ATTACHMENT 5

City of Sunnyvale, California

Moffett Towers II

Final Subsequent Environmental Impact Report

March 2016

SCH# 2001052121

Kimley»Horn

Expect More. Experience Better.

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MOFFETT TOWERS II

Final

Subsequent Environmental Impact Report

PLANNING PROJECT NUMBER 2015-7106

STATE CLEARINGHOUSE NO. 2001052121

City of Sunnyvale
Community Development Department – Planning Division
456 West Olive Avenue
Sunnyvale, California 94088-3707
Contact: Margaret Netto

MARCH 2016

Prepared By:

Kimley»Horn

ATTACHMENT 5

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1. INTRODUCTION

On August 30, 2013, the City of Sunnyvale Community Development Department - Planning Division distributed the Draft Subsequent Environmental Impact Report (SEIR) for the proposed Moffett Towers II Project (Project) to public agencies and the general public. The Draft SEIR considers the City's implementation of the proposed Moffett Towers II Project.

The Project site is located at 1111 Lockheed Martin Way. The Project site is currently developed with buildings constructed as part of a former Lockheed Martin facility and surface parking areas. The Project site is located to the west of E Street between 11th Avenue and 5th Avenue, and east of Enterprise Way on Assessor's Parcel Numbers (APN) 101-01-36 and -38. The Project is located approximately 1,750 feet north of the State Route 237 South Bay Freeway and US Highway 101 interchange and east of the Moffett Federal Airfield.

The Moffett Towers II Project is proposed by MT II, LLC. The Project proposes the redevelopment of the site with a total of 1,651,795 square feet of total building area of Class A office space in a high-quality integrated corporate campus environment that utilizes a transit-oriented, pedestrian friendly layout and design. The Project's buildings are oriented to surround two large landscaped common spaces to accommodate active and passive recreation on-site. Refer to Table 1-1, Proposed Development, below, for detail on the specific buildings. Each office building would have the same design and building height. The office buildings would each total 320,359 square feet of total interior space with footprints of 40,045 square feet.

Table 1–1 Proposed Development

Proposed Buildings	Number of Stories	Gross Building Area (Square Feet)	Maximum Height (Feet)
Building 1	8	320,359	129
Building 2	8	320,359	129
Building 3	8	320,359	129
Building 4	8	320,359	129
Building 5	8	320,359	129
Amenities Building	2	50,000	50
Parking Structure A	4 plus high garden	--	65
Parking Structure B	4	--	55
Parking Structure C	4	--	55
Total Project Building Area		1,651,795*	

*Combined maximum permitted FAR (including Green Bonus)
Source: DES Architects, 2015

The proposed Project would replace 924,500 square feet of existing buildings with five new eight-story office buildings (320,359 square feet each), a two-story amenities building (50,000 square feet), surface parking (2,200 stalls) and three 4-level parking (3,140 stalls). Implementation of the proposed Project would require an amendment to the MPSP and the City of Sunnyvale Zoning Ordinance.

The campus development is centered around the proposed 50,000 square foot amenities building (included in the approximately 1.65 million square feet) including a fitness center, café, and extensive outdoor facilities including a pool and sports 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 Project includes the approval of a Development Agreement between the applicant and the City for improvements related to the construction of the project and other minor improvements in the vicinity of the Project area (e.g., sidewalks, pedestrian crossings, etc.).

Items covered in the Development Agreement that relate to physical impacts on the environment include:

- The applicant may develop up to 0.80 FAR with Green Building incentives as allowed for under the MPSP and the City's zoning code.
- The applicant is responsible for the payment of an additional Traffic Improvement Payment in addition to the traffic impact fees required for the project.
- The applicant is responsible for the design and construction of E Street.
- The applicant is responsible for a contribution of a Public Safety Payment for the funding of three public safety officers at Fire Station 5 for a period of seven years.

The proposed Moffett Towers II would require the following modifications to the existing 2004 MPSP:

1. Text Amendment to allow two parcels currently zoned as Moffett Park Industrial (MP-I) to be rezoned to Moffett Park Transit Oriented Development (MP-TOD).
2. Amendment to the Moffett Park Specific Plan to allow the base density of the existing MP-I parcels to increase from a 35% up to approximately 50% Floor Area Ratio (FAR).

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 Moffett Towers II SEIR was circulated for a 45-day public review period in accordance with § 15105(a) of the CEQA Guidelines. Copies of the document were distributed to state, regional, and local agencies, as well as organizations and individuals, for their review and comment.

§15088(a) of the State *CEQA Guidelines* states that: *The lead agency shall evaluate comments on environmental issues received from persons who reviewed the Draft EIR and shall prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extension and may respond to late comments.*

In accordance with § 15088(a) of the *CEQA Guidelines*, the City of Sunnyvale Community Development Department - Planning Division, as the lead agency, has evaluated the comments received on the Draft SEIR for the Moffett Towers II Project and has prepared written responses to the comments received.

This Final SEIR presents all comments on, and responses to, the Moffett Towers II Draft SEIR. Section 2 of this document provides all the written comments on the SEIR, and presents responses to significant environmental issues raised in the written comments (as required in the *CEQA Guidelines* § 15132). Each comment letter is labeled to correspond to an index table (Table 2-1) presented in Section 2. Where a comment results in a change to the SEIR text, a notation is made in the comment indicating that the text is revised. Changes in text are signified by strikeouts (~~strikeouts~~) where text is removed, and by bold font (**bold font**) where text is added. All changes to the Draft SEIR are compiled in Section 3 of this document, "Refinements and Clarifications to the Draft SEIR".

The focus of the response to comments is on the disposition of significant environmental issues that are raised in the comments, as specified by § 15088 (c) of the *CEQA Guidelines*. Detailed responses are not provided to comments on the merits of the proposed Project. However, when a comment is not directed to significant environmental issues, the responses indicate that the comment has been noted and that no further response is necessary.

The Final SEIR consists of three documents, which include the Draft SEIR text and technical appendices, and this document. The City of Sunnyvale will utilize this project-level SEIR in conjunction with the program-level *MPSP Final EIR* for the implementation of the proposed Moffett Towers II Project. Together, the program-level *MPSP Final EIR* and this project-level SEIR are intended to provide project-level analysis of the potential environmental impacts resulting from implementation of the Moffett Towers II Project.

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2. COMMENTS AND RESPONSES ON THE DRAFT SEIR

Section 2.1 (List of Comment Letters Received) provides a list of all agencies, organizations, and individuals that provided written comments on the Moffett Towers II Draft SEIR. The verbatim comment letters, and responses to environmental issues raised in those letters, are presented in Section 2.2 (Written Comments and Responses).

2.1 List of Comment Letters Received

The following agencies and organizations provided written comments on the Draft SEIR:

State Agencies

- California Department of Transportation

Regional Agencies

- Santa Clara Valley Transportation Authority (VTA)

Organizations

- Santa Clara Valley Audubon Society and Sierra Club joint letter
- Planning Commission Public Hearing Minutes, February 8, 2016

2.2 Written Comments and Responses

Index to Response to Comments

All letters received during the public review period for the Draft SEIR are listed in Table 2-1 (Index of Comments Received), below. Each response letter is reproduced in its entirety with the issues of concern numbered in the right margin. Correspondingly numbered responses to the comments follow each letter.

Table 2-1: Index of Comments Received

Letter	Commenter
A	California Department of Transportation
B	Santa Clara Valley Transportation Authority
C	Santa Clara Valley Audubon Society and Sierra Club joint letter
D	Planning Commission Hearing Minutes, February 8, 2016

Letter A – California Department of Transportation

Letter A

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 4
P.O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-5528
FAX (510) 286-5559
TTY 711
www.dot.ca.gov

Serious Drought. Help save water!

February 10, 2016

SCL237134
SCL/237/PM VAR
SCH# 2001052121

Ms. Margaret Netto
Planning Division
City of Sunnyvale
456 W. Olive Avenue
Sunnyvale, CA 94086

Dear Ms. Netto:

Moffett Park Specific Plan Moffett Towers II – Draft Subsequent Environmental Impact Plan

Thank you for continuing to include the California Department of Transportation (Caltrans) in the environmental review process for the project referenced above. The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. Caltrans has reviewed the Draft Environmental Impact Report to ensure consistency with its mission and state planning priorities of infill, conservationism, and efficient development. Please refer to the previous comment letters on this project. Caltrans provides these comments consistent with the State's smart mobility goals to support a vibrant economy and build communities, not sprawl.

Project Understanding

This proposed General Plan Amendment to the Moffett Park Specific Plan (MPSP) is to change the designation of two Moffett Park parcels between 11th Avenue and 5th Avenue (Moffett Towers II) totaling 47.4 acres from Moffett Park Industrial (MP-I) to Moffett Park Transit Oriented Development (MP-TOD). The MPSP covers approximately 1,156 acres north of State Route (SR) 237 and US Highway 101 (US 101) that is predominately developed with office, research and development (R&D) and industrial uses.

The proposed project would demolish the existing buildings and construct a project with approximately 1.65 million square feet of Class 'A' office space. This would result in a floor area ratio (FAR) of 80 percent, which is the maximum allowed under the proposed MP-TOD district using both the Moffett Park and citywide green building incentives. Under the existing MP-I district, the site could be redeveloped with up to 1.24 million square feet or an FAR of 60 percent including the green building incentives.

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

Ms. Margaret Netto/City of Sunnyvale
February 10, 2016
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Lead Agency
As the lead agency, the City of Sunnyvale (City) is responsible for all project mitigation, including any needed improvements to State highways. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

Traffic Impacts
A-1 Vehicle queuing analyses should use SimTraffic queuing reports for left turn lanes at the study intersections to analyze if there are impacts to State Route (SR) 237 mainline and ramps. The queues report data generated in the Traffic Impact Analysis by Synchro is collected after two cycles, not one full hour like SimTraffic, so is less accurate.

Vehicle Trip Reduction
A-2 Caltrans encourages the City to locate future housing, jobs, and employee-related services near major mass transit centers with connecting streets configured to facilitate walking and biking. This would promote mass transit use thereby reducing regional vehicle miles traveled (VMT) and traffic impacts. Suggested Transportation Demand Management (TDM) strategies include bicycle parking, unbundling of residential parking, and providing transit passes and/or transit subsidies to residents. The project proposes a TDM program, in accordance with the Moffett Park Specific Plan but in addition to the proposed program components, it should improve way-finding to the nearby Moffett Park and Lockheed Martin Stations. The program should also study a shuttle service between the project and one or both of these light rail stations. The TDM program should be documented with annual monitoring reports by an onsite TDM coordinator to demonstrate effectiveness.

A-3 Also, the Project proposes to provide 5,340 parking spaces and although this is in line with the City's requirements, Caltrans recommends that the project consider reducing parking supply in order to encourage alternate forms of transportation, reduce regional vehicle miles traveled, and lessen future traffic impacts on State highways. Please refer to "Reforming Parking Policies to Support Smart Growth," a MTC study funded by Caltrans, for sample parking ratios and strategies that support compact growth. Reducing parking supply can encourage alternate forms of transportation, reduce regional VMT, and lessen future traffic impacts on SR 237 and the State Highway System (SHS).

A-4 The Project proposes to provide 200 secured and 67 unsecured bike parking spaces, as required by the City of Sunnyvale. To accommodate and encourage additional bicycle trips, consider an increase in bicycle parking supply, in line with the scale of the Project. These smart growth approaches are consistent with Metropolitan Transportation Commission's (MTC) Regional Transportation Plan/Sustainable Community Strategy goals of both increasing non-auto mode transportation, and reducing per capita VMT by 10 percent.

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Ms. Margaret Netto/City of Sunnyvale
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A-5 ***Traffic Impact Fees***
Given the project's contribution to area traffic and its proximity to SR 237, the project should contribute fair share traffic impact fees. These contributions would be used to lessen future traffic congestion and improve transit in the project vicinity.

