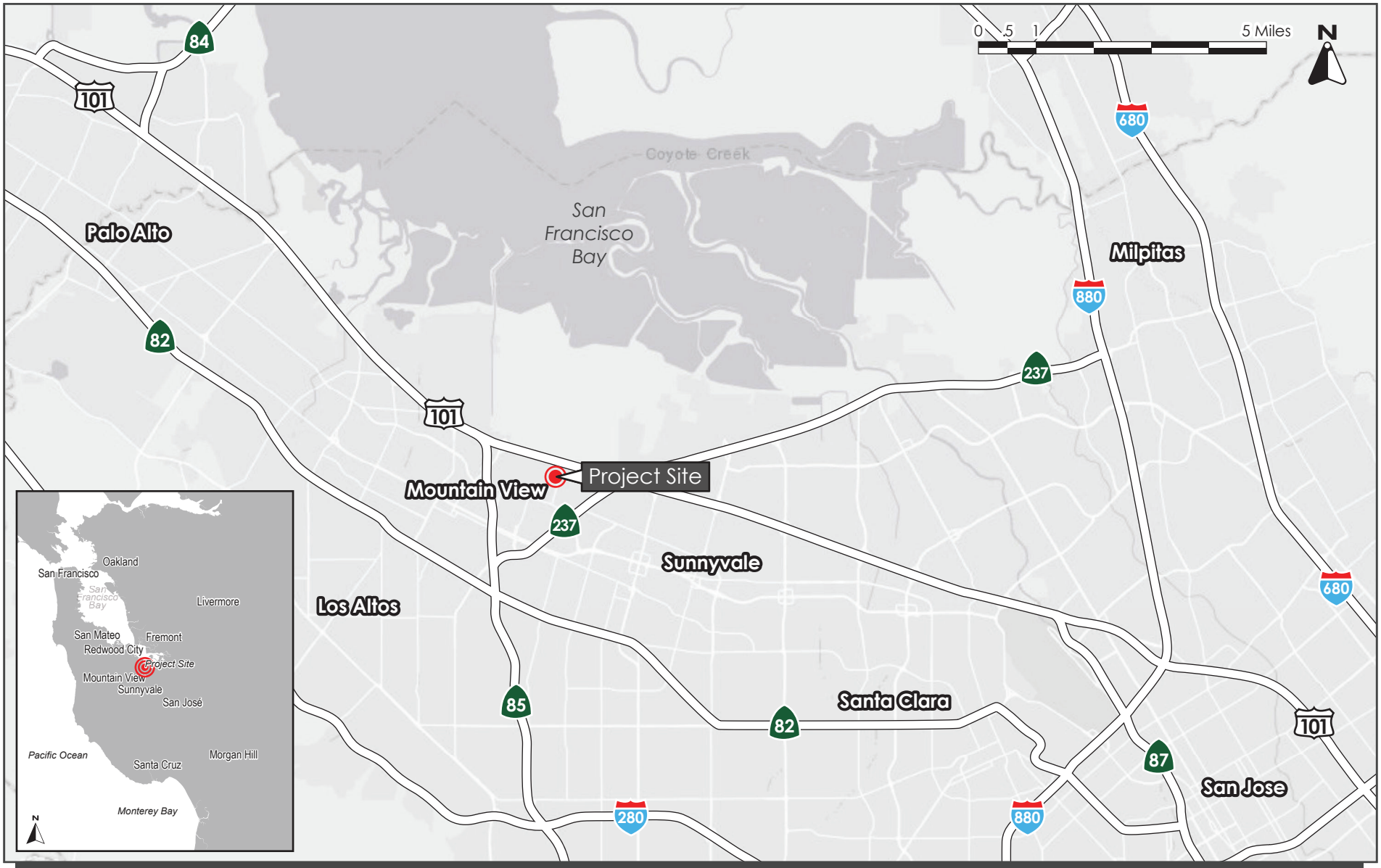
2.3.2 Zoning

The project site is zoned East Whisman Precise Plan (P-41) and identified as being within the High Intensity Employment Character Area (North) of the Precise Plan. The Precise Plan defines the High Intensity Employment Character Area (North) as a mix of moderate and higher-intensity office uses, with hotels allowed along Ellis Street.

2.4 GREEN BUILDING AND EMISSIONS REDUCTION FEATURES

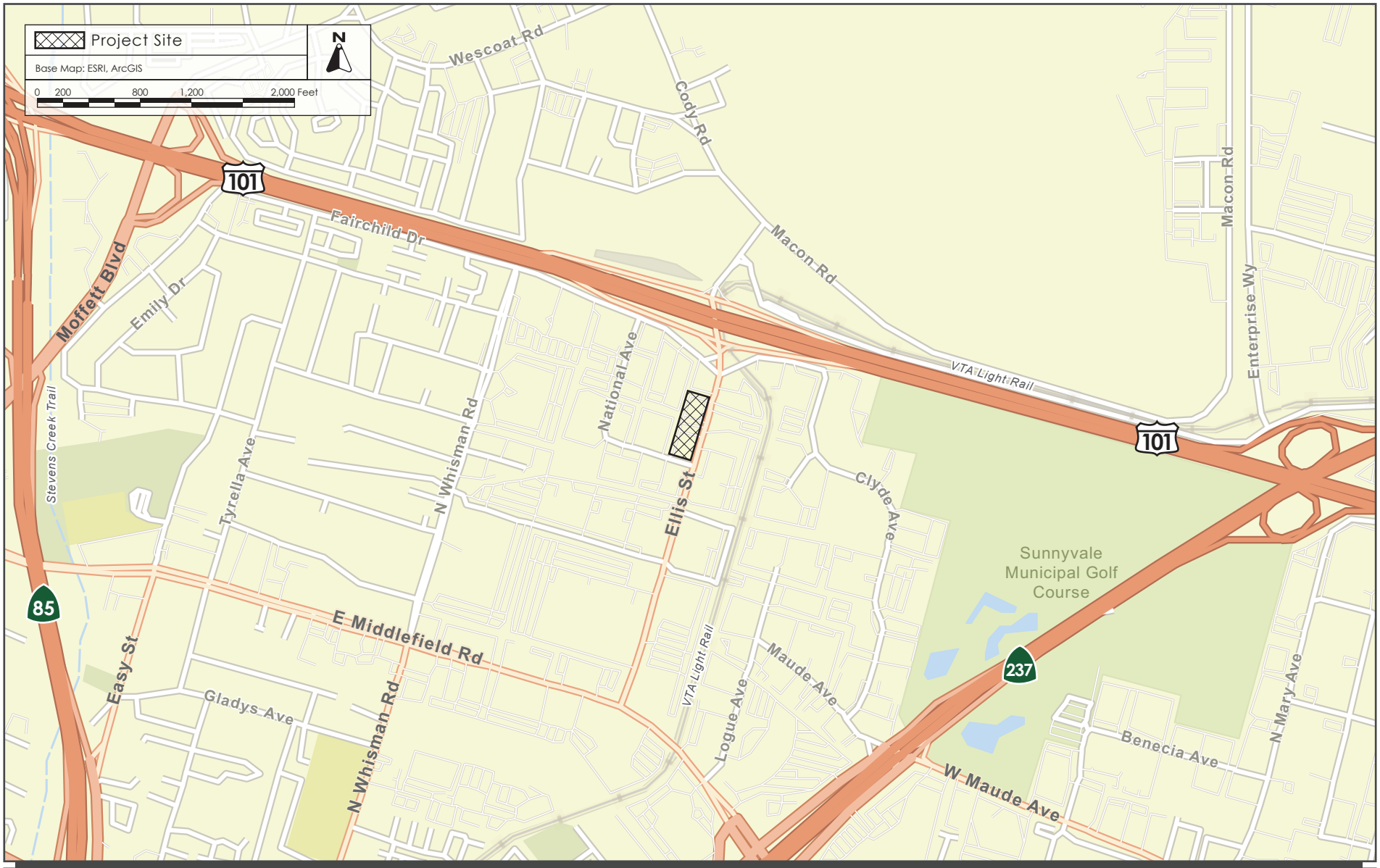
Consistent with the Development Standards for non-residential development projects within the Precise Plan, the project would meet the intent of Leadership in Energy and Environmental Design (LEED) Platinum or equivalent and implement all mandatory CALGreen requirements in order to satisfy the Precise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

- EV parking and charging stations
- Photovoltaic system
- Occupancy sensors in guest rooms
- Shuttle service from airport to hotel
- Long- and short-term bike parking
- Dual plumbing
- Energy performance outdoor lights

