Draft Subsequent Environmental Impact Report

Moffett Place

Planning Project Number 2012-7857

State Clearinghouse No. 2013022025

City of Sunnyvale
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A

AASHTO	American Association of State Highway and Transportation Officials
AB	Assembly Bill
ABAG	Association of Bay Governments
ACE	Altamont Commuter Express
ac-ft/yr	Acre-feet per year
ACHP	Advisory Council on Historic Preservation
ACM	Asbestos Containing Materials
ADAM	Aerometric Data Analysis and Measurement System
ADT	Average Daily Traffic
AFY	Acre-feet per year
AIA	Airport Influence Area
ALUC	Airport Land Use Commission
AP	Accredited Professional
APN	Assessor's Parcel Number
APS	Alternative Planning Strategy
AQMP	Air Quality Management Plan
ASCE	American Society of Civil Engineers
ASF	Age Sensitivity Factor
ATSDR	Agency for Toxic Substances and Disease Registry

B

BAAQMD	Bay Area Air Quality Management District
BACT	Best Available Control Technology
BART	Bay Area Rapid Transit
Basin	San Francisco Area Air Basin
Basin Plan	Water Quality Control Plan for the San Francisco Bay Basin
BAU	Business As Usual
BAWSCA	Bay Area Water Supply and Conservation Agency
BGEPA	Bald and Golden Eagle Protection Act
bgs	Below Ground Surface
BMP	Best Management Practice
BO	Biological Opinion

C

CAA	Federal Clean Air Act
CAAQS	California Ambient Air Quality Standards
CAFE	Corporate Average Fleet Fuel Economy
Cal/EPA	California Environmental Protection Agency
Cal/OSHA	California Division of Occupational Safety and Health
California Register	California Register of Historical Resources
Caltrans	California Department of Transportation
CAP	Clean Air Plan
CARB	California Air Resources Board
CAT	Climate Action Team
CBC	California Building Code
CCAA	California Clean Air Act
CCR	California Code of Regulations
CDFFP	California Department of Forestry and Fire Protection
CDFG	California Department of Fish and Game
CDFW	California Department of Fish and Wildlife
CDNPA	California Desert Native Plants Act
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFC	California Fire Code
CFGC	California Fish and Game Code
CFR	Code of Federal Regulations
CGS	California Geological Survey
CH_4	Methane
CHBC	California Historical Building Code
Checkerspot	Bay checkerspot butterfly
CHHSL	California Human Health Screening Level
CHRIS	California Historical Resources Information System
City	City of Sunnyvale
CLUP	Comprehensive Land Use Plan
CMP	Congestion Management Program
CNC	Columbia Neighborhood Center
CNEL	Community Noise Equivalent Level
CNPPA	California Native Plant Protection Act
CO	Carbon Monoxide
CO_2e	Carbon Dioxide Equivalent
Construction General Stormwater Permit	General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities, Order No. 2009-0009-DWQ
CPC	California Plumbing Code

CPT	Cone Penetration Test
CPUC	California Public Utilities Commission
CRHR	California Register of Historic Resources
CRHR	California Register of Historical Resources
CUPA	Certified Unified Program Agency
CWA	Clean Water Act
CWA	Clean Water Act
CWIB	California Workforce Investment Board

D

dB	Decibel
dBA	A-weighted Decibel Scale
DEHP	2 ethylhexyl phthalate
District	Santa Clara Valley Water District
DPS	Department of Public Safety
DTSC	Department of Toxic Substances Control
DUI	Driving Under the Influence

E

EIR	Environmental Impact Report
EM	Environmental Management
EMS	Emergency Medical Services
EPA	United States Environmental Protection Agency
ESL	Environmental Screening Level

F

FAA	Federal Aviation Administration
FAR	Floor Area Ratio
FCAA	Federal Clean Air Act
FEIR	Final Environmental Impact Report
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FHS	Fremont High School
FHWA	Federal Highway Administration
FR	Final Rule
ft.	Feet
FTA	Federal Transit Administration
FUHSD	Fremont Union High School District

G

g	Acceleration of Gravity
GCJC	Green Collar Jobs Council
General Plan	City of Sunnyvale General Plan
GHG	Greenhouse Gas
gpd	Gallons Per Day
Guidelines	State of California Office of Planning and Research Noise Element Guidelines
GWP	Global Warming Potential

H

H_2O	Water Vapor
HCFC	Hydrochlorofluorocarbon
HCM	Highway Capacity Manual
HFC	Hydrofluorocarbon
HI	Hazard Index
HMCU	Hazardous Materials Compliance Unit
HOV	High Occupancy Vehicle
HVAC	Heating, Ventilation, and Air Conditioning

I

in/sec	Inches Per Second
IPCC	Intergovernmental Panel on Climate Change
ITE	Institute of Transportation Engineers
IWMP	Integrated Waste Management Plan

K

kW	Kilowatt

L

LCFS	Low Carbon Fuel Standard
L_{dn}	Day/Night Average Sound Level
LEED	Leadership in Energy and Environmental Design
L_{eq}	Equivalent Sound Level
LID	Low Impact Development

L_{max}	Maximum Sound Level
L_{min}	Minimum Sound Level
L_n	Exceedance Level
LOS	Level of Service
LRT	Light Rail Transit

M

MBTA	Migratory Bird Treaty Act
MGD	Million Gallons per Day
MLD	Most Likely Descendant
MMRP	Mitigation Monitoring and Reporting Program
mpg	Miles Per Gallon
MP-I	Moffett Park Industrial
MPO	Metropolitan Planning Organization
MPSP	Moffett Park Specific Plan
MP-TOD	Moffett Park Transit Oriented Development
MS4	Municipal Separate Storm Sewer System
MSL	Mean Sea Level
MT	Metric Tons
MTC	Metropolitan Transportation Commission
Municipal Code	Sunnyvale Municipal Code
MUTCD	Manual on Uniform Traffic Control Devices

N

N_2O	Nitrous Oxide
NAAQS	National Ambient Air Quality Standards
NAGPRA	Native American Graves Protection and Repatriation Act
NAHC	Native American Heritage Commission
NAL	Numeric Action Level
NASA	National Aeronautics and Space Administration
NB	Northbound
NCCPA	Natural Community Conservation Planning Act
NEL	Numeric Effluent Limitations
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NHTSA	National Highway Traffic and Safety Administration
NMFS	National Marine Fisheries Service
NO_2	Nitrogen Dioxide
NOI	Notice of Intent
NOP	Notice of Preparation

NO_X	Nitrogen Oxides
NPDES	National Pollutant Discharge Elimination System
NPS	Nonpoint Source
NRHP	National Register of Historic Places
NTU	Nephelometric Turbidity Unit
NWIC	Northwest Information Center

O

O_3	Ozone
OEHHA	Office of Environmental Health Hazard Assessment
OHP	Office of Historic Preservation
OPR	Office of Planning and Research

P

Pb	Lead
PCB	Polychlorinated Biphenyl
PCB	Polychlorinated Biphenyl
PCC	Portland Cement Concrete
PFC	Perfluorocarbon
PG&E	Pacific Gas & Electric
PI	Plasticity Index
PM_{10}	Coarse Particulate Matter
$PM_{2.5}$	Fine Particulate Matter
ppm	Parts Per Million
PPV	Peak Particle Velocity
PRC	Public Resources Code
PRD	Permit Registration Document
PSAP	Public Safety Answering Point

R

R&D	Research and Development
RCRA	Resource Conservation and Recovery Act
RHA	Rivers and Harbors Act
ROG	Reactive Organic Gas
ROW	Right of Way
RWQCB	Regional Water Quality Control Board

S

SB	Southbound
SB	Senate Bill
SCS	Sustainable Communities Strategy
SCVURPPP	Santa Clara Valley Urban Runoff Pollution Prevention Program
SCVWD	Santa Clara Valley Water District
SDC	Seismic Design Category
SEIR	Subsequent Environmental Impact Report
SF_6	Sulfur Hexafluoride
SFPUC	San Francisco Public Utilities Commission
SMaRT®	Sunnyvale Materials Recovery and Transfer
SO_X	Sulfur Oxides
sp	Service Population
sq ft.	Square Feet
SR	State Route
SSD	Sunnyvale School District
STLC	Soluble Threshold Limit Concentration
SWAT	Special Weapons and Tactics
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board

T

TAC	Toxic Air Contaminant
TCLP	Toxicity Characteristic Leaching Procedure
TDM	Travel Demand Management
TDM	Transportation Demand Management
TDM	Transportation Demand Model
TDR	Transfer of Development Rights
TIA	Transportation Impact Analysis
TIF	Traffic Impact Fee
TMDL	Total Maximum Daily Load
TRP	Tree Removal Permit
TSCA	Toxic Substance Control Act
TTLC	Total Threshold Limit Concentration