A-6 ***Voluntary Contribution Program***
Caltrans encourages the City to participate in the Santa Clara Valley Transportation Authority's (VTA) voluntary contribution program and plan for the impact of future growth on the regional transportation system.

Should you have any questions regarding this letter, please contact Brian Ashurst at (510) 286-5505 or brian.ashurst@dot.ca.gov.

Sincerely,

for

PATRICIA MAURICE
District Branch Chief
Local Development - Intergovernmental Review

c: Scott Morgan, State Clearinghouse
Robert Swierk, Santa Clara Valley Transportation Authority (VTA) – electronic copy
Robert Cunningham, Santa Clara Valley Transportation Authority (VTA) – electronic copy

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Letter A – California Department of Transportation

A-1 The City does not concur with this comment. The queuing analysis was performed using Traffic software. Traffic Impact Analysis notes the following regarding the Traffic Software:

> Traffix software calculates the 95th percentile queues based on HCM 2000 methodology. The 95th percentile queue is used to account for fluctuations in traffic and represents a condition where 95 percent of the time during the peak period, traffic volumes will be less than or equal to the queue determined by the analysis. It is used as a benchmark for determining deficiencies as a standard transportation engineering practice. Ninety-fifth percentile queuing was estimated under the various traffic conditions and in consideration of the planned intersection and signal timing improvements.

As such, the City conforms that an adequate methodology was used, and is consistent with standard transportation engineering practice and that utilizing alternative software methods would not result in any new or more significant results. No changes were made to the Draft SEIR as a result of this comment.

A-2 The City concurs that locating housing, jobs, and employee related services near major mass transit centers would help reduce regional vehicle miles traveled. The TDM plan does not include residential parking as there are no residences in the vicinity. The TDM plan does include bicycle parking and for building tenants to provide employees with financial incentives that include VTA Eco Passes, which give holders unlimited rides on VTA light rail, bus, and express bus services, and Guaranteed Ride Home services. Page 3-38 of the Draft SEIR identifies the monitoring component of the propose TDM Plan. No changes were made to the SEIR as a result of this comment.

The comment recommends the project study a subsidizing an existing shuttle or provide a private shuttle. There are a number of local shuttles specific to the Moffett Park Area that provide service within Moffett Park and to surrounding neighborhoods and transit facilities. The Moffett Park Business and Transportation Association provides information on the shuttle programs to tenants in Moffett Park. Additionally, the conditions of approval include a requirement for the developer to explore a private shuttle as a TDM measure. No changes to the SEIR were made as a result of this comment.

A-3 The City concurs the project proposes to provide 5,340 parking spaces which is the minimum number of parking spaces allowed under the City Municipal Code at a ratio of 1:300 square feet. It should be noted that no parking was required for the 50,000 square foot Amenities Center. The comment regarding reforming parking policies will

be included in the Final SEIR for the City's Planning Commission and City Council to review and consider. No changes to the SEIR were made as a result of this comment.

A-4 The City concurs with the number of secured and unsecured bicycle spaces. The number of bicycle spaces is consistent with the requirements of the City's Municipal Code. The comment regarding increasing bicycle parking requirements will be included in the Final SEIR for the City's Planning Commission and City Council to review and consider. No changes to the SEIR were made as a result of this comment.

A-5 The City concurs with this comment. Mitigation Measures 4.13-1a, 1b, and 1c and 5.4-1b require the applicant to pay fair share traffic impact fees for roadway improvements, including improvements to SR-237 freeway segments and SR-237 ramps. No changes to the SEIR were made as a result of this comment.

A-6 This comment will be included in the Final SEIR for the City's Planning Commission and City Council to review and consider. No changes to the SEIR were made as a result of this comment.

Letter B – Santa Clara Valley Transportation Authority (VTA)

Letter B

SANTA CLARA
Valley Transportation Authority

February 12, 2016

City of Sunnyvale
Planning Division
P.O. Box 3707
Sunnyvale, CA 94088-3707

Attention: Margaret Netto

Subject: Moffett Towers II

Dear Ms. Netto:

Santa Clara Valley Transportation Authority (VTA) staff have reviewed the Draft EIR for 1.65 million square feet of office space on 47.4 acres at 1111 Lockheed Martin Way. We have the following comments.

B-1 Land Use, Pedestrian and Bicycle Accommodations and Access to Transit
While VTA generally supports land use intensification in proximity to transit, such as the proposed rezoning of the project parcels to Moffett Park Transit Oriented Development (MP-TOD), VTA notes that the majority of the site lies outside a ¼ mile radius of existing light rail stations, as stated in Attachment 3 of the City Council Study Session on February 10, 2015.

B-2 To improve access to transit for employees of the project, VTA recommends that the project include exceptional pedestrian and bicycle connections to the Moffett Park and Lockheed Martin light rail stations. The DEIR text and Site Plan note some improvements that the project will make to pedestrian and bicycle accommodations, including adding a sidewalk along the project's E Street frontage, adding crosswalks at the intersection of E Street and 5thth Avenue, and providing bicycle parking;. However, VTA recommends that the City require the applicant to provide the following additional improvements, to create stronger connections to the nearby light rail stations and an improved pedestrian environment:

- B-3 Constructing wide sidewalks with a landscaped buffer between pedestrians and automobiles (currently the site plan shows such accommodations on the project's E Street frontage, but shows attached sidewalks with no buffer along 11th Avenue and 5th Avenue);
- B-4 Providing pedestrian scale lighting and landscaping;
- B-5 Adding a crosswalk on the western leg of the E Street/11th Avenue intersection (this crosswalk is missing now, and the site plan does not show a crosswalk added; please note that this is the most direct path between the proposed development and the Moffett Park light rail station); and
- B-6 Providing a connection between D Street and E Street to create a more direct path from the development to the public pathways across the NetApp campus to the Lockheed Martin Light Rail Station (such a connection would reduce the walking distance by approximately 500 feet)

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City of Sunnyvale
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B-7 VTA also recommends that the City require the applicant to initiate a circulator shuttle to improve access to transit stations, or to contribute funding to a public-private partnership for a circulator shuttle or flexible transit service. The shuttle should be open to employees of other developments in Moffett Park to provide the maximum trip reduction benefit to the area.

B-8 Freeway Impacts
The DEIR/TIA identifies that the project will have a significant impact on the EB segment of SR 237 between US 101 and Mathilda Avenue in the AM Peak period. This is a key regional link that affects the flow of traffic between US 101 and I-880 as well as it is a major feeder into the Moffett Park Business area. VTA commends the City for identifying a "fair share contribution" to regional transportation improvements as a mitigation measure for this impact. VTA recommends that the City provide as much flexibility as possible with this contribution, to apply it towards projects in Valley Transportation Plan 2040 in the nearby vicinity, such SR 237 Express Lanes Phase 2 or US 101 Express Lanes. The impacted segment of 237 will also affect nearby freeway segments, and these nearby VTP 2040 projects (which are already undergoing project development and environmental clearance) would have measurable benefits to the impacted freeway segment and to the proposed development project.

B-9 Transit Delay
In accordance with the 2014 VTA TIA Guidelines, the DEIR and TIA includes an analysis of delay to transit vehicles that would result from project-generated automobile congestion. The DEIR/TIA notes that while the project would result in no more than 21 seconds of additional delay for most VTA bus routes serving the area, the project-generated auto trips would result in 94 seconds of additional delay (per bus trip) in the AM peak period, and 116 seconds of additional delay (per bus trip) in the PM peak period on the VTA Route 54. The DEIR/TIA concludes that this delay is "not significant considering the length of the corridor." VTA does not agree with this assessment, and we note that this additional 1.75 minutes of delay per bus trip will increase delay for bus passengers, making transit a less attractive option and potentially leading to a shift of transit passengers to auto trips, an adverse environmental effect.

B-10 VTA also notes that this increase in transit delay will lead to an increase in operating costs for VTA transit service. Assuming an additional 1.75 minutes of delay on average per bus trip, for the 56 daily trips operated on VTA Route 54, for 255 weekdays per year, multiplied by VTAs marginal cost of bus operations (approximately $125 per hour) yields an additional cost of approximately $52,000 per year in 2016 dollars. Over a 30-year life-of-project horizon, this results in additional operating costs of $2.47 million, in year-of-expenditure dollars, assuming an annual inflation rate of 3 percent. These additional operating costs will have a negative impact on VTA's ability to deliver transit services to Sunnyvale and other areas of the county, an adverse environmental effect.

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B-11 In light of these adverse effects, VTA requests that the City work with the applicant to provide a financial contribution to offset the transit delay impacts to VTA transit service. This contribution could be used towards transit operations to maintain service levels, the purchase of vehicles to maintain service levels, or the addition of passenger amenities at bus stops to increase transit's attractiveness. VTA staff would be happy to discuss this topic further with City staff or the applicant.

B-12 Transportation Demand Management/Trip Reduction
VTA commends the City and applicant for including a commitment to a Transportation Demand Management (TDM) Program with a specific trip reduction target, a monitoring program and enforcement mechanism. VTA is pleased to see the proposed TDM Plan included in the DEIR appendices, and recommends inclusion of parking management measures such as parking pricing, parking cash-out, shared parking, and carpool parking, to encourage the use of alternative modes and reduce auto trips.

Thank you for the opportunity to review this project. If you have any questions, please call me at (408) 321-5784.

Sincerely,

Roy Molseed
Senior Environmental Planner

cc: Patricia Maurice, Caltrans
Brian Brandert, Caltrans

SU1504

Letter B – Santa Clara Valley Transportation Authority (VTA)

B-1 The City concurs that only a portion of the site is within 0.25 mile radius of existing light rail stations. No changes were made to the SEIR as a result of this request.

B-2 The City concurs that the Project would make pedestrian and bicycle improvements throughout the site. The proposed recommendations are addressed in the comments below. No changes were made to the Draft SEIR as a result of this request.

B-3 The City concurs that the Project would provide a landscaped buffer between pedestrians and automobiles along the E Street Frontage. The sidewalks along the frontages of 11th Avenue and 5th Avenue have been designed to maintain consistency and alignment with the existing sidewalks on the adjacent blocks. The alignment of the sidewalk on 11th Avenue allows for the preservation of existing trees adjacent to the proposed sidewalk. No changes were made to the Draft SEIR as a result of this request.

B-4 Pedestrian scale lighting and landscaping are incorporated throughout the Project site. A landscape lighting plan was included with the landscape plans. The landscape lighting plan is shows that lighting is proposed through the pedestrian walkways on the project site. Additionally, street lighting is proposed on both sides of E Street and along the project frontage on 5th Avenue. Street lights currently exist along the project frontage on 5th Avenue. The landscape lighting plans were submitted as part of the application package and are available for review at the City Community Development Department. No changes were made to the Draft SEIR as a result of this request.

B-5 The City concurs that there is no existing crosswalk on the western leg of the E Street/11th Avenue intersection. The City concurs that adding a crosswalk at the western leg of the E Street/11th Avenue intersection would facilitate the most direct pedestrian route to the Moffett Park transit station. The following statement has been added to page 3-22 of the Draft SEIR: "The Project will add crosswalks at the 5th Avenue/E Street intersection and 11th Avenue/E Street Intersection. These crosswalks would facilitate the most direct pedestrian routes from the Project site to the Lockheed Martin and Moffett Park transit stations, respectively."

B-6 The Project provides a crosswalk at the 5th Avenue/E Street intersection. However the City does not concur that a mid-clock crossing is needed. A mid-block crossing would result in traffic additional traffic impacts into the project. No changes were made to the SEIR as a result of this request.

B-7 There are a number of local shuttles specific to the Moffett Park Area that provide service within Moffett Park and to surrounding neighborhoods and transit facilities. The Moffett Park Business and Transportation Association provides information on the shuttle programs to tenants in Moffett Park. The Project does include a Transportation

Demand Management Plan that includes ways for future tenants to incentivize employees to take alternative forms of transportation. No changes to the Draft SEIR were made as a result of this comment.

