

**NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**

Posted at Sunnyvale City Hall on: **May 10, 2013**

City of Sunnyvale Community Development Department, Housing Division
456 West Olive Avenue, Sunnyvale, CA 94088
(408) 730-7250

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the City of Sunnyvale.

REQUEST FOR RELEASE OF FUNDS

On or about May 29, 2013, the City of Sunnyvale shall submit a request to the HUD/State administrating agency for the release of federal HOME Investment Partnership Program (HOME) funds under Title II of the Cranston-Gonzalez National Affordable Housing Act of 1990 as amended (P.L. 101-625), to undertake a project known as the Armory Site Affordable Housing project, for the purpose of construction of 121 affordable residential units in two separate buildings, at a cost of approximately \$40 million at 620 E. Maude Avenue, in the City of Sunnyvale.

FINDING OF NO SIGNIFICANT IMPACT

The City of Sunnyvale has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at 456 West Olive Avenue, Sunnyvale, CA 94088 for review and may be examined or copied weekdays between 8:00 A.M. and 5:00 P.M.

PUBLIC COMMENTS

Any individual, group, or agency, disagreeing with this determination or wishing to comment on the project may submit written comments to the City of Sunnyvale, Department of Community Development, Planning Division, 456 West Olive Avenue, Sunnyvale, CA 94088. All comments received by May 28, 2013 will be considered by the City prior to authorizing submission of a request for release of funds. Comments should specify which notice they are addressing.

RELEASE OF FUNDS

The City of Sunnyvale certifies to HUD that Hanson Hom in his capacity as Community Development Director consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows the City of Sunnyvale to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of funds and the City of Sunnyvale's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the City of Sunnyvale; (b) the City has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the grant recipient has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and shall be addressed to HUD at Community Planning & Development – 9AD, 600 Harrison Street, 3rd Floor, San Francisco, CA 94107. Potential objectors should contact HUD to verify the actual last day of the objection period.

HANSON HOM, COMMUNITY DEVELOPMENT DIRECTOR

NOTICE OF FINDING OF NO SIGNIFICANT IMPACT

DATE OF NOTICE: May 10, 2013

NAME OF RESPONSIBLE ENTITY [RE]: City of Sunnyvale Community Development
Department, Housing Division

ADDRESS: 456 West Olive Avenue,
Sunnyvale, CA 94088

TELEPHONE NUMBER: (408) 730-7250

TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS

The City of Sunnyvale is giving notice that it has made a Finding of No Significant Impact for the following project:

PROJECT TITLE OR NAME: Armory Site Affordable Housing

PURPOSE OR NATURE OF PROJECT: The project consists of the demolition of the existing single-story industrial building, site clearing and grading, and the construction of 121 affordable residential units in two separate buildings, requiring the following permit types:

1. General Plan Amendment to change from Industrial to Residential (Medium Density[RMED]) to Residential High Density (RHI);
2. Rezone of the property from Industrial and Service/Industrial to Residential Medium Density Residential (MS/ITRR3) to High Density Residential/Planned Development (R4/PD); and
3. Special Development Permit application to allow demolition of the existing industrial building, site grading and construction of 121 affordable housing units.

LOCATION OF PROJECT: 620 E. Maude Avenue, City of Sunnyvale, CA 94085

ESTIMATED COST OF PROJECT: \$40 MILLION

FUNDING SOURCE: The project developer has applied to the City of Sunnyvale for a loan of federal HOME Investment Partnership Program (HOME) funds, granted to the City of Sunnyvale by the U. S. Department of Housing and Urban Development (HUD), to finance a portion of the development costs. The developer has also applied to the County of Santa Clara for a loan of federal Community Development Block Grant (CDBG) and HOME grant funds, granted to the County by HUD. Additional funds for the project have been allocated by the County of Santa Clara under the Mental Health Services Act (MHSA) known as Proposition 63, and additional support will come from the Affordable Housing Program (AHP), Infill Infrastructure funds (via the State of California Housing and Community Development [HCD]), tax credit investor equity, and the Santa Clara County Housing Trust, in addition to private commercial loans.

An environmental assessment for this project has been prepared by the City of Sunnyvale and is available for public examination and copying on weekdays between 8:00 A.M. and 5:00 P.M. at 456 West Olive Avenue, Sunnyvale, CA 94088. Based on this assessment the City of Sunnyvale has determined that the project will not significantly affect the quality of the human environment and, hence, an environmental impact statement will not be undertaken under the National Environmental Policy Act of 1969 (P.L. 91-910).

All agencies, groups and persons disagreeing with this decision are invited to submit written comments for consideration to the City of Sunnyvale, Department of Community Development, Planning Division, 456 West Olive Avenue, Sunnyvale, CA 94088. Such written comments should be received at the address specified on or before May 28, 2013. All such comments received will be considered, and the City of Sunnyvale will not take any administrative action on the project prior to the expiration of the comment period.

SUZANNE ISE, HOUSING OFFICER

ARMORY SITE AFFORDABLE HOUSING

NEPA ENVIRONMENTAL ASSESSMENT CHECKLIST

[Environmental Review Guide HUD CPD 782, 24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27]

Evaluate the significance of the effects of the proposal on the character, features and resources of the project area. Enter relevant base data and verifiable source documentation to support the finding.

Then enter the appropriate impact code from the following list to make a determination of impact.