U

U.S.	United States
U.S.C.	United States Code

UNFCCC	United Nations Framework Convention on Climate Change
USACE	United States Army Corps of Engineers
USC	United States Code
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
USGBC	United States Green Building Council
USGS	United States Geologic Survey
UV	Ultraviolet
UWMP	Urban Water Management Plan

V

V/C	Volume to Capacity Ratio
VdB	Velocity Decibels
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compound
vphpl	Vehicles Per Hour Per Lane
VTA	Santa Clara Valley Transportation Authority

W

WB	Westbound
WGCEP	Working Group on California Earthquake Probabilities
WPCP	Water Pollution Control Plant
WRCC	Western Regional Climate Center
WSA	William Self Associates, Inc.
WSA	Water Supply Assessment

Y

yr	Year

Z

Zoning Code	Uniform Planning and Zoning Code
ZWSP	Zero Waste Strategic Plan

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1.0 INTRODUCTION

1.1 PROJECT HISTORY AND BACKGROUND INFORMATION

During the late 1990s, there was a strong market demand in the southern region of the San Francisco Bay Area for technology, research and development (R&D), and corporate headquarters space. The increased regional demands for Class A office uses, corporate headquarters facilities, and other specialized space required by the high-tech industry resulted in extensive redevelopment and transformation of the Moffett Park industrial area within the City of Sunnyvale. The new office, corporate, and high-tech facilities produced additional demands on infrastructure systems in the Moffett Park area, including transportation facilities, domestic water, and wastewater conveyance. Additionally, many of the development applications received by the City of Sunnyvale for R&D and corporate headquarters uses in the Moffett Park industrial area, requested the approval of a Use Permit to exceed the maximum allowable floor area ratio (FAR) allowed by the City of Sunnyvale General Plan (General Plan) and Zoning Ordinance.

In response to the redevelopment efforts occurring within the Moffett Park area, the City of Sunnyvale conceived the Moffett Park Specific Plan (MPSP) in 2000. In 2002, after extensive input from policy makers, business and property owners, and local residents, the City produced the MPSP as a land use policy document that would provide comprehensive development policy and regulatory guidance for the buildout of the Moffett Park area. The overall goal of the MPSP is to provide a comprehensive, long-term plan that supports the development of a mix of land uses and addresses the potential impacts of future development within the MPSP area. Additionally, to respond to the market demand for greater FAR within the MPSP area, the MPSP amended the land use development policies for the MPSP area to increase the Standard and maximum FARs. The MPSP also created a development reserve of 5.4 million square feet that could be used by development projects that desired to exceed the Standard FAR limit and were able to meet certain standards of the MPSP. The final revised MPSP document was adopted by the City Council on April 27, 2004.

Following preparation of the MPSP, the MPSP Draft (Environmental Impact Report) EIR was prepared in October 2002 (SCH #2001052121), as a program-level EIR. The purpose of the program-level EIR was to inform public agency decision-makers and the general public about the proposed MPSP and any potentially significant adverse environmental impacts that may be associated with the planning and subsequent implementation of the Specific Plan; and, to identify appropriate feasible mitigation measures and alternatives that may be adopted to reduce or eliminate impacts. The program-level MPSP EIR addressed an exhaustive and all-inclusive range of impacts by considering the effects of development that may occur in the future within the MPSP area. The program-level Draft EIR was circulated for public review from October 15, 2002 to November 29, 2002. Several comments were received regarding the program-level MPSP Draft EIR and were subsequently responded to in the program-level MPSP Final EIR, which was completed in January 2003. The City Council took action on November 11, 2003 to certify the program-level Final EIR for the MPSP and approve a General Plan Amendment to create the boundary of Specific Plan.

In October 2012, the project applicant submitted an application to the City to redevelop a portion of the MPSP area; refer to Chapter 2 (Project Description). However, the development proposal (Moffett Place Project or Project) would develop the site at a higher intensity than what is permitted under the MPSP, resulting in the need for an amendment to the MPSP and the City of Sunnyvale Zoning Ordinance. The City of Sunnyvale has determined that the increased development intensity proposed by the project applicant has the potential to result in major revisions the previously certified program-level MPSP EIR. Therefore, in order to consider the Project as proposed, the City has chosen to prepare a project-level Subsequent EIR (SEIR) pursuant to § 15162 of the California Environmental Quality Act (CEQA) Guidelines.

1.2 PURPOSE OF THE SUBSEQUENT EIR

CEQA requires all public agencies to consider the environmental consequences of projects for which they have discretionary authority. The public agency with the principal responsibility for carrying out or approving a project is the "lead agency." CEQA requires the lead agency to prepare an EIR if there is substantial evidence, in light of the whole record, that a project may have a significant effect on the environment. A significant effect is defined in CEQA as a substantial, or potentially substantial, and adverse physical change in the environment. The City of Sunnyvale (City) is the lead agency for the proposed Project.

A program-level EIR was prepared for the MPSP pursuant to CEQA (Public Resources Code § § 21000 et. seq.) as amended and the CEQA Guidelines (Title 14, California Code of Regulations, § § 15000 et. seq.) as amended. As noted in Section 1.1 above, the Sunnyvale City Council certified the program-level MPSP Final EIR November 11, 2003. In October 2012, Mathilda Avenue Campus LLC, Bordeaux Borregas LLC and 1215 Borregas Avenue LLC submitted a development application for a portion of the MPSP area. The development application requests an increase in the allowable development intensity for a portion of the MPSP area controlled by the applicant. The purpose of this project-level Draft SEIR is to provide project-level subsequent environmental impact analysis that accurately analyzes the Moffett Place Project in light of current conditions, circumstances, and new information that was not available and not analyzed in the previously certified program-level MPSP EIR. It should be noted that implementation of the proposed Project would not change the ultimate buildout level of the MPSP area. The ultimate buildout level would remain the same as the level analyzed within the program-level MPSP EIR.

The purpose of the previously certified program-level MPSP EIR was to evaluate environmental impacts associated with the implementation of the MPSP as a land use policy document that would provide comprehensive development policy and regulatory guidance for the buildout of the Moffett Park area. The program-level MPSP EIR states, "The EIR is anticipated to be the definitive environmental document for project implementation within the Specific Plan area, including serving as a Project EIR for purposes of infrastructure improvements. Developments that require discretionary review will be examined in light of this EIR to determine what additional environmental documentation must be prepared." As noted in

Section 1.1, the MPSP EIR addressed an exhaustive, all-inclusive range of impacts by considering the environmental effects that may occur in the future as a result of Plan implementation.

While the Moffett Place Project is a furtherance of the Moffett Park Specific Plan and is recognized under CEQA as a project analyzed in the program-level MPSP EIR, a subsequent EIR is warranted, as discussed below:

> § 15162 of the State CEQA Guidelines require that a subsequent EIR be prepared for a project if a lead agency determines one or more of the following:
>
> 1. *Substantial changes are proposed in the project, which will require major revisions in the previous EIR;*
>
> 2. *Substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions in the previous EIR; and*
>
> 3. *New information of substantial importance, which was not known and could have not been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete shows any of the following:*
>
>   a) *The project will have significant effects that were not discussed in the previously certified EIR;*
>
>   b) *Significant effects previously analyzed will be substantially more severe;*
>
>   c) *Mitigation measures or alternatives previously found to be infeasible are now feasible and the project proponents decline to adopt them; or*
>
>   d) *Mitigation measures or alternatives, which are considerably different from those analyzed in the previous EIR would substantially reduce one or more of the project's significant effects, but the project proponent refuses to adopt them.*

This Draft SEIR is appropriate under § 15162 of the CEQA Guidelines. This project-level Draft SEIR provides substantial new information related to the implementation of a commercial office campus development plan proposing to replace 671,944 square feet of existing office space with six new eight-story office buildings and a two-story amenities building for a total of approximately 1.8 million square feet of total building area. The Project includes surface parking and two three-level parking structures for a total of 5,766 parking spaces. The need to prepare this project-level Draft SEIR is triggered not only by emergence of project-level details stated above and other new information regarding potential Project impacts, but also by substantial changes in the circumstances under which the Project would be undertaken, which may affect the integrity of the previous analysis of environmental effects. This project-level Draft SEIR utilizes new technical reports for traffic, noise, air quality, greenhouse gases, water supply and distribution, cultural resources, and biological resources. This new information presented by these new technical reports reflects changes in circumstances or contains information that was not known

and could have not been known with the exercise of reasonable diligence at the time the previous program-level MPSP EIR was certified. All other environmental issue areas have been reviewed with respect to the parameters, thresholds, and assumptions identified in the program-level MPSP EIR to ensure:

- The proposed Project is within the scope of the program-level *MPSP EIR*;
- The proposed Project would not cause any additional significant effects on the environmental issues described in the program-level *MPSP EIR*; and,
- No new or additional Mitigation Measures or Alternatives are required to mitigate the subsequent project's significant environmental impacts (*California Public Resources Code*, § 21157.1 d (c)).