B-8 The City acknowledges this comment and will include VTA's recommendation in the Final SEIR for the City's Planning Commission and City Council to review and consider. No changes to the Draft SEIR were made as a result of this comment.

B-9 The City does not concur that the project would result in significant impacts to transit delay. There currently are no thresholds for what constitutes a significant impact on transit delay. The information was provided for information purposes only. Additionally, page 51 of the TIA notes the potential impacts to Route 54 service times would be mitigated as a result of the mitigations required to improve traffic Level of Service along the affected portions of the Route 54 route. Potential impacts are considered less than significant and no changes to the SEIR were made as a result of this comment. No changes to the Draft SEIR were made as a result of this comment.

B-10 The City does not concur that the project will result in significant impacts on transit service. There are no thresholds from which to evaluate a significant impact on transit delay. Further, the comment does not take into consideration other mitigation measures required of the project to improve Level of Service at the intersections which would have a beneficial impact on transit service times. Mitigation Measures 4.13-1a, 4.13-1c, 5.4-1a, and 5.4-1b all require the Project Applicant to make fair share payments to improve the operation of intersections at the Mathilda Avenue / SR 237 interchange as well as affected intersections along the Mathilda corridor. Improved Level of Service at these intersections will reduce transit delays. No changes to the Draft SEIR were made as a result of this comment.

B-11 Section 3.4.6 of the Draft SEIR notes the execution of a Development Agreement between the Developer and the Project Applicant. The Development Agreement includes exceptional community benefit fees for transportation improvements in the surrounding area to improve the level of service at local intersections and roadways. These improvements will improve the flow of traffic which will result in improved service time for VTA routes. No changes to the Draft SEIR were made as a result of this comment.

B-12 As noted on page 3-37 of the Draft SEIR, the TDM Plan for the proposed project includes preferential parking for carpool, vanpool, and electric vehicle users. The TDM plan includes financial incentives for tenants for provide VTA ECO passes and rideshare matches. The City does not concur that parking pricing should be required for this project as other TDM measures are in place to encourage alternative modes of transportation. No changes to the Draft SEIR were made as a result of this comment.

Letter C – Santa Clara Valley Audubon Society and Sierra Club Joint Letter

Letter C

Santa Clara Valley Audubon Society

SIERRA CLUB
FOUNDED 1892

February 15, 2016

via email

Margaret Netto
Project Planner
City of Sunnyvale
mnetto@sunnyvale.ca.gov

Re: Draft EIR Sunnyvale's Moffett Towers II Project

Dear Ms. Netto,

Santa Clara Valley Audubon Society and the Sierra Club Loma Prieta Chapter are local environmental organizations that promotes conservation of natural resources, habitats, plants, birds and endangered species. We submit the following comments on the Draft Environmental Impact Report for the proposed Moffett Towers II project.
The project includes five new eight-story office buildings and a two-story amenities building for a total of approximately 1.65 million square feet of total building area. The Project includes surface parking and three 3-level parking structures for a total of 5,340 parking spaces.

C-1

1. Bird Safe Design
Expansive glass surfaces pose a risk to birds. The City of Sunnyvale acknowledged this risk in adopting Bird Safe Building Design Guidelines, indicating that the City considers bird collision a potentially significant impact. As tall glass buildings intensify along the South Bay, the cumulative impact on bird populations should also be considered potentially significant.

The Draft EIR offers Mitigation Measure 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 appropriate design features identified in the City's Bird Safe Building Design Guidelines, **so long as they do not conflict with the Project objective of constructing an energy efficient building designed to meet LEED Platinum certification.** In addition, the applicant will be required to work with the future tenants to implement a "Lights Out" Program. A Lights Out program encourages building owners, managers and tenants to ensure that any and all unnecessary lighting is turned off during specific months of the year during peak bird migratory periods, such as the program sponsored by the Golden Gate Audubon Society.

We ask that the conditional language *"so long as they do not conflict with the Project objective of constructing an energy efficient building designed to meet LEED Platinum certification"* be removed, as it nullifies the mitigation measure intent and effectiveness. The developer should be able to construct an energy efficient building and at the same time provide bird friendly design. Expansive glass surface, for example, is not a project objective and is also not conducive to

C-1 Cont. energy efficiency. The City should require building design that meets energy efficiency objectives as well as the City's bird safe design guidelines.

2. Nitrogen Deposition

The proposed development would add over a million square feet of office space, enough to accommodate thousands of new employees. This would generate thousands of new vehicle trips that will emit pollutants, including nitrogen components of vehicle exhaust.

C-2 Appendix E of the Santa Clara Valley Habitat Plan (HCP, http://www.scvhabitatplan.org/www/default.aspx) provides simulations for nitrogen deposition in serpentine habitats for the Bay checkerspot butterfly. These simulations indicate that 13 percent of the nitrogen deposition comes from sources within about 12 miles of the habitat area, and 17 percent of the deposition comes from the remainder of Santa Clara County. Also, many of the employees driving to the Project can be expected to come from San Jose and other communities that could affect bay checkerspot habitat not only in Santa Clara County, but also in San Mateo County and the East Bay.
Scientifically vetted and established criteria for compensating for nitrogen deposition in Santa Clara Valley are available in the HCP and should be implemented for this project.

Unless mitigation is implemented for this project and similar projects in the future, Sunnyvale should embark on a Habitat Conservation Plan process to mitigate for impacts that cumulatively increase nitrogen emissions, degrade endanger species habitat, and result in "take" of the endangered bay checkerspot butterfly. We ask that Sunnyvale obtain "take" permits from the US Fish and Wildlife Service and the California Department of Fish and Game prior to permitting this project.

We thank you for the opportunity to comment on the Moffett Place project DEIR. Please contact us if you have questions,

Sincerely,

Shani Kleinhaus,
Environmental Advocate
Santa Clara Valley Audubon Society

Michael Ferreira,
Executive Committee Chair
Sierra Club Loma Prieta Chapter

Letter C – Santa Clara Valley Audubon Society and Sierra Club Joint Letter

C-1 The comment states that mitigation for bird safe design requirements is negated by Project objective of meeting LEED Platinum Certification. The Project Applicant has incorporated bird safe design measures into the Project. There are glazing design features that are compatible with energy conservation and bird safe design such as low reflectivity and opaque surfaces. Research indicates that typically, the main issue of concern is the first 60 feet of building facades facing a significant amount of open space. The proposed building design includes architectural details to break up the amount of glazing on the facades. No changes were made to the Draft SEIR as a result of this comment.

C-2 The comment suggests that the vehicle trips generated by the proposed Project would make a significant contribution to the cumulative impact of nitrogen deposition in the Bay Area on nutrient-poor soil communities, including serpentine soil communities (which harbor protected species such as the Bay checkerspot butterfly).

The Project would not make a significant direct or cumulative contribution of nitrogen deposition on serpentine habitat or the Bay checkerspot butterfly for following reasons: Although the Project would increase the number of regional vehicle trips, these trips would occur at a distance far removed from the locations of serpentine soils. The Project site is located in the midst of an urbanized area, far from established clusters of serpentine grasslands (e.g., in the Coast Range or habitat south of San Jose). In Appendix E of the Santa Clara Valley Habitat Plan (Estimation of Contributions to Deposition of Nitrogen in Santa Clara County for the Santa Clara Valley Habitat Plan), the simulations for nitrogen deposition in serpentine habitats for the Bay checkerspot butterfly indicate that almost one-third (30 percent) of the nitrogen deposition derives from mobile emission sources in the vicinity of the habitat areas, 13 percent of the nitrogen deposition comes from other sources within about 12 miles of the habitat areas, and 17 percent of the deposition comes from the remainder of Santa Clara County. The complete breakdown of simulated nitrogen deposition sources is shown in Figure E-27 of Appendix E of the Habitat Plan. The Project site is located approximately 5 miles from the nearest area of mapped grassland and approximately 20 miles from the center of serpentine and Bay checkerspot habitat areas in the Bay Area.

As stated in the Habitat Plan, “The purpose of this Plan is to protect and enhance ecological diversity and function in the greater portion of Santa Clara County, while allowing appropriate and compatible growth and development in accordance with applicable laws.” The Habitat Plan, therefore, is designed not only to protect and enhance sensitive habitats and species within the Habitat Plan area, but also to facilitate development (roads, urban growth, and other infrastructure) identified by the Habitat Plan participants. The City of Sunnyvale is not a Habitat Plan participant and does not receive any of the benefits that come with participation, including take authorization for listed species associated with covered activities and projects, or streamlining of permitting processes. Because the Project site is located outside the Habitat Plan

boundaries and is not covered by the Habitat Plan, as described above, the Project Applicant is not required to pay Habitat Plan development fees, including the Nitrogen Deposition Fee.

However, the Project Applicant has agreed to voluntarily pay approximately $12,692, an amount equivalent to the Nitrogen Deposition Fee that a project generating 3,022 net new daily trips would pay if it would result in significant impacts related to nitrogen deposition. In that case, the payment would constitute full mitigation of the impact. However, because the proposed Project is not located within the boundaries of the Santa Clara Valley Habitat Plan, which established such a fee for its member agencies, and would not create a significant impact due to nitrogen deposition, the payment by the applicant would be voluntary. This amount would be paid to the Implementing Entity of the Habitat Plan, and is expected to be used to protect and enhance sensitive habitat in the region that is subject to degradation due to nitrogen deposition. Thus, even if the contribution of nitrogen from Project vehicle trips were considered cumulatively considerable, the payment of this amount would ensure that such an impact would be less than significant.

No changes were made to the Draft SEIR as result of this comment.

Letter D - Planning Commission Hearing Minutes, February 8, 2016

City of Sunnyvale

Meeting Minutes
Planning Commission

Monday, February 8, 2016 | **7:30 PM** | **Council Chambers and West Conference Room, City Hall, 456 W. Olive Ave., Sunnyvale, CA 94086**

7:30 P.M. PLANNING COMMISSION - STUDY SESSION - WEST CONFERENCE ROOM

16-0174

Training on due process

Contact: Rebecca Moon, Senior Assistant City Attorney

Public Comment on Study Session Agenda Items

Comments from the Chair

Adjourn Study Session

8:00 P.M. PLANNING COMMISSION - PUBLIC HEARING - COUNCIL CHAMBERS

CALL TO ORDER

Chair Melton called the meeting to order.

SALUTE TO THE FLAG

Chair Melton led the salute to the flag.

ROLL CALL

Present: 6 - Chair Russell Melton
Vice Chair Sue Harrison
Commissioner Ken Olevson
Commissioner Ken Rheaume
Commissioner David Simons
Commissioner Carol Weiss

Absent: 1 - Commissioner Larry Klein

ORAL COMMUNICATIONS

None.

City of Sunnyvale *Page 1*

CONSENT CALENDAR

1.A. 16-0156 Draft Minutes of the Planning Commission Meeting of January 25, 2016

Chair Melton motioned to continue the Draft Minutes of the Planning Commission Meeting of January 25, 2016.

Motion carried by the following vote:

Yes: 6 - Chair Melton
Vice Chair Harrison
Commissioner Olevson
Commissioner Rheaume
Commissioner Simons
Commissioner Weiss

No: 0

Absent: 1 - Commissioner Klein

1.B. 16-0160 **File #:** 2015-7881
Location: 1616 S. Mary Avenue (APNs: 323-20-020)
Applicant / Owner: Jeff Kamradt (applicant) / (owner)
Proposed Project:
Appeal of decision by the Community Development Director denying a
Tree Removal Permit for an Oak tree on left hand side of the house, inside
the gate.
Reason for Permit: A Tree Removal Permit is required to remove a protected tree.
Project Planner: Jonathan Caldito, (408) 730-7452, Jcaldito@sunnyvale.ca.gov
Issues: Tree Health and Location

RECOMMENDATION

Comm. Simons moved to approve the applicant's withdrawal of this item. Vice Chair Harrison seconded.