Impact Codes: (1) - No impact anticipated; (2) - Potentially beneficial; (3) - Potentially adverse; (4) - Requires mitigation; (5) - Requires project modification. *Note names, dates of contact, telephone numbers and page references. Attach additional material as appropriate. Note conditions or mitigation measures required.*

Land Development	Code	Source or Documentation
Conformance with Comprehensive Plans and Zoning	1	PRINTED MATERIAL (City of Sunnyvale General Plan and Zoning Ordinance), STUDY (Source: Initial Study Checklist, <i>City of Sunnyvale</i> , March 28, 2013).
Compatibility and Urban Impact	1	FIELD OBSERVATION, REVIEWER'S EXPERTISE, STUDY (Source: Initial Study Checklist, <i>City of Sunnyvale</i> , March 28, 2013).
Slope	1	FIELD OBSERVATION
Erosion	1	FIELD OBSERVATION, STUDY (Source: Initial Study Checklist, <i>City of Sunnyvale</i> , March 28, 2013).
Soil Suitability	1	FIELD OBSERVATION, STUDY (Source: Initial Study Checklist, <i>City of Sunnyvale</i> , March 28, 2013).
Hazards and Nuisances including Site Safety	4	REVIEWER'S EXPERTISE, STUDY (Source: Phase I Environmental Site Assessment, <i>EKI</i> , July 5, 2011; Phase II Subsurface Investigation Report, <i>AEI Consultants</i> , February 21, 2012; Vicinity Explosive/Flammable Materials Users Survey, <i>Belinda Blackie</i> , April 18, 2013)
Energy Consumption	1	REVIEWER'S EXPERTISE, STUDY (Source: Greenhouse Gas Analysis/CalEEMod Results, <i>David J. Powers & Assoc.</i> , March 5, 2013)

Noise	Code	Source or Documentation
Contribution to Community Noise Levels	4	FIELD OBSERVATION, STUDY (Source: Site Noise Assessment, <i>Rosen, Goldberg Der & Lewitz, Inc.</i> , February 8, 2013)
Air Quality	Code	Source or Documentation
Effects of Ambient Air Quality on Project and Contribution to Community Pollution Levels	4	FIELD OBSERVATION, STUDIES (Source: Construction Health Risk Assessment, <i>Illingworth & Rodkin</i> , March 20, 2013; BAAQMD Screening Analysis Tables - Advanced Screening for Mobile Hazardous Sources within 1,000 feet of Project Site, <i>David J. Powers & Assoc.</i> , February 28, 2013)
Environmental Design	Code	Source or Documentation
Visual Quality - Coherence, Diversity, Compatible Use and Scale	1	FIELD OBSERVATION, REVIEWER'S EXPERTISE, STUDY (Source: Initial Study Checklist, <i>City of Sunnyvale</i> , March 28, 2013).

Socioeconomic	Code	Source or Documentation
Demographic Character Changes	1	REVIEWER'S EXPERTISE, STUDY (Source: Initial Study Checklist, <i>City of Sunnyvale</i> , March 28, 2013).
Displacement	1	REVIEWER'S EXPERTISE, STUDY (Source: Initial Study Checklist, <i>City of Sunnyvale</i> , March 28, 2013).
Employment and Income Patterns	1	REVIEWER'S EXPERTISE, STUDY (Source: Initial Study Checklist, <i>City of Sunnyvale</i> , March 28, 2013).

Community Facilities and Services	Code	Source or Documentation
Educational Facilities	1	REVIEWER'S EXPERTISE, STUDY (Source: Initial Study Checklist, <i>City of Sunnyvale</i> , March 28, 2013).
Commercial Facilities	1	REVIEWER'S EXPERTISE, STUDY (Source: Initial Study Checklist, <i>City of Sunnyvale</i> , March 28, 2013).
Health Care	1	REVIEWER'S EXPERTISE, STUDY (Source: Initial Study Checklist, <i>City of Sunnyvale</i> , March 28, 2013).
Social Services	1	REVIEWER'S EXPERTISE, STUDY (Source: Initial Study Checklist, <i>City of Sunnyvale</i> , March 28, 2013).
Solid Waste	1	REVIEWER'S EXPERTISE, STUDY (Source: Initial Study Checklist, <i>City of Sunnyvale</i> , March 28, 2013).
Waste Water	1	REVIEWER'S EXPERTISE, STUDY (Source: Initial Study Checklist, <i>City of Sunnyvale</i> , March 28, 2013).
Stormwater	4	STUDY (Source: Initial Study Checklist, <i>City of Sunnyvale</i> , March 28, 2013).
Water Supply	1	REVIEWER'S EXPERTISE, STUDY (Source: Initial Study Checklist, <i>City of Sunnyvale</i> , March 28, 2013).
Public Safety		
- Police	1	REVIEWER'S EXPERTISE, STUDY (Source: Initial Study Checklist, <i>City of Sunnyvale</i> , March 28, 2013).
- Fire	1	REVIEWER'S EXPERTISE, STUDY (Source: Initial Study Checklist, <i>City of Sunnyvale</i> , March 28, 2013).
- Emergency Medical	1	REVIEWER'S EXPERTISE, STUDY (Source: Initial Study Checklist, <i>City of Sunnyvale</i> , March 28, 2013).
Open Space and Recreation		
- Open Space	1	REVIEWER'S EXPERTISE, STUDY (Source: Initial Study Checklist, <i>City of Sunnyvale</i> , March 28, 2013).
- Recreation	1	REVIEWER'S EXPERTISE, STUDY (Source: Initial Study Checklist, <i>City of Sunnyvale</i> , March 28, 2013).
- Cultural Facilities	4	REVIEWER'S EXPERTISE, Study (Source: Archaeological Survey Report, <i>Holman & Associates</i> , April 2013)
Transportation	1	REVIEWER'S EXPERTISE, STUDY (Source: Initial Study Checklist, <i>City of Sunnyvale</i> , March 28, 2013).

Natural Features	Code	Source or Documentation
Water Resources	1	FIELD OBSERVATION, STUDY (Source: Initial Study Checklist, <i>City of Sunnyvale</i> , March 28, 2013).
Surface Water	1	FIELD OBSERVATION, STUDY (Source: Initial Study Checklist, <i>City of Sunnyvale</i> , March 28, 2013).
Unique Natural Features and Agricultural Lands	1	FIELD OBSERVATION, STUDY (Source: Initial Study Checklist, <i>City of Sunnyvale</i> , March 28, 2013).
Vegetation and Wildlife	4	FIELD OBSERVATION, STUDY (Source: Initial Study Checklist, <i>City of Sunnyvale</i> , March 28, 2013).