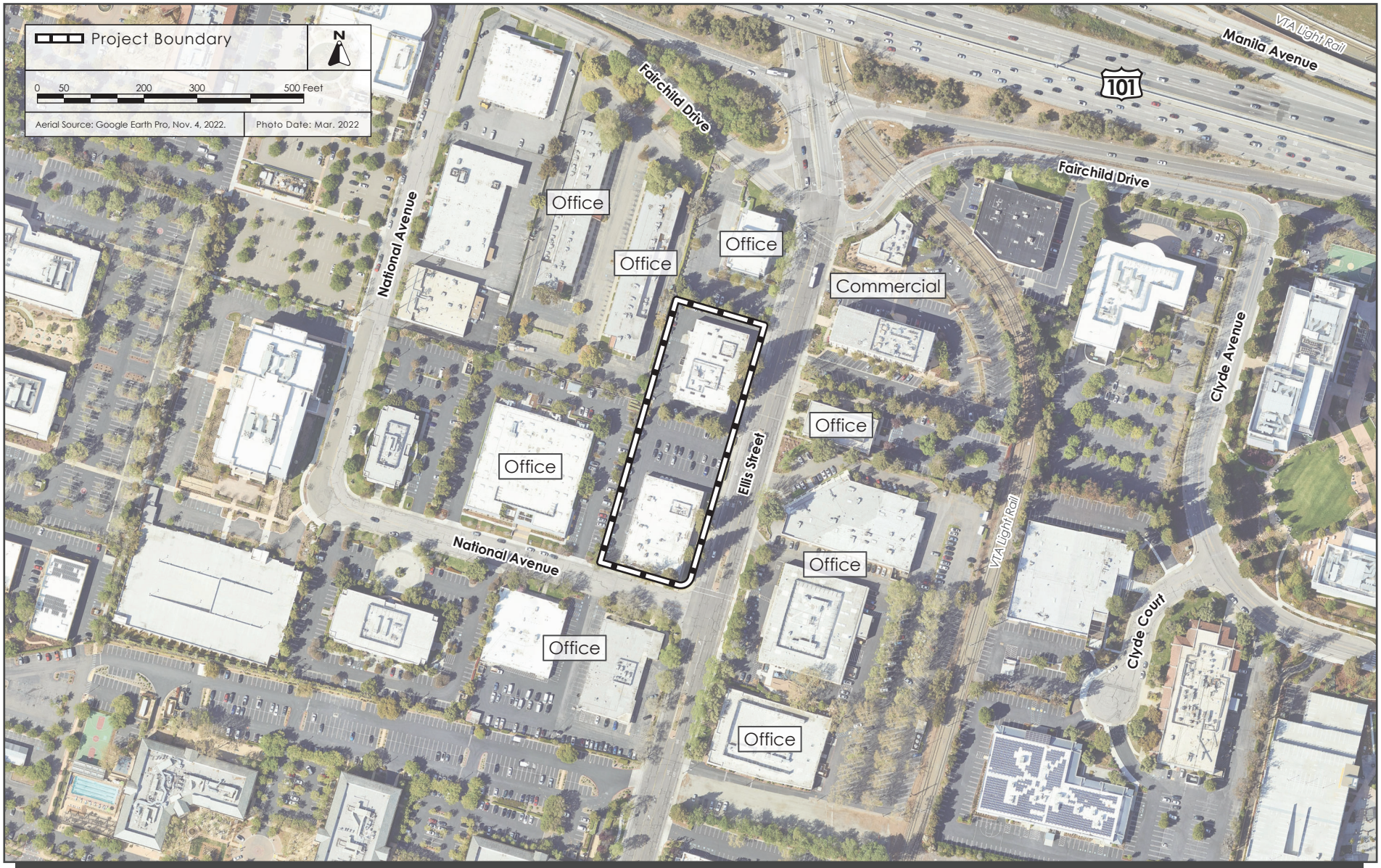


REGIONAL MAP

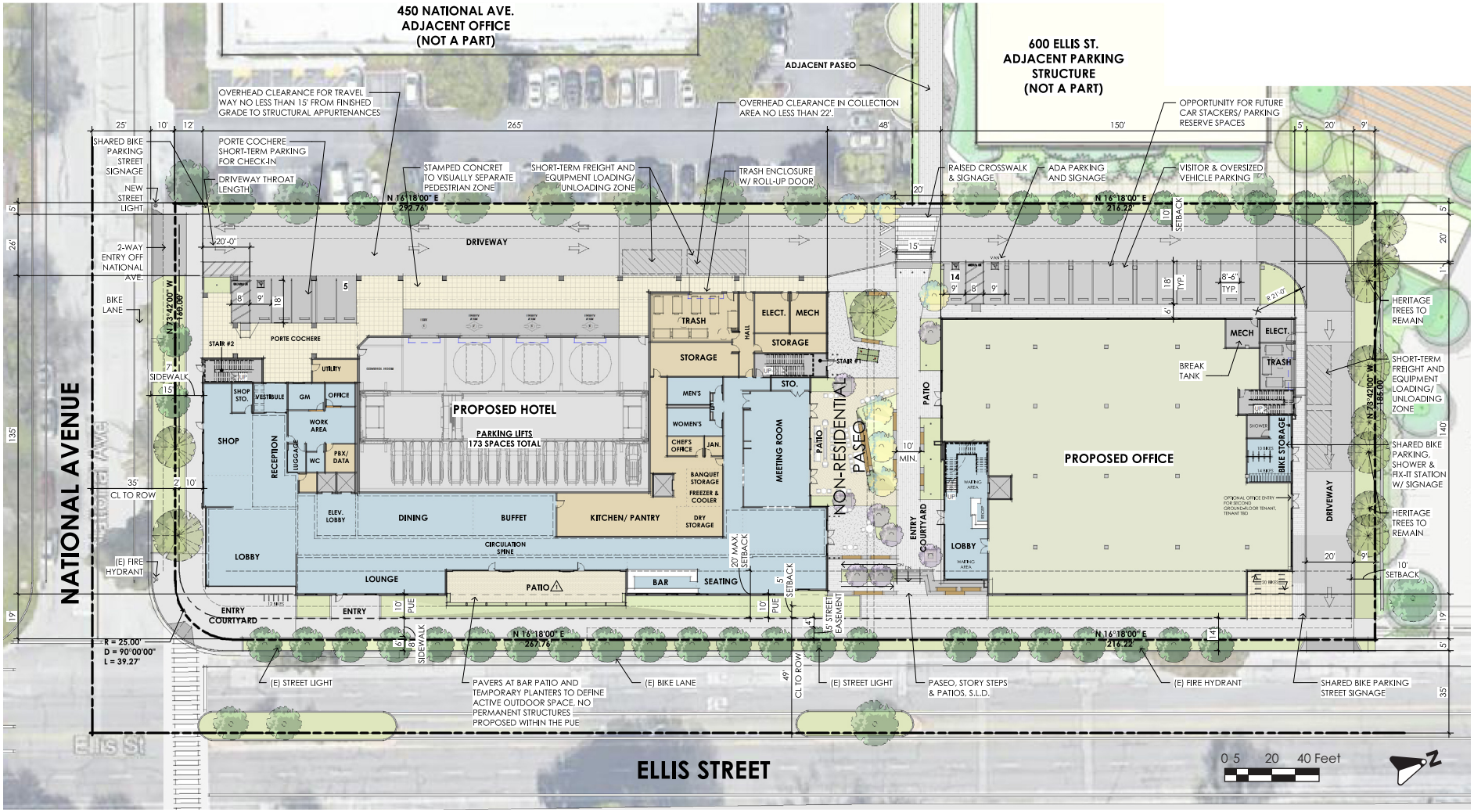
FIGURE 2.2-1



VICINITY MAP | FIGURE 2.2-2



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES | FIGURE 2.2-3



Source: Arris Studio Architects, March 8, 2023.

SITE PLAN

FIGURE 2.2-4

SOUTH ELEVATION

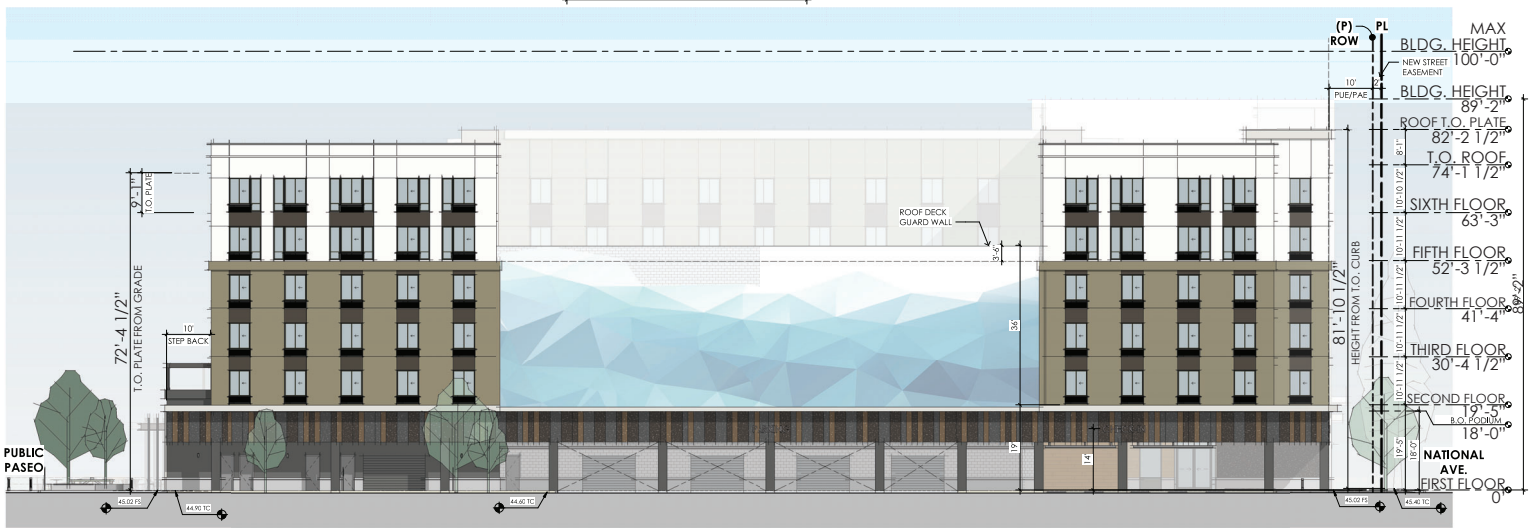
EAST ELEVATION

Source: Arris Studio Architects, March 8, 2023.

PROPOSED HOTEL BUILDING SOUTH/EAST ELEVATIONS

FIGURE 2.2-5

NORTH ELEVATION

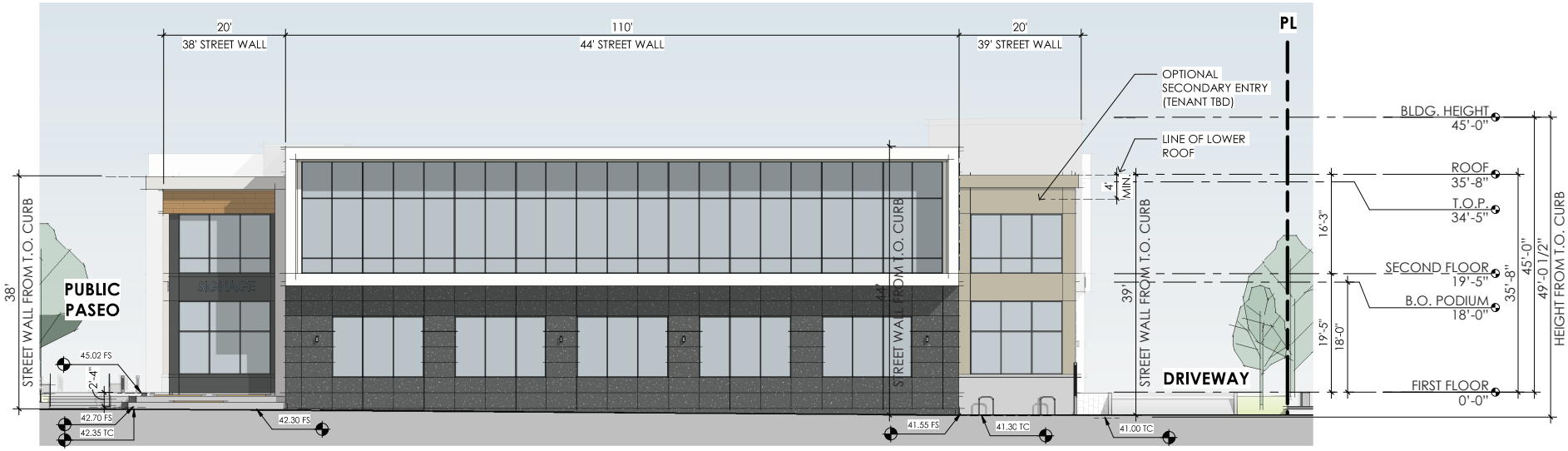


WEST ELEVATION

Source: Arris Studio Architects, March 8, 2023.

PROPOSED HOTEL BUILDING NORTH/WEST ELEVATIONS | FIGURE 2.2-6

SOUTH ELEVATION



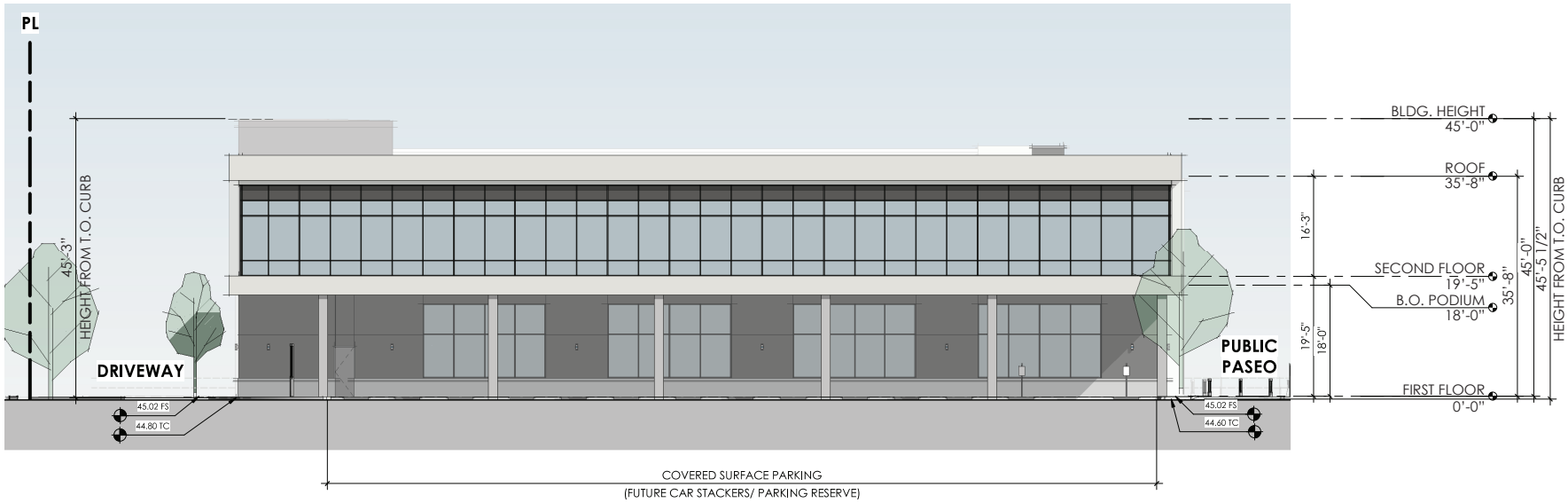
EAST ELEVATION

Source: Arris Studio Architects, March 8, 2023.

PROPOSED OFFICE BUILDING SOUTH/EAST ELEVATIONS

FIGURE 2.2-7

NORTH ELEVATION



WEST ELEVATION

Source: Arris Studio Architects, March 8, 2023.

PROPOSED OFFICE BUILDING NORTH/WEST ELEVATIONS

FIGURE 2.2-8

2.5 CONSTRUCTION ACTIVITIES

Project construction activities include demolition, site preparation, grading and excavation, building construction, architectural coatings, and paving. Approximately 1,719 cubic yards of soil would be cut and 1,193 cubic yards of soil would be used for fill to accommodate the proposed building foundations and footings. It is estimated that construction of the proposed project would take 24 months and be completed in 2025.

2.6 SITE ACCESS AND PARKING

Vehicle access would be provided by one, two-way driveway on National Avenue. The two-way entry driveway would provide direct access to the hotel parking garage, surface parking spaces behind (i.e., on the west side of) the office building, and hotel porte cochere and guest check-in area of the hotel with five short-term surface parking spaces. Vehicles would exit the project site via either the two-way entry driveway on National Avenue or a one-way exit driveway along Ellis Street.

A total of 187 parking spaces would be provided on-site. The five-story parking garage would have a total of 173 vehicle parking stalls shared between the hotel and office building. The parking garage consists of a fully automated parking system. Users can leave and retrieve their cars at the entry vestibules using a phone app, personal card, or pay the parking fee at the parking kiosk. Workers of the hotel would be available to assist users. An additional 14 surface parking spaces would also be provided on-site on the west side of the proposed office building, and five short-term parking spaces are available at the hotel porte-cochere for check-in. The project also includes 24 long-term bicycle parking spaces and 36 short-term bicycle parking. Long-term bicycle storage would be located on the first floor of the office building and shared with the hotel. Short-term bicycle parking would be located at the northwest and southwest corners of the project site in front of both buildings.

Pedestrian access to and within the project site would be provided via existing sidewalks to be upgraded as part of the project along Ellis Street and National Avenue and the proposed paseo. A new raised pedestrian crosswalk would be constructed to connect the paseo to the parcel west of the project site. Bicycle access would be provided via Ellis Street and National Avenue. Ellis Street currently has Class II bikeways.

2.7 HERITAGE TREES

The project site contains 47 trees, including 26 Heritage trees as defined by the City's Municipal Code.[1] The project proposes the removal of 24 trees (including 13 Heritage trees) and would plant 37 trees within the project site and along the project site frontages.