According to § 15121 of the CEQA Guidelines, an EIR is an informational document that is written to inform public agency decision-makers and the public of the significant environmental effects of a proposed project. The purpose of an EIR is to:

- Analyze the environmental effects of a proposed project;
- Indicate mitigation measures to avoid or minimize the potentially significant environmental effects of the Project; and,
- Identify alternatives to the Project that would avoid or substantially lessen the significant effects.

It is not the purpose of an EIR to recommend either approval or denial of a project. Rather, the purpose of an EIR is to provide relevant information that will assist decision-makers in their decision to approve or deny the Project. The lead agency may choose to approve a project that would result in significant environmental effects that cannot be mitigated. If this occurs, the lead agency is required to prepare a "Statement of Overriding Considerations," pursuant to § 15093 of the CEQA Guidelines.

1.2.1 NOTICE OF PREPARATION

A Notice of Preparation (NOP) for the EIR was prepared and issued on February 12, 2013 and the 30-day comment period extended from February 12, 2013 to March 14, 2013. The NOP was circulated to local, state, and federal agencies and other interested parties, consistent with the requirements of CEQA. The NOP indicated the following environmental topics will be addressed in this EIR:

1. Land Use and Planning
2. Aesthetics
3. Air Quality
4. Biological Resources
5. Cultural Resources

6. Geology and Soils
7. Greenhouse Gas Emissions
8. Hydrology and Water Quality
9. Transportation and Traffic
10. Noise
11. Hazards and Hazardous Materials
12. Public Services, Utilities, and Service Systems
13. Recreation
14. Cumulative Impacts
15. Alternatives

The City assessed the environmental impacts under the following remaining environmental topics included in Appendix G of the *CEQA Guidelines*: Agriculture and Forestry Resources, Mineral Resources, and Population and Housing. The City concluded that the proposed Project would have a less than significant impact or no impact under these topics. Consistent with *CEQA Guidelines* Section 15128, impacts that were determined to be less than significant are evaluated for the project proposal in Chapter 4, Setting, Potential Impacts, and Mitigation Measures, and Chapter 5, Section 5.1, Effects Found Not to be Significant.

1.2.2 SCOPING

In response to the NOP, comments were received from the following agencies and individuals:

STATE AGENCIES

- California Department of Transportation, Caltrans (February 28, 2013)

REGIONAL AGENCIES

- Santa Clara County Airport Land Use Commission (February 19, 2013)

LOCAL AGENCIES

- County of Santa Clara Planning and Development Department (March 11, 2013)
- County of Santa Clara Roads and Airports Department (March 7, 2013)

- County of Santa Clara Planning and Department of Environmental Health (March 8, 2013)

SPECIAL INTEREST GROUPS AND INDIVIDUALS

- Joint letter from environmental groups including the California Native Plant Society, Sierra Club, Greenbelt Alliance, and the Santa Clara Valley Audubon Society (March 15, 2013)

In addition, a Scoping Meeting was held on February 28, 2013. Comments on the following topics were made at this meeting:

- Native Vegetation/Habitat Restoration

1.2.3 DRAFT SEIR

This document constitutes the Draft SEIR. It contains a description of the project, description of the environmental setting (existing conditions), identification of project impacts and mitigation measures for impacts found to be significant or potentially significant, and an analysis of project alternatives. This SEIR addresses all environmental topics required by CEQA as well as issues that were raised in the NOP comments.

Significance criteria vary for each environmental issue analyzed in this SEIR and are defined at the beginning of each impact analysis section. Impacts are categorized as follows:

- Significant and Unavoidable (significant impact that cannot be mitigated to a less than significant level with specified mitigation measures);
- Less than Significant with Mitigation (significant impact that is mitigated to a less-than-significant level with implementation of specified mitigation measures); and,
- Less than Significant (impact not significant or not significant with implementation of existing regulations or recommended conditions of approval).

Significance is the basis for determining whether or not mitigation, if any is feasible, is required for a potential impact. The ultimate determination as to whether the mitigation proposed in an SEIR is "feasible" within the meaning of CEQA is made by agency decision-makers. The SEIR is an informational document used by these decision-makers so that their actions will be consistent with the "substantive" duty under CEQA to substantially lessen all significant environmental effects where feasible through mitigation measures or alternatives. An SEIR is therefore required to: (1) identify the potentially significant environmental effects of the proposed project on the environment; (2) indicate the manner in which those significant effects can be avoided or significantly lessened via the implementation of potentially feasible mitigation measures; (3) identify a reasonable range of potentially feasible alternatives to the proposed project that would eliminate or substantially lessen any significant environmental effects; and (4) identify any significant and unavoidable adverse impacts that cannot be mitigated or otherwise reduced.

1.2.4 PUBLIC REVIEW

The information in this report is subject to review by the City of Sunnyvale, responsible and interested agencies, as well as the public for a period of 45 days. The SEIR and all materials described as references in the topical sections of the EIR are available for public review at the following locations: City of Sunnyvale Community Development Department, 456 W. Olive Avenue, Sunnyvale and on the City's website: MoffettPlace.inSunnyvale.com

Publication of this Draft SEIR marks the beginning of the public review period, during which written comments will be received by the City of Sunnyvale at the following address:

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P.O. Box 3707
Sunnyvale, CA 94086-3707
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SMendrin@sunnyvale.ca.gov

During the 45-day review period, persons are encouraged to comment on the contents of the Draft SEIR, either during the Planning Commission public hearing or in writing to the Sunnyvale Community Development Department.

1.2.5 FINAL SEIR CERTIFICATION AND ACTION ON THE PROJECT

Following the close of the 45-day review period, relevant written and oral comments received on the Draft SEIR will be responded to in writing in a Comments and Responses document. The Comments and Responses document, together with the Draft SEIR, will constitute the Final SEIR. After circulation of the Final SEIR, the Planning Commission and City Council will hold public hearings on the Final SEIR to consider EIR certification.

The decision-making bodies of the City of Sunnyvale are required to consider the information in this SEIR, along with any other relevant information, in making their decisions about the proposed project. Although the SEIR does not determine the ultimate decision that will be made regarding approval and implementation of the proposed project, CEQA requires the Planning Commission and City Council to consider the information in the SEIR, and, if they choose to approve the project, to make findings regarding each significant effect identified in the SEIR. Under CEQA, a lead agency's decision-making process includes more than one step. The first step is to consider whether to "certify" the Final SEIR for a proposed project. Notably, "certification" does not, by itself, indicate that decision-makers are intending to approve the project. Rather, although certification is a necessary precondition to project approval, it is possible for a decision-making body to certify a Final SEIR and then deny a project.

Certification of a Final SEIR is a three-part finding: first, that the "Final SEIR has been completed in compliance with CEQA"; second that the "Final EIR was presented to the decision-making body of the lead agency and that the decision-making body reviewed and considered the information contained in the Final SEIR"; and third, that the "Final SEIR reflects the lead agency's independent judgment and analysis." (*CEQA Guidelines* Section 15090)

After certifying a Final SEIR, lead agency decision-makers are in a position to approve a project, if they so choose. In doing so, as described in CEQA and the *CEQA Guidelines*, they will be subject to the statutory duty to avoid or substantially lessen significant environmental effects, *where feasible*. This duty is effectuated through the adoption of statutorily-mandated findings adopted as part of the actions approving the project. These findings must address how agency decision-makers have dealt with each of the significant effects of a proposed project. Possible findings are: (1) that the agency has adopted mitigation measures or alternatives to avoid or substantially lessen the significant effects; (2) that the effects can be, or have been, mitigated by other public agencies, which should adopt, or have adopted, measures to address the effects; or (3) that proposed mitigation measures or alternatives are infeasible. Even after imposing all feasible means of avoiding or substantially lessening such effects, however, a public agency may still approve a project with unmitigated significant effects, provided that the agency decision-makers issue a "Statement of Overriding Considerations" that identifies what decision-makers believe to be the project's economic, social, technological, legal, and other benefits, including any regional or statewide benefits, that render the unmitigated effects "acceptable."