Other Factors	Code	Source or Documentation
Flood Disaster Protection Act [Flood Insurance] [§58.6(a)]	1	STUDY (Source: Federal Emergency Management Agency, <i>FIRM Community Panel #06085C0045H</i> , updated May 18, 2009).
Coastal Barrier Resources Act/ Coastal Barrier Improvement Act [§58.6(c)]	1	REVIEWER'S EXPERTISE
Airport Runway Clear Zone or Clear Zone Disclosure [§58.6(d)]	1	REVIEWER'S EXPERTISE, STUDY (Source: Santa Clara County Airport Land Use Commission. <i>Comprehensive Land Use Plan Santa Clara County, Norman Y. Mineta San Jose International Airport</i> . May 25, 2011).
Other Factors	1	REVIEWER'S EXPERTISE, STUDIES

SUMMARY OF FINDINGS AND CONCLUSIONS

- The Proposed Action will be compatible with the existing and future land uses in the vicinity.
- The Proposed Action will result in beneficial economic impacts by providing affordable housing in the City of Sunnyvale.
- The Proposed Action will comply with all statutory regulations pertaining to environmental issues (e.g., wetlands, floodplains, endangered species, historic preservation, toxics, environmental justice, etc.).
- The Proposed Action could result in adverse long-term environmental impacts with regard to noise. Mitigation measures have, however, been incorporated into the action that will minimize or avoid these long-term impacts.
- The Proposed Action could result in adverse short-term (e.g., construction related, etc.) environmental impacts with regard to air quality, hazardous materials, noise, and water quality. Mitigation measures have, however, been incorporated into the action that will minimize or avoid such short-term impacts.

ALTERNATIVES TO THE PROPOSED ACTION

Alternatives and Project Modifications Considered [24 CFR 58.40(e), Ref. 40 CFR 1508.9]

Identify other reasonable courses of action that were considered and not selected, such as other sites, design modifications, or other uses of the subject site. Describe the benefits and adverse impacts to the human environment of each alternative and the reasons for rejecting it.

No Action Alternative

[24 CFR 58.40(e)] *Discuss the benefits and adverse impacts to the human environment of not implementing the preferred alternative.*

The No Action Alternative consists of leaving the site in its present condition, with its current zoning and the existing development, consisting of a large one-story commercial building, paved parking lot, unpaved parking area, and small shed. Under this alternative, both the potentially beneficial and adverse impacts of the proposed project would be avoided. Adverse impacts which would be avoided would include exposure of persons to elevated ambient noise levels, construction noise, air quality, and water quality impacts, potential disturbance of nesting raptors and removal of trees, potential disturbance of cultural resources, and exposure of persons to hazardous materials. It should be noted, however, that the magnitude of these adverse impacts associated with the proposed project would be less than significant with mitigation measures included in the project. Thus, the No Action Alternative would not avoid any significant environmental impacts, because none are expected if the proposed 121-unit housing project is constructed.

The No Action Alternative would not meet the goals and objectives of the proposed project which are to provide affordable rental housing on the project site in a manner that is consistent with the goals and plans of the City of Sunnyvale and is compatible with the surrounding land uses.

Reduced Density Alternative

An alternative to the proposed project would be to reduce the density of the development by reducing the number of the residential units. A reduction in density would have the effect of proportionally reducing the impacts associated with the project as it is now proposed. For example, reducing the number of units would decrease the potential for exposure of persons to elevated ambient noise levels. As is discussed in the attached Initial Study Checklist, however, none of these impacts would be significant under the proposed project. Construction impacts would be similar to the proposed project. Thus, a Reduced Density Alternative would not avoid any significant environmental effects which would otherwise occur.

A Reduced Density Alternative would result in fewer individuals provided with affordable housing, compared to the proposed project. Reducing the density would also result in underutilization of the land and an increase in the cost per dwelling unit. Thus, while the basic goals and objectives of the project would still be realized under a Reduced Density Alternative, the attainment of those goals and objectives is greater under the proposed project.

Location Alternatives

Location alternatives were not evaluated, because the proposed project would not result in any significant environmental impacts at the site where it is proposed, and because the project at the proposed site is compatible with the surrounding uses. Evaluation of alternative locations is normally warranted when a project has significant impacts at a given site and there is a possibility that an alternative site(s) would avoid those impacts.

MITIGATION MEASURES RECOMMENDED [24 CFR 58.40(d), 40 CFR 1508.20]

Recommend feasible ways in which the proposal or its external factors should be modified in order to minimize adverse environmental impacts and restore or enhance environmental quality.

Noise

The City and State require that interior noise levels must be reduced to an Ldn of 45 dBA or less in habitable rooms. This standard is also consistent with the HUD requirements. Future noise levels at

the project site would exceed this requirement. In addition, some dwelling units will need to have closed windows to meet the indoor standard. Therefore noise-reducing measures would be required for the project to comply with noise standards and to reduce the impact to a less than significant level.

The following noise-reducing mitigation measures are proposed.

- 1) The use of a solid railing (masonry, metal or acrylic) 42 inches high at the second floor terrace and the balconies along N. Wolfe Road.
- 2) Based on the type of construction and the exterior noise levels, sound-rated windows on the facades facing E. Maude Avenue and N. Wolfe Road are required to achieve the interior noise standard of DNL 45 dB. Recommendations for the exact Sound Transmission Class (STC) ratings for windows and exterior doors will be determined as the architectural design progresses.
- 3) Since all windows and doors are required to be shut to achieve a dbA of 45 or less, ventilation or air-conditioning systems must be incorporated to provide a habitable environment for all habitable space. Affected units shall be provided with mechanical air ventilation system with a minimum flow rate as required by the current building codes.