2.8 TRANSPORTATION DEMAND MANAGEMENT

The Precise Plan specifies that office and R&D projects with new construction or additions greater than 10,000 square feet, and all other non-residential projects with new construction or additions greater than 20,000 square feet are required to provide a Transportation Demand Management (TDM)

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

plan with programs and measures to reduce vehicle trips. Pursuant to the Precise Plan, the proposed project is required to incorporate the following TDM measures:

- **TDM Plan Site Requirements:** The following site design features shall be incorporated into the project to reach the required trip cap:
    - Priority parking for carpools and vanpools
    - Bicycle parking and shower and changing facilities as defined by Chapter 3 of the Precise Plan
    - Maximum parking and carshare parking as defined by Chapter 3 of the Precise Plan
    - Site design that supports alternative modes, such as orienting building entrances toward sidewalks, transit stops, and bicycle facilities
- **TDM Plan Operational Requirements:** The TDM plan shall include the following minimum operational measures though other measures may be needed to reach the required trip caps:
    - The property owner shall join the Mountain View Transportation Management Association. Tenants may join in lieu of property owners, but if a tenant is unable to maintain membership, the property owner shall be responsible.
    - Monetary incentives for alternative modes, such as subsidized transit passes, bike-share, or carpools
- **TDM Plan Alternative Requirements:** The TDM plan may include other measures to reach required trip targets, including but not limited to:
    - Shared bicycles if a bikeshare service is not available nearby
    - Parking cash-out, paid parking, or other parking monetization
    - Guaranteed ride home program
    - Telecommute support
    - Alternative work schedules
- **Trip Cap:** The Precise Plan established a long-term vehicle trip cap across the entire East Whisman area of 0.95 a.m. and 0.88 p.m. peak-hour trips per 1,000 square feet across all office, R&D, and industrial sites. This area wide trip cap shall be implemented through a site-specific trip cap, as established through the Office Trip Cap Phasing Program and Administrative Guidelines. The proposed project would be required to meet an a.m. peak-hour trip cap of 115 trips and a p.m. peak-hour trip cap of 88 trips.
- **Monitoring and Enforcement:** Annual monitoring of the TDM plan shall be conducted through a third party and paid for by the property owner or their representative. It shall include driveway counts and a survey of employee travel modes.

2.9 COMPARISON WITH PRECISE PLAN

The project proposes a 201-room hotel and 37,611 square-foot office building within the Precise Plan area. The site is located within the Employment Character Area (North) of the Precise Plan. The project proposes the type, scale, and density of development envisioned in the Precise Plan for the site and would comply with the applicable standards and guidelines in the plans.

2.10 APPROVALS REQUIRED

The proposed project would require approval from the Mountain View City Council. The project is subject to the City's site-specific design review process, and would require the following discretionary actions, in addition to ministerial permits for construction activities:

- Planned Community Permit
- Development Review Permit
- Heritage Tree Removal Permit
- Lot Line Adjustment

2.11 ENVIRONMENTAL CONCLUSION

The proposed project is in compliance with CEQA because this checklist was prepared pursuant to CEQA Guidelines Sections 15162 and 15183 and found consistent with the prior Precise Plan FEIR. The analysis in this Checklist determined, with the implementation of Precise Plan standards and guidelines, City standard conditions of approval, existing regulations, and certain mitigation measures identified in the Precise Plan FEIR, the proposed project would not result in new or substantially more severe significant environmental impacts beyond those previously evaluated and disclosed in the Precise Plan FEIR.

SECTION 3.0 ENVIRONMENTAL CHECKLIST

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

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

EXPLANATION OF CHECKLIST EVALUATION CATEGORIES:

A. Where an Impact Was Analyzed in Prior Environmental Documents
This column provides a reference to the pages of the other environmental documents where information and analysis may be found relative to the environmental issue listed under each topic.

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

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

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

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

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

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

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

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

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

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

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

DISCUSSION AND MITIGATION SECTIONS

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

Standard Mitigation Measures and/or Standard Conditions of Approval
Applicable Standard Mitigation Measures and/or Standard Conditions of Approval are listed under each environmental category.

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

Special Mitigation Measures

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

3.1 AESTHETICS

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

3.1.1 Existing Setting

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

The project site is located in the High Intensity Employment Character Area (North) of the Precise Plan where the maximum allowed height for all buildings is 100 feet. The project site is currently developed with two, one-story office building, surface parking, and minimal landscaping along the project site boundaries (see Figure 2.4-3).

3.1.2 Discussion

a-d. The Precise Plan FEIR found that the build-out of the Precise Plan (which includes the development proposed) would not result in a significant impact to aesthetic resources.

As described in the Precise Plan FEIR, most of the Precise Plan area (including the project site) is considered an infill site located within a Senate Bill (SB) 743-defined transit priority area. Pursuant to SB 743, "aesthetic and parking impacts of a residential, mixed-use residential, or employment center on an infill site within a transit priority area shall not be considered significant impacts on the environment".[2] Thus, the aesthetics impacts of the proposed project (which would be an employment center project within a transit priority area) would be less than significant. This less than significant conclusion is consistent with the conclusion in the Precise Plan FEIR.

Nonetheless, the project would be subject to the City's development review process which would ensure the proposed building design and construction materials would not adversely affect the Precise Plan area's visual quality or create new sources of light and glare. The proposed building heights of 89 feet for the hotel building and 49 feet for the office building would not exceed the maximum allowed building height in the High-Intensity Employment Character Area (North) of the Precise Plan area of 100 feet. Furthermore, the project's lighting would be required to comply with the California Building Standards Code (CBC), which minimizes light pollution that is disruptive to the environment by reducing the amount of backlight, uplight, and glare produced by luminaries.

3.1.3 Conclusion

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

[2] "Employment center project" means a project located on property zoned for commercial uses with a floor area ratio of no less than 0.75 and that is located within a transit priority area. "Transit priority area" means an area within one-half mile of a major transit stop that is existing or planned.

3.2 AIR QUALITY

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

3.2.1 Existing Setting

The existing air quality setting, including regulatory framework, has not substantially changed since the certification of the 2019 Precise Plan FEIR. The project site generates air quality emissions from operations of the on-site building and vehicle trips by employees and visitors. The closest sensitive receptors to the project site are the future multi-family residential units of the already approved, but not yet built, 400 Logue Avenue project, approximately 1,400 feet southeast of the site.

3.2.2 Discussion

a. As described in the Precise Plan FEIR, implementation of the Precise Plan would support the primary goals of the 2017 Clean Air Plan (CAP), includes control measures, and does not disrupt or hinder implementation of any CAP control measures because the Precise Plan includes policies and measures that are consistent with the 2017 CAP and would not increase VMT at a rate faster than population growth. As such, it was concluded that the Precise Plan was consistent with the 2017 CAP. The project proposes development consistent with the Precise Plan and, therefore, would also be consistent with

the 2017 CAP for the same reasons. In addition, the project would meet the goals of the 2017 CAP by not exceeding significant construction or operational emissions thresholds and not resulting in significant health risk (with the implementation of standard conditions of approval and mitigation measure MM AQ-3.1 from the Precise Plan FEIR – see discussion under b) below), and by protecting the climate by complying with the Precise Plan's requirements to reduce vehicle trips, promote multi-modal travel, and reduce energy and water use. The project, therefore, would result in the same less than significant impact as disclosed in the Precise Plan FEIR.

b. The Precise Plan FEIR identified a potentially significant air quality impact (Impact AQ-3) related to construction and operational emissions of criteria pollutants and their precursors; however, this would be reduced to a less than significant level with implementation of MM AQ-3.1.

Precise Plan FEIR Mitigation Measure:

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

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

As discussed below, the project meets BAAQMD screening criteria for construction and operational criteria air pollutants; therefore, a project-specific criteria pollutant quantification, per Precise Plan MM AQ-3.1, was not completed for the project.

Construction Period Emissions

The BAAQMD CEQA Air Quality Guidelines include screening criteria to provide lead agencies and project applicants with a conservative indication of whether a project would result in a potentially significant air quality impact. If a project proposes less development than the screening criteria, it can be conservatively assumed the project would not result in a significant air quality impact. The BAAQMD screening threshold for construction criteria pollutants for hotels is 554 rooms and for general office buildings is 277,000 square feet. The project proposes a 201-room hotel and approximately 37,611 square-foot office building, both of which are well below the screening threshold. Therefore, the project would not exceed BAAQMD thresholds for construction criteria air pollutants and result in less than significant construction air quality emissions.

In addition, the BAAQMD CEQA Air Quality Guidelines considers construction criteria air pollutant emissions impacts that are below BAAQMD thresholds to be less than significant with the incorporation of BAAQMD BMPs (identified in the Precise Plan FEIR and below as standard conditions of approval). The project would implement the BAAQMD BMPs as standard conditions of approval to reduce fugitive dust emissions. The project, therefore, would result in the same less than significant construction period emissions impact disclosed in the Precise Plan FEIR.

Standard Conditions of Approval:

- AIR QUALITY CONSTRUCTION MEASURES: The applicant shall require all construction contractors to implement the basic construction mitigation measures recommended by BAAQMD to reduce fugitive dust emissions. There shall be a designated on-site coordinator and monitor to ensure implementation of the below dust control measures. Emission reduction measures shall include, at a minimum, the following measures which also include additional measures identified by BAAQMD:
    - When the air quality index forecast exceeds 100 for particulates for the project area and the reading exceeds 100 for particulates by 10:00 a.m. for the project area, prohibiting grading activities for that day.
    - All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.
    - Minimize the amount of excavated material or waste materials storied at the site or cover them with tarpaulin.
    - All haul trucks transporting soil, sand, or other loose material off-site shall be covered and loaded material shall not extend above the walls or back of the truck bed.
    - All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
    - All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
    - All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
    - Prohibit off-road diesel-powered equipment from being in the “on” position for more than 10 hours per day.
    - Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measures Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
    - All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

- Post a publicly visible sign with the telephone number and person to contact at the City of Mountain View and the on-site coordinator/monitor regarding dust complaints. This person shall respond and take corrective action within 48 hours. BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.
- All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph and visible dust extends beyond site boundaries.
- Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction adjacent to sensitive receptors. Wind breaks should have at maximum 50 percent porosity.
- Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
- The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.
- Avoid tracking of visible soil material on the public roadways by employing the following measures if necessary: (1) Site accesses to a distance of 100 feet from public paved roads shall be treated with 6 to 12-inch compacted layer of wood chips, mulch, or gravel and (2) washing truck tires and construction equipment of soil prior to leaving the site.
- Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent.

Operational Period Emissions

Operational period criteria pollutant emissions associated with the project would be generated primarily from vehicles driven by future hotel guest and employees.

The BAAQMD CEQA Air Quality Guidelines also includes screening criteria for operational criteria air pollutants by land use type and size. The BAAQMD screening threshold for operational criteria pollutants for hotels is 489 rooms and for general office buildings is 346,000 square feet. The project proposes a 201-room hotel and approximately 37,611 square-foot office building, both of which are well below the screening threshold. Thus, the project would not exceed BAAQMD thresholds for operational criteria air pollutants and would not result in a significant operational air quality impact. The project, therefore, would not result in a new or substantially more severe significant impact than disclosed in the Precise Plan FEIR.

c. The Precise Plan FEIR identified a potentially significant air quality community risk impact (Impact AQ-4) from sources of toxic air contaminants (TACs) including project construction and operations. As noted under checklist question b), mitigation measure MM AQ-3.1 in the Precise Plan FEIR requires future development to complete TAC quantification, in compliance with the BAAQMD Air Quality CEQA Guidelines, if necessary.

As noted in Section 2.1 Existing Site Conditions, the project site is bordered by existing office and industrial/R&D development. There are no sensitive receptors within 1,000 feet of the project site;

therefore, a Construction Health Risk Analysis (or TAC quantification) is not required as health risk impacts from project construction on sensitive receptors over 1,000 feet away are considered less than significant. For these reasons, the project would not result in significant community risk impacts as a single-source or cumulative-source. The project would not result in a new or substantially more severe significant impact than disclosed in the Precise Plan FEIR.

d. The Precise Plan FEIR disclosed that construction activities could generate odorous emissions from diesel exhaust associated with construction equipment. Given the temporary nature of these emissions and the diffusive properties of diesel exhaust, exposure to sensitive receptors to these emissions would be limited. In addition, the nearest sensitive receptor is over 1,000 feet away from the project site. No uses that cause significant odors (e.g., landfills) are proposed as part of the Precise Plan (nor are they proposed as part of the project). For these reasons, the project would not result in significant emissions of odors. This is the same impact as identified in the Precise Plan FEIR.

3.2.3 Conclusion

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

3.3 BIOLOGICAL RESOURCES

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

Environmental Issue Area	A. Where Impact Was Analyzed in Prior Environmental Documents.	B. Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	C. Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	D. Any New Information of Substantial Importance Requiring New Analysis or Verification?	E. Prior Environmental Documents Mitigations Implemented or Mitigations Address Impacts.
Would the project:					
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Precise Plan Draft EIR (2019) Page 81	No	No	No	N/A
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	Precise Plan Draft EIR (2019) Page 36	No	No	No	N/A

This discussion is based, in part, on a project-specific Tree Inventory by Urban Tree Management, Inc. dated February 2023. This report is attached to this checklist as Appendix A.

3.3.1 Existing Setting

The existing biological resources setting, including regulatory framework, has not substantially changed since the certification of the Precise Plan FEIR. The project site is within an urban area and provides habitat and foraging opportunities for urban-adapted birds. No rare, threatened, endangered, or special-status species are known to inhabit the project site, as described in the Precise Plan FEIR. The primary biological resource on-site are trees. The project site contains 47 trees, including 26 Heritage trees as defined by the City's Municipal Code.[3]

3.3.2 Discussion

a. The Precise Plan FEIR concluded that buildout of the Precise Plan (which includes the project site) would result in less than significant impacts to special status plant and animal species because no natural communities or habitats for special status species exist within the Precise Plan area.

The project site includes two buildings, mature trees, and vegetation that could provide foraging and nesting opportunities for a variety of bird species. The proposed project would remove 24 trees (including 13 Heritage trees) and demolish the existing improvements on-site. Raptors (birds of prey) and nesting birds are protected by the Migratory Bird Treaty Act (MBTA) and the California Department of Fish and Wildlife (CDFW) code requirements. Urban-adapted raptors or other avian

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

nests present on or adjacent to the site could be disturbed by project construction activities and result in the loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes abandonment and/or loss of reproductive effort is considered a taking by the CDFW and would constitute a significant impact.

In compliance with the MBTA and CDFW code, the project shall implement the standard condition of approval identified in the Precise Plan FEIR of completing preconstruction nesting bird surveys and establishing no-disturbance buffer zones (if needed), to reduce or avoid construction-related impacts to nesting birds (including raptors) and their nests.