1.2.6 MITIGATION MONITORING AND REPORTING

In January 1989, California enacted Assembly Bill (AB) 3180, which requires lead agencies to "adopt a reporting and mitigation monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment." Accordingly, Public Resources Code (PRC) Section 21081.6 requires that agencies adopt a Mitigation Monitoring and Reporting Program (MMRP) for any project for which it had made findings pursuant to PRC Section 21081, and the MMRP will be prepared as part of the Final EIR. The MMRP will provide a list of all proposed project mitigation measures, define the parties responsible for implementation and review/approval, and identify the timing for implementation of each control measure. Any measures adopted by the City as conditions for approval to mitigate environmental impacts of the project will be included in the MMRP to verify compliance. The MMRP must be adopted as part of the action adopting the Findings described in Section 1.2.5 above.

1.3 EIR ORGANIZATION

Pursuant to *CEQA Guidelines*, Section 15120(c), this EIR contains the information and analysis required by Sections 15122 through 15131. The Draft EIR has been organized into the following sections:

Chapter 1, Introduction. The introduction describes the purpose of the EIR, the CEQA review and certification process, and organization of the EIR.

Chapter 2, Summary. This chapter summarizes the project description, significant environmental impacts that would result from project implementation, and mitigation measures proposed as part of the project or recommended by the EIR to reduce or eliminate impacts.

Chapter 3, Project Description. This chapter describes the project location and project sponsor's and City's objectives, as well as providing a detailed project description.

Chapter 4, Environmental Setting, Potential Impacts, and Mitigation Measures. This chapter describes existing conditions in the vicinity of proposed facilities, discusses project consistency with relevant local plans and policies, identifies the environmental impacts associated with project construction and operation, and presents mitigation measures for the significant and potentially significant impacts in this Draft EIR. References are included at the end of each section.

Chapter 5, Other CEQA Considerations. This chapter discusses several issues required by CEQA, including significant unavoidable impacts, growth-inducing impacts, cumulative impacts, and alternatives to the project.

Chapter 6, Lead Agency and Consultants. This chapter identifies the lead agency and includes a list of EIR preparers and their responsibilities.

Appendices. The appendices provide relevant reference material and data that support discussions in the EIR.

1.4 INCORPORATION BY REFERENCE

As permitted in Section 15150 of the *CEQA Guidelines*, an EIR may reference all or portions of another document that is a matter of public record or is generally available to the public. Information from the documents that have been incorporated by reference has been briefly summarized in the appropriate sections of this EIR, along with a description of how the public may obtain and review these documents. These documents include:

- Sunnyvale General Plan, Consolidated in 2011 (available online at http://sunnyvale.ca.gov/Departments/CommunityDevelopment/CurrentProjectsandHearings/GeneralPlanConsolidation.aspx)
- Moffett Park Specific Plan and Moffett Park Specific Plan EIR (available at the City of Sunnyvale, Department of Community Development)
- Moffett Towers EIR (available at the City of Sunnyvale, Department of Community Development)

- City of Sunnyvale Municipal Codes (available online at http://qcode.us/codes/sunnyvale/)

The documents that are incorporated by reference are available for review during counter hours from 8:00 a.m. to 5:00 p.m., Monday through Friday, at the City of Sunnyvale Community Development Department at 456 W. Olive Avenue, Sunnyvale, CA 94088.

2.0 SUMMARY

2.1 PROJECT DESCRIPTION

The Moffett Place Campus Project is a proposed development of an approximately 53.12 acre Class A office complex in Sunnyvale, California. The applicant is Mathilda Avenue Campus LLC, Bordeaux Borregas LLC and 1215 Borregas LLC. The proposed development would replace 671,944 square feet of existing office space with six new eight-story office buildings, a two-story amenities building, surface parking and two three-level parking structures for a total of 1.8 million square feet of total building area. The Project's buildings are oriented to surround two large landscaped common spaces to accommodate active and passive recreation on-site. Each office building would have the same design and building height. The development would be required to achieve certification from the United States Green Building Council (USGBC) as LEED Gold rated buildings in concordance with the Moffett Park Specific Plan's Green Building Incentive option and the City of Sunnyvale's Green Building Program.

Integral to the campus, the proposed development would also provide a 50,000 square foot amenities building including a fitness center, café, and extensive outdoor facilities including a pool and basketball court. The amenities center would be solely for the use of the campus tenants and employees. Creating this type of facility would reduce traffic trips, as employees are more likely stay on site for lunch and alter their commute times to allow for before or after business hours workouts or activities.

The proposed Moffett Place Campus would require the following actions to the existing 2004 Moffett Park Specific Plan:

1. Text Amendment to allow for eight parcels currently planned as Moffett Park Industrial (MP-I) to change to Moffett Park Transit Oriented Development (MP-TOD).
2. Zoning Map Amendment to allow the intensity of the combined parcels to increase from a 0.62 to a 0.80 Floor Area Ratio (FAR), to accommodate the proposed allowable density of 0.78 FAR and approximately 352,000 additional square feet over the current base zone. An increase in developable square footage up to an additional 10% is allowed through the City's Green Building Program.

The proposed square footage over the current maximum FAR would come from the Moffett Park Specific Plan Development Reserve and would not increase the overall intensity of Moffett Park. The Development Reserve is a floating reserve space that is allocated on a first-come, first-serve basis until the entire reserve has been exhausted.

The Development Reserve established by the MPSP consisted of approximately 5.4 million square feet of development potential that could be applied to development projects within the MP-I and MP-TOD subdistricts that desired to exceed the Standard FAR limit of the underlying subdistrict and were able to meet certain standards of the MPSP. At the time of publication of this SEIR the Development Reserve balance is approximately 1,274,167 square feet, including the proposed Project.

2.2 SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Chapter 4 of the Draft EIR presents a description of the existing environmental setting, an analysis of environmental impacts resulting from development of the proposed project, and required or proposed mitigation measures. These impacts and mitigation measures are summarized in Table 2-1. Impacts are identified as either "Less Than Significant With Mitigation," "Less Than Significant," or "No Impact." If an impact is Less Than Significant With Mitigation, mitigation measures are identified to reduce the potentially significant impact to less-than-significant levels. Within Chapter 5 of the Draft EIR, Table 5-4 addresses the extent to which alternatives to the proposed project would mitigate the potentially significant effects associated with the proposed project.

Table 2-1 (at the end of this Executive Summary) summarizes each potential impact of the Project and the corresponding mitigation measures proposed to minimize or avoid significant impacts.

CUMULATIVE IMPACTS

Cumulative impacts of the proposed Project combined with past, present, and reasonably foreseeable future projects are evaluated in Chapter 4 of this SEIR. The previously certified program-level MPSP EIR analyzed cumulative impacts and determined that cumulative development associated with buildout of the MPSP and future growth in the City of Sunnyvale would result in potentially significant impacts to traffic, air quality, population and housing, energy, and water supply.

As stated in Section 1.2 of Chapter 1 (Introduction), where applicable and where potential impacts associated with the proposed Moffett Place Project were adequately analyzed in the program-level MPSP FEIR, this project-level Draft SEIR relies on, tiers off of, and incorporates by reference, the analysis and findings presented in the previously certified program-level MPSP FEIR. The cumulative analysis prepared for the previously certified program-level MPSP EIR has been reviewed in light of the currently proposed Project.

However, the cumulative impact analysis conducted for the proposed Project identified updated project-level cumulative impacts for traffic and air quality. In addition, the cumulative impact analysis conducted for the proposed Project determined that the proposed Project would result in less than significant cumulative water supply impacts with the implementation of proposed mitigation measures.

After implementation of the proposed mitigation measures, new significant cumulative impacts would remain for the following types of Project impacts:

- Traffic
- Construction Air Quality

These updated project-level traffic and air quality cumulative impacts replace the traffic and air quality cumulative impacts identified in the previously certified program-level MPSP EIR. The updated project-

level traffic and air quality cumulative impacts identified for the proposed Project, in combination with the cumulative impacts identified in the previously certified program-level MPSP EIR, constitute the cumulative impacts for the MPSP area, including the Project's incremental contribution to the cumulative impact.

SIGNIFICANT UNAVOIDABLE ADVERSE ENVIRONMENTAL EFFECTS

§ 15126.2 (b) of the *CEQA Guidelines* requires an EIR to "describe any significant impacts, including those which can be mitigated but not reduced to a level of insignificance. Where there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the Project is being proposed, notwithstanding their effect, should be described."