The following mitigation measures are proposed to reduce construction noise.

- 1) Per Chapter 16.08 of the Sunnyvale Administrative Code, construction activities shall be limited to the hours of 7:00 a.m. and 6:00 p.m. daily Monday through Friday, and Saturday between 8:00 a.m. and 5:00 p.m. There shall be no construction activity on Sunday or national holidays when city offices are closed.
- 2) Construct solid plywood fences (minimum 8 feet in height) or noise barriers around the construction site to shield adjacent residences or other noise sensitive land uses prior to major noise generating phases of demolition and construction.
- 3) Acoustically shield stationary equipment located near existing residential properties.
- 4) Utilize “quiet” air compressors and other stationary noise sources where technology exists.
- 5) Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- 6) Prohibit all unnecessary idling of internal combustion engines.
- 7) Locate stationary noise generating equipment as far as possible from adjacent residential properties.
- 8) Locate staging areas and construction material areas as far away as possible from residences or noise-sensitive land uses.
- 9) Route all construction traffic to and from the project site via designated truck routes where possible. Prohibit construction related heavy truck traffic in residential areas where feasible. Construction workers will not be permitted to park on neighborhood streets.

10) Notify all adjacent business, residences, and noise-sensitive land uses of the construction schedule in writing. Notification by door hangers of nearby residence re: significant upcoming construction activities.

11) Designate a "disturbance coordinator" who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and will require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule. Noise disturbance coordinator authorized to address and accommodate special circumstances (home bound or medical condition-adjacent homeowners only).

Air Quality

The following reasonable controls shall be implemented to reduce construction related impacts.

- 1) The project contractor/applicant shall implement the following:
 - a) Water all active construction areas at least twice daily and more often during windy periods. Active areas adjacent to residences should be kept damp at all times.
 - b) Cover all hauling trucks or maintain at least two feet of freeboard.
 - c) Pave, apply water at least twice daily, or apply (nontoxic) soil stabilizers on all unpaved parking areas and staging areas.
 - d) Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas and sweep streets daily (with water sweepers) if visible soil material is deposited onto the adjacent roads.
 - e) Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (i.e., previously graded areas that are inactive for 10 days or more).
 - f) Enclose, cover, water twice daily, or apply (nontoxic) soil binders to exposed stockpiles.
 - g) Limit traffic speeds on the construction site to 15 mph.
 - h) Replant vegetation in disturbed areas as quickly as possible.
 - i) Suspend construction activities that cause visible dust plumes to extend beyond the construction site.
 - j) Install windbreaks or fences along adjacent residential properties.
 - k) During demolition activities, removal or disturbance of any materials containing asbestos, lead paint or other hazardous pollutants will be conducted in accordance with BAAQMD rules and regulations.
 - l) A Disturbance Coordinator will be assigned to the project for the full duration of asbestos abatement, demolition activities, grading, excavation, and building construction. This coordinator will ensure that all air quality mitigation measures are enforced. In addition, the Disturbance Coordinator will respond to complaints from the public regarding air quality issues in a timely manner. The contact information for this Coordinator will be posted in plain view at the project site. The Coordinator will also be responsible for notifying adjacent properties of the demolition schedules.

- m) Opacity is an indicator of exhaust particulate emissions from off-road diesel powered equipment. The Disturbance Coordinator shall ensure that emissions from all construction diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately. Any equipment emitting dark smoke three minutes after start up is in violation of this measure.
- n) Diesel equipment standing idle for more than five minutes shall be turned off. This would include trucks waiting to deliver or receive soil, aggregate, or other bulk materials. Rotating drum concrete trucks could keep their engines running continuously as long as they were onsite. The contractor shall post signs indicating the idling restrictions.
- o) Properly tune and maintain equipment for low emissions.

The project design features for construction include Best Management Practices along with construction equipment selection, techniques, and scheduling that reduce community risk impacts caused by construction activities.

- 1) All off-road equipment (more than 50 horsepower and on site for more than two consecutive workdays) to be used in project construction shall achieve a 35 percent reduction in exhaust particulate matter emissions, compared to similar equipment that meets U.S. EPA Tier 2 standards. Based on the construction plans presented for this project, a feasible method to achieve this objective would be the following:

Use only diesel-powered forklifts, generators and air compressors during all construction phases that meet or exceed U.S. EPA Tier 4 standards for particulate matter emissions, or substitute that equipment with alternatively-fueled equipment. Additionally, the concrete pumper truck shall be operated for a total of no more than 810 hours while on-site. This reflects a utilization rate of 90 percent over the period the pumper truck would be on-site.

Biological Resources

In conformance with Federal and State regulations regarding protection of owls and raptors, the following CDFW protocols shall be completed prior to any development on the site to ensure that development does not disturb nesting raptors.

- 1) *Avoidance*. Construction activities should be scheduled to avoid the nesting season to the extent feasible. The nesting season for most birds in Santa Clara County extends from April 1st through August 31st.
- 2) *Preconstruction/Pre-disturbance Surveys*. If demolition and/or construction are to occur between April and August, then preconstruction surveys for nesting birds shall be conducted by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. This survey shall be conducted no more than seven days prior to the initiation of demolition/construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August). During this survey, the ornithologist shall inspect all trees and other potential habitats (e.g., shrubs, ruderal grasslands, buildings) within and immediately adjacent to the impact areas for nests. If an active nest is found sufficiently close to work areas to be disturbed by these activities, the ornithologist, in consultation with CDFW, shall determine the extent of a construction-free

buffer zone to be established around the nest (typically 250 feet for raptors and 50-100 feet for other species) to ensure that no nests of species protected by the MBTA or California Fish and Wildlife Code will be disturbed during project implementation.