Yes: 6 - Chair Melton
Vice Chair Harrison
Commissioner Olevson
Commissioner Rheaume
Commissioner Simons
Commissioner Weiss

No: 0

Absent: 1 - Commissioner Klein

PUBLIC HEARINGS/GENERAL BUSINESS

2. 16-0157 **File #:** 2015-7106
Location: 1111 Lockheed Martin Way (APNs: 110-01-038 and 110-01-036)
Zoning: Moffett Park Transit Oriented Development (MP-TOD)
Proposed Project: PUBLIC COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) to demolish the existing buildings onsite and develop approximately 1.65 million square feet of office in a campus development over 47.4 acres.
Project Planner: Margaret Netto, (408) 730-7628, mnetto@sunnyvale.ca.gov

Mr. Miner noted that this item is to take any comments regarding the Draft Environmental Impact Report and action is not required by the Commission.

D-1 Chair Melton commented regarding Figure 3-7 of the project description, to modify item 10 of the Project Objective 3.3 to state "Develop a project of sufficient intensity to support the proposed project amenities with such amenities are shown on Figure 3-8 of the Draft Environmental Impact Report." He then commented for the applicant to take the opportunity to revisit the proposed amenities and see if the author wants to add any further measures such as a shuttle bus. He also suggested to list the amenities in a tabular format instead of a paragraph format.

D-2 Comm. Olevson noted the end of section 2.1 regarding the Development Agreement, that the Final Environmental Impact should clarify if the contribution to public safety for the three public safety officers is a one time payment or annual event.

3. 16-0026 **File #:** 2015-7539
Location: 845 W. Maude Ave. (APN: 165-41-001)
Zoning: M-S
Proposed Project: Consideration of an application for a 1.66-acre site:
Use Permit to allow construction of a 39,233 square foot four-story office/R&D building resulting in approximately 55% Floor Area Ratio (FAR)
Applicant / Owner: Peery-Arrillaga / Wizardly Holdings LLC
Environmental Review: Mitigated Negative Declaration
Project Planner: Noren Caliva-Lepe, (408) 730-7659, ncaliva-lepe@sunnyvale.ca.gov

Letter D - Planning Commission Hearing Minutes, February 8, 2016

D-1 The Final SEIR was revised to make the changes to Project Objective No. 10 as requested. The list of project amenities were added to the Final SEIR and provided as bulleted list. There are a number of local shuttles specific to the Moffett Park Area that provide service within Moffett Park and to surrounding neighborhoods and transit facilities. The Moffett Park Business and Transportation Association provides information on the shuttle programs to tenants in Moffett Park.

D-2 The Final SEIR was revised to clarify that the Public Safety payment was for a period of seven years.

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3. REFINEMENTS AND CLARIFICATIONS TO THE SEIR

The following text changes to the Draft SEIR are organized by the Draft SEIR chapter heading (e.g. Chapter 3, Existing Conditions, Environmental Impacts, and Mitigation Measures), subsection (e.g. 3.1, Traffic), page number, paragraph number, and location within the paragraph (e.g. paragraph #1, line #3). As noted in Chapter 1, changes in the text are signified by strikeouts (~~strikeouts~~) where text is removed, and bold font (**bold font**) where text is added.

Chapter 2 Summary

Section 2.1, Project Description

Page 2-2, third paragraph has been revised as follows:

Items covered in the Development Agreement that relate to physical impacts on the environment include:

- The applicant may develop~~ment~~ up to 0.80 FAR with Green Building incentives as allowed for under the MPSP and the City's zoning code.
- The applicant is responsible for the payment of an additional Traffic Improvement Payment in addition to the traffic impact fees required for the project.
- The applicant is responsible for the design and construction of E Street.
- The applicant is responsible for a contribution as a Public Safety Payment for the funding of three public safety officers at Fire Station 5 **for a period of seven years**.

Section 2.3, Summary of Alternatives Evaluated

Page 2-5, first heading at the top of the page to be revised as follows:

Alternative 1: No Project~~/Existing Moffett Park Specific Plan (MPSP) and Zoning~~ Alternative

Chapter 3 Project Description

Section 3.3, Project Objectives

Page 3-7, Project Objective 10 has been revised as follows:

10. Develop a project of sufficient intensity to support the proposed project amenities **as described in Section 3.4.**

Section 3.4, Project Description

Page 3-8, after the second paragraph, a new paragraph to be added as follows:
In summary, the proposed Project would include the following project amenities for employees working at the project site:

Amenities Building
- **50,000 square feet for recreational activities and dining options**
- **Fitness center with locker room and shower facilities**
- **Café**
- **Swimming pool**
- **Outdoor sports area**
- **Hard courts**
- **Meeting space**

Outdoor Common Areas
- **Amphitheater for all-hands meetings or special events**
- **Pedestrian trails**
- **Outdoor meeting areas**
- **Meditation gardens**

High Garden
- **2-acre rooftop garden for outdoor recreation**
- **Passive open space areas**
- **Running/walking track**
- **Picnic and seating areas**
- **Roof top garden on each office buildin**g

Section 3.4.2, Access and Parking

Page 3-22, end of third full paragraph to be revised as follows:

Existing sidewalks are located along the Project frontage on 11th Avenue and 5th Avenue, and the Project proposes to construct sidewalks along the frontage of E Street. The proposed site design includes internal sidewalks and pathways throughout the Project site to connect the proposed office buildings, amenities building, and parking structures. **The Project will add crosswalks at the 5th Avenue/E Street intersection and 11th Avenue/E Street Intersection. These crosswalks would facilitate the most direct pedestrian routes from the Project site to the Lockheed Martin and Moffett Park transit stations, respectively.**

Section 3.4.6, Development Agreement

Page 3-40, first full paragraph to be revised as follows:

Items covered in the Development Agreement that relate to physical impacts on the environment include:

- The applicant may develop~~ment~~ up to 0.80 FAR with Green Building incentives as allowed for under the MPSP and the City's zoning code.
- The applicant is responsible for the payment of an additional Traffic Improvement Payment in addition to the traffic impact fees required for the project.
- The applicant is responsible for the design and construction of E Street.
- The applicant is responsible for a contribution as a Public Safety Payment for the funding of three public safety officers at Fire Station 5 **for a period of seven years**.

Chapter 4.11 Public Services

Section 4.11.3.1, Impacts on Emergency and School Services

Page 4.11-19, the first paragraph to be revised as follows:

The payment of school fee**s** as mitigation is consistent with Section 65995~~(3)~~(h) of the California Government Code and is considered adequate mitigation for indirect impacts on school facilities and potential impacts are considered less than significant.

Chapter 5 CEQA Considerations

Section 5.6.1.1 Project Objectives

Page 5-42, Project Objective 10 has been revised as follows:

10. Develop a project of sufficient intensity to support the proposed project amenities **as described in Section 3.4.**

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MITIGATION MONITORING AND REPORTING PROGRAM

In compliance with CEQA Guidelines § 15097 (a), when significant effects are identified in an EIR, the Lead Agency is required to adopt a program for reporting or monitoring mitigation measures that were adopted or made conditions of approval for the proposed project. The monitoring program is designed to ensure that the mitigation measures and project revisions identified in the EIR are implemented. Moreover, the monitoring program is designed to ensure that mitigation measures to be monitored or the subject of reporting are fully enforceable through permit conditions or defined agreements.

Applicable mitigation measures of the certified, program-level Moffett Park Specific Plan EIR are included as Appendix A to this document.

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
4.1 Aesthetics			
Mitigation Measure 4.1-3a: Glare Reduction. Glare Reduction: All exterior windows and glass used on building surfaces shall be non-reflective or treated with a non-reflective coating.	Project Applicant shall submit building plans for review and approval.	Community Development Department (Planning Division)	Prior to issuance of building permits.
Mitigation Measure 4.1-3b: Exterior Lighting Location Requirements. 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. Exterior lighting shall also be consistent with the City's Bird Safe Building Design Guidelines.	Project Applicant shall submit building plans for review and approval.	Community Development Department (Planning Division)	Prior to issuance of building permits.
4.2 Air Quality			
Mitigation Measure 4.2-1a: BAAQMD Basic and Additional Construction Mitigation Measures. BAAQMD Basic and Additional Construction Mitigation Measures: Prior to issuance of any	Project Applicant shall submit plans for review and approval. Construction contractor implements measures during construction.	Community Development Department (Planning Division)	Prior to issuance of any grading or demolition permit.

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
Grading or Demolition Permit, the City Engineer and the Chief Building Official shall confirm that the Grading Plan, Building Plans, and specifications stipulate that the following basic and enhanced construction mitigation measures shall be implemented: • Water all active construction areas to maintain 12 percent soil moisture. • All grading shall be suspended when winds exceed 20 miles per hour. • All haul trucks transporting soil, sand, or other loose material off-site shall be covered. • Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites. • Hydroseed or apply non-toxic soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more). • Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.). • All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. Install sandbags or other erosion control measures to prevent silt runoff to public roadways. • Wind breaks and perimeter sand bags shall be used to minimize erosion. • The amount of simultaneously disturbed surface shall be minimized as much as possible.			

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
• Site access points from public roadways shall be paved or treated to prevent track-out. • Replace vegetation in disturbed areas as quickly as possible. • All vehicle speeds on unpaved roads shall be limited to 15 mph. • All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. • Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes. Clear signage shall be provided for construction workers at all access points. • All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. • Post a publicly visible sign with the telephone number and person to contact at the City regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.			
Mitigation Measure 4.2-1b: BAAQMD Architectural Coatings Mitigation Measures. Prior to issuance of any Building Permit, the Chief Building Official and Project LEED Accredited Professional shall confirm that the Building Plans and specifications include the following BAAQMD additional construction mitigation measures:	Project Applicant shall submit plans for review and approval.	Community Development Department (Planning Division)	Prior to issuance of any building permit.

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
• Use low volatile organic compounds (VOC) (i.e., reactive organic gases [ROG] coatings beyond the BAAQMD requirements [i.e., Regulation 8, Rule 3: Architectural Coatings]). • VOC content of architectural coatings shall not exceed 50 grams per liter during Project construction.			
Mitigation Measure 4.2-1c: NO_X Reduction Measures: The following measures shall be implemented during construction to reduce NO_X related emissions. They shall be included in the Grading Plan, Building Plans, and contract specifications. Contract specification language shall include the following: • All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NO_X.[1] • All contractors shall use equipment that meets the California Air Resources Board's most recent certification standard for off-road heavy duty diesel engines. • The idling time of diesel powered construction equipment shall be minimized to two minutes. • The Project shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction Project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NO_X reduction and 45 percent PM reduction compared to the most	Project Applicant shall submit plans for review and approval.	Community Development Department (Planning Division)	Prior to issuance of any building permit.

[1] Best Available Control Technology (BACT) is defined as technology, verified by CARB, for an off-road vehicle that achieves reductions in emissions at the highest applicable classification level for diesel emission control strategies. A summary of CARB-verified diesel emission control strategies may be found at http://www.arb.ca.gov/diesel/verdev/vt/cvt.Htm. Where this policy requires BACT, this requirement can be satisfied by a factory installed equivalent device, such as a diesel particulate filter.