Standard Condition of Approval:

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

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

In addition, Bird Safe Design measures included in the Precise Plan are intended to help diminish the likelihood of building collision fatalities through façade treatments and light pollution reduction. The proposed project would be required to adhere to the standards identified in Chapter 4 of the Precise Plan to reduce bird collision risks. The standards are identified below and include façade treatments, avoidance of funneling of flight paths, and avoidance of glass skyways, walkways, or freestanding walls.

Standard Bird Safe Design Measures:

- **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.

- **Funneling of Flight Paths.** New construction shall avoid funneling of flight paths along buildings or trees towards a building façade.
- **Skyways, Walkways, or Glass Walls.** New construction and building additions shall avoid building glass skyways or walkways, freestanding glass walls, transparent building corners, or landscaping behind glass (such as in atriums). New construction and building additions should minimize the use of glass at tops of buildings, especially when incorporating a green roof into the design.

With the implementation of the Precise Plan FEIR condition of approval requiring preconstruction nesting bird surveys and no-disturbance buffer zones (if needed) and incorporation of the Precise Plan bird safe design standards, the proposed project would have a less than significant impact to nesting and migratory birds. The bird safe design features would be incorporated into the final development plans for the project, which would be reviewed by the Planning Division at the time of building permit to ensure proper implementation (consistent with the Precise Plan). The project, therefore, would not result in a new or substantially more severe significant impact than disclosed in the Precise Plan FEIR.

b-c. The Precise Plan FEIR concluded that implementation of the Precise Plan would not result in significant impacts to riparian areas or protected wetlands because no such features are present within the Precise Plan area.

There is no riparian habitat or wetland on or adjacent to the site. The nearest wetlands to the project site are freshwater ponds in Sunnyvale Municipal Golf Course, approximately 0.3-mile east and Stevens Creek riverine habitat approximately one mile west of the project site.[4] Therefore, the project would not have an impact on state or federally protected riparian habitat, sensitive natural community, or wetlands.

d. The Precise Plan FEIR concluded that implementation of the Precise Plan would not interfere substantially with the movement of native or migratory species with incorporation of standard conditions of approval for nesting birds and implementation of Precise Plan Bird Safe Design Standards, therefore, impacts would be less than significant.

As discussed above, the proposed project would incorporate the City's standard condition of approval to protect nesting birds, as well as the Precise Plan's Bird Safe Design standards into the project design to minimize adverse effects on native and migratory bird species and help diminish the likelihood of building collision fatalities. With incorporation of the condition and standards, the proposed project would have a less than significant impact on migratory bird movement. In addition, there are no waterways on-site, therefore, the project site does not support the movement of fish. The project site is currently developed and surrounded by existing urban development. For that reason, the project site is not an important area for movement for non-flying wildlife, and it does not contain any high-quality corridors allowing dispersal of such animals through the Precise Plan area.

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

e. The Precise Plan FEIR concluded that implementation of the Precise Plan would not result in significant impacts with regard to conflicts biological resources policies such as tree protection policies, with incorporation of City standard conditions of approval.

The proposed project would remove 24 trees (including 13 Heritage trees) from the project site. The project would plant 37 new trees. The City of Mountain View regulations require a permit to remove or move any tree over 48-inches in circumference or any oak, redwood, or cedar tree over 12-inches in circumference (measured at 54-inch above grade). A City of Mountain View Heritage tree removal permit is required before any Heritage trees are removed. Consistent with the Precise Plan FEIR, the proposed project would implement standard conditions of approval identified in the Precise Plan FEIR regarding tree replacement, protection, mitigation and preservation, and security bonds. As a result, the project would not result in a new or substantially more severe significant impact to trees or conflicts with the City's compared to the Precise Plan FEIR.

Standard Conditions of Approval:

- REPLACEMENT: The applicant shall offset the loss of each Heritage tree with a minimum of two new trees. Each replacement tree shall be no smaller than a 24-inch box and shall be noted on the landscape plans submitted for building permit review as Heritage replacement trees.
- TREE PROTECTION MEASURES: The tree protection measures listed in the arborist's report prepared by and dated 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.

f. The Precise Plan FEIR concluded that buildout of the Precise Plan would not result in conflicts with an adopted Habitat Conservation Plan because the Precise Plan area is not covered by one. The Santa Clara Valley Habitat Plan/Natural Community Conservation Plan (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 Precise Plan area, including the project site, is located outside the Habitat Plan area and outside of its expanded study area for burrowing owl conservation.

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. On pages 68 to 69 of the Precise Plan FEIR, the City of Mountain View concluded that the nitrogen emissions (based on existing and future vehicle emissions) that would result from build-out of the Precise Plan were found less than cumulatively considerable (given that build-out of the Precise Plan is a small portion of Santa Clara County's overall emissions). The Habitat Plan accounts for the indirect impacts of nitrogen deposition (existing and future) and identifies measures to conserve and manage serpentine areas over the term of the Habitat Plan, such that cumulative impacts to this habitat and associated special-status species would not be significant and adverse. For these reasons, the project would not conflict with an adopted habitat conservation plan.

3.3.3 Conclusion

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

3.4 CULTURAL RESOURCES

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

3.4.1 Existing Setting

The existing cultural resources setting, including regulatory framework, has not substantially changed since the certification of the Precise Plan FEIR. There are no known cultural resources within the Precise Plan area, which includes the project site.[5] Areas that are near natural water sources (e.g., riparian corridors and tidal marshland) are considered highly sensitive for prehistoric archaeological deposits and human remains. The project site is approximately two-miles from the San Francisco Bay and approximately one-mile east of Stevens Creek. There are no known historic resources located within the Precise Plan area (which includes the project site) and no properties listed on federal, state, or local registers.

3.4.2 Discussion

a. As discussed in the Precise Plan FEIR, there are no historic resources in the Precise Plan area listed in the National Register of Historic Places or the California Register of Historical Resources, and the Precise Plan area does not contain property or parcels listed on the City's Register of Historic Resources. The Precise Plan FEIR concluded that implementation of the Precise Plan would not result in impacts to known historic resources.

The project site is not listed in the National Register of Historic Places, California Register of Historical Resources, or City's Register of Historic Resources. The existing buildings on the project site were

[5] City of Mountain View. *East Whisman Precise Plan Draft Environmental Impact Report*. Page 85. June 2019. SCH #: 2017082051.

built around 1968; however, they have no known historic value. For these reasons, the proposed project would not result in a significant impact on historic resources.

b-c. The Precise Plan FEIR concluded that with implementation of City conditions of approval, buildout of the Precise Plan would result in a less than significant impact to unknown archaeological resources and human remains because standard conditions require halting work if resources or human remains are discovered, notifying and consulting appropriate parties, and implementing measures to avoid significantly impacting the resource or human remains, as outlined below.

Standard Conditions of Approval:

- DISCOVERY OF ARCHAEOLOGICAL RESOURCES. If prehistoric, or historic-period cultural materials are unearthed during ground-disturbing activities, all work within 100 feet of the find be halted until a qualified archaeologist and Native American representative can assess the significance of the find. Prehistoric materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil ("midden") containing heat-affected rocks and artifacts; stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered-stone tools, such as hammerstones and pitted stones. Historic-period materials might include stone, concrete, or adobe footings and wall, filled wells or privies, and deposits of metal, glass, and/or ceramic refuse. If the find is determined to be potentially significant, the archaeologist, in consultation with the Native American representative, shall develop a treatment plan that could include site avoidance, capping, or data recovery.
- DISCOVERY OF HUMAN REMAINS. In the event of the discovery of human remains during construction or demolition, there shall be no further excavation or disturbance of the site within a 50-foot radius of the location of such discovery, or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his/her authority, he/she shall notify the Native American Heritage Commission (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.

The project would implement the above City standard conditions of approval related to the discovery of archaeological resources and human remains identified in the Precise Plan FEIR and in compliance

with General Plan Policies LU-11.5 and LU-11.6,[6] should they be encountered on the site to reduce impacts to a less than significant level. The project, therefore, would result in the same less than significant impact disclosed in the Precise Plan FEIR.

3.4.3 Conclusion

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

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

3.5 ENERGY

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

3.5.1 Existing Setting

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

3.5.2 Discussion

a. The Precise Plan FEIR concluded that construction and operation of development allowed 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,
- Development would occur in an urbanized area with access to roadways, construction supplies, and workers,
- Standard BAAQMD BMPs would be implemented to restrict construction equipment idling times and prohibit unnecessary idling,
- Construction equipment with reduced emissions would be used,
- Projects would comply with the City's requirements to recycle and/or salvage for reuse a minimum of 65 percent of nonhazardous construction and demolition waste, and

- Projects would comply with Precise Plan green building standards.[7]

In addition, as discussed in the Precise Plan FEIR, implementation of the Precise Plan (which includes the project) would result in an overall decrease in gasoline use due to the Precise Plan area's proximity to transit, requirement for TDM plans, and mix of land uses. The annual energy demand of the Precise Plan at buildout is estimated to be approximately 156.1 million kWh of electricity, 188.2 million kBtu of natural gas, and 1.6 million gallons of gasoline.[8]

The project is consistent with the development analyzed in the Precise Plan FEIR and, therefore, the energy demand generated by the project was accounted for in the Precise Plan FEIR. Construction of the proposed project would require energy for the manufacture and transportation of building materials, preparation of the project site (e.g., demolition and grading), and the construction of the hotel and office buildings. Occupation and operation of the project would consume energy for building heating and cooling, lighting, and appliance use. Consistent with the City's Reach Code, the building would not include natural gas infrastructure, therefore, no natural gas would be used during project operations.

The project would comply with state mandated Title 24 energy efficiency standards, California Green Building Standards Code (CALGreen) standards, and Mountain View Green Building Code standards; especially with the inclusion of water efficiency and GreenPoint Rated (or equivalent) requirements. Compliance with these standards and requirements would further decrease the potential for energy waste and increase building efficiency.

For the reasons described above and consistent with the Precise Plan FEIR, the proposed project would not result in the inefficient or wasteful use of energy or resources.

b. The Precise Plan FEIR concluded that buildout of the Precise Plan would not obstruct a state or local plan for renewable energy or energy efficiency (including the state's Renewables Portfolio Standard program, SB 350, Title 24 energy efficiency standards, CALGreen standards, the City's GHG Reduction Program, and Mountain View Green Building Code standards) because future development would implement TDM plans, obtain 100 percent carbon free electricity from SVCE, and meet or exceed the state mandated Title 24 energy efficiency standards through compliance with Precise Plan standards.

As required under the City of Mountain View GHG Reduction Program and Precise Plan, the project proposes TDM measures including bicycle storage and TDM monitoring. In addition, the project would obtain 100 percent GHG-emission free electricity from SCVE and comply with Precise Plan includes building standards that meet or exceed state mandated Title 24 energy efficiency standards, CALGreen standards, and Mountain View Green Building Code standards (especially with the inclusion of water efficiency and GreenPoint Rated [or equivalent] requirements). Thus, consistent with the Precise Plan FEIR, the proposed project would not obstruct a state or local plan for renewable energy or energy efficiency.

[7] City of Mountain View. *East Whisman Precise Plan: Integrated Final Environmental Impact Report.* State Clearinghouse Number 2017082051. January 2020. Pp. 80-82.
[8] Ibid. P 81.

3.5.3 Conclusion

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

3.6 GEOLOGY, SOILS, AND MINERALS

Environmental Issue Area	A. Where Impact Was Analyzed in Prior Environmental Documents.	B. Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	C. Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	D. Any New Information of Substantial Importance Requiring New Analysis or Verification?	E. Prior Environmental Documents Mitigations Implemented or Mitigations Address Impacts.
Would the project:					
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. ii. Strong seismic ground shaking? iii. Seismic-related ground failure, including liquefaction? iv. Landslides?	Precise Plan Draft EIR (2019) Page 101-102	No	No	No	N/A
b. Result in substantial soil erosion or the loss of topsoil?	Precise Plan Draft EIR (2019) Page 103	No	No	No	N/A
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	Precise Plan Draft EIR (2019) Page 102-103	No	No	No	N/A

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

3.6.1 Existing Setting

The existing geology and soils setting, including regulatory framework, has not substantially changed since the certification of the 2019 Precise Plan FEIR. The project site is within a seismically active region, as well as a liquefaction hazard zone.[9] There are no active faults that cross the project site. The nearest active fault zones in the project vicinity are the Monte Vista-Shannon Fault, approximately six-miles southwest of the project site, and the San Andreas Fault, approximately 13-miles west of the project site.[10] Due to the relatively flat topography of the site and surrounding areas, the project would not be subject to substantial slope instability or landslide related hazards.

[9] Santa Clara County. *Geologic Hazard Zones.* Map. October 26, 2012.
[10] California Department of Conservation. "Fault Activity Map". 2015. Accessed January 6, 2023. https://maps.conservation.ca.gov/cgs/fam/.

The project site is generally underlain by very deep, poorly-drained soil that formed in alluvium derived from mixed rock sources. Approximate ground surface elevation of the site is approximately 47 feet above mean sea level.[11] The soils present at the project site exhibit moderate-shrink-swell (i.e., expansive) behavior.[12] The project site is not located within a Santa Clara County Compressible Soils Hazard Zone.[13] Groundwater levels in the Precise Plan area ranged from 15 feet to 41 feet below grade, and groundwater levels 100 feet east of the project site have been measured at approximately eight feet below grade.[14]

As discussed in the Precise Plan FEIR, 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.[15]

No paleontological resources have been identified in the City of Mountain View.[16]

3.6.2 Discussion

a. (i-iv) The Precise Plan FEIR concluded that potential seismic impacts to projects allowed under the Precise Plan (such as the proposed project) would be reduce to a less than significant level or avoided with conformance with CBC requirements, General Plan policies, and the below standard condition of approval which requires the preparation of a design-level geotechnical investigation report and implementation of the standard engineering and design recommendations in the report to minimize seismic and seismic-related hazards (including liquefaction and lateral spreading).