3) *Inhibit Nesting*. If vegetation is to be removed by the project and all necessary approvals have been obtained, potential nesting substrate (e.g., bushes, trees, grass, burrows) that are scheduled to be removed by the project shall be removed before the start of the nesting season (prior to April 1st), if feasible, to help preclude nesting. This will preclude the initiation of nests in this vegetation and prevent the potential delay of the project due to the presence of active nests in these substrates. A final report of nesting birds, including any protection measures, shall be submitted to the Director of Community Development prior to the start of grading.

Historic and Cultural Resources

The project includes the following measures to reduce or avoid impacts to prehistoric resources, should they be encountered during construction.

1) Upon demolition of the existing buildings and removal of the concrete and asphalt on-site, a qualified archaeologist meeting the Secretary of the Interior's standards (CEQA Guideline 15064.5(f)), shall undertake a presence/absence testing program to identify the horizontal and vertical extent of any potential buried archaeological deposits associated with as yet unknown cultural resources. The testing program shall be implemented with the results presented in Presence/Absence Testing Report commensurate with the findings.

2) If a significant archaeological resource is identified through this field inspection process, the City and project proponent shall seek to avoid damaging effects to the resource. Preservation in place to maintain the relationship between the artifact(s) and the archaeological context is the preferred manner of mitigating impacts to an archaeological site. Preservation may be accomplished by:

- Planning construction to avoid the archaeological site;
- Incorporating the site within a park, green space, or other open space element;
- Covering the site with a layer of chemically stable soil; or
- Deeding the site into a permanent conservation easement.

3) When in-place mitigation is determined by the City to be infeasible, a *data recovery plan*, which makes provisions for adequate recovery of the scientifically consequential information about the site, shall be prepared and adopted prior to any additional excavation being undertaken. Such studies must be submitted to the California Historical Resources Regional Information Center. If Native American artifacts are indicated, the studies must also be submitted to the Native American Heritage Commission. Identified cultural resources should be recorded on form DPR 422 (archaeological sites). Mitigation measures recommended by these two groups and required by the City shall be undertaken, if necessary, prior to resumption of construction activities.

4) In the event prehistoric or historic cultural resources are otherwise encountered during approved ground-disturbing activities for project construction, all work within 25 feet of the discovery shall be stopped to allow for the identification and evaluation of the significance of the cultural materials by a qualified archaeologist. If the cultural materials are determined to be significant, the qualified archaeologist shall develop an appropriate treatment plan in consultation with the City's Planner to mitigate the discovery, according to the procedures

described above. The plan could include avoidance and preservation measures to preserve the materials in place; scientific collection and analysis; preparation of a professional report in accordance with current professional standards; and, professional museum curation of collected cultural materials and resource documentation.

5) A pre-construction meeting shall be held with the contractor and other project personnel to discuss the requirements and potential for the exposure of archaeological materials during construction. Procedures for any unanticipated discoveries shall be discussed with the contractor and other pertinent parties.

The project will be required to implement the following mitigation measure to reduce potential impacts to human remains.

The treatment of human remains and of associated or unassociated funerary objects discovered during any soil-disturbing activity within the project shall comply with applicable State laws. Pursuant to Section 7050.5 of the California Health and Safety Code, and California Public Resources Code (PRC) Section 5097.94, in the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Medical Examiner shall be immediately notified and shall make a determination as to whether the remains are Native American.

In the event of the coroner's determination that the human remains are Native American, notification of the Native American Heritage Commission (NAHC), is required who shall appoint a Most Likely Descendant (MLD) (PRC Section 5097.98). The archaeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment, with appropriate dignity, of human remains and associated or unassociated funerary objects (CEQA Guidelines Section 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. California Public Resources Code allows 48 hours to reach agreement on these matters. If the MLD and the other parties do not agree on the reburial method, the project will follow PRC Section 5097.98(b) which states that ". . . the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance."

Hydrology and Water Quality

The following measures are included in the project to reduce construction-related water quality impacts.

Prior to construction and grading for the proposed land uses, the applicant will file a Notice of Intent (NOI) to comply with the NPDES General Permit for Construction Activities (No. 2009-0009-DWQ) administered by the Regional Water Quality Control Board (RWQCB) and will prepare a Stormwater Pollution Prevention Plan (SWPPP) which addresses measures that would be included in the project to minimize and control construction runoff.

Hazards and Hazardous Materials

The following measures are proposed by the project to reduce impacts associated with exposure of persons to hazardous materials.

1) Suspected ACMs will be sampled for asbestos content by a licensed asbestos inspector prior to any planned demolition activities.

2) If ACMs are found, all demolition activities shall be undertaken in accordance with Cal/OSHA standards, contained in Title 8 of the California Code of Regulations (CCR), Section 1529, to protect workers from exposure to asbestos.

3) If ACMs are found, all demolition and disposal of asbestos will be required to be conducted in accordance with the procedures specified in BAAQMD's Regulation 11 Hazardous Pollutants, Rule 2 Asbestos Demolition, Renovation and Manufacturing.

4) Upon demolition of the shed area, a visual inspection of the soil will be completed by a qualified hazardous materials consultant once the pavement on-site is removed. If any stains are detected, the soil will be tested and, if necessary, removed and hauled off-site to be disposed of at a licensed hazardous materials disposal site prior to issuance of grading permits

ADDITIONAL STUDIES PERFORMED

(Attach studies or summaries)

- A. Initial Study Checklist dated 03/28/13
- B. Project Noise Study dated 02/08/13
- C. Project Air Quality Analysis dated 03/20/13
- D. Project Greenhouse Gas Analysis/CalEEMod Results dated 03/05/13
- E. Project Advanced Screening for Mobile Hazardous Sources within 1,000 feet of Project Site dated 02/28/13
- F. Project Vicinity Explosive/Flammable Materials Users Survey dated 04/18/13
- G. Project Phase I Environmental Site Assessment (ESA) dated 07/05/11
- H. Project Phase II Subsurface Investigation Report dated 02/21/12
- I. Project Tree Inventory dated 03/08/13
- J. Project Historic Resources Identification and Evaluation Report dated 03/25/13
- K. Project Archaeological Survey Report dated 04/09/13

LIST OF SOURCES, AGENCIES AND PERSONS CONSULTED

[40 CFR 1508.9(b)]

AEI Consultants. *Phase II Subsurface Investigation Report*. February 21, 2012

Archives & Architecture. *Historic Resources Identification and Evaluation Report*. March 25, 2013

Belinda Blackie. *Vicinity Explosive/Flammable Materials Users Survey, Armory Site Affordable Housing, Sunnyvale, CA*. April 18, 2013.