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
recent California Air Resources Board fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available. • Utilize existing power sources (i.e., electrical power) when available. This measure would minimize the use of higher polluting gas or diesel generators.			
4.3 Biological Resources			
Mitigation Measure 4.3-4(a): Bird Safe Design Guidelines. Prior to the issuance of any building permits, the Project applicant shall demonstrate to the satisfaction of the City Community Development Director, that the proposed building design incorporates appropriate design features included in the City's Bird Safe Building Design Guidelines, so long as they do not conflict with the Project objective of constructing an energy efficient building designed to meet LEED Platinum certification. In addition, the applicant will be required to work with the future tenants to implement a "Lights Out" Program. A Lights Out program encourages building owners, managers and tenants to ensure that any and all unnecessary lighting is turned off during specific months of the year during peak bird migratory periods, such as the program sponsored by the Golden Gate Audubon Society.	Project Applicant shall submit building plans for review and approval.	Community Development Department (Planning Division)	Prior to issuance of building permits.
Mitigation Measure 4.3-4(b): Migratory Birds and Raptors. Prior to the issuance of Grading Plans or improvement plans, the Project applicant shall	Project Applicant shall submit construction plans for review and approval.	Community Development Department (Planning Division)	Prior to issuance of a grading permit or approval of improvement plans.

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
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 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	Project Applicant retains qualified biologist to conduct surveys subject to City approval.	Community Development Department (Building Safety Division), biologist	Prior to commencement of grading or construction.

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
(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.			
Mitigation Measure 4.3-5. Tree Preservation. Prior to the issuance of a grading permit the applicant shall demonstrate, to the satisfaction of the City Community Development Director, that the removal of the protected trees as defined by the City Code has been mitigated through the planting of new trees at a 3:1 ratio on the Final Landscape Plan.	Project Applicant shall submit landscape plans for review and approval.	Community Development Department (Planning Division)	Prior to issuance of building permits.
4.4 Cultural Resources			
Mitigation Measure 4.4-1: Level II Historic American Buildings Survey (HABS): Prior to the issuance of any demolition permit, grading permit, approval or improvement plans, or any other permit authorizing construction on the Project site, the Project Applicant shall submit to the satisfaction of the Community Development Director, a Historic American Buildings Survey (HABS) Level II recordation document prepared for Buildings 150, 151, and 152 of the Lockheed Martin Space Systems Company (LMSSC) Plant One Complex. The HABS documents shall be prepared by a qualified architectural historian, historic architect, or historic preservation professional who satisfies the Secretary of the Interior's Professional Qualification Standards	Qualified historic architect or historic preservation professional prepares and submits Level II HABS recordation document.	Community Development Department (Planning Division)	Confirm submittal and approval prior to issuance of demolition permit grading permit, approval or improvement plans, or any other permit authorizing construction on the Project site.

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
for History, Architectural History, or Architecture, pursuant to 36 CFR 61. The HABS documents shall include a historical narrative on the architecture and history of the buildings; their architect, occupants and the activities conducted within them during their time of occupancy, and shall record the existing appearance of the buildings in professional large format HABS photographs. In addition, any existing and available historic photographs as well as design and/or as-built drawings shall be compiled, reproduced, and incorporated into the recordation document. The building exterior, representative interior spaces, character-defining features, as well as the property setting and contextual views shall be documented. All documentation components shall be completed in accordance with the Guidelines for Architectural and Engineering Documentation (HABS standards). Original copies of the report shall be submitted to the National Park Service, the Library of Congress, and the City of Sunnyvale Community Development Department. The HABS Level II recordation document shall consist of the following: 1. Drawings: select existing drawings, where available, should be photographed with large-format negatives or photographically reproduced on Mylar. 2. Photographs: photographs with large-format negatives of exterior and interior views, or historic views, where available. 3. Written data: history and description.			
Mitigation Measure 4.4-2a: Archaeological Monitor. Prior to the issuance of any grading permits or improvement plans, the Project Applicant shall provide to the satisfaction of the Community	Qualified cultural resources specialist conducts archaeological monitoring during grading activities to appropriate protocols.	Community Development Department (Planning Division)	Confirm construction monitoring prior to issuance of grading permits or improvement plans.

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
Development Director a letter of proof that a qualified archaeologist has been retained to monitor the site clearing and grading operations in those areas where buildings will be removed and/or new construction will occur. The consulting archaeologist shall be responsible for the following: • Contract with a Native American monitor to be involved with the site clearing and grading operations; • 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; and, • A plan for the evaluation of discovered resources 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).	Qualified cultural resources specialist submits data recovery plan (if necessary) to the City of Sunnyvale and to the Regional Information Center at Sonoma State University.	Community Development Department (Planning Division)	Confirm receipt of materials within approximately one year of completion of the field work.
Mitigation Measure 4.4-2b: 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	Qualified cultural resources specialist conducts archaeological monitoring during grading activities to appropriate protocols.	Community Development Department (Planning Division)	Confirm construction monitoring prior to issuance of grading permits.

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
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.	Qualified cultural resources specialist submits data recovery plan (if necessary) to the City of Sunnyvale and to the Regional Information Center at Sonoma State University.	Community Development Department (Planning Division)	Confirm receipt of materials within approximately one year of completion of the field work.
Mitigation Measure 4.4-2b: 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	Construction contractor stops work and notifies County Coroner, if human remains are encountered. If remains are of Native American origin, contact Native American Heritage Commission.	Community Development Department (Planning Division), County Coroner, Native American Heritage Commission	Field monitoring during grading.

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
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.			
Mitigation Measure 4.4-3a: 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.	Qualified paleontological resource specialist conducts monitoring during grading activities to appropriate protocols. Qualified paleontological resource specialist submits recovery plan (if necessary) to the City of Sunnyvale.	Community Development Department (Planning Division) Community Development Department (Planning Division)	Confirm construction monitoring prior to issuance of grading permits. Confirm receipt of materials within approximately one year of completion of the field work.
Mitigation Measure 4.4-3b: 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 construction is allowed to resume at the	Qualified paleontological resource specialist conducts monitoring during grading activities to appropriate protocols. Qualified paleontological resource specialist submits recovery plan (if necessary) to the City of Sunnyvale.	Community Development Department (Planning Division) Community Development Department (Planning Division)	Confirm construction monitoring prior to issuance of grading permits. Confirm receipt of materials within approximately one year of completion of the field work.

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
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.			
4.5 Geology and Soils			
Mitigation Measure 4.5-1a: Foundations. The proposed 8-story office buildings, and parking structures shall be supported on deep foundations consisting of augured cast-in-place piles. In order to reduce the potential for settlements due to liquefaction impacting pile foundations, each pile shall extend to a depth of at least 50 feet below grade or to the depth determined in the Final Geotechnical Report.	Project Applicant shall submit building plans for review and approval.	Public Works Department (Engineering Services Division)	Prior to issuance of building permits.
Mitigation Measure 4.5-1b: Implement Recommendations of Geotechnical Report. The Project Applicant 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.	Project Applicant shall submit grading plans for review and approval.	Public Works Department (Engineering Services Division)	Prior to issuance of a grading permit or approval of improvement plans.
Mitigation Measure 4.5-1c: Geological Monitor. A professionally licensed geotechnical engineer shall be retained by the Project Applicant to observe the geotechnical aspects of the grading and earthwork for general conformance with the geotechnical report recommendations, including site preparation,	Project Applicant shall evidence that a professionally licensed geotechnical engineer has been retained to observe grading and earthwork.	Public Works Department (Engineering Services Division)	Prior to issuance of a grading permit or approval of improvement plans.

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
selection of fill materials, and the placement and compaction of fill. The Project plans and specifications shall incorporate all recommendations contained in the Geotechnical Report.			
Mitigation Measure 4.5-3a: Compaction. In accordance with the recommendations of the Project geotechnical report, all fill and scarified surface soils shall be uniformly compacted to at least 90% relative compaction at a moisture content near the laboratory optimum, except for the native expansive clays. The native expansive clays shall be compacted to between 87% and 92 % relative compaction at a moisture content at least 3% over optimum. Fill shall be placed in lifts no greater than 8 inches in uncompacted thickness. Each successive lift shall 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 shall be compacted to at least 95% relative compaction, except for the native clays. Aggregate base and all import soils shall be compacted at a moisture content near the laboratory optimum moisture content. If there are updates or revisions to the Project geotechnical report, the above mitigation	Project Applicant shall submit grading plans for review and approval.	Public Works Department (Engineering Services Division)	Prior to issuance of a grading permit or approval of improvement plans.

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
requirements shall be revised to match the updated recommendations as necessary.			
Mitigation Measure 4.5-3b: 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.	Project Applicant shall submit grading plans for review and approval.	Public Works Department (Engineering Services Division)	Prior to issuance of a grading permit or approval of improvement plans.
Mitigation Measure 4.5-3c: 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.	Project Applicant shall submit grading plans for review and approval.	Public Works Department (Engineering Services Division)	Prior to issuance of a grading permit or approval of improvement plans.
4.7 Hazards and Hazardous Materials			
Mitigation Measure 4.7-2, 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			

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
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 Title 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, Title 22 CCR Section 66273.8 for fluorescent lamp tubes, and 22 CCR Division 4.5, Chapter 11 for DEHP.			
Mitigation Measure 4.7-3: Soil and Groundwater Remediation. Prior to the issuance of any grading plans, or approval of improvement plans in lieu of grading plans, the Project Applicant shall demonstrate to the satisfaction of the City's Public Works Director, that a soil remediation and management plan for the Project site has been approved by the California Regional Water Quality Control Board (RWQCB). The soil remediation and management plan shall include a description of cleanup activities for soil and soil gas containing chemicals in concentrations exceeding cleanup goals established by the California Environmental			

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
Protection Agency California Human Health Screening Levels (CHHSLs) and the RWQCB Environmental Screening Levels (ESLs). The clean-up activities shall include: • Investigation to define preliminary extents of contamination in soil and soil gas. • Excavation of unsaturated-zone soil above cleanup goals. • Collection of excavation confirmation sampling to confirm achievement of cleanup goals. • Demonstration of compliance with RWQCB Site Cleanup Requirements Order No. 00-124. The specific elements of the Project cleanup shall consist of: • Sampling and analysis plan (SAP) and methods to define preliminary soil excavation extents. The soil remediation and management plan SAP shall provide a dynamic process for defining the limits of contamination in soil at the Project site. This approach shall provide site-specific criteria for streamlining and accelerating decision making events for the soil removal / excavation plan. The SAP shall define sampling objectives, present initial sampling locations rationale; describe field methods and procedures; present the analytical methods and procedures; and data reporting procedures. • Excavation and offsite disposal of soil and debris containing chemicals exceeding site cleanup goals. The planned limits of soil excavation will be based on the existing site data and the data from the SAP implementation.			

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
• Stockpiling of excavated soil and debris in prepared onsite areas. • Loading of excavated soil and debris into containers (e.g., trucks, bins, rail cars) for offsite disposal. • Collecting and analyzing confirmation soil samples to confirm achievement of cleanup goals. The confirmation sample results will be approved by the RWQCB prior to initiating backfill in any corresponding excavation area. • Importing backfill soil and possible reuse of excavated soil found be clean. Soil would be tested to ensure that it does not contain chemicals of concern exceeding site cleanup goals prior to bringing new material onsite or reusing excavated soil. The planned excavation is anticipated to be only of unsaturated soil. If dewatering of excavations to facilitate soil excavation below groundwater table, is needed, dewatering activities shall be consistent with the waste discharge requirements of the RWQCB Groundwater General Permit, RWQCB Order No. R2-2012-0060 and NDPES No. CAG912004.			
4.9 Land Use			
Mitigation Measure 4.9-1a: 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.	Project Applicant shall dedicate an avigation easement to County of Santa Clara.	Community Development Department (Planning Division)	Prior to issuance of building permits.
Mitigation Measure 4.9-1b: Federal Aviation Administration (FAA) Notification. As a condition of development approval, the Project Applicant shall notify the Federal Aviation Administration (FAA) as	Project Applicant shall provide proof of notification to the FAA per FAR Part 77, Subpart B on FAA Form	Community Development Department (Planning Division)	Prior to issuance of building permits.

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
required by FAR Part 77, Subpart B on FAA Form 7460-1, Notice of Proposed Construction or Alteration.	7460-1, Notice of Proposed Construction or Alteration.		
4.10 Noise			
Mitigation Measure 4.7-1: Construction Noise. 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 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	Project Applicant follows appropriate protocols, as necessary. Construction contractor complies with procedures during construction.	Community Development Department (Building Safety Division) Community Development Department (Building Safety Division)	Prior to issuance of Grading Permits. Conduct periodic site visits during construction.