The previously certified program-level MPSP EIR analyzed significant and unavoidable adverse environmental effects and determined that the implementation of the MPSP would result in significant and unavoidable traffic, air quality, and population and housing impacts. As stated above, where applicable and where potential impacts associated with the proposed Moffett Towers Project were adequately analyzed in the program-level MPSP FEIR, this project-level Draft SEIR relies on, tiers off of, and incorporates by reference, the analysis and findings presented in the previously certified program-level MPSP FEIR. The significant and unavoidable adverse impact analysis prepared for the previously certified program-level MPSP EIR has been reviewed in light of the currently proposed Project. The significant and unavoidable adverse environmental effects identified in the previously certified program-level MPSP EIR for the following issue areas remain valid and representative of conditions that are anticipated to occur with Project implementation and are, therefore, not the subject of this Subsequent EIR (this is in part because the proposed Project does not increase the overall development potential for the MPSP area, but instead reassigns approximately 352,000 square feet within the MPSP area):

However, the environmental impact analysis conducted for the proposed Project identified updated project-level significant and unavoidable adverse environmental impacts for traffic and air quality.

These updated project-level significant and unavoidable traffic and air quality impacts replace and supplement the significant and unavoidable traffic and air quality impacts identified in the previously certified program-level MPSP EIR. The updated project-level significant and unavoidable traffic and air quality impacts identified for the proposed Project, in combination with the significant and unavoidable impacts identified in the previously certified program-level MPSP EIR, constitute the significant and unavoidable impacts for the MPSP area.

While the specific mitigation measures summarized in Table 2-1 would reduce the level of many Project-specific significant impacts to a less than significant level, this SEIR identified the following areas where, after the implementation of feasible mitigation measures, the Project may nonetheless result in impacts that cannot be fully mitigated, which is consistent with the conclusions of the MPSP EIR:

- Construction Air Quality

2.3 SUMMARY OF ALTERNATIVES EVALUATED

Chapter 6 of this SEIR evaluates alternatives to the proposed Project in accordance with the *CEQA Guidelines* § 15126.6. The analysis of Project alternatives takes into consideration the base assumption that all applicable mitigation measures associated with the Project would be implemented with the appropriate alternatives. However, applicable mitigation measures may be scaled to reduce or avoid the potential impacts of the alternatives under consideration, and may not precisely match those identified for the Project. If a specific impact is not raised within the discussion of an alternative, it is because the effect is expected to be the same as that associated with the implementation of the proposed Project. Detailed descriptions and analyses of the Project alternatives can be found in Chapter 6 (Alternatives to the Proposed Project). Following is a summary of the alternatives evaluated in this SEIR.

2.3.1 ALTERNATIVE 1: NO PROJECT/EXISTING *MOFFETT PARK SPECIFIC PLAN* (*MPSP*) AND ZONING ALTERNATIVE

This alternative assumes that the proposed Project is not implemented and the site is redeveloped in the future in compliance with the existing MPSP and Zoning Code.

2.3.2 ALTERNATIVE 2: EXISTING SPECIFIC PLAN (0.60 FAR) ALTERNATIVE

This alternative assumes that the project is developed, but that the intensity is limited to the existing FAR limited for the parcels that are zoned MP-I.

2.3.2 ALTERNATIVE 3: FIRE STATION ALTERNATIVE

This alternative design includes the construction of a new fire station in the northern portion of the Project Site, and the addition of a new parking garage on site APN 110-25-037 at 1180 Bordeaux to accommodate for the lost parking area.

2.3.3 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Section 5.5 concludes that Alternative 2 is the “environmentally superior alternative,” as it would reduce some of the proposed Project's potentially significant impacts. Chapter 5.5 also notes that, although Alternative 2 is environmentally superior, it would essentially result in the same significant and unavoidable impacts as the proposed Project.

2.4 MITIGATION MONITORING

CEQA Guidelines § 15097 requires public agencies to set up monitoring and reporting programs to ensure compliance with mitigation measures, which are adopted or made as a condition of Project approval, and designed to mitigate or avoid the significant environmental effects identified in environmental impact reports. A Mitigation Monitoring and Reporting Program (MMRP) incorporating the mitigation measures set forth in this SEIR will be considered and acted upon by City of Sunnyvale

decision-makers concurrent with adoption of the findings of this SEIR and prior to approval of the proposed Project.

2.5 AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

Pursuant to *CEQA Guidelines* § 15123, this SEIR acknowledges the areas of controversy and issues to be resolved that are known to the City of Sunnyvale and/or were raised during the SEIR scoping process. These issues were identified during the Notice of Preparation (NOP) review period. Eight comment letters were received from agencies in response to the NOP comment period (March 27 through April 25, 2006). These comments on the NOP are included in Appendix A.

The following subsections summarize the issues raised by public agencies during the NOP review period:

1. Need to address Project's consistency with Moffett Field Comprehensive Land Use Plan
2. Address traffic impacts
3. Address hazardous materials in the surrounding area

GROWTH-INDUCING IMPACTS

As required by Section 15126.2(d), an EIR must discuss ways in which a proposed project could foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment. The EIR must also discuss the characteristics of the project that could encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. Growth can be induced in a number of ways, such as through the elimination of obstacles to growth, through the stimulation of economic activity within the region, or through the establishment of policies or precedents that directly or indirectly encourage additional growth.

The project would involve the replacement of existing buildings with new buildings on the site and the project would not extend new roads or infrastructure to any adjacent properties where such facilities are not currently present. The project would not remove any barriers to growth or development that have previously limited development in the surrounding area. The proposed project would replace existing office buildings with new buildings in an area that is surrounded by development. Although the proposed project is expected to generate additional employment opportunities, the project would not generate or induce substantial unexpected population growth or provide urban services to an undeveloped area. The project would modernize a developed site that is served by existing light rail facilities, and not create an employment center in an area where there were no existing no employment opportunities available. Despite the potential for such incremental secondary growth effects, the City of Sunnyvale General Plan estimates that growth will remain at a consistent rate of 1% through 2020 (based on statistical records), down from 2% through 2010, with an additional 24,800 jobs and 18,000 residents. The jobs generated by the proposed project would not exceed this planned level of growth. Because the

jobs associated with the proposed project would intensify use of an underutilized site, include temporary construction jobs, and be located adjacent to light rail facilities, the potential increase in employment would result in a less-than-significant growth-inducing impact, and benefit the community.

TABLE 2-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Potential Impact	Significance	Mitigation Measure
Land Use		
4.1-1: The project would not physically divide an established community.	Less Than Significant	None Required
4.1-2: The project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect.	Less Than Significant with Mitigation	**4.1-1a, Avigation Easement Dedication**: As a condition of development approval, the Project applicant shall dedicate an avigation easement to the County of Santa Clara. The avigation easement shall be similar to that shown as Exhibit 1 in Appendix A of the Moffett Federal Airfield CLUP. **4.1-1b, Federal Aviation Administration (FAA) Notification**: As a condition of development approval, the Project Applicant shall notify the Federal Aviation Administration (FAA) as required by FAR Part 77, Subpart B on FAA Form 7460-1, Notice of Proposed Construction or Alteration.
Aesthetics		
4.2-1: The project would not substantially affect scenic vistas, nor would it substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.	No Impact	None Required
4.2-2: The project would not substantially degrade the visual character or quality of the site and its surroundings.	Less Than Significant	None Required
4.2-3: The project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.	Less Than Significant with Mitigation	**4.2-3a, Glare Reduction**: All exterior windows and glass used on building surfaces shall be non-reflective or treated with a non-reflective coating. **4.2-3b, Exterior Lighting Location Requirements**: All exterior lighting proposed as part of the Project's required exterior lighting plan shall be constructed and located in such a manner that it cannot be mistaken for airport approach or runway lights by pilots.

TABLE 2-1, CONTINUED

Potential Impact	Significance	Mitigation Measure
Biological Resources		
4.3-1: Project development could result in a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS.	Less Than Significant	None Required.
4.3-2: Project development and operation could have a substantial adverse effect on riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS.	Less Than Significant With Mitigation Incorporated	**4.3-2, Channel Protection**: The following measures extracted from the City's adopted "Guidelines and Standards for Land Use Near Streams" would ensure that site construction and operation would not result in indirect adverse effects on the riparian and aquatic habitats or the Sunnyvale West Channel: <u>Measures to be Implemented During Project Construction</u> a. Dust control must be practiced during demolition and grading. b. The City of Sunnyvale routinely requires implementation of protective measures for all projects adjacent to stream courses. For all work adjacent to stream channels, best management practices (BMPs) shall be implemented to prevent bank erosion, sedimentation, release of contaminants, accidental incursion by construction equipment below the tops of bank. Such measures may include installation of silt fencing, hay bales, straw wattles or other protective devices to prevent the downslope migration of silt or sediment from the construction site. <u>Measures to be Implemented During Project Operation</u> c. Post-construction BMPs incorporated into the project's drainage plan shall comply with Provision C.3.c of the Municipal Regional Stormwater Permit (see Impact 4.5-5 in Section 4.3, Hydrology and Water Quality, for more discussion) to ensure that no significant adverse effects on water quality of the Sunnyvale West Channel or the adjacent riparian habitat would result. d. All storm water treatment facilities must be in accordance with local and regional water quality standards to ensure there is no release of contaminants into the aquatic environment.