Standard Condition of Approval:

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

[11] Geocon Consultants, Inc. *Phase I Environmental Site Assessment, 500 and 550 Ellis Street Mountain View, CA.* August 2022. Page 6.
[12] United States Department of Agriculture Natural Resources Conservation Service. "Web Soil Survey". Accessed January 6, 2023. https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx.
[13] Santa Clara County. *Geologic Hazard Zones.* Map. October 26, 2012.
[14] Geocon Consultants, Inc. *Phase I Environmental Site Assessment, 500 and 550 Ellis Street Mountain View, CA.* August 2022. Page 6.
[15] Stinson, Melvin C., Michael W. Manson, and John J. Plappert. 1986. *Mineral land classification: aggregate materials in the San Francisco-Monterey Bay area*. Sacramento, CA: California Dept. of Conservation, Division of Mines and Geology.
[16] City of Mountain View. *East Whisman Precise Plan: Integrated Final Environmental Impact Report. State Clearinghouse Number 2017082051.* January 2020. P 87.

considerations for design of excavation shoring system; excavation monitoring; and seismic design.

Consistent with the Precise Plan FEIR, the proposed project would be designed and constructed in accordance with CBC requirements, and General Plan Policies PSA 4.2, PSA 5.1, PSA 5.2, PSA 5.3, PSA 5.4, and INC 2.3.[17] Additionally, the project is required to implement the above standard condition of approval identified in the Precise Plan FEIR. The project, therefore, would result in the same less than significant impact disclosed in the Precise Plan FEIR.

b, c, d. The Precise Plan FEIR concluded that compliance with CBC, General Plan policies, and the City's standard conditions of approval would ensure that soils impacts would be less than significant.

Given the site and site area's flat topography, the proposed project would not be subject to substantial erosion; therefore, the project would not expose people or structures to significant erosion-related hazards. In addition, the project would be required to implement the standard conditions of approval identified in the Precise Plan FEIR and discussed in Section 3.9 Hydrology and Water Quality to ensure that erosion and loss of topsoil would not occur during construction and operation of the project.

Soils with moderate expansion potential occur on-site, which can cause heaving and cracking of slabs-on-grade, pavements, and structures founded on shallow foundations. Given the proximity of seismically active faults, seismic ground shaking could result in liquefaction, liquefaction-induced lateral spreading, subsidence, or differential settlement. Implementation of the above identified standard condition of approval of preparing a design-level geotechnical investigation report and implementing the recommendations in the report would reduce the impacts of expansive soils and seismic-related hazards to a less than significant level. Furthermore, consistent with the Precise Plan FEIR, the project site does not contain steep slopes subject to landslide potential. The project, therefore, would result in the same less than significant impact disclosed in the Precise Plan FEIR.

e. The Precise Plan FEIR concluded that buildout of the Precise Plan would not result in impacts related to soils incapable of accommodating a septic tank because the Precise Plan area is and would continue to be served by the City's existing sanitary sewer system.

The project would connect to existing City sewer lines and does not propose treatment of wastewater on-site. Therefore, the project would have no impact on the project site soils' ability to support alternative wastewater systems.

f. The Precise Plan FEIR concluded that buildout of the Precise Plan would result in less than significant impacts to paleontological resources with compliance with the below City's standard condition of approval, which requires halting work in the event of a fossil discovery, examination of

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

the find by a qualified paleontologist, and implementation of avoidance measures or a data recovery plan.

Standard Condition of Approval:

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

Consistent with the Precise Plan FEIR, the project would implement the above standard condition of approval regarding the discovery of paleontological resources identified in the Precise Plan FEIR to reduce impacts to unknown paleontological resources to a less than significant level.

g-h. The Precise Plan FEIR concluded that implementation of the Precise Plan would not result in an impact to mineral resources, as there are no mineral resources present within the Precise Plan area (which includes the project site). Implementation of the project, therefore, would not result in an impact to mineral resources.

3.6.3 Conclusion

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

3.7 GREENHOUSE GAS EMISSIONS

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

3.7.1 Existing Setting

The existing GHG setting, including regulatory framework, has not substantially changed since the certification of the Precise Plan FEIR. Subsequent to the certification of the Precise Plan FEIR, in April 2022, BAAQMD adopted new CEQA Thresholds of significance for GHG emissions from new development projects.

The project site generates GHG emissions primarily from natural gas use as part of operation of the building (electricity supplied to the site is GHG-emission free from Silicon Valley Clean Energy) and fossil fuel combustion from vehicle trips by employees and visitors.

3.7.2 Discussion

a. The Precise Plan FEIR found that GHG emissions-related impacts would be less than significant with incorporation of City standard conditions of approval and Precise Plan requirements for recycling or reusing building materials, implementing TDM programs, complying with Title 24 building standards, and utilizing 100% carbon-free electricity. Consistent with the Precise Plan FEIR, the project would comply with the same regulations and City requirement, and obtain 100 percent carbon free electricity from SVCE.

As noted above, subsequent to the certification of the Precise Plan FEIR, BAAQMD adopted updated thresholds for GHG impacts. Per CEQA Guidelines Section 15088.5, adoption of new policies and/or regulations is not considered substantial new information requiring recirculation of the EIR because it does not result in a new significant environmental impact, increase the severity of an environmental impact, or alter the existing mitigation measure or alternative. Therefore, for informational purposes only, the project's consistency with the updated BAAQMD GHG threshold is provided below.

Pursuant to the current BAAQMD thresholds of significance, if a land use project meets option A or B below, it is considered to have a less than significant GHG impact.

A. Project must include, at a minimum, the following project design elements:
    1. Buildings
        a. The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development).
        b. The project will not result in any wasteful, inefficient, or unnecessary energy usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.
    2. Transportation
        a. Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target, reflecting the recommendations provided in the Governor's Office of Planning and Research's Technical Advisory on Evaluating Transportation Impacts in CEQA:
            i. Residential projects: 15 percent below the existing VMT per capita
            ii. Office projects: 15 percent below the existing VMT per employee
            iii. Retail projects: no net increase in existing VMT
        b. Achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.
B. Projects must be consistent with a local GHG reduction strategy that meets the criteria under State CEQA Guidelines Section 15183.5(b)

The project would comply with the City's Reach Code for an all-electric building and would be designed to meet LEED Gold standards by incorporating green building measures such as water efficient fixtures, drought tolerant landscaping, and electric vehicle charging stations. As discussed in Section 3.5 Energy, the project's implementation of BAAQMD BMPs and compliance with existing regulations (CALGreen Title 24, and MVGBC) would result in energy efficiencies. In addition, the project would achieve a VMT rate of 15 percent below the regional average (see Section 3.15 Transportation). For these reasons, the project would meet current BAAQMD GHG thresholds for a less than significant GHG emissions impact.

The project would also meet option B of being consistent with a local GHG reduction strategy, the City's GGRP. The project would be consistent with the GGRP by complying with all the mandatory measures (which are discussed under checklist question b) below).

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

3.7.3 Conclusion

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

3.8 HAZARDS AND HAZARDOUS MATERIALS

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

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

The discussion in this section is based, in part, on the Phase I Environmental Site Assessment (ESA) Geocon Consultants, Inc. dated August 2022. This section is also based in part on a peer review of this document prepared by Cornerstone Earth Group dated November 2022. These reports are attached as Appendix B.

3.8.1 Existing Setting

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

Prior to 1963, the project site (and many surrounding areas throughout the Precise Plan area) was used for agricultural purposes. Soils on the project site may contain residual pesticide contamination from past agricultural activities if the soils have not been previously excavated during construction of the existing buildings. The existing office buildings were constructed in 1968 and occupied by various bioscience firms up until present day. These uses typically includes the use, storage, and disposal of a variety of laboratory related chemicals, including combustible liquids, corrosive liquids and solids, flammable liquid, cryogenic material, infectious substances, miscellaneous liquids, miscellaneous solids, nonflammable gases, oxidizer solids, poisonous material liquids, and poisonous material solids. The Phase I ESA did not identify any recorded spills or evidence of waste disposal impacting the site.

Due to the project site's location within the Middlefield-Ellis-Whisman (MEW) Superfund Study Area, the MEW Superfund Study Area was identified as a Recognized Environmental Condition (REC) for the project site. In the 1960s and 1970s, companies involved in semiconductor, electronic, and other manufacturing and research contaminated the soil in the MEW Superfund Study Area and groundwater with volatile organic compounds (VOC), primarily trichloroethylene (TCE). The area was deemed a Superfund site and a clean-up plan was approved by the U.S. Environmental Protection Agency (EPA) in 1989.

Based on the site's history and location within the MEW Superfund Study Area, on-site indoor air quality samples were collected and analyzed for contaminants. VOC concentrations in both on-site buildings were below U.S. EPA clean-up levels; however, the potential presence of TCE in groundwater and soil vapor beneath the project site is considered a REC.[18]

A vapor intrusion study area was designated by the EPA in 2010 to prevent site contamination from vapor intrusion. The project site is located within the vapor intrusion study area. The EPA determined that vapor intrusion response actions are necessary to protect the health of building occupants in the vapor intrusion study area from actual or threatened releases of hazardous substances into the environment via the subsurface vapor intrusion pathway. The Precise Plan FEIR found that future development projects within the MEW Superfund Study Area would be subject to the EPA's Record of Decision (ROD) Amendment for the Vapor Intrusion Pathway, MEW Superfund Study Area[19] and the Statement of Work Remedial Design and Remedial Action to Address the Vapor Intrusion Pathway, MEW Superfund Study Area[20] (EPA 2011). Furthermore, according to the Precise Plan FEIR, all future projects within the MEW Superfund Study Area would be required to prepare and submit the following plans and controls to the EPA for review and approval and to the City for review:

- For future/new buildings on property where lines of evidence indicate that there is the potential for vapor intrusion into the new building above EPA's indoor air cleanup levels, the remedy shall consist of 1) passive sub-slab ventilation with a vapor barrier (and with the ability to convert the system from passive to active ventilation), 2) monitoring to ensure the long-term effectiveness, and 3) the implementation of Institutional Controls.
- For future/new buildings on properties where multiple lines of evidence indicate there is no potential for vapor intrusion into the building exceeding EPA's indoor air cleanup levels, indoor air sampling shall be performed after the building is constructed to confirm that there is no potential vapor intrusion risk and EPA's indoor air cleanup levels are met; if approved by the EPA, no further vapor mitigation actions are required.
- At properties where a vapor intrusion remedy is determined to be required, future project developers will be required to submit the following plans and controls to EPA for review and approval and will be required to implement the EPA-approved measures.
    - **Air Monitoring Plan** to assess the exposure of construction workers and neighboring occupants adjoining the property to VOCs as part of the Air Monitoring Plan; this plan shall specify measures to be implemented if VOCs exceed regulatory threshold values.
    - **Vapor Intrusion Control System Remedial Design Plan** describing the measures to be implemented to help prevent exposure of property occupants to VOCs in indoor air as a result of vapor intrusion. This plan shall also include a Vapor Intrusion Mitigation Plan which requires future project developers to design the proposed occupied spaces with appropriate structural and engineering features to reduce risk of vapor intrusion into buildings. At a minimum, this design would include incorporation of vapor barrier

[18] Cornerstone Earth Group. *Environmental Document Review 500 and 550 Ellis Street Mountain View, CA*. November 3, 2022. Page 3.
[19] U.S. Environmental Protection Agency. *Middlefield-Ellis-Whisman (MEW) Superfund Study Area, Mountain View and Moffett Field, California*. August 16, 2010.
[20] U.S. Environmental Protection Agency. *Statement of Work Remedial Design and Remedial Action to Address the Vapor Intrusion Pathway, MEW Superfund Study Area.* 2011.

and provisions of space to accommodate active ventilation equipment to help prevent indoor air contaminant concentrations exceeding EPA's indoor air cleanup levels.

- **Additional Requirements.** The ROD Amendment for the Vapor Intrusion Pathway, MEW Superfund Study Area[21] and the Statement of Work Remedial Design and Remedial Action to Address the Vapor Intrusion Pathway, MEW Superfund Study Area[22] specify the selected remedy for all future buildings:
  - Passive sub-slab ventilation with vapor barriers
  - Monitoring to ensure long-term effectiveness
  - Implementation of Institutional controls

The nearest airport to the Precise Plan area is Moffett Federal Airfield, which is approximately 0.3-mile north of the project site. According to the Moffett Federal Airfield Comprehensive Land Use Plan (CLUP), the project site is located within its Airport Influence Area; however, it is not located within any of the safety zones for Moffett Federal Airfield. The project site is located within the mapped Part 77 182-foot amsl horizontal surface for Moffett Federal Airfield.[23] Additionally, the project site is located outside of the 65 dB noise contour of the Moffett Federal Airfield.[24]

3.8.2 Discussion

a. The Precise Plan FEIR concluded that with compliance with federal, state, local requirements, City of Mountain View General Plan policies, future development (including the proposed project) would not create a significant hazard to the public or environment through routine transport, use, or disposal of hazardous materials. The conditions in and around the project site have not changed substantially since certification of the Precise Plan FEIR and the project proposes land uses consistent with those identified for the site and analyzed in the Precise Plan FEIR. For these reasons, the project would result in the same impact as disclosed in the Precise Plan FEIR.

b. The Precise Plan FEIR concluded that future construction and demolition activities could expose construction workers, the environment, and area residents to potentially unacceptable health risks from contaminated groundwater, soils, and soil gas, resulting in a significant impact. However, with incorporation of Precise Plan FEIR mitigation measure MM HAZ-3.1, which requires the preparation of a site-specific Phase I ESA and a Site Management Plan (SMP) for all development projects with RECs, impacts would be reduced to a less than significant level.