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
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.			
4.12 Public Services and Utilities			
Mitigation Measure 4.11-1: Fire and Police Protection. Concurrent with Project entitlements, the Project applicant shall enter into a binding agreement (such as a Development Agreement) with the City of Sunnyvale regarding the addition of public safety personnel within the City.	Project Applicant enters into binding agreement with City.	Community Development Department (Planning Division)	Prior to issuance of building permits.
4.13 Transportation and Traffic			
Mitigation Measure 4.13-1a: Existing Plus Project Payment of Traffic Impact Fee. Prior to occupancy of the Project (or each phase if a phased project), the Project Applicant shall, to the satisfaction of the Public Works Director, provide evidence that a fair	The Project Applicant shall make a Traffic Impact Fee payment to the City.	Public Works Department (Transportation and Traffic Division)	Confirm payment received prior to issuance of building permits.

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
share payment has been made to the City of Sunnyvale for the Mathilda Avenue / SR 237 interchange improvements project via payment of the City's Traffic Impact Fee (TIF). This project is identified in the Valley Transportation Plan (VTP) 2040 as project ID #H33. These improvements would include: • Realigning the westbound SR 237 off-ramp with the Moffett Park Drive/Mathilda Avenue intersection • Removal of the WB SR 237 on-ramp • Construction of a southbound Mathilda Avenue to northbound US Highway 101 diagonal on-ramp The following intersections require fair share payments for the Mathilda Avenue / SR 237 interchange improvements project under the Existing Plus Project scenario: • N Mathilda Avenue / W Moffett Park Drive (AM Peak) • N Mathilda Avenue / WB SR 237 Ramps (PM Peak) • N Mathilda Avenue / Ross Drive (PM Peak)			
Mitigation Measure 4.13-1b: Fair Share Payment For Freeway Improvement Projects. Prior to occupancy of the Project (or each phase if a phased project), the Project Applicant shall, to the satisfaction of the Public Works Director, provide evidence that a fair share payment has been made to the Santa Clara Valley Transportation Agency (VTA) towards freeway improvement projects as listed in the Valley Transportation Plan (VTP) 2040. The VTP 2040 has identified multiple freeway improvement	The Project Applicant shall make a fair share payment for freeway improvement projects to the Santa Clara Valley Transportation Agency.	Public Works Department (Transportation and Traffic Division)	Confirm payment received prior to issuance of building permits.

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
projects designed to add capacity to the freeways in Santa Clara County. Included in this list are projects specifically related to the impacted freeway segment. The following improvement would apply to the impacted freeway segment: VTP 2040 project ID #H5: Build new express lanes on SR 237 from Mathilda Avenue to SR 85. The following segment requires a fair share payment under the Existing Plus Project Scenario: • Eastbound SR 237 between US Highway 101 and Mathilda Avenue (Existing Plus Project AM Peak)			
Mitigation Measure 4.13-1c: Payment of Traffic Impact Fee. Prior to occupancy of the Project (or each phase if a phased project), the Project Applicant shall, to the satisfaction of the Public Works Director, provide evidence that a fair share payment has been made to the City of Sunnyvale for the Mathilda Avenue / SR 237 interchange improvements project via payment of the City's Traffic Impact Fee (TIF). This project is identified in the Valley Transportation Plan (VTP) 2040 as project ID #H33. These improvements would include: • Realigning the westbound SR 237 off-ramp with the Moffett Park Drive/Mathilda Avenue intersection • Removal of the WB SR 237 on-ramp • Construction of a southbound Mathilda Avenue to northbound US Highway 101 diagonal on-ramp The following intersections require fair share payments for the Mathilda Avenue / SR 237	The Project Applicant shall make a Traffic Impact Fee payment to the City.	Public Works Department (Transportation and Traffic Division)	Confirm payment received prior to issuance of building permits.

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
interchange improvements project under the Existing Plus Background Plus Project scenario: • N Mathilda Avenue / W Moffett Park Drive (AM Peak) • N Mathilda Avenue / WB SR 237 Ramps (AM and PM Peak) • N Mathilda Avenue / EB SR 237 Ramps (AM and PM Peak) • N Mathilda Avenue / Ross Drive (AM and PM Peak)			
Mitigation Measure 5.4-1a: Fair Share Payment For Interconnected Managed Traffic Control Project. Prior to occupancy of the Project (or each phase if a phased project), the Project Applicant shall, to the satisfaction of the Public Works Director, provide evidence that a fair share payment has been made to the City of Sunnyvale towards a project that would implement a fully coordinated and interconnected managed traffic control system along Mathilda Avenue to improve signal operations. This improvement will include installing fiber optic lines and conduit to upgrade the existing infrastructure along Mathilda Avenue. The fair share contributions for the intersection shall be based off of the following fair share calculations: • N Mathilda Avenue / Innovation Way: PM peak period	The Project Applicant shall make a fair share payment to the City towards an Interconnected Managed Traffic Control Project for North Mathilda Avenue.	Public Works Department (Transportation and Traffic Division)	Confirm payment received prior to issuance of building permits.
Mitigation Measure 5.4-1b: Payment of Traffic Impact Fee. Prior to occupancy of the Project (or each phase if a phased project), the Project Applicant shall, to the satisfaction of the Public Works Director, provide evidence that a fair share payment has been made to the City of Sunnyvale for the Mathilda	The Project Applicant shall make a Traffic Impact Fee payment to the City.	Public Works Department (Transportation and Traffic Division)	Confirm payment received prior to issuance of building permits.

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
Avenue / SR 237 interchange improvements project via payment of the City's Traffic Impact Fee (TIF). This project is identified in the Valley Transportation Plan (VTP) 2040 as project ID #H33. These improvements would include: • Realigning the westbound SR 237 off-ramp with the Moffett Park Drive/Mathilda Avenue intersection • Removal of the WB SR 237 on-ramp • Construction of a southbound Mathilda Avenue to northbound US Highway 101 diagonal on-ramp			

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APPENDIX A:

APPLICABLE MITIGATION MEASURES FROM THE MITIGATION MONITORING AND REPORTING PROGRAM OF THE *MOFFETT PARK SPECIFIC PLAN* EIR; DECEMBER 2002; SCH #: 2001052121

A program-level EIR was prepared for the *Moffett Park Specific Plan 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. The Sunnyvale City Council certified the program-level *MPSP* Final EIR November 11, 2003.

The City of Sunnyvale will utilize the project-level Moffett Towers II Subsequent EIR in conjunction with the program-level *MPSP Final EIR* for the implementation of the proposed Moffett Place Project. Together, the program-level *MPSP Final EIR* and the project-level Moffett Place Subsequent EIR are intended to provide both program and project-level analysis of the potential environmental impacts resulting from implementation of the Moffett Towers II Project.

The project-level Moffett Towers II Subsequent EIR, where applicable, tiers off of, and incorporates by reference, the program-level MPSP FEIR. Under § 15152 of the CEQA Guidelines, tiering is appropriate when the sequence of analysis follows from an EIR prepared for a general plan, policy, or program to an EIR of lesser scope, or to a site- specific EIR. The MPSP FEIR is a policy level document for future development on the land contained within the MPSP area boundaries. The Moffett Towers II Project is a site- specific development project of a lesser scope than the program-level MPSP FEIR. Thus, where applicable and where potential impacts associated with the proposed Moffett Towers II Project were adequately analyzed in the program-level MPSP FEIR, this project- level Draft SEIR relies on and tiers off of and incorporates by reference the analysis and findings presented in the previously certified program-level MPSP FEIR. Therefore, the following mitigation measures from the MPSP FEIR shall be implemented with the mitigation measures identified in the Moffett Place Subsequent EIR.

Applicable Mitigation Measures from the Mitigation Monitoring And Reporting Program Of the Moffett Park Specific Plan EIR; December 2002; SCH #: 2001052121

Addressed in Moffett Place SEIR?	Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
	3.3 Biological Resources			
Mitigation Measure 4.3-5	**Mitigation 3.3-D Tree Impacts:** No existing street trees shall be removed from the Moffett Park Specific Plan area. Should future development within the Moffett Park Specific Plan area require or request removal of significantly sized trees as defined by Municipal Code 19.94, then the property owner/developer shall obtain tree removal permit. Tree removal will require replanting at a ratio of 2 to 1, of a tree size determined to be comparable in value by the Director of Community Development (Less Than Significant Impact with Mitigation).	Require as a condition of approval. If removal of significantly sized trees are proposed for future development, project applicant shall obtain tree removal permit.	Community Development Department (CDD) Project Applicant	Draft and incorporate condition as part of project approval. Prior to issuance of building permit.
	3.5 Geology and Soils			
Mitigation Measure 4.5-1a	**Mitigation 3.5-A Foundation and Settlement Impacts:** All grading shall be in conformance with Title 16, "Buildings and Construction," of the City of Sunnyvale Municipal Code. Prior to approval of each grading plan, the property owner/ developer shall submit a soils and geological report in conformance with Title 16 of the Sunnyvale Municipal Code.	Require as a condition of approval. Project applicant to submit soils and geology report prepared by Geotechnical/ Structural Engineer. Review and approval of Geotechnical Report by City Engineer. Geotechnical Engineer shall submit letter to City Engineer stating that final structural design has been reviewed in compliance with the Geotechnical Report.	CDD Project Applicant Public Works Department (DPW) DPW	Draft and incorporate condition as part of project approval. Prior to filing building permit. Prior to filing building permit. Prior to filing building permit.
Mitigation Measures 4.5-1b, and 4.5-3a	**Mitigation 3.5-B Expansive Soil:** Incorporation of Mitigation Measure 3.5-A1, above, will reduce potentially significant impacts associated with Expansive Soils to less-than-significant levels.	Refer to Mitigation Measure 3.5-A.	Refer to Mitigation Measure 3.5-A.	Refer to Mitigation Measure 3.5-A.

Addressed in Moffett Place SEIR?	Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
Mitigation Measure 4.4-1	**Mitigation 3.5-C1 Liquefaction:** Prior to issuance of each building permit, the proposer owner/developer shall submit for review and approval, detailed foundation design information for the subject building(s), prepared by a civil engineer, based on recommendations by a geotechnical engineer.	Refer to Mitigation Measure 3.5-A.	Refer to Mitigation Measure 3.5-A.	Refer to Mitigation Measure 3.5-A.
Mitigation Measures 4.5-1b, and 4.5-3a	**Mitigation 3.5-C2 Liquefaction:** The final geotechnical report shall demonstrate compliance with, and adherence to, Public Resources Code Section 2690 and the Mountain View Quadrangle Seismic Hazards Map.	Refer to Mitigation Measure 3.5-A.	Refer to Mitigation Measure 3.5-A.	Refer to Mitigation Measure 3.5-A.
Mitigation Measure 4.4-1	**Mitigation 3.5-D Seismic Shaking:** Prior to issuance of each foundation permit, the property owner/developer shall submit a report by a geotechnical engineer for review and approval that shall investigate the subject foundation excavations to determine whether soft layers are present immediately beneath the footing site and to ensure that compressibility does not underlie the footing.	Refer to Mitigation Measure 3.5-A.	Refer to Mitigation Measure 3.5-A.	Refer to Mitigation Measure 3.5-A.
Mitigation Measure 4.5-3a	**Mitigation 3.5-F Seismic Densification:** Prior to approval of each final grading plan, the property owner/developer shall consult with a qualified Geotechnical Engineer to confirm areas of fill that would require excavation and re-compaction prior to initiation of construction activities. These areas shall be identified on all final grading plans, and the contractor shall excavate and re-compact the loose fill during grading of the site. (Less Than Significant Impact With Mitigation.)	Refer to Mitigation Measure 3.5-A.	Refer to Mitigation Measure 3.5-A.	Refer to Mitigation Measure 3.5-A.