TABLE 2-1, CONTINUED

Potential Impact	Significance	Mitigation Measure
4.3-3: Project development and operation would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the CWA (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.	Less Than Significant	None Required.
4.3-4: Project development would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.	Less Than Significant	**4.3-4(a), Bird-Safe Building Design:** Prior to the issuance of any building permits, the Project applicant shall demonstrate to the satisfaction of the Community Development Director, that the proposed building design incorporates design features for bird-safe buildings, so long as they do not conflict with the Project objective of constructing an energy efficient building designed to meet LEED Gold certification. Bird-safe design guidelines, such as the Standards for Bird-Safe Buildings adopted by the City of San Francisco Planning Department in July 2011should be used to identify appropriate design features. **4.3-4(b) Non-Special Status-Species:** Prior to the issuance of Grading Plans or improvement plans, the Project applicant shall demonstrate to the satisfaction of the Community Development Director that the following notes are shown on the grading and improvement plans: All tree and building removal and initial grading of the site shall occur outside of the migratory bird and raptor breeding season (August 16 through February 28) unless the following requirements are implemented: • If construction activities are scheduled to occur during the breeding season for non-special-status species (generally between March 1 and August 15), a qualified wildlife biologist shall be retained to conduct the following focused nesting surveys, as follows: • Tree surveys shall be conducted within the Project site to look for nesting non-special-status migratory birds and raptors. • In addition, surveys of all buildings shall be conducted to look for nesting non-special-status migratory birds and raptors. • The surveys shall be conducted between March 1 and August 15 and within one week prior to initiation of construction activities. A

TABLE 2-1, CONTINUED

Potential Impact	Significance	Mitigation Measure
		summary report of the survey findings shall be submitted to the satisfaction of the Community Development Director. If no active nests are detected during surveys, then no additional mitigation is required. • If construction activities are scheduled to occur during the breeding season (generally between March 1 and August 15), and if surveys indicate that migratory bird or raptor nests are found in any areas that would be directly affected by construction activities, a no-disturbance buffer shall be established around the site to avoid disturbance or destruction of the nest site until after the breeding season, or after a wildlife biologist determines that the young have fledged (usually late-June to mid-July). The extent of these buffers shall be determined by a qualified wildlife biologist and shall depend on the level of noise or construction disturbance, line of sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers. These factors shall be analyzed in order to make an appropriate decision on buffer distances. A summary report of the survey findings with the location of the active nests and required buffer distances shall be submitted to the satisfaction of the Community Development Director.
4.3-5: The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	Less Than Significant With Mitigation Incorporated	**4.3-5**: The applicant shall demonstrate to the satisfaction of the Director of Community Development that the removal of the protected trees as defined by the City Code has been mitigated through the planting of new trees at a 1:1 ratio, in conformance with the Landscape Plan.
4.3-6: Project development would not substantially reduce the habitat of a fish or wildlife species.	Less Than Significant	None Required
Geology and Soils		
4.4-1: The proposed project could result in exposure of people and structures to potential adverse effects, including risk of loss, injury, or death involving strong seismic ground shaking; or seismic related ground failure, including liquefaction.	Less Than Significant with Mitigation	**4.4-1a, Foundations**: The proposed 8-story office buildings and parking structures should be supported on deep foundations consisting of driven, precast, prestressed concrete friction piles or augured cast-in-place piles. In order to reduce the potential for settlements due to liquefaction impacting pile foundations, it is recommended that each pile extend to a depth of at least 50

TABLE 2-1, CONTINUED

Potential Impact	Significance	Mitigation Measure
		feet below grade. The amenities building and vehicular bridge may be supported on conventional shallow foundations consisting of continuous and/or isolated spread footings, as long as the estimated differential settlements are considered reasonable from a structural viewpoint. **4.4-1b, Implement Recommendations of Geotechnical Report**: The project sponsor shall implement all of the recommendations of the project geotechnical report, and any associated updates or revisions, related to review of plans and specifications for proposed buildings; demolition observation and testing; construction observation and testing; site demolition, clearing, and preparation; subgrade preparation; subgrade stabilization; material for fill; compaction requirements; trench backfill; site drainage; foundations; concrete slabs and pedestrian pavements; vehicular pavements; and retaining walls. **4.4-1c, Geological Monitor**: A representative from TRC should observe the geotechnical aspects of the grading and earthwork for general conformance with their recommendations including site preparation, selection of fill materials, and the placement and compaction of fill. The Project plans and specifications should incorporate all recommendations contained in the Geotechnical Report.
4.4-2: The proposed project would not result in substantial erosion or loss of topsoil.	Less Than Significant	None Required
4.4-3: The proposed project could cause a geologic unit to become unstable as a result of the project, and potentially resulting in lateral spreading, subsidence, liquefaction or collapse.	Less Than Significant With Mitigation	**4.4-3a, Compaction**: In accordance with the recommendations of the project geotechnical report, all fill and scarified surface soils should be uniformly compacted to at least 90 percent relative compaction at a moisture content near the laboratory optimum, except for the native expansive clays. The native expansive clays should be compacted to between 87 and 92 percent relative compaction at a moisture content at least 3 percent over optimum. Fill should be placed in lifts no greater than 8 inches in uncompacted thickness. Each successive lift should be firm and relatively non-yielding under the weight of construction equipment. In pavement areas, the upper 6 inches of subgrade and full depth of aggregate base should be compacted to at least 95 percent relative compaction, except for the native clays. Aggregate base and all import soils should be compacted at a moisture content near the laboratory optimum moisture content.

TABLE 2-1, CONTINUED

Potential Impact	Significance	Mitigation Measure
		If there are updates or revisions to the project geotechnical report, the above mitigation requirements shall be revised to match the updated recommendations as necessary. **4.4-3b, Abandonment of Existing Utilities**: In accordance with the recommendations of the project geotechnical report, the project sponsor shall ensure that existing utilities are completely removed from all building areas. A utility may only be abandoned in place if it would not pose and unacceptable risk, and if approved by the geotechnical engineer. If abandoned in place, the utility must be completely backfilled with grout or sand-cement slurry and the ends outside of the building area must be capped with concrete. Trench fills must also be removed and replaced with engineered fill with the trench side slopes flattened to at least 1:1. If there are updates or revisions to the project geotechnical report, the above mitigation requirements shall be revised to match the updated recommendations as necessary. **4.4-3c, Corrosion Protection Engineer**: In accordance with the recommendations of the preliminary geotechnical report, a corrosion protection engineer shall be consulted about appropriate corrosion protection methods for buried metallic materials on the project site prior to site grading and construction.
4.4-4: The proposed project could be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property.	Less Than Significant with Mitigation	Implement Mitigation Measures 4.4-1a and 4.4-1b.
Hydrology and Water Quality		
4.5-1: The proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade water quality.	Less Than Significant	None Required
4.5-2: The proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a	No Impact	None Required

TABLE 2-1, CONTINUED

Potential Impact	Significance	Mitigation Measure
lowering of the local groundwater table level.		
4.5-3: Project implementation would not substantially alter the existing drainage pattern of the site or area by altering the course of a stream or incrementally increasing surface runoff from impervious surfaces in such a manner that could increase downstream erosion, siltation, or flooding on- or off-site.	Less Than Significant	None Required
4.5-4: Project implementation would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.	Less Than Significant	None Required
4.5-5: The Project would place structures within a 100-year flood hazard area but would not impede or redirect flood flows.	Less Than Significant	None Required
4.5-6: The project would not expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam.	Less Than Significant	None Required
Transportation and Traffic		
4.6-1: The proposed project could conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.	Less Than Significant with Mitigation	**4.6-1**: Prior to occupancy of each phase, the project applicant shall, to the satisfaction of the Public Works Director, provide a Traffic Impact Fee payment to the City. The payment would be based on the amount of development associated with each phase of development and be based on the current TIF rates at the time of payment. Payment of the TIF fee would constitute the project's fair share contribution to the required improvements to reduce potential impacts at the Mathilda/Moffett Park intersection. Required improvements consist of reconfiguration of the SR 237/Mathilda Avenue ramp intersections, as recommended by the 2006 Route 237 Corridor Study: • Shifting the SR 237 Westbound Off-ramp 150 feet to the north to align with Moffett Park/Mathilda Avenue;