Precise Plan FEIR Mitigation Measure

Precise Plan MM HAZ-3.1: Prior to the start of any redevelopment activity, a property-specific Phase I Environmental Site Assessment (ESA) shall be completed in accordance with ASTM Standard Designation E 1527-13 (or the standard that is effective at the time the Phase I ESA is conducted) to identify Recognized Environmental Conditions, evaluate the property history, and establish if the property is likely to

[21] U.S. Environmental Protection Agency. *Middlefield-Ellis-Whisman (MEW) Superfund Study Area, Mountain View and Moffett Field, California*. August 16, 2010.
[22] U.S. Environmental Protection Agency. *Statement of Work Remedial Design and Remedial Action to Address the Vapor Intrusion Pathway, MEW Superfund Study Area.* 2011.
[23] County of Santa Clara. *Comprehensive Land Use Plan Moffett Federal Airfield*. November 2, 2012. Figure 6.
[24] Ibid. Figure 5.

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

At properties identified as being impacted or potentially impacted by Recognized Environmental Conditions pertaining to contaminated soil, soil vapor and/or groundwater (based on the professional judgement of the environmental professional and/or determination by the City based on the property-specific Phase I ESA or subsequent studies), a Site Management Plan (SMP) shall be prepared prior to development activities to establish management practices for handling contaminated soil, soil vapor, groundwater, or other materials during construction activities. The SMP shall be prepared by an Environmental Professional and submitted to the overseeing regulatory agency (e.g., United States Environmental Protection Agency, Regional Water Quality Control Board and/or County Department of Environmental Health) for review and approval prior to commencing construction activities. Management of site risks during earthwork activities in areas where impacted soil, soil vapor, and/or groundwater are present or suspected, shall be described. Worker training requirements and health and safety shall be described. The SMP shall also be submitted to the City of Mountain View Planning Division for review. The project developer shall also submit to the City agency approval of the SMP or provide documentation of a regulatory agency's decision declining involvement in the project.

Consistent with Precise Plan FEIR MM HAZ-3.1, a Phase I ESA and peer review was completed for the project site (refer to Appendix B). The reports found that the project site's location within the MEW Superfund Study Area is a REC due to potential TCE contamination in soil vapor and groundwater. A SMP shall be prepared and implemented by the project to protect construction workers and the environment from on-site contamination including elevated levels of contamination in soil vapor and groundwater.

The project is required to comply with the ROD Amendment for the Vapor Intrusion Pathway, MEW Superfund Study Area (EPA 2010) and Statement of Work Remedial Design and Remedial Action to Address the Vapor Intrusion Pathway, and MEW Superfund Study Area (EPA 2011) specifications, as summarized in the Precise Plan FEIR and noted above to minimize potential impacts associated with the contaminated groundwater and soils on the project site during project construction and operation. Following the installation of the required vapor intrusion control measures, the applicant is required to provide a Vapor Intrusion Response Action Completion Report to the EPA for review and approval, and to the City for review. The Completion Report must be submitted within 90 days of completion of installation of the vapor intrusion control measures and approved by the EPA prior to building occupancy.

Based on the above discussion, the project in compliance with existing regulations and with the implementation of Precise Plan FEIR Mitigation Measure MM HAZ-3.1, impacts associated with hazardous materials would be less than significant (consistent with the Precise Plan FEIR).

c. The Precise Plan FEIR concluded that implementation of the Precise Plan would not construct a school on a property that is subject to hazards from hazardous materials contamination, emissions, or accidental release and would not result in impacts to existing or proposed schools within one-quarter miles of the Precise Plan area.

There are no schools within 0.25-mile of the project site. The nearest school to the project site is Vargas Elementary school, approximately 0.7-mile southeast of the project site. The project, therefore, would result in the same less than significant impact as identified in the Precise Plan FEIR.

d. The Precise Plan FEIR concluded that implementation of the Precise Plan could include development on sites included on lists of hazardous materials sites compiled pursuant to Government Code Section 65962; however, with implementation of the EPA-required ROD measures for properties within the MEW Study Area, VOC-related soil and vapor potential impacts from MEW contaminants to construction workers, area residents, and the environment would be less than significant (see discussion under checklist question b) above).

While the project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962,[25] the project would implement the EPA-required ROD measures and Precise Plan mitigation measures MM HAZ-3.1 to reduce hazardous materials impacts (see discussion under checklist question b) above).

e. The Precise Plan FEIR concluded that, with required coordination with the County of Santa Clara Airport Land Use Commission and the FAA, buildout of the Precise Plan would not result in increased airport safety hazards.

As discussed in Section 3.8.1, the project site is outside the CLUP safety zones and noise contour for the Moffett Federal Airfield. The proposed development, therefore, would not expose people residing or working at the project site to a safety hazards or excessive noise from Airfield operations.

f. The Precise Plan FEIR concluded that future development under the Precise Plan would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan due to the City's conformance with General Plan Policies MOB 10.1, MOB 10.2, and MOB 10.4,[26] therefore, impacts would be less than significant.

The proposed project would not impair implementation of or physically interfere with an adopted Mountain View emergency response or evacuation plan because the project would incorporate relevant fire code requirements, is not located along specified evacuation or emergency routes, and would implement TDM measures.

[25] Geocon Consultants, Inc. *Phase I Environmental Site Assessment, 500 and 550 Ellis Street, Mountain View, California.* August 2022.

[26] General Plan Policies MOB 10.1, MOB 10.2 and MOB 10.4 call for the City to maximize the efficiency of existing automobile infrastructure and manage streets to discourage cut through traffic, reduce travel demand through effective TDM programs, and monitoring emergency response times and review emergency response time standards. Source: City of Mountain View. *Mountain View 2030 General Plan.* July 10, 2012.

g. The Precise Plan FEIR concluded that future development within the Precise Plan (which includes the project site) would not expose people or structures to hazards from wildland fires because the Precise Plan is not located within a wildfire hazard severity zone.

3.8.3 Conclusion

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

3.9 HYDROLOGY AND WATER QUALITY

Environmental Issue Area	A. Where Impact Was Analyzed in Prior Environmental Documents.	B. Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	C. Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	D. Any New Information of Substantial Importance Requiring New Analysis or Verification?	E. Prior Environmental Documents Mitigations Implemented or Mitigations Address Impacts.
Would the project:					
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	Precise Plan Draft EIR (2019) Page 146-147	No	No	No	N/A
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	Precise Plan Draft EIR (2019) Page 147	No	No	No	N/A
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: i. result in substantial erosion or siltation on- or off-site; ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv. impede or redirect flood flows?	Precise Plan Draft EIR (2019) Page 148-149	No	No	No	N/A

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

3.9.1 Existing Setting

The existing hydrology and water quality setting, including regulatory framework, has not substantially changed since the certification of the Precise Plan FEIR. Since certification of the Precise Plan FEIR, in November 2021, Santa Clara Valley Water District adopted the 2021 Groundwater Management Plan for the Santa Clara and Llagas Subbasins which establishes recharge facilities, recycled water systems, and conservation strategies to proactively manage groundwater and surface water resources within its jurisdiction.

The project site has 78,559 square feet (or 84 percent) of impervious surfaces and 15,468 square feet (or 16 percent) of pervious surfaces consisting of mature trees and limited amounts of ornamental landscaping along the perimeter of the site.

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

3.9.2 Discussion

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

[27] Federal Emergency Management Agency. Flood Insurance Rate Map, Community Panel No. 06085C0045H. Effective Date May 18, 2009.

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

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

The project would implement the following design guidelines and standards from the Precise Plan:

- The project would include installation of self-treating areas and proprietary high flow media filters as required by the MRP and City's Green Stormwater Infrastructure Plan and other plans and goals,
- The project would meet the baseline indoor and outdoor water performance standards defined by LEED BD+C prerequisites and mandatory CALGreen requirements.
- The project would plant drought tolerant and native species for landscaping.

In addition, the project would implement the following City standard conditions of approval.

Standard Conditions of Approval

- CONSTRUCTION SEDIMENT AND EROSION CONTROL PLAN: The applicant shall submit a written plan acceptable to the City which shows controls that shall be used at the site to minimize sediment runoff and erosion during storm events. The plan shall include installation of the following items where appropriate: (a) silt fences around the site perimeter; (b) gravel bags surrounding catch basins; (c) filter fabric over catch basins; (d) covering of exposed stockpiles; (e) concrete washout areas; (f) stabilized rock/gravel driveways at points of egress from the site; and (g) vegetation, hydroseeding, or other soil stabilization methods for high-erosion areas. The plan should also include routine street sweeping and storm drain catch basin cleaning.
- CONSTRUCTION BEST MANAGEMENT PRACTICES: All construction projects shall be conducted in a manner which prevents the release of hazardous materials, hazardous waste, polluted water, and sediments to the storm drain system.
- STORMWATER TREATMENT (C.3): This project would create or replace more than 10,000 square feet of impervious surface; therefore, stormwater runoff shall be directed to approved permanent treatment controls as described in the City's guidance document entitled, "Stormwater Quality Guidelines for Development Projects." The City's guidelines also describe the requirement to select Low-Impact Development (LID) types of stormwater treatment controls; the types of projects that are exempt from this requirement; and the Infeasibility and Special Projects exemptions from the LID requirement.

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

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

For the reasons mentioned above, the project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. This is the same impact as previously disclosed in the Precise Plan FEIR.

b. The Precise Plan FEIR concluded that buildout of the Precise Plan would not substantially decrease groundwater supplies or interfere with sustainable groundwater management of the Santa Clara Valley subbasin or result in other groundwater-related impacts because development would not be located on or impact recharge facilities, pump plants, or drinking water treatment plants.

The project site does not contain groundwater recharge facilities. Construction of the project would require excavation to a maximum depth of five feet bgs. As discussed in Section 3.6.1 above, groundwater in the area was found to be eight feet bgs; therefore, no dewatering of groundwater is required.

For the above reasons, the project would not result in new or substantially increased impacts than those described in the Precise Plan FEIR.

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

overall impervious surfaces would be reduced. The Precise Plan FEIR determined that the City's stormwater system would adequately convey flows from buildout of the Precise Plan.

The proposed project would construct hotel and office uses within an existing urban area, on a site that is currently developed. The redevelopment of the project site would not alter the drainage pattern of the area. The project would decrease impervious surfaces compared to existing conditions; thus, the existing storm drain infrastructure serving the project site has adequate capacity to accommodate the project flows.[28] For this reason, the existing storm drain system would continue to adequately accommodate runoff from the project site and the project would result in the same impact as disclosed in the Precise Plan FEIR.

d. The Precise Plan FEIR concluded that buildout of the Precise Plan would not result in increased flood hazards, increased tsunami, or seiche risks, or increased release of pollutants due to inundation with compliance with existing Fire Department policies regarding proper storage and handling of large quantities of hazardous materials and preparation of Hazardous Materials Business Plans when appropriate.

The proposed project site is not located in an identified FEMA 100-year flood hazard zone or subject to tsunamis or seiches.[29] Based on the location of the project and the fact that it would not include storage of significant amounts of hazardous materials, the project would not result in a release of pollutants from flooding, seiches, or tsunamis.

e. The Precise Plan FEIR concluded that buildout of the Precise Plan would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan because there are no recharge facilities, pump plants, or drinking water treatment plants in the Precise Plan area, therefore, impacts would be less than significant.

The project site is not identified in the 2021 Groundwater Management Plan as containing any recharge facilities, pump plants, or drinking water treatment plants; therefore, the project would not impact any of these facilities.

3.9.3 Conclusion

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

[28] Under the proposed project, impervious surfaces would be decreased by 6,120 square feet from 78,559 to 72,439 square feet.
[29] Association of Bay Area Governments. "Resilience Program." Accessed January 9, 2023. https://mtc.maps.arcgis.com/apps/webappviewer/index.html?id=4a6f3f1259df42eab29b35dfcd086fc8.

3.10 LAND USE AND PLANNING

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

3.10.1 Existing Setting

The existing land use setting, including regulatory framework, has not substantially changed since the certification of the Precise Plan FEIR.

Since certification of the Precise Plan FEIR (November 2019), the Association of Bay Area Governments adopted Plan Bay Area 2050 which builds on Plan Bay Area 2040 and includes 35 strategies for housing, transportation, economic viability and the environment. Although Plan Bay Area 2050 was adopted, it will take several years for the updated plan to be reflected in the regional and county-wide transportation models.

As noted in Section 3.8 Hazards and Hazardous Materials. The project site is located within the Airport Influence Area (AIA) and within the mapped Part 77 182-foot amsl horizontal surface for Moffett Federal Airfield.[30] Additionally, the project site is not located within any of the noise contours of the Moffett Federal Airfield.[31]

3.10.2 Discussion

a. The Precise Plan FEIR concluded that although the Precise Plan includes extension of new streets, they would facilitate multimodal transportation use and break down large blocks into more walkable units, and no dividing infrastructure such as highways or railways are planned, thus, impacts would be less than significant.

[30] County of Santa Clara. *Comprehensive Land Use Plan Moffett Federal Airfield*. November 2, 2012. Figure 6.
[31] Ibid. Figure 5.

The project would replace the existing office buildings with a new hotel and office building, consistent with the Precise Plan's vision, and would not involve components that would physically divide an existing community (i.e., highways or railways).

b. The Precise Plan FEIR concluded that the Precise Plan incorporates standards and guidelines to minimize environmental impacts and would be consistent with land use plans, policies, and regulations including the General Plan, Zoning Ordinance, Moffett Field CLUP, and Plan Bay Area 2040. Specifically, the Precise Plan FEIR concluded that development allowed under the Precise Plan would not conflict with the Moffett Field CLUP because the Precise Plan includes standards and guidelines to minimize environmental impacts and that development allowed under the Precise Plan would not conflict with the Plan Bay Area 2040 because the Precise Plan meets the intent of Plan Bay Area 2040 to focus growth in PDAs and streamline the review process for development projects.