City of Sunnyvale. *Initial Study Checklist, Armory Site Affordable Housing*. March 28, 2013.

City of Sunnyvale. *City of Sunnyvale General Plan*. Consolidated in 2011.

City of Sunnyvale. *Zoning Ordinance*.

Concentric Ecologies. *Preliminary Tree Report, Armory Site Affordable Housing*. March 2013

David Baker + Partners. *Sunnyvale Armory Site Plan Set*. February 7, 2013

David J. Powers & Assoc. *Greenhouse Gas Analysis/CalEEMod Results*. March 5, 2013

David J. Powers & Assoc. *BAAQMD Screening Analysis Tables - Advanced Screening for Mobile Hazardous Sources within 1,000 feet of Project Site*. February 28, 2013

EKI. *Phase I Environmental Site Assessment*. July 5, 2011

Federal Emergency Management Agency. *FIRM Community Panel #06085C0045H, updated May 18, 2009*

Holman & Associates. *Archaeological Survey Report*. April 2013

Illingworth & Rodkin. *Construction Health Risk Assessment*. March 20, 2013

Rosen, Goldberg Der & Lewitz, Inc. *Site Noise Assessment*. February 8, 2013

Santa Clara County Airport Land Use Commission. *Comprehensive Land Use Plan Santa Clara County, Norman Y. Mineta San Jose International Airport*. May 25, 2011).

ENVIRONMENTAL ASSESSMENT WORK SHEET

Responsible Entity: [24 CFR 58.2(a)(7)]	City of Sunnyvale Community Development Department, Housing Division
Certifying Officer: [24 CFR 58.2(a)(2)]	Hanson Hom, Community Development Director
Estimated Total Project Cost:	\$40 Million (not including land acquisition)
Grant Recipient: [24 CFR 58.2(a)(5)]	MidPen Housing Corporation Charities Housing Development Corporation
Recipient Address:	MidPen Housing 303 Vintage Park Drive, # 250 Foster City, CA 94404 Charities Housing 1400 Parkmore Avenue #140 San Jose, CA 95126
Project Representative:	MidPen Housing: Nevada Merriman Charities Housing: Kathy Robinson
Project Representative Telephone Number:	MidPen Housing: 650-356-2915 Charities Housing: 408-550-8300

DESCRIPTION OF THE PROPOSAL

[24 CFR 58.32, 40 CFR 1508.25] *The following description of the proposed project includes all contemplated actions which are either geographically or functionally a composite part of the project, regardless of the source of funding.*

PROJECT NAME: Armory Site Affordable Housing

PROJECT LOCATION: 620 E. Maude Avenue, City of Sunnyvale, CA 94085
APN: 209-25-014

PROJECT DESCRIPTION:

The project consists of the demolition of the existing single-story industrial building, site clearing and grading, and the construction of 121 affordable residential units in two separate buildings, requiring the following permit types:

1. General Plan Amendment to change from Industrial to Residential (Medium Density[RMED]) to Residential High Density (RHI);
2. Rezone of the property from Industrial and Service/Industrial to Residential Medium Density Residential (MS/ITRR3) to High Density Residential/Planned Development (R4/PD); and

3. Special Development Permit application to allow demolition of the existing industrial building, site grading and construction of 121 affordable housing units.

DETAILED PROJECT DESCRIPTION:

On-site Development: The project site is currently developed with a large one-story building, paved parking lot, unpaved parking area, and small shed. Under the proposed project, the existing building and parking lot on site would be demolished and 60 units of affordable family housing, to be managed by MidPen Housing Corporation, would be constructed in one 98,044 square foot building at the northern portion of the site. The proposed unit mix for the family housing includes 27 one-bedroom units, 13 two-bedroom units, and 20 three-bedroom units. The 60,021 square foot building constructed at the southern portion of the site would include 61 units (60 affordable studio apartments and one, two-bedroom manager's unit), to be managed by Charities Housing Development Corporation. The proposed project would include a total of 156 at-grade parking spaces (95 for family housing, 61 for studio apartments), per the City Code requirements for affordable housing (Section 19.46.050). The City would lease the property to MidPen Housing Corporation and Charities Housing Development Corporation on a long-term basis as part of the project. The proposed units are part of the Onizuka Air Force Station Base Realignment and Closure process. The City and housing providers have been in discussions to find alternative sites for the housing claims to facilitate redevelopment of the Onizuka base. The City has identified the Armory site as an alternative location to relocate the housing claims from the base.

The family housing building would be four stories tall with a maximum height of 53 feet. The family housing building would include a 1,097 square foot community room on the first floor, as well as three common area courtyards on the second floor. The studio apartments building would be three stories tall with a maximum height of 44 feet. The studio apartments building would include an open-air front plaza and community room on the first floor, and a common area terrace on the second floor.

The buildings would be setback a minimum of 20 feet from N. Wolfe Road, approximately 25 feet from the E. Maude Avenue, and approximately 30 feet from the multi-family residential development to the south and west. The family housing project has been designed to step back the building height from the existing residences to the west and south as a way to address neighborhood compatibility.