Addressed in Moffett Place SEIR?	Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
	3.6 Hazards			
Mitigation Measure 4.7-2	**Mitigation 3.6-C1 Hazardous Material Impacts:** Prior to approval of the first grading plans or issuance of the first demolition permit, the property owner/developer shall retain the services of a qualified environmental professional or registered Environmental Assessor to conduct an investigation for the presence of underground storage tanks, agricultural pesticides and groundwater contamination. Soil sampling or a soil organic vapor survey may be required if soil sampling results are not available, or indicate contamination is present above regulatory guidelines or standards. If warranted, subsurface investigation and sampling shall be undertaken and appropriate remediation measures developed, if necessary, before demolition, excavation or grading takes place.	Require as a condition of approval. Project applicant shall retain services of an Environmental Assessor to conduct a site If warranted, subsurface investigation and sampling shall be undertaken and appropriate remediation measures implemented.	CDD Project Applicant CDD Department of Public Safety (DPS) CDD DPS	Draft and incorporate condition as part of project approval. Prior to issuance of demolition and/or grading permit, whichever comes first. Prior to issuance of demolition and/or grading permit, whichever comes first.
Mitigation Measure 4.10-3, also addressed through Closure Permit required by City.	**Mitigation 3.6-C2 Hazardous Materials Impacts:** Prior to approval of the first grading plan or issuance of the first demolition permit, whichever occurs first, the property owner/developer shall submit a plan which details procedures that will be taken into account if a previously unknown USTs, or other unknown hazardous materials or waste, is discovered onsite. If the project applicant/developer or their contractor discovers unknown waste/materials or an underground tank or piping during grading or construction, which he/she believes may involve hazardous waste/materials, the contractor shall, at minimum: Immediately stop work in the vicinity of the suspected contaminant, removing workers and the public from the area; Notify the Project Engineer of the implementing agency; Secure the area as directed by the Project Engineer; and, notify the implementing agency's Hazardous Waste/Materials Coordinator (Less Than Significant Impact With Mitigation).	Refer to Mitigation Measure 3.6-C1. In addition, complete the following: If unknown waste/ materials or underground tank or piping is discovered, the contractor is to follow steps to mitigation measure 3.6-C2.	Refer to Mitigation Measure 3.6-C1. CDD DPS	Refer to Mitigation Measure 3.6-C1. During construction and/or grading activities.

Addressed in Moffett Place SEIR?	Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
Mitigation Measure 4.7-2.	**Mitigation 3.6-E1 Asbestos Containing Materials**: Prior to renovation/demolition activities, the property owner/developer shall retain a Certified Asbestos Consultant to perform an asbestos survey(s) to verify the quantity of ACM's within on-site structures. Should the pre-demolition asbestos survey(s) identify the presence of ACM's, demolition activities shall comply with State law, which requires a contractor, where there is asbestos-related work involving 100 square feet or more of ACM's, to be certified and that certain procedures regarding the removal of asbestos be followed.	Certified Asbestos Consultant, hired by the project applicant, to conduct site inspection for asbestos. If asbestos is encountered, contractor to properly remove, transport and dispose of material.	DPW DPW	Pre-demolition asbestos survey to occur prior to renovation/demolition activities. Complete ACM survey prior to renovation or demolition activities.
Mitigation Measure 4.7-2	**Mitigation 3.6-E2 Lead-Based Paints:** Prior to renovation/demolition activities, the property owner/developer will determine whether paint must be separated from the building materials (e.g., chemically or physically). The paint waste shall be evaluated independently from the building material to determine its proper management. According to the California Department of Toxic Substances Control, if paint is not removed from the building material during demolition (and is not chipping or peeling), the material could be disposed of as construction debris (a non-hazardous waste). The appropriate landfill operator shall be contacted in advance to determine any specific requirements they may have regarding the disposal of lead-based paint materials (Less Than Significant Impact With Mitigation).	Require as a condition of approval. Project applicant to conduct site inspection for lead- based paint. If paint is separated from building material during demolition, project contractor shall follow mitigation measure 3.6-E2.	CDD CDD CDD	Draft and incorporate condition as part of project approval. Pre-demolition lead-based paint survey to occur prior to renovation/demolition activities. During demolition activities.
N/A. This issue was addressed in Section 4.7.3 and the project was found to have no impact on the City's emergency	**Mitigation 3.6-F1 Emergency Preparedness Impacts:** Prior to the issuance of the first certificate of occupancy, the property owner/developer shall prepare an emergency preparedness plan for review and approval by the Community Development Department. The plan shall include, at a minimum the following elements: Location of on-site emergency exits.	Require as a condition of approval. Project applicant to prepare Emergency Preparedness Plan.	CDD CDD DPS	Draft and incorporate condition as part of project approval. Submit plan for review and approval by CDD and DPS.

Addressed in Moffett Place SEIR?	Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
response plan or emergency evacuation plan.	Emergency contact information. Evacuation procedures in the event of disaster (Less Than Significant Impact With Mitigation).			
N/A. This issue was addressed in Section 4.7.3 and the project was found to have no impact on the City's emergency response plan or emergency evacuation plan.	**Mitigation 3.6-F2 Emergency Preparedness Impacts:** To reduce to the need for additional emergency services the following mitigation measure shall be implemented in addition to compliance and conformance to the above-mentioned policies and action statements. The consequences of implementing the mitigation policy will create a less than significant impact for emergency preparedness. The City shall encourage disaster service training for all businesses and employees in Moffett Park Specific Plan area. The City shall work with businesses and the American Red Cross to establish an ARK within the Specific Plan area. The City shall incorporate the policies and requirements established by the Governors Special Advisor on State Security for the purposes of Homeland Security (Less Than Significant Impact With Mitigation).	Refer to Mitigation Measure 3.6-F1. In addition, project applicant shall follow mitigation measure 3.6-F2.	Refer to Mitigation Measure 3.6-F1.	Refer to Mitigation Measure 3.6-F1.
	3.7 Hydrology, Drainage, Flooding, and Water Quality			
N/A –This issue was addressed in Section 4.8 of the SEIR. Compliance with the provisions of the Municipal Stormwater Permit, and the Constr-uction	**Mitigation 3.7-B Impacts to Stormwater Drainage Infrastructure:** Prior to the approval of new development applications, the City of Sunnyvale will incorporate the following measures into the conditions of approval for all new development, as applicable. The pproperty owner/developer shall maintain all drainage facilities on a quarterly basis, or as required by programs established by the City. This maintenance	Require as a condition of approval. Project applicant shall maintain all drainage facilities on a quarterly basis. Copies of maintenance records to be sent to the CDD and DPW.	CDD Project Applicant CDD DPW	Draft and incorporate condition as part of project approval. Project applicant to submit copies of maintenance records to CDD and DPW on a quarterly basis following project development. Submit copies for review by CDD and DPW.

Addressed in Moffett Place SEIR?	Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
General Stormwater Permit	shall be recorded, and copies of applicable reports sent to the City of Sunnyvale. The City of Sunnyvale shall require all new development to label new storm drain inlets. (Less Than Significant With Mitigation).	Project contractor shall label new storm drain inlets.	DPW	Prior to issuance of first certificate of occupancy.
N/A –This issue was addressed in Section 4.8 of the SEIR. Compliance with the provisions of the Municipal Stormwater Permit, and the Construction General Stormwater Permit	**Mitigation 3.7-C Alteration of Drainage Patterns:** The following mitigation measures shall be considered by the City of Sunnyvale and incorporated, to the extent feasible, in future development applications within the Moffett Park Specific Plan area. These measures would reduce the potential water quality impacts resulting from construction and site grading within the Specific Plan area: Future development design shall minimize the amount of onsite grading required to the extent feasible during construction activities. Future development design shall maximize the amount of landscaping in the project design (a minimum of 20% of parking lot areas must be landscaped). All proposed development shall comply with the requirements of the NPDES Permit regarding construction practices, including filing of a Notice of Intent with the Regional Water Quality Control Board, and the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP). Construction Best Management Practices shall be outlined in the SWPPP prior to the commencement of grading on the site, and shall include elements regarding construction site planning, housekeeping practices and material storage, vehicle and equipment fueling and maintenance, erosion and sedimentation controls, slope stabilization, dust control, road and construction entrance	Require as a condition of approval. Project applicant to minimize the amount of onsite grading during construction activities Project applicant to maximize the amount of landscaping in the project design. Project applicant shall prepare a SWPPP.	CDD CDD DPW CDD DPW CDD DPW Project Contractor DPW CDD (Building Inspectors)	Draft and incorporate condition as part of project approval. Prior to issuance of grading permit, submit plans for review by CDD and DPW. Prior to issuance of grading permit, submit plans for review by CDD and DPW Prior to issuance of grading permit, applicant to submit SWPPP for review and approval by CDD and DPW. Contractor to maintain copy of SWPP on construction site during grading and construction activities.

Addressed in Moffett Place SEIR?	Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
	stabilization, storm drain inlet protection, and temporary drainage systems.			
N/A – The project results in a net reduction of impervious surface which increases percolation.	**Mitigation 3.7-D Groundwater Recharge:** During the review of applications for new development, the City of Sunnyvale shall consider all opportunities to incorporate open space and other environmentally beneficial measures to enhance groundwater recharge to allow additional percolation of surface waters into the ground. (Less Than Significant With Mitigation).	Require as a condition of approval. Project applicant to incorporate open space opportunities into project design.	CDD CDD DPW	Draft and incorporate condition as part of project approval. Submit plans for review by CDD and DPW prior to approval of grading permit.
	3.9 Noise			
N/A. This issue was evaluated in Section 4.10 of the SEIR. Only a small portion of the Project site is within the 65 dBA CNEL contour of Moffett Field. Impacts were determined to be less than significant.	**Mitigation 3.9-A Noise Related to Moffett Airfield:** Prior to issuance of building permits for future projects developed within the southwestern portion of the Specific Plan area (Exhibit 3.9-1 describes Noise contours in south and southwestern MPSP area), each property owner/developer shall be required to perform a final detailed analysis of interior noise reduction requirements and implement the required noise insulation features into the building design of the proposed buildings to ensure that noise levels are reduced to less than significant levels (Less Than Significant Impact With Mitigation).	Require as a condition of approval. Project applicant to conduct final detailed analysis of interior noise reduction requirements. Project applicant to construct required noise insulation features into building design.	CDD CDD DPW CDD DPW	Draft and incorporate condition as part of project approval. City staff to review analysis and revised building design plan prior to issuance of building permit. City staff to inspect construction site.
N/A –Traffic noise levels were evaluated in Table 4.10-11 of the SEIR. No impacts from Freeway traffic noise were identified.	**Mitigation 3.9-C: Freeway Traffic Noise:** Prior to the issuance of building permits for future projects developed under the guidance of the proposed Specific Plan, the property owner/developer of such projects shall perform a final detailed analysis of interior noise reduction requirements and implement the required noise insulation features into the building design of the proposed buildings (in the southwestern portion of the proposed Specific Plan area) to ensure that noise levels are reduced to less than	Refer to Mitigation Measure 3.9-A	Refer to Mitigation Measure 3.9-A.	Refer to Mitigation Measure 3.9-A.