TABLE 2-1, CONTINUED

Potential Impact	Significance	Mitigation Measure
		• Removing SR 237 Westbound On-ramp; and, • Constructing a direct southbound right-turn on-ramp from Mathilda Avenue to US 101 north Reconfiguration of the SR 237/Mathilda Avenue ramp intersections would reduce the impact to a less-than-significant level. These improvements are programmed in both the City's Transportation Strategic Program and the Valley Transportation Plan (VTP) 2035 list of constrained projects, and the project is currently in the design/environmental phase. The final design of the Mathilda/237 interchange will be determined in the design phase.
4.6-2: The proposed project could conflict with an applicable congestion management program, including, but not limited to LOS standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.	Less Than Significant with Mitigation	Prior to occupancy of each phase, the project applicant shall, to the satisfaction of the Public Works Director, provide a fair share contribution to freeway improvements were identified in the Valley Transportation Plan (VTP) 2035 to improve freeway operations on the affected segments: • Convert HOV lanes to express lanes on US 101 from SR 85 in Mountain View to San Jose (VTP ID H5) • Convert HOV lanes to express lanes on SR 237 from I-880 to Mathilda Avenue (VTP ID H9) • Construct new HOV/express lanes on SR 237 between Mathilda Avenue and SR 85 (VTP H11). The payment would be based on the amount of development associated with each phase of development and be based on the VTA project estimates at the time of payment. The freeway improvement projects listed in the VTP 2035 are financially constrained (financially constrained projects are planned project for which VTA anticipates full funding within the timeframe of the VTP 2035 and are currently under design). These improvements are anticipated to relieve traffic congestion added by the project. Therefore a fair share contribution to these regional projects, which VTA is actively designing, would constitute mitigation toward the following identified freeway impacts: • US 101: Convert HOV lanes to express lanes from SR 85 in

TABLE 2-1, CONTINUED

Potential Impact	Significance	Mitigation Measure
		Mountain View to San Jose (VTP ID H5) o Northbound, Ellis Street to SR 237 o Northbound, Mathilda Avenue to Fair Oaks Avenue o Northbound Fair Oaks Avenue to Lawrence Expressway • SR 237: Convert HOV lanes to express lanes from I-880 to Mathilda Avenue (VTP H9) o Westbound, Fair Oaks Avenue to Mathilda Avenue o Eastbound/Westbound, Fair Oaks Avenue to Lawrence Expressway • SR 237 – Construct new HOV/express lanes between Mathilda Avenue and SR 85 (VTP H11) o *Eastbound/Westbound, US 101 to Maude Avenue* o *Eastbound, Mathilda Avenue to US 101*
4.6-3: The proposed project could result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks.	Less Than Significant With Mitigation	**4.6-3**: Refer to Section 4.4-1, Mitigation Measures 4.1-1a and 4.1-1b
4.6-4: The proposed project could substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	Less Than Significant	None Required
4.6-5: The proposed project could result in inadequate emergency access.	Less Than Significant	None Required
4.6-6: The proposed project could conflict with adopted policies, plans, or programs regarding	Less Than Significant	None Required

TABLE 2-1, CONTINUED

Potential Impact	Significance	Mitigation Measure
public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.		
4.6-7: The proposed project could conflict with adopted policies, plans, or programs regarding parking.	Less Than Significant	None Required
4.6-8: The proposed project could result in inadequate roadway operations as a result of construction related traffic.	Less Than Significant With Mitigation	**4.6-8a:** Prior to issuance of a grading permit, the applicant shall, to the satisfaction of the Public Works Director, receive approval of a traffic control plan that restricts directional access to the construction site. In-bound construction traffic from Mathilda Avenue shall be directed to access the construction site via Mathilda Avenue or Moffett Park Drive, while outbound construction traffic shall be restricted to Java Drive, eastbound Moffett Park Drive or as approved by the Public Works Director. The traffic control plan shall prohibit truck access to the site during peak commute times (7 AM to 9 AM and 4 PM to 6 PM) to limit potential impacts to the operations of Mathilda Avenue. Alternative times may be considered in specific cases as approved by the Public Works Director.
Noise 4.7-1: Project construction could cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project due to operation of heavy equipment during construction.	Less Than Significant With Mitigation	**4.7-1:** Prior to the issuance of demolition permits or ground disturbing activities (whichever occurs first), the Contractor shall demonstrate to the satisfaction of the City of Sunnyvale Community Development Department that the proposed project complies with the following: • Construction contracts specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other state required noise attenuation devices. • Property occupants located adjacent to the project boundary shall be sent a notice, at least 15 days prior to commencement of construction of each phase, regarding the construction schedule of the proposed project. A sign, legible at a distance of 50 feet shall also be posted at the project construction site. All notices and signs shall be reviewed and approved by the City of Sunnyvale Community Development Department prior to

TABLE 2-1, CONTINUED

Potential Impact	Significance	Mitigation Measure
		mailing or posting and shall indicate the dates and duration of construction activities, as well as provide a contact name and a telephone number where residents can inquire about the construction process and register complaints. • The Contractor shall provide evidence that a construction staff member will be designated as a Noise Disturbance Coordinator and will be present on-site during construction activities. The Noise Disturbance Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Noise Disturbance Coordinator shall notify the City within 24-hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall implement reasonable measures to resolve the complaint, as deemed acceptable by the Community Development Department. All notices that are sent to residential units immediately surrounding the construction site and all signs posted at the construction site shall include the contact name and the telephone number for the Noise Disturbance Coordinator. • During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers. • Pursuant to the Municipal Code Chapter 16.08, construction activities shall occur between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, 7:00 a.m. and 5:00 p.m. on Saturdays, and shall be prohibited on Sundays and holidays or as approved by the Chief Building Official.
4.7-2: Project construction could expose people to or generate excessive groundborne vibration at adjacent structures during construction.	Less Than Significant	None Required
4.7-3: Operation of proposed office buildings and the traffic associated with operation would not result in a substantial permanent increase in ambient noise	Less Than Significant	None Required

TABLE 2-1, CONTINUED

Potential Impact	Significance	Mitigation Measure
levels in the project vicinity above levels existing without the project, including noise from office activities already on-site.		
4.7-4: Project operation would not expose on-site occupants to excessive vibrations from passing trains on the light rail tracks.	Less Than Significant	None Required
4.7-5: The project would not expose on-site uses to excessive noise levels from Moffett Field operations.	Less Than Significant	None Required
Air Quality		
4.8-1: Project construction would violate an air quality standard or contribute substantially to an existing or projected air quality violation.	Significant and Unavoidable	**4.10-1a-c, BAAQMD Basic and Additional Construction Mitigation Measures, BAAQMD Architectural Coatings Mitigation Measures, Haul Truck VMT Limits**: Prior to issuance of any Grading or Demolition Permit, the City Engineer and the Chief Building Official shall confirm that the Grading Plan, Building Plans, and specifications stipulate that basic and enhanced construction mitigation measures shall be implemented as indicated in Section 4.8.3, including but not limited to dust and dirt controls, use of low volatile organic compounds, limited soil hauling activities, etc.
4.8-2: Project operations would violate an air quality standard or contribute substantially to an existing or projected air quality violation.	Less Than significant	None Required.
4.8-3: Project implementation would not expose sensitive receptors to substantial pollutant concentrations.	Less Than Significant With Mitigation	**4.8-3**: Refer to Mitigation Measure 4.8-1a.
4.8-4*:* Project implementation would not create objectionable odors affecting a substantial number of people.	Less Than Significant	None Required
4.8-5: Construction-related and operational criteria pollutant emissions could conflict with or obstruct implementation of the applicable Air Quality Plan.	Less Than Significant	None Required.
Greenhouse Gases		
4.9-1: The project would generate greenhouse gas	Less Than Significant	None Required

TABLE 2-1, CONTINUED

Potential Impact	Significance	Mitigation Measure
emissions, either directly or indirectly, that could have a significant impact on the environment.		
4.9-2: The project would not conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing greenhouse gas emissions.	Less Than Significant	None Required
Hazards and Hazardous Materials		
4.10-1: Project implementation would not create a significant hazard to the public or to the environment through the routine transport, use, or disposal of hazardous materials.	Less Than Significant	None Required
4.10-2: The project could create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials to the environment during building demolition.	Less Than Significant with Mitigation	**4.10-2, Hazardous Building Materials Surveys and Abatement:** Prior to demolition of each building, the project applicant shall incorporate into contract specifications the requirement that the contractor(s) have a hazardous building materials survey completed by a Registered Environmental Assessor or a registered engineer. This survey shall be completed prior to any demolition activities associated with the project. If any friable asbestos-containing materials or lead-containing materials are identified, adequate abatement practices, such as containment and/or removal, shall be implemented in accordance with applicable laws prior to demolition. Specifically, asbestos abatement shall be conducted in accordance with Section 19827.5 of the California Health and Safety Code, as implemented by the BAAQMD, and 8 CCR Section 1529 and Sections 341.6 through 341.14, as implemented by Cal/OSHA. Lead-based paint abatement shall be conducted in accordance with Cal/OSHA's Lead in Construction Standard. Any PCB-containing equipment, fluorescent light tubes containing mercury vapors, and fluorescent light ballasts containing DEHP shall also be removed and legally disposed of in accordance with applicable laws including 22 CCR Section 66261.24 for PCBs, 22 CCR Section 66273.8 for fluorescent lamp tubes, and 22 CCR Division 4.5, Chapter 11 for DEHP.