All existing trees on-site would be removed. The project would include a planting buffer around the perimeter of both buildings and street trees along the frontage of E. Maude Avenue and N. Wolfe Road per the Fair Oaks Junction Sense of Place Plan.

Construction Activities and Schedule: Construction of the proposed project is likely to occur over a period of 18 months. The initial building construction and site preparation would take place over a period of approximately eight months, with site preparation and grading of the site occurring during the first month. The remaining ten months would include the light construction and interior finish work.

Excavation and grading would be necessary for site preparation and construction of the proposed project. Excavation for the project would be up to one foot depth. The excavation would generate approximately 1,330 cubic yards of dirt to be exported from the site, which would result in up to 111 truck trips. Approximately 1,285 cubic yards of fill would be imported to raise the site, resulting in up to 108 truck trips.

Surrounding Uses and Setting: The proposed development is located at 620 E. Maude Street in the City of Sunnyvale, at the junction of East Maude Avenue and North Wolfe Road (APN 205-29-014). The project site is bounded by N. Wolfe Road to the east, multi-family residential development to the south and west, and E. Maude Avenue to the north. Across N. Wolfe Road from the site is Fair Oaks Park. Adjacent to the southeast corner of the project site is an industrial-service building that is currently occupied by the Church of The Living Rock.

Off-site Improvements: The project would include improvements to the existing parking at the parcel adjacent to the southeast of the project site. The project would also provide a new driveway access at the southeast corner of the project site along N. Wolfe Road. This driveway would include a portion of exclusive use easement for the project site, as well as a portion of joint use easement at the existing entrance driveway to the parcel adjacent to the southeast of the project site. The project would be required to remove the existing sidewalk and install new sidewalks, curb gutter, street lamps and street trees adjacent to the project site.

STATEMENT OF PURPOSE AND NEED FOR THE PROPOSAL

[40 CFR 1508.9(b)]

The purpose of the proposed project is to increase low-income housing opportunities in the City of Sunnyvale through construction of 121 affordable residential units. The project proposes to construct 60 units of affordable family housing, to be managed by MidPen Housing Corporation, and 61 affordable studio apartments to be managed by Charities Housing Development Corporation, on the project site. The units would be 100 percent affordable, and would be targeted to very-low and extremely-low income residents. The project would further the goals of the City of Sunnyvale General Plan Housing Element. These goals call for providing affordable housing within the City of Sunnyvale to meet regional and local housing needs.

EXISTING CONDITIONS AND TRENDS

[24 CFR 58.40(a)] *Describe the existing conditions of the project area and its surroundings, and trends likely to continue in the absence of the project.*

A description of the existing conditions of the project area and its surroundings, as well as trends likely to continue in the absence of the project, can be found on pages 7 through 36 of the attached Initial Study Checklist. The discussion is supplemented by the information contained in other studies (See *List of Sources, Agencies and Persons Consulted*) and from information gathered during field reviews. The technical reports prepared for this Environmental Assessment can be found attached to this document.

STATUTORY CHECKLIST

[24 CFR §58.5] *The Responsible Entity (RE) must make a determination as to whether the activities affiliated with the project will affect the resource under consideration and trigger formal compliance consultation procedures with the appropriate oversight agency and/or subsequent mitigation. If the activity affects the resource, indicate (A) in the Status Determination Column below. Or indicate (B) in that column if the activity does not affect the resource under consideration. The compliance documentation column should indicate what source documentation was used to make the compliance determination and copies of all necessary documentation should be attached to the completed form for inclusion in the Environmental Review Record (ERR).*

Statutes, Executive Orders, and Regulations listed at 24 CFR Sec. 58.5 and 58.6	Status Determination (A or B)	Compliance Documentation
Wetlands Protection [Executive Order 11990]	B	No wetlands are present on or adjacent to the site. Therefore, no wetlands will be impacted and the project complies with Executive Order 11900. See the discussion on page 9 of the Initial Study Checklist.
<i>Guidance:</i> http://www.hud.gov/offices/cpd/environment/review/floodplain.cfm		
Coastal Zone Management Act [Coastal Zone Management Act, 1972, Sections 307(c) and (d)]	B	The project site is not within or near a coastal zone. Therefore, the project complies with the Coastal Zone Management Act.
<i>Guidance:</i> http://www.hud.gov/offices/cpd/environment/review/coastal.cfm		
Historic Preservation [36 CFR Part 800]	B	The existing building is not historically significant according to the minimum requirements for listing on the California Register of Historical Resources, and therefore, demolition of the building would not cause a substantial adverse change in the significance of a historical resource. See the discussion starting on page 19 of the Initial Study Checklist (Source: Historic Resources Identification and Evaluation Report, <i>Archives & Architecture</i> , March 25, 2013).
<i>Guidance:</i> http://www.hud.gov/offices/cpd/environment/historic.cfm		
Floodplain Management [Executive Order 1198824; 24 CFR Part 55]	B	The project site is not located within a 100-year flood hazard zone. (Source: Federal Emergency Management Agency, <i>FIRM Community Panel #06085C0045H</i> , updated May 18, 2009). See the discussion on page 27 of the Initial Study Checklist.
<i>Guidance:</i> http://www.hud.gov/offices/cpd/environment/floodplain.cfm		
Sole Source Aquifers [40 CFR Part 149]	B	The project site is not within an area designated by the EPA as being supported by a sole source aquifer. (Source: EPA, <i>Designated Sole Source Aquifers</i> , 2012).