The proposed project's density and land use are consistent with the Precise Plan and the proposed hotel and office building meets the Precise Plan design standards and guidelines. Thus, the project would not conflict with the Moffett Field CLUP and zoning ordinance. Further, the project is a mixed-use development within a half-mile of the Middlefield Light Rail Station and within an identified PDA.[32] Therefore, the proposed hotel and office project is consistent with the High-Intensity Office General Plan land use designation and General Plan Policy LUD 19.1, which calls for greater land use intensity and transit-oriented developments within a half-mile of light rail transit stations, and would be consistent with Plan Bay Area 2050.

3.10.3 Conclusion

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

[32] Association of Bay Area Governments. "Priority Development Areas (Plan Bay Area 2050)". July 27, 2020. Accessed January 9, 2023. https://opendata.mtc.ca.gov/datasets/priority-development-areas-plan-bay-area-2050/explore.

3.11 NOISE AND VIBRATION

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

3.11.1 Existing Setting

The existing noise and vibration setting, including regulatory framework, has not substantially changed since the certification of the Precise Plan FEIR.

The existing noise environment in the Precise Plan area results primarily from vehicular traffic along freeway and roadways (including U.S. 101, East Middlefield Road, North Whisman Road, and Ellis Street), VTA light rail pass-bys, and aircraft associated with Moffett Federal Airfield. The project site is located outside the 65 dBA CNEL noise contour for the Moffett Federal Airfield. The nearest sensitive receptors are residential uses located on North Whisman Road, approximately 0.3-mile west of the project site.

3.11.2 Discussion

a. The Precise Plan FEIR concluded that buildout of the Precise Plan would not result in substantial short-term construction noise, or permanent noise level increases from increased traffic, or operation of mechanical equipment with implementation of the City's standard conditions of approval (listed below) and with adherence to City Code requirements.

Standard Conditions of Approval:

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

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

Construction Noise

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

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

Operational Noise

Traffic Noise

As identified in the Precise Plan FEIR, a significant permanent noise level increase would occur if project-generated traffic would result in a noise level increase of three dBA Ldn or greater, with a future noise level of 60 dBA Ldn or greater.

The future traffic noise from buildout of the Precise Plan was modeled and disclosed in the Precise Plan FEIR. Traffic noise increases above existing levels from Precise Plan-generated traffic would be one to two dBA Ldn or less at noise sensitive receptors within or outside the Precise Plan area. Since the increase in traffic noise as a result of the Precise Plan buildout (which includes traffic from the proposed project) would be less than three dBA, the Precise Plan (which includes the proposed development) traffic noise would have a less than significant impact on noise-sensitive receptors in the area.

Mechanical Equipment Noise

General Plan Policy NOI 1.7 restricts noise levels from stationary sources through enforcement of the Noise Ordinance, which states that stationary equipment noise from any property must be maintained at or below 55 dBA Leq during daytime hours (i.e., between 7:00 a.m. and 10:00 p.m.) and at or below 50 dBA Leq during nighttime hours (i.e., between 10:00 p.m. and 7:00 a.m.) as measured at residential land uses.

The project would include mechanical systems (i.e., HVAC, exhaust fans, intake ventilation) on the rooftop of the proposed hotel and office buildings. The Precise Plan FEIR includes a standard condition of approval for future development, which is identified above, that requires conformance with the noise and time limitations to reduce potential noise impacts from mechanical equipment. The project would implement the standard condition of approval for mechanical equipment as identified in the Precise Plan FEIR and, therefore, result in the same less than significant impact disclosed in the Precise Plan FEIR.

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

Precise Plan FEIR Mitigation Measures:

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

- Identification of sites that would include vibration compaction activities such as pile driving and have the potential to generate ground-borne vibration, and the sensitivity of nearby structures to ground-borne vibration. Vibration limits should be applied to all vibration-sensitive structures located within 200 feet of the project. A qualified structural engineer should conduct this task.
- Development of a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions.
- Construction contingencies would be identified for when vibration levels approached the limits.
- At a minimum, vibration monitoring should be conducted during initial demolition activities and during pile driving activities. Monitoring results may indicate the need for more or less intensive measurements.
- When vibration levels approach limits, suspend construction and implement contingencies to either lower vibration levels or secure the affected structures.
- Conduct post-survey on structures where either monitoring has indicated high levels or complaints of damage has been made. Make appropriate repairs or compensation where damage has occurred as a result of construction activities.

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

c. The Precise Plan FEIR concluded that impacts associated with exposure of people living or working in a project area to excessive noise from airport operations was not a CEQA impact.

Moffett Federal Airfield is a joint civilian/military airport located approximately 0.3-mile north of the project site. According to the Moffett Federal Airfield CLUP 2022 Aircraft Noise Contour Map, the project site is outside the 65 dBA Community Noise Equivalent level (CNEL) noise contour. Therefore, the project would not expose future occupants to excessive noise from aircraft operations.

3.11.3 Conclusion

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

3.12 POPULATION AND HOUSING

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

3.12.1 Existing Setting

The existing population and housing setting, including regulatory framework, has not substantially changed since the certification of the Precise Plan FEIR.

The growth projection for the Precise Plan is consistent with the growth projections for the area in the General Plan. According to the Precise Plan FEIR, the approved Precise Plan would result in employment growth of approximately 12,000 new jobs over existing conditions for a total of 27,360 employees at full buildout in 2030. Buildout of the Precise Plan would add 5,000 residential units, resulting in an estimated 10,750 residents. Currently there is one single-family residence in the Precise Plan area located on Middlefield Road. In addition, 2,771 residential units have been approved for development within the Precise Plan area since the certification of the Precise Plan FEIR.

There are no residential units on the project site.

3.12.2 Discussion

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

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

3.12.3 Conclusion

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

3.13 PUBLIC SERVICES

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

3.13.1 Existing Setting

The existing public services setting, including regulatory framework, has not substantially changed since the certification of the 2019 Precise Plan FEIR. The Precise Plan area is served by the Mountain View Fire Department (MVFD). The nearest fire station to the project site is Station Four (located approximately 0.7-miles southwest of the project site at 229 North Whisman Road). Police protection services are provided by the Mountain View Police Department (MVPD). The MVPD consists of authorized staff of 90 sworn and 45 non-sworn personnel.

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

The Precise Plan area, including the project site, is located within the Whisman Planning Area of the City of Mountain View 2014 Parks and Open Space Plan. There are approximately 15.41 acres of open space in the Whisman Planning Area located primarily at Whisman and Slater Schools and four mini-parks: Magnolia, Chetwood, Creekside, and Devonshire Parks. The closest parks to the project site include Devonshire Park, located approximately 0.4-mile northwest, and Edenvale Park, located approximately 0.6-mile northwest of the project site.

3.13.2 Discussion

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

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

c. The proposed project does not include new residential units that would generate new residents; therefore, it would not contribute to school impacts. No new schools are proposed and no physical changes to existing school district facilities would occur with implementation of the proposed project. The project would result in the same impact as disclosed in the Precise Plan FEIR. The project is subject to pay required school impact fees for commercial development in accordance with adopted fees in place and in accordance with State law.

d. The Precise Plan FEIR concluded that buildout of the Precise Plan would not substantially affect the provision of parks and open space or result in deterioration of existing facilities with payment of required park fees by future development.

Project-related impacts to parks (as well as other recreational facilities) are discussed in Section 3.14 Recreation below and concluded to be less than significant.

e. The Precise Plan FEIR concluded that the growth projected in the Precise Plan (which includes the proposed project), would not trigger the City to build or operate a new library in the Precise Plan area. The proposed project is consistent with the Precise Plan; therefore, the proposed project would result in the same less than significant impact on library services as disclosed in the Precise Plan FEIR.

3.13.3 Conclusion

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

3.14 RECREATION

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

3.14.1 Existing Setting

The existing recreational setting, including regulatory framework, has not substantially changed since the certification of the Precise Plan FEIR.

The City of Mountain View owns 993 acres of parks and open space facilities, including 22 urban parks (13 of which are under joint use agreements with local school districts) and Stevens Creek Trail. The nearest park to the project site is Pyramid Park (located 0.3 miles southwest of the site). The Precise Plan area currently does not meet the City's standard of 3.0 acres of parkland per 1,000 residents.

3.14.2 Discussion

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

The project includes an approximately 7,350 square-foot public paseo located between the proposed hotel and office buildings, the square footage of which is consistent with Precise Plan requirements. The public paseo would include common outdoor seating to be used by future employees and hotels guests to reduce demand on existing parks in the area. Given that the Precise Plan includes sufficient future parkland facilities to meet future demand and that the project includes on-site open space amenities, project-related parks impacts would be less than significant, consistent with the Precise Plan FEIR.

3.14.3 Conclusion

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

3.15 TRANSPORTATION

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

The discussion within this section is based, in part, on a Multi-Modal Transportation Analysis (MTA) prepared by Hexagon Transportation Consultants, Inc. dated February 2023. The MTA is included with this checklist as Appendix C.

3.15.1 Existing Setting

The existing transportation setting, including regulatory framework, has not substantially changed since the certification of the Precise Plan FEIR. Notable changes include the City's adoption of a nexus study and impact fee and Vehicle Miles Traveled (VMT) Policy. These are described below.

The City of Mountain View adopted a nexus study and impact fee in May 2022 for transportation and utilities improvements necessary to address impacts generated by development in the Precise Plan area. As stated in the Precise Plan, development projects will contribute funding to the following transportation improvements (which were also identified in the Precise Plan FEIR):

- Signalize intersection of Ellis Street and Manila Drive

- Add westbound left- and southbound right-turn lanes to US 101 Northbound Ramps and Ellis Street
- Add Southbound turn lane on Fairchild Drive and Ellis Street
- Construct new interchange at Maude Avenue and SR 237 Ramps
- Add a dedicated Eastbound right turn lane to Maude Avenue and North Mary Avenue
- Add a dedicated Eastbound right turn lane to East Middlefield Road and North Whisman Road
- Add an Eastbound left turn lane to East Middlefield Road and Ellis Street
- Convert southbound right turn lane to shared southbound left/ right turn lane on Central Expressway and SR 85 Southbound Ramp
- Add westbound lane, Westbound turn lane and eastbound turn lanes to Central Expressway and North Mary Avenue
- Add Eastbound lane to West Evelyn Avenue and North Mary Avenue
- Add dedicated northbound right, southbound right, and eastbound right turn lanes to Moffett Boulevard and West Middlefield Road
- Close Castro Street between Moffett Boulevard and Central Expressway[33]

The project is responsible for implementing focused vehicle operational improvements at impacted intersections identified in the MTA and contributing its fair share towards the planned Precise Plan area transportation improvements, through payment of the East Whisman Precise Plan Impact Fee.

Additionally, on June 30, 2020, the Mountain View City Council adopted its VMT Policy, which replaces Level of Service (LOS) with VMT as the metric for determining a significant transportation impact under CEQA, consistent with SB 743. The City's VMT Policy includes screening criteria for projects which are presumed to have a less than significant VMT impact and do not require further project-specific VMT analysis if the project: is located within a half mile of an existing major transit stop[34] or an existing stop along a high-quality transit corridor; has an FAR of greater than 0.75; has reduced parking compared to the maximum parking required by the City; is consistent with Plan Bay Area; and does not replace affordable residential units with fewer units of moderate to high income. This project complies with the screening criteria and is determined to have a less than significant VMT impact.

3.15.2 Discussion

a. The Precise Plan FEIR found that development and identified improvements in the Precise Plan area would result in LOS deficiencies under existing LOS policies, improvements to address select deficiencies would be implemented, and select deficiencies would be unavoidable.[35] However, as noted above, consistent with SB 743, beginning on July 1, 2020, impacts to LOS no longer constitute a significant impact under CEQA.

[33] City of Mountain View. *East Whisman Precise Plan Draft Environmental Impact Report*. June 2019.
[34] According to the City's Multi-Modal Transportation Analysis Handbook, existing major transit stops include the Downtown Mountain View Caltrain station, San Antonio Caltrain station, light rail stations, and/or El Camino Real transit stops. Source: City of Mountain View. *Multi-Modal Transportation Analysis Handbook, Version 1.0*. February 2021. P 47. https://www.mountainview.gov/civicax/filebank/blobdload.aspx?BlobID=33964
[35] City of Mountain View. East Whisman Precise Plan: Integrated Final Environmental Impact Report. State Clearinghouse Number 2017082051. January 2020. P. 224.

Pedestrian and Bicycle Facilities

The Precise Plan FEIR 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.

As described in Section 2.6 Site Access and Parking, pedestrian access to and within the project site would be provided via existing sidewalks along Ellis Street and National Avenue and the proposed paseo. The project would provide eight-foot sidewalks with an additional six feet of landscaping between the sidewalk and vehicle travel lanes along the project frontage on Ellis Street. This would improve pedestrian comfort compared to the six-foot attached sidewalks currently in place. The project would also provide seven-foot sidewalks along National Avenue along the project frontage with 15 feet of landscaping between the walk zone and vehicle travel lane. Further, a new raised pedestrian crosswalk would be constructed to connect the paseo to the parcel west of the project site. The project would also build a new ADA compliant ramp at the northwest corner of the Ellis Street and National Avenue intersection. These improvements are consistent with the planned improvements, standards, and guidelines for pedestrian facilities included in the Precise Plan. For these reasons, the project would not conflict with the Precise Plan or Access MV policies addressing pedestrian facilities.

The project would add vehicle trips to Ellis Street, North Whisman Road, and East Middlefield Road, contributing to increased bicycle level of stress along these roadways. The project, however, proposes a public paseo between the hotel and office buildings. In addition, the project includes secure bicycle storage for office employees on the ground floor of the office building and short-term bicycle racks along the project frontage. This is consistent with the Precise Plan, which includes bicycle facility improvements such as multi-use pathways within new developments. For these reasons, consistent with the Precise Plan FEIR, the project would not conflict with the Precise Plan or Access MV policies addressing bicycle facilities.