TABLE 2-1, CONTINUED

Potential Impact	Significance	Mitigation Measure
4.10-3: The project would not create a hazard to the public or the environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment.	Less Than Significant	None Required
4.10-4: Be located within the vicinity of a private airstrip and result in a safety hazard for people residing or working in the project area.	Less Than Significant	None Required
Cultural Resources		
4.11-1: Project implementation would not affect any historical resource.	No Impact	None Required
4.11-2: Demolition and construction activities on the project site could cause a substantial adverse change in the significance of unknown subsurface archaeological resources, including the disturbance of human remains.	Less Than Significant With Mitigation	**4.11-2a, Discovery of Archaeological Resources**: If prehistoric or historic archaeological resources are encountered during project activities, all work within 25 feet of the discovery should be stopped and a qualified archeologist meeting federal criteria under 36 CFR 61 should be contacted to assess the resources and make recommendations. While prehistoric or historic archaeological resources should be avoided by project activities, if the resources cannot be avoided, they should be evaluated for their potential historic significance in consultation with the City of Sunnyvale. If the resources are recommended to be non-significant, avoidance is not necessary. If the resources are recommended as potentially significant or eligible to the CRHR, they should be avoided. If avoidance is not feasible, project impacts should be mitigated in accordance with the recommendations of the evaluating archaeologist and CEQA Guidelines §15126.4 (b)(3)(C), which require development and implementation of a data recovery plan that would include recommendations for the treatment of the discovered archaeological materials. The data recovery plan should be submitted to the City of Sunnyvale for review and approval. Upon approval and completion of the data recovery program, project construction activity within the area of the find may resume, and the archaeologist will prepare a report documenting the methods of investigation and the findings. The report will be submitted to the City of Sunnyvale. Once the report is reviewed and approved by the City of Sunnyvale, a copy of the report will be submitted to the NWIC.

TABLE 2-1, CONTINUED

Potential Impact	Significance	Mitigation Measure
		4.11-2b, Discovery of Human Remains: In the event that human remains are discovered, the County Coroner, upon recognizing the remains as being of Native American origin, is responsible to contact the NAHC within 24 hours. The Commission has various powers and duties, including the appointment of a Most Likely Descendant (MLD) to the project. The MLD, or in lieu of the MLD, the NAHC, has the responsibility to provide guidance as to the ultimate disposition of any Native American remains. The MLD shall make recommendations to the Community Development Director regarding the method for exposure and removal of human burials and associated grave goods, and shall advise the Community Development Director regarding the place and method of reburial of these materials. **4.11-2c, Archaeological Monitor**: A qualified archaeologist shall be retained to monitor the site clearing and grading operations in those areas where buildings will be removed and/or new construction will occur. The archaeologist shall be present on-site to observe site clearing at a representative sample of building removal areas until he/she is satisfied that there is no longer a potential for finding buried resources. In the event that any potentially significant archaeological resources (i.e., potential historical resources or unique archaeological resources) are discovered, the project archaeologist shall stop work inside a zone designated by him/her where additional archaeological resources could be found. A plan for the evaluation of the resource shall be submitted to the Community Development Director for approval. Evaluation normally takes the form of limited hand excavation and analysis of materials and information removed to determine if the resource is eligible for inclusion on the California Register of Historic Resources (CRHR).
4.11-3: Demolition and construction activities on the project site would not directly or indirectly destroy a unique paleontological resource or site or unique geological feature.	Less Than Significant With Mitigation	**4.11-3a, Halt Construction and Evaluate Resource**: In the event that a paleontological resource (fossilized invertebrate, vertebrate, plan or micro-fossil) is found during construction, excavation within 50 feet of the find shall be temporarily halted or diverted until the discovery is evaluated. Upon discovery, the Community Development Director shall be notified immediately and a qualified paleontologist shall be retained to document and assess the discovery in accordance with Society of Vertebrate Paleontology's 2010 Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources, and determine procedures to be followed before

TABLE 2-1, CONTINUED

Potential Impact	Significance	Mitigation Measure
		construction is allowed to resume at the location of the find. If the Community Development Director determines that avoidance is not feasible, the paleontologist will prepare an excavation plan for mitigating the project's impact on this resource, including preparation, identification, cataloging, and curation of any salvaged specimens. **4.11-3b, Paleontological Monitor**: A qualified paleontologist shall be retained to monitor the site clearing and grading operations in those areas where buildings will be removed and/or new construction will occur. The paleontologist shall be present on-site to observe site clearing at a representative sample of building removal areas until he/she is satisfied that there is no longer a potential for finding buried resources. In the event that any potentially significant paleontological resources are discovered, the project paleontologist shall stop work inside a zone designated by him/her where additional paleontological resources could be found. A plan for the evaluation of the resource shall be submitted to the Community Development Director for approval.
Public Services and Utilities 4.12-1: Construction of the proposed Project would require additional emergency and public services for future visitors or workers, and could require the construction of new or physically altered government facilities to maintain acceptable service ratios, response times, or other performance objectives for fire protection, police protection, schools, or other public facilities.	Less Than Significant With Mitigation	**4.12-1, Fire and Police Protection:** Concurrent with project entitlements, the Project applicant will enter into a binding agreement with the City of Sunnyvale regarding the addition of adequate public safety facilities and equipment.
4.12-2: The proposed Project would not require the construction of new wastewater treatment or storm drain facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects.	Less Than Significant	None Required
4.12-3: The proposed Project would incrementally increase potable water demand within the service area. However, there are sufficient water supplies	Less Than Significant	None Required

TABLE 2-1, CONTINUED

Potential Impact	Significance	Mitigation Measure
available to serve the Project from existing entitlements and resources, and no new or expanded entitlements or facilities, the construction of which would have significant environmental effects, are needed.		
4.12-4: Development of the Project would result in increased wastewater flows to the wastewater treatment provider, which has adequate capacity to serve the Project's expected demand in addition to existing commitments.	Less Than Significant	None Required
4.12-5: The Project would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board (No Impact).	No Impact	None Required
4.12-6: The Project could substantially increase solid waste generation, but would comply with federal, state, and local statutes and regulations regarding solid waste.	Less Than Significant	None Required
4.12-7: The Project would be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs.	Less Than Significant	None Required
Recreation		
4.13-1: Development of the proposed Project would not increase the use of neighborhood and regional parks or other recreational facilities such that substantial physical deterioration would occur or be accelerated.	Less Than Significant	None Required
4.13-2: Development of the proposed Project would not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment.	Less Than Significant	None Required

TABLE 2-1, CONTINUED

Potential Impact	Significance	Mitigation Measure
Cumulative Impacts		
Traffic and Circulation 5.4-1 The proposed project could conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.	Less Than Significant with Mitigation	**5.4-1 Traffic Signal at Moffett Park Drive/Bordeaux Drive Intersection.** Construct a traffic signal to the satisfaction of the Public Works Director at the Moffett Park Drive/Bordeaux Drive intersection prior to occupancy of the second phase of development. Impacts at this intersection would not occur with the first phase of development (Buildings B1, B2, and B5 and Parking Structure A). This intersection could potentially be removed when the future improvements to the SR237/Mathilda Avenue interchange are constructed. Temporary traffic signals or other interim traffic improvements may be considered by the Public Works Director and installed/ completed prior to occupancy of the second phase of development if the SR237/Mathilda Avenue interchange project has not been completed at that time. The final design of the SR237/Mathilda interchange will be determined in the operations study lead by VTA.