		http://www.epa.gov/region09/water/groundwater/ssa.html)
<i>Guidance:</i> http://www.hud.gov/offices/cpd/environment/aquifers.cfm		
Endangered Species Act [50 CFR Part 402]	B	While the entire site is disturbed and developed, raptors and other migratory birds may utilize the large trees on-site for foraging or nesting. Nesting raptors are among the species protected under provisions of the Migratory Bird Treaty Act and California Department of Fish and Wildlife (CDFW) Code Sections 3503, 3503.5, and 2800. Removal of the trees on-site and construction disturbance near raptor nests may cause abandonment and/or loss of reproductive effort, which is considered a taking by the CDFW. See the discussion starting on page 16 of the Initial Study Checklist.
<i>Guidance:</i> http://www.hud.gov/offices/cpd/environment/endangeredspecies.cfm		
Wild and Scenic Rivers Act [16 U.S.C. 1271, Sec. 7(b), (c)]	B	There are no waterways designated as Wild and Scenic Rivers in the project area. The closest river with this designation (i.e., Big Sur River) is over 80 miles south of the project site. Therefore, the project complies with the Wild and Scenic Rivers Act.
<i>Guidance:</i> http://www.rivers.gov/wildriverslist.html		
Clean Air Act [40 CFR 6, 51, 93]	A	See the discussion starting on page 20 of the Initial Study Checklist (Source: Construction Health Risk Assessment, <i>Illingworth & Rodkin</i> , March 20, 2013; BAAQMD Screening Analysis Tables - Advanced Screening for Mobile Hazardous Sources within 1,000 feet of Project Site, <i>David J. Powers & Assoc.</i> , February 28, 2013).
<i>Guidance:</i> http://www.hud.gov/offices/cpd/environment/cleanair.cfm		
Farmland Policy Act [7 CFR Part 658]	B	The project site is not designated as Prime Farmland, the subject of a Williamson Act Contract, or actively farmed. Therefore, the project complies with the Farmland Protection Policy Act. See the discussion on page 8 of the Initial Study Checklist.
<i>Guidance:</i> http://www.hud.gov/offices/cpd/environment/farmlands.cfm		
Environmental Justice [Executive Order 12898]	B	The project would not result in disproportionately high impacts on low-income or minority populations. The project will not displace any minority-owned businesses. The project would facilitate the General Plan goals of the City of Sunnyvale, and would benefit low-income and minority populations. Therefore, the project complies with Executive Order 12898.

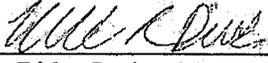
<i>Guidance:</i> http://www.hud.gov/offices/cpd/environment/review/justice.cfm		
Noise Abatement and Control [24 CFR Part 51, Subpart B]	A	The terrace area closest to N. Wolf Road would have outdoor noise levels in excess of the 60 dBA requirement for outdoor areas per Policy SN-8.7 of the Sunnyvale General Plan. The outdoor noise levels at this location would also exceed the HUD standards of Ldn 65 dBA or less for acceptable noise levels. See the discussion starting on page 13 of the Initial Study Checklist. (Source: Site Noise Assessment, <i>Rosen, Goldberg Der & Lewitz, Inc.</i> , February 8, 2013).
<i>Guidance:</i> http://www.hud.gov/offices/cpd/environment/noise.cfm		
Explosive and Flammable Operations [24 CFR Part 51, Subpart C]		Based on the calculated values, it appears that the acceptable separation distances (ASDs) are satisfied for the facilities within the 2,000-foot radius of the project site that had reported storage of material quantities determined to warrant calculation of ASDs, in general accordance with the procedures outlined in 24 CFR Part 51 C. (Source: Vicinity Explosive/Flammable Materials Users Survey, <i>Belinda Blackie</i> , April 18, 2013).
<i>Guidance:</i> http://www.hud.gov/offices/cpd/environment/explosive.cfm		
Toxic Chemicals and Radioactive Materials [24 CFR Part 58, Sec. 5(i)(2)]		Asbestos containing materials (ACMs) are likely present on the project site. Construction activities may create a health risk to workers from ACMs. In addition, the subsurface investigations found that there may be concentrations of diesel and motor oil in the shallow soil and groundwater at the northwest corner of the project site. The project, therefore, may result in the exposure of people to hazardous materials. See the discussion starting on page 33 of the Initial Study Checklist. (Source: Phase I Environmental Site Assessment, <i>EKI</i> , July 5, 2011; Phase II Subsurface Investigation Report, <i>AEI Consultants</i> , February 21, 2012).
<i>Guidance:</i> http://www.hud.gov/offices/cpd/environment/toxic.cfm		
Airport Clear Zones and Accident Potential Zones [24 CFR Part 51, Subpart D]		The FAA and the Santa Clara County Airports Land Use Commission have established clear zones and safety zones for airports within the County. The project site is not located within any of these zones. For this reason, the project complies with 24 CFR 51 D, Airport Clear Zones and Accident Potential Zones. (Source: Santa

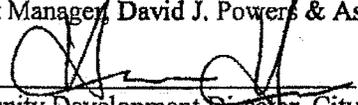
	Clara County Airport Land Use Commission. <i>Comprehensive Land Use Plan Santa Clara County, Norman Y. Mineta San Jose International Airport. May 25, 2011).</i>
<i>Guidance:</i> http://www.hud.gov/offices/cpd/environment/airport.cfm	

DETERMINATION

The preparers have complied with all provisions of 24 CFR Part 58, Subpart E-Environmental Review Process: Environmental Assessments, examining alternatives to the project itself, feasible ways to modify the project to eliminate or minimize adverse impacts, and based on steps (a) through (f) found in the regulations, determined one of the following:

- (1) Finding of No Significant Impact (FONSI), whereby the responsible entity may proceed to Dissemination and Publication of the FONSI, per regulations found at 24 CFR part 58, sec. 58.43(a).
- (2) Finding of no Significant Impact whereby the responsible entity must proceed to develop an Environmental Impact Statement (EIS) in compliance with 24 CFR Part 58, Subparts F or G.

Preparer Signature:  Date: 5-10-13
 Title/Agency: Meryka Dirks, Project Manager, David J. Powers & Associates, Inc.

RE Approving Official Signature:  Date: 5-10-2013
 Title/Agency: Hanson Hom, Community Development Director, City of Sunnyvale Community Development Department, Housing Division