Addressed in Moffett Place SEIR?	Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
	significant levels (Less Than Significant Impact With Mitigation).			
	3.10 Population and Housing			
Required as condition of approval.	**Mitigation 3.10-A Population and Housing Impacts:** The property owners/developers of future development projects within the Moffett Park Specific Plan Area shall contribute to the City of Sunnyvale's "Housing Mitigation Fund" as deemed for development in excess of current General Plan levels. The City shall in turn utilize and expend the monies collected in the Housing Mitigation Fund to reduce the City's housing deficiency in relation to the number of jobs located in the City. (Significant and Unavoidable Impact).	Require as a condition of approval. Project applicant to contribute to Housing Mitigation Fund.	CDD CDD	Draft and incorporate condition as part of project approval. Receive payment prior to issuance of building permit.
	3.11 Public Services			
N/A – The Project was reviewed by the City's Department of Public Safety and no new additional security plans were required.	**Mitigation 3.11-A Police Service:** Prior to issuance of building permits, each future development project within the Specific Plan area shall incorporate a comprehensive on-site security system to assist the DPS in reducing the number of potential calls for police protection service. These shall include, at minimum, the following features: A lighting plan utilizing a variety of lighting types and features to illuminate the project area at night. Security lighting shall be provided in all areas that are not visually accessible to police patrols, as determined by the Sunnyvale Department of Public Safety (DPS). Nighttime illumination of buildings, pedestrian walkways and parking areas shall be used to highlight building design features, emphasize prominent entrances and create an atmosphere of security. In-progress robbery and burglar detection alarms installed in all project buildings to augment the private security force.	Require as a condition of approval.	CDD DPS	Draft and incorporate condition as part of project approval.

Addressed in Moffett Place SEIR?	Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
	A public address system for use by private security and the Sunnyvale DPS. Prior to issuance of buildings permits for each future development project within the Specific Plan area, the Sunnyvale DPS shall review building and lighting plans for the purpose of ensuring that the lighting plan meets the minimum requirements needed by the DPS to provide for on-site safety, thereby reducing the potential increase in calls for police protection service (Less Than Significant Impact With Mitigation).			
Required as condition of approval.	**Mitigation 3.11-B1 Fire Service:** Prior to approval of each grading plan for projects in the Specific Plan area, the property owner/developer shall submit an emergency fire access plan to the DPS for review and approval to ensure that service to the site is in accordance with the DPS service requirements.	Require as a condition of project approval. Project applicant submits an emergency fire access plan to DPS for review and approval	CDD PWD DPS CDD DPS	Draft and incorporate condition prior to approval of project. Prior to issuance of building permits.
Required as condition of approval.	**Mitigation 3.11-B2 Fire Service:** Prior to issuance of each building permit in the Specific Plan area, plans shall indicate that all buildings, exclusive of parking structures, have sprinklers installed by the property owner/developer in accordance with the City of Sunnyvale Municipal Code. Said sprinklers shall be installed prior to each final building and zoning inspection.	Require as a condition of project approval.	CDD PWD DPS	Draft and incorporate condition prior to approval of project.
City requirement.	**Mitigation 3.11-B3 Fire Service:** The City shall monitor its needs and allocate the appropriate funds for additional facilities, staff, and equipment.	City staff shall monitor fire service needs.	DPS	Ongoing
Required as condition of approval.	**Mitigation 3.11-B4 Fire Service:** Prior to issuance of each building permit in the Specific Plan area, the property owner/developer shall submit a Construction Fire Protection Plan, which shall include detailed design, plans for accessibility of emergency fire equipment, fire hydrant locations, and any other construction features required by the Fire Marshal. The property owner/developer shall be responsible for securing	Require as a condition of project approval.	CDD PWD DPS	Draft and incorporate condition prior to approval of project.

Addressed in Moffett Place SEIR?	Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
	facilities acceptable to the DPS and hydrants shall be operational with required fire flow.			
Required as condition of approval.	**Mitigation 3.11-B5 Fire Service:** Prior to approval of street improvements plans for Specific Plan area, the water supply system shall be designed by the property owner/developer to provide sufficient fire flow pressure and storage for the proposed land use and fire protection system in accordance with DPS requirements. (Less Than Significant Impact With Mitigation).	Require as a condition of project approval.	CDD PWD	Draft and incorporate condition prior to approval of project.
N/A –School impacts were evaluated in Section 4.11 of the SEIR. No impacts to schools were identified with the payment of required school fees.	**Mitigation 3.11-C Schools:** The property owner/ developer of each development project within the Specific Plan area would be required to pay school fees to Fremont Union High School District in the amount adopted by the district as mitigation for school facilities impacts. Pursuant to Section 65995 (3)(h) of the California Government Code (Senate Bill 50, chaptered August 27, 1998), the payment of statutory fees "...is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or developed of real property, or any change in governmental organization or reorganization..." Therefore, subsequent to payment of statutory fees, school impacts would be considered less than significant (Less Than Significant Impact With Mitigation).	Require as a condition of project approval.	CDD PWD	Draft and incorporate condition prior to approval of project.
Mitigation Measure 4.6-2	**Mitigation 3.12-B Freeway Operations:** The City of Sunnyvale shall be responsible for the implementation of all intersection improvements identified in Table 3.12-14 commensurate with and pursuant to the City of Sunnyvale Transportation Strategic Program. Future property owners/ developers within Moffett Park shall be required to pay the City of Sunnyvale all applicable transportation fees in an amount determined by the City Council Resolution in effect at the time of issuance of the building permit. The Citywide Deficiency Plan shall be utilized to offset impacts at any	City staff implements intersection improvements. Require as a condition of project approval.	CDD DPW CDD	As identified in the Transportation Strategic Program. Draft and incorporate condition prior to approval of project.

Addressed in Moffett Place SEIR?	Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
	intersection where providing additional capacity is determined to be infeasible or undesirable by the City. Funding of improvements will be linked to trip generation of new development, so improvements will be provided as the level of trip making from approved development necessitates.			
Mitigation Measure 4.6-2	**Mitigation 3.12-C Freeway Operations:** Refer to Mitigation 3.12-B. (Significant and Unavoidable Impact)	Refer to Mitigation Measure 3.12-B.	Refer to Mitigation Measure 3.12-B.	Refer to Mitigation Measure 3.12-B.
Mitigation Measure 4.6-2	**Mitigation 3.12-D Freeway Operations:** Refer to Mitigation Measures 3.12-A, 3.12-B, and 3.12-C (Significant and Unavoidable Impact).	Refer to Mitigation Measure 3.12-A, 3.12-B, and 3.12-C.	Refer to Mitigation Measure 3.12-A, 3.12-B, and 3.12-C.	Refer to Mitigation Measure 3.12-A, 3.12-B, and 3.12-C.
Mitigation Measure 4.6-2	**Mitigation 3.12-G Freeway Operations: Emergency Access:** Prior to final approval of all future site- specific development projects within the Specific Plan area, a final Circulation Plan and all applicable traffic mitigation measures(as identified in this section of the EIR) shall be submitted for review to the Department of Public Safety (DPS) to ensure that emergency vehicle response times within the Specific Plan not compromised by the decline in level of service operations at the freeway segments or intersections analyzed within the study area. If the DPS determines, following their review of the aforementioned final circulation plan and/or project mitigation measures, that the emergency response times would be compromised, then the developer/project applicant shall be required to submit an emergency access plan to the DPS for review and approval to ensure that service to the site and within the project study area is in accordance with the DPS requirements. Said plan shall include detailed design plans for emergency accessibility (Less Than Significant Impact With Mitigation).	Require as a condition of project approval. Project applicant to submit a Final Circulation Plan for City staff review. Project applicant to submit an emergency access plan to DPS	CDD PWD CDD PWD DPS CDD DPS	Draft and incorporate condition prior to approval of project. Prior to issuance of first building permit. Prior to issuance of first building permit.
Mitigation Measure 4.6-8	**Mitigation 3.12-H Freeway Operations:** Prior to issuance of each building permit, the project applicant/developer shall limit the time periods of construction to off peak hours. A construction routing and staging plan shall be prepared subject to the review and approval of the Community	Require as a condition of project approval.	CDD PWD CDD	Draft and incorporate condition prior to approval of project.

Addressed in Moffett Place SEIR?	Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
	Development Department (Less Than Significant Impact With Mitigation).	Project applicant to submit a construction routing/staging plan for City staff review.	PWD	Prior to issuance of first building permit
	3.13 Utilities And Service Systems			
N/A - The Project's potable water system has been reviewed and approved by the Department of Public Works. No further studies or mitigation is required.	**Mitigation 3.13-B2 Potable Water Distribution System:** Prior to the approval of any new developments in the Moffett Park Specific Plan area, the Public Works Department shall review plans to identify any projects which may generate the need for water distribution line improvements as identified in the Capital Improvement Plan. Prior to the approval of any new projects in the Moffett Park Specific Plan area identified by the Public Works Department as generating the need for capital improvements, the City of Sunnyvale shall require the project applicants to either pay fees for a "fair share" towards specified capital improvements, or to make the improvements (Less Than Significant Impact With Mitigation).	City staff reviews project plans and identifies necessary capital improvements. Require as a condition of project approval.	CDD PWD CDD	Prior to project approval. Draft and incorporate condition prior to project approval.
N/A – The Project Applicant has prepared project specific Sanitary Sewer impact analysis which was reviewed and approved by the Department of Public Works. No further	**Mitigation 3.13-F2 Wastewater Collection and Conveyance:** Prior to the approval of any new developments in the Moffett Park Specific Plan area, the Public Works Department shall review plans to identify any projects that may generate the need for wastewater collection and conveyance line improvements as identified in the Capital Improvement Plan. Prior to the approval of any new projects in the Moffett Park Specific Plan area identified by the Public Works Department as generating the need for capital improvements, the City of Sunnyvale shall require the project applicants to either pay fees for a "fair share" towards specified capital improvements, or to make the	City staff reviews project plans and identifies necessary capital improvements. Require as a condition of project approval.	DPW CDD	Prior to approval of the project. Draft and incorporate condition prior to approval of project.

Addressed in Moffett Place SEIR?	Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
studies or mitigation is required.	improvements (Less Than Significant Impact With Mitigation).			
N/A – This requirement is addressed through compliance with the City's Zero Waste Policy and Council adopted Zero Waste Strategic Plan.	**Mitigation 3.13-H Long Term Solid Waste:** Prior to issuance of the first building permit, the applicant shall submit a Solid Waste/Recycling Management Plan for City staff review and approval. At minimum, this plan shall include bin sizes and locations for solid waste, and the allocation of separate bins for paper, glass, plastic, newspaper, cardboard or other recyclables.	Require as a condition of project approval. Project applicant to submit a Solid Waste/Recycling Management Plan for City Staff review.	CDD CDD DPW	Draft and incorporate condition prior to approval of project. Prior to issuance of first building permit.
N/A – The Project proposes to be developed to a LEED Platinum rating which includes address energy efficient buildings design and appliances.	**Mitigation 3.13-I Electricity and Natural Gas:** In order to reduce escalating energy demands generated by implementation of future projects or the subsequent increase in building intensity FAR, all future development projects in the Moffett Park Specific Plan area shall be required to implement the following mitigation measures: Prior to issuance of all building permits, the City of Sunnyvale shall review project plans to ensure that the project is designed in accordance with the energy conservation measures under Title 24 of the California Administrative Code. Prior to issuance of all building permits, the City of Sunnyvale shall require that new development within the Specific Plan area prepare an energy conservation plan. The plans shall include techniques to minimize the use of electricity. Techniques may include, but are not limited to, the following:	Require as a condition of project approval Project applicant to submit an energy conservation plan for City staff review. Project applicant to submit an energy conservation plan for City staff review.	CDD CDD CDD	Draft and incorporate condition prior to approval of project. Prior to determining completeness of development application Prior to determining completeness of development application.

Addressed in Moffett Place SEIR?	Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
	Lighting: use of fluorescent light bulbs, motion detections systems for lights, and task lighting Heating and Cooling: use of energy efficient HVAC systems, evaporative condensers, PG&E equipment rebates, solar chimneys, roof wetting systems during summer months, automatic louvers, and high efficiency fans. Appliances: use of computers and appliances with energy star labels Building and site: Installation of spectrally-selective windows, perimeter blinds, energy efficient installation, skylights, tightly sealed duct connections, movable awnings, and landscaping and trees to provide shade. Policies: company policies that require employees to turn off computers, lights, printers, copy machines, etc. when operation is not necessary (Less Than Significant Impact With Mitigation).			

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