Transit Facilities

The project site is served by VTA Route 21, with bus stops on East Middlefield Road, and is located within 0.5-mile of the Bayshore/NASA and Middlefield Light Rail Stations, which are considered major transit stops. The Precise Plan FEIR identified a significant and unavoidable effect on transit vehicle operations at intersections with a deficient LOS (see Precise Plan FEIR Impact TRA-3) and found that transit operational improvements such as signal coordination and transit vehicle preemption could reduce the magnitude of congestion on transit operations and improve the overall reliability of transit in congested areas.[36] However, these improvements would not fully address the LOS deficiencies. The project's contribution to the effects of congestion on transit vehicle operations was accounted for in the Precise Plan FEIR. An analysis of the project's contribution to the transit vehicle delay disclosed in the Precise Plan FEIR was completed. According to the MTA, the project would generate approximately four new riders during the a.m. and p.m. peak hours. Due to the small number of net new vehicle trips generated by the project (1,072 new daily trips, 115 a.m. and 88 p.m. trips), the project's portion of overall estimated Precise Plan vehicle trips would result in a minimal increase in vehicle delay at the study intersections and would not cause a noticeable change in transit travel

[36] City of Mountain View. *East Whisman Precise Plan: Integrated Final Environmental Impact Report. State Clearinghouse Number 2017082051.* January 2020. P. 212.

times and vehicle delay for the bus routes in the study area. Therefore, the proposed project would result in a minimal increase in transit vehicle delay at intersections with LOS deficiencies identified in the Precise Plan FEIR. Pursuant to SB 743, LOS is no longer a significant impact under CEQA.

Additionally, the Precise Plan FEIR identified that a significant impact associated with increased light rail service delay due to gate operations at the proposed Street C at-grade crossing of the light-rail tracks between Ellis Street and Logue Avenue (see Precise Plan FEIR Impact TRA-4). The Precise Plan includes mitigation measure EIR MM TRA-4.1, requiring the removal of the Street C from the Precise Plan. Consistent with Precise Plan FEIR mitigation measure EIR MM TRA-4.1, Street C was removed from the Precise Plan and replaced with a grade-separated multi-use path. Furthermore, implementation of the project would not disrupt existing or interfere with planned transit facilities and services.

Based on the above discussion, the project would result in the same impact to transit facilities as disclosed in the Precise Plan FEIR.

In summary, the project would be consistent with roadway, pedestrian, bicycle, and transit programs, plans, ordinances, and policies disclosed in the Precise Plan FEIR.

b. The Precise Plan FEIR identified a significant and unavoidable project- and cumulative-level VMT impact due to Precise Plan project-generated VMT on both a citywide and countywide basis. As disclosed in the Precise Plan FEIR, the Precise Plan project-level VMT per service population was calculated to be 35.93 and the Precise Plan cumulative VMT per service population was calculated to be 36.27. The proposed project's VMT was included in the VMT calculation in the Precise Plan FEIR for the Precise Plan as a whole. For this reason, the project would contribute to the same impact as disclosed in the Precise Plan EIR.

As noted in Section 3.15.1 Existing Setting above, since adoption of the Precise Plan and certification of the Precise Plan FEIR, City Council adopted the Mountain View VMT Policy, which establishes screening criteria for developments that are expected to cause a less than significant transportation impact under CEQA and for which future VMT analysis is not required. Per CEQA Guidelines Section 15088.5, adoption of new policies and/or regulations is not considered substantial new information requiring recirculation of the EIR because it does not result In a new significant environmental impact, increase the severity of an environmental impact, or alter an existing mitigation measure or alternative. Additionally, projects approved prior to adoption of the Mountain View VMT policy (such as the Precise Plan, of which the current project is a part) are considered exempt from the new policy. Nevertheless, the project is consistent with the VMT Policy as described below.

The City's current VMT Policy (which was adopted after the Precise Plan FEIR was certified) establishes screening criteria for developments that are expected to cause a less than significant transportation impact under CEQA and are not required to prepare further VMT analysis.[37] The project

[37] The proximity to transit screening criterion was developed based on the CEQA Guidelines Section 15064.3, subdivision (b)(1), which states that lead agencies generally should presume that certain projects proposed within 0.5 miles of an existing major transit stop or an existing stop along a high-quality transit corridor will have a less than significant impact on VMT. Less than significant VMT is defined as exhibiting VMT that is 15 percent or greater below the existing Nine-County Bay Area regional reference average VMT. Source: City of Mountain View.

site is located within 0.5 miles of the Bayshore/NASA and Middlefield Light Rail Stations, has an FAR greater than 0.75, and provides reduced parking below the City's maximum; therefore, the project would have a less than significant impact on VMT and is consistent with the City's VMT Policy.

c. The Precise Plan FEIR concluded that future development under the Precise Plan would not result in project- or cumulative-level impacts due to hazards from geometric design features because the Precise Plan would result in greater connectivity of the street and multimodal network, and all proposed structures would be reviewed by MVFD for compliance with emergency access and design requirements under the City's fire code.

The proposed project would be consistent with the land uses, design, and development standards in the Precise Plan and the final design of the project would be reviewed by MVFD for compliance with emergency access and design requirements under the City's fire code. For these reasons, the project would result in the same less than significant impact as disclosed in the Precise Plan FEIR.

d. The Precise Plan FEIR concluded that since the implementation of the Precise Plan would result in greater connectivity of the street and multimodal network and all future development would be reviewed by the MVFD for compliance with the City's fire code regarding emergency access and design requirements, the Precise Plan would not result in inadequate emergency access. The project is consistent with the Precise Plan and the final design of the project would be reviewed by the MVFD for compliance with the City's fire code. For this reason, the project would result in the same less than significant impact regarding emergency access as disclosed in the Precise Plan FEIR.

3.15.3 Conclusion

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

Policy Implementing the California Environmental Quality Act (CEQA) to Comply with California Senate Bill 743 (SB 743) Regarding the Use of Vehicle Miles Traveled (VMT) in Transportation Analysis. June 30, 2022.

3.16 TRIBAL CULTURAL RESOURCES

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

3.16.1 Existing Setting

The existing Tribal Cultural Resources (TCRs) setting, including regulatory framework, has not substantially changed since the certification of the Precise Plan FEIR. On May 28, 2021, subsequent to the certification of the Precise Plan FEIR, the Tamien Nation has requested notification on all non-exempt projects pursuant to AB 52.

3.16.2 Discussion

a-b. The Precise Plan FEIR concluded that buildout of the Precise Plan (which includes the project site) would result in less than significant impacts to TCRs with implementation of the standard conditions of approval identified under Impact CUL-2 in Section 3.4 Cultural Resources of this document.

No tribal cultural resources or Native American resources were identified in the Precise Plan area (which includes the project site) as a result of email and telephone consultation and outreach completed for the Precise Plan FEIR. The project would implement the same conditions as identified in the Precise Plan FEIR, with additional standard conditions of approval for cultural sensitivity training and monitoring during excavation pursuant to recent City coordination with Tamien Nation on another project. These conditions of approval are listed under checklist question b) in Section 3.4 Cultural Resources of this document.

3.16.3 Conclusion

The proposed project would not result in a new or substantially increased tribal resources impact compared to the Precise Plan FEIR.

3.17 UTILITIES AND SERVICE SYSTEMS

3.17.1 Environmental Checklist

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

Environmental Issue Area	A. Where Impact Was Analyzed in Prior Environmental Documents.	B. Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?	C. Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	D. Any New Information of Substantial Importance Requiring New Analysis or Verification?	E. Prior Environmental Documents Mitigations Implemented or Mitigations Address Impacts.
Would the project:					
e. Be noncompliant with federal, state, and local management and reduction statutes and regulations related to solid waste?	Precise Plan Draft EIR (2019) Page 267-279	No	No	No	N/A

The discussion within this section is based in part on a Utility Impact Study (UIS) prepared by Schaaf & Wheeler in April 2023 and included with this checklist as Appendix D.

3.17.2 Existing Setting

The existing utilities and service systems setting, including regulatory framework, has not substantially changed since the certification of the Precise Plan FEIR. Per the Precise Plan, the Mountain View City Council adopted a nexus fee study on May 24, 2022 that requires all new development within the Precise Plan area to pay a proportional fair-share nexus-fee to fund identified improvements including improvements to water and wastewater facilities.

Water and wastewater services in the Precise Plan area are owned and operated by the City of Mountain View. Wastewater from the Precise Plan area is gravity fed to the Shoreline Sewer Pump Station. Storm drains in the Precise Plan area are also operated and maintained by the City of Mountain View and is a network of pipes, channels, ditches, culverts, ponds, and pumps that discharge to Stevens Creek.

Solid waste collection and recycling services for residents and businesses in Mountain View are provided by Recology Mountain View. Once solid waste and recyclables are collected, they are transported to the SMaRT Station® in Sunnyvale for sorting and commercial compostables are transported to a composting facility in Vernalis, California and the remaining solid waste is transported to Kirby Canyon Landfill in south San Jose. Kirby Canyon Landfill has an estimated remaining capacity of approximately 14.6 million tons, and a closing date of approximately January 1, 2071.[38]

3.17.3 Discussion

a. The Precise Plan FEIR concluded that future large-scale, site-specific development projects associated with implementation of the Precise Plan could result in impacts to the existing water, sewer, and storm drainage infrastructure; however, implementation of the below Precise Plan FEIR mitigation measure MM UTL-1.1 would reduce this impact to a less than significant level. Furthermore, the Precise Plan FEIR concluded that buildout of the Precise Plan would not result in the relocation or construction of new or expanded electric power, natural gas, or telecommunications facilities.

[38] Azevedo, Becky. Waste Management Technical Manager. Personal communications. December 27, 2021.

Precise Plan FEIR Mitigation Measure:

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

Consistent with Precise Plan FEIR mitigation measure MM UTL-1.1, a site-specific UIS was prepared for the project (see Appendix D). The UIS estimated an increase in total water demand of 18,050 gallons per day (gpd) compared to existing conditions on-site and an increase of 17,330 gpd under future cumulative conditions.[39] Future cumulative conditions include Capital Improvement Projects (CIPs) identified in the 2030 General Plan Update Utility Impact Study (GPUUIS). This incremental increase in demand would not significantly impact the water system under existing or cumulative conditions. The analysis in the UIS found that the increase in demand would not significantly contribute to any deficiencies in the water system.

The UIS estimated that the proposed project would result in an estimated increase of 16,542 gpd of sewer flow compared to existing conditions and an increase of 16,537 gpd compared to future cumulative conditions that include CIPs.[40] The UIS did not identify any deficient pipes downstream of the project site under existing or cumulative conditions, pre- or post-project. As a result, the project would have a less than significant impact on the sewer system (consistent with the Precise Plan FEIR).

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

[39] The future cumulative flows at the project site in the UIS are based on the City's 2020 Urban Water Management Plan, which assumed a slightly greater water demand for the site compared to existing conditions. Thus, the project would result in a slightly smaller increase compared to cumulative conditions.
[40] Ibid.

c. As described in the Precise Plan FEIR, implementation of the Precise Plan (which includes the proposed project) would not exceed the treatment capacity at the Regional Water Quality Control Plant (RWQCP). The UIS for the proposed project calculated that adding the proposed project to the existing Precise Plan development (see Table 5-4 of Appendix D) would not exceed the total wastewater flows disclosed in the Precise Plan FEIR and would be within the treatment capacity of the RWQCP. Thus, the proposed project would result in the same less than significant wastewater impact as disclosed in the Precise Plan FEIR.

d-e. The Precise Plan FEIR concluded that although future developments would result in an increase in solid waste generation above existing conditions, there is sufficient capacity at Kirby Canyon Landfill to serve the Precise Plan and therefore, impacts would be less than significant. Additionally, the Precise Plan FEIR found that the Precise Plan would not conflict with existing statutes and regulations governing solid waste.

The proposed project is consistent with the Precise Plan and its solid waste generation accounted for in the Precise Plan FEIR analysis, which determined there would be sufficient landfill capacity. In addition, consistent with the analysis in the Precise Plan FEIR, the project would be consistent with the General Plan Policy INC 11.1 through INC 11.4, California mandated 50 percent waste diversion, and CALGreen standards during operation and achieve a 65 percent construction waste recycling requirement during construction.[41]

3.17.4 Conclusion

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

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

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Persons Contacted:

- Becky Azevedo, Waste Management Technical Manager

SECTION 5.0 LEAD AGENCY AND CONSULTANTS

5.1 LEAD AGENCY

City of Mountain View
Community Development Department
Aarti Shrivastava, Community Development Director
Lindsay Hagan, Assistant Community Development Director
Ellen Yau, Senior Planner

5.2 CONSULTANTS

David J. Powers & Associates, Inc.
Environmental Consultants and Planners
Kristy Weis, Principal Project Manager
Tyler Rogers, Project Manager
Nick Towstopiat, Associate Project Manager
Ryan Osako, Graphic Artist

Cornerstone Earth Group
Geotechnical and Hazardous Materials Consultants
Ron Helm, Senior Principal Geologist

Geocon Consultants, Inc.
Geotechnical and Hazardous Materials Consultants
Cristian Virrueta, Senior Staff Geologist
John Juhrend, Senior Engineer

Hexagon Transportation Consultants, Inc.
Transportation Consultants
Gary Black, President, Principal
Kai-ling Kuo, Transportation Engineer

Schaaf & Wheeler
Utility Consultants
Leif Coponen, Vice-President
Fidel Salamanca, Senior Engineer

Urban Tree Management, Inc.
Arborists
Chris Stewart, Arborist